


Item No. 11.1.5
Halifax Regional Council
May 20, 2014

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY:

Original signed by 

Richard Butts, Chief Administrative Officer

Original Signed by 

Mike Labrecque, Deputy Chief Administrative Officer

DATE: May 5, 2014

SUBJECT: Proposed Amendments to Administrative Order 48, Respecting the
Creation of Community Councils – Renaming Districts 7, 8 and 9

ORIGIN

Motion of Halifax Regional Council on April 29, 2014 that Halifax Regional Council approve the renaming of Districts 7, 8, and 9 as follows:

- District 7 to become Halifax South Downtown
- District 8 to become Halifax Peninsula North
- District 9 to become Halifax West Armdale

LEGISLATIVE AUTHORITY

Motion of Council April 29, 2014.

Subsection 354 (7) of the *Municipal Government Act* says

The boundaries, names and numbers of the polling districts in a municipality continue to be as they were on July 1, 1996, unless altered by the Board pursuant to this Act.

By Order of the Utility and Review Board, Re Halifax Regional Municipality, 2012 NSUARB 228,

2. In the future, HRM may from time to time, without approval from the Board, amend the names of its polling districts, provided the district numbers are not changed.

Recommendation on page 2

RECOMMENDATION

It is recommended that Halifax Regional Council adopt the proposed amendments to Administrative Order 48, *Respecting the Creation of Community Councils* as set out in Attachment 2 of this report, to change the names of District 7, 8, and 9 as follows:

1. Change District 7, “Peninsula South – Downtown” to “Halifax South Downtown”;
2. Change District 8, “Peninsula North” to “Halifax Peninsula North”; and
3. Change District 9, “Armdale – Peninsula West” to “Halifax West Armdale”.

BACKGROUND

At the April 29, 2014 meeting of Regional Council, Councillors Mosher, Watts and Mason submitted a Request for Council’s Consideration form requesting that Regional Council approve the remaining of Districts 7, 8, and 9 as follows:

- District 7 to become Halifax South Downtown
- District 8 to become Halifax Peninsula North
- District 9 to become Halifax West Armdale

The reasoning for this request was adding “Halifax” to the district names will bring greater clarity, especially for external audiences.

DISCUSSION

At the April 29, 2014 meeting of Regional Council, this request was unanimously approved by Regional Council.

Based on this motion, Administrative Order 48, *Respecting the Creation of Community Councils* needs to be amended to reflect the new District 7, 8 and 9 names.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

COMMUNITY ENGAGEMENT

Regional Council meetings are open to the public.

ENVIRONMENTAL IMPLICATIONS

N/A

Proposed Amendments to Administrative Order 48

– Renaming Districts 7, 8 and 9

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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 - Showing proposed changes to Administrative Order 48

Attachment 2 - Amending Administrative Order

Attachment 3 - Administrative Order incorporating all proposed changes

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: _____
John Traves, Director Legal Insurance and Risk Management, 490-4219

Attachment 1

HALIFAX REGIONAL MUNICIPALITY ADMINISTRATIVE ORDER NUMBER 48 RESPECTING THE CREATION OF COMMUNITY COUNCILS

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 48, the Community Council Administrative Order.

Community Councils

2. There is hereby established the following Community Councils:

(a) the North West Community Council for the area of the Halifax Regional Municipality that on the 6th day of November 2012 is included in:

- i) polling district 1, Waverley - Fall River - Musquodoboit Valley;
- ii) polling district 13, Hammonds Plains - St. Margarets;
- iii) polling district 14, Middle Upper/Sackville - Beaver Bank - Lucasville;
- iv) polling district 15, Lower Sackville; and
- v) polling district 16, Bedford – Wentworth.

(b) the Harbour East-Marine Drive Community Council for the area of the Halifax Regional Municipality that on the 6th day of November 2012 is included in:

- i) polling district 2, Preston - Chezzetcook - Eastern Shore;
- ii) polling district 3, Dartmouth South - Eastern Passage;
- iii) polling district 4, Cole Harbour – Westphal;
- iv) polling district 5, Dartmouth Centre; and
- v) polling district 6, Harbourview - Burnside - Dartmouth East.

