

**ASSOCIATION OF
NOVA SCOTIA LAND SURVEYORS**

**SURVEY REVIEW
DEPARTMENT**

**MANUAL
OF
ADMINISTRATIVE PROCEDURES**



Approved by Council December 13, 2002

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NOTE: Sections of this manual shown in bold lettering are taken verbatim from Part IV of the regulations.

1 DEFINITIONS

- (a) “Act” means the Land Surveyors Act.
- (b) **“Administrative procedures” means procedures established by Council pursuant to [sub]section 92(2) of these regulations.**
- (c) “Association” means the Association of Nova Scotia Land Surveyors.
- (d) “By-Laws” means the By-Laws of the Association of Nova Scotia Land Surveyors as approved from time to time by the members of the Association.
- (e) **“Comprehensive review” means the review procedure mentioned in section 97 of these Regulations.**
- (f) “Cursory review” means the review procedure mentioned in Section 9.1 of the Manual of Administrative Procedures for the Survey Review Department.
- (g) **“Plan” means a certified plan of survey which defines or redefines the nature, location and extent of boundaries of real property and, without limiting the generality of the foregoing, includes plans of retracement survey, final plans of subdivision as defined in the Municipal Government Act, and any plan or report prepared in accordance with the Act, regulations or by-laws in effect from time to time.**
- (h) “Record” means a full copy of the plan of survey or the surveyor’s location certificate.
- (i) “Regulations” means the Regulations enacted under the Land Surveyors Act.
- (j) **“Sticker” means a partly transparent adhesive sticker obtained from the Survey Review Department for the purposes mentioned in [sub]section 94(2) of these regulations.** The use of preprinted or CAD generated sticker images are also acceptable.
- (k) **“Survey” means professional land surveying as defined in the Act.**
- (l) **“Survey Review Department” (SRD) means an administrative department of the Association established pursuant to [sub]section 92(1) of these regulations.**
- (m) **“Surveyor’s location certificate” (SLC) means a surveyor’s location certificate as defined in Part VII of these regulations.**
- (n) **“Systematic review” means the review procedure mentioned in Section 96 of these regulations.**

2 AIMS AND OBJECTIVES

2.1 The Survey Review Department has been established as a means of furthering the objects of the Association as set out in the Nova Scotia Land Surveyors Act, S.N.S. 1977, C.13, s. 1.

2.2 Act 3(4) Objects of the Association are to

 (a) establish and maintain standards of

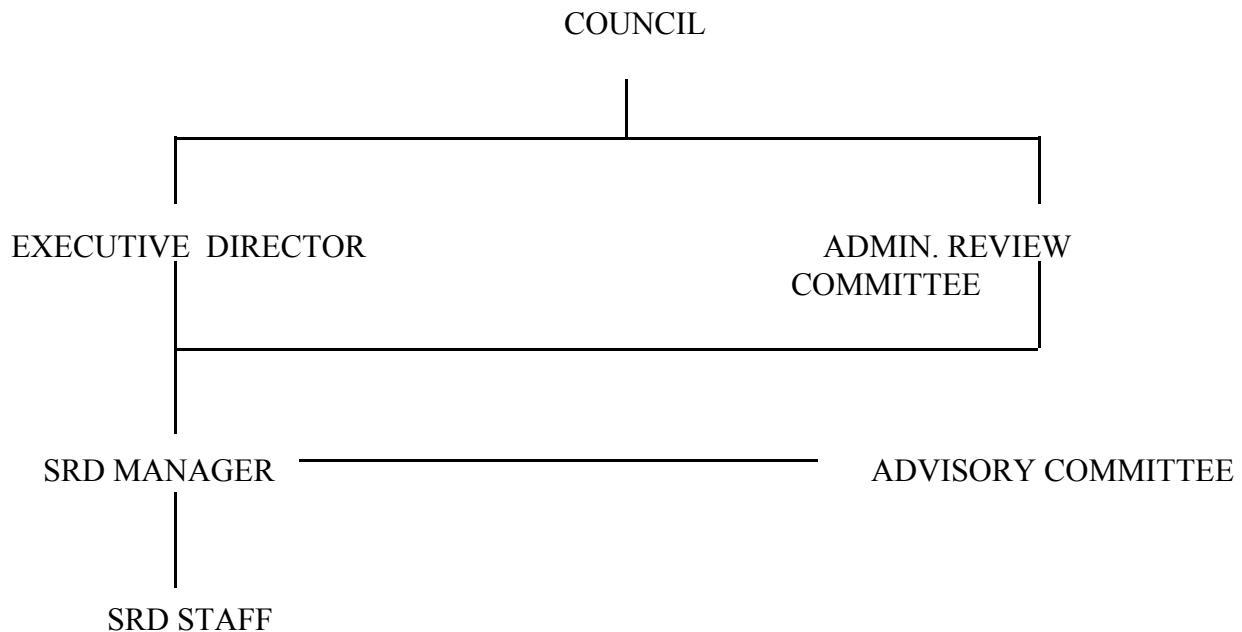
 (i) professional ethics among its members, student members and holders of a certificate of authorization, in order that the public interest may be served and protected, and

