



WEST HANTS REGIONAL MUNICIPALITY REPORT

Information ☐	Recommendation ☒	Decision Request ☐	Councillor Activity ☐
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To: Mayor Zebian and Members of Council

Submitted by: Anne Bishop and Domenic Padula, Co-Chairs of the Diverse, Equitable and Inclusive Communities Committee

Date: January 27, 2026

Subject: Proposed Amendments to the Peace and Good Order Bylaw RCOPG-001

LEGISLATIVE AUTHORITY

Municipal Government Act, Section 172 (1) A council may make by-laws, for municipal purposes, respecting (d) nuisances, activities, and things that, in the opinion of the council, may be or may cause nuisances, including noise, weeds, burning, odours, fumes and vibrations, and without limiting the generality of the foregoing, by-laws;

- (i) prescribing a distance beyond which noise shall not be audible,
- (ii) distinguishing between one type of noise and another,
- (iii) providing that any noise or sound greater than a specific decibel level or other measurement of noise or sound is prohibited,
- (iv) prescribing the hours during which certain noises, or all noise above a certain level, specified in the by-law is prohibited,
- (v) authorizing the granting of exemptions in such cases as the by-law provides,
- (vi) providing that it is an offence to engage in any activity that unreasonably disturbs or tends to disturb the peace and tranquility of neighborhoods.

Municipal Government Act, Section 24 (2) Each committee shall perform the duties conferred on it by this Act, any other Act of the Legislature or the by-laws or policies of the municipality.

WHRM Meeting and Committee Procedural Policy RCOGE-003.00, Section 17.1. The Council of the Municipality may establish Committees of Council for various matters.

WHRM Meeting and Committee Procedural Policy RCOGE-003.00, Section 17.2. Committees of Council are advisory in purpose and may only make recommendations to Council for final approval and action, unless otherwise enabled under this Policy or by Provincial Legislation.

RECOMMENDATION or DECISION REQUEST

After consideration of the information presented in this report, the recommended motion is:

THAT COUNCIL APPROVE THE PROPOSED AMENDMENTS TO THE PEACE AND GOOD ORDER BYLAW RCOPG-001 AS PRESENTED IN ATTACHMENT “A” OF THE REPORT PRESENTED AT THE JANUARY 27, 2026 COUNCIL MEETING AND DIRECT STAFF TO IMPLEMENT THE CHANGES TO THE DRAFT BYLAW FOR CONSIDERATION AT THE PUBLIC HEARING SCHEDULED FOR FEBRUARY 24, 2026.

BACKGROUND

Property ☐	Public Opinion ☐	Environment ☐	Social ☐	Economic ☐	Councillor Activity ☐
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The Public Hearing and Second Reading for the proposed Peace and Good Order Bylaw RCOPG-001 was scheduled to occur at the November 25, 2025 Council meeting. At that meeting the following motion was made:

“MOVED BY COUNCILLORS IVEY AND LEARY-PINCH THAT COUNCIL PAUSE THE PEACE AND GOOD ORDER BY-LAW RCOPG-001 PUBLIC HEARING TO ALLOW APPROPRIATE REVIEW WITH THE DIVERSE, EQUITABLE AND INCLUSIVE COMMUNITIES COMMITTEE. MOTION CARRIED.
Nays: Zebian”

This action essentially paused the public hearing process and sent the draft bylaw to the Diverse, Equitable and Inclusive Communities committee for review and consultation to put the DEI lens on it.

DISCUSSION

The proposed Peace and Good Order Bylaw has been a recurring topic of discussion for the Diverse, Equitable, and Inclusive Communities Committee and has generated thoughtful, and at times passionate, dialogue. Committee members consistently raised concerns about the potential for the bylaw to be applied in a way that could disproportionately impact marginalized residents.

Following the motion approved at the November 25, 2025 Council meeting, the Diverse, Equitable, and Inclusive Communities Committee met on January 8, 2026 to review and discuss the draft bylaw. Copies of the most recent version of the draft bylaw were provided to Committee members in advance, and a summary of previous meeting discussions and minutes was shared to ensure a common understanding and refreshed context.

The Committee identified its primary concern was the potential for the bylaw to be used in ways that disproportionately target marginalized groups, particularly individuals experiencing homelessness or living with mental illness. Concerns were also raised about the possibility of policing behaviours within private residences.

Following a detailed review and discussion of the draft bylaw, the Committee proposed several amendments (see Attachment A). Under the Definitions section, it was recommended that the word “often” be removed from Section 3.0(g) relating to loitering. The Prohibitions and Interpretations section was discussed at length, with Committee members noting that some language appeared vague or open to interpretation in ways that could lead to unintended or harmful outcomes. It was recommended that clearer, more consistent wording be used throughout the document, particularly where legal definitions already exist. The Committee further suggested that some provisions be removed entirely, as they may already be addressed through other legislation and could be unnecessary or potentially contradictory.

