



AGENDA

PUBLIC INPUT

1. **CALL TO ORDER**
2. **ADOPTION OF AGENDA**
3. **DECLARATION OF INTEREST**
4. **ANNOUNCEMENTS, AWARDS, CEREMONIES & PRESENTATIONS**
5. **ADOPTION OF MINUTES FROM PREVIOUS MEETING**
 - a. Regular Meeting of Council – July 30th– page 2-6
6. **INFORMATION ONLY**
 - a. Housing Development Update – page 7-16
7. **ADMINISTRATIVE ENQUIRIES**
8. **COMMITTEE REPORTS**
 - a. Public Works Monthly Report for July – page 17-22
 - b. Tourism and Economic Development for July – page 23-29
 - c. Municipal Enforcement Monthly Report for July – page 30-33
 - d. Recreation and Community Monthly Report for July – page 34-41
 - e. Waste Collection Contract – page 42-44
 - f. Excused Absence for Deputy Mayor Dohey – page 45
9. **NEW BUSINESS**
 - a. Bylaw Prioritization Schedule – page 46-48
 - b. Fire Prevention Bylaw – page 49-69
 - c. Taxi Bylaw – page 70-93
 - d. Appointment of Returning Officer – page 94-96
 - e. Letter of Support for Climate Change Adaptation – page 97-98
 - f. Excused Absence for Cllr Willows – page 99
10. **BYLAWS**
 - a. Bylaw 2238/PS/24 Fire Prevention Bylaw – First and Second Reading – page 100-116
 - b. Bylaw 2425/GEN/24 Taxi Bylaw - First and Second Reading – page 117-139
11. **NOTICE OF MOTIONS**
12. **IN CAMERA**
 - a. **Matters under Consideration** - pursuant to Cities, Towns & Villages Act, S.N.W.T. 2003 c. 22, Section 23. (3), (e)
 - Airport Road Disaster Mitigation and Adaptation Funding Agreement – page 140-141
13. **ADJOURNMENT**



REGULAR MEETING MINUTES July 30th, 2024

The Regular Meeting of Council was held on Tuesday, July 30th, 2024 at 6:30pm

Present: Deputy Mayor Dohey, Councillors Groenewegen, Duford, Chambers and Cllr Bouchard

Staff: ASAO – Patrick Bergen, Director of Public Works – David Taylor, Director of Finance – Abena Nyarko, Director of Protective Services – Travis Wright and Council Administrator – Stacey Barnes

1. CALL TO ORDER:

This Meeting was called to order at 6:30pm with DM Mayor Dohey presiding.

2. ADOPTION OF AGENDA

#24-143

MOVED BY CLLR DUFORD

SECONDED BY: CLLR CHAMBERS

Add excused absence 9e) for Mayor Jameson and Cllr Wall and Remove 11)

3. DECLARATION OF INTEREST

There were no Declaration of Interest for Tuesday, July 30th, 2024

4. ANNOUNCEMENTS, AWARDS & PRESENTATIONS

ParticipACTION Community Challenge award presented to Courtney Fraser and Jordan Froese

DM Dohey – Golf course has had 2 events raising money, the Broken Driver and NWT Hockey golf tournament

5. ADOPTION OF MINUTES

a. Regular Meeting of Council – June 25th, 2024

#24-144

MOVED BY: CLLR DUFORD

SECONDED BY CLLR CHAMBERS

CARRIED

b. Special Meeting of Council – June 27th, 2024

#24-145

MOVED BY: CLLR DUFORD

SECONDED BY CLLR CHAMBERS

CARRIED

6. INFORMATION ONLY – RCMP monthly policing report for June and the Strategic Plan Update for June



REGULAR MEETING MINUTES July 30th, 2024

7. ADMINISTRATIVE ENQUIRIES

Verbal Reports were given by ASAO Patrick Bergen, Director of Public Works – David Taylor, Director of Finance – Abena Nyarko, Director of Protective Services – Travis Wright

8. NEW BUSINESS

a. RECOMMENDATION:

#24-146 MOVED BY: CLLR CHAMBERS
 SECONDED BY: CLLR BOUCHARD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Public Works Monthly Report for June 2024 as presented.

CARRIED

b. RECOMMENDATION:

#24-147 MOVED BY: CLLR BOUCHAR
 SECONDED BY: CLLR CHAMBERS

That the Council of the Town of Hay River approves the Emergency Services Activity Report for June 2024 as presented.

CARRIED

c. RECOMMENDATION:

#24-148 MOVED BY: CLLR BOUCHARD
 SECONDED BY: CLLR CHAMBERS

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Municipal Enforcement Report for June 2024 as presented.

**CARRIED
CARRIED**

d. RECOMMENDATION:

#24-149 MOVED BY: CLLR CHAMBERS
 SECONDED BY: CLLR DUFORD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the report entitled "Recreation and Community Services Monthly Report" for June 2024 as presented.

CARRIED



REGULAR MEETING MINUTES July 30th, 2024

9. NEW BUSINESS

a. RECOMMENDATION:

#24-155 **MOVED BY: CLLR GROENEWEGEN**
SECONDED BY: CLLR DUFORD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approves the final Community Public Infrastructure contribution agreement from July to December 2024 in the amount of \$1,641,750.

CARRIED

b. RECOMMENDATION:

#24-156 **MOVED BY: CLLR DUFORD**
SECONDED BY: CLLR BOUCHARD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approves the 2024 Q2 unaudited consolidated Statement of Operations as recommended by the Finance Committee.

CARRIED

c. RECOMMENDATION:

#24-157 **MOVED BY: CLLR CHAMBERS**
SECONDED BY: CLLR DUFORD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Tourism and Economic Development Report for the month of June 2024.

CARRIED

d. RECOMMENDATION:

#24-158 **MOVED BY: CLLR GROENEWEGEN**
SECONDED BY: CLLR DUFORD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER award the Alaska Road Realignment Project Tender to 851791 NWT Ltd. o/a Rowe's Construction in the amount of \$438,000.00 (excl. GST).

CARRIED

RECOMMENDATION:

#24-159 **MOVED BY: CLLR GROENEWEGEN**
SECONDED BY: CLLR DUFORD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER excuses Mayor Jameson and Councillor Wall from the Regular Meeting of Council, Tuesday, July 30th, 2024

CARRIED



REGULAR MEETING MINUTES July 30th, 2024

10. NOTICE OF MOTIONS

There was no notice of motions for the Regular Meeting of Council, July 30th, 2024

11. IN CAMERA - Removed

13. ADJOURNMENT

#24-160 MOVED BY: CLLR DUFORD

That the Regular Meeting of Council be adjourned at 7:04pm.

CARRIED

Certified Correct as Recorded on the 30th Day of July 2024

These minutes were accepted by motion # _____



Housing Development Update

Regular Meeting of Council Presentation

August 27, 2024



Agenda

- Land and Housing Development Planning
 - Residential Land Development Status
 - Housing Development Support
 - Aspen Heights Expression of Interest
-
-



Land and Housing Development Planning

- Community Plan
 - Land Development Plan
 - Strategic Community Housing Plan
-
-



Housing Development Support

- CMHC Housing Accelerator Fund
 - Initiatives
 - Residential Housing Development Grant
 - Other Funding
-
-



Residential Land Development Status

- Fraser Place
 - Sundog
 - Aspen Heights
-
-

Request for Expression of Interest

Purpose :

The REOI serves as a preliminary step in the planning process, allowing the town to gather information and ideas from qualified parties before moving forward with a formal request for proposals (RFP) or other proposal processes.

Early-Stage Exploration: The primary purpose of the REOI is to identify and gauge interest from potential developers, investors, and other stakeholders for the purpose of the proposed development project in Hay River.

Broad Market Engagement: The REOI allows the town to assess interest from potential partners, including developers, investors, and contractors. This allows us to understand who is interested and capable of participating before committing to a more detailed process.

Strategic Information Gathering: This is a powerful tool that can provide valuable insights into market conditions, available technologies, and potential partners. By understanding the capabilities and limitations of potential partners early on, we can identify and mitigate risks, making the subsequent RFP process more targeted and efficient.

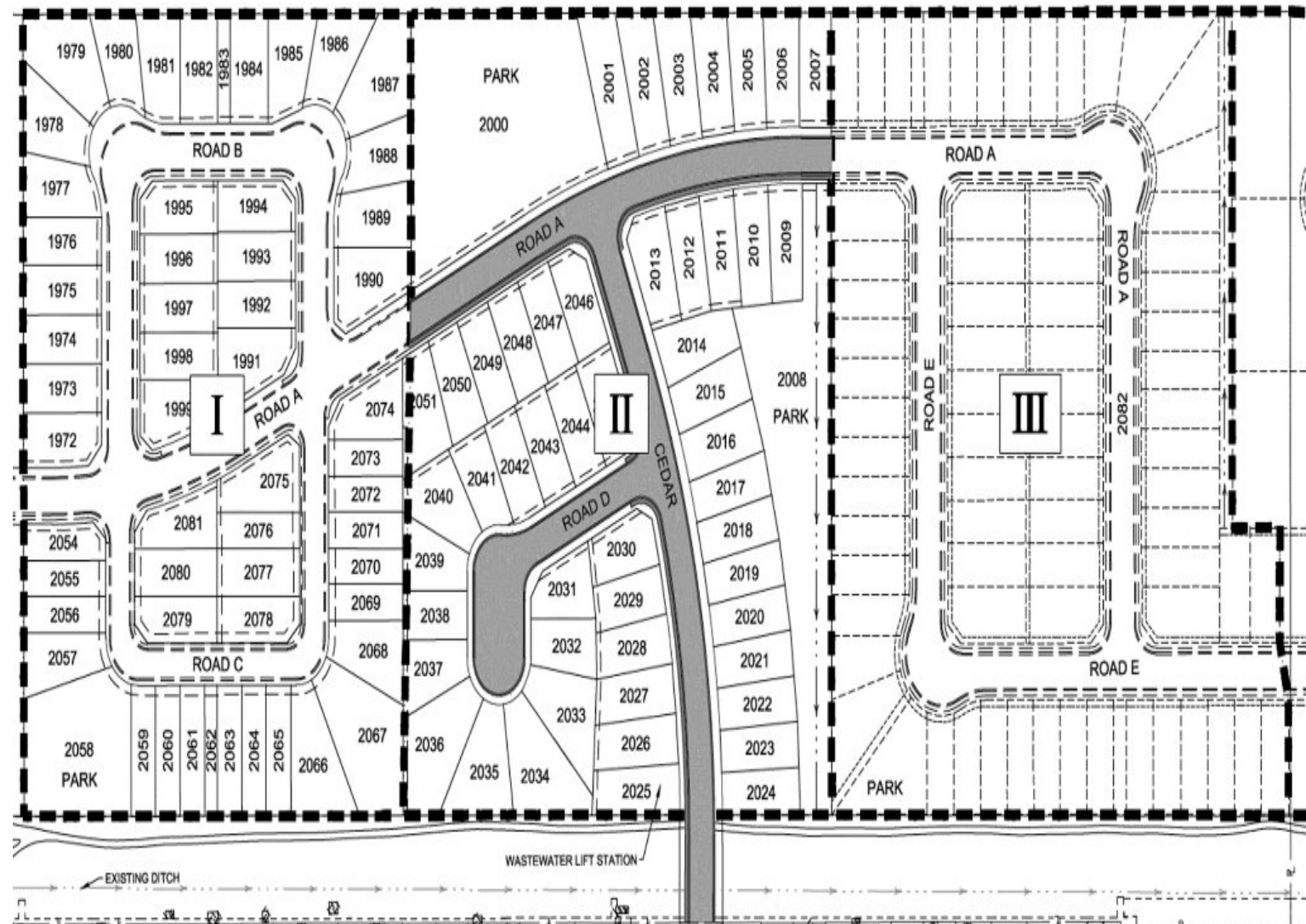
Aspen Heights Development Initial Scope

- Aspen Heights development is planned for a four (4) phase construction approach.
- The construction of the four phases will be in line with the Towns design standard details that have been developed for publication in conjunction with the REOI.
- The phase 2 area as shown in the image is the area selected for the purpose of this REOI.



Aspen Heights Development Initial Scope

- The REOI is focused on receiving proposals for the Phase 2 area.
- An option to include phase 1 in conjunction with phase 2 to expand the opportunity for potential partners.



REOI Information Requested From Developers

1. **Respondent Submission Form** – Legal name of the respondent, physical business address, and contact information
2. **Expression of Interest Application Form** – Land purchase price, % towards lift station, 5 %GST
3. **List of Past Projects** – History of past successful developments
4. **Site Plan of Proposed Development** - Concept drawings, area maps
5. **Proposed Development Timeline** – Infrastructure installation, geotechnical reporting etc.
6. **Ability of the Party to Complete the Transaction** – Confirmation the developer will be able to complete the desired development.
7. **Acceptability of any proposed conditions identified in Attachment 4 and Land Application**
8. **Final Considerations** – Any additional information, suggests, concerns and considerations

Servicing to the development provided & paid for by the Developer shall include:

- a. Asphalt roadway and aggregate road structure.
- b. Concrete curb, gutter, and sidewalks
- c. Piped water, sanitary sewer, and stormwater infrastructure.
- d. Surface drainage infrastructure.
- e. Rough grading of Parks and Open spaces.
- f. Franchised utilities (electrical, streetlighting, communications, and propane gas)
- g. A levy towards the required lift station

Aspen Heights REOI Timeline

2 REOI TIMETABLE

Issue Date of REOI	September 15, 2024
Deadline for Questions	October 31 th , 2024
Deadline for Addenda	November 30 th , 2024
Submission Deadline	January 30 th , 2025

The REOI timetable is tentative. It may be changed by the Town at any time, and the Town may choose to waive or extend the Deadline for Questions, Deadline for Addenda and/or the Submission Deadline. For greater clarity, business days means all days that the Town is open for business, other than a Saturday, Sunday and/or Statutory Holidays.



REPORT TO COUNCIL

DEPARTMENT: Public Works

DATE: August 13, 2024

SUBJECT: Public Works Monthly Report for July 2024

RECOMMENDATION:

**MOVED BY: CLLR DUFORD
SECONDED BY: CLLR CHAMBERS**

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Public Works Monthly Report for July 2024 as presented.

BACKGROUND:

Engineering and Capital Projects:

A complete list of 2024 capital projects can be found as an attachment to this document. The following are some major changes since the last monthly report:

- Fraser Place
 - The Town has met with the utility's providers for a kick-off meeting to discuss tentative schedule and materials ordering.
 - The expected completion date of the trenching and installation is October 31, 2024.

- Shoreline Mitigation Project
 - The expected completion date for this project is September 30, 2024.
 - Approval granted for removal and reinstatement of the lighting in the area.
 - Rows to manage access to the WestPoint band office and local residence during construction.

- Cemetery Expansion
 - A feasibility study has begun to assess the expansion of the current cemetery site.
 - Potential to add 50+ plots to allow for time to assess a new site and extend the timeline 1-2 years.

- Sundog LT Facility
 - The Climate Resilience Workshop (HR 24 LTC Climate Change Risk Assessment) was held on Thursday, August 8, 2024.



REPORT TO COUNCIL

DEPARTMENT: Public Works

DATE: August 13, 2024

SUBJECT: Public Works Monthly Report for July 2024

- Negotiations for the contribution agreement with GNWT are ongoing, the deadline for negotiations is November 30, 2024

Public Works Operations and Maintenance

Roads and Ditches

- Crack sealing RFQ to close July 17 posted locally and did not receive any interest. The tender is being reissued to span a wider area, and will be posted on the town FB page, newspapers, and bids & tenders.
- General easement cleanup is on-going, and will be executed using the internal forces, and a contractor if required for larger areas.

Core Tendered Patching Locations Completed

Location	Est. Size (m ²)	Actual (m ²)
Cameron Cres	60	83.1
Capital Drive	55	54
Woodland Dr. /Malcom Cres	280	340.2
62 Cranberry Cres	4.5	5.8
9 Cranberry Cres	14	27.2
Steward Dr./Fraser Pl.	171	141.6
68 Stewart (Driveway)	4.5	18.3
17 Stewart Drive	88	88
52 Elm (Driveway)	6	13.4
Gaetz Drive	375	377
Wild Current Cres	8	7.3
Sibbeston Road	28	90.7
21 Balsam	28	29.1
10 Fir	34	46.2
North Country Inn Cut A	41.5	46.2
North Country Inn Cut B	32.5	49.5
25 Caribou	22	70
McRorie Road	62	70.1



REPORT TO COUNCIL

DEPARTMENT: Public Works

DATE: August 13, 2024

SUBJECT: Public Works Monthly Report for July 2024

Equipment Maintenance

- Grader repairs to be schedule for September due to contractor availability.
- Trailer mounted flusher - **Ongoing**
- Light Truck servicing – **Ongoing**
- Landfill packer repairs – **Brake repair authorized; To be scheduled**

Solid Waste

- 8" landfill cover applied to residential and domestic waste.
- The road into the landfill site, and the road leading up to the dumping grounds has had 3' of fill added to maintain safe access.
- New windows and shutters are to be installed to prevent access to the landfill office.

Water and Wastewater

- 8 Morin boulevard remediation ongoing with seed, soil and water.
- 15 Balsam lawn restoration complete
- 81 Morin lawn repair complete.
- 5 Ptarmigan lawn repair complete.
- Water line repair at community gardens complete.

Planning and Development

Enforcement

- A review of the current zoning and development by-law enforcement prioritization schedule is underway to be developed for Council review and approval.

Development

- Work is ongoing to develop a contribution agreement with the GNWT Department of Infrastructure for the development of the Long Term Care Facility.
- A climate change resilience workshop was held to discuss the potential impacts of the proposed building, and the impacts of the enviromenet on the sustainability of the long-term care facility.



REPORT TO COUNCIL

DEPARTMENT: Public Works

DATE: August 13, 2024

SUBJECT: Public Works Monthly Report for July 2024

Permitting

July 11	D24-041	55 Miron Dr.	Building Access
July 16	D24-042/B24-018	13 Industrial	Building Permit
July 17	D24-043/B24-017	30 Dean	Building Permit
July 23	B24-013	14- 104 Street	Building Permit
July 24	D24-039/B24-019	21 Wright Cres.	Residential
July 25	D24-045	331 Parkdale Ave N	Signage Permit
July 26	B24-020	61 Miron	Residential
July 31	D24-046	5-103 Street	Residential
July 31	B24-021	26-104 Street	Residential
July 31	DH24-047	26 McBryan	Residential

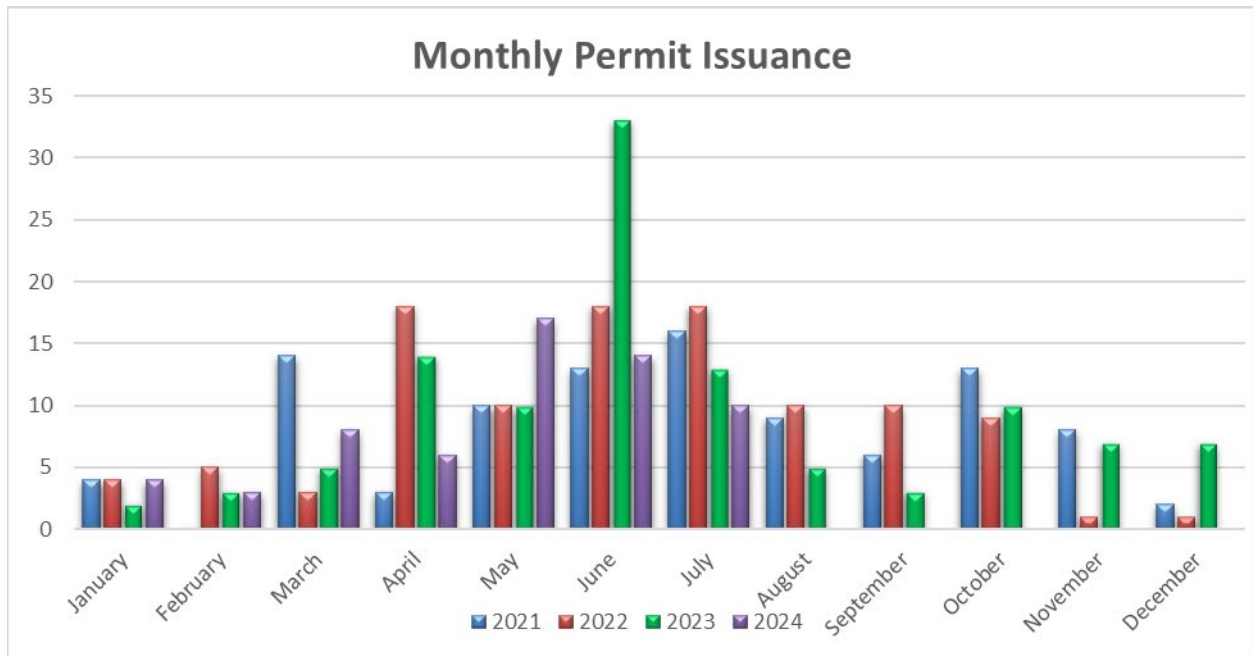


REPORT TO COUNCIL

DEPARTMENT: Public Works

DATE: August 13, 2024

SUBJECT: Public Works Monthly Report for July 2024



COUNCIL POLICY / STRATEGY OR GOAL:

- N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

- N/A

FINANCIAL IMPLICATIONS:

- N/A

ALTERNATIVES TO RECOMMENDATIONS:

- N/A

ATTACHMENTS:



REPORT TO COUNCIL

DEPARTMENT: Public Works

DATE: August 13, 2024

SUBJECT: Public Works Monthly Report for July 2024

- June 2024 Project Status Report

Prepared by:
David Taylor
Director Public Works & Services
Aug 8, 2024

Reviewed by:
Patrick Bergen
ASAO
Aug 8, 2024



REPORT TO COUNCIL

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT
DATE: August 13, 2024

SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT

RECOMMENDATION:

MOVED BY: CLLR WILLOWS
SECONDED BY: CLLR CHAMBERS

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Tourism and Economic Development Report for the month of July 2024.

BACKGROUND:

Tourism & Economic Development Activity:

- The Canada Day event was held on July 1, 2024 organized by the Tourism Coordinator.
- Hay Days Festival was held July 2 to 7, 2024 supported by the Tourism Coordinator.
- The Wayfinding Signs sign location applications are with the GNWT and waiting for a response. The production of the signs is complete and a contractor to install them has been secured. The original application to the GNWT was May 15, 2024.
- Waiting for a response for the grant application made to the United Way for NFTI remediation and development.
- ITI and CANNOR have been approached for funding for the agricultural plan as well as the economic development plan. Applications will be submitted in the near future.
- The Mayor and ASAO had a site visit of Pine Point Mines about their progress and future plans. Communications about their progress will be supported by Hay River as it may provide opportunities for citizens and businesses moving forward.
- The ASAO had a meeting with Pine Point Mine to provide details of a draft MOU that should be provided after the Labour Day long weekend.
- Met and communicated with a person that is interested in provided taxi service in Hay River. They were looking for housing as well.
- The SAO met with a veterinarian and staff looking to setup operations in Hay River. The current plan is to offer periodic home appointments but there is



REPORT TO COUNCIL

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT
DATE: August 13, 2024

SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT

consideration for a more permanent setup. Administration has offered support navigating licensing, office and accommodations options.



