

Royal Gazette

Part II Regulations under the Regulations Act

Printed by the Queen's Printer

Halifax, Nova Scotia

Vol. 28, No. 6

March 19, 2004

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N.S. Reg. 17/2004

Made: February 24, 2004

Filed: February 26, 2004

Halifax Regional Municipality Interim Planning Area Regulations

Order dated February 24, 2004
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 198 of the *Municipal Government Act*

***Ministerial Order Amending the Ministerial Order Establishing
an Interim Planning Area in Halifax Regional Municipality
Pursuant to Section 198 of the Municipal Government Act***

Whereas by a Ministerial Order made January 22, 2004 (the “original Order”), I established an interim planning area within Halifax Regional Municipality;

And whereas the Order provides that it does not apply to a development which would be on an area or lot of land as described in the clauses in the Order lettered (a) through (g);

And whereas Halifax Regional Council has passed a resolution requesting that I amend the Order;

And whereas I am satisfied that amending the Order as requested by Halifax Regional Council will continue to protect the provincial interest;

Now therefor[e], I hereby amend the Order made January 22, 2004 as follows:

- 1 The clause beginning with “(c)” is amended by adding “tentative or” immediately before “final” in the first line.
- 2 The clause beginning with “(d)” is amended by
 - (1) striking out “from the land described in (a), (b) or (c) above” in the first and second lines;
 - (2) adding “or access to” immediately after “frontage on” in the second line;
 - (3) adding “or that is shown on a plan of subdivision for which a completed application for tentative or final subdivision approval has been filed with Halifax Regional Municipality prior to the date of this Order, if final approval is obtained, provided that access to a private road or public street is not by way of a private road or public street that was not in existence and approved prior to the date of this Order or that was not shown on a plan of subdivision for which a completed application for tentative or final subdivision approval had been filed with Halifax Regional Municipality prior to the date of this Order” immediately after “jurisdiction prior to the date of this Order” in the fourth line; and
 - (4) striking out “, and if the development would be the only development on the area or lot of land as described in (a), (b) or (c) above for which a development permit is issued during the duration of this Order” immediately before the semicolon at the end of the clause.

For purposes of this Order and the original Order “date of this Order” means the date of the original Order.

This Order has effect when signed and this Order and the original Order continue in effect until April 20, 2004, or until revoked.

Sgd: *Barry Barnet*

Barry Barnet

Minister of Service Nova Scotia and Municipal Relations

February 24, 2004

N.S. Reg. 18/2004

Made: February 10, 2004

Filed: February 26, 2004

Schedule 1 - General Regulations

Order dated February 10, 2004
made by the Natural Products Marketing Council
pursuant to Sections 9, 11, 14 and 15 of the *Dairy Industry Act*

I certify that the Natural Products Marketing Council, at its meeting on February 10, 2004, carried a motion to amend Schedule 1 - General Regulations, made by the Nova Scotia Dairy Commission, in the manner set out in the form attached to this certificate as Schedule "A".

The amendment referred to in this certificate is effective on and after February 10, 2004.

Signed at Truro, in the County of Colchester, Nova Scotia on February 10, 2004.

Sgd: *G. Burris*
George D. Burris
General Manager
Natural Products Marketing Council

Schedule "A"

**Amendment to Schedule 1 - General Regulations
made pursuant to Sections 9, 11, 14 and 15 of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

Subclause 22[(1)](b)(xi) of Schedule 1- General Regulations made by the Nova Scotia Dairy Commission, is amended by striking out "15" and substituting "125".

N.S. Reg. 19/2004

Made: February 26, 2004

Filed: February 27, 2004

Seniors' Pharmacare Program Regulations

Order in Council 2004-80 dated February 26, 2004
Amendment to regulations made by the Governor in Council
pursuant to subsection 17(3) of the *Health Services and Insurance Act*

The Governor in Council on the report and recommendation of the Minister of Health dated February 25, 2004, and pursuant to subsection 17(3) of Chapter 197 of the Revised Statutes of Nova Scotia, 1989, the *Health Services and Insurance Act*, is pleased to amend the *Seniors' Pharmacare Program Regulations* made by the Governor in Council by Order in Council 2000-471 dated September 20, 2000, to increase the annual premium, limit late-entry penalties and provide full premium exemptions to low income seniors, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 1, 2004.

Schedule "A"

**Amendment to the *Seniors' Pharmacare Program Regulations*
made by the Governor in Council pursuant to subsection 17(3) of
Chapter 197 of the Revised Statutes of Nova Scotia, 1989,
the *Health Services and Insurance Act***

1 Clause 5(1)(b) of the *Seniors' Pharmacare Program Regulations* made by the Governor in Council by Order in Council 2000-471 dated September 20, 2000, is amended by striking out "\$336" and substituting "\$390".

