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**Halifax Regional Council  
Committee of the Whole  
April 6, 2004**

**TO:** Mayor Kelly and Members of Halifax Regional Council

**SUBMITTED BY:**

A handwritten signature in black ink, appearing to read "Brad Anguish", written over a horizontal line. The signature is stylized and cursive.

Brad Anguish, Director, Environmental Management Services

**DATE:** March 31, 2004

**SUBJECT:** By-Law Services - "Next Steps"

## INFORMATION REPORT

### ORIGIN

Request for a report on the By-Law Rationalization Working Group and By-Law Services, arising from the March 17, 2003 Committee of the Whole 2003-2004 Budget Discussions.

### BACKGROUND

During the above mentioned Committee of the Whole meeting, Regional Council requested a comprehensive report be presented to Council relative to By-Law Rationalization, staffing (cross functional versus specialists), alternate costing methods (not only increase in fines and fees), and service delivery with By-Law Services. This report will delineate the components that are required in providing a comprehensive by-law service through the implementation of the proposed By-Law Integration Project.

## DISCUSSION

### **By-Law Rationalization Initiative**

The By-Law Rationalization Working Group has representatives from ten business units including the RCMP that are collectively responsible for the delivery of by-law services within the municipality. Land Use By-Laws were not included within the mandate of this initiative.

Through the By-Law Rationalization Initiative opportunities were identified to improve the delivery of By-Law Services. These opportunities were determined using the following guiding principles:

- a) "get the fit right" for the elements of By-Law Services;
- b) have staff with related activities in a similar work environment to improve customer service;
- c) break down the barriers and eliminate disconnects in the business processes of By-Law Services; and
- d) provide opportunities to increase the efficiency and effectiveness of By-Law Services.

The working group determined there are five key elements to a by-law as follows:

- a) **Policy** - formulation of policy recommendations to Regional Council, drafting of amendments, and interpretation of policy and intent of the by-law;
- b) **Enforcement** - control and co-ordination of the processes and procedures used to achieve compliance with the by-law;
- c) **Administration** - administrative related functions of the by-law, including: the preparation and distribution of correspondence, maintenance of files, scheduling of public hearings, communication, public education, receipt of payments and financial transactions;
- d) **Licensing and Permitting** - granting permission to engage in an activity as deemed by the by-law; and
- e) **Remedy** - correcting the situation if there is non compliance of the by-law.

The initial mandate of the working group was to determine which business units were responsible for the aforementioned key elements of each by-law and ordinance. Matrices (attached as Appendix A) were completed to identify the Business Unit leads for the elements of each by-law.

In addition, Administrative Order 32 (attached as Appendix B) was created to provide:

- a) procedures for writing consistent by-laws for Regional Council consideration;
- b) a criteria for the By-Law Rationalization Working Group to follow when reviewing proposed new and amended by-laws;
- c) a review of appropriate compliance measures;
- d) a clear understanding of all the elements (policy, enforcement, administration, licensing and remedy) of the by-law and what responsibilities the respective business units will inherit when the by-law is approved by Regional Council; and
- e) approval of the By-Law Rationalization Working Group before the proposed by-law proceeds to Regional Council.

The current mandate of the Working Group is to review new by-laws and amendments to by-laws according to Administrative Order 32 and provide assistance to Policy Leads when developing new by-laws.

In addition, the By-Law Rationalization Working Group has repealed 30 redundant by-laws and facilitated the development of four new by-laws which have been approved by Regional Council. Currently, there are 117 by-laws remaining. An additional 30 by-laws from former municipal units will be repealed through the development of approximately 4 new HRM by-laws addressing the following issues: commercial use of public land, automated machines, prohibited animals, and general nuisance issues.

### **Staffing (Cross functional versus Specialist)**

The trend in Canadian Municipalities is to centralize “low level” enforcement of by-laws, such as has been accomplished within the Bylaw Enforcement Section of Environmental Management Services. Specialized enforcement areas such as Building Code, Fire Code and Engineering Services have not been centralized as these departments oversee the respective services and are the “subject matter experts”. Specialized enforcement will be integrated with “low level” enforcement through the Bylaw Integration Project (discussed later in the report) to create a seamless bylaw service within HRM.

### Effective Compliance Measures

A supplementary working group of the By-Law Rationalization Working Group consisting of Legal Services, Financial Services, Police Services and Environment Management Services reviewed the penalties and remedies for all by-laws. Recommendations were developed to strengthen the effectiveness of by-laws. Actions undertaken regarding changes for compliance measures included:

- a) An amendment to the Dangerous & Unsightly Legislation, Part XV, Section 348(3) of the Municipal Government Act, which will expedite orders to remedy instead of waiting 30 days.
- b) Amendments to several by-laws to invoke Sections 503(1) and 507 of the Municipal Government Act, which allows the HRM to lien property owners for remedy costs incurred by the municipality to complete the remedy of by-law violations.
- c) The use of by-law tickets compared to Summary Offence Tickets (SOT) was reviewed by the By-Law Rationalization Working group. It was agreed to discontinue the use of By-Law tickets as there was no tracking system and the penalty was a voluntary payment.