 (ii) knowledge and skill among its members, student members and holders of a certificate of authorization; and

 (b) to regulate the practice of professional land surveying and to govern the profession in accordance with this Act, the regulations and the by-laws

2.3 The objective of the Survey Review Department is to promote and maintain high standards of surveying through practice assistance and continuing education.

3 SRD ADMINISTRATIVE FLOW CHART



4 TERMS OF REFERENCE

- 4.1 **The Council may establish a Survey Review Department consisting of such number of staff of the Association as it deems necessary to perform the duties outlined herein. Reg. 92 (1)**
- 4.2 **The Council may from time to time establish such administrative procedures as it deems necessary for the effective administration of the Survey Review Department. Reg. 92 (2)**
- 4.3 **The administrative procedures shall be printed in a Manual of Administrative Procedures, a copy of which shall be supplied to each member. Reg. 92 (3)**
- 4.4 **These regulations shall come into force on, from and after the 1st day of January, 1990. Reg. 103**
- 4.5 **The Survey Review Department shall monitor the quality of survey plans, surveyor's location certificates and survey practices of all members of the Association and perform such other duties as may be required from time to time by the Council. (Subsection 93(1) amended: O.I.C. 97-239, N.S. Reg. 41/97.) In its monitoring process, the Survey Review Department shall consider all applicable legislation, including, but not limited to, the Nova Scotia Land Surveyors Act and regulations made pursuant thereto, and any accepted survey practice guidelines and standards from time to time in effect for practising land surveyors. Reg. 93 (2)**
- 4.6 **The Survey Review Department shall, in accordance with the administrative procedures, maintain a file for each member which contains plans and surveyor's location certificates prepared by the member. Subsection 94(1) amended: O.I.C. 97-239, N.S. Reg. 41/97.**
- 4.7 **The Survey Review Department may conduct a systematic review or a comprehensive review in accordance with these regulations for each member. Subsection 95 amended: O.I.C. 97-239, N.S. Reg. 41/97.**
- 4.8 SRD will advise members, by way of a written report, of areas of compliance or non-compliance, with respect to particular sections of the Land Surveyors Act, Regulations or By-laws noted during the reviews.
- 4.9 (i) **SRD may recommend appropriate additional training to a member. (Reg. 98)**
- (ii) SRD may recommend to Council and the Continuing Education Committee areas of practice revealed by the Department's reviews which might be subjects for continuing education programs.
- 4.10 SRD may refer to the Complaints Committee by way of a formal written complaint: (i) apparent instances of lack of co-operation with the Department. (ii) frequent material non-conformity or repeated apparent disregard and violation of the Act and the Regulations made thereunder and the By-Laws, guidelines, standards or practices as approved and accepted from time to time by the members of the Association.

- 4.11 SRD will prepare statistical reports and budgetary recommendations for Council with respect to the Survey Review Department.
- 4.12 SRD will adhere to the Manual of Administrative Procedures as approved by Council.

5 SURVEY REVIEW ADVISORY COMMITTEE

- 5.1 Council shall appoint a Survey Review Advisory Committee which shall be comprised of not less than three members. The members of the Committee may elect one from among them to serve as Chairman if necessary. (By-law 18.1) At least two members of this committee shall be representative of members in private practice.
- 5.2 The function of the Committee shall be to offer advice and assistance to the Survey Review Department with respect to practice issues and surveying standards. (By-law 18.2)
- 5.3 The Survey Review Advisory Committee shall also serve as ombudsman to members who may feel they have been treated unfairly by the Survey Review Department.