2 The regulations are further amended by repealing Section 9 and substituting the following Section:

- 9 (1)** If a senior's registration is approved under Section 8,
- (a) the senior must pay one and one-half times the applicable premium for the fiscal year in which registration commences and for the next 4 subsequent years of coverage for a total of 5 years; and
 - (b) there shall be a 90-day waiting period from the date of approval of the registration to the date coverage begins.
- (2)** Despite subsection (1), a senior who provides proof of private prescription drug insurance since becoming a senior is exempt from subsection (1).
- (3)** Despite subsection (1), a senior whose registration is approved under Section 8 on or before March 31, 2004, is deemed to have paid one and one-half times the applicable premium for 5 years as required by clause (1)(a) and shall pay the premium pursuant to clause 5(1)(b) commencing with 2004.

3 The regulations are further amended by repealing Section 11 and substituting the following Section:

Annual premium reduction and exemption

- 11 (1)** A senior in the Seniors' Pharmacare Program may apply in the manner prescribed by the Minister or the Minister's designate for a reduced annual premium or an exemption from the annual premium.
- (2)** If a senior meets the criteria prescribed by the Minister for a reduced annual premium, the annual premium shall be,
- (a) if the senior does not have a spouse, calculated according to the following formula:

$$P = (I - \$17\,000) \times 5.57143\%$$
 where "P" is the premium payable and "I" is the senior's total annual income; or
 - (b) if the senior has a spouse, calculated according to the following formula:

$$P = (I - \$20\,000) \times 4.875\%$$
 where "P" is the premium payable and "I" is the senior's total annual family income.
- (3)** The maximum premium payable under subsection ~~(2)~~ [(2)] is \$390.
- (4)** For greater certainty, the percentage payable under clause (2)(b) must be paid by each senior registered in the Seniors' Pharmacare Program, regardless of whether the senior's spouse is also registered.
- (5)** A senior qualifies for a full premium exemption if
- (a) the senior does not have a spouse and their total annual income is \$18 000 or less; or
 - (b) the senior has a spouse and their total annual family income is \$21 000 or less.

N.S. Reg. 20/2004

Made: March 5, 2004

Filed: March 5, 2004

Summary Offence Tickets Regulations

Order in Council 2004-82 dated March 5, 2004
Amendment to regulations made by the Governor in Council
pursuant to Section 8 of the *Summary Proceedings Act*

The Governor in Council on the report and recommendation of the Minister of Justice and Attorney General dated January 23, 2004, and pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, is pleased to amend the *Summary Offence Ticket Regulations* made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, to include certain offences under the Halifax Regional Municipality by-laws and the Town of Windsor by-laws as summary offence ticket offences and set the out of court settlement amounts for the offences in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 5, 2004.

Order

I, Michael G. Baker, Q.C., Minister of Justice and Attorney General of Nova Scotia, do hereby order and direct pursuant to Section 8 of Chapter 450 of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act*, that the penalty to be enforced on a summons in respect of any offence set out in the amendments to the Schedules to the *Summary Offence Ticket Regulations* as set forth in Schedule "A", shall be the amount of the out of court settlement set out opposite the description of that offence, and the out of court settlement amount shall include the charge provided for in, and in accordance with Section 8 of the Act.

This Order shall be effective on and after the making by the Governor in Council of the amendments to the *Summary Offence Ticket Regulations* set out in Schedule "A".

Dated and made January 23, 2004, at Halifax, Halifax Regional Municipality, Province of Nova Scotia.

Sgd: Michael Baker
Minister of Justice and Attorney General

Schedule "A"

**Amendments to the *Summary Offence Tickets Regulations*
made by the Governor in Council pursuant to Section 8 of Chapter 450
of the Revised Statutes of Nova Scotia, 1989, the *Summary Proceedings Act***

- 1 Schedule 18-B of the *Summary Offence Tickets Regulations* made by the Governor in Council by Order in Council 2001-21 dated January 18, 2001, is amended by adding the following heading and items immediately before the heading "Civic Holiday By-law - H-100":

Civic Address By-law - C-300:

- | | | |
|--|---------|----------|
| 1. Owner of property failing to keep assigned civic number posted on property | 5(1) | \$215.00 |
| 2. Owner of property failing to post assigned civic number in Arabic numerals only | 5(2)(a) | \$215.00 |
| 3. Owner of residential property failing to post assigned civic number with minimum numeral height of 100 mm (4 in.) | 5(2)(b) | \$215.00 |
| 4. Owner of non-residential property failing to post assigned civic number with minimum numeral height of 200 mm (8 in.) | 5(2)(c) | \$215.00 |
| 5. Owner of property failing to post assigned civic number in colour clearly contrasting with background | 5(2)(d) | \$215.00 |
| 6. Owner of property failing to post assigned civic number with bottom of numerals a minimum of 1.2 m (48 in.) above grade | 5(2)(e) | \$215.00 |

