


**Item No. 11.1.5**  
**Halifax Regional Council**  
**January 28, 2014**

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

Original signed by 

**SUBMITTED BY:**

\_\_\_\_\_  
Richard Butts, Chief Administrative Officer

Original Signed by 

\_\_\_\_\_  
Mike Labrecque, Deputy Chief Administrative Officer

**DATE:** October 24, 2013

**SUBJECT:** Administrative Order Number 54 – Procedures for Developing  
Administrative Orders

---

**ORIGIN**

Staff initiated review of the Policy and Administrative Order process.

**LEGISLATIVE AUTHORITY**

The *Halifax Regional Municipality Charter*, Part III, sections 58 & 59 on Policies.

**RECOMMENDATION**

It is recommended that Halifax Regional Council adopt the proposed Administrative Order Number 54, *Procedures for Developing Administrative Orders* as outlined in Attachment 1 of this report.

## **BACKGROUND**

Administrative Orders are policies adopted by Council on any matter that it considers conducive to the effective management of the municipality or any other matter where the Council is required by an enactment to exercise its powers and duties by policy.

Section 59 of the *HRM Charter* outlines the process in which a policy must be passed, amended or repealed by Regional Council including the need for the required 7 day notice of motion (intent to adopt). Furthermore, Section 59 states that, in addition to the areas listed in the *HRM Charter* or another act of the provincial legislature, Council may adopt “policies on any matter that the Council considers conducive to the effective management of the Municipality”. There are certain things that, if Council elects to do them, must be done by policy, such as establishing community councils and setting interest rates. These requirements can be found throughout the *HRM Charter*, including section 60, and in other related pieces of legislation.

HRM has been using Administrative Orders as a way to set policy for some time on a wide range of topics. Examples of HRM Administrative Orders include Administrative Order #35 – Procurement Policy, Administrative Order #50 – Disposal of Surplus Real Property, and Administrative Order #56 – HRM Sponsorship Policy. However, since HRM has not had a defined policy process, all policies are not developed, articulated or implemented consistently in the form of Administrative Orders.

In order to ensure that the adoption and tracking of Council adopted policies is done in a consistent and integrated manner Government Relations and External Affairs, the Municipal Clerk’s Office, and Legal Services have been working towards a process which would see Council policies related to the effective management of the municipality or for matters required by legislation take the form of an Administrative Order.

## **DISCUSSION**

In the spring of 2013, a working group, made up of staff from Government Relations and External Affairs, Legal Services and the Office of the Municipal Clerk, began a review of HRM’s existing policy process. Through this review it was identified that there are various ways that policy is made in HRM, for example, through motions of Regional Council, By-laws and Administrative Orders. As part of this review, the working group identified a desire to formalize the process for items with ongoing policy implications as well as a requirement to develop an Administrative Order outlining the procedures for developing Administrative Orders.

The proposed Administrative Order would also formalize the process by which Council policies related to the effective management of the municipality or for matters required by legislation are approved by Regional Council. Under this new format these types of policies will take the form of an Administrative Order and will follow the development process as outlined in Attachment 1.

A key component of the Administrative Order process is the assignment of a number which is managed by the Office of the Municipal Clerk. Currently, the numbering system is divided into two categories: Administrative Orders and Administrative Order for Street Closures. Administrative Orders are issued a category number “A.O” and are assigned the next available number. Street Closure Administrative Orders are issued a category number “A.O. – SC” and are assigned the next available number.

If Administrative Order 54 is approved by Regional Council there is an expectation that there will be an increase in the number of Administrative Orders drafted and approved per year. In order to accurately manage and categorize Administrative Orders there is a need to update the classification system.

The new proposed system would categorize Administrative Orders by the year they were approved and include a category pre-fix. Proposed categories include: Administration (ADM), Governance (GOV), and Operational (OP). Further to these categories Administrative Orders will also receive a unique identifier organized by year, number, and category prefix. For example, “2014-001-GOV”. At the end of each calendar year the number portion of the unique identifier will re-start at 001. Administrative Orders approved previous to the approval of Administrative Order 54 by Regional Council would retain their current name and number.

This system will apply to all new Administrative Orders except for those which pertain to Street Closures which would continue with the existing numbering system.

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

### **COMMUNITY ENGAGEMENT**

Regional Council meetings are open to the public.

### **ENVIRONMENTAL IMPLICATIONS**

There are no environmental implications associated with this report.

### **ALTERNATIVES**

Halifax Regional Council may choose not to approve the recommendations as outlined in this report. This is not the recommended option.

