



Rural Municipality of West River Committee of Council Meeting Minutes

Meeting No	2025-21	Time	7:00 PM
Session	Regular - Public	Date	Thursday, March 13, 2025
Chair	Helen Smith-MacPhail - Mayor	Location	Afton Community Centre
Adoption status	Approved	Contact Person	Susan Morse - CAO
Attendance	Mayor Helen Smith-MacPhail, Deputy Mayor Shaun MacArthur, Councillor Daniel Sud, Councillor Steve Pollard, Susan Morse - CAO, Ehi Itua - Administrative Assistant		
Regret	Councillor Aaron MacEachern, Councillor John Yeo, Councillor Lillian MacCannell,		
Guest	Nil		

- **Call to Order**

Mayor Helen Smith-MacPhail called the meeting to order at 7:25 PM.

- **Adoption & Approval of Agenda**

The following item was added to the agenda by the CAO

- Item 6.1. CW.25.21.7 – Thank you from Molly Mitchell

The agenda was approved as circulated, including the added item. It was moved by Councillor Steve Pollard, seconded by Councillor Daniel Sud and unanimously carried.

- **Declarations of Conflict of Interest**

Nil

- **Recommended Items**

- **CW.25.21.1** – Shared Services Agreement

Decision Type: Action

Status: Recommended

Background:

CW.2025.20.4

Description:

The CAO presented a draft Shared Services Agreement, which is designed to complement the Shared Services Bylaw. Under the agreement, West River will collaborate with Miltonvale Park and Kingston to provide a full-time position for the Development Officer. The Committee discussed the agreement and recommended that the Mayor and CAO sign the agreement when the Shared Services Bylaw has been passed, and the agreement has been finalized.

- **CW.25.21.2 – Communities 13 – Request for Contribution to Capital Fund**

Decision Type: Action

Status: Recommended

Background:

CW.25.20.12.

The Communities 13 Board presented a request for an increase in financial contribution of 0.5 cents per \$100 of property tax assessment, based on the 2024 assessment, totaling \$18,704. In the past three years, the Rural Municipality of West River has contributed \$14,539 annually.

Description:

The Committee discussed the financial implications of granting the request for the contribution to the capital fund. The Committee agreed that they could only proceed with the amount allocated in the previous year, as the proposed increase was not included in the municipality's 2025-2026 Financial Plan. The Committee would like to hear from representatives for Communities 13 to hear how their funds are used. The Committee referred this item to the CAO to arrange a meeting.

- **CW.25.21.3 – 202-26 Financial Plan**

Decision Type: Action

Status: Recommended

Background:

CW.2025.20.7

Description:

Mayor Helen Smith-MacPhail updated the Committee on the success of the Financial Plan Public Consultation Meeting held on March 4, 2025, at 6 PM. She thanked Councillor Daniel Sud for taking the time to attend the meeting and expressed appreciation to the CAO for presenting the financial plan to the public. One member of the public attended the meeting and suggested that maintenance of the new trees at Mutter Park be included in Council's priorities. The CAO will investigate the associated costs and confirm that this could likely be accommodated within the Public Properties budget line. No negative feedback was received during the meeting. The Committee recommends that Council approves the proposed Financial Plan for 2025-2026.

▪ **CW.25.21.4 – Afton Community Centre Future Planning**

Decision Type: Action

Status: Recommended

Background:

WRC.2024.17.9

Description:

The Committee received a report from Mr. Wil Lawrence regarding possible options for municipal buildings that would address current and future needs, including additional office space and council chambers, as well as address energy efficiency concerns. The options presented by in the report were (a) constructing an addition to the Afton Community Centre to meet the current and future needs and increase energy efficiency; (b) Building a second detached structure on the property just to serve as a municipal office, while retaining the current building as recreation and event space; (c) Demolishing the existing building and constructing a new building to replace the Community Centre, one that would meet the long-term capacity needs of the municipality.