7. Owner of property failing to display assigned civic number on same side of street as property is located	5(2)(f)	\$215.00
8. Owner of property failing to display assigned civic number in location that is not obstructed from view from closest place on traveled portion of street on which property is situated or from which it has access	5(2)(g)	\$215.00
9. Owner of property failing to post assigned civic number facing towards the street on which property is addressed	5(2)(h)	\$215.00
10. Owner of property failing to display assigned civic number in horizontal orientation	5(2)(i)	\$215.00
11. Owner of property failing to post assigned civic number in numerals composed of highly reflective material or effectively illuminated during hours of darkness (specify)	5(2)(j)	\$215.00
12. Owner of property failing to post assigned civic number at end of access driveway if number cannot be easily read on structure or facility when viewed from closest place on traveled portion of street upon which property is situated or from which it has access	5(3)	\$215.00
13. Owner of property failing to display assigned civic number that is posted at end of access driveway on free standing post that is not a utility pole, with civic number on both sides of post, right reading and oriented perpendicular to flow of traffic if assigned civic number not easily read from closest place on traveled portion of street on which property is situated or accessed from	5(4)	\$215.00
14. Owner of property failing to post assigned civic number prior to issuance of occupancy permit	5(6)	\$215.00
15. Owner of property failing to maintain posted civic number in good order	7	\$215.00
16. Owner of property posting or permitting posting of (specify) any part of civic address not assigned to property	8(1)	\$215.00
17. Owner of property posting lot number, unit number, or suite number (specify) without word "lot", "unit" or "suite" (specify) preceding posted number	8(3)	\$215.00
18. Owner of private road failing to install, maintain in good condition or replace as necessary (specify) required street name sign	10(1)(c)	\$215.00

- 2 Schedule 18-B of the regulations is further amended by adding the following headings and items immediately before the heading "Streets By-law - S-300":

Standards for Residential Occupancies By-law - M-100:

1. Owner of building failing to maintain building to standard to which it was required to be built (specify)	4	\$215.00
2. Owner of building failing to install fire alarm system in conformance with requirements of Provincial Building Code	8(1)	\$215.00
3. Owner of rooming, boarding or lodging house failing to maintain it in clean, secure and sanitary condition	21(2)	\$215.00
4. Owner of rooming, boarding or lodging house failing to maintain indoor ambient temperature of 20E C throughout all occupied areas	21(2)(a)	\$215.00
5. Owner of rooming, boarding or lodging house failing to provide, on all tenant sleeping rooms, working locks that are operable from inside without requiring keys or specialized knowledge	21(2)(b)	\$215.00
6. Owner of rooming, boarding or lodging house failing to ensure that all appliances in cooking facilities are in clean and safe working condition	21(2)(c)	\$215.00
7. Owner of rooming, boarding or lodging house permitting cooking in sleeping room except by use of microwave oven	21(2)(d)	\$215.00
8. Owner of rooming, boarding or lodging house failing to provide at least 1 bathroom for every 6 occupants or less	21(2)(e)	\$215.00