**ATTACHMENTS**

Attachment 1 – Administrative Order Number 54 – Procedures for Developing Administrative Orders

Attachment 2 – Website layout for proposed Administrative Order Naming Convention

---

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/agenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

Report Prepared by: Laura Lewis, Agenda & Council Coordinator, 490-6525

Report Approved by: \_\_\_\_\_  
Cathy J. Mellett, Municipal Clerk, 490-6456

Report Approved by: \_\_\_\_\_  
Jennifer Church, Managing Director, Government Relations & External Affairs, 490, 3677

Report Approved by: \_\_\_\_\_  
John Traves, Director Legal Insurance and Risk Management, 490-4219

---

**ADMINISTRATIVE ORDER NUMBER 54  
RESPECTING THE PROCEDURES FOR  
DEVELOPING ADMINISTRATIVE ORDERS**

**BE IT RESOLVED AS AN ADMINISTRATIVE ORDER** of the Council of the Halifax Regional Municipality under the authority of the *Halifax Regional Municipality Charter*, as follows:

**Short Title**

1. This Administrative Order may be cited as Administrative Order Number Fifty--four, the *Procedures for the Development of Administrative Orders*.

**Interpretation**

2. In this Administrative Order,

(a) “Administrative Order” means:

(i) a policy adopted by the Council on any matter that it considers conducive to the effective management of the municipality; or

(ii) any other matter where the Council is required by an enactment to exercise its powers and duties by policy.

(b) “CAO” means the Chief Administrative Officer of the Municipality;

(c) “Council” means the Council of the Municipality;

(d) “lead business unit” means the business unit designated by the CAO, or his delegate, from time to time, to be responsible to implement and/or administer a particular Administrative Order; and

(e) “resolution” means a motion passed by the Council, Community Council or Standing Committee of the Council.

**Purpose**

3. The purpose of this Administrative Order is to create a standardized form and process for Administrative Orders including the initiation of the procedure to create an Administrative Order, the drafting of the Administrative Order, the writing of the staff report to accompany the draft Administrative Order, the adoption by the Council of the Administrative Order, and the storage of and access to those Administrative Orders that the Council has adopted.

**Application**

4. All Administrative Orders adopted by the Council after the effective date of this Administrative Order shall follow the process set out hereunder.

## **Procedures for the Development of Administrative Orders**

---

5. All Administrative Orders, amendments to Administrative Orders, and repeals of Administrative Orders require at least seven (7) days notice to all the Council Members in accordance with subsection 59(1) of the *Halifax Regional Municipality Charter*.
6. Subject to Section 7 of this Administrative Order, the procedures in this Administrative Order apply to all new Administrative Orders including Administrative Orders developed to amend, consolidate or repeal existing Administrative Orders.
7. This Administrative Order does not apply to policies previously adopted by the Council.

### **Initiation of Administrative Order**

8. Administrative Orders may be initiated in one of three ways:
  - (a) by a resolution of the Council directing staff to draft an Administrative Order for consideration by the Council;
  - (b) by a resolution of a Community Council or a Standing Committee of the Council by means of a recommendation from the Community Council or Standing Committee to the Council and by a further resolution of the Council directing staff to draft an Administrative Order for consideration by the Council; or
  - (c) by staff through the CAO, by means of a staff report for consideration by the Council.

### **Number Convention and Template**

9. Administrative Orders must follow the numbering convention provided in Appendix A of this Administrative Order.
10. A corporate template for Administrative Orders will be developed by the Office of the Municipal Clerk, in consultation with Legal Services.

### **Writing of Administrative Order**

11. When an Administrative Order is initiated, the lead business unit will, in accordance with direction from the CAO, consult with HRM business units to determine which business units may be affected by the Administrative Order.
12. After completing the consultations with HRM business units, the lead business unit will draft an Administrative Order based on the corporate template. The lead business unit will also contact the Office of the Municipal Clerk to obtain an Administrative Order number. The lead business unit will consult with Legal Services prior to developing the draft Administrative Order.
13. The lead business unit will circulate the draft Administrative Order to appropriate business units, as identified during the consultation with HRM business units, for review and comment. The draft must be reviewed by Legal Services, and if identified as a requirement during the consultations, by Human Resources.

## Procedures for the Development of Administrative Orders

---

14. Once the feedback and comments have been received, the lead business units will draft all necessary changes and circulate the revised Administrative Order.
15. Once a final version of the Administrative Order has been agreed upon, the lead business unit will draft a recommendation report, in the form of the corporate template, for the Council's consideration. The draft Administrative Order will be attached to the recommendation report. The report must recommend either adopting or refusing to adopt the Administrative Order.
16. The recommendation report will be circulated for signature to the Directors who are responsible for those affected business units that were identified during the consultations.
17. Once the report has been signed off by the Directors, the lead business unit will forward the staff report, with the attached draft Administrative Order, to the Council. A Notice of Motion will then be drafted by the Office of the Municipal Clerk. The lead business unit will submit the report and proposed Administrative Order through the Council report approval process.