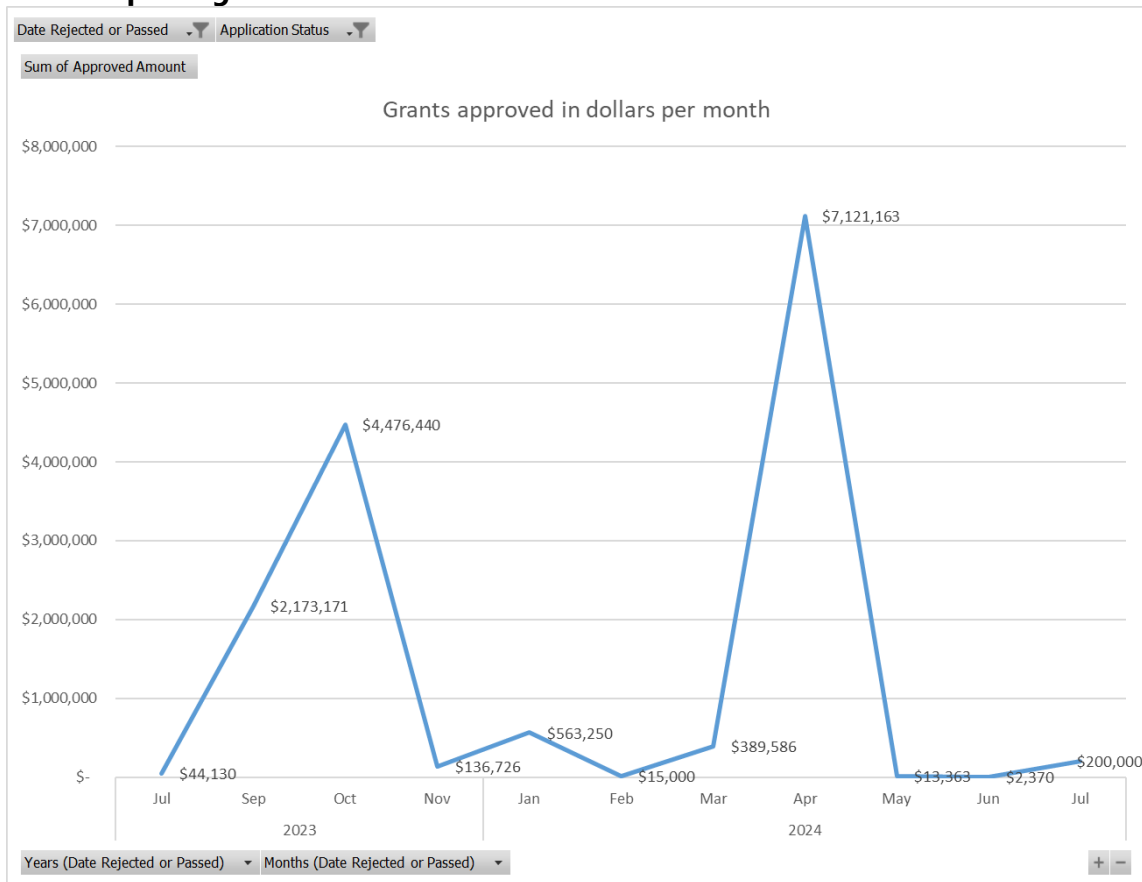
REPORT TO COUNCIL

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT
DATE: August 13, 2024

SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT

Key Performance Indicators:

Grant Reporting

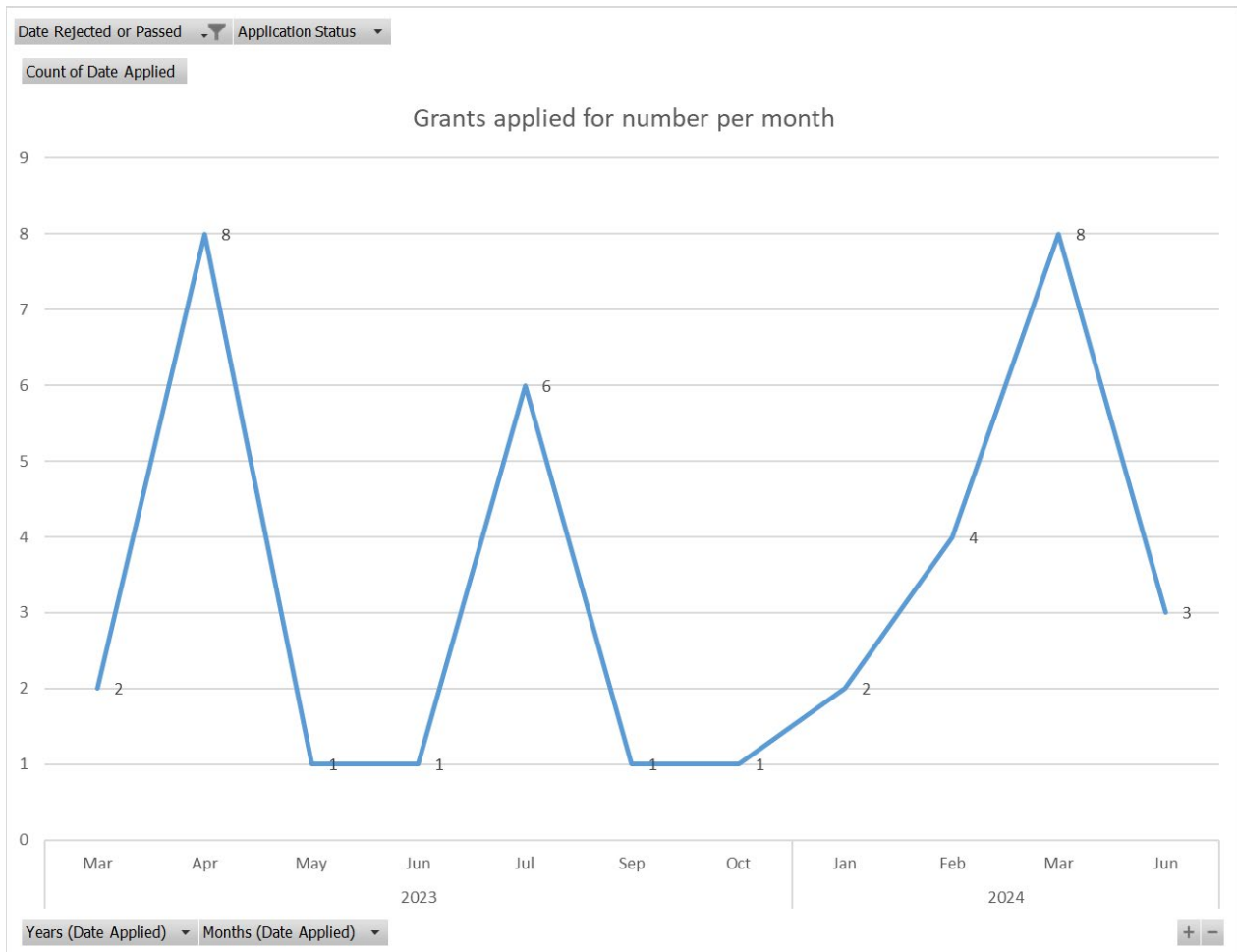




REPORT TO COUNCIL

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT
DATE: August 13, 2024

SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT



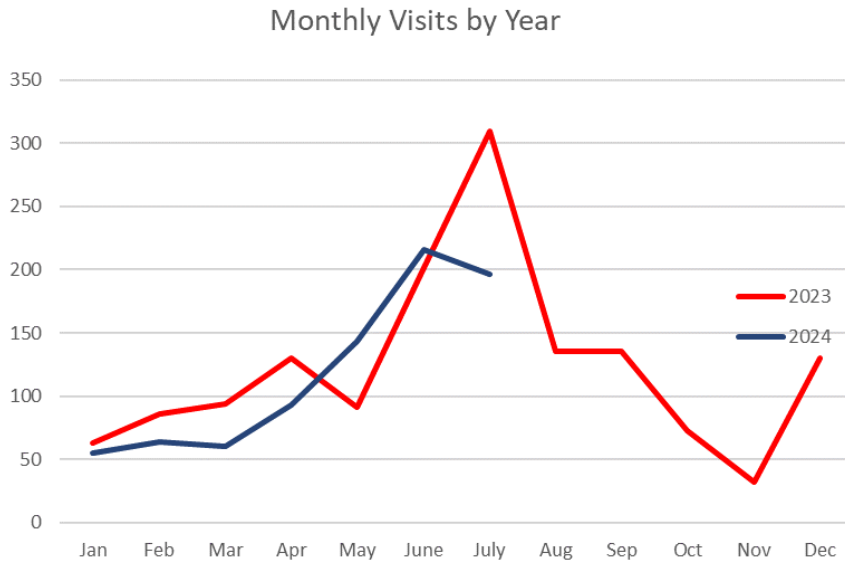


REPORT TO COUNCIL

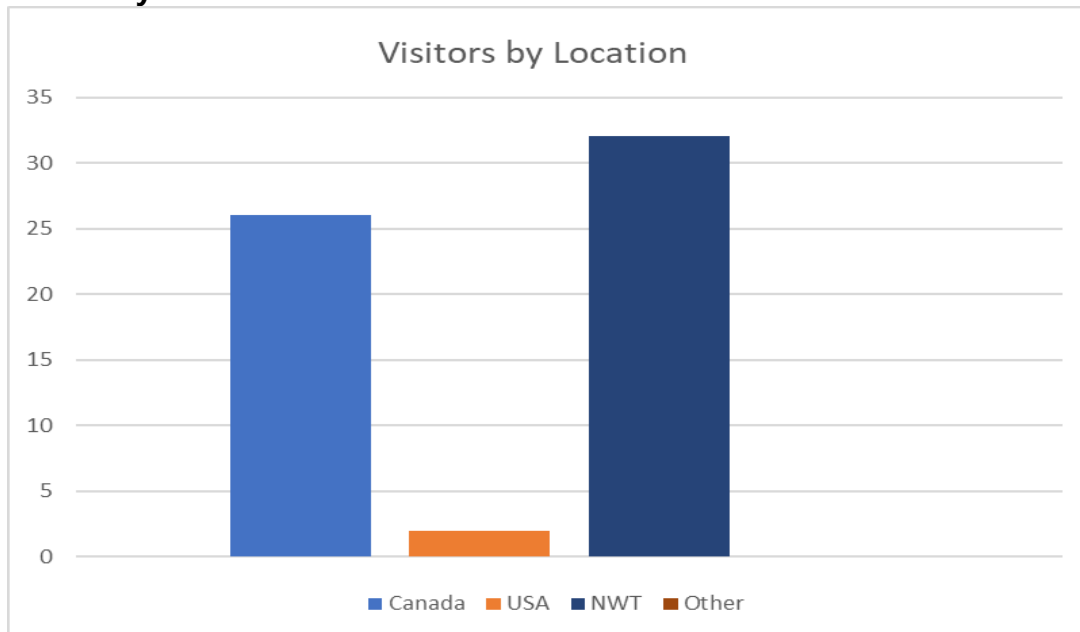
DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT
DATE: August 13, 2024

SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT

Visitor Information Centre Visits



Visitors by Location



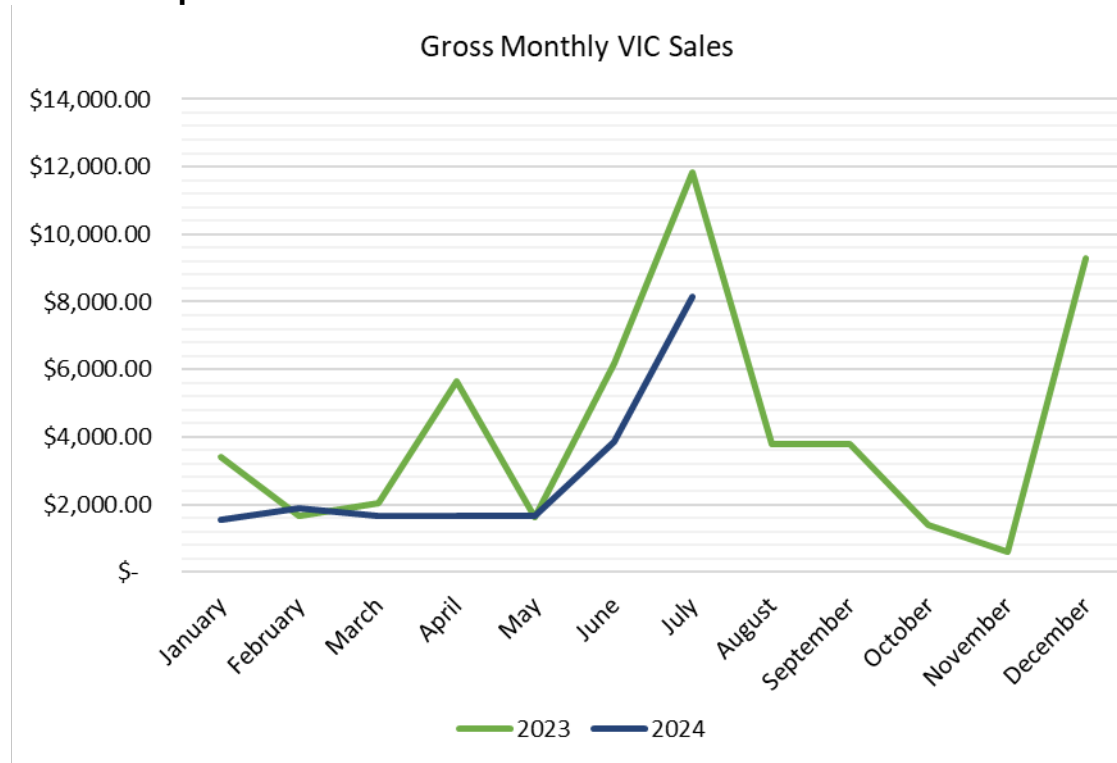


REPORT TO COUNCIL

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT
DATE: August 13, 2024

SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT

VIC Gift Shop Sales



COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A



REPORT TO COUNCIL

DEPARTMENT: TOURISM AND ECONOMIC DEVELOPMENT
DATE: August 13, 2024

SUBJECT: TOURISM AND ECONOMIC DEVELOPMENT MONTHLY REPORT

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

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Prepared by:

Jill Morse
Tourism Coordinator
Date: Aug 8, 2024

Reviewed by:

Patrick Bergen
ASAO
Date: Aug 8, 2024

REPORT TO COMMITTEE



DEPARTMENT: PROTECTIVE SERVICES

DATE: Aug 13th, 2024

SUBJECT: MUNICIPAL ENFORCEMENT REPORT

RECOMMENDATION:

MOVED BY: CLLR WALL
SECONDED BY: CLLR BOUCHARD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the Municipal Enforcement Report for July 2024 as presented.

BACKGROUND:

Monthly Enforcement Priorities	
Priorities	Description
1. Unightly Properties	Engagement and Enforcement
2. Animal Control	Patrols and Enforcement
3. Public Behaviour	Engagement and Enforcement

Monthly Stat Summary	
Unightly	12
Animal Control	12
Traffic Bylaw	6
Other	8

Unightly engagement with residents continues into the summer months. This is important to continue to keep yards clean and tidy, which helps reduce the risk of fire, and helps beautify the town. Patrols continue, and a large majority of homeowners and businesses that received letters have since cleaned up their properties. There are some residents who have refused the letters sent out, so clean-up orders will be issued on properties that are not in compliance. Further Engagement and follow-ups will continue to ensure that residents are taking care of their properties. Residents are encouraged to keep trees and bushes that encroach on neighboring properties trimmed to avoid any issues.

Animal activity has been similar to last month. Residents continue to call and email about incidents, which helps Protective Services when staffing is available to catch loose animals. Residents are encouraged to document with pictures whenever possible and to report as soon as possible. There was one incident on the beach that resulted in a child being bitten. The child has since recovered and the owner was fined. The owner voluntarily put down the animal. A few cats and dogs have been dropped off or turned over to the Animal Shelter due to owners not claiming their animals and them needing a new home.

REPORT TO COMMITTEE



DEPARTMENT: PROTECTIVE SERVICES

DATE: Aug 13th, 2024

SUBJECT: MUNICIPAL ENFORCEMENT REPORT

New Businesses doing contract work in town have been compliant with local bylaws by purchasing business licenses. For those that have been unaware, they have been contacted, and follow-up will continue with these businesses.

The Protective Services Department continues to patrol the downtown core area, to help enforce the Public Behavior Bylaw and ensure traffic compliance. Protective Services continues engaging with individuals while on patrols, in conjunction with RCMP assistance and presence, which helps ensure a safer downtown environment.

School Safety

School is still out for the summer, but Protective Services continues to monitor and patrol the school zones to ensure motorists drive carefully. Drivers are also reminded to drive with due care during summer hours when consistent warm weather brings higher playground activity with children. Active patrols continue to prove helpful in keeping drivers complacent with speed limits.

Upcoming Goals and Priorities

Protective Services continues to engage with unsightly properties and will issue clean-up orders. Amendments to the Unsightly bylaw are being drafted to bring to the Town Council to support its initiatives and make the bylaw more effective. Protective Services continues to seek an individual to fill staffing requirements. Animal Control engagement, unsightly enforcement, and downtown patrols will continue.

Emergency Services

Protective Services continues to respond to any fire, ambulance, and rescue calls as required.

COUNCIL POLICY / STRATEGY OR GOAL:	
<i>Strategy:</i>	
<i>Goal:</i>	
APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:	
All applicable Bylaws and Territorial Legislation	
FINANCIAL IMPLICATIONS:	
N/A	
ALTERNATIVES TO RECOMMENDATIONS:	
N/A	
ATTACHMENTS:	

REPORT TO COMMITTEE



DEPARTMENT: PROTECTIVE SERVICES

DATE: Aug 13th, 2024

SUBJECT: MUNICIPAL ENFORCEMENT REPORT

OFFENCE	INQUIRY	INVESTIGATED NO SUBSTANTIATION	VERBAL OR VISUAL WARNING	WRITTEN WARNING ENFORCEMEN T	FINES ENFORCEMENT
Animal Control Bylaw					
Animal Abuse/Welfare	10	7	3	0	0
Barking Dogs	3	3	0	0	0
Dog Attack	6	4	1	1	0
Dog Bites	2	0	0	0	2
Loose Cat/Dog	82	37	24	7	14
Sled Dog Complaints	1	1	0	0	0
Miscellaneous	12	6	4	1	1
Business License					
No Business License	13	3	10	0	0
Operating business not as permitted	1	1	0	0	0
Traffic Bylaw					
Vehicle/Trailer Parking	34	10	14	5	5
ATV/Snow Machine	2	1	1	0	0
Fail to Stop (Sign or Light)	1	0	1	0	0
Distracted Driving	1	0	0	0	1
Drive w/o lights during low visibility	0	0	0	0	0
Speeding	5	3	1	0	1
Speeding (School/Construct/Industrial)	0	0	0	0	0
Unsightly Bylaw					
Overgrown Trees	5	2	2	1	0
Long Grass & Weeds	66	0	3	63	0
Garbage	11	2	6	3	0
Miscellaneous	63	1	61	1	0
Fire Prevention Bylaw					
Burning without permit	4	1	3	0	0
Miscellaneous	5	4	1	0	0
Public Behavior Bylaw					
Miscellaneous	8	4	4	0	0
Littering	1	0	1	0	0
Public Intoxication	1	0	1	0	0
Loitering	11	1	10	0	0
TOTAL	374	96	169	82	24

Prepared by:

Reviewed By:

Jonathan Wallington

Patrick Bergen

REPORT TO COMMITTEE



DEPARTMENT: PROTECTIVE SERVICES

DATE: Aug 13th, 2024

SUBJECT: MUNICIPAL ENFORCEMENT REPORT

Assistant Director PS
Date: August 8, 2024

Assistant Senior Administrative Officer
Date: August 8, 2024



REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES DATE: August 13th 2024

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

RECOMMENDATION:

MOVED BY: CLLR BOUCHARD
SECONDED BY: CLLR DUFORD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the report entitled "Recreation and Community Services Monthly Report" for July 2024 as presented.

BACKGROUND:

Recreational Programming

Youth Programming

Summer Heat: Summer Heat began this month with a total of 40 campers registered for the full summer program and 5 staff members hired as play leaders. This month, Summer Heat visited the Hay River Golf Course and the Hay River Museum. Transportation for these field trips was provided by Castaway Cottages using their 20-passenger van.

Summer Heat also enjoyed weekly visits to the library, participated in a boat safety course with the RCMP and enjoyed craft sessions with a local contracted instructor. Summer Heat is fully funded by the GNWT Department of Municipal and Community Affairs Children and Youth Resiliency Program.

Adventure Afternoons: This new summer program is aimed at youth aged 9-13 years and features a weekly themed activity and movie. This month, youth participated in three Adventure Afternoons, with a total of 29 youth in attendance. This program is fully funded by the Canadian Tire Jumpstart Program, as a part of the Department's Spring and Summer Sports Series.

Junior Golf Event: The Department of Recreation partnered with Hockey NWT to offer a free Junior Golf Event, sponsored by Kal Tire. This event was open to youth ages 7 – 18. A total of 21 youth registered for this event.

Youth Lacrosse Clinic: The Town of Hay River Department of Recreation partnered with Kyle Aviak, a contracted lacrosse coach from Yellowknife, to offer a Youth Lacrosse Clinic from July 8 – 10, 2024. This clinic was offered to youth ages 8 – 15 and saw a total of 17 youth registered. This clinic was fully funded by Canadian Tire Jumpstart.

NWT Soccer + Basketball NT Camp: The Town of Hay River Department of Recreation partnered with NWT Soccer and Basketball NT to offer a Youth Soccer and Basketball Clinic from July 23 - 26. This clinic was offered to youth ages 5 – 12 and was facilitated by coaches



REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** August 13th 2024

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

from NWT Soccer and Basketball NT. 31 youth registered for the clinic, which was fully funded by Canadian Tire Jumpstart.

Fitness Programming

Regular fitness programming was reduced this month to 1 instructor-led fitness class. As such, attendance at fitness programming decreased, with a total of 27 participants. Fitness programming attendance typically decreases through the summer months due to the warmer weather and the desire for community members to spend time outside.

ParticipACTION Community Challenge

Following a busy and active month of June, the Town of Hay River was awarded the grand prize of \$100,000 and the title of Canada's Most Active Community as the winner of the 2024 ParticipACTION Community Challenge.

New Horizons for Seniors Grant

Department of Recreation staff received confirmation that \$25,000 funding will be renewed for the 2024-25 fiscal year. The program and funding supports seniors programming to promote healthy ageing, social participation, and inclusion of seniors.

Seniors Coffee: The Seniors Coffee program continued weekly through the month of July. Attendance at Seniors Coffee has remained strong with a total of 44 seniors attending the program in June. Funding for this program is provided by the Government of Canada's New Horizons for Seniors Program.

Most programs listed below will be on hiatus over the summer, with plans to resume the program in late fall.

Community Programming

Hockey NWT Golf Fundraiser: The Department of Recreation partnered with Hockey NWT and the Hay River Golf Course for the 2nd Annual Hockey NWT Golf Fundraiser held at Hay River Golf Club July 12-14, 2024. The event raises funds for youth hockey programs across the Northwest Territories, as well as annual legacy contributions to the Hay River Golf Club.

The event offers a cost-effective publicity opportunity for the club and the Town, in addition to great networking opportunities, along with the support of a great cause, getting more kids engaged in the sport of hockey.