9.	Owner of rooming, boarding or lodging house permitting more than 2 persons to occupy each sleeping room	21(2)(f)	\$215.00
10.	Owner of rooming, boarding or lodging house permitting shared bathroom or shared kitchen (specify) to be used for laundry purposes	21(2)(g)	\$215.00
11.	Operating rooming, boarding or lodging house that is not validly licensed under by-law	31(1)	\$215.00
12.	License holder under by-law assigning or transferring license	31(2)	\$215.00
3	Schedule 18-B of the regulations is further amended by adding the following headings and items immediately before the heading "Plumbing By-law - P-400":		
	Open Air Burning By-law - O-103:		
1.	Lighting, igniting or starting, or allowing or causing to be lighted, ignited or started (specify) fire without permit except in accordance with by-law	4(a)	\$215.00
2.	Lighting, igniting or starting or allowing or causing to be lighted, ignited or started (specify) fire within No Burn Zone except in accordance with by-law	4(d)	\$215.00
3.	Conducting burning outside No Burn Zone less than 68 m (225 ft.) from nearest adjacent dwelling contrary to by-law	4(e)	\$215.00
4.	Contractor burning brush on cleared land outside No Burn Zone without permit	4(f)	\$215.00
5.	Contractor burning brush on cleared land outside No Burn Zone without bond, irrevocable letter of credit or certified cheque in amount of \$10 000	4(f)	\$215.00
6.	Failing to following manufacturers' installation instructions when using outdoor wood burning appliance	5(a)	\$215.00
7.	Using outdoor wood burning appliance on wooden deck or combustible platform (specify)	5(b)	\$215.00
8.	Using other than dry seasoned firewood in outdoor wood burning appliance	5(c)	\$215.00
9.	Using outdoor wood burning appliance within 4.57 m (15 ft.) of combustible material	5(d)	\$215.00
10.	Using outdoor wood burning appliance during Department of Natural Resources or Halifax Regional Municipality (specify) ban on open air burning	5(e)	\$215.00
11.	Using more than 1 outdoor wood burning appliance on property at same time	5(f)	\$215.00
12.	Using outdoor wood burning appliance that is not constructed to withstand effects of heating and cooling	5(g)	\$215.00
13.	Using outdoor wood burning appliance that is not constructed of non-combustible material	5(g)	\$215.00
14.	Failing to contain camp fire using non-combustible material	6(a)(i)	\$215.00
15.	Failing to limit camp fire to 600 mm (24 in.) in width at largest point	6(a)(ii)	\$215.00
16.	Piling camp fire higher than 460 mm (18 in.) in height	6(a)(ii)	\$215.00
17.	Using other than dry seasoned firewood in camp fire	6(a)(iii)	\$215.00
18.	Failing to maintain clearance of 4.57 m (15 ft.) between campfire and other combustible material	6(a)(iv)	\$215.00
19.	Permitting camp fire during Department of Natural Resources or Halifax Regional Municipality (specify) ban on open air burning	6(a)(v)	\$215.00
20.	Permitting more than 1 camp fire on property at the same time	6(a)(vi)	\$215.00
21.	Failing to obtain written permission from property owner before having camp fire when individual controlling fire is not property owner	6(a)(vii)	\$215.00
22.	Failing to have written permission from property owner on site when individual controlling camp fire is not property owner	6(a)(vii)	\$215.00

23. Failing to obtain special permission to conduct open air burning under subsection 8(a) of by-law	8(b)	\$215.00
24. Burning blueberry field without permit	10(a)	\$215.00
25. Permit holder failing to ensure that permit is available for inspection at scene of fire	12(a)	\$215.00
26. Burning rubber tires, oil, plastic, petroleum products, like materials or other domestic waste (specify)	12(b)	\$215.00
27. Piling and placing material to be burned within 15 m (50 ft.) from other combustible material or adjacent property line (specify)	12(c)	\$215.00
28. Burning more than 1 pile at a time on single site	12(d)	\$215.00
29. Igniting fire when wind is blowing with sufficient velocity to jeopardize permit holder's ability to control fire	12(e)	\$215.00
30. Permit holder failing to ensure that fire is not left unattended	12(f)	\$215.00
31. Permit holder failing to ensure that all smoldering embers are completely extinguished after burning is completed	12(f)	\$215.00
32. Permit holder failing to ensure that method of burning and material burned is consistent with information provided to Fire Chief when permit was issued	12(g)	\$215.00
33. Failing to notify fire department immediately if fire is out of control or appears to be getting out of control (specify)	12(h)	\$215.00
34. Burning brush outside No Burn Zone during period that Provincial Burning Permit is required	12(i)	\$215.00
35. Failing to completely extinguish brush fire outside No Burn Zone by 22:00 hrs.	12(i)	\$215.00
36. Lighting, igniting or starting or allowing or causing to be lighted, ignited or started (specify) open air fire without being suitably equipped to contain or extinguish fire	12(k)	\$215.00
37. Refusing to extinguish fire pursuant to order of responding officer (specify order) under Section 7 of by-law	12(l)	\$215.00
38. Burning rubber tires, oil, plastic, petroleum products, like materials or other domestic waste (specify) in area prescribed by Administrative Order 33	13(a)	\$215.00
39. Failing to pile and place material to be burned in area prescribed by Administrative Order 33 at least 15 m (50 ft.) from other combustible material or adjacent property line (specify)	13(b)	\$215.00
40. Burning more than 1 pile at a time on single site in area prescribed by Administrative Order 33	13(c)	\$215.00
41. Igniting fire in area prescribed by Administrative Order 33 when wind is blowing with sufficient velocity to jeopardize the permit holder's ability to control fire	13(d)	\$215.00
42. Person in charge of fire in area prescribed by Administrative Order 33 failing to ensure that fire is not left unattended	13(e)	\$215.00
43. Person in charge of fire in area prescribed by Administrative Order 33 failing to ensure that all smoldering embers are completely extinguished after burning is completed	13(e)	\$215.00
44. Person in charge of fire in area prescribed by Administrative Order 33 failing to ensure that method of burning is consistent with by-law	13(f)	\$215.00
45. Person in charge of fire in area prescribed by Administrative Order 33 failing to ensure that material burned is consistent with by-law	13(f)	\$215.00
46. Failing to notify fire department immediately if fire in area prescribed by Administrative Order 33 is out of control or appears to be getting out of control (specify)	13(g)	\$215.00
47. Commencing burning before 17:00 hrs. in area prescribed by Administrative Order 33 during Department of Natural Resources burning season	13(h)	\$215.00