With respect to Penalties and Enforcement, the Committee recommended a proportional response framework that includes options similar to restorative justice options. Members noted that some individuals may lack the financial means to pay fines or may have limited control over their actions due to mental illness or substance-related episodes. The Committee emphasized that context is critical in enforcement, as is the relationship between the community and responding officers. It was noted that the bylaw should be written to ensure consistent protection and discretion regardless of whether enforcement is carried out by officers with local knowledge or those new to the community.

In the Exemptions section, the Committee recommended that Section 6.7 be amended to explicitly include the use of firearms for legitimate agricultural purposes, such as dispatching predators threatening livestock. This clarification was suggested in recognition that many farms existed within current Growth Centres prior to their designation.

Additional recommendations included the introduction of a guiding principle clarifying that the bylaw is not intended to punish mental illness or homelessness, nor to inhibit lawful assembly or protest.

Adopting the proposed amendments will strengthen the Peace and Good Order Bylaw by improving clarity, consistency, and fairness in its application, while reducing the risk of unintended or disproportionate impacts on marginalized residents. The recommended changes respond directly to concerns raised by the Diverse, Equitable, and Inclusive Communities Committee and reflect a commitment to equity, transparency, and sound, evidence-based decision-making. Clarifying definitions, refining prohibitions, and aligning enforcement provisions with proportional and restorative approaches will support consistent interpretation, enhance public trust, and reduce ambiguity for enforcement officers. The amendments also help ensure the bylaw complements existing legislation, respects lawful activities, and is applied in a manner that balances community safety with compassion, accountability, and respect for individual rights.

NEXT STEPS

1. If supported, staff will amend the draft Peace and Good Order By-Law RCOPG-001 as directed for consideration at the Public Hearing scheduled for February 24, 2026.

FINANCIAL IMPLICATIONS

There are no financial costs associated with this recommendation.

ALTERNATIVES

Option 1: Status Quo (No Change)

Option 2: Provide alternative direction or request additional changes to the proposed amendments

ATTACHMENTS

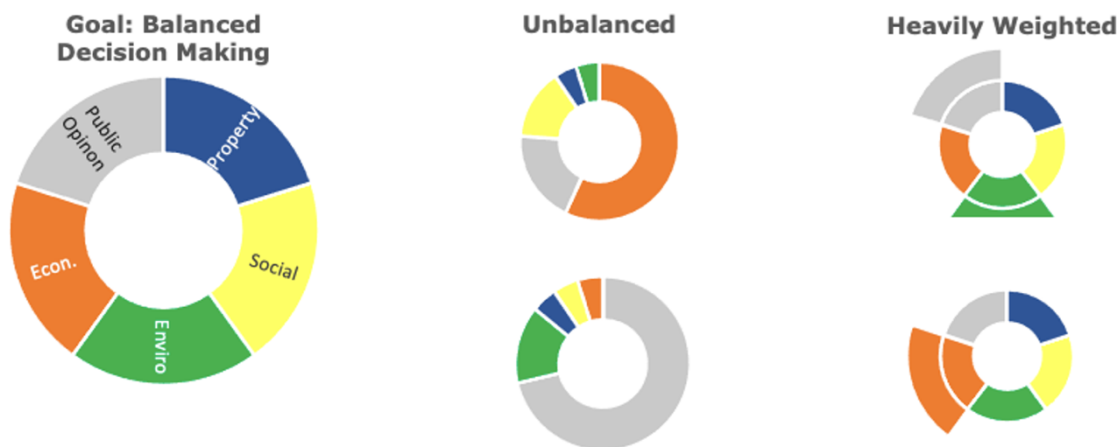
Attachment A - Draft Peace and Good Order By-Law RCOPG-001

CHIEF ADMINISTRATIVE OFFICER REVIEW

The report outlines some of the discussion at the DEICC meeting. Further, the draft version of the bylaw represents the position of the committee as requested by Council.

Staff await Council's position on the matter.

Council has been provided with a reference taken from the Meeting and Committee Procedural Policy , Appendix C "Decision Making by Council and Committee of the Whole" as a reminder of the principles highlighted for good decision making.



Report Prepared by: _____

Deanna Snair, Municipal Clerk

Report Reviewed by: _____

Deanna Snair, Municipal Clerk

Report Approved by:  _____

Mark Phillips, Chief Administrative Officer

LEGISLATIVE AUTHORITY

Municipal Government Act, Section 172 (1)(a), (b), and (d) provides municipalities with the power to make bylaws respecting the health, wellbeing, safety and protection of persons, the safety and protection of property and activities that may cause nuisances including burning, odours and fumes.

1.0 TITLE

This by-law will be known as the “Peace and Good Order By-law”.

2.0 PURPOSE

The purpose of this by-law is to regulate excessive or unnecessary noise, profane, obscene, lewd, racial or discriminatory language and destructive or violent behaviour that make public spaces uncomfortable and unsafe for others who are present.