(c) the Halifax and West Community Council for the area of the Halifax Regional Municipality that on the 6th day of November 2012 is included in:

- i) polling district 7, ~~Peninsula South – Downtown~~ Halifax South Downtown;
- ii) polling district 8, ~~Halifax~~ Peninsula North;

- iii) polling district 9, ~~Armdale Peninsula West~~ Halifax West Armdale;
- iv) polling district 10, Halifax – Bedford Basin West;
- v) polling district 11, Spryfield – Sambro Loop - Prospect Road; and
- vi) polling district 12, Timberlea - Beechville - Clayton Park West

with the exception of the shaded area of the Halifax Regional Municipality as shown on Schedule 1.

Powers

3. (1) Subject to subsection (3) of this section, sections 29, 30 and 31 of the *Halifax Regional Municipality Charter* apply to each Community Council.

(2) Repealed

(3) A Community Council shall create no more than two planning advisory committees.

(4) If a Community Council creates a planning advisory committee, the terms of reference for the planning advisory committee shall be as set out in Schedule 3 of this Administrative Order.

(5) Nothing in this section prevents a Community Council from:

- (a) limiting or adding to the duties of a planning advisory committee from those duties prescribed by section 4 of Schedule 3 of this Administrative Order; or
- (b) specifying the number of community citizens that must be appointed to a planning advisory committee from a specified District or portion of a District.

Financial Consequences

4. A Community Council shall not pass any resolution or make any decision which could potentially result in financial consequences for the Municipality which are contrary to those which would result from a previous decision of the Regional Council, unless and until the financial consequences are presented to the Regional Council and approved by it.

Policies and Procedures

5. Except as provided for in Schedule “2” of this Administrative Order, the Procedure of Council Administrative Order (Administrative Order One), shall apply *mutatis mutandis* to meetings of a Community Council.

Effective Date

6. This Administrative Order comes into force December 3, 2012.

Done and passed in Council this 27th day of November, A.D. 2012.

MAYOR

MUNICIPAL CLERK

I, Cathy Mellett, Municipal Clerk of Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of Halifax Regional Council held on November 27, 2012.

Cathy Mellett, Municipal Clerk

SCHEDULE 2:

RULES GOVERNING PROCEDURES FOR COMMUNITY COUNCILS

Definitions:

1. In this policy,
 - a) "Chair" means the Chair of a Community Council;
 - b) "Community Council" means a Council of a Community created by this Administrative Order;
 - c) "Member" means a Member of a Community Council; and
 - d) "Secretary" means the Secretary of a Community Council appointed by the Chief Administrative Office pursuant to section 28 of the *Halifax Regional Municipality Charter*.

Rules

2. Any one or more or all of the rules and regulations contained herein may be suspended by the affirmative vote of two-thirds of the Members present and voting.

Chair

3. (1) A Community Council shall annually elect a Chair from among its Members in accordance with the requirements of the *Halifax Regional Municipality Charter*.
 - (2) A Chair shall be elected at the first meeting of a Community Council after the Members are elected and annually in December thereafter.
 - (3) The Chair shall preside at all meetings of the Community Council.
 - (4) In the absence of the Chair, the Secretary shall call the meeting to order until a Chair is chosen from among the Members, who shall then preside over the meeting or until the arrival of the Chair.

Meetings

4. (1) Subject to the subsections of this section, there shall be ten (10) regular meetings of a Community Council in each year.
 - (2) Additional meetings, as required, may be scheduled in accordance with Administrative Order One, the Procedure of Council Administrative Order, and the *Halifax Regional Municipality Charter*.

(3) A Community Council shall set, by resolution, the weekday and week of the month when regular meetings are held.

(4) There shall be no regular meetings of a Community Council during the months of July and August unless the Community Council, by resolution, establishes a summer meeting schedule.

(5) If the set weekday of the month for a regular meeting falls on a holiday, that regular meeting shall not be held but may, by resolution, be rescheduled by the Community Council.

(6) Upon the written request signed by a majority of the Members, the Clerk shall call a special meeting of the Community Council for the purpose and at the time mentioned in the request.

(7) When calling a special meeting pursuant to subsection (5), the Clerk shall give at least three days public notice of the meeting.

(8) The Chair, upon the request of the majority of the Members, may cancel a regular meeting of the Community Council for lack of business or other valid reason.