The Committee agreed that they did not want to consider demolishing the building. They discussed accessibility issues with the current amenities. The Committee directed the CAO to invite Mr. Lawrence to a meeting so they could hear more information about the cost and feasibility for each of the options. The Committee agreed that before any decision is made, they would schedule public consultation and gather input from the community, ensuring a diverse range of perspectives to help inform a well-rounded decision.

▪ **CW.25.21.5 – Bylaws for Consideration**

Decision Type: Action

Status: Recommended

Background:

CW.2025.20.5

Description:

The CAO presented an update on the Bylaws under draft for Committee consideration. The Noise & Nuisance Bylaw, Unsightly/Dangerous Property Bylaw, Summary Offense/Enforcement Bylaw are all currently in development. The Committee reviewed the draft Animal Control Bylaw (appendix A attached hereto forming a part of these minutes) and recommended that

- a seven day period should be given before the sale or destruction of a dog.
- The licensing fee will be waived for the first year from the date the bylaw comes into effect for all dogs in the municipality, excluding the cost of purchasing a tag.
- After the first year, a one-time licensing fee will be required for all subsequent licenses.

The Animal Control Bylaw has been sent to the PEI Humane Society and the CAO is awaiting their feedback.

▪ **CW.25.21.6 – Legion Publication Advertisement**

Decision Type: Action

Status: Recommended

Background:

Councillor John Yeo informed Council about the upcoming 67th Provincial Convention of The Royal Canadian Legion. As part of the event, a Convention Booklet will be published, and the Legion is soliciting support through the purchase of advertisements in the booklet.

Description:

The Committee recommends that \$175 for half page ad be put forward as a token of support for the program. The Committee referred to this item to the CAO for implementation.

- **Information Items**

- **CW.25.21.7** – Thank you from Molly Mitchell

Decision Type: Information

Status: Received

Background:

Motion 2025-10

Description:

The CAO read the Committee a thank you correspondence received from Ms. Mitchell expressing her heartfelt gratitude for the grant extended to her by Council.

- **Questions from the Audience and Public Input**

- Nil.

- **Adjournment**

- Deputy Mayor Shaun MacArthur to adjourn the meeting at 8:47 PM.

Helen Smith-MacPhail

Susan Morse

Mayor _____

Chief Administrative Officer _____

Appendix A

**Rural Municipality of West River, Prince Edward Island
A Bylaw to Regulate Dogs Within the Municipality of West River
Bylaw # 2025-XX**

BE IT ENACTED by the Council of the Rural Municipality of West River as follows:

PART I – INTERPRETATION AND APPLICATION

1. Title

1.1. This bylaw shall be cited as the “Rural Municipality of West River Dog Control Bylaw,” and may be cited as the “Dog Control Bylaw” from time to time

2. Authority

2.1. Section 180.(a) of the *Municipal Government Act* R.S.P.E.I. 1988, Cap. M-12.1 “A Council may pass bylaws and provide services for municipal purposes respecting the safety, health and welfare of people and the protection of persons and property”.

3. Scope

3.1. This bylaw shall apply to the Rural Municipality of West River

4. Definitions

In this bylaw,

4.1. “Animal” includes, but is not limited to, dogs and other domesticated animals.

4.2. “Animal Control Officer” means any authorized person or organization designated, or contracted by Rural Municipality of West River for the purposes of enforcement of this Bylaw.

4.3. “Animal Shelter” means any place designated by the Rural Municipality of West River for the detention of animals impounded as set out in this Bylaw.

4.4. “At Large” means an unleashed dog in a public place or on private property other than that of the owner of the animal without the permission of the owner or occupant of said property or an animal not under control.

4.5. “Enforcement Officer” means any authorized person or organization designated, or contracted by Rural Municipality of West River, or a member of the Royal Canadian Mounted Police.

4.6. “Chief Administrative Officer” or “CAO” means the administrative head of the municipality.

4.7. “Council” means the Mayor and other members of the Council of the Municipality.