3.0 GUIDELINES

This by-law is not intended to punish anyone who suffers from mental illness or who does not have access to private space. Rather, it is intended to work in concert with efforts to find appropriate supports for those who require them;

It is intended to be enforced with responses proportionate to the disturbance and threat to safety involved for everyone in the situation;

It is not intended to prohibit lawful expression, assembly or protest.

4.0 DEFINITIONS

- (a) “CAO” means the Chief Administrative Officer of West Hants Regional Municipality;
- (b) “Council” means the Council of West Hants Regional Municipality;
- (c) “Municipality” means the West Hants Regional Municipality;
- (d) “Noise” means any unwanted sound that doesn’t happen in a natural environment and can include sounds coming from people, machinery, equipment, residential and commercial properties, as well as industrial places.
- (e) “Growth Centres” means a geographic area that has been identified as having the potential for economic growth and development. For this purpose, the communities of Three Mile Plains, Windsor, Falmouth and Hantsport are identified as Growths Centres.
- (f) “Rural Areas” means a geographic area located outside an identified growth

centre.

- (g) “Disorderly conduct” means any behaviour(s) that disrupts the peace and quiet of a public area, or that offends public decency.

5.0 SCOPE

This By-law applies to the Municipality in its entirety.

6.0 PROHIBITIONS AND INTERPREATTIONS

No person(s) shall use profane, obscene, lewd, racial or discriminatory language or behave in a lewd or obscene manner in a public place or at any public gathering or meeting in any store, shop, house or building.

No person(s) shall publish, or post on public property any profane, obscene, lewd, racial or discriminatory drawings, pictures, poster, placards or writing on public property within the municipality.

No person(s) shall defecate or urinate in public.

No person(s) shall challenge anyone to fight, nor use abusive or provoking language, taunting or threatening gestures towards any person without lawful excuse.

No person(s) shall encourage any animals to fight in any public place within the municipality.

No person(s) shall fire any gun, air rifle or other firearm of any kind in the growth centres, unless that person is a peace officer doing so in the lawful exercise of the duty of the peace officer; or hunt with a weapon of any type or description within the municipality without a license to hunt.

No person(s) shall without lawful authority wantonly or willfully meddle or interfere with or desecrate, disfigure, destroy, damage any gravestone, tomb, vault or any railing or curbing on a lot or plot for the burying of the dead in any cemetery or burial ground within the municipality, nor take away, destroy or damage any flower plant or shrub of any kind growing, placed or being upon or around any grave, tomb, or vault or in any lot in any such cemetery or burial ground.

No person(s) shall encourage any animals to fight in any public place within the municipality.



7.0 EXEMPTIONS

- 7.1 Emergency response personnel engaged in emergency response duties, including operation of comfort centres and emergency shelters with generators;
- 7.2 Emission of sound in connection with any organized traditional, festive, or religious activity;
- 7.3 Emission of sound in connection with calls to worship, ringing of bells at places of religious worship, or services of religious worship;
- 7.4 Noises in connection with organized athletic or recreational activities in municipal, school, public park areas, arenas, or community centres and halls;
- 7.5 Noise caused by the Municipality, Government of Canada, Province of Nova Scotia, Nova Scotia Power Corporation, and/or telecommunication companies and their contractors and employees when acting in the reasonable execution of their duties;
- 7.6 Any noise emitted from, or associated with, any Industrial operation permitted by the relevant land use by-law; and
- 7.7 *Any noise generated by agricultural practices which are protected by the Nova Scotia Farm Act 2000, c3, s1, An Act to Protect Farmers Engaged in Normal Farm Practices from Being Sued in Nuisance or Negligence."*
<https://nslegislature.ca/sites/default/files/legc/statutes/farmprac.htm>

8.0 PENALTIES AND ENFORCEMENT

This by-law may be enforced by a Municipal By Law Enforcement Officer or a police officer. Any person who fails to comply with any of the provisions of this By-law shall be liable on summary conviction to a penalty of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1000.00), and in default of payment imprisonment for a period of not less than ten (10) days nor more than sixty (60) days. *Whenever possible, a process similar to restorative justice practices shall replace a fine and/or imprisonment.*

9.0 EFFECTIVE DATE

This By-law shall come into full force and effect on the date it is passed.

I, (Municipal Clerk Name), Municipal Clerk of the West Hants Regional Municipality, the Province of Nova Scotia, do hereby certify that this is a true copy of the By-law as adopted by the Council of the West Hants Regional Municipality at a meeting duly called and held on the ____ day of ____ (month), ____ (year).



WEST HANTS REGIONAL MUNICIPALITY
PEACE AND GOOD ORDER BY-LAW

RCOPG-001

(Signature of Municipal Clerk)

(Typed name of Municipal Clerk)

By-law Adoption	
First Reading:	
Notice Published:	
Second Reading & Approval	
Final Publication	
Notice to Municipal Affairs	
Description:	