6 ADMINISTRATIVE PROCEDURES

Plan Stickers, Surveyor's Location Certificate Numbers

- 6.1 **A Survey Review Department sticker shall, in accordance with the administrative procedures, be affixed on all original plans and surveyor's location certificates "certified" by a member in such a fashion that the sticker is legible on all copies of the plan or surveyor's location certificate produced from the original. Subsection 94(2) amended: O.I.C. 97-239, N.S. Reg. 41/97.**
 - (a) For plans, "certified" means in accordance with Regulation 64 (1).
 - (b) For surveyor's location certificates, "certified" means in accordance with the various forms of certification in Part VII of the Regulations.
 - (c) Surveyor's location certificates prepared in accordance with Part VII of the Regulations shall display an identifier number in the lower right corner of the SLC.
 - (d) In the case where a surveyor's location certificate is created as an addendum to a survey plan (Regulation 141), the SLC identifier number shall be displayed adjacent to the Survey Review Department sticker. It is also recommended that the certification required by Regulation 141, be placed in this general area of the plan, if space permits.
- 6.2 Plans exempt from these regulations may include but not be limited to: condominium strata plans, tentative plans of subdivision, topographic plans and any plans that are not certified in accordance with regulation 64 (1).
- 6.3 SRD plan stickers and surveyor's location certificate numbers are available on request from the Survey Review Department. The fee for plan stickers and surveyor's location certificate numbers is set by Council and reviewed from time to time to reflect the actual cost of running the Survey Review Department. The fee is subject to HST.

- 6.4 Members who choose to generate the SRD plan sticker image using computer aided drafting methods will be issued numbers only.
- 6.5 When a plan or surveyor's location certificate receives a minor revision it will not require a new SRD plan sticker or surveyor's location certificate number. However, if the modification to the plan is such that the subject matter of the plan or surveyor's location certificate is changed, ie. new lots added or boundaries altered, or if there is a change in ownership, then a new sticker or surveyor's location certificate number is required.
- 6.6 Unused plan stickers (or CAD numbers) and surveyor's location certificate numbers remain the property of the Survey Review Department and are to be returned to the Survey Review Department on request. Members are to report damaged or lost plan stickers, in writing to SRD. It is the responsibility of SRD to account for every number issued.

7 RECORDS

- 7.1 **A record of all plans and surveyor's location certificates certified by a member shall, in accordance with the administrative procedures, be submitted to the Survey Review Department within 30 calendar days of signing, or in the case of plans of subdivision, within 30 days of final approval under the Municipal Government Act. Subsection 94(3) amended: O.I.C. 97-239, N.S. Reg. 41/97.** Copies of plans of subdivision may be submitted to SRD prior to receiving final approval under the Municipal Government Act. "Record" means a full copy of the plan of survey or the surveyor's location certificate.
- 7.2 If a member has assigned a plan sticker number to a plan which has been involved in an approval process for an extended period of time, or which is in a "dormant" stage for whatever reason, the member is to advise SRD in writing of plans not submitted for these reasons so this can be noted on their record sheet.

8 FILING

- 8.1 **The Survey Review Department shall record the date of receipt of any record or plan or surveyor's location certificate submitted pursuant to subsection (3) or (4) (of the regulations) or any plan received from the Registry of Deeds. Subsection 94(5) amended: O.I.C. 97-239, N.S. Reg. 41/97.**
- 8.2 **The Survey Review Department shall file any record or plan or surveyor's location certificate received under the name of the member who certified it. Subsection 94(6) amended: O.I.C. 97-239, N.S. Reg. 41/97.**
- 8.3 Each file will contain the 10 most recent plans or surveyor's location certificates which have been the subject of systematic, comprehensive or field reviews and the subsequent reports and correspondence pertaining to these reviews, together with copies of previous SRD reports and correspondence.
- 8.4 **The Survey Review Department may keep on file any record or plan or surveyor's location certificate as provided in the administrative procedures and may destroy**

any record or plan or surveyor's location certificate not required to be kept on file.
Subsection 94(7) amended: O.I.C. 97-239, N.S. Reg. 41/97.