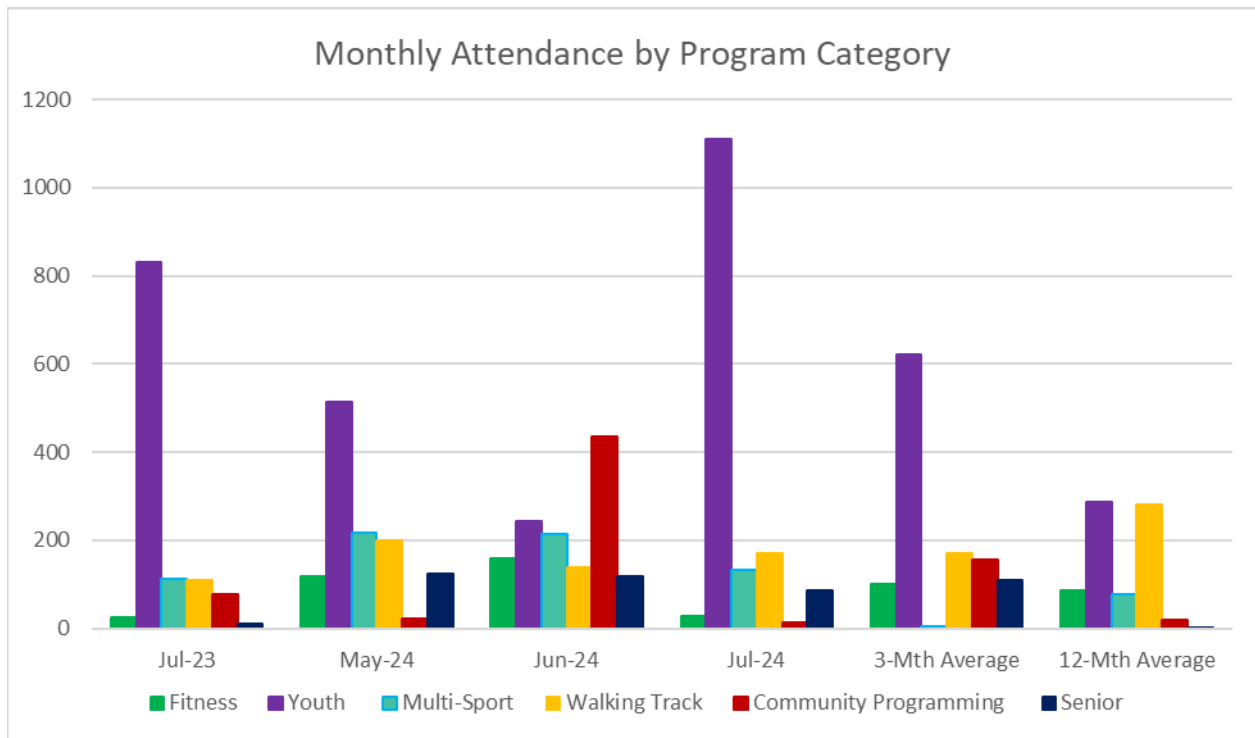
REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** August 13th 2024

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Ladies Adventure Night: Ladies Adventure Night is a new summer program that was introduced for women ages 16 and up. The program featured a baseball game, followed by a movie at Riverview Cineplex. A total of 14 women participated in the program.

Recreation Programming Statistics

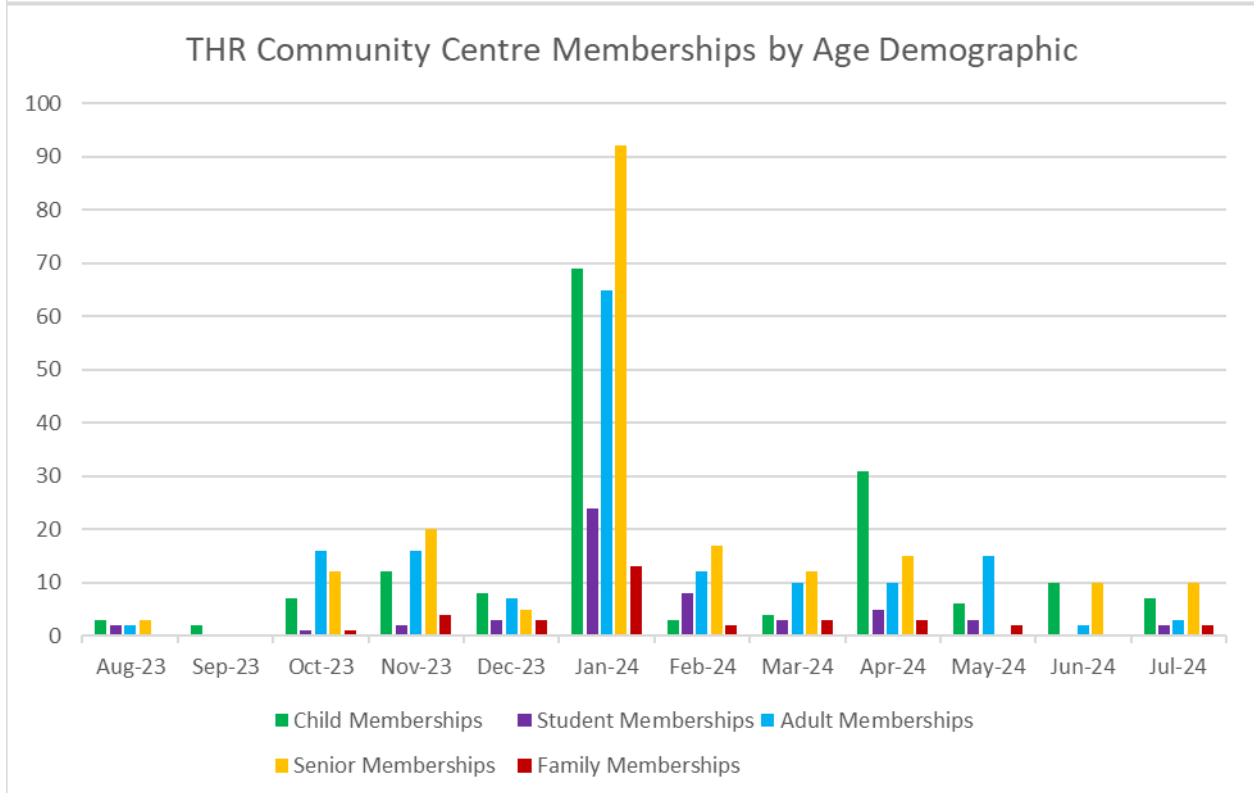
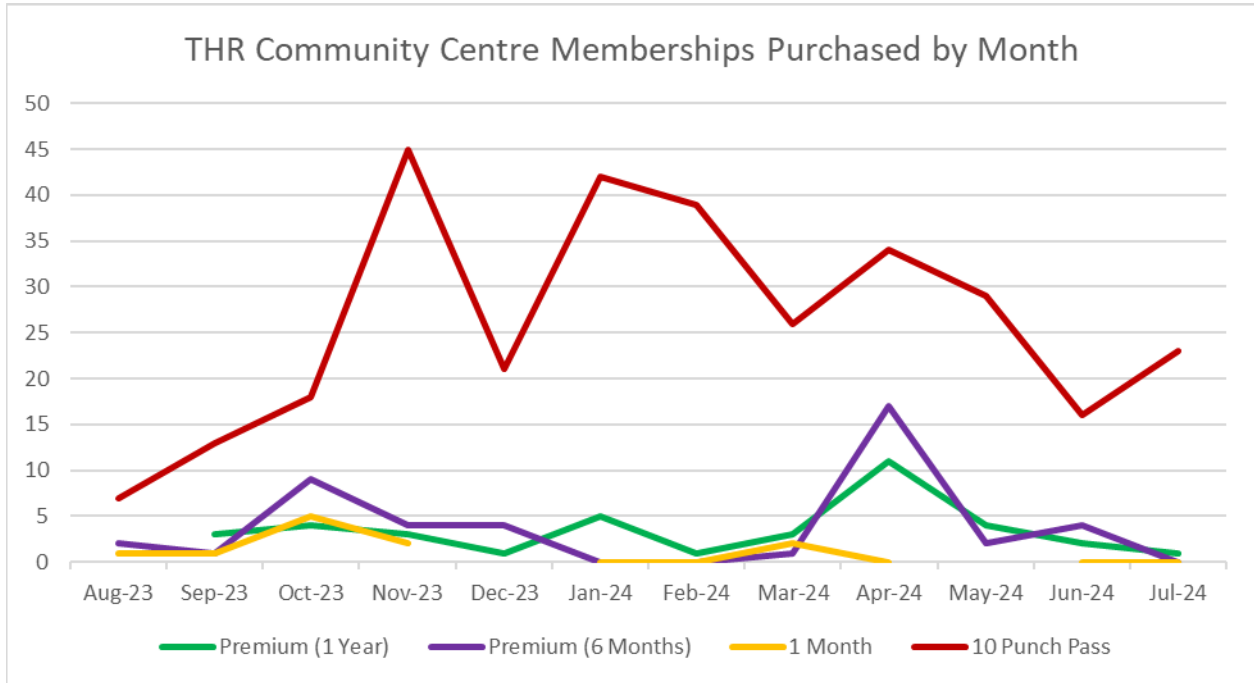




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REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES DATE: August 13th 2024

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

Aquatics

General

The pool continues to operate smoothly with little to no disruption to regular programming. The hot tub jets are still offline due to a pump motor failure. The pump motor was shipped south for repairs and machining, but it is unclear when it will be returned for install.

Preparations are underway for the annual maintenance shut down planned for late August and early September.

Staffing

The Don Stewart Aquatic Centre is currently staffed by 2 full-time casual Lifeguards, 3 part-time casual Lifeguards, and 2 Assistant Lifeguards.

As a result of job postings for Senior Lifeguards, a candidate from out of town has accepted a permanent full-time job offer to start at the beginning of August.

Attendance

Graphs below do not include July 2024 statistics as they were not available at the time of publication of this report. Statistics will be updated and included in the Department's August 2024 report.

Swimming Lessons and Special Programming

July 2024 swim lesson data was not available at the time of publication of this report. Statistics will be updated and included in the Department's August 2024 report.

A Bronze Cross class was offered June 14-16 with 5 participants. All 5 participants completed the course and are now certified as Assistant Lifeguards as per the National Lifesaving Society.

There was also a National Lifeguard course offered July 2-5. Three of 5 participants completed the course, and one has been given a verbal offer of full-time employment.

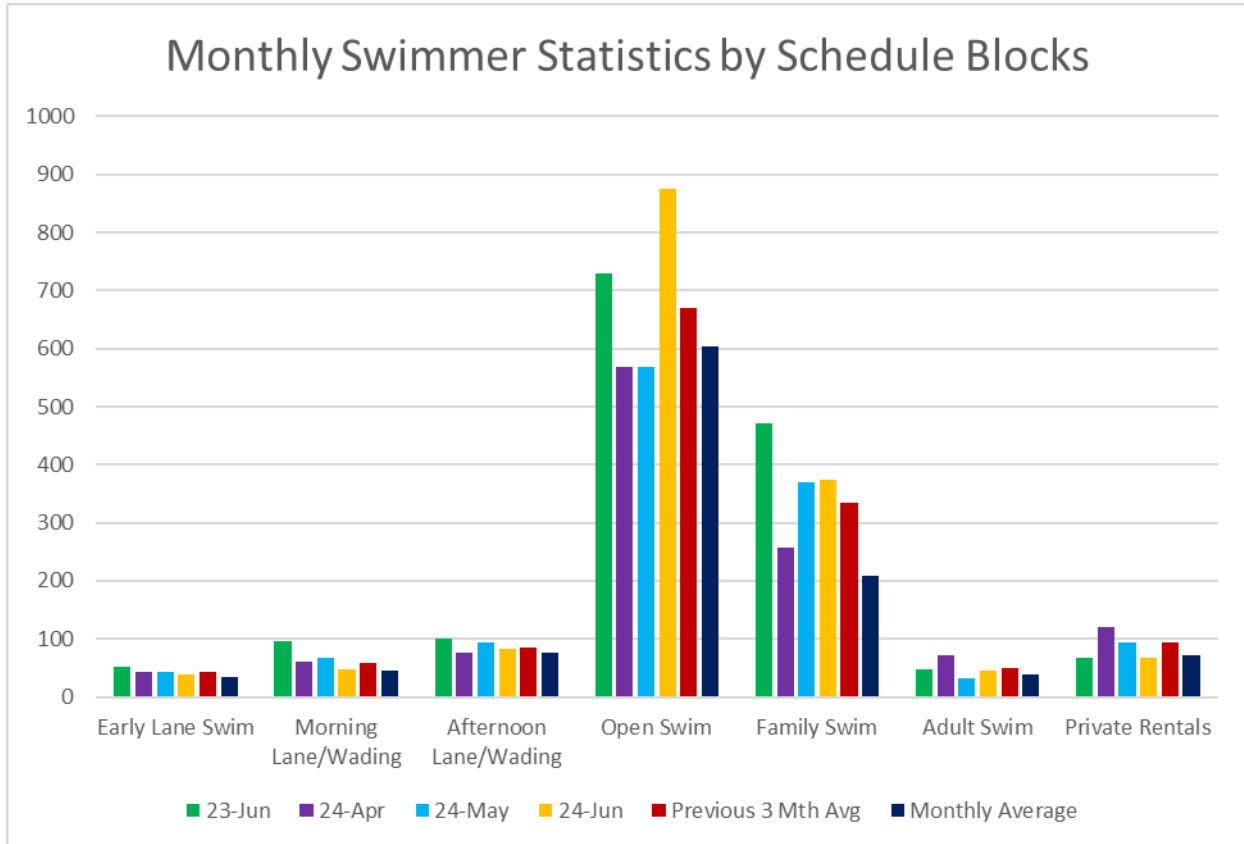
Don Stewart Aquatic Centre Statistics



REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES DATE: August 13th 2024

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

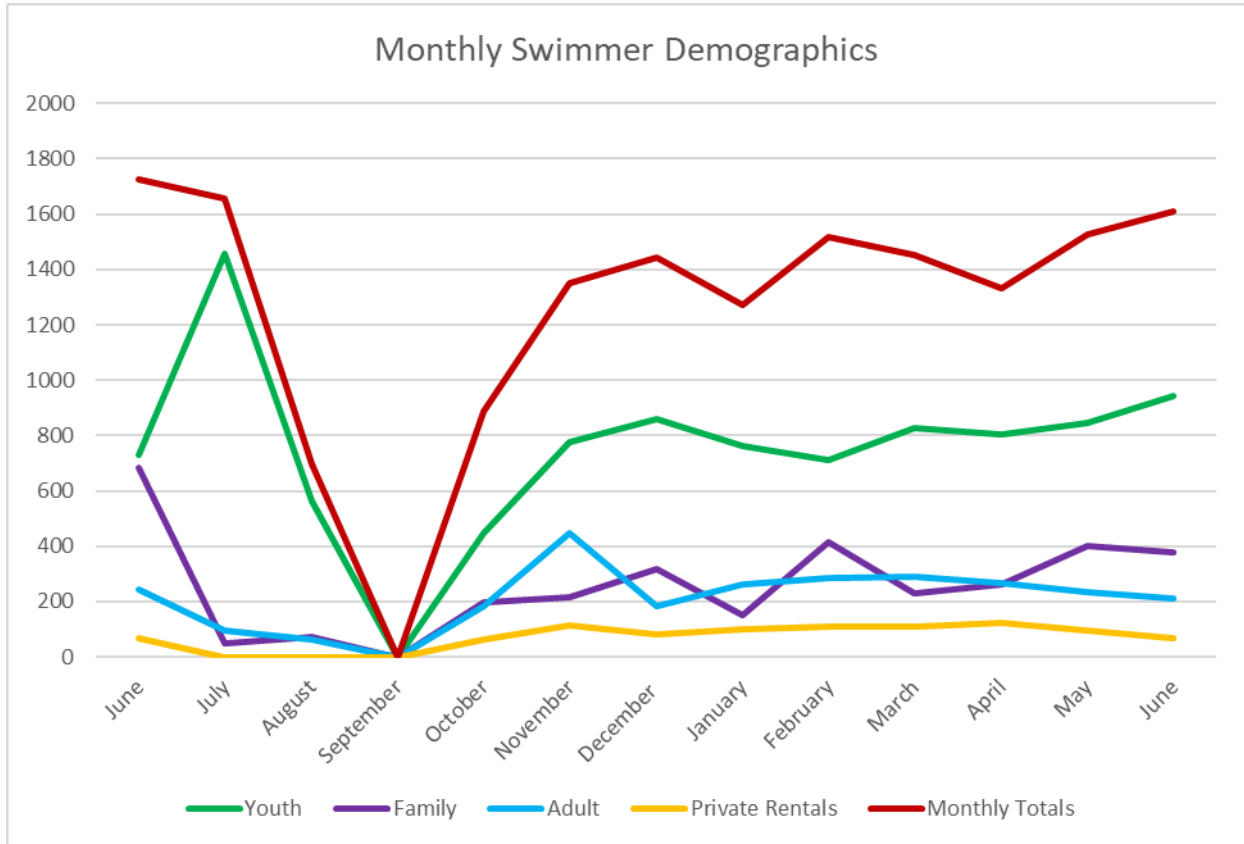




REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** August 13th 2024

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT



Facilities and Maintenance

Don Stewart Aquatic Centre:

- Mechanical systems operating smoothly with no major disruptions to programming.
- Hot tub replacement jet pump has been ordered.
- Weekly walkthrough of aquatic centre with Maintenance and Aquatics staff.
- Weekly vacuuming of pool and hot tub.

Community Centre Maintenance Items:

- Ongoing building inspections, preventative maintenance, etc.
- Monthly fire extinguisher and safety checks.
- Maintenance and adjustments to HVAC systems as per weather conditions.
- Daily and weekly inspections of fleet vehicles and equipment.
- Staff cleaning the building with janitorial contract suspended.
- Wall patching and painting underway (curling club, stairwell 1, concession lobby).

Parks and Greenspaces:



REPORT TO COUNCIL

DEPARTMENT: RECREATION & COMMUNITY SERVICES **DATE:** August 13th 2024

SUBJECT: RECREATION & COMMUNITY SERVICES ACTIVITY REPORT

- Garbage containers emptied weekly in downtown core and at greenspaces and trails.
- Regular litter pickup and weekly checks of Town sites and assets in the downtown core.
- Greenspace mowing, maintenance and weekly inspections.
- Watering of flowers around Town of Hay River.
- Playground fall zones tilled, weeded and inspected monthly.
- Bi-weekly mowing and maintenance of cemetery grounds.
- Daily watering of sod and grass seed at Bob McMeekin Park.
- Rotary Trail and Irma Miron Trail sections cleaned of fallen trees and branches.
- Weekly watering of newly planted trees at Bob McMeekin Park, TriService Park, Hay River Community Centre and Porritt Landing Marina.

Outdoor sport fields and assets:

- Weekly safety inspection and clean up of skate park.
- Weekly safety inspections and clean up of ball diamonds.
- Weekly safety inspections and status updates of trails and trailheads.
- Weekly support of Fishermen's Wharf local vendors' market.
- Ball diamonds maintained and prepared for league play three days per week.
- Community events and facility bookings:
 - Canada Day celebration at the Community Centre
 - Annual mixed slopitch tournament at Keith Broadhead Park

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

Prepared by:
Stephane Millette
Director Recreation and Community Services
Date: August 8th, 2024

Reviewed by:
Patrick Bergen
Assistant Senior Administrative Officer
Date: August 8th, 2024



REPORT TO COUNCIL

DEPARTMENT: OFFICE OF THE SAO

DATE: AUGUST 13, 2024

SUBJECT: SOLID WASTE COLLECTION CONTRACT

RECOMMENDATION:

MOVED BY: CLLR DUFORD
SECONDED BY: CLLR CHAMBERS

THAT THE COUNCIL OF THE TOWN OF HAY RIVER directs Administration to proceed with the execution of a 7 year contract for residential curbside solid waste collection services with Hay River Disposals Limited in the amount not to exceed \$2,400,000.

BACKGROUND:

The Town of Hay River is currently operating with an expired contract for solid waste collection services. The contract held with Hay River Disposals Limited for related services expired in 2016.

In April 2022 the Town of Hay River (Town), seeking to ensure reliable and cost-effective solid waste management solutions, issued two solid waste Requests for Proposals. The proposals were developed through consultation with Tetra Tech and Sonnevera:

1. Solid Waste Facility Management Services;
2. Waste Collection Services.

One proposal was received by the Town from Northern Waste Solutions for Solid Waste Facility Management Services. Through the proposal review period, it was determined that the most feasible option available at the time was for the Town to bring facility management services in-house. In August 2022, the Town took over operations of the solid waste facility.

One proposal was received by the Town for Waste Collection Services as part of the RFP process. The proposal was a joint submission from Hay River Disposals and Kavanaugh Waste Removal Services. In accordance with the RFP terms, the proposal outlined a safety plan, training plan, equipment and maintenance plan, accounts management procedures, collection schedules, economic benefits, and landfill diversion opportunities. The proposal suggested that the solid waste collection would be for residential customers only.

Through the governance and oversight of Town Council's Finance Committee, the Town chose to enter into negotiations with Hay River Disposals (Kavanaugh Waste exited the partnership) to maximize the value proposition for waste collection services. Negotiations were supported by cost scenario analysis and probable costs.



REPORT TO COUNCIL

DEPARTMENT: OFFICE OF THE SAO

DATE: AUGUST 13, 2024

SUBJECT: SOLID WASTE COLLECTION CONTRACT

After lengthy negotiations, in part impacted by multiple local emergencies, the two parties have agreed in principle to a contract for residential waste collection services. The highlights of the proposed contract include:

1. 7 Year Term; No Extension Clause
2. \$17.75/ Non-Corridor Residence/4 Weeks Collection Fee
3. Fuel and CPI Adjustments
4. Non-Exclusivity for Commercial Waste Collection
5. Waste Pickup of 2 Times Per Week Per Residence
6. Automation of Residential Bin Collection to Reduce Operational Expenses
7. Contractor Responsible for Purchase and Deployment of Residential Bins
8. Contractor Responsible for Establishment and Operation of Centralized Waste Transfer Station to Support Waste Diversion (ie. Cardboard)
9. Defined Change Order Process to Accommodate Changes to Future Regulations and Operating Procedures

The proposed automated residential waste collection involves standardized wheel carts for each home and a collection vehicle that uses automated arms to pick up the carts. Through the contract, the contractor will be responsible for equipment and initial bin purchases which will be deployed to approximately 1440 residences. A downtown waste transfer station will be included in the program to initially facilitate cardboard diversion. The program will be supported by a grant received through the GNWT's Waste Reduction and Recycling Initiative. More details of the program including a detailed implementation plan will be developed and presented to Council in 2024 with a rollout planned for 2025.

A reduction of approximately \$80,000 per year versus current waste management contract pricing is achieved through the proposed new agreement.

In consideration of the agreed-upon terms, a positive cost benefit associated with the terms, and the history of the proponent in providing quality service levels, Administration, through the oversight of the Finance Committee, recommends that Council execute the contract with Hay River Disposals with the terms presented.

COUNCIL POLICY / STRATEGY OR GOAL:

- Addressing expired contracts

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

- N/A

FINANCIAL IMPLICATIONS:

- Reduction of \$80,000 per year versus current waste contract costs
- The value of the contract could be considered against the Town's long-term debt capacity

ALTERNATIVES TO RECOMMENDATIONS:



REPORT TO COUNCIL

DEPARTMENT: OFFICE OF THE SAO

DATE: AUGUST 13, 2024

SUBJECT: SOLID WASTE COLLECTION CONTRACT

- Option 1: Include in contract terms waste collection for the Corridor for \$32,500/year (once per week collection)
 - o Pros: community wide residential collection
 - o Cons: access challenges in some locations; increased costs
- Option 2: Bring waste collection services in-house for approximately 20% operational cost reduction (excluding amortization). Additional capital expenses of \$800,000 for equipment, plus additional heated storage would be required.
 - o Cons: lack of expertise; uncertainty on impact to Commercial collection services; increased service risk; competition for capital dollars

ATTACHMENTS:

N/A

Prepared By:
Glenn Smith
Senior Administrative Officer
August 7, 2024

Reviewed By:
Patrick Bergen
Assistant Senior Administrative Officer
August 8, 2024



REPORT TO COMMITTEE

DEPARTMENT: ADMINISTRATION

DATE: August 13th, 2024

SUBJECT: EXCUSED ABSENCE

RECOMMENDATION:

MOVED BY: CLLR BOUCHARD
SECONDED BY: CLLR DUFORD

THAT THE COUNCIL OF THE TOWN OF HAY RIVER excuses Deputy Mayor Dohey from the Standing Committee of Council, Tuesday, August 13th, 2024

BACKGROUND:

DM Dohey has asked to be excused from the Regular Meeting of Council, Tuesday, August 13th, 2024

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

Prepared by:
Stacey Barnes
Council Administrator
Date: August 13th, 2024

Reviewed by:



REPORT TO COUNCIL

DEPARTMENT: Office of the SAO

DATE: August 27, 2024

SUBJECT: Bylaw Development Prioritization Schedule

RECOMMENDATION:

THAT THE COUNCIL OF THE TOWN OF HAY RIVER approves the update to the Bylaw Development Prioritization Schedule as recommended by the Bylaw and Policy Committee.

