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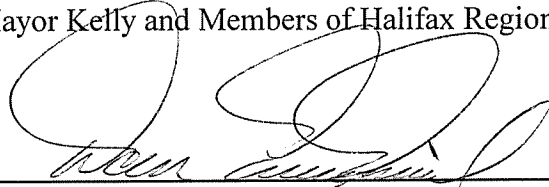


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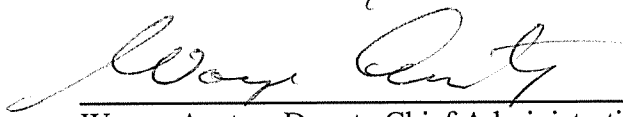
Halifax Regional Council
April 24, 2007

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:



Dan English, Chief Administrative Officer



Wayne Anstey, Deputy Chief Administrative Officer - Operations

DATE: April 17, 2007

SUBJECT: By-law S-107, A By-law to amend the Sewer Charges By-law

ORIGIN

On March 27, 2007 Council approved in principle By-law C-600 "By-law Respecting Capital Cost Charges and has scheduled a Public Hearing for April 24, 2007.

On April 17, 2007, Councillor McCluskey gave notice of intent that at the next regular meeting of Regional Council to be held on Tuesday, April 24, 2007, she would move a motion to amend the Sewer Charge By-Law, S-100 to clarify the relationship between S-100 and the proposed By-Law C-600.

RECOMMENDATION

It is recommended that Halifax Regional Council give First Reading to By-law S-107 "A By-law to Amend the Sewer Charges By-law", as shown in Attachment A, and schedule a Public Hearing.

BACKGROUND

In July 2003, a Capital Cost Contribution Policy (CCC) was adopted that collects CCC's for separate charge areas. A Capital Cost Contribution collected under this policy is known as an "area CCC", and is for infrastructure that is needed to support a specific development, and may include an amount for trunk sewers. An "area CCC" does NOT include wastewater treatment facilities.

The Sewer Re-development Charge is also used to help fund capital expenditures related to trunk sewers. So when the Capital Cost Contribution Policy was adopted in 2003, Council amended the Sewer Charges By-law to exempt a property from paying the Sewer Re-development Charge, if an "area CCC" for trunk sewers has been paid.

On March 27, 2007 Council approved in principle the Draft Infrastructure Charges By-law, that collects a capital cost contribution for wastewater treatment facilities. This is a region wide CCC, and if adopted by Council will be collected from all properties that are connected to a wastewater system.

DISCUSSION

Both an "Area CCC" and a Sewer Re-development Charge help fund expenditures related to trunk sewers. A property should not pay both an "area CCC" and the Sewer Re-development Charge. This is reflected in By-law S-100, and proposed By-law S-107 will not change this.

The proposed region-wide CCC will help fund expenditures related to wastewater treatment facilities. If adopted, the region-wide CCC will be in addition to either an "area CCC" or the Sewer Re-development Charge.

Proposed By-law S-107 is for greater certainty to ensure that the sewer re-development charge continues to be collected from a property, if that property also pays the proposed region wide CCC for wastewater treatment.

By-law S-107 is only needed if Council adopts By-law C-600, the Capital Cost Charges By-law.

BUDGET IMPLICATIONS

Proposed by-law S-107 is a housekeeping amendment to clarify the intent of By-law S-100. There are no budget implications associated with this amendment.

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

Council could chose not to adopt By-law S-107. This option is not recommended for the reasons outlined in this report.

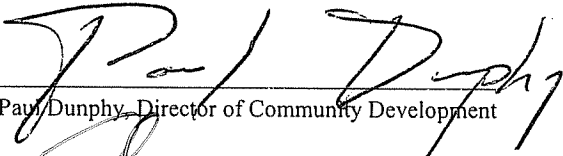
ATTACHMENTS

Attachment A - By-law S-107, A By-law to amend the Sewer Charges By-law

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

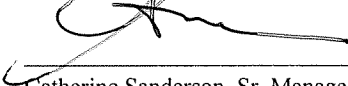
Report Prepared by: Peter Duncan, P.Eng., Manager Development Engineering

Report Approved by:



Paul Dunphy, Director of Community Development

Report Approved by:



Catherine Sanderson, Sr. Manager, Financial Services, 490-1562

Attachment A - By-law S-107, A By-law to amend the Sewer Charges By-law

By-Law: Number S-107
By-Law Name: Sewer Charges By-Law Amendments

Objective: As a result of the enactment of By-Law C-600 Respecting Capital Cost Charges it is necessary to amend the By-Law S-100 Respecting Sewer Charges to clarify its application in respect to infrastructure charges imposed under the HRM Subdivision By-Law.

By-Law: **BE IT ENACTED** by the Council of the Halifax Regional Municipality that By-Law Number S-100, the By-Law Respecting Sewer Charges, is hereby amended as follows:

1. Section 11(6) of By-Law S-100 is amended by replacing the present wording of Section 11(6) with the following:

(6) Notwithstanding subsection (1), the payment of a sewer redevelopment charge shall not apply to buildings or building additions which are located on a parcel of land which was subject to an Infrastructure Charge imposed pursuant to the Halifax Regional Municipality Subdivision By-Law and containing a component related to new or expanded wastewater facilities or stormwater systems.

(7) For the purposes of subsection (6), supra, a capital cost charge collected pursuant to the provisions of By-Law C-600 respecting Capital Cost Charges is not considered an Infrastructure Charge

Done and passed by Council this day of , 2007.

MAYOR

MUNICIPAL CLERK