

POLICY MANUAL:

Photocopies:

A rate of \$0.10 per sheet will be charged for photocopying information to groups, residents, visitors and property owners.

Policy for Mileage & Honorariums:

Honorariums: \$1,000.00 semi-annually - Chairman
 \$800.00 semi-annually - Planning Board Chairman
 \$650.00 semi-annually - Vice-Chairperson & councillors.

To be reviewed annually at the Annual Meeting.

Mileage: Government travel rate per kilometre. Council and Office staff - excludes Maintenance Personnel. Mileage expenses are to be used for the purpose of travel to attend meetings outside of regular council meetings or for travel on municipal business only.

Mileage costs per kilometre to be reviewed at the discretion of council, changes to the allocation of travel to be proposed in the annual budget and to be approved at the annual meeting.

Policy for travel by council to council meetings: (travel to monthly council meetings)

Travel to monthly council meetings by councillors will be considered as part of their yearly honorarium.

Policy for council attending meetings outside of the Council for Council Business:

Attendance for the Council at the Council meetings, special meetings and meetings and other areas such as IRAC are for the present time that it will be included in the honorariums. The council can review this matter further as it would require a change to the budget which would have to be presented at the Annual Meeting in August and it would come into effect next year in 2002.

Policy for Manners and Attendance at Public Meetings:

The council is continuously involved with the public, therefore, in order to maintain the community's high reputation, it is imperative that discretion be used with regards to language and subject matter taking place at public meetings. Council's attendance at public meetings is appreciated, unless there is a valid reason why a council member could not be in attendance.

Policy for dealing with agenda items:

In dealing with the agenda for a meeting, once the agenda has been sent to the council, the agenda is set, unless there is an emergency issue that needs to be addressed then no new issues will be added to the agenda at the monthly meeting. The Chair will allocate time to be allowed for certain agenda items such as when people from the community are coming to speak at a meeting. The Chair will try to control the amount of time that is being spent on dealing with agenda items and go around the table to determine what the Council's opinion is on the matter.

If for some reason an issue cannot be resolved then the issue will be tabled until the next meeting and if need be the CAO will try to obtain additional information on the issue for the next meeting.

Policy for Planning Board Meetings:

Building permit applications will be received until the first Friday of each month by 12 noon. If there are no applications received by that time then the planning board meeting for the said month will be cancelled. If there are applications in by the deadline then applications will continue to be accepted until 12 noon on the second Wednesday of the month.

Policy for dealing with residents:

When a resident comes into the office or writes a letter with a concern, the CAO addresses the concerns or issues with the resident and most often can resolve the issue or issues that they may have while they are at the office or if they are on the telephone. If it is an issue that has to go to council then it is presented to them at the monthly council meeting. If it does have to go to the council meeting then the CAO will advise the person that their issue or issues will be addressed at the monthly council meeting and they will either receive a phone call or a letter advising them of what has been decided by the council.

Who deals with the residents regarding concerns and issues?

The CAO is the first person that interacts with the residents' concerns when they come into the office or call on the telephone. The council may also be contacted by individuals regarding issues, if there is something that the council is unsure of then they should send the concerned individuals to the office for clarification. The resident / property owner shall be assured that their concerns will be addressed.

Policy on Confidentiality:

The council and various committees within the council are continuously being challenged with regards to issues that are happening amongst property owners. People will often come to the office or the council and ask them if a building permit has been approved for someone.

Confidentiality is a must for the council and committees of the Resort Municipality especially when dealing with a number of issues such as building permits, in camera issues at council meetings and any other issues that may not be able to be made available to the residents or property owners.

Policy for requests for donations:

The policy of the council on donations of monies are that the council does not donate to any charities as the municipality has a limited budget to work with and there are numerous groups looking for monies on a regular basis.

Policy for Council Information and Minutes being requested:

Whether by legal statute, or as a courtesy of Council, the following items shall be disclosed upon a written request to any individual and / or applicant:

1) parts of a building permit, anyone outside of applicant looking for information on building permits can receive the description of project, setbacks, site plan, height and elevations of an application only, 2) an approved subdivision and / or site plan including application forms for both of a property may be reviewed at the office but cannot be photocopied or taken out of the office, 3) a copy of the minutes of a meeting can be given to a property owner with all in camera items being removed from the minutes or if there is an issue that has been discussed by the council regarding a certain property the property owner can request to have the information that was discussed on his/her application. The minutes would only be made available to the individual when the minutes in question were approved by the Council. 4) Zoning and Subdivision Control Bylaws and Official Plan, 5) annual reports by Council which are made available in August only, prior to the Annual Meeting, 6) sewer utility information with regards to finances, information on individual sewer customers files will not be released by the office, the information would have to be received from the business owners or residents that are connected to the sewer on an individual basis and not through the office.