48. Failing to extinguish fire by 22:00 hrs. in area prescribed by Administrative Order 33 during Department of Natural Resources burning season	13(h)	\$215.00
49. Commencing burning before 0:800 hrs. in area prescribed by Administrative Order 33 outside buring season	13(h)	\$215.00
50. Failing to ensure that at least 2 people 19 years of age or older are present while fire in area prescribed by Administrative Order 33 is burning or smouldering	13(k)	\$215.00
51. Failing to ensure that at least 2 people 19 years of age or older are suitably equipped to control fire in area prescribed by Administrative Order 33 while fire is burning or smouldering	13(k)	\$215.00
52. Igniting fire in area prescribed by Administrative Order 33 without obtaining written permission from property owner before fire is started	13(l)	\$215.00
53. Failing to obey direction of Fire Chief to extinguish or not start (specify) fire in area prescribed by Administrative Order 33	13(m)	\$215.00
54. Person in charge of fire in area prescribed by Administrative Order 33 failing to ensure that burning does not pose hazard to person or property (specify)	13(n)	\$215.00
55. Lighting, igniting or starting or allowing or causing to be lighted, ignited or started (specify) open air fire in area prescribed by Administrative Order 33 without being suitably equipped to contain or extinguish the fire	13(o)	\$215.00
56. Refusing to extinguish fire pursuant to order of the responding officer (specify order) under Section 7 of by-law or order	13(p)	\$215.00
57. Failing to comply with permit or condition of permit (specify condition) issued under by-law	14(1)	\$215.00
Pesticide By-law - P-800:		
1. Carrying out or permitting or suffering to be carried out (specify) any pesticide application on property owned by Municipality	3	\$215.00
2. Carrying out or permitting or suffering to be carried out (specify) any pesticide application on property within 50 m radius of boundary of property containing any school, licensed day care centre, park, playground, licensed senior citizens' residence, university, church or hospital (specify place)	4	\$215.00
3. Carrying out or permitting or suffering to be carried out (specify) pesticide application within the Municipality	5(1)	\$215.00
4. Owner of property or commercial applicator of pesticides (specify) failing to post signs in prominent place on property at least 24 hours prior to pesticide application or keep signs continuously posted for period of 4 days after pesticide application (specify)	11(1)	\$215.00
5. Owner of property or commercial applicator of pesticides (specify) failing to post pesticide application notification signs facing each street or road that abuts or is adjacent to property	11(1)	\$215.00
6. Owner of property or commercial applicator of pesticides (specify) failing to post 1 pesticide application notification sign within 3 m of each of the property lines separating treated property from adjoining property or 1 sign for each 16 m of frontage abutting or adjacent to street or road (specify)	11(1)	\$215.00
7. Owner of property or commercial applicator of pesticides (specify) posting pesticide application notification sign that is not square or rectangular or that does not measure at less than 25 cm by 25 cm (specify)	11(2)(a)	\$215.00
8. Owner of property or commercial applicator of pesticides (specify) posting pesticide application notification sign that is not bright yellow in colour	11(2)(b)	\$215.00

9.	Owner of property or commercial applicator of pesticides (specify) posting pesticide application notification sign that is not made of weather resistant material or not placed on weather resistant support (specify)	11(2)(c)	\$215.00
10.	Owner of property or commercial applicator of pesticides (specify) posting pesticide application notification sign that fails to conform to design specified in by-law or that does not indicate that all contact with portion of treated property upon which pesticide application has taken place must be avoided	11(2)(d)	\$215.00
11.	Owner of property or commercial applicator of pesticides (specify) posting pesticide application notification sign that does not bear contact telephone number for applicator of the pesticide or date of application (specify)	11(2)(e)	\$215.00
12.	Owner of property or commercial applicator of pesticides (specify) using pesticide application notification sign or similar sign for purpose other than notification of pesticide application	11(2)	\$215.00
13.	Applying pesticide within 2 m of property line without obtaining written permission of adjoining lot owner	11(3)	\$215.00
14.	Applying pesticide within 5 m of bus stop, mailbox or facility that contains post office (specify)	11(4)	\$215.00
15.	Failing to apply pesticide in accordance with the written instructions of manufacturer or label on container (specify)	11(5)	\$215.00
16.	Spraying or fogging (specify) pesticide on trees or shrubs (specify) equal to or greater than 2 m high when wind velocity exceeds 8 km/hr	11(6)	\$215.00
17.	Spraying or fogging (specify) pesticide on trees or shrubs less than 2 m high when the wind velocity exceeds 18 km/hr	11(7)	\$215.00
18.	Applying pesticide when it is raining	11(8)	\$215.00
19.	Applying pesticide when temperature exceeds 27E C contrary to indication on pesticide's label	11(9)	\$215.00
20.	Applying pesticide on trees during their blooming period	11(10)	\$215.00
4	Schedule 18-B of the regulations is amended by repealing the heading "Smoking By-law - S-200:" and items 1 through 18 immediately after that heading.		
5	Schedule 18-B of the regulations is further amended by adding the following heading and items immediately before the heading "Streets By-law - S-300":		