BACKGROUND:

Council maintains a Bylaw Development Prioritization Schedule to guide the focus of Administration and the Bylaw and Policy Committee. Bylaws on the schedule support various initiatives identified within Town strategic and operational plans. The Schedule is reviewed regularly by the Bylaw and Policy Committee and brought to Council for approval.

Within the last couple of years, good progress has been made on updating and approving bylaws identified on the schedule. This activity has improved governance controls, increased public relevance and, in many cases, improved the financial sustainability of the Town.

Bylaws added to the most recent proposed update to the Schedule are:

- Fire Prevention Bylaw
- Fees and Charges Bylaw – Fire Response Fees

The Schedule uses a prioritization ranking of 1 to 3 with 1 being the highest priority for bylaw development. Target completion dates and department leads are included in the schedule. Comments provide some background to the drivers of change and status information. The Schedule attached highlights in yellow, updates made since the last review by Council.

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

Bylaw Development Prioritization Schedule



REPORT TO COUNCIL

DEPARTMENT: Office of the SAO

DATE: August 27, 2024

SUBJECT: Bylaw Development Prioritization Schedule

Prepared by:
Glenn Smith
SAO
August 21, 2024

Bylaw/Policy Development Prioritization Schedule

Last Approved: March 18, 2024

Changes since last review highlighted

Line#	Priority	Bylaw/Policy	Department Lead	Last Update	Target Date to Committee	Status	Comments
11	2	Cemetery Bylaw	Finance	2016	Jan-25	In Progress	Fee update included in Fees and Charges Bylaw. General update recommended.
12	2	Land Administration Bylaw	SAO	2014	Oct-24	Not Started	Extent of edits may be impacted by GNWT land legislation and policies. May want changes as part of Fraser Place development. Consideration of Housing Plan strategies including development incentives.
14	1	Unightly Bylaw	Protective Services	2016	Oct-24	In Progress	General improvements to language to remove vagueness. Align with beautification interests. Improvements to derlict property management.
15	3	Animal Control Bylaw	Protective Services	2006	Oct-24	Not Started	Fee update part of Fees and Charges Bylaw and strengthen clauses and fines
17	2	Zoning and Building Bylaw	PWS	2022	Oct-24	Not Started	Addition of voluntary penalties. Currently determined through court process. Alignment with Housing Grant Policy. Alignment with Unightly Bylaw
18	3	Traffic Bylaw	Protective Services	2021	Oct-24	Not Started	Towing and storing collection and enforcement problems with current bylaw
19	1	Seniors Tax Relief \ Dissabled Persons Tax Relief	Finance	2019	hold	Hold	Introduction of a maximum threshold. Tightneing of eligibility defintions. Fin Com has provided previous direction
20	1	Water & Sewer Services Bylaw	Finance	2019	Oct-24	Not Started	Addition of non metered rates for secondary lines (ie. Fire suppression). High consumption exemption clause.
21	1	Taxi Bylaw	Protective Services	2021	Aug-24	In Progress	Removal of restrictive clauses that do not provide safety benefit so to reduce barriers to entry. Tie with community transportation services study.
22	1	Porritt Landing Bylaw	Recreation	2020	Mar-24	Completed	Slip classifications based on vessel length (Type A, Type B and Type C). Rate structure reflects new slip classifications
23	1	Local Emergency Management Organization Bylaw	Protective Services	2023	Mar-24	Completed	Delegate authorities to LEMO. Remove ambiguity. Rely on only one committee.
24	1	Fees and Charges Bylaw	Finance	2024	Mar-24	Completed	Ambulane Fees - Bill Blue Cross for Seniors over the age of 60. Porritt Landing Rec Rates - changes to rate classifications
25	1	Fire Prevention Bylaw	Protective Services	2017	Aug-24	In Progress	Suggested edits to better reflect current practices.
26	2	Fees and Charges Bylaw - Fire Response Fees	Protective Services		Oct-24	In Progress	Updates to reflect cost of service and jurisdictional comparision.



REPORT TO COUNCIL

DEPARTMENT: Bylaw and Policy Committee

DATE: Aug 27, 2024

SUBJECT: BY-LAW NO. 2238 - Fire Prevention Bylaw

RECOMMENDATION:

THAT THE COUNCIL OF THE TOWN OF HAY RIVER amend the Fire Prevention Bylaw No. 2238 with the changes specified in the report as recommended by the Bylaw and Policy Committee.

BACKGROUND:

The Fire Prevention Bylaw is established to govern the prevention and suppression of fires within the municipality and to regulate the duties and responsibilities of the Hay River Fire Department. The Bylaw was last updated in 2017.

The Bylaw and Policy Committee met on August 21, 2024 to discuss changes to the Fire Prevention Bylaw.

The following revisions are suggested to improve operations and/or align with best practices:

1. Organizational Change from 2 Deputy Chiefs to 1 Deputy Chief
2. Removal of the requirement to report disciplinary measures of the department members to the SAO – Director of Protective Services manages performance management including the authority to terminate
3. Removal of testing of municipal buildings' alarm and fire suppression systems – the responsibility of Facility Maintainers
4. Removal of compensation for members – moved to HRFD compensation policy
5. Removed ambiguity on approval process for fire pits – approval from Fire Chief not required; specifications within bylaw
6. Decreased starting time requirement for permitted fires from 10am to 8:30am
7. Removed Council requirement to approve burn permits for buildings – Environment and Climate Change legislation

The specific recommended changes are provided through the attached Track Changes version of the current bylaw.

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

- Fire Prevention Bylaw

FINANCIAL IMPLICATIONS:

N/A



REPORT TO COUNCIL

DEPARTMENT: Bylaw and Policy Committee

DATE: Aug 27, 2024

SUBJECT: BY-LAW NO. 2238 - Fire Prevention Bylaw

ALTERNATIVES TO RECOMMENDATIONS:

Do not approve revisions

ATTACHMENTS:

- Fire Prevention Bylaw

Prepared by:

Reviewed by:

Glenn Smith
Senior Administrative Officer

Date: August 22, 2024

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

PURSUANT to the *Cities, Towns and Villages Act*, SNWT 2003, c 22, and the *Fire Prevention Act*, RSNWT 1988, c F-6;

WHEREAS the Council of the Municipal Corporation of the Town of Hay River in the Northwest Territories wishes to provide for the safety, health and welfare of people and the protection of property;

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AND WHEREAS the Council of the Municipal Corporation of the Town of Hay River in the Northwest Territories deems it necessary to prevent and suppress fires and to regulate the duties and responsibilities of the fire department;

NOW THEREFORE the Council of the Municipal Corporation of the Town of Hay River in the Northwest Territories in session duly assembled enacts as follows:

1. SHORT TITLE

This By-law may be cited as the "Fire Prevention By-law".

2. INTERPRETATION

In this by-law:

- a. **"Chief"** means the Fire Chief of the Department or designate or if, in the event there is no such designate, such person as Council shall designate by resolution.
- b. **"Combustible Material"** means materials made of or surfaced with wood, compressed paper, plant fibres, plastics or other materials that will ignite and burn.
- c. **"Council"** means the Council of the Municipal Corporation of the Town of Hay River.
- d. **"Department"** means the Hay River Fire Department.
- e. **"False Alarm"** means:

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

- i. an alarm that is turned in automatically by an alarm system and the alarm was caused by a failure of equipment due to poor maintenance such as dirty detectors, dust in venting, etc.; or
 - ii. an alarm turned in by people, including by pulling pull stations intentionally, accidentally or mischievously, or the testing of alarm systems, and not contacting dispatch of fire department;
but does not include alarms caused by low town water pressure on sprinkler systems.
- f. **“Fire Marshal”** means the Fire Marshal appointed by the Commissioner under the *Fire Prevention Act*.
- g. **“Fire Protection”** includes all aspects of the fire prevention, fire alarms, fire suppression, rescue, first aid and salvage.
- h. **“Fire Protection System”** includes all piped water lines, hydrants, pump-houses, and any sprinkler systems in public buildings under the control and maintenance of the Town.
- i. **“Non-Combustible”** shall mean a material which, in the form in which it is used and under the conditions anticipated, will not aid combustion or add appreciable heat to an ambient fire.
- j. **“Noxious Material”** means material that is physically harmful or destructive to living beings.
- k. **“Permit”** means the written authority of the Chief, issued pursuant to this by-law.
- l. **“Senior Administrative Officer”** means the person appointed by Council as the Administrator of the Town.
- m. **“Smoke”** means the air borne solid and liquid particulates and gases evolved when a material undergoes pyrolysis in combustion.
- n. **“Smoke Barrier”** shall mean a continuous membrane, either vertical or horizontal, such as a wall, floor, or ceiling assembly that is designed and constructed to restrict the movement of smoke.

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

- o. "Town" means the Municipal Corporation of the Town of Hay River.
- p. "Town Limits" means the geographical boundaries of the Town of Hay River as determined from time to time.

3. DEPARTMENT MEMBERSHIP AND AUTHORITY

- a. The Department shall comprise of the Chief and any persons who are appointed by the Chief to serve under the terms of this By-Law.
- b. Any person appointed to the Department must be nineteen (19) years of age or older and may be required to undergo a physical examination.
- c. The Chief shall:
 - i. be appointed by resolution of Council;
 - ii. be a full time paid employee of the Town; and
 - iii. report to Council through the Senior Administrative Officer.
- d. All persons appointed to the Department are authorized to act on behalf of the Chief when so ordered by him or her.

4. DUTIES AND POWERS OF THE CHIEF

- a. The Chief shall:
 - i. appoint ~~two-one~~ (12) Deputy Chiefs, four (4) Captains and other officers; and
 - ii. assign their respective duties as deemed necessary.
- b. The Chief may revoke any appointments for just cause.
- c. The organization and direction of the Department shall be under the sole authority of the Chief.
- d. All members of the Department shall obey the commands and the standing orders issued by the Chief.
- e. The Chief shall report to the Senior Administrative Officer:

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

- ~~i.~~ all disciplinary measures within twenty four (24) hours of the action being taken;
- ~~ii.~~ regularly on the activities of the Department and the condition and readiness of all fire protection equipment;
- ~~iii.~~ when he or she will be absent from his or her duties and shall state who will be in charge of the Department during his or her absence;
- ~~iv.~~ any injuries sustained by a member of the Department while on duty;
- ~~v.~~ on any hazard to life or property, including fire hazards which come to their knowledge; and
- ~~vi.~~ any infractions of this by-law.

f. No later than October 1st of each year, the Chief shall provide the Senior Administrative Officer with:

- i. a physical stock inventory count of all equipment;
- ii. an estimate of all maintenance and capital expenditures which will be required during the year for fire protection; and
- iii. the Chief's recommendations for any improvements in the Fire Protection System;

g. The Chief shall:

- i. be responsible for the enforcement of the provisions of this by-law;
- ii. be responsible for the efficiency and morale of the Department;
- iii. assume all responsibility for all facts released by him in any context to persons not connected with the Department;
- iv. not furnish information relative to the business affairs of the Department to any person not directly involved with the Department;
- v. implement a program of instruction and training for Department members in all aspects of fire protection and emergency medical response;
- vi. implement an education campaign in fire prevention for school children, adults, and seniors;
- ~~vii.~~ be responsible for tests of municipal alarm systems on a regular basis;
- ~~viii.~~ arrange for the inspection of all public buildings and all places requiring special surveillance, together with any fire extinguishers, sprinkler systems and alarm systems therein, on a regular basis;
- ~~ix.~~ ~~vii.~~ be notified of all applications for Building and Occupancy permits prior to the permit being issued;

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

~~x. use the latest published edition of the National Fire Code and the National Building Code, amendments thereto and any regulations made there under, and all other codes and standards referred to under the Fire Prevention Ordinance; and~~

~~xi-viii.~~ respond and assist at such emergencies as may be deemed necessary by the Chief in accordance with the approved service levels listed in Schedule "B", attached hereto and forming part of this by-law.

h. The Chief may take disciplinary action, including the suspension or dismissal of any member of the Department for:

- i. Being absent, without good or proper reason, from three (3) consecutive fire and ambulance meetings; or
- ii. Any other action which may be deemed by the Chief as being detrimental to the morale or to the general operation of the Department.

i. The Chief may furnish facts relative to any fire to persons not connected with the Department.

j. The Chief, or senior Department member in charge, may, in an emergency, order any physically fit person to assist at the scene of the fire in the extinguishment of a fire, including the pulling down or raising of any building, structures, or other things in the vicinity of a fire for the purpose of preventing the spreading of such fire.

k. Fire apparatus may not be taken outside the Town Limits except for the suppression of a fire which is in progress that has been consented to by the Chief or his delegate.

5. OBLIGATIONS OF THE TOWN

a. The Town shall obtain fire protection equipment and supplies and such buildings and other facilities as are required for safely housing said equipment and supplies.

b. The Town shall provide for such liability, life and accident insurance, as shall be agreed upon in consultation with the Chief, to insure Department members or any other persons lawfully assisting the Department.

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

~~e. The Town shall pay:~~

- ~~i. the cost of physical examinations for all members of the Department when required;~~
- ~~ii. an indemnity and/or compensation for expenses incurred at a rate or rates to be established by the Department and the Town from time to time, to all members of the Department;~~
- ~~iii. the Deputy Chief \$400.00 as a monthly salary;~~
- ~~iv. the Captain \$350.00 as a monthly salary; and~~
- ~~v. \$25.00 to all members of the Department per call, paid quarterly basis.~~

~~d.c.~~ The Works Superintendent for the Town shall:

- i. advise the Chief when any portion of the fire protection system under his jurisdiction is inoperable or under repair;
- ii. be responsible for all maintenance and repair of the fire system;
- iii. physically and clearly identify immediately any unserviceable or interrupted areas in the fire protection system, and the Chief or his delegates shall be so advised; and
- iv. advise the Chief prior to closure of any street or portion thereof.

6. FIRE PERMITS

- a. No person shall light a fire outdoors within the Town Limits without permission from the Chief by way of a fire permit except for safe fire pits while there is no fire ban in place.
- b. The Town shall provide forms on which an application for permission, known as a fire permit, may specify the container or other means by which he intends to control the fire. When completed and signed by the Chief, such applications shall be mailed to or picked up by the applicant.
- c. The Town and the Department reserve the right to cancel or reject any fire permit application.
- d. The fire permit application form is attached to this by-law as Schedule "A", forming part of this by-law.

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

- e. Any person who has been issued a fire permit under this by-law and who allows the burning to get out of control shall be considered in violation of the terms of the by-law and may be prosecuted.
- f. Any burning shall be supervised by the permit holder, or his or her delegate who is over the age of nineteen (19) years old, and another individual over the age of nineteen (19) of age to ensure that the burning does not get out of control.
- g. **Active B**urning may only occur from ~~8:30-10:00~~ am until 7:00 pm or as directed by the Chief, during favourable wind and metrological conditions (winds less than ten (10) km/hour).
- h. The burning shall be, at least one hundred (100) feet away from any fuel or propane tanks.
- i. The Chief or his designate may issue a fire permit for burning wood for campfires in open air, provided that such burning shall be carried out in areas designated by the fire permit.
- ~~j. The Town may issue fire permits to burn buildings, with the approval of Council, and under the supervision of the Fire Department.~~
- ~~k.~~j. Fire permits shall be obtained for burning brush.

7. BURNING

- a. No burning of materials or products other than dry, combustible material is permitted.
- b. No burning of tires is permitted.
- c. No burning of materials or products that release large quantities of smoke is allowed.
- d. If burning causes a smoke hazard or complaints from the surrounding residents are received, the permit holder shall stop the burning if instructed to do so by the Chief or Department member. If unable to extinguish the fire, the Department will

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

be contacted to put out the fire and permit holder will assume all costs in doing so.

- e. Waste oil shall be burnt in an incinerator, waste oil furnace, or pit under supervision or approval of the Chief.
- f. The operation of a domestic or backyard incinerator or any structure or device serving as a domestic incinerator is expressly prohibited.
- g. If a building is burnt, shingles, rags, asbestos and other non-combustible or noxious materials must be removed before burning, and the site shall be cleaned up, including removal of char, ash, and all hazards, within seventy two (72) hours of the burning.

8. BACKYARD FIRE PITS

Installation of Fire Pits.

- a. ~~A safe f~~Fire pits and outdoor fireplaces shall meet the following requirements:
 - i. a minimum clearance of ten (10) feet shall be maintained from any building, property lines, overhead wires, trees or any combustible material;
 - ii. a minimum clearance of three (3) feet from gas lines;
 - iii. fire pit and outdoor fireplace installations shall have enclosed sides at a depth of no greater than eighteen (18) inches and a width of no greater than thirty-nine (39) inches;
 - iv. the non-permeable perimeter of an installed fire pit or outdoor fireplace shall be surrounded by thirty-nine (39) inches of non-combustible material (i.e. crush gravel, rock, or concrete); and
 - v. All fire pits and outdoor fireplaces shall have a spark arrester mesh screen of expanded metal to contain sparks, to be placed over the fire.

~~b.~~—Extraordinary requests related to fire pits that are not compliant with section 7(b) may be approved by the Chief or his designate subject to such terms or conditions as the Chief or his designate considers appropriate.

~~e-b.~~ Fuel for Fire Pits and Outdoor Fireplaces:

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

- i. is to be composed only of barbecue briquettes or dry firewood;
- ii. must be clean burning;
- iii. may not extend beyond the confines of the fire perimeter either vertically or horizontally; and
- iv. may not include vegetation, household scrap paper, building and other materials or yard waste.

~~d. A fire permit under section 6 is not required if a fire pit or outdoor fireplace:~~

- ~~i. has been approved by the Chief or his designate as meeting the specifications set out in section 7(a) of this by-law; and~~
- ~~ii. is burning barbecue briquettes or dry firewood.~~

~~e.c.~~ Fires in a fire pit or outdoor fireplaces must be supervised at all times by a competent person over the age of nineteen (19) years old until all fire and smoke have been extinguished.

9. VIOLATIONS

- a. Except as authorized under this By-Law, no person who is not a member of the Department shall:
 - i. enter into any premises where fire protection apparatus or supplies are housed, or
 - ii. touch or use any fire equipment or supplies.
- b. Except in the event of a fire alarm, no fire protection apparatus or supplies shall be removed from the Fire Hall without the knowledge and permission of the Chief.
- c. Except as authorized under Section 4(i) of this By-Law, no person other than a member of the Department, Royal Canadian Mounted Police, Senior Administrative Officer, Utilities Personnel, or emergency service personnel, may go nearer than one hundred (100) metres, to a fire in progress, fire apparatus, or the scene of a practice drill.
- d. No person shall:
 - i. in any way hinder the progress of a member of the Department en route to a fire or his lawful action at the scene of a fire;

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

- ii. obstruct, or otherwise interfere with, access roads, streets or other approaches to any fire, fire hydrant, cistern or any connections provided to a fire main, pipe, standpipe, sprinkler system or any body of water designated for firefighting purposes;
 - iii. obstruct, hinder, or delay any emergency equipment;
 - iv. obstruct a member of the Department from carrying out the duties imposed by this by-law;
 - v. fail to give right of way to the emergency equipment on a highway;
 - vi. drive any vehicle over any equipment or fire hose without the permission of the Chief;
 - vii. represent themselves as a member or wear or display any Department badge, cap, button, insignia, or other paraphernalia for the purpose of making such representation unless they are a member of the Department;
 - viii. store or use a flammable liquid or substance within the confines of a building under conditions which might cause a fire; or
 - ix. knowingly turn in or cause to be turned in a false alarm.
- e. Other than under the direct supervision of the Chief or their delegate, the use of fireworks within Town Limits is prohibited.
- f. No person shall:
- i. refuse to provide information or assistance as required; or
 - ii. knowingly state anything false in information delivered or furnished to the Chief or any member of the Department.

10. ORDER TO REMEDY

- a. The Chief may order any person who contravenes this by-law, by way of an Order to Remedy, to take such measures as are specified in the order to forthwith remedy the contravention.
- b. The Chief or designate may issue an Order to Remedy to the owner or occupant of any property on which a fire hazard is found, and the owner shall comply with the order within the specified time limits.
- c. Every person who fails to comply with an Order to Remedy issued pursuant to this by-law commits an offence.

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

- d. An Order to Remedy issued pursuant to this by-law shall contain at least the following information:
- i. the name and address of the person upon whom the Order is served;
 - ii. the day on which the offence is alleged to have been committed;
 - iii. the address of the premises under consideration;
 - iv. reasonable particulars of alleged breach of the by-law;
 - v. a requirement that the person served shall remedy the non-compliance; and
 - vi. a time frame during which the non-compliance must be remedied.
- e. Every person against whom an Order to Remedy is made pursuant to Section 9(d) of this bylaw, may, within seven (7) days from the date on which the copy of the order is delivered, either in person or by registered mail, appeal the order to:
- i. the Fire Marshal if the fire hazard is described in the *Fire Prevention Act*. This appeal shall be dealt with in accordance with the appeal provisions of the *Fire Prevention Act*; or
 - ii. to Council if the fire hazard is not described in the *Fire Prevention Act*.
- f. The operation of an order referred to in section 9(d) is suspended until a copy of the Fire Marshal's decision has been served on the appealing person.
- g. If an order is given by the Chief for the abatement of a hazard under this by-law or under the *Fire Prevention Act* and it is not obeyed within the specified time, or if the owner or manager of the property cannot be found or reached, the Chief shall report full details to the Senior Administrative Officer and to the Fire Marshal. On hearing from the Fire Marshal, and, unless otherwise advised by him, the Senior Administrative Officer or Chief may lay an information against the offender or may cause the hazard to be abated at the public's expense. In the latter case, the expense shall then be charged against the owner of the land or property on or in which the hazard existed, in the form of a charge which shall be due and payable immediately and shall be collectable in like manner with any other taxes levied in the same year.

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11. ENFORCEMENT

- a. The owner, occupant or lessee of a building or property or part thereof shall, upon request, give the Chief or any member of the Department who is carrying out an inspection pursuant to the by-law or the *Fire Prevention Act* such assistance as may be reasonably required in carrying out the inspection.
- b. Without limiting the right of entry of the Chief or a member of the Department during an emergency, the Chief may inspect any building or premises, and, for such purpose, may at all reasonable hours, and upon producing proper identification, enter into and upon the building or premises to conduct an inspection to determine compliance with the provisions of this by-law or the *Fire Prevention Act*.
- c. Every person who violates a provisions of this by-law commits an offence and is liable on summary conviction to:
 - i. A fine in the maximum amount of one thousand dollars (\$1,000.00); or
 - ii. A voluntary fine pursuant to the provisions of section 8 of the *Summary Conviction Procedures Act*, RSNWT 1988, c S-15, as amended from time to time, issued in respect to an offence in the amount specified in Schedule "C", attached hereto and forming part of this by-law.
- d. Where an offence is committed on more than one (1) day, it shall be deemed to be a separate offence for each day on which the offence is committed or continued.
- e. Every person guilty of an offence under this by-law can be prosecuted and shall, in addition, to any penalty imposed by the Court, pay to the Town the full costs incurred to respond to any fire or other emergency resulting from the breach of the bylaw.
- f. This by-law shall come into full force and effect upon third and final reading thereof.

7. REPEAL

- a. By-law No. **2228/FC/10** is hereby ~~repealed~~amended.

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

Read a first time this ____ day of _____, 20____.

Read a second time this ____ day of _____, 20____.

Read a third time and finally passed this ____ day of _____, 20____.

Mayor

Senior Administrative Officer

CERTIFIED that this by-law has been made in accordance with the requirements of the *Cities, Towns and Villages Act*, the *Fire Prevention Act*, and the by-laws of the Town on this ____ day of _____, 20____.