- 8.5 Unless otherwise instructed by a member, the SRD will store copies of the member's plans or surveyor's location certificates for possible use in a future association database. The SRD will maintain a list of members who do not want their plans or surveyor's location certificates used in a future association data base.
- 8.6 The SRD will honour any special written instructions from members with regard to the return or destruction of plans or surveyor's location certificates.

9 REVIEW PROCESS

Cursory Review

- 9.1 All plans and surveyor's location certificates submitted to the Survey Review Department are subject to a minimal cursory review. This review is limited to the visual checking of the plan or surveyor's location certificate for obvious omissions and violations of the regulations (i.e. the general presentation and appearance of the plan/SLC including, but not limited to, title block, north arrow, legend, SRD or SLC number, plan/certification date). The cursory review may result in the plan or SLC being submitted to a systematic review. Observations from cursory reviews of plans or surveyor's location certificates may be made to the surveyor in the form of general comments.
- 9.2 **The Survey Review Department may conduct a systematic review or a comprehensive review in accordance with these regulations.** Section 95 amended: O.I.C. 97-239, N.S. Reg. 41/97.

Systematic Review

- 9.3 **The systematic review shall consist of the review and examination of a minimum of one plan or surveyor's location certificate per member in each calendar year.** Section 96 (1) amended: O.I.C. 97-239, N.S. Reg. 41/97.
- 9.4 In addition to the aforementioned regulation 96(1), SRD may select additional plans or surveyor's location certificates for systematic review. These will be selected at random from the plans or surveyor's location certificates on file. The Survey Review Department may also conduct reviews of plans or surveyor's location certificates referred to the SRD from other sources.
- 9.5 **A written report shall be prepared for each plan or surveyor's location certificate reviewed and a copy of the report forwarded forthwith to the member whose plan or surveyor's location certificate was the subject of the review.** Section 96 (3) amended: O.I.C. 97-239, N.S. Reg. 41/97. A copy of the report will be kept on file in the department. Observations from cursory reviews of other plans or surveyor's location certificates may be made in the form of comments and included in the report resulting from a systematic review.

- 9.6 Where the review indicates instances of non-conformity, the Department may request a response from the member addressing any particular item or items of non-conformity mentioned in the report.
- 9.7 Members are required to respond in writing to any SRD requests within 14 calendar days of having received the request.
- 9.8 **As part of the systematic review, the Survey Review Department may conduct field inspections with respect to any plan or surveyor's location certificate under review and may request supporting information from a member. Section 96 (2) amended: O.I.C. 97-239, N.S. Reg. 41/97.**
- 9.9 **If the systematic review, in the judgement of the Survey Review Department, indicates material non-conformity with respect to any legislation, guidelines or standards mentioned in [sub]section 93 (2) (of the Regulations), the Survey Review Department shall review other plans or surveyor's location certificates prepared by the member. Section 96 (4) amended: O.I.C. 97-239, N.S. Reg. 41/97.**
- 9.10 **If the review performed under subsection 96(4) (of the Regulations) discloses, in the judgement of the Survey Review Department, non-conformity or material non-conformity of such a nature as to render any survey ineffective, the Survey Review Department shall conduct a comprehensive review of that member. Section 96 (5) amended: O.I.C. 97-239, N.S. Reg. 41/97.**

Comprehensive Reviews

- 9.11 **A comprehensive review shall consist of a review and examination by the Survey Review Department of any plan or surveyor's location certificate certified by a member which is on file in the Survey Review Department together with a review of any other plans or surveyor's location certificates selected by the Survey Review Department. Section 97 (1) amended: O.I.C. 97-239, N.S. Reg. 41/97.**
- 9.12 **The Survey Review Department shall by written notice notify a member that it is conducting a comprehensive review. Section 97 (2) amended: O.I.C. 97-239, N.S. Reg. 41/97.**
- 9.13 **The Survey Review Department may request in writing that a member supply additional information with respect to any plan or surveyor's location certificate or work under review. Section 97 (4) amended: O.I.C. 97-239, N.S. Reg. 41/97. and the member shall submit any information requested under subsection 97(4) (of the Regulations) within 14 calendar days of the receipt of the request. Reg. 97 (5)**
- 9.14 **As part of a comprehensive review, the Survey Review Department may conduct a field inspection with respect to any plan or surveyor's location certificate under review and, upon reasonable notice, may interview a member at the member's normal place of business. Section 97 (3) amended: O.I.C. 97-239, N.S. Reg. 41/97.**
- 9.15 **During a comprehensive review, the Survey Review Department shall review and**

examine the survey practices of the member to determine whether there is material non-conformity with respect to any legislation, standards, guidelines or practices mentioned in [sub]section 93(2) (of the Regulations). Section 97 (6) amended: O.I.C. 97-239, N.S. Reg. 41/97.