Appendix A Continued

- 4.8. "Companion Animal" means any dog, male or female, or any animal that is the result of the breeding of a companion animal.
- 4.9. "Dog" means a male or female dog and does not include an unweaned pup.
- 4.10. "Former Owner" means the person who at the time of impoundment was the owner of an animal which has subsequently been sold or destroyed.
- 4.11. "Judge" means a Judge of the Provincial Court of the Province of Prince Edward Island.
- 4.12. "Kennel" means an establishment for the breeding and/or boarding of dogs.
- 4.13. "Leash" means a chain or other material capable of restricting the animal on which it is being used.
- 4.14. "License" means
- (a) a written certificate describing the animal, including its spay/neuter status, identifying the owner and assigning to the animal a unique number that identifies the animal and its owner; and
 - (b) a metal tag that can be suspended from a collar around the animal's neckband that bears the unique number referred to in clause (a) above along with the name of the Municipality.
- 4.15. "Municipality" means the Rural Municipality of West River.
- 4.16. "Microchip" means an encoded electronic device implanted in an animal by or under the supervision of a veterinarian, which contains a unique code number that provides owner information that is stored in a central database.
- 4.17. "Neutered" means any animal that is sexually sterile.
- 4.18. "Owner" means any person, partnership, association or corporation that owns, possess or has control, care or custody over an animal.
- 4.19. "Park" means the area over which the Municipality has ownership or exercises control, and so as not to restrict the generality of the foregoing, includes:
- (a) the lands and facilities designated, for use as a public park including boardwalks, pathways, and roads within the designated area;
- 4.20. "Tag" means the metal tag attached to a companion animal's collar with a unique identification number and owner's phone number.
- 4.21. "Vicious Dog" means any dog whatever its age, whether on public or private property which in the opinion of the Bylaw Enforcement Officer, Animal Control Officer or RCMP presents a threat of serious harm to other domestic animals or humans. Provided that

Appendix A Continued

no dog shall be deemed vicious if it is a professionally trained guard dog which lawfully engaged for law enforcement.

5. Administration

5.1. This bylaw shall be administered and or enforced by the Chief Administrative Officer, By-law Enforcement Officer(s) and the Prince Edward Island Humane Society.

6. Responsibility of Dog Owners

6.1.

- (a) The owner of a dog shall ensure that such dog shall not:
 - i. bite a person or persons whether on the property of the owner or not;
 - ii. do any other act that injures a person or persons whether on the property of the owner or not;
 - iii. chase or otherwise threaten a person or persons whether on the property of the owner or not, unless the person chased or threatened is a trespasser on the property of the owner;
 - iv. bite, bark at, or chase bicycles, automobiles, or other vehicles;
 - v. bark, howl, or otherwise disturb any person;
 - vi. cause damage to property or other animals;
 - vii. be left unattended in any motor vehicle unless the dog is restricted so as to prevent access to any persons as long as such restraint provides for suitable ventilation;
 - viii. be running at large.
- (b) The owner of a dog shall ensure that such dog is on a leash at all times when off the owner's property.
- (c) If a dog defecates on any public or private property other than the property of its owner, the owner shall remove the defecation immediately.

7. Kennels

7.1. Owners/Operators of a licensed kennel shall:

- (a) obtain a license to operate, and at such time pay a fee as established by resolution of Council;
- (b) comply with the requirements set out in the "Code of Practice for Canadian Kennel Operations" (Canadian Veterinary Medical Association, September 1994);
- (c) comply with the Bylaws of the Municipality;
- (d) permit a Bylaw Enforcement Officer to enter and inspect the kennel under the authority of a search warrant at any time, or prescribed time as per warrant; and

Appendix A Continued

(e) keep the dogs thereof confined to the kennel property and not permit said dogs to become a nuisance to neighbours.

7.2. A kennel license shall be renewable and become expired as per resolution of Council.

7.3. Where the owner/operator of a kennel fails to comply with a bylaw of the Municipality, the license to operate may be suspended or revoked and the animals be seized and impounded.