(9) The meetings of a Community Council shall commence at 6:00 o'clock in the afternoon or such other time as designated by motion of the Community Council.

(10) The Community Council may, by resolution, establish a schedule of meeting sites.

Quorum

5. A majority of the Members, including the Chair, shall constitute a quorum.

Procedure

6. Section 25 of Administrative Order One, the Procedure of Council Administrative Order, shall not apply to a Community Council and in its stead the Order of Proceedings of the Community Council shall be:

- a) call to order;
- b) minutes of the previous meeting, including corrections of errors and omissions;
- c) approval of the listed order of business and approval of additions thereto and deletions therefrom;
- d) business arising out of the minutes;
- e) motions of reconsideration;
- f) motions of rescission;
- g) consideration of deferred business;

- h) public hearings;
- i) correspondence, petitions and delegations;
- j) reports from:
 - i) staff;
 - ii) standing committees of Regional Council;
 - iii) other committees; and
 - iv) Members;
- k) motions;
- l) added items;
- m) notices of motion;
- n) public participation;
- o) next meeting date; and
- p) adjournment.

Minutes

7. (1) If necessary, the Secretary may appoint a recording secretary to assist the Secretary in taking the minutes of each session of the Community Council.

(2) The minutes of each regular scheduled session will be circulated to each Member preceding the next regular session of the Community Council, at which time the minutes, by resolution, will be approved.

(3) Once approved, the minutes will be available for public distribution.

Public Participation

8. (1) Regular scheduled meetings of the Community Council will include, at the end of its agenda, the opportunity for public participation.

(2) During public participation, all questions are to be directed through the Chair with the speaker providing his or her name and address.

(3) During public participation, each person may speak for a maximum of five (5) minutes.

Public Hearings

9. Public Hearings will be held as required.

Presentations to Community Councils

10. (1) Interest groups or delegations wishing to make a presentation are required to advise the Secretary two (2) weeks prior to the date of the meeting at which they would like to present.

(2) The delegation shall be placed on a Community Council agenda only if the presentation is in reference to an item of business before the Community Council or any matter within the jurisdiction of the Community Council.

(3) For disposition of requests regarding presentations Community Councils shall use the considerations found in section 32 of Administrative Order No. 1 – Delegations, except as revised above.

SCHEDULE 3

TERMS OF REFERENCE

PLANNING ADVISORY COMMITTEE

Serving Polling Districts _____, _____ and ____ (and the portion of Districts ____ and ____ (map attached)) incorporated into the _____ Community Council.

1. Membership

- Up to 2 Community Council Members
- Up to 8 community citizens

2. Appointment

- Term of Appointment
 - Councillor: 1 year
 - Residents: 2 years
- Appointments shall be made by the Community Council.
- The Committee shall annually elect from its non-council members a Chair and Vice-Chair.

3. Re-appointment of Members

- Citizen members may be appointed for a maximum of two (2) consecutive terms.
- Citizen members may be appointed for more than two (2) consecutive terms when there are no other interested and qualified candidates.

4. Legislated Duties

- To advise the Community Council with respect to the preparation or amendment of planning documents within or affecting (all or portions of) Polling Districts _____, _____ and _____ incorporated into the Community Council. The term “planning documents” shall be as defined in clause m of section 209 of the *Halifax Regional Municipality Charter*.
- To advise the Community Council with respect to planning matters generally within or affecting (all or portions of) Polling Districts _____, _____, and _____ incorporated into

the Community Council. The term “planning matters” means any discretionary decision of Community Council related to the use and development of land.

- Hold public meetings associated with municipal planning strategy amendments as deemed necessary.

5. Additional Duties

- As may be directed by Community Council.

6. Meetings

- The Planning Advisory Committee shall meet at least once per month or as required to conduct business of the Committee. Additional meetings may be scheduled at the discretion of the Chair in consultation with staff.
- The quorum for regular meetings shall be in accordance with Section 74 of Administrative Order One, the Procedure of Council Administrative Order, Quorum of Committee.
- Any member of the Committee who fails to attend three (3) consecutive meetings, without having been excused by the Committee shall vacate the member`s seat in accordance with subsection 3 of section 68 of Administrative Order One, the Procedure of Council Administrative Order, and subsection 1 of section 22 of the *Halifax Regional Municipality Charter*.
- All Planning Advisory Committee meetings shall be open to the public, or as allowed under Part VII Section 218 (1) of the *Halifax Regional Municipality Charter*.