Senior Administrative Officer

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A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

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BY-LAW NO. **2238/FC/17**
MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER

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A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

SCHEDULE "A"

Fire Permit

Authority is hereby given to:

Name: _____

Civic Address: _____

Lot No.: _____ Plan: _____ Block No.: _____

For the purpose of burning: _____

Burning shall be done in compliance with the Fire Prevention By-law currently in force and any amendments and regulations made under and subject to the **FOLLOWING CONDITIONS:**

1. The permit holder shall be liable for all damage caused by him, his or her servants or agents, while acting under this permit.
2. There must be a clearance of at least 10 feet to any combustible material or buildings on all sides of the fire and that the permit holder shall ensure that suitable water protection such as coupled up hoses that will reach the area where the burning is to be done, is available.
3. At least two persons over the age of nineteen years must be in attendance to monitor the fire.
4. Burning shall be performed between the hours of ~~8:30 am~~~~10:00~~ am and 7:00 pm.
5. Burning shall not be conducted on a day when the wind exceeds 10 kilometers per hour.
6. The site shall be cleaned up and all hazards removed within seventy-two (72) hours of the burning.
7. Only brush (small trees and branches), leaves, grass, clean unpainted & untreated wood, household cardboard & paper may be burned.
8. The permit holder must contact the following and advise of the Permit No. and Location of Burning, prior to commencing:

ENVIRONMENT & NATURAL RESOURCES 875-5555
HAY RIVER FIRE DEPARTMENT 874-2222

This Burning and Fire Permit is subject to cancellation at any time by any member of the Hay River Fire Department, RCMP or an Environmental Protection Officer/Renewable Resource Officer, if he/she so feels that the conditions are not safe for burning.

DATE ISSUED: _____ EXPIRY DATE: _____

PERMIT HOLDER'S PHONE NO.: _____ PERMIT NO.: _____

SIGNATURE OF PERMIT HOLDER: _____

APPROVED BY: _____ DATE: _____
Fire Chief or Designate

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

**SCHEDULE "B"
Approved Service**

Town of Hay River Fire Department
Emergency Response Service Delivery

Based on the GNWT Community Fire Protection Matrix the Hay River Fire Department will operate under L4 – Professional, NFPA 1001 Level of Service which will include services indicated below:

Emergency Response Services	Approved to Deliver	
	Yes	No
1. Basic firefighting – no expected rescue component	X	
2. Structural firefighting including rescue	X	
3. Vehicle firefighting	X	
4. Grass, brush, forestry firefighting	X	
5. Marine firefighting	X	
6. Mutual Aid	X	
7. Basic medical services	X	
8. Level III Advanced Emergency Responder medical services	X	
9. Awareness level hazardous materials	X	
10. Operations level hazardous materials	X	
11. Vehicle accidents	X	
12. Vehicle extrication	X	
13. Transportation incidents involving vehicles, trains, aircraft and watercraft	X	
14. Water and ice – shore based	X	
15. Water and ice – water entry	X	
16. Public Hazards – Downed hydro lines, Carbon monoxide, gas leaks	X	

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

17. Police assistance	X	
18. Public utilities assistance	X	
19. Community emergency plan participation	X	
20. High angle rescue	X	
21-20. Confined space rescue	X	

**A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE
NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES
WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES
OF THE FIRE DEPARTMENT.**

**SCHEDULE "C"
Voluntary Fines**

Ticket Description

Section 6	Failure to obtain a fire permit	\$200.00
Section 6.f	Fail to keep competent person in attendance, or sufficient appliances and equipment on site	\$200.00
Section 7.l	Burning prohibited material – non-combustible material	\$200.00
Section 7.m	Burning prohibited material – tires	\$200.00
Section 7.n	Burning prohibited material – large quantity of smoke	\$200.00
Section 7.o	Burning prohibited material – waste oil	\$200.00
Section 7.p	Failure to clean up a burn site	\$200.00
Section 8.c	Operating an incinerator	\$100.00
Section 9.b	Removing equipment from Fire Hall	\$100.00
Section 9.c	Being within the prescribed distance from fire, emergency or drill without authorization	\$200.00
Section 9.d	Obstruct, hinder or delay a member	\$500.00
Section 9.d.ii	Obstruct or interfere with roads, streets or approaches	\$500.00
Section 9.d.ii	Fail to comply with hydrant regulations	\$300.00
Section 9.d.iv	Obstruct a member carrying out duties of this by-law	\$500.00
Section 9.d.iii	Obstruct/hinder/delay fire apparatus/vehicle/equipment	\$500.00
Section 9.d.vi	Drive over equipment or fire hose	\$500.00
Section 9.d.vii	False representation as a fire department member	\$50.00
Section 9.d.viii	Improper Storage of flammable liquids	\$200.00
Section 9.e	Use of fireworks without supervision	\$200.00
Section 10.c	Failure to comply with Order to Remedy	\$500.00
Section 9.f	Fail to provide information or assistance	\$100.00



REPORT TO COUNCIL

COMMITTEE: POLICY AND BYLAW

DATE: August 27, 2024

SUBJECT: Bylaw No. 2425 – Taxi Licence By-law

RECOMMENDATION:

THAT THE COUNCIL OF THE TOWN OF HAY RIVER accepts the report on Bylaw No. 2425 – Taxi Licence as presented

BACKGROUND:

Since around the end of 2023, there have been no licensed taxi dispatchers or taxi operators with the Town of Hay River. The lack of taxi operations has had a significant negative impact on transportation within the community. A lack of transportation has added stress to local industry and government including health services.

Over the last few months, Town Administration has been in direct contact with three out of town taxi companies who have expressed some interest in establishing operations in Hay River. Administration has offered pathfinder type services to navigate startup funding opportunities (ITI), business space, and accommodations. Conversations are ongoing but to date none of the proponents have progressed to business licensing or community relocation.

Through prior research conducted by Administration, including consultation with previous local licensed taxi operators, there have been concerns raised with a clause in the current taxi bylaw that requires 24 hour taxi operations. It has been expressed that without some form of subsidization, it is not feasible to operate 24 hours a day. This change was considered by Council through the previous revision to the taxi bylaw but it was decided to keep the 24 hour requirement in place.

The Bylaw and Policy Committee met on August 21, 2024 to discuss the taxi bylaw and opportunities to remove conditions that may cause barriers to establishing and maintaining taxi operations. Included in the discussion was the 24 hour operations clause. The Committee is recommending that the clause be removed from bylaw so that operators can dictate hours of operation based on supply and demand economics. The Committee also recommends that a requirement for radios to support dispatch services be removed from bylaw in consideration of other communication options, specifically cell phones.

ALTERNATIVES TO RECOMMENDATIONS:



REPORT TO COUNCIL

COMMITTEE: POLICY AND BYLAW

DATE: August 27, 2024

SUBJECT: Bylaw No. 2425 – Taxi Licence By-law

- Changes to terms and conditions

ATTACHMENTS:

- ByLaw 2425 Taxi Bylaw – Track Changes

Prepared by:
Glenn Smith
SAO
August 22, 2024

The Town of Hay River

Northwest Territories



Bylaw No. 2425

Taxi Licence Bylaw

**BY-LAW NO. 2425
CORPORATION OF THE MUNICIPALITY OF HAY RIVER**

A BY-LAW of the Council of the Municipal Corporation of the Town of Hay River, in the Northwest Territories, to provide for the supervision, licensing and regulation of Taxis.

PURSUANT TO the provisions of the Cities, Towns and Villages Act, R.S.N.W.T., 2003, c.22, s.48;

WHEREAS the Municipal Corporation of the Town of Hay River deems it necessary to Supervise, Licence and Regulate the Operation of Taxis;

NOW THEREFORE, the Council of the Town of Hay River, in regular session duly assembled, enacts as follows:

SHORT TITLE

1. This By-Law may be cited as the "Taxi Licence By-Law"

INTERPRETATION

2. In this By-Law;
 - (a) "Chauffeur's Permit" means a permit to operate a Taxi issued by the Town pursuant to this Bylaw;
 - (b) "Corrupt Public Morals" means a variety of offences that are sexual in nature which include but are not limited to offences such as, prostitution, distribution of obscenity, child pornography, and similar charges
 - (c) "Council" means the Council of the Town;
 - (d) "Driver" means the holder of a valid and subsisting Chauffeur's Permit issued pursuant to Sections 8 to 16 of this By-law;
 - (e) "Driver's Licence" or "Licence" means a class a valid Class 1, 2, 3 or 4 Driver's Licence issued under the Motor Vehicles Act of the Northwest Territories;
 - (f) "Motor Vehicle" means a motor vehicle as defined in the Motor Vehicles Act, R.S.N.W.T. 1988, c. M-16;
 - (g) Obstruct means to hinder willfully, delay, restrict, interfere, obstruct, prevent, molest, harass, provide false or misleading information, or fail to follow lawful direction from an Officer immediately;
 - (h) Officer means a By-law Officer or Constable appointed by Council and any member of the Royal Canadian Mounted Police;
 - (i) "Person" means an individual, partnership or corporation;
 - (j) "Protective Services Officer" means a person who is appointed in accordance with the Cities, Towns and Villages Act as a By-Law Officer to enforce the By-Laws of the Town of Hay River, and any Peace Officer who is authorized to enforce the By-Laws of the Town of Hay River;
 - (k) "Senior Administrative Officer" means the Senior Administrative Officer of the Town, appointed pursuant to Section 43 of the Cities, Towns and Villages Act, R.S.N.W.T. 2003, c.22, s.48, or his delegate;
 - (l) "Taxes" means the Goods and Services Tax as levied by the Government of Canada; or any other applicable taxes;
 - (m) "Taxi" means a Motor Vehicle that is used to carry for hire or reward, not more than twelve (12) passengers, excluding the Driver thereof, but does not include a bus or truck;
 - (n) "Taxi Brokerage Business" means a person, partnership or corporation which dispatches licensed Taxis;
 - (o) "Taxi Brokerage Licence" means a license issued pursuant to section 6 of this Bylaw;
 - (p) "Taxi Licence" means a licence issued pursuant to Section 5 of this Bylaw;

BY-LAW NO. 2425
CORPORATION OF THE MUNICIPALITY OF HAY RIVER

- (q) "Taxi Meter" means an approved device visible in a Taxi, which computes and shows the fare payable for each taxi trip, calculated on the distance travelled, or on waiting time elapsed, or both;
 - (r) "Taxi Operator" means a person who holds a valid and subsisting Taxi Licence issued pursuant to this By-Law; and
 - (s) "Town" means the Municipal Corporation of the Town of Hay River and, where the circumstances require, refer to the area within the geographic boundaries of the Town.
3. No person shall operate a Motor Vehicle of any type for the purpose of conveying passengers for hire or reward within the Town of Hay River unless that person holds a valid Chauffeur's Permit and there is a valid and subsisting Taxi Licence for such Motor Vehicle, issued pursuant to this By-Law.
4. No person shall operate a Taxi Brokerage Business, within the Town of Hay River, unless there is a valid and subsisting Taxi Brokerage Licence issued to the Taxi Brokerage Business pursuant to this By-Law.

TAXI LICENCE

5. (1) An application for a Taxi Licence shall be submitted in writing to the Senior Administrative Officer in Form "B1" and shall include the following information:
- (a) vehicle description outlining make, year, model and serial number;
 - (b) a mechanical inspection certificate issued no more than six (6) months prior to the application;
 - (c) a fee as prescribed in Schedule A .
- (2) Upon being satisfied that Subsection 5 (1) has been complied with, and that the applicant has provided satisfactory proof of the following:
- (a) valid Business Licence;
 - (b) valid public service vehicle registration and insurance;
 - (c) the vehicle is equipped with a properly functioning hands free two-way radio or other form of communication licensed and approved by the Government of Canada Department of Communications device such as a cell phone;
 - (d) the vehicle is equipped with a properly functioning Taxi Meter; and
 - (e) that the applicant has entered into a written contract with a Taxi Brokerage Business for the provision of dispatch service, or that the applicant holds a valid Taxi Brokerage Licence.

the Senior Administrative Officer may issue a Taxi Licence to the applicant.

- (3) Every Taxi Licence holder shall notify the Senior Administrative Officer in writing in the event that a Taxi identified in his or her Taxi Licence is out of operation for more than forty-eight consecutive hours due to mechanical breakdown or for any other reason, providing particulars of:
- (a) the reason that the Taxi is out of operation;
 - (b) the date and time that the Taxi was taken out of operation; and
 - (c) the date on which the Taxi Owner expects the Taxi to be returned to operation.
- (4) No Taxi Licence holder shall allow a Taxi identified in his or her Licence to remain out of operation for more than 30 consecutive days, whether for reasons of mechanical fitness or otherwise, without securing the prior written consent of the Senior Administrative

**BY-LAW NO. 2425
CORPORATION OF THE MUNICIPALITY OF HAY RIVER**

Officer on application, providing such particulars and evidence as the Senior Administrative Officer may require. The Senior Administrative Officer may consent to the Taxi being out of operation for a further period of time subject to conditions or may refuse such request.

- (5) In the event that a Taxi is out of operation for a period in excess of 30 days or such longer period as may be authorized by the Senior Administrative Officer or in the event that the Taxi Owner does not comply with subsection (3) or (4), the Senior Administrative Officer may Suspend or Revoke the Taxi Licence.

TAXI LICENCE TRANSFER

- (6) No Taxi Licence shall be transferred except in compliance with the terms of this By-law and with the prior written approval of the Senior Administrative Officer.
- (7) An application to transfer a Taxi Licence in Form "C" or "C1" attached to this By-Law shall be completed by each applicant and shall be accompanied by a fee as prescribed in Schedule A
- (8) Upon being satisfied:
- (a) with respect to an application in Form "C" or "C1" that the applicant has provided proof that the Taxi to which the Taxi Licence is being transferred has met the applicable parts of Section 5 of this By-Law; and
 - (b) with respect to an application in Form "C" that the vehicle of which the Taxi Licence was issued, is withdrawn from use as a Taxi, ~~the two-way radio-equipment and taxi signage and~~ Taxi Meter must be immediately removed from that Taxi;

the Senior Administrative Officer may approve the transfer, cancel the existing Taxi Licence, and issue a new one to the applicant.

- (9) A Taxi Licence shall be valid for a period of no longer than one year and expire on the last day of August following its effective date.
- (10) A Taxi Licence in the form of Form "B", and a plate in the form of Form "B2" shall be issued to the applicant and displayed prominently in the Taxi at all times.

TAXI BROKERAGE LICENCE

6. (1) An application for a Taxi Brokerage Licence shall be submitted, in writing, to the Senior Administrative Officer in Form "A", and shall include the following information:
- (a) the name of the proprietor, or, if a partnership or corporation, the names of all partners, shareholders, officers or directors;
 - (b) location and description of dispatch service, and a complete list of equipment to be used in operating the Taxi Brokerage Business;
 - (c) a fee as prescribed in Schedule A
- (2) Upon being satisfied that Subsection 6 (1) has been complied with, and that the applicant has provided proof of the following:
- (a) valid Business Licence;

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- (b) ~~a properly functioning two-way radio system or other form of communication licensed and approved by the Government of Canada Department of Communications; a properly functioning hands free two-way radio or other form of communication device such as a cell phone;~~
- (c) that the applicant has entered into written contracts with Taxi Licence holders ~~for the supply of 24 hour taxi response~~

the Senior Administrative Officer may issue a Taxi Brokerage Licence to the applicant.

- (3) A Taxi Brokerage Licence shall be valid for a period of no longer than one year and expire on the last day of August following its date of issue).
- (4) The holder of a Taxi Brokerage Licence is required to immediately notify the Senior Administrative Officer in writing when:
 - (a) there are fewer than one (1) licensed Taxis associated with the Company at any time; or
 - (b) The Taxi Brokerage Business can no longer provide minimum service levels required ~~by Subsection 6 (2) (c)~~ for any reason; or
 - (c) any licensed Taxi begins or ceases their association with the holder of the Brokerage Licence.
- (5) Every business with a Taxi Brokerage Licence shall maintain ~~dispatch records for a period of twelve (12) months, which records shall be available for inspection within twenty-four (24) hours of the Senior Administrative Officer's written request.~~
- (6) Dispatch records shall include:
 - (a) the name and start and stop times where a driver is on duty and the unit number he or she is operating; and,
 - (b) a record of each call for service including: the name, telephone number or description of the passengers, the pickup location, the time of service request, pickup time, and the taxi unit number assigned to the call.
- (7) A Taxi Brokerage Licence may be deemed cancelled whenever the minimum requirements of this By-Law cannot be met.

TAXI BROKERAGE LICENCE TRANSFER

- 7. (1) No Taxi Brokerage Licence shall be transferred except with the prior written approval of the Senior Administrative Officer.
- (2) An application to transfer a Taxi Brokerage Licence in Form "C3" of this By-Law shall be completed by each applicant, and shall be accompanied by the fee prescribed in Schedule A
- (3) Upon being satisfied that the applicant has provided proof that the transferee has met the conditions of Section 6, the Senior Administrative Officer may approve the transfer, cancel the existing Taxi Brokerage Licence, and issue a new one to the transferee.

CHAUFFEUR'S PERMIT

- 8. No person shall operate a Taxi without a valid Chauffeur's Permit issued under this By-Law.
- 9. No person shall be issued a Chauffeur's Permit unless the person:

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CORPORATION OF THE MUNICIPALITY OF HAY RIVER

- (a) has attained the full age of eighteen (18) years;
- (b) has a valid Driver's Licence, or has an equivalent valid driver's licence from another Canadian province or territory; in which case the person must provide satisfactory proof to the Senior Administrative Office within ninety (90) days of the date of the application for the Chauffeur's Permit of having a valid Class 1,2, 3 or 4 Northwest Territories driver's licence;
- (c) has completed an application and statutory declaration as set out in Form "D";
- (d) has a thorough knowledge of the locations, streets, public buildings, points of interest in Hay River, of the provisions of this By-Law and other Town By-Laws, Territorial Statutes and Regulations relating to motor vehicle traffic, and the operation of a motor vehicle;
- (e) has provided a current, certified true copy of his/her Driver's Licence Abstract no older than 30 days from the date of application;
- (f) can speak, read and write the English language
- (g) has received a Record Check Consent including Vulnerable Sector Screening no older than 30 days from the date of application from the local Royal Canadian Mounted Police Detachment that the person meets the requirements set out in Section 10 of this By-Law.

10. No Chauffeur's Permit or renewal thereof shall be issued to any person who:

- (1) has been convicted under the Criminal Code of Canada of:
 - (a) a sexual offence or offence relating to corrupt public morals; or
 - (b) who is prohibited from possessing firearms or any explosive substance; or
 - (c) an offence relating to criminal negligence causing death, homicide, assault causing bodily harm, aggravated assault, assault with a weapon, kidnapping, abduction, extortion, any offence where a weapon was used, or;
 - (d) three (3) total offences of blood alcohol content over .08; or
 - (e) any offence while on duty as a taxi driver
- (2) has been convicted under the Criminal Code of Canada within a five (5) year period immediately preceding the date of application of:
 - (a) an offence relating to criminal negligence, assault,; or
 - (b) an offence relating to robbery or
 - (c) Dangerous Driving; or
 - (d) ~~blood alcohol content over .08~~impaired driving.
- (3) has been convicted under the Controlled Drugs and Substances Act within the five (5) year period immediately preceding the date of application of any offence not described in subsections 10 (1) or 10 (2).
- (4) has been convicted under the Liquor Act for the unlawful sale and supply of liquor within a period of three (3) years immediately preceding the application; or
- (5) has been convicted of a total of five offences under the Motor Vehicles Act or any By-Law of the Town regulating taxis or traffic or; a combination thereof within a period of two (2) years immediately preceding the application.

11. The Senior Administrative Officer, upon:

- (a) receipt of an application for a Chauffeur's Permit as prescribed in Form "D" of this

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- By-Law;
- (b) payment of the Chauffeur's Permit Fee as prescribed in Schedule A;
- (c) being satisfied that the conditions of this By-Law have been met;

may issue a Chauffeur's Permit to the applicant as Form "E" of this By-Law.

12. The Senior Administrative Officer or designate may request a Criminal Record Check with Vulnerable Sector Screening at any time that information becomes available where a criminal record may exist to ensure compliance with the Bylaw
13. Any application containing false information, or failure to provide any required information under this By-Law, constitutes grounds to refuse, suspend or cancel a Chauffeur's Permit.
14. A Chauffeur's Permit shall be valid for a period of no longer than one (1) year and shall expire on the last day of August following its effective date.
15. A Driver shall display his or her Chauffeur's Permit on the passenger side visor of the Taxi which he or she is operating, so that it is visible to any passenger.
16. (1) A Chauffeur's Permit or renewal thereof shall be immediately revoked or suspended by the Senior Administrative Officer, if:
 - (a) the Taxi Operator's Driver's Licence is revoked or suspended;
 - (b) the Taxi Operator's application was approved based on a driver's license issued outside the Northwest Territories, and the Taxi Operation fails to provide the required Northwest Territories Driver's License within 90 days of the date of issue of the Chauffeur's Permit; or
 - (c) the Taxi Operator has been convicted of any of the offenses referred to in Section 10.(2) All Chauffeur's Permits issued by the Town remain the property of the Town, and shall be immediately surrendered to the Protective Services Specialist or the Senior Administrative Officer:
 - (a) within twenty-four (24) hours of suspension or revocation pursuant to this By-Law; or
 - (b) upon the expiration date.
17. Notwithstanding any other provision of this By-Law, a Chauffeur's Permit shall be issued, or reinstated, by the Senior Administrative Officer upon the direction of Council where, following an appeal filed in accordance with Section 24 of this By-Law, Council is satisfied that the driving record and criminal record of the appellant is such that the Permit should, pursuant to this By-law, be properly issued or reinstated, as the case may be.

APPEALS

18. An applicant for or holder of a Chauffeur's Permit, Taxi Brokerage Licence, or Taxi Licence may appeal to Council the decision of the Senior Administrative Officer to refuse, revoke, or suspend a Chauffeur's Permit, Taxi Brokerage Licence or Taxi Licence within ten (10) days of the date of notice of such refusal, revocation, or suspension, and a decision of Council on such appeal shall be final.
19. Any person may appeal to Council any decision of the Senior Administrative Officer to grant a Chauffeur's Permit, Taxi Brokerage Licence, or Taxi Licence within ten (10) days of the date of issue, and a decision of Council on such appeal shall be final.
20. An appeal made under Sections 17 or 18 shall:

**BY-LAW NO. 2425
CORPORATION OF THE MUNICIPALITY OF HAY RIVER**

- (a) be in writing, stating reasons for the appeal;
- (b) be delivered to the Senior Administrative Officer;
- (c) be heard by Council at a regular or special Council meeting within twenty-one (21) days from the date it is received; and
- (d) be accompanied by a fee as described in the Fees and Charges Bylaw.

DRIVERS

21. A Driver shall not:

- (a) smoke in the Taxi or permit any other person to smoke in the Taxi;
- (b) use abusive or insulting language;
- (c) permit a greater number of passengers to be carried in the Taxi than the number of seats and number of seat belts provided;
- (d) set the Taxi in motion while a passenger is entering or leaving the Taxi;
- (e) collect fees, or give change, while the Taxi is in motion;
- (f) take on additional passengers after the Taxi has departed, unless with the consent of the passengers already in the Taxi;
- (g) discriminate in any way against any person while on duty because of sex, race, religion, colour or creed;
- (h) refuse to convey within the Town any orderly persons upon request, unless the Taxi is engaged, or the Driver is prohibited by law from, or incapable of, conveying such person, or unless the person is an unaccompanied child under the age of eight (8) years; or
- (i) consume alcohol or non-prescription drugs in the Taxi or allow any person to consume alcohol or non-prescription drugs in the Taxi.

22. A Driver shall:

- (a) extend taxi service from curb to curb;
- (b) unless otherwise directed by a passenger, drive the most direct practicable route to the destination;
- (c) pull to the side of the road or into a reasonably safe spot and not drop off passengers in the middle of intersections or roadways
- (c) upon request by a passenger, issue a receipt of the fare paid;

23. A Driver shall, when so requested, assist any Officer, member of the R.C.M.P., or member of the Hay River Fire Department, by conveying any person to any place within the Town, and the Driver shall be entitled, after the performance of such service, to receive the prescribed fare which shall be paid by the responsible party.