8. Licensing

8.1. The owner of a dog shall:

- (a) obtain a one-time companion animal license at such time and pay a one-time fee as established by Council resolution.
- (b) obtain a companion animal license on the first day on which the Municipal Administration office is open for business after they become the owner of the companion animal.
- (c) obtain a license for a companion animal on the first day on which the Municipal Administration office is open for business and after the companion animal becomes three (3) months old.
- (d) obtain a license for a companion animal notwithstanding that it is under the age of three (3) months, where the companion animal is found running at large.
- (e) obtain a one-time license for the companion animal on the day specified by the Bylaw Enforcement Officer, Animal Control Officer, or the Chief Administrative Officer.
- (f) when requested by an Enforcement Officer or the Chief Administrative Officer, submit to the Enforcement Officer or the Chief Administrative Officer a spay/neuter certificate, or if unavailable a statutory declaration or other acceptable documentation establishing the animal's age, microchip information, or that the animal is neutered or spayed, and such other information as the Enforcement Officer or the Chief Administrative Officer may require in order to determine the license payable by the owner.
- (g) not give false information when applying for a companion animal license.
- (h) upon losing a companion animal tag, present the receipt for payment of the current year's license fee to the Enforcement Officer or the Chief Administrative Officer, who will issue a new tag to the owner for the fee set by resolution of Council.
- (i) Ensure that all companion animals wear the current license purchased for that animal, when the animal is off the owner's property.
- (j) not be entitled to a rebate under this Bylaw.

8.2. Where a license required pursuant to this Section has been paid for by the tender of an uncertified cheque, the license:

Appendix A Continued

- (a) is issued subject to the cheque being accepted and cashed by the bank without any mention of the condition being made on the license; and
- (b) is automatically revoked if the cheque is not accepted and cashed by the bank on which it is issued.

9. Disabled Owners

- 9.1. Where the Bylaw Enforcement Officer or the Chief Administrative Officer is satisfied that the person who is disabled is the owner of a companion animal trained and used to assist such disabled person, there shall be no fee payable by the owner for a license under this bylaw.
- 9.2. Section 6.1.a.viii of this Bylaw does not apply:
 - (a) where a person who is disabled is the owner of a companion animal trained and used to assist such disabled person and such companion animal is under their control; or
 - (b) where the owner is physically disabled in such a way that the owner cannot control the companion animal by means of a leash, requires the use of a walker or cane, or is confined to a wheelchair and allows the companion animal in a park other than a park where companion animals are prohibited and such companion animal is under their control, and wearing a current issued tag.
- 9.3. Section 6.1.c does not apply where a person who is disabled in such a way as to reasonably preclude compliance, is the owner of a companion animal trained and used to assist such disabled person.

10. Animal Control Operation - Authority

- 10.1. A Bylaw Enforcement Officer, Animal Control Officer or a member of the Royal Canadian Mounted Police may capture and impound any companion animal:
 - (a) found running at large.
 - (b) which is required to be impounded pursuant to the provisions of any Statute of Canada or the Province of Prince Edward Island, Regulations made thereunder, or Bylaws of the Municipality.

11. Obstruction

- 11.1. No person, whether they are the owner of a companion animal or vicious dog which is being or has been pursued, shall interfere with or attempt to obstruct a Bylaw Enforcement Officer, Animal Control Officer, or a member of the Royal Canadian Mounted Police who is attempting to capture or who has captured a companion animal which is subject to impoundment.

12. Interference With Animals

- 12.1. No person shall:

Appendix A Continued

- (a) untie, loosen, or otherwise free a companion animal which has been tied or otherwise restrained, or
- (b) negligently or willfully open a gate, door or other opening in a fence or enclosure in which an animal has been confined and thereby allow a companion animal to run at large in the Municipality of West River.

13. Notification

- 13.1. If a Bylaw Enforcement Officer or a member of the Royal Canadian Mounted Police knows or can ascertain the owner of any impounded companion animal, they shall serve the owner with a copy of the Notice in Schedule "A" of this Bylaw, either personally or by leaving it at, or by mailing it to, the last known address of the owner.
- 13.2. An owner of a companion animal to whom a Notice is mailed pursuant to Section 13.1 is deemed to have received a Notice within _____ business days from the time it is mailed.