The Working Group decided SOTs would be a more effective approach as there is an existing process through the Province including tickets, fine collections and arraignment process. Staff of Community Projects have taken the lead to implement a corporate approach to issuing Summary Offense Tickets (SOT's) for violations of HRM By-Laws.

Staff received confirmation in early March 2004 from the Province that provisions of the following by-laws have been included in the Summary Proceedings Act:

- C-300 Civic Addressing
- M-100 Standards for Residential Occupancy
- O-103 Open Air Burning
- P-800 Pesticides, Herbicides and Insecticides
- S-203 Smoke Free Places
- S-700 Swimming Pools
- W-101 Waste Water Discharge

Provisions of the following by-laws are currently being reviewed by the Province to be included in the Summary Proceedings Act:

- A-200 Automatic Machines
- B-600 Blasting
- S-600 Solid Waste

A complete list of by-laws with the ability to be enforced using SOT's is attached as Appendix C.

Community Projects in conjunction with Halifax Regional Police and Legal Services is developing a comprehensive training package which will address the needs of enforcement officers and administrators of each Business Unit that will be issuing SOT's. In addition, Shared Services Information Technology Systems division is developing a database system for tracking SOT's. The current dates scheduled for the three day training sessions are: **April 21-23, May 19-21, May 26-28 and June 8-10**. Other training dates will be identified as required. We anticipate staff to commence issuing SOT's for by-law violations shortly after the training has been completed.

### Service Delivery

The matrices in Appendix A identify the complexity of HRM's By-Law Service which currently includes 117 by-laws each containing up to five elements that are executed across ten business units.

The delivery of an effective and efficient By-Law Service is broader than the enforcement element. It is important that appropriate consideration be given to all the elements. The success of the By-Law Service includes:

- a) development of strong, clear **policies** in consultation with business unit leads;
- b) effective **administration** processes;
- c) reliable **permitting/licensing**;
- d) clearly defined **enforcement** strategies;
- e) appropriate and timely **remedies**.

There is a need to establish a collective approach for delivering By-Law Services, hence, the concept of a By-Law Integration project is being introduced to achieve this end. A commitment to a cultural change is required regarding the way By-law Services are delivered within the HRM. The By-Law Integration Project has identified several deliverables to aid this process including education and communication strategies for each by-law. Providing a single corporate approach supported by integrated information technology will significantly enhance service delivery over the current approach.

### By-Law Integration Project

The purpose of the By-Law Integration Project is to establish a comprehensive By-Law Service, which reaches across 10 Business Units and provides co-ordinated business processes and information technology to support those processes. The end goal is to provide high quality service delivery in a seamless fashion. The By-Law Integration Project aligns with the Integrated City Initiative by integrating and optimizing by-law processes, technology, and information within HRM

The fiscal year 2004/2005 will see the initiation, planning, and beginning of a By-Law Services re-engineering and integration effort. The Project Scope and Charter have not been finalized; however, it is anticipated that the full project will complete within two years. The full effort will result in the following:

- a. By-law business processes that are documented and well understood;
- b. An understanding of customer complaint volumes from all sources;
- c. Defined roles and responsibilities for Tier 1 support with the Corporate Call Centre;
- d. Defined contacts for Tier 2 support for all by-laws;
- e. Improved Hansen Customer Service problem code definitions;
- f. Service Level Agreements between Business Units and service providers;
- g. Standard response targets for by-law complaints;
- h. Question and Answer material entered into a knowledgebase application;
- i. Financial Analysis, Education Strategy, Enforcement Strategy, and a Communication/Stewardship Strategy for each by-law;
- j. Roll out of the Hansen Customer Service Module to all Business Units involved in By-law Services (currently, Environmental Management Services is the only Business Unit which utilizes this module for tracking incoming service requests relative to By-law Services);
- k. Roll out of the Hansen Code Enforcement Module to all Business Units involved in By-law Services;
- l. Defined performance reporting; and
- m. Phase out of all redundant bylaw-related systems/software/databases (a chart of known systems that require review is attached as Appendix D).

Business units required to participate in the project to ensure success have already committed resources as follows:

<b>Business Unit</b>	<b>Representatives</b>
Environmental Management Services	Kelly Hunt, Community Projects Stephen King, Strategic and Sustainable Resource Management Jim Bauld, Solid Waste Resources John Sibbald, Charles Lloyd, Environmental Services
Financial Services	Catherine Sanderson, David Cormier, Peta Jane Temple
Fire Services	Paul Hopkins, Barry Manuel, Steve Thurber
Halifax Regional Police	Superintendent Mike Bell
Legal Services	Wayne Anstey
Planning and Development Services	Steve Higgins *Time commitment does not include role as Land Use By-Law Process Lead
Public Works and Transportation	Liz Kingston, Larry Drew, Phil Francis, Dave Hubley, Ken Reashor
Real Property and Asset Management	Rudy Vodicka, Brian Phalen, Denis Huck, Gary Musolino
Shared Services	Donna Davis, Nancie Dort, Jane Young
RCMP	Cst. Al Seaward

It is intended that Land Use By-laws will also leverage from the Integration Project and the Hansen technology.