24. (1) No Taxi Operator or Driver shall operate, or permit to be operated, any Taxi unless:

- (a) such Taxi is clean, in good repair, and in safe mechanical condition;
- (b) the Taxi is inspected by an independent licensed mechanic ~~twice~~-yearly,
- (c) the Taxi has a mechanical inspection certificate issued by an independent licensed mechanic once a year on vehicles up to five years of age and twice each year after 5 years of age as specified in the Taxi Licence.
- (d) the Taxi is ~~over~~-~~under~~ twelve (12) years old
- (e) the company name and unit number of the Taxi are conspicuously displayed on the exterior of the Taxi in letters of a minimum of three (3) inches in height, on each side of the Taxi, or each side of the Taxi roof light;
- (f) the Taxi has a properly operating Taxi Meter;
- (g) ~~the Taxi has effective two-way communications device with a dispatcher; and~~
- (h) the Taxi has a functional spare tire and jack properly stored;

**BY-LAW NO. 2425
CORPORATION OF THE MUNICIPALITY OF HAY RIVER**

- (i) the side windows which are intended to open and close are in good repair and working order; and
 - (j) every door or trunk lid closes securely
 - (2) For the purpose of this Section, "Unit Number" means a number assigned by a Taxi Brokerage Business to a Taxi for identification.
25. Every Taxi Operator and every Driver shall, upon demand, by an Officer;
- (a) permit the Officer to inspect any Taxi and the contents thereof; and
 - (b) submit and deliver each Taxi, under the control of such Taxi Operator and such Driver, to an Officer for testing and inspection, the full cost of which shall be borne by the Taxi Operator.
26. (1) Every Taxi Operator and every Driver shall, not less than once a year, submit and deliver each Taxi under the control of such Taxi Operator and such Driver, to an Officer for the testing and inspection of the Taxi Meter. ~~If the testing and inspection of the Taxi Meter indicates that the rates are other than those published in accordance with this, the Taxi Meter shall be repaired.~~ Any Taxi in which the Taxi Meter has previously indicated rates other than those published in accordance with this By-Law shall be subject to further inspection, upon demand.
- (2) No person shall remove, or tamper with a seal affixed to a Taxi Meter without prior written approval from the Senior Administrative Officer.
27. Every Taxi Meter in a Taxi shall:
- (a) be so located and so illuminated as to permit the fare to be read at all times by a passenger in the front or in the rear seat of the Taxi;
 - (b) be programmed or set to the fares set by the Taxi Brokerage Business; and
 - (c) have the G.S.T. payable on the metered portion of the fare included in the illuminated display on the Taxi Meter.
28. No person shall operate a motor vehicle within the Town of Hay River that is equipped with a Taxi Meter, taxi sign, or any other type of taxi markings, unless a valid Taxi Licence has been issued for such vehicle, pursuant to this By-Law.

TAXI FARES

29. Rates are to be set by Taxi Brokerage Businesses with notice given at least thirty (30) days prior to implementation and rates must be published at Town Hall.
30. A legible schedule of fare rates, as authorized by this By-Law, shall be prominently displayed at all times in each Taxi, and in the Office of each Taxi Brokerage Business.

PENALTIES

31. Any person violating any provision of this By-Law is guilty of an offence, and is liable, upon Summary Conviction, to a fine not exceeding:
- (a) Two Thousand (\$2,000.00) Dollars for an individual;
 - (b) Ten Thousand (\$10,000.00) Dollars for a corporation; and
 - (c) Imprisonment for a period not exceeding six (6) months, in default of payment of a fine.

**BY-LAW NO. 2425
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32. An Officer may issue a Summary Offence Ticket Information, in the form prescribed by the Summary Conviction Procedures Act and Regulations, to any person who violates any provision of this By-Law:

- (a) setting out a specified penalty of:
 - (i) One Hundred and Fifty (\$150.00) Dollars for an individual; and
 - (ii) Three Hundred (\$300.00) Dollars for a corporation;

which may, in lieu of prosecution, be paid voluntarily prior to the court date specified on the ticket; or

- (b) Which requires a court appearance without a specified penalty.

REPEAL

33. Bylaw 2165 and the amendments thereto are hereby repealed.

EFFECT

34. This By-Law shall come into effect upon receiving Third Reading, and otherwise meets the requires of Section 58 of the Cities, Towns and Villages Act.

READ A FIRST AND SECOND TIME this 29th, day of March, 2021.

MAYOR

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READ A THIRD AND FINAL TIME this 8th, day of June, 2021, and passed with the consent of Council.

MAYOR

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CERTIFIED that this bylaw has been made in accordance with the requirements of the CITIES, TOWNS AND VILLAGES ACT, S.N.W.T. 2003, C.22, s48 and the bylaws of the Municipal Corporation of the Town of Hay River on this 8th, day of June, 2021.

SENIOR ADMINISTRATIVE OFFICER

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**FORM "A"
PAGE 1 OF 2**

APPLICATION FOR A TAXI BROKERAGE LICENCE

Name of Applicant _____

Ltd. Company _____ Partnership _____

Proprietorship _____

Names and Addresses and Occupations of Officers, Partners or Owners:

Location of Office _____ Telephone No. _____

I, _____, of the Town of Hay River, declare that the applicant:

- i) holds a valid and subsisting Business Licence issued pursuant to the Business Licence By-Law of the Town of Hay River;
- ii) has entered into written contracts for the provision of at least one (1)Taxi;
- iii) is able to provide and maintain service in accordance with the schedule defined in section 6.2(c) with telephone, two-way radio and/or dispatcher, licensed by the Government of Canada, Department of Communications; and
- iv) that the applicant has received and read a copy of the current Town of Hay River Taxi License By-Law and agrees to operate in accordance with the provisions thereof.

List of operating equipment for the dispatch service, submitted with this application:

Date

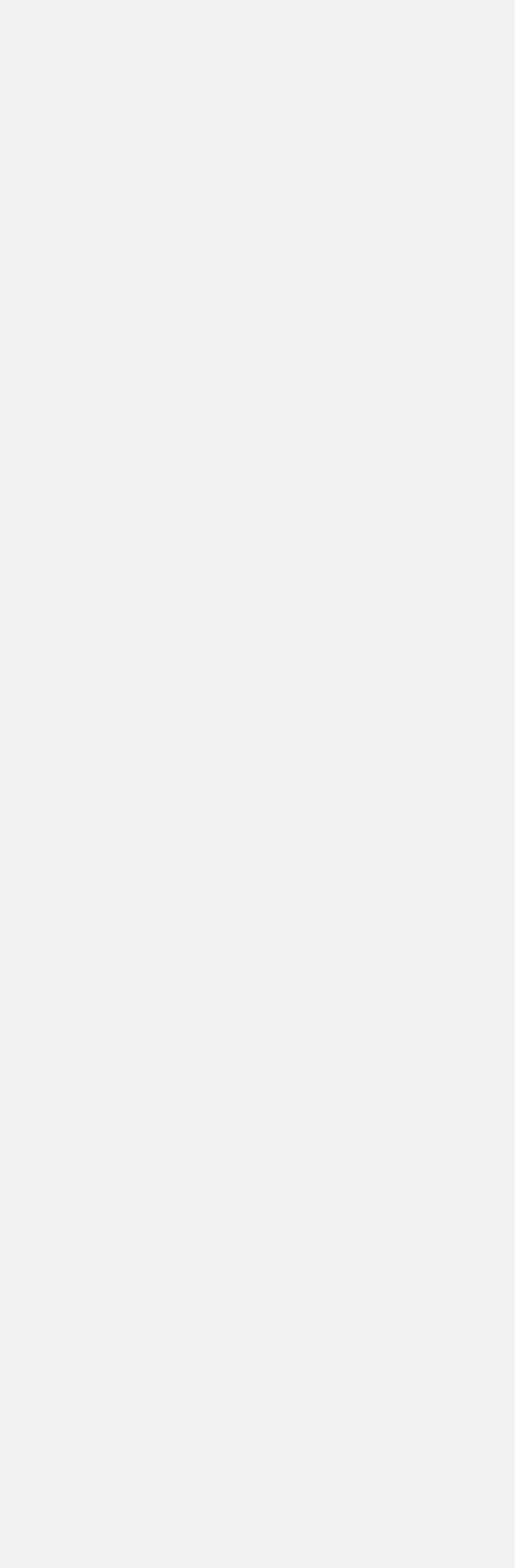
DECLARED before a Commissioner of)
Oaths at the Town of Hay River in the)
Northwest Territories, this _____ day of)
_____, 2_____.)
_____) **APPLICANT**

BY-LAW NO. 2425
CORPORATION OF THE MUNICIPALITY OF HAY RIVER

A Commissioner in and for the Northwest
Territories

Please print name:

My Commission expires:



**BY-LAW NO. 2425
CORPORATION OF THE MUNICIPALITY OF HAY RIVER**

**FORM "B"
TAXI LICENCE**

Date: _____

This is to certify that _____ of _____
(Company) (Address)

Hay River, of the Northwest Territories, having complied with the requirements of the Taxi By-law, and having paid the prescribed fee thereunder, is licensed to operate the following vehicle as a Taxi within the Town of Hay River:

MAKE	YEAR	MODEL	SERIAL No.	NWT LICENCE NO.	TAXI LICENCE NO.
------	------	-------	------------	-----------------	------------------

This licence expires at midnight (2400 hours) on the 31st day of August, 20____.

Senior Administrative Officer

**BY-LAW NO. 2425
CORPORATION OF THE MUNICIPALITY OF HAY RIVER**

**FORM "B1"
APPLICATION FOR A TAXI LICENCE**

Name of Company: _____

Ltd. Company: _____ Partnership: _____

Proprietorship: _____

Director or Agent: _____ Address: _____

Location of Office: _____ Telephone No. _____

I, _____ representing _____
(Agent) (Company)

of _____, declare that the company:

- i) holds a valid and subsisting Licence issued pursuant to the Business By-Law of the Town of Hay River;
- ii) has had a certified mechanical inspection by a certified, licensed mechanic completed within six (6) months of the date of this application;
- iii) holds a valid and legally binding contract with a licensed Taxi Brokerage Business for dispatcher service (copy attached hereto);
- iv) holds a valid Public Service Registration and property insurance coverage applicable for the company's taxi for the current licensing year;
- v) has a properly functioning hands free two-way radio or other form of communication licensed and approved by the Government of Canada Department of Communications in the Taxi; and
- vi) has a properly functioning Taxi Meter in the Taxi.

Taxi described as follows:

MAKE	YEAR SERIAL NO. LICENCE NO.	MODEL
------	-----------------------------------	-------

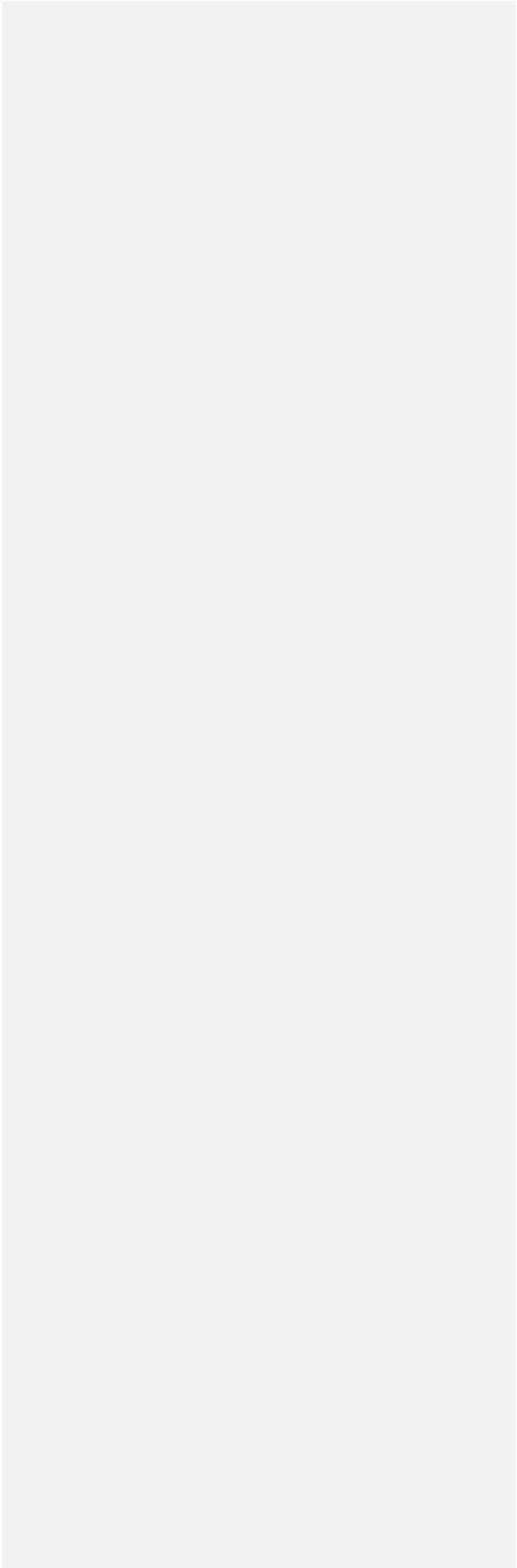
(Applicant)

(Date)

**BY-LAW NO. 2425
CORPORATION OF THE MUNICIPALITY OF HAY RIVER**

FORM "B2"

SAMPLE TAXI PLATE WITH VALIDATION



**BY-LAW NO. 2425
CORPORATION OF THE MUNICIPALITY OF HAY RIVER**

FORM "C"

APPLICATION TO TRANSFER LICENCE LICENCE
(Must be accompanied by Mechanical Inspection Form)

I, _____ of _____
(Company) (Address)

represented by _____, of _____
(Agent) (Address)

make application to transfer my Taxi Licence No. _____ for the
current year of _____.

FROM:

MAKE YEAR MODEL SERIAL No. TAXI LICENCE NO.

TO:

MAKE YEAR MODEL SERIAL No. TAXI LICENCE NO.

Signature of Applicant

Date

FORM "C1"

APPLICATION TO TRANSFER OWNERSHIP OF TAXI LICENCE

I, _____ of _____
(Company) (Address)

represented by _____ of _____
(Agent) (Address)

make application to transfer my Taxi Licence No. _____ for the current
year of _____ to _____ of _____
(Company)

_____ represented by _____
(Agent)

of _____ having met all the requirements under
Section 5 of the Taxi Licence _____.

Taxi is described as follows:

MAKE	YEAR	MODEL	SERIAL No.	TAXI LICENCE NO.
------	------	-------	------------	------------------

Signature of Applicant

Date

**BY-LAW NO. 2425
CORPORATION OF THE MUNICIPALITY OF HAY RIVER**

FORM "C3"

APPLICATION FOR TRANSFER OF TAXI BROKERAGE LICENCE

I, _____ of _____ represented by
(Company) (Address)

_____ of _____ make
(Agent) (Address)

application to obtain the Taxi Brokerage Licence for the current year of

_____ of _____
(Company) (Address)

represented by _____ of _____
(Agent) (Address)

having obtained the following requirements:

- i) holds a valid and subsisting Licence issued pursuant to the Business Licence By-Law of the Town of Hay River;
- ii) has written contracts for the provision of at least two-one (21) Taxis-
- iii) is able to provide and maintain a the service levels required by the bylaw with telephone, two-way radio and/or dispatcher, licensed by the Government of Canada, Department of Communications; and that the applicant has received and read a copy of the current Town of Hay River Taxi Licence By-Law, and agrees to operate in accordance with the provisions thereof.

List of operating equipment for the dispatch services, submitted with this application:

Date

DECLARED before a Commissioner of)
Oaths at the Town of Hay River in the)
Northwest Territories, this _____ day of)
_____, _____)

APPLICANT

A Commissioner in and for the Northwest
Territories
Please print name:
My Commission expires:

FORM "D"

APPLICATION FOR CHAUFFEUR'S PERMIT

Name of Applicant: _____

Address: _____ Telephone No. _____

I, _____, of the Town of Hay River,
declare that I:

- i) am eighteen (18) years of age or more;
- ii) speak, read and write the English language;
- iii) have a thorough knowledge of the location of streets, public buildings and points of interest in the Hay River area;
- iv) am the holder of a valid and subsisting Northwest Territories Motor Vehicle Driver's Licence of a class that permits me to operate a taxi; and
- v) have received and read a copy of the current Town of Hay River Taxi By-Law and agree to operate Taxis in accordance with the provisions of this and other By-Laws of the Town of Hay River, as well as Acts and Regulations of the Governments of the Northwest Territories and Canada.



Date

DECLARED before a Commissioner of)
Oaths at the Town of Hay River in the)
Northwest Territories, this _____ day of)
_____, _____)
_____)

APPLICANT

A Commissioner in and for the Northwest
Territories
Please print name:
My Commission expires:

FORM "D"
CHAUFFEUR'S PERMIT

CHAUFFEUR'S PERMIT	
	TOWN OF HAY RIVER
	<u>NAME</u> Name
	<u>PERMIT NUMBER</u> Permit Number
	<u>EXPIRY DATE</u> Expiry Date
	<i>Alan & Pottier</i> APPROVED BY
	

**BY-LAW NO. 2425
CORPORATION OF THE MUNICIPALITY OF HAY RIVER**

Schedule A

Item	Fee
Appeal Fee	\$50.00
Chauffeur's Permit	\$40.00/ year
Taxi Brokerage Licence	\$75.00 / year
Taxi Licence	\$40.00 / year
Taxi Licence Transfer	\$35.00



REPORT TO COMMITTEE

DEPARTMENT: ADMINISTRATION **DATE:** August 27, 2024
SUBJECT: APPOINTMENT OF RETURNING OFFICER

RECOMMENDATION:

THAT THE COUNCIL OF THE TOWN OF HAY RIVER appoints Heather Coakwell as the Returning Officer for the 2024 Municipal Election for the Town of Hay River.

BACKGROUND:

In order to conduct the Municipal Election for the Town of Hay River being held on October 21st, 2024, it is necessary to appoint a Returning Officer.

According to the Local Authorities Elections Act R.S.N.W.T. 1988, c.L-10, Section 27 (1) *A local authority shall appoint a person as returning officer.*

Heather Coakwell has significant experience as a returning officer for both municipal and territorial elections. The Returning Officer will be supported by a Deputy Returning Officer and several election clerks.

For Councils convenience, we have included a timeline for key upcoming dates. The new Council is sworn in the first Monday of November according to the Cities, Towns and Villages Act SNWT 2003, c.22 – Section 17 (2).

The Town has budgeted for an election to fund the anticipated cost which is projected to cost between \$14,000 and \$15,000.

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

Local Authorities Election Act
Cities, Towns and Villages Act

FINANCIAL IMPLICATIONS:

\$20,000 budgeted item

ALTERNATIVES TO RECOMMENDATIONS:

N/A



REPORT TO COMMITTEE

DEPARTMENT: ADMINISTRATION **DATE:** August 27, 2024

SUBJECT: APPOINTMENT OF RETURNING OFFICER

ATTACHMENTS:

2024 Election timeline and key dates

Prepared by:
Stacey Barnes
Council Administrator
Date: August 20th, 2024

Reviewed by:
Glenn Smith
Senior Administrative Officer
Date: August 22nd, 2024

2024 Election Timeline

August 27	Regular Meeting of Council and Appointment of a Returning Officer
Week of Sept 9	“So you want to run for Town Council?” Information Session
September 9	Nominations Open
September 23	Nominations Close
October 21	ELECTION DAY
October 22	Regular Meeting of Council – Last Meeting of Current Council
November 4 th	Swearing in of New Council – Standing committee with New Council
November 12 th	Regular Meeting of Council
November 27 th	Finance Committee – 2025 Budget
November 29-30	New Council Orientation
December 9th	Standing Committee – Draft 2025 Budget
December 16th	Regular Meeting of Council – Final 2025 Budget



REPORT TO COUNCIL

DEPARTMENT: ADMINISTRATION **DATE:** August 27th, 2024

SUBJECT: Letter of Support for NWTAC Application to FCM's Capacity Development Partner Grants program

RECOMMENDATION:

THAT THE COUNCIL OF THE TOWN OF HAY RIVER directs Administration to draft a letter of support for NWT Association of Communities Application to Federation of Canadian Municipalities Capacity Development Partner Grants program.

BACKGROUND:

NWT Association of Communities' (NWTAC) is submitting an application to the Capacity Development Partner Grants program for the project entitled: *Collaborative training and partnerships to address riverbank erosion and advance wildfire preparedness.*

This project addresses high priorities for our community by providing knowledge, skills, collaborative frameworks and partnerships to help us effectively address these threats and build long-term resilience.

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

Draft Letter of Support

Prepared by:
Stacey Barnes
Council Administrator
Date: August 20, 2024

Reviewed by:



100-62 Woodland Drive
Hay River, NT X0E 1G1
Phone: 867-874-6522
email: mayor@hayriver.com

August 28th, 2024

VIA EMAIL

Federation of Canadian Municipalities
24 Clarence Street
Ottawa, Ontario K1N 5P3

Re: Letter of Support for NWTAC Application to FCM's Capacity Development Partner Grants program

To Whom It May Concern,

We are pleased to offer our support for the NWT Association of Communities' (NWTAC) application to the Capacity Development Partner Grants program for the project entitled: *Collaborative training and partnerships to address riverbank erosion and advance wildfire preparedness*.

The Town of Hay River is very concerned about the increasing occurrence and severity of wildfire and riverbank erosion. The impacts of these climate risks pose a serious threat to our residents and infrastructure. This project addresses high priorities for our community by providing knowledge, skills, collaborative frameworks and partnerships to help us effectively address these threats and build long-term resilience.

The NWTAC represents the interests of community governments in the NWT. As members, we support the NWTAC's approach of working together to tackle climate change risks and take action to adapt. This is the best model for the NWT where chronic underfunding and lack of capacity make it difficult for community governments to address these vulnerabilities on our own. With this project we can build on existing partnership initiatives that have made a positive difference for us, such as the DMAF Wildfire Breaks project and the Riverbank Erosion Partnership Table.

The Town of Hay River will support this project by participating in the planning and delivery of the training program. We are excited to join the training cohort to build our capacity and partnerships, so we are better able to develop and implement adaptation initiatives for the benefit of community residents. We look forward to working in partnership with the NWTAC and other project partners to develop collaborative approaches to address our most pressing climate change concerns.

Sincerely,

Kandis Jameson
Mayor, Town of Hay River

CC:
Council of the Town of Hay River



REPORT TO COMMITTEE

DEPARTMENT: ADMINISTRATION

DATE: August 27th, 2024

SUBJECT: EXCUSED ABSENCE

RECOMMENDATION:

THAT THE COUNCIL OF THE TOWN OF HAY RIVER excuses Cllr Willows from the Regular Meeting of Council on Tuesday, August 27th, 2024

BACKGROUND:

Cllr Willows has asked to be excused from the Regular Meeting of Council, Tuesday, August 27th, 2024

COUNCIL POLICY / STRATEGY OR GOAL:

N/A

APPLICABLE LEGISLATION, BYLAWS, STUDIES, PLANS:

N/A

FINANCIAL IMPLICATIONS:

N/A

ALTERNATIVES TO RECOMMENDATIONS:

N/A

ATTACHMENTS:

N/A

Prepared by:
Stacey Barnes
Council Administrator
Date: August 23rd, 2024

Reviewed by:



Bylaw No. 2238/PS/24

10a) Fire Prevention Bylaw

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

PURSUANT to the *Cities, Towns and Villages Act*, SNWT 2003, c 22, and the *Fire Prevention Act*, RSNWT 1988, c F-6;

WHEREAS the Council of the Municipal Corporation of the Town of Hay River in the Northwest Territories wishes to provide for the safety, health and welfare of people and the protection of property;

AND WHEREAS the Council of the Municipal Corporation of the Town of Hay River in the Northwest Territories deems it necessary to prevent and suppress fires and to regulate the duties and responsibilities of the fire department;

NOW THEREFORE the Council of the Municipal Corporation of the Town of Hay River in the Northwest Territories in session duly assembled enacts as follows:

1. SHORT TITLE

This By-law may be cited as the “Fire Prevention By-law”.