Council hereby establishes that the following items shall be available to property owners only:

- 1) Year End Financial Statements for the Municipality and the Sewer Utility.
- 2) The Community Assessment Roll which is only available to be viewed at the office and cannot be taken out or photocopied.

For reasons of confidentiality, the following items shall **NOT** be disclosed.

- 1) Building Permit Applications in process. Only certain sections of finalized approved permits can be viewed.
- 2) Committee Minutes.
- 3) Personnel Items.
- 4) Private Correspondence.
- 5) Legal information.
- 6) Land matters.

Any requests for information shall not place undue hardship on the office staff. The CAO shall determine the degree of hardship of each request.

Any costs levied or associated with the request, shall be borne by the person making the request and remitted prior to receipt of the information.

General information or photocopies thereof shall not be released from the office, unless approved by the CAO.

However, should a request for information be made which is not covered by this policy, the CAO shall refer the matter to the council.

Council may, by motion, agree to release information after having received a written request from the interested person, IRAC, Lawyers, and government departments.

Policy for IRAC Appeals:

A developer shall be made aware of any potential IRAC appeal as soon as the municipal office is contacted from an adjacent property owner. This will allow the developer to determine what process they take with their development and if they can meet with the adjacent landowner to possibly resolve any concerns or issues, prior to the matter going to IRAC.

Pursuant to Section 28 of the Planning Act, any person who is dissatisfied with the decision of Council in respect to the administration of regulations or bylaws made under the Act, may appeal within twenty-one (21) days to the Island Regulatory and Appeals Commission.

Once an official appeal has been filed to IRAC, the developer shall be made aware that a formal appeal has been filed against their development approval by the Resort Municipality to allow them to determine what their next steps are with their project and the appeal.

Once an appeal is filed at IRAC all correspondence goes through IRAC. No file information is circulated on the appeal from the Resort Municipality.

Policy for complaint acknowledgement and responses:

When a resident comes into the office or writes a letter with a concern the CAO addresses the concerns or issues with the resident and most often can resolve the issue that they may have while there at the office or if they are on the telephone. If it is an issue that has to go to council then it is presented to them at the monthly council meeting. If it does have to go to the council meeting then the CAO will advise the person that their issue will be addressed at the monthly council meeting and they will either receive a phone call or a letter advising them of what has been decided by the council.

Policy for Staff and Council Evaluations:

The policy for the Staff and Council Evaluations will take place in October of each year. The CAO will complete an evaluation of the council and the council will complete an evaluation of the CAO. This policy will become effective May 2008.

Policy for Dealing with controversial issues. Dealing with the media:

Councillors if called by the media should be advised that they call the CAO before releasing any information on any matter. If the CAO cannot release information on a matter then the person or media can contact the council for information. If a councillor personally wishes to go to the media on any matter then they are advised that they are representing themselves on a personal interest or concern rather than being considered a councillor dealing with an issue. If an issue is dealing with a sewer concern then the council should direct any and all questions to the Chairman of the Cavendish Sewer Utility.

Policy for taped meetings:

The Resort Municipality shall tape Council Meetings only. All taped minutes are for office use only. Taped meetings shall be retained for a total of three months from the date in which the Council meeting minutes are approved and from there shall be destroyed.

Policy for Natural Materials:

The following check list will be used as a rating system to determine if man made materials would be allowed on a property.

1. Visibility from Roadway.
2. Type of Siding.
 - a. Type of siding.
 - b. Siding profile.
 - c. Gauge/thickness.
 - d. Window, Corner and Door casings.
3. Colour.
 - a. Colour Choice.
 - b. Compatibility with other buildings on the property.
Compatibility with adjacent properties
4. Building Design.
 - a. Basic
 - b. Displays some detailing.

 - c. Displays a good design and detailing.
 - d. High quality design and detailing.
5. Heritage Building.
 - a. Will it change the style and character of the building?
 - b. Will it preserve the style and character of the building?
 - c. Will it enhance the style and character of the building?
 - d. Will it affect other buildings on the property?
 - e. Will it affect adjacent properties?