Smoke Free Places By-law - S-203:

1.	Smoking in restaurant	3(1)(a)	\$157.50
2.	Smoking in drinking establishment	3(1)(b)	\$157.50
3.	Smoking in casino	3(1)(c)	\$157.50
4.	Smoking in private club	3(1)(d)	\$157.50
5.	Smoking in place that is being used for bingo	3(1)(e)	\$157.50
6.	Proprietor of restaurant, drinking establishment, casino, private club or place that is being used for bingo (specify) permitting smoking	3(2)	
	first offence		\$330.00
	second offence		\$675.00
	third or subsequent offence		\$1250.00
7.	Proprietor of restaurant, drinking establishment, casino, private club or place that is being used for bingo (specify) failing to ensure that no ashtrays are placed or allowed to remain inside	3(3)	
	first offence		\$330.00
	second offence		\$675.00
	third or subsequent offence		\$1250.00

- | | | | |
|----|--|------|-----------|
| 8. | Proprietor of restaurant, drinking establishment, casino, private club or place that is being used for bingo (specify) failing to affix no smoking sign as specified by by-law to all entrance doors | 4(1) | |
| | first offence | | \$330.00 |
| | second offence | | \$675.00 |
| | third or subsequent offence | | \$1250.00 |
| 9. | Proprietor of restaurant, drinking establishment, casino, private club or place that is being used for bingo (specify) failing to comply with order made pursuant to Section 5 of by-law | 6(2) | |
| | first offence | | \$330.00 |
| | second offence | | \$675.00 |
- 6 Schedule 18-B of the regulations is further amended by adding the following heading and items immediately before the heading "Taxi and Limousine By-law - T-108":

Swimming Pools By-law - S-700:

- | | | | |
|----|---|------|----------|
| 1. | Constructing, installing, enlarging or altering (specify) private residential swimming pool or appurtenances (specify) without development permit or building permit (specify) | 4 | \$215.00 |
| 2. | Locating portion of swimming pool, pumps, filters or pool water disinfection equipment installations (specify) closer than 1.2 m (4 ft.) from side or rear property line | 5(1) | \$215.00 |
| 3. | Locating portion of swimming pool, pumps, filters or pool water disinfection equipment installations (specify) closer to street line than distance applicable to main building as set out in land use by-laws (specify land use by-law) | 5(2) | \$215.00 |
| 4. | Locating portion of swimming pool, pumps, filters or pool disinfection equipment installations (specify) closer to watercourse than distance applicable to main building or accessory building, whichever is less, as set out in land use by-laws (specify land use by-law) | 5(3) | \$215.00 |
| 5. | Failing to completely separate swimming pool from adjacent properties by obstruction such as fence, building, deck or similar structure | 7(1) | \$215.00 |
| 6. | Constructing swimming pool enclosure with opening exceeding 100 mm (4 in.) in width or height (specify) or that does not provide vertical obstruction of at least 1.5 m (5 ft.) | 7(2) | \$215.00 |
| 7. | Constructing swimming pool enclosure with member that facilitates climbing | 7(2) | \$215.00 |
| 8. | Failing to equip openings in swimming pool enclosure with gates having self-closing, self-latching mechanisms | 7(4) | \$215.00 |
- 7 The regulations are further amended by adding the following Schedule immediately after Schedule 18-V:

**Schedule 18-W
Town of Windsor By-laws**

Offence	Section	Out of Court Settlement
Dogs and Animals By-law		
1. Owner of dog failing to register, pay dog tax, obtain tag or attach tag to collar of dog (specify)	12.03(a)	\$215.00
2. Owner of dog permitting dog to run at large	12.11	\$215.00
3. Owning dog that is fierce or dangerous	12.12(c)	\$215.00
4. Owning dog that, without provocation, has attacked or injured any person or property	12.12(d)	\$215.00
Exotic Pet By-law		
1. Keeping poisonous reptile, scorpion or poisonous spider (specify)	12.50	\$215.00