- 9.16 Upon completion of a comprehensive review, the member will receive a written report from the Survey Review Department indicating its findings and recommendations. The member is required to acknowledge receipt of the report, in writing, within 14 calendar days. The report will outline any areas of non-conformity with respect to any legislation, standards, guidelines or practices, **Reg. 97 (7)**. The Survey Review Department will perform future reviews to monitor the member's improvement in compliance with the reported non-conformities.
- 9.17 If the comprehensive review identifies areas of concern which, although conforming to legislation, standards, guidelines or practices, require improvement, the Survey Review Department will forward its findings and suggestions for improvements of these areas of concern.
- 9.18 **Subject to Section 98 (of the Regulations), if a comprehensive review discloses, in the judgement of the Survey Review Department, material non-conformity or repeated apparent disregard for legislation, standards, guidelines or practices, the comprehensive review may be forwarded to the Complaints Committee for their consideration. Subsection 97 (8) amended: O.I.C. 97-239, N.S. Reg. 41/97.**
- 9.19 **Notwithstanding [sub]section 97(8) (of the Regulations), the Survey Review Department may recommend to the member that the member complete appropriate additional training. Reg. 98**

10 DUTY TO COOPERATE

- 10.1 **It is the duty of every member to fully cooperate with the Survey Review Department. Reg. 99 (1)**
- 10.2 It is the duty of all members to submit copies of their plans and surveyor's location certificates to the Survey Review Department within the time limits imposed by regulation 94(3). A disregard for regulation 94(3) may be viewed as a "failure to respond" [Reg. 2(f)] and may become grounds for an official complaint to be lodged with the Complaints Committee.
- 10.3 It is the duty of all members to keep their financial accounts with the Survey Review Department in good standing. Any account which remains unpaid for a period of three months after the date upon which it became due will be referred to the Executive Director in accordance with Section 12(3) & (4) of the Act.
- 10.4 SRD may require pre-payment of plan stickers or surveyor's location certificate numbers from any member who has a demonstrated history of allowing their SRD account to be in arrears.

- 10.5 SRD may establish a policy restricting the number of plan stickers or surveyor's location certificate numbers to any member whose submissions are significantly in arrears.
- 10.6 If, in the opinion of the Survey Review Department, a certified plan of survey or a surveyor's location certificate should be amended to more fully comply with the Regulations, the member shall either
- i) submit an amended plan or surveyor's location certificate or
 - ii) file an appeal with the SRD Advisory committee
- within four weeks of having been notified.
- 10.7 **If a member fails to co-operate with the Survey Review Department during or otherwise with respect to a systematic review, a comprehensive review or recommended training, the Survey Review Department shall report that lack of cooperation to the Complaints Committee for their consideration. Section 99 (2) amended: O.I.C. 97-239, N.S. Reg. 41/97.**

REVIEW NOT A WARRANTY

- 11 **A review by the Survey Review Department of any plan certified or work conducted by a member shall not be construed to warrant in any way to any member or any person the accuracy or correctness of the plan or work. Reg. 100**

CONFIDENTIALITY

- 12 **Except as herein provided, the Survey Review Department shall keep confidential information with respect to any systematic or comprehensive review. Section 101 amended: O.I.C. 97-239, N.S. Reg. 41/97. This confidentiality will also include cursory reviews.**

BUSINESS RECORDS

- 13 **The Survey Review Department may not request and a member need not provide to the Survey Review Department any business or financial information. Section 102 amended: O.I.C. 94-679, N.S. Reg. 136/94.**

APPENDIX “A” QUALITY CONTROL CHECK SHEET

Response times: A copy of the plan or surveyor’s location certificate must be received by SRD within 30 days of signing or within 30 days of having received final approval in the case of subdivision plans. Reg. 94(3)

Appearance: Use of black ink. Reg. 46(1); Neat and clear. Reg. 47; Equal to the quality of mechanical lettering Reg. 48; Proper border, 10 mm Reg. 53

Boundaries distinguished: Heavier line weight for boundaries under survey. Reg. 49;

Acceptable scale/size: Use of an accepted scale ratio. See Reg. 51; Use of inserts when needed to show detail. Reg. 52; Plan size to conform to standard sizes. Reg. 54

Plan orientation: North towards the top of plan. Reg. 55; Arrow or symbol accurately plotted. Reg. 58; Lettering to read from the right or bottom of plan. Reg. 56.