### **BUDGET IMPLICATIONS**

There are no budget implications as a result of this report.

### **FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

**ALTERNATIVES**

Maintain the Status Quo with By-Law Service Delivery.

**ATTACHMENTS**

Appendix A:	By-Law Matrices
Appendix B:	Administrative Order 32, Respecting the Procedures for Developing By-Laws For Consideration by Regional Council
Appendix C:	By-Laws with the ability to be enforced using SOT's
Appendix D:	Current Bylaw-Related Technology Systems in HRM

Additional copies of this report, and information on its status, can be obtained by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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Approved by:	Allan Waye, General Manager, Community Projects, EMS	490-6484



**APPENDIX A:**

**BY-LAW MATRICES**

(P) - Policy, (A) - Administration, (E) - Enforcement, (L/P) - Licensing/Permitting,  
(R) - Remedy

Halifax Regional Municipality By-Laws

Business Unit -->	Enviro. Mgmt.	Financial Services	Fire and Emergency	Legal Services	Planning & Dev.	Public Works & Trans.	Real Prop. Asset Mgmt.	S
<b>By-Law A-100</b> - Respecting License and Permit Appeals				P, A				
<b>By-Law A-200</b> - Respecting Automatic Machines	E	P,R						
<b>By-Law B-200</b> - Repeal of Provisions of Building By-Laws					P, A			
<b>By-Law B-201</b> - Respecting the Building Code					P, A, E, L/P			
<b>By-Law B-400</b> - Alarms		P,A, E, L/P	E					
<b>By-Law B-500</b> - Building Service Connections					P, A, E, L/P	P, A		
<b>By-Law B-600</b> - Blasting					P, A, E, L/P, R			
<b>By-Law C-200</b> - Cemeteries		A					P, A, E, L/P	
<b>By-Law C-300</b> - Respecting Civic Addressing		A						I
<b>By-Law D-100</b> - Dogs	P, A, E, L/P	A					P - Off leash park areas,A	
<b>By-Law D-200</b> - Respecting Deed Transfer Tax		P, A, E						
<b>By-Law E-100</b> - Emergency Measures			E					
<b>By-Law E-200</b> - Encroachments		A, L-renewal			P, A, E, L/P, R	P, A, E, L/P, R		
<b>By-Law F-100</b> - Fire Prevention			P, A, E, L/P					
<b>By-Law F-200</b> - Respecting Fees for Permits & Licenses		A		P				
<b>By-Law H-100</b> - Civic Holiday				P				
<b>By-Law H-200</b> - Heritage Property (Tourism - Policy Lead)					A, E, L/P			
<b>By-Law H-400</b> - Respecting Marketing Levy (Tourism -								

Business Unit -->	Enviro. Mgmt.	Financial Services	Fire and Emergency	Legal Services	Planning & Dev.	Public Works & Trans.	Real Prop. Asset Mgmt.	S
P, E)								
<b>By-Law L-100</b> - Local Improvements	A	P, A, E						
<b>By-Law L-200</b> - C&D Materials Recycling and Disposal License	P, A, E, L/P, R	A	E - fire code					
<b>By-Law L-300</b> - Respecting Lot Grading And Drainage					P, A, E, L/P			
<b>By-Law M-100</b> - Respecting Standards For Residential Occupancies	R	A	A, E		P, A, L/P			
<b>By-Law N-200</b> - Noise	P, A,E							
<b>By-Law P-100</b> - Police Board								
<b>By-Law P-300 - 304</b> - Dart. Employees Pension Amendments		P- Pension Comm.						
<b>By-Law P-400</b> - Plumbing					P, A, E, L/P			
<b>By-Law P-500</b> - Parking Meter		A, E				P, A		
<b>By-Law P-600</b> - Municipal Parks							P, A, E, L/P	
<b>By-Law P-800</b> - Pesticides, Herbicides and Insecticides	P, A, E, L/P							
<b>By-Law P-900</b> - Respecting an Amendment to the Former Residential Parking Permits Ordinance						P		
<b>By-Law P-1000</b> - Respecting On-Street Parking Exemptions and Permits						P		
<b>By-Law R-100</b> - By-Law and Ordinance Repeal				P, A				
<b>By-Law R-200</b> - Road Improvements Charges (Greenwood/Maplewood Sub.)		A, E				P, E		
<b>By-Law S-100</b> - Sewer Charges		A, R			A	P, A		
<b>By-Law S-203</b> - Smoke Free	A, E		A, E		P			