Policy for Office Hours:

Monday - Friday (year round) 9:00 a.m. - 12:30 p.m. 1:00 p.m. - 4:30 p.m.

Part - time office staff:

The wages of part - time office staff will be \$10.00 per hour plus vacation pay.

Policy for Major Developments:

- 1) Council shall require the Developer to submit an Environmental Impact Assessment for any proposed Major Development. Major Development is defined as but not limited to the following:
 - a) new or additional commercial space which results in the establishment of a commercial facility in excess of 10,000 square feet;
 - b) new or additional accommodation facilities which result in a facility in excess of 20 residential units;
 - c) attractions in excess of 2 acres; or
 - d) any development which Council feels may adversely affect the Environment or adjacent properties.
- 2) The terms of the Environmental Impact Assessment shall be determined by the Council.

Policy for Landscaping:

- 1) The provision and maintenance of adequate landscape buffering and/or appropriate fencing shall be required to the satisfaction of the Council between residential zones and new commercial or other land uses characterized by significant traffic generation, the heavy use of trucks, noise, outdoor storage, congregations of people or other factors that may adversely affect adjacent residential amenity;
- 2) The provision and maintenance of adequate landscaping shall be required for new development to the satisfaction of the Development Officer;
- 3) Where a C1 or a RD4 Zone abuts a Residential Zone along a side and/or rear lot line, a strip of not less than fifteen feet (15') (4.5 m.) in width along the said side and/or rear lot and located on the same lands as the commercial establishment shall be landscaped to the satisfaction of the Development Officer as part of the development for which a building permit has been granted.

Policy for Holding Tanks:

Holding Tanks shall not be allowed on properties where there is sufficient space to install a septic system.

A new development would not be allowed to overdevelop a property with the option of putting in a holding tank if they have used up the majority of the land for the development. The property would be required to have an adequate septic system before the development started.

SEWAGE HOLDING TANKS SHALL ONLY BE PERMITTED WHEN:

- 1) The sewage disposal system servicing an existing facility malfunctions and / or
- 2) No practical alternative system can be installed for treatment and disposal of wastewater;
- 3) Conforms to the minimum lot size standards.

Policy for Dealing with Property Owners Building without a Permit:

When a property owner builds without a permit the following steps shall be taken:

- 1) The CAO shall notify the Planning Board Chairman that a property owner(s) is contravening the bylaw.
- 2) The CAO shall advise property owner(s) in writing that they are contravening the bylaw.
- 3) The CAO shall advise the council that a property owner(s) is contravening the bylaw.
- 4) The CAO shall hand deliver the letter to the property owner(s), if this cannot be done then the letter shall be sent by registered mail.
- 5) The CAO shall work with the property owner(s) in trying to ensure that they apply for a building permit.
- 6) The council shall deal with this matter at the next available meeting.
- 7) The council shall proceed with legal action if the matter cannot be resolved with the property owner(s).

Policy for the role of Council:

As outlined under Part VI of the Municipalities Act.

15. Every municipality shall have a council consisting of
 - (a) in the case of a town, a mayor and six councillors;
 - (b) in the case of a community, a chairman and not fewer than three or more than six councillors;
 - (c) elected in accordance with section 48 & 50.
- (1) In a resort municipality at least two of the councillors shall be persons who are not temporary residents as defined in clause 8.1.(1)(b).
- (2) The term of office of a mayor, chairman, or councillor is three years and they are eligible for re-election.
- (3) The council is the governing body of the municipality.
- (4) The qualifications for nomination and for holding office as a mayor, chairman, or councillor of a municipality are that the nominee is
 - (a) not less than eighteen years of age;
 - (b) a Canadian citizen; and
 - (c) resident for a period of one year proceeding the date of nomination.
- (4.1) Where a mayor, chairman or councillor ceases to be a resident in the municipality in which he holds office, he shall, within thirty days hereof, vacate his office.
- (5) The council shall take office on January 1 following their election or any such later date as may be approved by the Minister.
- (6) Notwithstanding subsection (1), where on November 1, 1983, a community had a council the composition of which was different

from that specified in subsection (1), that council as so composed may continue to act and shall be deemed for all purposes to be the validly constituted council of that community until a resolution, approved by the residents at an annual or special meeting, takes effect to reconstitute the council in accordance with that subsection. 1983,c.33,s.15;1990,c.36,s.2{eff.} June 16/90.