2. Keeping non-poisonous snake whose adult length is 600 mm (2 ft.) or more on public property without license	12.50	\$215.00
Fire Arms By-law		
1. Firing or discharging fire arm	8.01	\$215.00
Hawkers, Traders and Peddlers By-law		
1. Hawking, peddling or going from door to door to sell or offer for sale (specify) without license	15.01	\$215.00
2. Operating mobile canteen or mobile refreshment stand (specify) without license	15.06(a)	\$215.00
3. Exercising business of auctioneer without first obtaining auctioneer's license	15.07(a)	\$215.00
Prevention of Fire By-law		
1. Lighting or burning shavings, chips, straw, rubbish or other combustible material (specify material) in street, square, lane or other public place (specify place) without permission of Fire Inspector, Fire Chief or Assistant Fire Chief	18.02	\$215.00
2. Lighting or burning shavings, chips, straw, rubbish or other combustible material (specify material) within any enclosure, yard or garden (specify place) within 30 m (100 ft.) of any building without permission of Fire Inspector, Fire Chief or Assistant Fire Chief	18.02	\$215.00
3. Placing, installing or using combustion burning stove, furnace or appliance without complying with placement or installation requirements (specify requirements)	18.03	\$215.00
Sewers and Sewage Discharges By-law		
1. Discharging or causing or permitting discharge (specify) of any storm water into public sanitary sewer system	11.02(a)	\$215.00
2. Discharging or causing or permitting discharge (specify) of sanitary sewage into public storm sewer system	11.02(b)	\$215.00
3. Injuring, breaking or removing portion of public sewer system (specify) or device installed in public sewer system for purpose of measuring, sampling or testing sanitary sewage	11.02(c)	\$215.00
4. Obstructing or causing or permitting the obstruction of flow (specify) through public sewer system	11.02(d)	\$215.00
5. Owning or occupying property (specify) containing tree with roots that obstructed flow through or caused damage to public sewer system (specify)	11.02(e)	\$215.00
6. Discharging or causing or permitting the discharge of prohibited affluent (specify) into any part of public sewer system	11.03	\$215.00
Skateboarding By-law		
1. Using skateboard on sidewalk	2	\$215.00
Streets By-law		
1. Failing to clear snow away from sidewalk adjoining premises within 4 hours after it has ceased falling during the day	10.05	\$215.00
2. Failing to clear snow away from sidewalk adjoining premises when the snow ceases falling during the night within 4 hours after daylight on following day	10.05	\$215.00
3. Posting any bill, poster, notice or advertisement (specify) on Town property (specify) or on tree	10.06	\$215.00
4. Using barbed wire less than 1.8 m (6 ft.) above ground level in fence along street or sidewalk	10.07	\$215.00
5. Littering on sidewalk, street, road, lane, park, public recreation area or highway (specify)	10.09	\$215.00
6. Breaking up soil of street, sidewalk or other public ground (specify) without first obtaining written permission from Committee on Streets.	10.10	\$215.00

Swimming Pool Fences By-law

- | | | |
|--|-------|----------|
| 1. Failing to erect or maintain fence around swimming pool | 14.02 | \$215.00 |
|--|-------|----------|
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N.S. Reg. 21/2004

Made: March 5, 2004

Filed: March 5, 2004

Assignment of Authority Regulations

Order in Council 2004-84 dated March 5, 2004
 Regulations made by the Governor in Council
 pursuant to clause 2(b) of the *Court and Administrative Reform Act*

The Governor in Council on the report and recommendation of the Minister of Justice dated February 5, 2004, and pursuant to clause 2(b) of Chapter 23 of the Acts of 1996, the *Court and Administrative Reform Act*, is pleased to make regulations respecting the assignment of authority to approve appointments in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 5, 2004.

Schedule "A"

**Regulations Respecting Assignment of Authority made by the Governor in Council
 pursuant to clause 2(b) of Chapter 23 of the Acts of 1996,
 the *Court and Administrative Reform Act***

Citation

- 1 These regulations may be cited as the *Assignment of Authority Regulations*.

Appointments of notaries public and commissioners

- 2 For the purpose of Sections 2, 6 and 7 of the *Notaries and Commissioners Act*, the Minister of Justice is assigned the authority to approve appointments of notaries public and commissioners for the Province.
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N.S. Reg. 22/2004

Made: March 5, 2004

Filed: March 5, 2004

Veterans' Number Plates Regulations

Order in Council 2004-86 dated March 5, 2004
 Amendment to regulations made by the Minister of Service Nova Scotia
 and Municipal Relations and approved by the Governor in Council
 pursuant to Section 38 of the *Motor Vehicle Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated January 23, 2004, and pursuant to Section 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989, the *Motor Vehicle Act*, is pleased to approve the amendment by the Minister of Service Nova Scotia and Municipal Relations of the *Veterans' Number Plates Regulations* approved by the Governor in Council by Order in Council 2002-606 dated December 20, 2002, to replace the definition of "veteran" and to clarify the role of the Registrar and the Royal Canadian Legion in the application process, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 5, 2004.