7. Procedure

Meeting procedures shall be governed by the HRM Administrative Order One, the Procedure of Council Administrative Order, as it relates to Committee Procedures.

8. Remuneration

Remuneration shall be paid related to travel for attendance at meetings at rates established by Halifax Regional Municipality.

9. Resignation

A member may resign from the Committee at any time in accordance with Section 68 of Administrative Order One, the Procedure of Council Administrative Order, Vacating of Position on Committee.

Notice of Motion:	November 13, 2012
Approval:	November 27, 2012
Effective Date:	December 3, 2012

Amendment # 1

Name Change

Notice of Motion:	December 11, 2012
Approval:	January 15, 2013

Amendment # 2

Planning Advisory Committees

Notice of Motion:	February 12, 2013
Approval:	February 19, 2013

Attachment 2

(Amending Administrative Order)

HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER 48
RESPECTING THE CREATION OF
COMMUNITY COUNCILS

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality that Administrative Order 48, the *Community Council Administrative Order*, is further amended as follows:

1. Section 2 is amended by:
 - a) striking out the words and dash “Peninsula South – Downtown” after the word, number and comma “district 7,” and before the semi-colon in subclause 2(c)(i);
 - b) adding the words “Halifax South Downtown” after the word, number and comma “district 7,” and before the semi-colon in subclause 2(c)(i);
 - c) adding the word “Halifax” after the word, number and comma “district 8,” and before the word “Peninsula” in subclause 2(c)(ii);
 - d) striking out the words and dash “Armdale-Peninsula West” after the word, number and comma “district 9” and before the semi-colon in subclause 2(c)(iii); and
 - e) adding the words “Halifax West Armdale” after the word, number and comma “district 9,” in subclause 2(c)(iii).

Attachment 3

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with the exception of the shaded area of the Halifax Regional Municipality as shown on Schedule 1.

Powers

3. (1) Subject to subsection (3) of this section, sections 29, 30 and 31 of the *Halifax Regional Municipality Charter* apply to each Community Council.

(2) Repealed

(3) A Community Council shall create no more than two planning advisory committees.

(4) If a Community Council creates a planning advisory committee, the terms of reference for the planning advisory committee shall be as set out in Schedule 3 of this Administrative Order.

(5) Nothing in this section prevents a Community Council from:

- (a) limiting or adding to the duties of a planning advisory committee from those duties prescribed by section 4 of Schedule 3 of this Administrative Order; or
- (b) specifying the number of community citizens that must be appointed to a planning advisory committee from a specified District or portion of a District.

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4. A Community Council shall not pass any resolution or make any decision which could potentially result in financial consequences for the Municipality which are contrary to those which would result from a previous decision of the Regional Council, unless and until the financial consequences are presented to the Regional Council and approved by it.

Policies and Procedures

5. Except as provided for in Schedule “2” of this Administrative Order, the Procedure of Council Administrative Order (Administrative Order One), shall apply *mutatis mutandis* to meetings of a Community Council.

Effective Date

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MAYOR

MUNICIPAL CLERK

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Cathy Mellett, Municipal Clerk

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Quorum

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 - iii) other committees; and
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- l) added items;
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- n) public participation;
- o) next meeting date; and
- p) adjournment.

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SCHEDULE 3

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- Up to 8 community citizens

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5. Additional Duties

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6. Meetings

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- Any member of the Committee who fails to attend three (3) consecutive meetings, without having been excused by the Committee shall vacate the member's seat in accordance with subsection 3 of section 68 of Administrative Order One, the Procedure of Council Administrative Order, and subsection 1 of section 22 of the *Halifax Regional Municipality Charter*.
- All Planning Advisory Committee meetings shall be open to the public, or as allowed under Part VII Section 218 (1) of the *Halifax Regional Municipality Charter*.

7. Procedure

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Approval:	November 27, 2012
Effective Date:	December 3, 2012

Amendment # 1

Name Change

Notice of Motion:	December 11, 2012
Approval:	January 15, 2013

Amendment # 2

Planning Advisory Committees

Notice of Motion:	February 12, 2013
Approval:	February 19, 2013