16. (1) the mayor or chairman is the chief executive officer of the council and shall preside at meetings of the council.
- (2) The mayor or chairman may appoint a councillor as deputy mayor or vice-chairman who shall, during any absence or illness of the mayor or chairman, exercise his functions. 1983,c.33,s.17;1990,c.36,s.3.
17. The council may by bylaw provide for payment to the mayor or chairman and to councillors of:
 - (a) annual salaries in such amounts as may be specified in the bylaw; and
 - (b) such additional amounts as may be specified in the bylaw as allowances for expenses incident to the discharge of their functions. 1983,c.33,s.17.
18. All agreements, contracts and deeds to which the council is a party and all bylaws made by the council shall be:
 - (a) sealed with the corporate seal of the municipality; and
 - (b) signed by the mayor or chairman and the CAO. 1983,c.33,s.19.
19. The council may, by bylaw, establish wards for the purposes of municipal elections and shall file a plan and description of each ward with the Minister. 1983,c.33,s.20.
20. The mayor or chairman and councillors shall before taking office take an oath of office in the form prescribed by the regulations. 1983, c.33, s.21.
21. (1) A council shall hold at least one meeting each year and by resolution fix the date, place and time of regular meetings and the council may hold special meetings at the call of the mayor or chairman and the mayor or chairman shall call a special meeting when so requested in writing by not less than half of the councillor for the time holding office.
- (2) The quorum at any council meeting is;
 - (a) the mayor or chairman or, in his absence, the deputy mayor or vice-chairman; and
 - (b) at least one-half of the councillors then holding office.
 - (3) No business shall be conducted at any meeting of a council unless a quorum is present.
 - (4) Meetings of council shall be open to the public;
 - (5) Each councillor has one vote.

- (6) The mayor or chairman shall vote on any matter before council only for the purpose of breaking a tie.
- (7) The office of mayor, or chairman or councillors shall be declared vacant upon a resolution of council to that effect if the holder of that office has missed three consecutive meetings of the council without just cause.
- (8) Where a member of council dies, resigns, or becomes disqualified to serve, his seat shall be deemed to be vacant and shall be declared by the council.

Committees:

22. (1) The mayor or chairman may appoint standing committees from among the members of the council for such purposes as he may determine.
 - (2) The council may by resolution appoint special committee, chaired by a council member, for any particular purpose which shall report to the council on the matter committed to them.
 - (3) The council may appoint residents to serve on the special committees referred to in subsection (2).
 - (4) Meetings of committees may be held behind closed doors.
 - (5) The council may by resolution meet as a committee of the whole.
 - (6) Standing committees, special committees, or committee of the whole may only report and make recommendations to the council.
 - (7) Subject to section 36 all decisions affecting the municipality shall be made by the council. 1983, c.33, s.23.
23. No member of council shall, subject to section 17, derive any profit or financial advantage from his position as a member of council and, where a member of council has any pecuniary interest in or is affected by any matter before the council, he shall declare his interest therein and abstain from voting and discussion thereon, 1983, c.33, s.24.

Approval of Minutes:

Any requests for minutes of the municipality shall not be provided to any government agency, property owners, visitors or business owners / operators until approved by the Council and signed by the Mayor.

CAO:

24. (1) Every council shall appoint an CAO who is not a member of council and who shall be the chief administrative officer of the council.
- (2) The council shall not dismiss the CAO except for just cause.
- (3) An CAO may be styled as the manager or clerk of the municipality.
- (4) The council shall notify the Minister of the name and address of the CAO. 1983, c.33, s.26.

25. A council may appoint such other municipal officers as are necessary for the provision of administrative and other services provided by the municipality. 1983, c.33, s.26.
26. (1) The CAO shall:
- (a) attend all meetings of the council and record in a book, without note or comment, all resolutions, decisions and proceedings of the council;
 - (b) keep the minute books, documents, and financial records of the council and maintain a register containing the originals of all the bylaws adopted by the council;
 - (c) be the custodian of the corporate seal of the municipality;
 - (d) notify all members of the council of meetings of the council;
 - (e) collect and receive all money of the municipality;
 - (f) open an account in the name of the municipality in a chartered bank or other financial institution approved by the council and deposit in that account all money received by him on account of the municipality;
 - (g) co-sign all cheques of the municipality with the mayor or chairman or his designate as soon as possible after the end of the fiscal year prepare a detailed statement of the finances of the municipality and submit it, when audited, to the council; and perform other such duties as the council assigns to him;
- the CAO may delegate his functions under subsection (1) 1983, c.33.s.27.