Title block: Placed in lower right corner. Reg. 62; Proper heading. Reg. 62(a); Name of owner. Reg. 62(b); Location of parcel under survey (street, municipality, province, highway, etc). Reg. 62(c); Name of Surveyor or firm. Reg. 62(d)(i); Date of plan. Reg. 62(e); Scale of plan. Reg. 62(f).

Adequate legend: Description of bearing system used, how derived, meridian used and date. Reg. 57(a); Explanation of symbols and abbreviations used. Reg. 57(b); Bearings and distances measured or adjusted and type of adjustment. Reg. 18 and 57(c); Scale factor if applicable. Reg. 57(d); Date of field work. Reg. 57(e).

Location map: Appropriate scale. Same orientation as diagram. Reg. 59; Is it helpful and informative?

Tie to control: The angular relationship of two control monuments used. Reg. 60(j); Two angular ties to permanent visible points when using magnetic reference in accordance with Reg. 19(a)(b).

Bearings/azimuth/dist: A bearing or azimuth and a distance shall be given for each course of the survey. The length and radius of curves are to be shown together with radial bearings or chord information for non-tangential curves. There must be sufficient information to permit the calculation of a closure in accordance with. Reg. 17. Reg. 61(1); Boundaries shall be accurately plotted. Reg. 60(a)

Streets/ROW's/easements: Show all streets, ROW's and easements and state the perpendicular widths. Reg. 60(b)(c).

Buildings/encroachments: Perpendicular distances shall be shown to all buildings

within 3 metres of either side of any boundary under survey. Reg. 60(d); All apparent encroachments are to be shown. Reg. 60(m).

All monuments: The location and type of each monument using proper symbols. Reg. 36 and 60(e). Found monuments are to be fully described ie: surveyor's name or number or survey firm logo together with an explanation in the legend of to whom the number or symbol refers. Reg. 40

Identity of Property owners: Names or identifiers of owners and adjoiners. Reg. 60(f) Reference to documentary evidence ie: registry references Reg. 60(n).

Natural boundary/watercourse: Plotted to acceptable accuracy. Reg. 60(g). Names and direction of flow of all watercourses that intersect boundaries. Reg. 60(h). Reference to OHWM Reg. 23.

All relevant evidence: Show all relevant evidence used in the determination of the boundaries. Fences, walls, blazes, monuments, hedges etc. Reg 39, 40 and 60(i). Show any discrepancies with previous surveys. Reg. 25; Show reference to all available pertinent documentary evidence for the lands being surveyed and for the adjoining lands. Reg.13 and 60(n). Show cross references to the diagram if using a tabular format for plan or registry references. Prepare a report if necessary. Reg. 67.

Area of property: Stated within 0.04% of total or nearest sq. metre or foot except when dealing with irregular boundaries in which case use +/- . Reg. 60(l)

Surveyor's certificate: To be shown on plan in the form prescribed by regulation 64(1).
(Or in the case of a surveyor's location certificate in the form prescribed by regulation 138(2)(b).

Surveyor's stamp: Shown on plan in a form approved by council. Reg. 64(2)

Revisions identified: All revisions identified, dated and initialled. Reg.66

Surveyor's location certificate - Addendum to survey plan : If a surveyor's location certificate is incorporated on a plan of survey, the addendum will include all sections of regulation 137 which are not already incorporated on the plan and which are applicable (i.e. "Certified to __", date of field survey for surveyor's location certificate, etc.) The certification in the form prescribed in Regulation 141 must also be added to the plan.

NOTE: The above check list has been prepared for use by the Survey Review Department and is subject to change. It is not to be considered complete nor is it to be used as a substitute for the regulations as provided by the Nova Scotia Land Surveyors Act.