14. Reclaiming

- 14.1. The owner of any impounded companion animal may:
 - (a) reclaim the companion animal from the Animal Control Officer by
 - i. paying the applicable fine per The Rural Municipality of West River Fees Bylaw Schedule B, and
 - ii. paying the cost of impoundment as determined by the PEI Humane Society, and
 - iii. obtaining a license in accordance with the provisions of this Bylaw.
 - iv. Obtaining a Microchip for the animal
 - (b) where it is deemed feasible by the Bylaw Enforcement Officer, the Animal Control Officer or the CAO prior to taking the animal to the impound center, reclaim the companion animal by paying, in either case to a Bylaw Enforcement Officer, the Animal Control Officer or the Chief Administrative Officer the cost of the applicable fine as set out in The Rural Municipality of West River Fees Bylaw Schedule B, and by obtaining the license for such companion animal, accordance with the provisions of this Bylaw.
- 14.2. Where a companion animal is claimed, the owner shall provide proof of ownership of the companion animal.
- 14.3. The owner of a companion animal who has been found not guilty of committing an offence under this Bylaw may request the return of any fees paid by him for reclaiming the companion animal.

15. Sale Or Destruction

- 15.1. The Bylaw Enforcement Officer or the Chief Administrative Officer shall not sell, destroy, order sale of or destruction of an impounded companion animal until:

Appendix A Continued

- (a) after a companion animal has been retained at the impoundment center for:
 - i. XXX days after the owner has received notice under Section 14 that the companion animal is in the impoundment center;
 - ii. XXX days, if the name and address of the owner is not known.
- (b) Unless a person having the authority orders the retention or the destruction of the companion animal, or unless the owner of the companion animal makes arrangements with the Bylaw Enforcement Officer or the Chief Administrative Officer for the further retention of the companion animal, the Bylaw Enforcement Officer or the Chief Administrative Officer may cause the companion animal to be sold or destroyed

15.2. The Bylaw Enforcement Officer or the Chief Administrative Officer may retain a companion animal for a longer period of time, if in their opinion the circumstances warrant the expense.

15.3. The Bylaw Enforcement Officer or the Chief Administrative Officer may, before selling an unclaimed companion animal require that the animal be spayed or neutered.

15.4. The purchaser of an unclaimed companion animal from the Bylaw Enforcement Officer or the Chief Administrative Officer pursuant to the provisions of this Section shall obtain full rights and title to it and the right and title of the former owner of the companion animal shall cease to exist.

15.5. When the Bylaw Enforcement Officer or the Chief Administrative Officer agrees to put a companion animal to death the owner shall pay to the Enforcement Officer or the Chief Administrative Officer a fee as set out in The Rural Municipality of West River Fees Bylaw Schedule B.

16. Severability

16.1. It is the intention of the Municipal Council that each separate provision of this Bylaw shall be deemed independent from all other provisions of this Bylaw, such that, if any provision of this Bylaw is declared invalid, all other provisions of this Bylaw shall remain valid and enforceable.

17. Penalties

17.1.

- (a) Where an Enforcement Officer, member of the Royal Canadian Mounted Police, or an Animal Control Officer believes that a person has contravened any provision of this Bylaw, they may commence proceedings by serving a Notice pursuant to Schedule "A" of this Bylaw.

Appendix A Continued

- (b) The specified penalty payable in respect to a contravention of a provision of this Bylaw is the amount shown in The Rural Municipality of West River Fees Bylaw Schedule B, in respect of that provision.
- (c) Notwithstanding Section 17.1.b:
 - i. where any person contravenes the same provision of this Bylaw twice within a twelve (12) month period, the specified penalty payable in respect of the second contravention is double the amount shown in The Rural Municipality of West River Fees Bylaw Schedule B in respect of that provision, and
 - ii. where any person contravenes the same provision of this Bylaw three or more times within one twelve-month period, the specified penalty payable in respect of the third or subsequent contravention is triple the amount shown in The Rural Municipality of West River Fees Bylaw Schedule B in respect to that provision.