### **Council Adoption Process**

18. At the first meeting of the Council, a member of the Council may give a Notice of Motion for the adoption of the Administrative Order.
19. At a meeting of the Council, which shall be at least seven (7) days after the Notice of Motion is given, the Council may consider the proposed Administrative Order.
20. Where the Council considers the proposed Administrative Order, the Council may:
  - (a) adopt the Administrative Order;
  - (b) adopt the Administrative Order with amendments;
  - (c) direct staff to draft amendments to the Administrative Order and return to the Council at a later date with such amendments for further consideration;
  - (d) refuse to adopt the Administrative Order; or
  - (e) provide any other direction as the Council sees fit.
21. Where the Council adopts the Administrative Order with amendments, the lead business unit will draft the amendments in consultation with Legal Services.
22. Where the Council directs amendments be made for further consideration, the lead business unit will draft a supplementary report and will draft the directed amendments in consultation with Legal Services.

# Procedures for the Development of Administrative Orders

---

## **Post Adoption Process**

23. Once an Administrative Order, and any amendment made by the Council to the Administrative Order, is adopted by the Council:

- a) the lead business unit will forward the complete electronic version (including schedules and maps) of the Administrative Order as adopted by the Council (including any amendments the Council has adopted to it) to the Office of the Municipal Clerk;
- b) copies of the Administrative Order will be signed by the Mayor and Municipal Clerk and notification of the approved Administrative Order will be advertised on the HRM Internet site; and
- c) the Office of the Municipal Clerk will certify two copies of the Administrative Order for vault and administrative filing

## **Effective Date of Administrative Order**

24. Unless otherwise stated in the Administrative Order, the Administrative Order will be effective on the date the Council adopts it.

## **Distribution, storage and indexing of Administrative Orders**

25. The original Administrative Order will be securely filed in the Office of the Municipal Clerk. Copies may be distributed to internal staff as identified on a distribution list maintained by the Office of the Municipal Clerk.

26. An Administrative Order index (detailing Notice of Motion and approval date) will be maintained by the Office of the Municipal Clerk.

## **Amendments to an Administrative Order**

27. The same process will be followed for amendments, revisions, or repeals to an Administrative Order.

28. Amendments shall be noted at the bottom of the amended Administrative Order citing the date which the Council approved the amendment.

## **Appendix**

29. Appendix A attached hereto shall form part of this Administrative Order.

---

Mayor

---

Municipal Clerk



## Procedures for the Development of Administrative Orders

---

I, Cathy Mellett, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of Halifax Regional Council held on XX, XX, XXX.

---

Cathy Mellett, Municipal Clerk

# Procedures for the Development of Administrative Orders

---

## Appendix A Naming Conventions for Administrative Orders

### **Administrative Orders That Are Not Respecting Street Closures**

1. Administrative Orders are assigned categories and numbers by the Office of the Municipal Clerk.
2. Subject to section 7 of this Appendix, Administrative Orders are categorized by:
  - (a) the calendar year in which they were approved (e.g. 2014) and include both a category pre-fix and a unique identifier number which begins at 001 of each calendar year (e.g. 2014-001-GOV); and
  - (b) one of the following categories:
    - (i) Administration (ADM): pertains to Administrative Orders that are administrative in nature,
    - (ii) Governance (GOV): pertains to Administrative Orders that apply to Regional Council, Community Council, Standing Committees and/or Other Boards and Committees of Council, or
    - (iii) Operational (OP): pertains to Administrative Orders that are operational in nature.
3. The categories for the Administrative Order will be determined by the Office of the Municipal Clerk in consultation with the lead business unit and Legal Services.
4. At the end of each calendar year, the Administrative Order numbering system will restart at “001” and the calendar year will be updated.
5. On the Halifax Regional Municipality website, Administrative Orders will be categorized based on the calendar year in which they were approved.
6. Sections 2 through 5 apply to all Administrative Orders, except for Administrative Orders Respecting Street Closure which follow a modified naming convention as set out below.