Business Unit -->	Enviro. Mgmt.	Financial Services	Fire and Emergency	Legal Services	Planning & Dev.	Public Works & Trans.	Real Prop. Asset Mgmt.	Shared Services	Police Services	RCMP
Places										
<b>By-Law S-300 - Part 1 - Snow and Ice Removal</b>	A, E, R	A				P, A		A		
<b>By-Law S-300 - Part 2 - Use of sidewalks</b>	E					P, A, E		A		
<b>By-Law S-300 - Part 3 - Utility permits</b>					E, L/P	P, A, E, L/P		A		
<b>By-Law S-300 - Part 4 - Street services</b>					E, L/P (dev apps)	P, A, E, L/P, R		A		
<b>By-Law S-300 - Part 5 - Driveway access</b>					E, L/P (dev apps)	P, A, E, L/P, R		A		
<b>By-Law S-400 - Street Improvements</b>		P, A, E, R				P, A, E		A		
<b>By-Law S-600 - Solid Waste Collection &amp; Disposal</b>	P, A, E	A						A	E - afterhours	E - afterhours
<b>By-Law S-700 - Respecting Swimming Pools</b>					P, A, E, L/P					
<b>By-Law T-100 - Respecting Regional Taxi and Limousine Committee</b>	P, A, E			A						
<b>By-Law T-108 - Taxi and Limousine Licensing</b>	P, A, E, L/P, R							A		
<b>By-Law T-200 - Tax Exemptions</b>		P, A, E						A		
<b>By-Law T-300 - Tax Deferrals</b>		P, A, E								
<b>By-Law T-400 - Truck Routes</b>		A				P, A			E	E

Business Unit -->	Enviro. Mgmt.	Financial Services	Fire and Emergency	Legal Services	Planning & Dev.	Public Works & Trans.	Real Prop. Asset Mgmt.	Shared Services	Police Services	RCMP
By-Law T-500 - Tax Collection		P, A, E								
By-Law T-600 - Trees on Public Lands							P, A, E, L/P, R			
By-Law W-101 - Wastewater Discharge	P, A, E	A, E								
Land Use By-Laws					P, A, E, L/P					

Former City of Halifax By-Laws

Business Unit -->	Enviro. Mgmt.	Financial Services	Fire and Emergency	Legal Services	Planning & Dev.	Public Works & Trans.	Real Prop. Asset Mgmt.	Shared Services	Regional Police	RCMP
Ordinance 10 - Commons							P, A, E			
Ordinance 10A - Grande Parade (Licensing - Real Estate)		E					P, A			
Ordinance 17 - Junk Dealers									A	
Ordinance 19 - Bill posters and Posting	E - identify violation				P, A	E				
Ordinance 40 - Quarrying and Excavating					P, A, E, L/P					
Ordinance 43 - Pawn Brokers						P			A	
Ordinance 51 - Smoke Abatement and other					P, A, E, L/P					

Business Unit -->	Enviro. Mgmt.	Financial Services	Fire and Emergency	Legal Services	Planning & Dev.	Public Works & Trans.	Real Prop. Asset Mgmt.	Shared Services	Regional Police	RCMP
Atmospheric Pollutants										
<b>Ordinance 54</b> - Going-out of Business Sales		A								
<b>Ordinance 126</b> - Train Whistles	P, A, E									
<b>Ordinance 140</b> - Reservation of Land in Subdivisions for Public Parks					P, A, E					
<b>Ordinance 142</b> - Streams and Drains	P, A, E									
<b>Ordinance 143</b> - Mobile Home Parks	E				P, A, L/P					
<b>Ordinance 146</b> - Auctioneers								A	P	
<b>Ordinance 149</b> - Petty Trades										
<b>Ordinance 150</b> - City Market				A		P, E				
<b>Ordinance 158</b> - Lakes							P, A		E	
<b>Ordinance 159</b> - Guns and Firearms *Federal Licensing									P, A, E	
<b>Ordinance 166</b> - Signs					P, A, E, L/P					
<b>Ordinance 173</b> - Granville Mall						E	P, A, E, L/P		E	
<b>Ordinance 178</b> - PSC Tax Exemption		P, A								

Business Unit -->	Enviro. Mgmt.	Financial Services	Fire and Emergency	Legal Services	Planning & Dev.	Public Works & Trans.	Real Prop. Asset Mgmt.	Shared Services	Regional Police	RCMP
<b>Ordinance 180 - Part 6</b> - Abatement of nuisance on streets						P, E			E	
<b>Ordinance 180 - Part 7</b> - Street Vendors	E	A	E			P, A		A, L/P	E	
<b>Ordinance 180 - Part 8</b> - Newspaper boxes						P, A, E, L/P				
<b>Ordinance 184</b> - Reptiles (Animal Control)	P, A, E									

Former City of Dartmouth By-Laws

Business Unit -->	Enviro. Mgmt.	Financial Services	Legal Services	Planning & Dev.	Public Works	Real Prop. Asset Mgmt.	Shared Services	Regional Police
<b>By-Law A-300</b> - Air Guns and Rifles *Federal Licensing								P, A, E
<b>By-Law A-501</b> - Respecting Licensing of Persons maintaining automatic machines, games tables, vending machines and mechanical rides (as amended by A-502)	E	P					A	
<b>By-Law E-300</b> - Reptiles and Arachnids (Animal Control)	P, A, E						L/P	
<b>By-Law F-300</b> - Firearms *Federal Licensing								P, A, E, L/P
<b>By-Law J-101</b> - Junk Dealers								