Schedule "A"

**Amendment to the *Veterans' Number Plates Regulations*
made by the Minister of Service Nova Scotia and Municipal Relations
pursuant to Section 38 of Chapter 293 of the Revised Statutes of Nova Scotia, 1989,
the *Motor Vehicle Act***

1 The *Veterans' Number Plate Regulations* made by the Minister of Service Nova Scotia and Municipal Relations and approved by the Governor in Council by Order in Council 2002-606 dated December 20, 2002, are amended by repealing clause 2(a) and substituting the following clause:

- (a) "veteran" means a person who has honourably served
- (i) for a minimum of 3 years, in one or more of the following services:
- (A) the Canadian Forces,
- (B) the armed forces of another Commonwealth country,
- (C) the armed forces of a wartime ally of Canada or another Commonwealth country, or
- (D) the Royal Canadian Mounted Police while on United Nations service or on a peacekeeping mission,
- (ii) in the Merchant Navy or Ferry Command during wartime, or
- (iii) in a theatre of war as a member of the Canadian Forces, or the armed forces of another Commonwealth country or of a wartime ally of Canada or another Commonwealth country;

2 The regulations are further amended by repealing Section 5 and substituting the following Section:

Certification

5 The Registrar may accept a certificate from the Royal Canadian Legion in the form prescribed by the Registrar stating that the applicant has met the service requirements of a veteran set out in clause 2(a).

Made at Halifax, Nova Scotia, January 23, 2004.

Sgd: *Barry Barnet*
The Honourable Barry Barnet
Minister of Service Nova Scotia and
Municipal Relations

N.S. Reg. 23/2004

Made: March 5, 2004

Filed: March 5, 2004

Proclamation, S. 10, S.N.S. 2003, c. 13

Order in Council 2004-94 made March 5, 2004
Proclamation made by the Governor in Council
pursuant to Section 10
of *An Act to Amend Chapter 13 of the Acts of 1995-96, the Personal Property Security Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated February 12, 2004, pursuant to Section 10 of Chapter 13 of the Acts of 2003, *An Act to Amend Chapter 13 of the Acts of 1995-96, the Personal Property Security Act*, is pleased to order and declare by proclamation that Chapter 13 of the Acts of 2003, *An Act to Amend Chapter 13 of the Acts of 1995-96, the Personal Property Security Act*, come into force on and not before March 15, 2004.

PROVINCE OF NOVA SCOTIA

Sgd: *Constance R. Glube*

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 10 of Chapter 13 of the Acts of 2003, *An Act to Amend Chapter 13 of the Acts of 1995-96, the Personal Property Security Act*, it is enacted as follows:

- 10** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 13 of the Acts of 2003, *An Act to Amend Chapter 13 of the Acts of 1995-96, the Personal Property Security Act*, come into force on and not before March 15, 2004;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 13 of the Acts of 2003, *An Act to Amend Chapter 13 of the Acts of 1995-96, the Personal Property Security Act*, come into force on and not before March 15, 2004, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved Her Honour
the Honourable Constance R. Glube,
Administrator of the Government of the
Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional
Municipality, this 5th day of March, in the year of
Our Lord two thousand and four and in the fifty-
third year of Our Reign.

BY COMMAND:

Sgd: *Michael G. Baker*
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 24/2004

Made: March 5, 2004

Filed: March 5, 2004

Personal Property Security Act General Regulations

Order in Council 2004-95 dated March 5, 2004
Amendment to regulations made by the Governor in Council
pursuant to Section 72 of the *Personal Property Security Act*

The Governor in Council on the report and recommendation of the Minister of Service Nova Scotia and Municipal Relations dated February 12, 2004, pursuant to Section 72 of Chapter 13 of the Acts of 1995-96, the *Personal Property Security Act*, is pleased to amend the *Personal Property Security Act General Regulations* made by the Governor in Council by Order in Council 97-621 dated October 1, 1997, to clarify the

requirements for the description of serial numbered goods, in the manner set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after March 15, 2004.

Schedule “A”

Amendments to the *Personal Property Security Act General Regulations* made pursuant to Section 72 of Chapter 13 of the Acts of 1995-96, the *Personal Property Security Act*

- 1 Subsection 4(2) of the *Personal Property Security Act General Regulations* made by the Governor in Council by Order in Council 97-621 dated October 1, 1997, is amended by adding “to effect a registration” immediately after “Registry”.
- 2 (1) Subsection 25(1) of the regulations is amended by adding “under the heading “Serial Numbered Collateral Information”” immediately after “described by serial number”.
(2) Subsection 25(1) is further amended by
 - (a) adding “after the heading “Serial Collateral Type”” immediately after “relates” in clause (a); and
 - (b) adding “after the heading “Serial Number”” immediately after “less than 25 characters” in clause (b).
- 3 Clause 74(1)(d) of the regulations is amended by adding “or in which the collateral is to be added” immediately after “amended”.