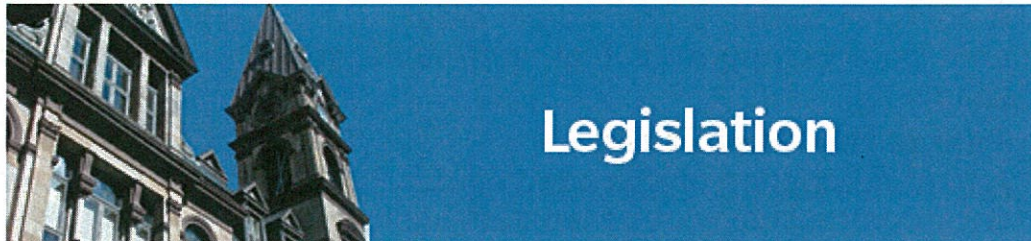
### **Administrative Orders Respecting Street Closures**

7. Administrative Order Respecting Street Closures are assigned categories and numbers by the Office of the Municipal Clerk.
8. Administrative Orders Respecting Street Closures are placed in a unique Street Closure Category (AO-SC) and will be assigned a unique number which begins at 001 and continues on to infinity (e.g. A0 – SC – 001).

## Procedures for the Development of Administrative Orders

---

9. On the Halifax Regional Municipality website, Administrative Orders Respecting Street Closures will be separated from other Administrative Orders.



## HRM Administrative Orders (draft of new page)

To search for any active HRM Legislation (By-Laws, Administrative Orders, and active legislation from former municipal units), use the lower search box on the left side of this page.

To search Administrative Orders only, press Ctrl-F on your keyboard and the resulting search will be confined to only this page.

Administrative Orders are in Adobe Acrobat PDF Format. 

### Jump to a year:

2014	2007	2000
2013	2006	1999
2012	2005	1998
2011	2004	1997
2010	2003	1996
2009	2002	
2008	2001	

### Street Closure Administrative Orders

#### Approved in 2014

<b>2014-001-OP</b> (numbers would be links)	<b>Title of the Admin Order</b> <i>(titles would also be links)</i> A brief description of this admin order, incorporating keywords that staff/public may search by.
<b>2014-002-ADM</b>	<b>Title of the Admin Order</b> A brief description of this admin order, incorporating keywords that staff/public may search by.



- 2014-003-GOV**     **Title of the Admin Order**  
A brief description of this admin order, incorporating keywords that staff/public may search by.
- 2014-004-OP**     **Title of the Admin Order**  
A brief description of this admin order, incorporating keywords that staff/public may search by.
- 2014-005-OP**     **Title of the Admin Order**  
A brief description of this admin order, incorporating keywords that staff/public may search by.

[Back to top](#)

---

## **Approved in 2013**


- AO-52**     **Code of Conduct for Municipal Elected Officials**  
The public expects the highest standards of professional conduct from Members elected to local government. The purposed of this Code is to establish guidelines for the ethical and interpersonal conduct of Members of Council. Council is answerable to the community through democratic processes and this Code will assist in providing for the good government of the Halifax Regional Municipality
- AO-55**     **HRM Sponsorship Policy**  
This policy is intended to create a framework for accepting sponsorship. The purpose of the policy, as outlined, is to:  
a) enhance municipal programs, events and services without additional cost to the taxpayer;  
b) provide employees with corporate guidelines and procedures based on best practices;  
c) ensure fairness, transparency and accountability of the sponsorship process.
- AO-56**     **HRM Sale of Naming Rights**  
This policy is intended to:  
a) encourage continued investment in HRM



## **HRM Street Closure Administrative Orders** *(draft of new page)*

**To search for any active HRM Legislation (By-Laws, Administrative Orders, and active legislation from former municipal units), use the lower search box on the left side of this page.**

**To search Street Closure Administrative Orders only,** press Ctrl-F on your keyboard and the resulting search will be confined to only this page.

Administrative Orders are in Adobe Acrobat PDF Format. 

**AO-SC- 001** Closure Proposed Street Kline Street

**AO-SC- 002** Closure Old Bedford Road Right of Way

**Etc...**

**AO-SC- 074** Closure of a Portion of Cobequid Road

**AO-SC- 075** Title of Street Closure

**AO-SC- 076** Title of Street Closure



assets for the benefit of HRM citizens;  
b) provide a consistent evaluation framework and approval process regarding naming rights for HRM assets; and  
c) ensure fairness, transparency and accountability of the naming process.

**AO-58**

**Title of the Admin Order**

A brief description of this admin order, incorporating keywords that staff/public may search by.

**AO-59**

**Title of the Admin Order**

A brief description of this admin order, incorporating keywords that staff/public may search by.

[Back to top](#)

---

**Approved in 2012**

**AO-57**

**Dissolution of Community Councils**

The 2012 change in the number of polling districts and their boundaries had a significant impact on Community Councils. The previous six Community Councils were dissolved in preparation for a new Community Council structure.

[Back to top](#)

*other years continuing down from here.....*

**Street Closure Administrative Orders**