Business Unit -->	Enviro. Mgmt.	Financial Services	Legal Services	Planning & Dev.	Public Works	Real Prop. Asset Mgmt.	Shared Services	Regional Police
By-Law L-100 - Lakes						P, A, E, L/P		
By-Law L-400 - Littering	P, E				A, E			E
By-Law L-600 - Loitering					A			P, E
By-Law M-200 - Mobile Homes and Parks	E			P, A, L/P				
By-Law M-300 - Movement of Buildings				P, A, E				
By-Law N-300 - Respect to the Abatement of Nuisances								P, A, E
By-Law P-100 - Respecting the Preservation of Lands for Parks, Playgrounds and Public Purposes				P				
By-Law P-300 - Penalties		A, E	P, A, E					
By-Law Q-100 - Respecting Quarrying and Excavating				P, A, E, L/P	A			
By-Law S-200 - Respecting unauthorized Persons in School Buildings or Upon School Grounds			P					E
By-Law S-400 - Sewer Rates	A, E	P, A						
By-Law S-800 - Signs		A		P, A, E, L/P	E			
By-Law S-1100 - Snow Mobiles						P - As relates to lakes		E
By-Law T-700 - Transient Traders								P
By-Law V-100 - Vending	E						P, A, L/P	
By-Law W-100 - Respect to Obstruction of Water Flow	A, E	P						
By-Law W-201 - Waterfowl						P, A		

Former Town of Bedford

Business Unit -->	Enviro. Mgmt.	Financial Services	Planning & Dev.	Public Works & Trans.	Shared Services	Regional Police
By-Law 15100 - Trade and Licensing		P			A, L/P	
By-Law 22104 - Loitering						P, A, E
By-Law 22141 - Discharge of Firearms *Federal Licensing						P, A, E
By-Law 22931 - Exotic Pets (Animal Control)	P, A, E					
By-Law 23290 - Grade Alteration			P, A, E, L/P			
By-Law 24236 - Recovery of Capital Costs - Water and Sewer		P, A, E		E		
By-Law Respecting Street Closure				P		

Former Halifax Regional County By-Laws

Business Unit -->	Enviro. Mgmt.	Financial Services	Legal Services	Planning & Dev.	Public Works	Real Prop. Asset Mgmt.	Shared Services	RCMP
By-Law 01 - Interpretation			P, A, E					
By-Law 08 - Part 4 - Loitering								P, A, E
By-Law 08 - Part 5 - Air Guns & Sling Shots								P, A, E
By-Law 08 - Part 6 - Firearms *Federal Licensing								P, A, E
By-Law 08 - Part 7 - Animals	P, A, E							
By-Law 08 - Part 8 - Pigsties	P, A, E							
By-Law 08 - Part 9 - Speed Boats						P- Related to lakes, A, E		E



Business Unit -->	Enviro. Mgmt.	Financial Services	Legal Services	Planning & Dev.	Public Works	Real Prop. Asset Mgmt.	Shared Services	RCMP
By-Law 08 - Part 11 - Pawn Brokers								P, E
By-Law 12 - The Regulation of Animals	P, A, E							
By-Law 15 - Trades and Licensing		P					A, L/P	
By-Law 16 - Penalties			P, A, E					
By-Law 28 - 1977 Special Sewer Tax		P, A						
By-Law 29 - Mobile Home Parks	E			P, A, L/P				
By-Law 35 - Planned Unit Development				P, A, E				
By-Law 39 - Loitering			P					P, A, E
By-Law 40 - Topsoil				P, A, E L/P				
By-Law 41 - Excavation				P, A, E L/P				
By-Law 47 - Anti-Dumping	P, A, E							E
By-Law 48 - Halifax County Water Utility Tax Exemption		P, A						
By-Law 55 - BLT Sewer Tax		P, A, E			E			
By-Law 62 - Warden's Retiring Allowance		P, A						
By-Law 63 - Animal Defecation (Animal Control)	P, A, E	A						
By-Law 70 - Lot Grading & Drainage		A		P, A, E, L/P				
By-Law 71 - Respecting Road Improvement Taxes		P, A			A		A	

(P) - Policy, (A) - Administration, (E) - Enforcement, (L/P) - Licensing/Permitting, (R) - Remedy

## **APPENDIX B - ADMINISTRATIVE ORDER NUMBER 32**

### **ADMINISTRATIVE ORDER NUMBER 32** Respecting the Procedures For Developing By-Laws For Consideration By Regional Council

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality as follows:

#### **Short Title**

1. This Administrative Order may be cited as Administrative Order Number Thirty-two, the By-law Development Administrative Order.