Policy for Conflict of Interest:

Conflict of Interest Guidelines for Council:

1. Definitions

- (1) Council means the council for the Resort Municipality.
- (2) Elector means a resident entitled to vote at a municipal election in the municipality.
- (3) An interest in common with electors generally means a pecuniary interest in common with electors within the area of jurisdiction of the municipality or, where the matter under consideration affects only part of that area, then an interest in common with the election with that part.
- (4) A local board means any board, commission, committee, body or local authority of any kind established to exercise or

exercising any power or authority under any general or special Art or bylaw with respect to any of the affairs or purposes of a municipality or parts thereof or of two or more municipalities or parts thereof, or to which a municipality or municipalities are required to provide funds;

- (5) A meeting means a regular or special or emergency meeting of a municipality or local board and any committee thereof, and includes informal as well as formal meetings;
- (6) A member means a member, in whatever capacity, of a council or a local board.

2. **Pecuniary Interest:**

A pecuniary interest may be defined as something which monetary (financially) affects yourself, your brother or sister, your spouse, children or parents or parents of your spouse that are known to you or which you reasonably should know (in other words your immediate family); a business in which you have any interest or your employer.

Specifically, pecuniary interest means an interest in a matter which could monetary affect;

- (1) you,
- (2) a corporation other than a distributing corporation, in which you are a shareholder, director or officer,
- (3) a distributing corporation in which you beneficially own voting shares carrying at least 10 percent of the voting rights attached to the voting shares of the corporation or of which you are a director or officer.
- (4) a partnership or firm of which you are a member, or
- (5) a corporation, partnership, firm, government, or person that employs you.

3. **Exceptions:**

There are a number of exceptions what have traditionally been used so that the guidelines may not be overly restrictive and that the affairs of the municipality and your functions as an elected representative will not be disrupted.

- (1) as an elector, taxpayer or utility customer of the municipality,
- (2) by reason of your appointment by the council as a director of a company incorporated for the purpose of carrying on business for and on behalf of the municipality or by reason of your being appointed as the representative of the council of any board, commission, committee or other body.

- (3) with respect to any allowance, honorarium, remuneration, or benefit to which you may be entitled by reason of being a member of the council or by reason of having been appointed by the council to a position described in clause (b).
- (4) by reason of your employment by the Government of Canada, the Government of P.E.I. or a federal or provincial Crown corporation or agency, except with respect to a matter directly affecting the department, corporation or agency of which you are an employee.
- (5) by reason of your being a member of a credit union, a cooperative or a non-profit organization formed under an Act of the Legislature or the Parliament of Canada, or a service club,
- (6) by reason of having an interest that is an interest in common with the majority of electors of the municipality or, if the matter affects only part of the municipality, with the majority of electors in that part, or,
- (7) by reason of an interest that is so remote or insignificant that it cannot reasonably be regarded as likely to influence you.

4. What to do:

Basically you should not take part in the decision making on any matter in which you have a pecuniary interest. The guidelines attempt to ensure that you are not discriminated either for or against by virtue of your membership on the council.

If you have a pecuniary interest:

- (1) you should disclose that you have an interest and its general nature,
- (2) you should abstain from any discussion, formally or informally, of the matter and from voting,
- (3) you should leave the room until the matter has been dealt with, and
- (4) you should make sure that your abstention is recorded in the minutes.

So for example, you might say Mr. Chairman, I am abstaining on this matter because I am a shareholder in the company. I am leaving the room and I ask that my abstention be recorded@.

If the matter is one of which you as an elector or property owner have a right to be heard by council - for example a land use variance, lane or street closure and so on- you should disclose your interest and abstain but you could remain in the room to be heard by the council in the same manner as any person who is not

a member of council. In this case you should follow the procedure required of any person to be placed on the list of delegations to be heard by the council. When the matter come up for a hearing, you might say AMr. Chairperson, I am abstaining from this matter because I own property affected. I asked that my abstention be recorded@.

You should then leave the council table and go to the area where the public sits. The chairperson should call you to make your presentation in the same manner as any other person. You should state your case, answer any questions that may be posed to you and then be seated for the remainder of the public hearing.

When council debates the matter it would be advisable to leave the room during the decision making process.