2. INTERPRETATION

In this by-law:

- a. **“Chief”** means the Fire Chief of the Department or designate or if, in the event there is no such designate, such person as Council shall designate by resolution.
- b. **“Combustible Material”** means materials made of or surfaced with wood, compressed paper, plant fibres, plastics or other materials that will ignite and burn.
- c. **“Council”** means the Council of the Municipal Corporation of the Town of Hay River.
- d. **“Department”** means the Hay River Fire Department.
- e. **“False Alarm”** means:

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

- i. an alarm that is turned in automatically by an alarm system and the alarm was caused by a failure of equipment due to poor maintenance such as dirty detectors, dust in venting, etc.; or
 - ii. an alarm turned in by people, including by pulling pull stations intentionally, accidentally or mischievously, or the testing of alarm systems, and not contacting dispatch of fire department;but does not include alarms caused by low town water pressure on sprinkler systems.
- f. **“Fire Marshal”** means the Fire Marshal appointed by the Commissioner under the *Fire Prevention Act*.
- g. **“Fire Protection”** includes all aspects of the fire prevention, fire alarms, fire suppression, rescue, first aid and salvage.
- h. **“Fire Protection System”** includes all piped water lines, hydrants, pump-houses, and any sprinkler systems in public buildings under the control and maintenance of the Town.
- i. **“Non-Combustible”** shall mean a material which, in the form in which it is used and under the conditions anticipated, will not aid combustion or add appreciable heat to an ambient fire.
- j. **“Noxious Material”** means material that is physically harmful or destructive to living beings.
- k. **“Permit”** means the written authority of the Chief, issued pursuant to this by-law.
- l. **“Senior Administrative Officer”** means the person appointed by Council as the Administrator of the Town.
- m. **“Smoke”** means the air borne solid and liquid particulates and gases evolved when a material undergoes pyrolysis in combustion.
- n. **“Smoke Barrier”** shall mean a continuous membrane, either vertical or horizontal, such as a wall, floor, or ceiling assembly that is designed and constructed to restrict the movement of smoke.

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- o. **“Town”** means the Municipal Corporation of the Town of Hay River.
- p. **“Town Limits”** means the geographical boundaries of the Town of Hay River as determined from time to time.

3. DEPARTMENT MEMBERSHIP AND AUTHORITY

- a. The Department shall comprise of the Chief and any persons who are appointed by the Chief to serve under the terms of this By-Law.
- b. Any person appointed to the Department must be nineteen (19) years of age or older and may be required to undergo a physical examination.
- c. The Chief shall:
 - i. be appointed by resolution of Council;
 - ii. be a full time paid employee of the Town; and
 - iii. report to Council through the Senior Administrative Officer.
- d. All persons appointed to the Department are authorized to act on behalf of the Chief when so ordered by him or her.

4. DUTIES AND POWERS OF THE CHIEF

- a. The Chief shall:
 - i. appoint one (1) Deputy Chief, four (4) Captains and other officers; and
 - ii. assign their respective duties as deemed necessary.
- b. The Chief may revoke any appointments for just cause.
- c. The organization and direction of the Department shall be under the sole authority of the Chief.
- d. All members of the Department shall obey the commands and the standing orders issued by the Chief.
- e. The Chief shall report to the Senior Administrative Officer:

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

- i. regularly on the activities of the Department and the condition and readiness of all fire protection equipment;
 - ii. when he or she will be absent from his or her duties and shall state who will be in charge of the Department during his or her absence;
 - iii. any injuries sustained by a member of the Department while on duty;
 - iv. on any hazard to life or property, including fire hazards which come to their knowledge; and
 - v. any infractions of this by-law.
- f. No later than October 1st of each year, the Chief shall provide the Senior Administrative Officer with:
 - i. a physical stock inventory count of all equipment;
 - ii. an estimate of all maintenance and capital expenditures which will be required during the year for fire protection; and
 - iii. the Chief's recommendations for any improvements in the Fire Protection System;
- g. The Chief shall:
 - i. be responsible for the enforcement of the provisions of this by-law;
 - ii. be responsible for the efficiency and morale of the Department;
 - iii. assume all responsibility for all facts released by him in any context to persons not connected with the Department;
 - iv. not furnish information relative to the business affairs of the Department to any person not directly involved with the Department;
 - v. implement a program of instruction and training for Department members in all aspects of fire protection and emergency medical response;
 - vi. implement an education campaign in fire prevention for school children, adults, and seniors;
 - vii. be notified of all applications for Building and Occupancy permits prior to the permit being issued;
 - viii. respond and assist at such emergencies as may be deemed necessary by the Chief in accordance with the approved service levels listed in Schedule "B", attached hereto and forming part of this by-law.
- h. The Chief may take disciplinary action, including the suspension or dismissal of any member of the Department for:

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

- i. Being absent, without good or proper reason, from three (3) consecutive fire and ambulance meetings; or
 - ii. Any other action which may be deemed by the Chief as being detrimental to the morale or to the general operation of the Department.
- i. The Chief may furnish facts relative to any fire to persons not connected with the Department.
- j. The Chief, or senior Department member in charge, may, in an emergency, order any physically fit person to assist at the scene of the fire in the extinguishment of a fire, including the pulling down or raising of any building, structures, or other things in the vicinity of a fire for the purpose of preventing the spreading of such fire.
- k. Fire apparatus may not be taken outside the Town Limits except for the suppression of a fire which is in progress that has been consented to by the Chief or his delegate.

5. OBLIGATIONS OF THE TOWN

- a. The Town shall obtain fire protection equipment and supplies and such buildings and other facilities as are required for safely housing said equipment and supplies.
- b. The Town shall provide for such liability, life and accident insurance, as shall be agreed upon in consultation with the Chief, to insure Department members or any other persons lawfully assisting the Department.
- c. The Works Superintendent for the Town shall:
 - i. advise the Chief when any portion of the fire protection system under his jurisdiction is inoperable or under repair;
 - ii. be responsible for all maintenance and repair of the fire system;
 - iii. physically and clearly identify immediately any unserviceable or interrupted areas in the fire protection system, and the Chief or his delegates shall be so advised; and
 - iv. advise the Chief prior to closure of any street or portion thereof.

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

6. FIRE PERMITS

- a. No person shall light a fire outdoors within the Town Limits without permission from the Chief by way of a fire permit except for safe fire pits while there is no fire ban in place.
- b. The Town shall provide forms on which an application for permission, known as a fire permit, may specify the container or other means by which he intends to control the fire. When completed and signed by the Chief, such applications shall be mailed to or picked up by the applicant.
- c. The Town and the Department reserve the right to cancel or reject any fire permit application.
- d. The fire permit application form is attached to this by-law as Schedule "A", forming part of this by-law.
- e. Any person who has been issued a fire permit under this by-law and who allows the burning to get out of control shall be considered in violation of the terms of the by-law and may be prosecuted.
- f. Any burning shall be supervised by the permit holder, or his or her delegate who is over the age of nineteen (19) years old, and another individual over the age of nineteen (19) of age to ensure that the burning does not get out of control.
- g. Active burning may only occur from 8:30 am until 7:00 pm or as directed by the Chief, during favourable wind and metrological conditions (winds less than ten (10) km/hour).
- h. The burning shall be, at least one hundred (100) feet away from any fuel or propane tanks.
- i. The Chief or his designate may issue a fire permit for burning wood for campfires in open air, provided that such burning shall be carried out in areas designated by the fire permit.
- j. Fire permits shall be obtained for burning brush.

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7. BURNING

- a. No burning of materials or products other than dry, combustible material is permitted.
- b. No burning of tires is permitted.
- c. No burning of materials or products that release large quantities of smoke is allowed.
- d. If burning causes a smoke hazard or complaints from the surrounding residents are received, the permit holder shall stop the burning if instructed to do so by the Chief or Department member. If unable to extinguish the fire, the Department will be contacted to put out the fire and permit holder will assume all costs in doing so.
- e. Waste oil shall be burnt in an incinerator, waste oil furnace, or pit under supervision or approval of the Chief.
- f. The operation of a domestic or backyard incinerator or any structure or device serving as a domestic incinerator is expressly prohibited.
- g. If a building is burnt, shingles, rags, asbestos and other non-combustible or noxious materials must be removed before burning, and the site shall be cleaned up, including removal of char, ash, and all hazards, within seventy two (72) hours of the burning.

8. BACKYARD FIRE PITS

Installation of Fire Pits.

- a. A safe fire pit and outdoor fireplaces shall meet the following requirements:
 - i. a minimum clearance of ten (10) feet shall be maintained from any building, property lines, overhead wires, trees or any combustible material;
 - ii. a minimum clearance of three (3) feet from gas lines;

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- iii. fire pit and outdoor fireplace installations shall have enclosed sides at a depth of no greater than eighteen (18) inches and a width of no greater than thirty-nine (39) inches;
- iv. the non-permeable perimeter of an installed fire pit or outdoor fireplace shall be surrounded by thirty-nine (39) inches of non-combustible material (i.e. crush gravel, rock, or concrete); and
- v. All fire pits and outdoor fireplaces shall have a spark arrester mesh screen of expanded metal to contain sparks, to be placed over the fire.

Extraordinary requests related to fire pits that are not compliant with section 7(a) may be approved by the Chief or his designate subject to such terms or conditions as the Chief or his designate considers appropriate.

b. Fuel for Fire Pits and Outdoor Fireplaces:

- i. is to be composed only of barbecue briquettes or dry firewood;
- ii. must be clean burning;
- iii. may not extend beyond the confines of the fire perimeter either vertically or horizontally; and
- iv. may not include vegetation, household scrap paper, building and other materials or yard waste.

c. Fires in a fire pit or outdoor fireplaces must be supervised at all times by a competent person over the age of nineteen (19) years old until all fire and smoke have been extinguished.

9. VIOLATIONS

- a. Except as authorized under this By-Law, no person who is not a member of the Department shall:
 - i. enter into any premises where fire protection apparatus or supplies are housed, or
 - ii. touch or use any fire equipment or supplies.
- b. Except in the event of a fire alarm, no fire protection apparatus or supplies shall be removed from the Fire Hall without the knowledge and permission of the Chief.

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- c. Except as authorized under Section 4(j) of this By-Law, no person other than a member of the Department, Royal Canadian Mounted Police, Senior Administrative Officer, Utilities Personnel, or emergency service personnel, may go nearer than one hundred (100) metres, to a fire in progress, fire apparatus, or the scene of a practice drill.

- d. No person shall:
 - i. in any way hinder the progress of a member of the Department en route to a fire or his lawful action at the scene of a fire;
 - ii. obstruct, or otherwise interfere with, access roads, streets or other approaches to any fire, fire hydrant, cistern or any connections provided to a fire main, pipe, standpipe, sprinkler system or any body of water designated for firefighting purposes;
 - iii. obstruct, hinder, or delay any emergency equipment;
 - iv. obstruct a member of the Department from carrying out the duties imposed by this by-law;
 - v. fail to give right of way to the emergency equipment on a highway;
 - vi. drive any vehicle over any equipment or fire hose without the permission of the Chief;
 - vii. represent themselves as a member or wear or display any Department badge, cap, button, insignia, or other paraphernalia for the purpose of making such representation unless they are a member of the Department;
 - viii. store or use a flammable liquid or substance within the confines of a building under conditions which might cause a fire; or
 - ix. knowingly turn in or cause to be turned in a false alarm.

- e. Other than under the direct supervision of the Chief or their delegate, the use of fireworks within Town Limits is prohibited.

- f. No person shall:
 - i. refuse to provide information or assistance as required; or
 - ii. knowingly state anything false in information delivered or furnished to the Chief or any member of the Department.

10. ORDER TO REMEDY

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

- a. The Chief may order any person who contravenes this by-law, by way of an Order to Remedy, to take such measures as are specified in the order to forthwith remedy the contravention.
- b. The Chief or designate may issue an Order to Remedy to the owner or occupant of any property on which a fire hazard is found, and the owner shall comply with the order within the specified time limits.
- c. Every person who fails to comply with an Order to Remedy issued pursuant to this by-law commits an offence.
- d. An Order to Remedy issued pursuant to this by-law shall contain at least the following information:
 - i. the name and address of the person upon whom the Order is served;
 - ii. the day on which the offence is alleged to have been committed;
 - iii. the address of the premises under consideration;
 - iv. reasonable particulars of alleged breach of the by-law;
 - v. a requirement that the person served shall remedy the non-compliance; and
 - vi. a time frame during which the non-compliance must be remedied.
- e. Every person against whom an Order to Remedy is made pursuant to Section 10(d) of this bylaw, may, within seven (7) days from the date on which the copy of the order is delivered, either in person or by registered mail, appeal the order to:
 - i. the Fire Marshal if the fire hazard is described in the *Fire Prevention Act*. This appeal shall be dealt with in accordance with the appeal provisions of the *Fire Prevention Act*; or
 - ii. to Council if the fire hazard is not described in the *Fire Prevention Act*.
- f. The operation of an order referred to in section 10(d) is suspended until a copy of the Fire Marshal's decision has been served on the appealing person.
- g. If an order is given by the Chief for the abatement of a hazard under this by-law or under the *Fire Prevention Act* and it is not obeyed within the specified time, or if the owner or manager of the property cannot be found or reached, the Chief

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shall report full details to the Senior Administrative Officer and to the Fire Marshal. On hearing from the Fire Marshal, and, unless otherwise advised by him, the Senior Administrative Officer or Chief may lay an information against the offender or may cause the hazard to be abated at the public's expense. In the latter case, the expense shall then be charged against the owner of the land or property on or in which the hazard existed, in the form of a charge which shall be due and payable immediately and shall be collectable in like manner with any other taxes levied in the same year.

11. ENFORCEMENT

- a. The owner, occupant or lessee of a building or property or part thereof shall, upon request, give the Chief or any member of the Department who is carrying out an inspection pursuant to the by-law or the *Fire Prevention Act* such assistance as may be reasonably required in carrying out the inspection.
- b. Without limiting the right of entry of the Chief or a member of the Department during an emergency, the Chief may inspect any building or premises, and, for such purpose, may at all reasonable hours, and upon producing proper identification, enter into and upon the building or premises to conduct an inspection to determine compliance with the provisions of this by-law or the *Fire Prevention Act*.
- c. Every person who violates a provisions of this by-law commits an offence and is liable on summary conviction to:
 - i. A fine in the maximum amount of one thousand dollars (\$1,000.00); or
 - ii. A voluntary fine pursuant to the provisions of section 8 of the *Summary Conviction Procedures Act*, RSNWT 1988, c S-15, as amended from time to time, issued in respect to an offence in the amount specified in Schedule "C", attached hereto and forming part of this by-law.
- d. Where an offence is committed on more than one (1) day, it shall be deemed to be a separate offence for each day on which the offence is committed or continued.
- e. Every person guilty of an offence under this by-law can be prosecuted and shall, in addition, to any penalty imposed by the Court, pay to the Town the full costs

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incurred to respond to any fire or other emergency resulting from the breach of the bylaw.

- f. This by-law shall come into full force and effect upon third and final reading thereof.

7. REPEAL

- a. By-law No. 2228/FC/17 is hereby amended.

Read a first time this ____ day of _____. 20____.

Read a second time this ____ day of _____. 20____.

Read a third time and finally passed this ____ day of _____. 20____.

Mayor

Senior Administrative Officer

CERTIFIED that this by-law has been made in accordance with the requirements of the *Cities, Towns and Villages Act*, the *Fire Prevention Act*, and the by-laws of the Town on this ____ day of _____. 20____.

Senior Administrative Officer

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

SCHEDULE "A"

Fire Permit

Authority is hereby given to:

Name: _____

Civic Address: _____

Lot No.: _____ Plan: _____ Block No.: _____

For the purpose of burning: _____

Burning shall be done in compliance with the Fire Prevention By-law currently in force and any amendments and regulations made under and subject to the **FOLLOWING CONDITIONS**:

1. The permit holder shall be liable for all damage caused by him, his or her servants or agents, while acting under this permit.
2. There must be a clearance of at least 10 feet to any combustible material or buildings on all sides of the fire and that the permit holder shall ensure that suitable water protection such as coupled up hoses that will reach the area where the burning is be done, is available.
3. At least two persons over the age of nineteen years must be in attendance to monitor the fire.
4. Burning shall be performed between the hours of 8:30 am am and 7:00 pm.
5. Burning shall not be conducted on a day when the wind exceeds 10 kilometers per hour.
6. The site shall be cleaned up and all hazards removed within seventy-two (72) hours of the burning.
7. Only brush (small trees and branches), leaves, grass, clean unpainted & untreated wood, household cardboard & paper may be burned.
8. The permit holder must contact the following and advise of the Permit No. and Location of Burning, prior to commencing:

**ENVIRONMENT & CLIMATE CHANGE
HAY RIVER FIRE DEPARTMENT**

**875-5555
874-2222**

This Burning and Fire Permit is subject to cancellation at any time by any member of the Hay River Fire Department, RCMP or an Environmental Protection Officer/Renewable Resource Officer, if he/she so feels that the conditions are not safe for burning.

DATE ISSUED: _____

EXPIRY DATE: _____

PERMIT HOLDER'S PHONE NO.: _____

PERMIT NO.: _____

SIGNATURE OF PERMIT HOLDER: _____

APPROVED BY: _____

DATE.: _____

Fire Chief or Designate

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

**SCHEDULE “B”
Approved Service**

Town of Hay River Fire Department
Emergency Response Service Delivery

Based on the GNWT Community Fire Protection Matrix the Hay River Fire Department will operate under L4 – Professional, NFPA 1001 Level of Service which will include services indicated below:

Emergency Response Services	Approved to Deliver	
	Yes	No
1. Basic firefighting – no expected rescue component	X	
2. Structural firefighting including rescue	X	
3. Vehicle firefighting	X	
4. Grass, brush, forestry firefighting	X	
5. Marine firefighting	X	
6. Mutual Aid	X	
7. Basic medical services	X	
8. Level III Advanced Emergency Responder medical services	X	
9. Awareness level hazardous materials	X	
10. Operations level hazardous materials	X	
11. Vehicle accidents	X	
12. Vehicle extrication	X	
13. Transportation incidents involving vehicles, trains, aircraft and watercraft	X	
14. Water and ice – shore based	X	
15. Water and ice – water entry	X	
16. Public Hazards – Downed hydro lines, Carbon monoxide, gas leaks	X	

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

17. Police assistance	X	
18. Public utilities assistance	X	
19. Community emergency plan participation	X	
20. Confined space rescue	X	

A BY-LAW OF THE MUNICIPAL CORPORATION OF THE TOWN OF HAY RIVER IN THE NORTHWEST TERRITORIES FOR THE PREVENTION AND SUPPRESSION OF FIRES WITHIN THE MUNICIPALITY AND TO REGULATE THE DUTIES AND RESPONSIBILITIES OF THE FIRE DEPARTMENT.

**SCHEDULE "C"
Voluntary Fines**

Ticket Description

Section 6	Failure to obtain a fire permit	\$200.00
Section 6.f	Fail to keep competent person in attendance, or sufficient appliances and equipment on site	\$200.00
Section 7.l	Burning prohibited material – non-combustible material	\$200.00
Section 7.m	Burning prohibited material – tires	\$200.00
Section 7.n	Burning prohibited material – large quantity of smoke	\$200.00
Section 7.o	Burning prohibited material – waste oil	\$200.00
Section 7.p	Failure to clean up a burn site	\$200.00
Section 8.c	Operating an incinerator	\$100.00
Section 9.b	Removing equipment from Fire Hall	\$100.00
Section 9.c	Being within the prescribed distance from fire, emergency or drill without authorization	\$200.00
Section 9.d	Obstruct, hinder or delay a member	\$500.00
Section 9.d.ii	Obstruct or interfere with roads, streets or approaches	\$500.00
Section 9.d.ii	Fail to comply with hydrant regulations	\$300.00
Section 9.d.iv	Obstruct a member carrying out duties of this by-law	\$500.00
Section 9.d.iii	Obstruct/hinder/delay fire apparatus/vehicle/equipment	\$500.00
Section 9.d.vi	Drive over equipment or fire hose	\$500.00
Section 9.d.vii	False representation as a fire department member	\$50.00
Section 9.d.viii	Improper Storage of flammable liquids	\$200.00
Section 9.e	Use of fireworks without supervision	\$200.00
Section 10.c	Failure to comply with Order to Remedy	\$500.00
Section 9.f	Fail to provide information or assistance	\$100.00



Bylaw No. 2425/GEN/24

10b) Taxi Bylaw

The Town of Hay River

Northwest Territories



Bylaw No. 2425/GEN/24

Taxi Licence Bylaw

BY-LAW NO. 2425/GEN/24
CORPORATION OF THE MUNICIPALITY OF HAY RIVER

A BY-LAW of the Council of the Municipal Corporation of the Town of Hay River, in the Northwest Territories, to provide for the supervision, licensing and regulation of Taxis.

PURSUANT TO the provisions of the Cities, Towns and Villages Act, R.S.N.W.T., 2003, c.22, s.48;

WHEREAS the Municipal Corporation of the Town of Hay River deems it necessary to Supervise, Licence and Regulate the Operation of Taxis;

NOW THEREFORE, the Council of the Town of Hay River, in regular session duly assembled, enacts as follows:

SHORT TITLE

1. This By-Law may be cited as the "Taxi Licence By-Law"

INTERPRETATION

2. In this By-Law;
 - (a) "Chauffeur's Permit" means a permit to operate a Taxi issued by the Town pursuant to this Bylaw;
 - (b) "Corrupt Public Morals" means a variety of offences that are sexual in nature which include but are not limited to offences such as, prostitution, distribution of obscenity, child pornography, and similar charges
 - (c) "Council" means the Council of the Town;
 - (d) "Driver" means the holder of a valid and subsisting Chauffeur's Permit issued pursuant to Sections 8 to 16 of this By-law;
 - (e) "Driver's Licence" or "Licence" means a class a valid Class 1, 2, 3 or 4 Driver's Licence issued under the Motor Vehicles Act of the Northwest Territories;
 - (f) "Motor Vehicle" means a motor vehicle as defined in the Motor Vehicles Act, R.S.N.W.T. 1988, c. M-16;
 - (g) Obstruct means to hinder willfully, delay, restrict, interfere, obstruct, prevent, molest, harass, provide false or misleading information, or fail to follow lawful direction from an Officer immediately;
 - (h) Officer means a By-law Officer or Constable appointed by Council and any member of the Royal Canadian Mounted Police;
 - (i) "Person" means an individual, partnership or corporation;
 - (j) "Protective Services Officer" means a person who is appointed in accordance with the Cities, Towns and Villages Act as a By-Law Officer to enforce the By-Laws of the Town of Hay River, and any Peace Officer who is authorized to enforce the By-Laws of the Town of Hay River;
 - (k) "Senior Administrative Officer" means the Senior Administrative Officer of the Town, appointed pursuant to Section 43 of the Cities, Towns and Villages Act, R.S.N.W.T. 2003, c.22, s.48, or his delegate;
 - (l) "Taxes" means the Goods and Services Tax as levied by the Government of Canada; or any other applicable taxes;
 - (m) "Taxi" means a Motor Vehicle that is used to carry for hire or reward, not more than twelve (12) passengers, excluding the Driver thereof, but does not include a bus or truck;
 - (n) "Taxi Brokerage Business" means a person, partnership or corporation which dispatches licensed Taxis;
 - (o) "Taxi Brokerage Licence" means a license issued pursuant to section 6 of this Bylaw;
 - (p) "Taxi Licence" means a licence issued pursuant to Section 5 of this Bylaw;

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- (q) "Taxi Meter" means an approved device visible in a Taxi, which computes and shows the fare payable for each taxi trip, calculated on the distance travelled, or on waiting time elapsed, or both;
 - (r) "Taxi Operator" means a person who holds a valid and subsisting Taxi Licence issued pursuant to this By-Law; and
 - (s) "Town" means the Municipal Corporation of the Town of Hay River and, where the circumstances require, refer to the area within the geographic boundaries of the Town.
3. No person shall operate a Motor Vehicle of any type for the purpose of conveying passengers for hire or reward within the Town of Hay River unless that person holds a valid Chauffeur's Permit and there is a valid and subsisting Taxi Licence for such Motor Vehicle, issued pursuant to this By-Law.
4. No person shall operate a Taxi Brokerage Business, within the Town of Hay River, unless there is a valid and subsisting Taxi Brokerage Licence issued to the Taxi Brokerage Business pursuant to this By-Law.