#### **Purpose**

2. (1) The purpose of this Administrative Order is to create a coordinated framework to expedite consistent by-law writing, consultation, approval process, referencing, storing and accessing and to ensure that all business units are aware of the responsibilities they will have in respect of a By-law before it is introduced before Regional Council.
- (2) Subject to Section 3, the procedure in this Administrative Order applies to all by-laws including by-laws developed to amend existing by-laws.

#### **Exception**

3. This Administrative Order does not apply to planning documents adopted pursuant to Part VII (Planning and Development) and Part IX (Subdivision) of the Municipal Government Act.

#### **By-Law Rationalization Working Group**

4. The By-Law Rationalization Working Group is hereby created and shall be made up of a staff member appointed by each of the following business units:
  - a) Financial Services
  - b) Shared Services
  - c) Legal Services
  - d) Fire & Emergency Services

- e) Halifax Regional Police
- f) RCMP
- g) Environmental Management Services
- h) Planning & Development Services
- I) Public Works & Transportation
- j) Real Property & Asset Management
- k) CAO's Office

and shall be supported by staff of Community Projects.

### **Initiation of By-law**

5. By-laws may be initiated in one of three ways:

- a) Member of Council
- b) Advisory Committees to Council, by means of a recommendation from the Committee which is sent to staff for a report and ultimately considered at a Regional Council meeting
- c) Staff, by means of a staff report to Regional Council.

### **Writing of By-laws**

6. (1) By-laws are written by staff of the originating/lead business units.

(2) The template for drafting by-laws is attached as Schedule "A". Fonts on all bylaws must be consistent (Arial 12).

(3) The originating business unit shall contact the Manager of Legal Services, who shall assign a solicitor to assist with the by-law drafting and approvals process. Legal Services will assign a by-law number which must be used on all documents.

(4) The originating business unit will consult with all affected business units throughout the process, and without restricting the generality of the foregoing shall consult with

(a) Financial Services to address any financial considerations; and

(b) All business units which will be involved in the licensing, administration, remedy and enforcement of the By-law to ensure the by-law is enforceable and shall circulate the draft by-law to all those affected for comment.

(5) The originating business unit will consult with any Committees of Council with a stake in the By-law.

(6) The originating business unit will consult with any External Stakeholder groups where appropriate. Methods of consultation with external stakeholders may vary and is at the discretion of the originating business unit.

(7) Where applicable, the originating business unit shall prepare an amendment to Administrative Order Number 15, the License, Permits and Processing Fees Administrative Order.

(8) A by-law implementation template will be approved by the By-law Rationalization Working Group and used in the By-Law Rationalization review process. This table is designed to help staff determine the outcome of a by-law and how it will be implemented. The template is intended as a guide and some indicators may not be relevant to each individual by-law. This template may be amended from time to time by the By-law Rationalization Working Group as more experience is gained in completing the template.

Completing the template is the responsibility of the originating business unit. The template may be obtained from staff of Community Projects.

(9) When the originating business unit has completed the draft by-law and amendment to Administrative Order 15, it shall forward the documents to Legal Services for final review, noting a date at which time a response is required from Legal Services, which date shall not be less than 10 business days from the time the By-law is received by Legal Services. Legal Services shall immediately advise the originating business unit if the target date cannot be met and shall provide the business unit with a date on which the

review will be completed. Upon completion of the review of the documents on or before the agreed date, Legal Services shall provide the originating business unit with a list of deficiencies, or if there are no deficiencies, shall stamp the By-law and Administrative Order amendments “approved as to form” and return them to the originating business unit.

(10) When the By-law and the Administrative Order 15 amendments have been approved as to form by Legal Services, the originating business unit shall forward the documents along with the draft staff report and completed by-law implementation template to the By-Law Rationalization Working Group for review and no By-law shall proceed to Regional Council with a recommendation for adoption until the By-law Rationalization Group has reviewed the By-law and approved its proceeding to Regional Council for adoption.

### **Approval In Principle By Regional Council**

7. (1) After the By-Law and Administrative Order 15 amendments have been approved by the By-law Rationalization Group, the originating business unit shall forward the staff report, draft by-law and Administrative Order 15 amendments to Regional Council. This report is to give Council an opportunity for discussion prior to the Notice of Motion. The staff report and attachments **must be received by the Clerk’s Office by Thursday noon prior to Tuesday’s Council meeting**. If the draft by-law is approved in principle by Regional Council, at a later point in the meeting, a member of Regional Council may give a notice of motion for first reading of the by-law.

(2) Any amendments to by-laws as a result of debate/discussion at Council will be made by the originating business unit in consultation with all affected business units and Legal Services. The Clerk’s Office will provide information to confirm Council’s action. After approval as to form by Legal Services, the amendments shall be forwarded to the By-law Rationalization Group for review and approval in accordance with Section 6(10).

(3) The originating business unit shall then prepare a supplementary report, if necessary, and accompanying by-law (with amendments if any) and forwards to Council for First Reading. The amendment(s) and supplementary report are submitted to the Clerk’s Office as per subsection (1) for inclusion on a Council agenda.