5. **Temporary Absence:**

On occasion you may be temporarily absent from a meeting when a matter in which you have an interest comes up for discussion. If so, upon returning to the meeting (or as soon after as you discover that the matter was discussed) you should disclose the general nature of your interest. Make sure you disclosure is noted in the minutes.

The purpose of this is so that a member of council cannot avoid disclosing an interest by simply leaving the meeting before the matter is discussed and returning after the discussion is complete. If some matter is discussed by the council while you are temporarily absent from a meeting, as soon after your return as you become aware of it, you should get the attention of the chair and say something like AMr. Chairman, during the absence a matter was discussed in which I have an interest. I am disclosing that I am an employee of the company and I ask that my disclosure be recorded in the minutes@.

6. **All Meetings:**

The disclosure and abstention rules should apply to every meeting of council and any of its committees. They should also apply to you at a meeting of any board, committee or agency to which you are appointed as a representative of the council. In other words, any time that you are acting as a councillor, the disclosure and abstention rules apply to you.

As for leaving the room, you should remove yourself in all cases except a public meeting and you may even wish to do so at that time.

It is important to remember to ask the secretary at any of these meetings to record you abstention and to check that it is actually included in the minutes.

7. **Remember:**

- (1) You should not vote on a matter in which you have a pecuniary interest. You are in conflict even if you vote against your interest.
- (2) You should not discuss even informally with fellow councillors any matter in which you have a pecuniary interest.

- (3) Ask to have your abstention recorded in the minutes and check the minutes to see that it actually has been recorded.
- (4) The rules apply to all meetings of your council and its committees and at the meeting of any board, commission, committee or agency to which you are appointed as a representative of council.
- (5) If you are in doubt as to whether you have a pecuniary interest, get a letter from your own solicitor giving advice to you.

These rules are intended to protect the public interest while ensuring that as far as possible, you do not become a second class citizen by virtue of your election to your council.

In order that the public interest not only is served but appears to be served, it is important that you be open and honest about your dealings with the municipality.

Be fair to yourself, your electors, your municipality, keeping your private interests IN HARMONY with the public interest.

Policy for dealing with issues amongst Councillors and staff:

The Council, Committee and staff member have to respect each other as they have their own views and opinions on a matter and there are going to be arguments and disagreements on a matter. Each Councillor, committee and staff member ultimately has to respect the right to the other person's opinion. It will not be the policy of Council to allow for any form of personal remarks to be made at, in or around meetings from one Council, Committee or staff member to another Council, Committee or staff member as it will not be tolerated.

When dealing with complaints about issues from the Council, Committee or staff member, the person shall do so by advising the Chair. The Chair will then meet with the individual that is causing the concern or issue to see if it can be resolved. If the issue cannot be resolved, then the matter shall be taken to the Council for further review to determine what if any action shall be taken.

Policy for borrowing of books from the municipal office:

The policy for borrowing of books from the office will be that a minimum \$20.00 deposit will be taken or double the amount of the cost of the book when it is borrowed from the office and will be returned when the books are received back at the office in good condition.

Policy for Business Licensing:

Business Licensing is dealt with under the municipal bylaws through the zoning regulations for each of the properties, as well as through the temporary / transient use bylaw.

Policy for moving of buildings into the municipality:

When a building is proposed to be located / moved into the municipality, the following steps shall be completed prior to the structure being located / moved onto a property:

- 1) a building permit shall be obtained from the municipality to move / locate the structure onto a property;

- 2) a moving permit shall be obtained from the Department of Community Services and the Island Regulatory and Appeals Commission where required prior to a structure being moved onto the highway and into the municipality;
- 3) the time frame in which a structure being moved / located into the municipality has to meet all of the requirements as set out in the bylaw shall be determined by the Council having jurisdiction;
- 4) a development agreement shall be drawn up between the Resort Municipality and the developer proposing to locate / move the structure into the municipality to ensure that all requirements that have been set out in the development agreement are met;
- 5) a performance bond shall be placed by the developer with the municipality to ensure that all requirements that have been set out in the development agreement have been met;
- 6) if all of the requirements of the development agreement are not in conformity with this bylaw and the conditions as they have been set out in the policy manual for the Resort Municipality, then any person who violates any provision of the policy is guilty of an offence and is liable on summary convictions as well as the performance bond that has been posted will be payable to the Resort Municipality to ensure that the land / structure is completed as per the conditions that had been set out in the development agreement;