18. Summary Conviction

- 18.1. Any person who contravenes any provision of this Bylaw is guilty of an offence and is liable to a fine of not more than one thousand five hundred dollars (\$1,500.00) and in default of payment is liable to imprisonment for a term not exceeding six (6) months.
- 18.2. The levying and payment of any fine or the imprisonment for any period provided in this Bylaw shall not relieve a person from the necessity of paying any fees, charges, or costs from which they are liable under the provisions of this Bylaw.
- 18.3. A Judge, in addition to the penalties provided in this Bylaw, may, if they consider the offence sufficiently serious, direct or order the owner of the companion animal to stop the companion animal from doing mischief or causing the disturbance or nuisance complained of, or to have the companion animal removed from the Municipality, or have the companion animal destroyed.
- 18.4. A Judge, after convicting the owner of a companion animal of an offence under this Bylaw, may, in addition to any other penalties impose orders made, and without further notice or hearing declare the subject companion animal a vicious animal, pursuant to the provisions of this Bylaw.

Appendix A Continued

First Reading:

This Animal Control Bylaw, Bylaw# 2025-XX, was read a first time at the Council meeting held on the _____ day of _____, 20XX.

Second Reading:

This Animal Control Bylaw, Bylaw# 20XX-XX, was read a second time at the Council meeting held on the _____ day of _____, 20XX.

This Animal Control Bylaw, Bylaw# 20XX-XX, was approved by a majority of Council members present at the Council meeting held on the _____ day of _____, 20XX.

Approval and Adoption by Council:

This Animal Control Bylaw, Bylaw# 20XX-XX, was adopted by a majority of Council members present at the Council meeting held on the _____ day of _____, 20XX.

Signatures

Mayor (signature sealed)

Chief Administrative Officer (signature sealed)

This Animal Control Bylaw adopted by the Council of the Rural Municipality of West River on _____ (date) _____ is certified to be a true copy.

Chief Administrative Officer Signature

Date

Appendix A Continued

Schedule A
Notice of Violation
Animal Control Bylaw#2025-01

Name of Owner: _____

Address of Owner: _____

You are hereby notified that an animal bearing License tag No. _____ registered under the above name and address, was impounded on _____, 20 __, pursuant to the provisions of By-law #2025-XX of The Rural Municipality of West River, Prince Edward Island, and that unless the said animal is claimed and impoundment charges are paid, on or before _____, 20__, the said animal will be sold, destroyed or otherwise disposed of pursuant to the said Bylaw.

Signature of Enforcement Officer or CAO: _____

Appendix A Continued

Schedule B

(to be added to The Rural Municipality of West River Fees Bylaw Schedule A)

Dog Control Bylaw#2025-01

Fine Structure

Section	Offence	Minimum Penalty
6.1.a.i.	Biting a person(s)	\$350.00 (Per person)
6.1.a.ii.	Injure a person(s)	\$200.00 (Per person)
6.1.a.iii.	Chasing a person(s)	\$200.00
6.1.a.iv.	Biting, barking at, chasing other animals, bicycles, automobiles, or other vehicles	\$200.00
6.1.a.v.	Barking, howling or disturbing	\$100.00
6.1.a.vi.	Damage to property or other animals	\$250.00
6.1.a.viii.	Running at large	\$100.00
6.1.b.	Dog not on leash	\$100.00
6.1.c.	Public Defecation/Failure to place Dog Waste Bags in trash	\$100.00
8.1.a.	Unlicensed Animal	\$250.00
8.1.g.	Giving false information for license	\$500.00
8.1.i.	Not wearing current license/failure to produce	\$25.00
11.1	Obstruction	\$500.00
12.1.a&b	Interference	\$500.00