### **Approval Process**

8. The Municipal Clerk’s Office is responsible, with support from the originating business unit and Legal Services, for coordinating the approvals and advertising process once the by-law and accompanying report is submitted to Council. The steps below outline the process and time frames involved. **All by-laws require a Notice of Motion and Two Readings:**

#### **i) Notice of Motion**

Pursuant to Section 48 (1) of the Municipal Government Act, a member of Council serves Notice of Motion at a regular meeting of Council. The originating business unit prepares the Notice of Motion and arranges for introduction by a member of Council, in consultation with the Clerk’s office.

#### **j) First Reading**

The following week, upon submission of the proposed by-law and supporting staff report, Council gives First Reading to the by-law.

#### **k) Second Reading (Public Hearing ) and Advertisement**

At least 14 days prior to the Council meeting where Second Reading is intended to be given, public notification of such intent is placed in the local newspaper and the HRM Internet site. The advertisement must state the object of the by-law, the date of the Council meeting and the location(s) where the proposed by-law may be inspected or a copy obtained. The table below illustrates the time line for the approval process of by-laws.

Week 1 Notice of Motion

Week 2 First Reading - **Tuesday**

Advertise Second Reading/public hearing - **Saturday**

Week 5 Second Reading/Public Hearing (*following the **minimum 14 day advertising requirement***)

A Notice of Motion to amend the Licence, Permit and Processing Fees Administrative Order, if necessary, should be given at the same meeting where Second Reading is given. The proposed amendment to the Administrative Order would be included on the Council Agenda the following week for approval. The preparation of any amendments to a By-law arising as a result of the Public Hearing shall be processed using the procedure set out in this Administrative Order.

**l) Signage, advertisement and effective date**

Once approved by Council -

i The originating business unit forwards the complete electronic version (including schedules and maps) of the by-law to the Municipal Clerk's Office;

ii Copies of the by-law are signed by the Mayor and Municipal Clerk and notification of the approved by-law is advertised in the newspaper and on the HRM Internet site;

iii Instances where Ministerial approval is required, the Clerk's office will forward two certified copies of the by-law to the appropriate Provincial department;

iv Once this approval has been received, notification of the approved bylaw is advertised and placed on the HRM Internet site, and pursuant to Section 169 of the Municipal Government Act, the Clerk also files a certified copy of the by-law with the Minister of Service Nova Scotia and Municipal Relations. Unless otherwise stated in the by-law, its effective date is the date of publication.

v Certified copy of the ad announcing approval of the by-law is placed with the signed copy of the by-law.

**m) Distribution, storage and indexing of by-law**

The original by-law is securely filed in the Municipal Clerk's office. Copies are distributed to internal and external customers as identified on a distribution list maintained by the Municipal Clerk's Office, as may be revised from time to time. All approved by-laws are electronically stored for access both internally and externally, on the "R" drive under HRM Common Directory\Legis\Bylaws and on the HRM Internet site.

n) A by-law index (detailing Notice of Motion, First and Second readings, dates advertised, date of Ministerial approval, if required, effective date, etc.) is maintained by the Municipal Clerk's Office on the "R" Drive as follows: R:\HRM Common directory\Legis\Bylaws\BI-index.123.

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Mayor

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Municipal Clerk

I, Vi Carmichael, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of Halifax Regional Council held on January 14, 2003.

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Vi Carmichael, Municipal Clerk

Schedule "A"  
**BY-LAW TEMPLATE**

**By-law #:** *(to be determined by Legal Services)*

**By-law Name:**

**Short Title:**

**Interpretation/Definitions**

**By-law:** *(insert the by-law content in this space)*

**Repeal Section:** *(if necessary)*

I, \_\_\_\_\_, Municipal Clerk of the Halifax Regional Municipality, hereby  
certify that the above noted by-law was passed at a meeting of Halifax Regional  
Council held on (day), (date), (month), (year).  
Mayor  
Municipal Clerk  
Municipal Clerk

**APPENDIX C: BY-LAWS WITH THE ABILITY TO BE ENFORCED USING SUMMARY OFFENSE TICKETS**

Halifax Regional Municipality By-Laws

<b>By-Law #</b>	<b>By-Law Name</b>	<b>Out of Court Settlement Amount</b>	
A-200	Automatic Machine By-Law	\$215.00	
B-201	Building By-Law	\$215.00	
B-600	Blasting By-Law **	\$500.00	
C-200	Cemeteries By-Law	\$215.00	
C-300	Civic Addressing By-Law	\$215.00	
D-100	Dog By-Law	\$215.00	
F-100	Fire Prevention By-Law	\$215.00	
H-100	Civic Holiday By-Law	\$387.50	
M-100	Standards for Residential Occupancy By-Law	\$215.00	
N-200	Noise By-Law	\$243.75	
O-103	Open Air Burning By-Law	\$215.00	
P- 400	Plumbing By-Law	\$215.00	
P- 600	Municipal Parks By-Law	\$215.00	
P- 800	Pesticides, Herbicides and Insecticides	\$215.00	
S- 203	Smoke Free Places By-Law	Citizen \$157.50	Proprietor 1 <sup>st</sup> Offence - \$330.00 2 <sup>nd</sup> Offence - \$675.00 3 <sup>rd</sup> Offence - 1250.00
S- 300	Streets By-Law	\$215.00	
S- 600	Solid Waste Resource and Collection By-Law **	\$215.00	
S- 700	Swimming Pool By-Law	\$215.00	
T- 108	Taxi and Limousine By-Law	\$117.25	
T- 400	Truck Routes By-Law	\$215.00	
T- 600	Tree By-Law	\$215.00	