TAXI LICENCE

5. (1) An application for a Taxi Licence shall be submitted in writing to the Senior Administrative Officer in Form "B1" and shall include the following information:
- (a) vehicle description outlining make, year, model and serial number;
 - (b) a mechanical inspection certificate issued no more than six (6) months prior to the application;
 - (c) a fee as prescribed in Schedule A .
- (2) Upon being satisfied that Subsection 5 (1) has been complied with, and that the applicant has provided satisfactory proof of the following:
- (a) valid Business Licence;
 - (b) valid public service vehicle registration and insurance;
 - (c) the vehicle is equipped with a properly functioning hands free two-way radio or other form of communication device such as a cell phone;
 - (d) the vehicle is equipped with a properly functioning Taxi Meter; and
 - (e) that the applicant has entered into a written contract with a Taxi Brokerage Business for the provision of dispatch service, or that the applicant holds a valid Taxi Brokerage Licence.
- the Senior Administrative Officer may issue a Taxi Licence to the applicant.
- (3) Every Taxi Licence holder shall notify the Senior Administrative Officer in writing in the event that a Taxi identified in his or her Taxi Licence is out of operation for more than forty-eight consecutive hours due to mechanical breakdown or for any other reason, providing particulars of:
- (a) the reason that the Taxi is out of operation;
 - (b) the date and time that the Taxi was taken out of operation; and
 - (c) the date on which the Taxi Owner expects the Taxi to be returned to operation.
- (4) No Taxi Licence holder shall allow a Taxi identified in his or her Licence to remain out of operation for more than 30 consecutive days, whether for reasons of mechanical fitness or otherwise, without securing the prior written consent of the Senior Administrative Officer on application, providing such particulars and evidence as the Senior

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Administrative Officer may require. The Senior Administrative Officer may consent to the Taxi being out of operation for a further period of time subject to conditions or may refuse such request.

- (5) In the event that a Taxi is out of operation for a period in excess of 30 days or such longer period as may be authorized by the Senior Administrative Officer or in the event that the Taxi Owner does not comply with subsection (3) or (4), the Senior Administrative Officer may Suspend or Revoke the Taxi Licence.

TAXI LICENCE TRANSFER

- (6) No Taxi Licence shall be transferred except in compliance with the terms of this By-law and with the prior written approval of the Senior Administrative Officer.
- (7) An application to transfer a Taxi Licence in Form "C" or "C1" attached to this By-Law shall be completed by each applicant and shall be accompanied by a fee as prescribed in Schedule A
- (8) Upon being satisfied:
- (a) with respect to an application in Form "C" or "C1" that the applicant has provided proof that the Taxi to which the Taxi Licence is being transferred has met the applicable parts of Section 5 of this By-Law; and
 - (b) with respect to an application in Form "C" that the vehicle of which the Taxi Licence was issued, is withdrawn from use as a Taxi, taxi signage and Taxi Meter must be immediately removed from that Taxi;
- the Senior Administrative Officer may approve the transfer, cancel the existing Taxi Licence, and issue a new one to the applicant.
- (9) A Taxi Licence shall be valid for a period of no longer than one year and expire on the last day of August following its effective date.
- (10) A Taxi Licence in the form of Form "B", and a plate in the form of Form "B2" shall be issued to the applicant and displayed prominently in the Taxi at all times.

TAXI BROKERAGE LICENCE

6. (1) An application for a Taxi Brokerage Licence shall be submitted, in writing, to the Senior Administrative Officer in Form "A", and shall include the following information:
- (a) the name of the proprietor, or, if a partnership or corporation, the names of all partners, shareholders, officers or directors;
 - (b) location and description of dispatch service, and a complete list of equipment to be used in operating the Taxi Brokerage Business;
 - (c) a fee as prescribed in Schedule A
- (2) Upon being satisfied that Subsection 6 (1) has been complied with, and that the applicant has provided proof of the following:
- (a) valid Business Licence;
 - (b) a properly functioning hands free two-way radio or other form of communication device such as a cell phone;

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- (c) that the applicant has entered into written contracts with Taxi Licence holders
the Senior Administrative Officer may issue a Taxi Brokerage Licence to the applicant.
- (3) A Taxi Brokerage Licence shall be valid for a period of no longer than one year and expire on the last day of August following its date of issue).
- (4) The holder of a Taxi Brokerage Licence is required to immediately notify the Senior Administrative Officer in writing when:
 - (a) there are fewer than one (1) licensed Taxis associated with the Company at any time; or
 - (b) The Taxi Brokerage Business can no longer provide minimum service levels required for any reason; or
 - (c) any licensed Taxi begins or ceases their association with the holder of the Brokerage Licence.
- (5) Every business with a Taxi Brokerage Licence shall maintain dispatch records for a period of twelve (12) months, which records shall be available for inspection within twenty-four (24) hours of the Senior Administrative Officer's written request.
- (6) Dispatch records shall include:
 - (a) the name and start and stop times where a driver is on duty and the unit number he or she is operating; and,
 - (b) a record of each call for service including: the name, telephone number or description of the passengers, the pickup location, the time of service request, pickup time, and the taxi unit number assigned to the call.
- (7) A Taxi Brokerage Licence may be deemed cancelled whenever the minimum requirements of this By-Law cannot be met.

TAXI BROKERAGE LICENCE TRANSFER

- 7. (1) No Taxi Brokerage Licence shall be transferred except with the prior written approval of the Senior Administrative Officer.
- (2) An application to transfer a Taxi Brokerage Licence in Form "C3" of this By-Law shall be completed by each applicant, and shall be accompanied by the fee prescribed in Schedule A
- (3) Upon being satisfied that the applicant has provided proof that the transferee has met the conditions of Section 6, the Senior Administrative Officer may approve the transfer, cancel the existing Taxi Brokerage Licence, and issue a new one to the transferee.

CHAUFFEUR'S PERMIT

- 8. No person shall operate a Taxi without a valid Chauffeur's Permit issued under this By-Law.
- 9. No person shall be issued a Chauffeur's Permit unless the person:
 - (a) has attained the full age of eighteen (18) years;
 - (b) has a valid Driver's Licence, or has an equivalent valid driver's licence from another Canadian province or territory; in which case the person must provide satisfactory proof to the Senior Administrative Office within ninety (90) days of

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- the date of the application for the Chauffeur's Permit of having a valid Class 1,2, 3 or 4 Northwest Territories driver's licence;
- (c) has completed an application and statutory declaration as set out in Form "D";
 - (d) has a thorough knowledge of the locations, streets, public buildings, points of interest in Hay River, of the provisions of this By-Law and other Town By-Laws, Territorial Statutes and Regulations relating to motor vehicle traffic, and the operation of a motor vehicle;
 - (e) has provided a current, certified true copy of his/her Driver's Licence Abstract no older than 30 days from the date of application;
 - (f) can speak, read and write the English language
 - (g) has received a Record Check Consent including Vulnerable Sector Screening no older than 30 days from the date of application from the local Royal Canadian Mounted Police Detachment that the person meets the requirements set out in Section 10 of this By-Law.
10. No Chauffeur's Permit or renewal thereof shall be issued to any person who:
- (1) has been convicted under the Criminal Code of Canada of:
 - (a) a sexual offence or offence relating to corrupt public morals; or
 - (b) who is prohibited from possessing firearms or any explosive substance; or
 - (c) an offence relating to criminal negligence causing death, homicide, assault causing bodily harm, aggravated assault, assault with a weapon, kidnapping, abduction, extortion, any offence where a weapon was used, or;
 - (d) three (3) total offences of blood alcohol content over .08; or
 - (e) any offence while on duty as a taxi driver
 - (2) has been convicted under the Criminal Code of Canada within a five (5) year period immediately preceding the date of application of:
 - (a) an offence relating to criminal negligence, assault,; or
 - (b) an offence relating to robbery or
 - (c) Dangerous Driving; or
 - (d) impaired driving.
 - (3) has been convicted under the Controlled Drugs and Substances Act within the five (5) year period immediately preceding the date of application of any offence not described in subsections 10 (1) or 10 (2).
 - (4) has been convicted under the Liquor Act for the unlawful sale and supply of liquor within a period of three (3) years immediately preceding the application; or
 - (5) has been convicted of a total of five offences under the Motor Vehicles Act or any By-Law of the Town regulating taxis or traffic or; a combination thereof within a period of two (2) years immediately preceding the application.
11. The Senior Administrative Officer, upon:
- (a) receipt of an application for a Chauffeur's Permit as prescribed in Form "D" of this By-Law;
 - (b) payment of the Chauffeur's Permit Fee as prescribed in Schedule A;
 - (c) being satisfied that the conditions of this By-Law have been met;

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- may issue a Chauffeur's Permit to the applicant as Form "E" of this By-Law.
12. The Senior Administrative Officer or designate may request a Criminal Record Check with Vulnerable Sector Screening at any time that information becomes available where a criminal record may exist to ensure compliance with the Bylaw
 13. Any application containing false information, or failure to provide any required information under this By-Law, constitutes grounds to refuse, suspend or cancel a Chauffeur's Permit.
 14. A Chauffeur's Permit shall be valid for a period of no longer than one (1) year and shall expire on the last day of August following its effective date.
 15. A Driver shall display his or her Chauffeur's Permit on the passenger side visor of the Taxi which he or she is operating, so that it is visible to any passenger.
 16. (1) A Chauffeur's Permit or renewal thereof shall be immediately revoked or suspended by the Senior Administrative Officer, if:
 - (a) the Taxi Operator's Driver's Licence is revoked or suspended;
 - (b) the Taxi Operator's application was approved based on a driver's license issued outside the Northwest Territories, and the Taxi Operation fails to provide the required Northwest Territories Driver's License within 90 days of the date of issue of the Chauffeur's Permit; or
 - (c) the Taxi Operator has been convicted of any of the offenses referred to in Section 10.
 - (2) All Chauffeur's Permits issued by the Town remain the property of the Town, and shall be immediately surrendered to the Protective Services Specialist or the Senior Administrative Officer:
 - (a) within twenty-four (24) hours of suspension or revocation pursuant to this By-Law; or
 - (b) upon the expiration date.
 17. Notwithstanding any other provision of this By-Law, a Chauffeur's Permit shall be issued, or reinstated, by the Senior Administrative Officer upon the direction of Council where, following an appeal filed in accordance with Section 24 of this By-Law, Council is satisfied that the driving record and criminal record of the appellant is such that the Permit should, pursuant to this By-law, be properly issued or reinstated, as the case may be.

APPEALS

18. An applicant for or holder of a Chauffeur's Permit, Taxi Brokerage Licence, or Taxi Licence may appeal to Council the decision of the Senior Administrative Officer to refuse, revoke, or suspend a Chauffeur's Permit, Taxi Brokerage Licence or Taxi Licence within ten (10) days of the date of notice of such refusal, revocation, or suspension, and a decision of Council on such appeal shall be final.
19. Any person may appeal to Council any decision of the Senior Administrative Officer to grant a Chauffeur's Permit, Taxi Brokerage Licence, or Taxi Licence within ten (10) days of the date of issue, and a decision of Council on such appeal shall be final.
20. An appeal made under Sections 17 or 18 shall:
 - (a) be in writing, stating reasons for the appeal;
 - (b) be delivered to the Senior Administrative Officer;

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- (c) be heard by Council at a regular or special Council meeting within twenty-one (21) days from the date it is received; and
- (d) be accompanied by a fee as described in the Fees and Charges Bylaw.

DRIVERS

21. A Driver shall not:

- (a) smoke in the Taxi or permit any other person to smoke in the Taxi;
- (b) use abusive or insulting language;
- (c) permit a greater number of passengers to be carried in the Taxi than the number of seats and number of seat belts provided;
- (d) set the Taxi in motion while a passenger is entering or leaving the Taxi;
- (e) collect fees, or give change, while the Taxi is in motion;
- (f) take on additional passengers after the Taxi has departed, unless with the consent of the passengers already in the Taxi;
- (g) discriminate in any way against any person while on duty because of sex, race, religion, colour or creed;
- (h) refuse to convey within the Town any orderly persons upon request, unless the Taxi is engaged, or the Driver is prohibited by law from, or incapable of, conveying such person, or unless the person is an unaccompanied child under the age of eight (8) years; or
- (i) consume alcohol or non-prescription drugs in the Taxi or allow any person to consume alcohol or non-prescription drugs in the Taxi.

22. A Driver shall:

- (a) extend taxi service from curb to curb;
- (b) unless otherwise directed by a passenger, drive the most direct practicable route to the destination;
- (c) pull to the side of the road or into a reasonably safe spot and not drop off passengers in the middle of intersections or roadways
- (c) upon request by a passenger, issue a receipt of the fare paid;

23. A Driver shall, when so requested, assist any Officer, member of the R.C.M.P., or member of the Hay River Fire Department, by conveying any person to any place within the Town, and the Driver shall be entitled, after the performance of such service, to receive the prescribed fare which shall be paid by the responsible party.

24. (1) No Taxi Operator or Driver shall operate, or permit to be operated, any Taxi unless:

- (a) such Taxi is clean, in good repair, and in safe mechanical condition;
- (b) the Taxi is inspected by an independent licensed mechanic yearly,
- (c) the Taxi has a mechanical inspection certificate issued by an independent licensed mechanic once a year on vehicles up to five years of age and twice each year after 5 years of age as specified in the Taxi Licence.
- (d) the Taxi is under twelve (12) years old
- (e) the company name and unit number of the Taxi are conspicuously displayed on the exterior of the Taxi in letters of a minimum of three (3) inches in height, on each side of the Taxi, or each side of the Taxi roof light;
- (f) the Taxi has a properly operating Taxi Meter;
- (g)
- (h) the Taxi has a functional spare tire and jack properly stored;
- (i) the side windows which are intended to open and close are in good repair and working order; and
- (j) every door or trunk lid closes securely

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- (2) For the purpose of this Section, "Unit Number" means a number assigned by a Taxi Brokerage Business to a Taxi for identification.
25. Every Taxi Operator and every Driver shall, upon demand, by an Officer;
- (a) permit the Officer to inspect any Taxi and the contents thereof; and
 - (b) submit and deliver each Taxi, under the control of such Taxi Operator and such Driver, to an Officer for testing and inspection, the full cost of which shall be borne by the Taxi Operator.
26. (1) Every Taxi Operator and every Driver shall, not less than once a year, submit and deliver each Taxi under the control of such Taxi Operator and such Driver, to an Officer for the testing and inspection of the Taxi Meter. Any Taxi in which the Taxi Meter has previously indicated rates other than those published in accordance with this By-Law shall be subject to further inspection, upon demand.
- (2) No person shall remove, or tamper with a seal affixed to a Taxi Meter without prior written approval from the Senior Administrative Officer.
27. Every Taxi Meter in a Taxi shall:
- (a) be so located and so illuminated as to permit the fare to be read at all times by a passenger in the front or in the rear seat of the Taxi;
 - (b) be programmed or set to the fares set by the Taxi Brokerage Business; and
 - (c) have the G.S.T. payable on the metered portion of the fare included in the illuminated display on the Taxi Meter.
28. No person shall operate a motor vehicle within the Town of Hay River that is equipped with a Taxi Meter, taxi sign, or any other type of taxi markings, unless a valid Taxi Licence has been issued for such vehicle, pursuant to this By-Law.

TAXI FARES

29. Rates are to be set by Taxi Brokerage Businesses with notice given at least thirty (30) days prior to implementation and rates must be published at Town Hall.
30. A legible schedule of fare rates, as authorized by this By-Law, shall be prominently displayed at all times in each Taxi, and in the Office of each Taxi Brokerage Business.

PENALTIES

31. Any person violating any provision of this By-Law is guilty of an offence, and is liable, upon Summary Conviction, to a fine not exceeding:
- (a) Two Thousand (\$2,000.00) Dollars for an individual;
 - (b) Ten Thousand (\$10,000.00) Dollars for a corporation; and
 - (c) Imprisonment for a period not exceeding six (6) months, in default of payment of a fine.
32. An Officer may issue a Summary Offence Ticket Information, in the form prescribed by the Summary Conviction Procedures Act and Regulations, to any person who violates any provision of this By-Law:
- (a) setting out a specified penalty of:
 - (i) One Hundred and Fifty (\$150.00) Dollars for an individual; and

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(ii) Three Hundred (\$300.00) Dollars for a corporation;

which may, in lieu of prosecution, be paid voluntarily prior to the court date specified on the ticket; or

(b) Which requires a court appearance without a specified penalty.

REPEAL

33. Bylaw 2425 is hereby amended.

EFFECT

34. This By-Law shall come into effect upon receiving Third Reading, and otherwise meets the requires of Section 58 of the Cities, Towns and Villages Act.

READ A FIRST AND SECOND TIME this ___ day of _____, 20__

MAYOR

READ A THIRD AND FINAL TIME this ___ day of _____, 20__ and passed with the consent of Council.

MAYOR

CERTIFIED that this bylaw has been made in accordance with the requirements of the CITIES, TOWNS AND VILLAGES ACT, S.N.W.T. 2003, C.22, s48 and the bylaws of the Municipal Corporation of the Town of Hay River on this ___ day of _____ 20__

SENIOR ADMINISTRATIVE OFFICER

**FORM "A"
PAGE 1 OF 2**

APPLICATION FOR A TAXI BROKERAGE LICENCE

Name of Applicant _____

Ltd. Company _____ Partnership _____

Proprietorship _____

Names and Addresses and Occupations of Officers, Partners or Owners:

Location of Office _____ Telephone No. _____

I, _____, of the Town of Hay River, declare that the applicant:

- i) holds a valid and subsisting Business Licence issued pursuant to the Business Licence By-Law of the Town of Hay River;
- ii) has entered into written contracts for the provision of at least one (1)Taxi;
- iii) is able to provide and maintain service in accordance with the schedule defined in section 6.2(c) with telephone, two-way radio and/or dispatcher, licensed by the Government of Canada, Department of Communications; and
- iv) that the applicant has received and read a copy of the current Town of Hay River Taxi License By-Law and agrees to operate in accordance with the provisions thereof.

List of operating equipment for the dispatch service, submitted with this application:

Date

DECLARED before a Commissioner of)
Oaths at the Town of Hay River in the)
Northwest Territories, this _____ day of)
_____, 2____.)

) **APPLICANT**

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CORPORATION OF THE MUNICIPALITY OF HAY RIVER

A Commissioner in and for the Northwest
Territories

Please print name:

My Commission expires:

FORM "B"
TAXI LICENCE

Date: _____

This is to certify that _____ of _____
(Company) (Address)

Hay River, of the Northwest Territories, having complied with the requirements of the Taxi By-law, and having paid the prescribed fee thereunder, is licensed to operate the following vehicle as a Taxi within the Town of Hay River:

MAKE	YEAR	MODEL	SERIAL No.	NWT LICENCE NO.	TAXI LICENCE NO.
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This licence expires at midnight (2400 hours) on the 31st day of August, 20____.

Senior Administrative Officer

**FORM "B1"
APPLICATION FOR A TAXI LICENCE**

Name of Company: _____

Ltd. Company: _____ Partnership: _____

Proprietorship: _____

Director or Agent: _____ Address: _____

Location of Office: _____ Telephone No. _____

I, _____ representing _____
(Agent) (Company)

of _____, declare that the company:

- i) holds a valid and subsisting Licence issued pursuant to the Business By-Law of the Town of Hay River;
- ii) has had a certified mechanical inspection by a certified, licensed mechanic completed within six (6) months of the date of this application;
- iii) holds a valid and legally binding contract with a licensed Taxi Brokerage Business for dispatcher service (copy attached hereto);
- iv) holds a valid Public Service Registration and property insurance coverage applicable for the company's taxi for the current licensing year;
- v) has a properly functioning hands free two-way radio or other form of communication licensed and approved by the Government of Canada Department of Communications in the Taxi; and
- vi) has a properly functioning Taxi Meter in the Taxi.

Taxi described as follows:

MAKE	YEAR SERIAL NO. LICENCE NO.	MODEL
------	-----------------------------------	-------

(Applicant)

(Date)

FORM "B2"

SAMPLE TAXI PLATE WITH VALIDATION

FORM "C"

APPLICATION TO TRANSFER LICENCE LICENCE
(Must be accompanied by Mechanical Inspection Form)

I, _____ of _____
(Company) (Address)

represented by _____, of _____
(Agent) (Address)

make application to transfer my Taxi Licence No. _____ for the
current year of _____.

FROM:

MAKE	YEAR	MODEL	SERIAL No.	TAXI LICENCE NO.
------	------	-------	------------	------------------

TO:

MAKE	YEAR	MODEL	SERIAL No.	TAXI LICENCE NO.
------	------	-------	------------	------------------

Signature of Applicant

Date

FORM "C1"

APPLICATION TO TRANSFER OWNERSHIP OF TAXI LICENCE

I, _____ of _____
(Company) (Address)

represented by _____ of _____
(Agent) (Address)

make application to transfer my Taxi Licence No. _____ for the current
year of _____ to _____ of _____
(Company)

_____ represented by _____
(Agent)

of _____ having met all the requirements under
Section 5 of the Taxi Licence _____.

Taxi is described as follows:

MAKE	YEAR	MODEL	SERIAL No.	TAXI LICENCE NO.
------	------	-------	------------	------------------

Signature of Applicant

Date

FORM "C3"

APPLICATION FOR TRANSFER OF TAXI BROKERAGE LICENCE

I, _____ of _____ represented by
(Company) (Address)

_____ of _____ make
(Agent) (Address)

application to obtain the Taxi Brokerage Licence for the current year of

_____ of _____
(Company) (Address)

represented by _____ of _____
(Agent) (Address)

having obtained the following requirements:

- i) holds a valid and subsisting Licence issued pursuant to the Business Licence By-Law of the Town of Hay River;
- ii) has written contracts for the provision of at least one (1) Taxi
- iii) is able to provide and maintain a the service levels required by the bylaw with telephone, two-way radio and/or dispatcher; and that the applicant has received and read a copy of the current Town of Hay River Taxi Licence By-Law, and agrees to operate in accordance with the provisions thereof.

List of operating equipment for the dispatch services, submitted with this application:

Date

DECLARED before a Commissioner of)
Oaths at the Town of Hay River in the)
Northwest Territories, this _____ day of)
_____, _____)

) **APPLICANT**

A Commissioner in and for the Northwest Territories

Please print name:

My Commission expires:

FORM "D"

APPLICATION FOR CHAUFFEUR'S PERMIT

Name of Applicant: _____

Address: _____ Telephone No. _____

I, _____, of the Town of Hay River,
declare that I:

- i) am eighteen (18) years of age or more;
- ii) speak, read and write the English language;
- iii) have a thorough knowledge of the location of streets, public buildings and points of interest in the Hay River area;
- iv) am the holder of a valid and subsisting Northwest Territories Motor Vehicle Driver's Licence of a class that permits me to operate a taxi; and
- v) have received and read a copy of the current Town of Hay River Taxi By-Law and agree to operate Taxis in accordance with the provisions of this and other By-Laws of the Town of Hay River, as well as Acts and Regulations of the Governments of the Northwest Territories and Canada.

Date

DECLARED before a Commissioner of)
Oaths at the Town of Hay River in the)
Northwest Territories, this _____ day of)
_____, _____.) _____
) **APPLICANT**

A Commissioner in and for the Northwest
Territories

Please print name:

My Commission expires:

FORM "D"

CHAUFFEUR'S PERMIT

CHAUFFER'S PERMIT



TOWN OF HAY RIVER

NAME

Name

PERMIT NUMBER

Permit Number

EXPIRY DATE

Expiry Date

Ross & Potts

APPROVED BY



Schedule A

Item	Fee
Appeal Fee	\$50.00
Chauffeur's Permit	\$40.00/ year
Taxi Brokerage Licence	\$75.00 / year
Taxi Licence	\$40.00 / year
Taxi Licence Transfer	\$35.00