W- 101	Waste Water Discharge By-Law	\$215.00
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\*\* Pending approval from the Province.

Former City of Halifax By-Laws

<b>By-Law #</b>	<b>By-Law Name</b>	<b>Out of Court Settlement Amount</b>
Ordinance - No. 19	Bill Posters	\$128.75
Ordinance - No. 43	Pawnbrokers	\$128.75
Ordinance - No. 149	Petty Trades	\$128.75
Ordinance - No. 159	Firearms	\$128.75
Ordinance - No. 180	Streets	\$128.75

Former Town of Bedford By-Laws

<b><u>By-Law #</u></b>	<b><u>By-Law Name</u></b>	<b><u>Out of Court Settlement Amount</u></b>
By-Law - No. 22104	Loitering	\$157.50
By-Law - No. 22141	Firearms	\$215.00
By-Law - No. 23290	Grade Alterations	\$330.00

Former Halifax Regional County By-Laws

<b>By-Law #</b>	<b>By-Law Name</b>	<b>Out of Court Settlement Amount</b>
By-Law - No. 8	Mischief and Nuisances	\$215.00
By-Law - No. 15	Trade and Licensing	\$146.00
By-Law - No. 29	Mobile Home Park	\$215.00
By-Law - No. 40	Topsoil	\$295.50
By-Law - No. 41	Excavation	\$272.50
By-Law - No. 47	Anti-Dumping	\$387.50
By-Law - No. 63	Animal Defecation	\$146.00



Municipal Government Act

<b>Municipal Government Act (MGA)</b>	<b>MGA Part Name</b>	<b>Out of Court Settlement Amount</b>
Part I	The Municipality	\$215.00
Part II	By-Laws	Section 180(2)(a) - \$675.00 All other sections - \$215.00
Part X	Fire and Emergency Services	\$215.00
Part XII	Streets and Highways	\$215.00
Part XIV	Sewers	\$215.00 or \$387.50 (depending on the section)
Part XV	Dangerous or Unsightly Premises	\$215.00
Part XXI	General	\$215.00
Part XXII	Halifax Regional Municipality	\$215.00

**APPENDIX D: CURRENT TECHNOLOGY SYSTEMS IN HRM**

<b>Database</b>	<b>Owner</b>	<b>Purpose</b>
<b>Systems to be reviewed for implementation into the Integrated City Corporate Structure</b>		
By-Law Tracking Database	Community Projects, EMS	To track By-law Enforcement Case Activities
Remedies Database	Community Projects, EMS	To track By-Law Enforcement Remedy costs
PetWhere	Community Projects, EMS	To track animals, complaints, case activities, licenses, etc.
Taxi Database	Community Projects, EMS	To track taxi licenses
Solicitor's Database	Legal Services	To track prosecutions and outcomes
Fire Services SOT Database	Fire Services	To track SOT's issued by Business Unit
SOT Database	Community Projects, EMS	To track SOT's issued throughout the Corporation excluding Halifax Regional Police
Alarms System	Finance	To track false alarm tickets
Pesticide Permits	Shared Services/EMS	To track pesticide permits
Richter	Finance	To track accounts receivable including property taxes, dog licenses, false alarm payments, etc
RAPID	Emergency Services	Dispatch system for 911 and records management system for Police Services
Mayor's Call Tracking System	Governance	To track incoming calls into Mayor's Office
Paper Systems	Several Business Units	To track by-law related activities
<b>Corporate Systems</b>		
Animal Control	Community Projects, EMS	To track animals, complaints, case activities, licenses, etc.
Parking Ticket System	Finance	To track parking tickets issued
FDM	Fire Services	Record management system for Fire Services including training, inspections, etc.

<b>Database</b>	<b>Owner</b>	<b>Purpose</b>
CAD	Police Services/ Fire Services/911Communication Centre	Computer Aided Dispatch for Emergency Services
RMS	Police Services	Record management system for Halifax Regional Police
CPIC	Police Services/RCMP	Canadian Police Information Centre Software
JOIS/JENS	Province of Nova Scotia	Records Management system for the Provincial Court System
Hansen - Customer Service	Shared Services	Call tracking system used by the Corporate Call Centre and their clients with Service Level Agreements
Hansen - Permitting	Planning and Development	Permitting system for Planning and Development
SAP	Finance	To track accounts payable throughout the Corporation