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## Item No. 11.1.6

Halifax Regional Council  
September 9, 2008

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

**SUBMITTED BY:**

Dan English, Chief Administrative Officer

Geri Kaiser, DCAO - Corporate Services and Strategy

**DATE:** July 29, 2008

**SUBJECT:** Administrative Order One - Electronic Petitions

### ORIGIN

At the January 15, 2008 Regional Council Meeting, Regional Council passed the following motion:

1. Accept both electronic and written petitions which include the signature of the originator of the petition and the name, address, date of signing, and either a telephone number or e-mail address for all persons listed on the petition.
2. Direct Legal Services to prepare the appropriate amendments to Administrative Order One.

### RECOMMENDATION

It is recommended that :

- 1) Regional Council amend Administrative Order One by:
  - a) adding a definition of “petition” as subsection 2(e);
  - b) renumbering subsection 27(1) as clause 27(1)(a) and adding clause 27(1)(b);
  - c) deleting the word “other” in subsection 28(1); and
  - d) adding the words “petition or” to subsections 28(2) and 28(3).

A consolidated version of the relevant provisions of Administrative Order One is attached hereto as Appendix “A”.

## **BACKGROUND**

Section 27 of Administrative Order One provides that:

27. (1) Every communication, including a petition designed to be presented to Council, shall:

- a) be legibly written or printed;
- b) not contain any impertinent or improper matter or language;
- c) be signed by at least one person;
- d) state the reasons for the communication and the remedy sought; and
- e) be filed with the Clerk as set out in subsection (2).

At the January 15, 2008 Regional Council meeting, Regional Council directed Legal Services to prepare appropriate amendments to Administrative Order One including drafting amendments that provided:

1) for the acceptance of an electronic petition; and

2) that a petition include:

- a) the signature of the originator of the petition;
- b) the name and address of the people signing the petition;
- c) the date each person signed the petition; and
- d) either a telephone number or an e-mail address for all persons listed on the petition.

## **DISCUSSION**

### **Amendment to the January 15, 2008 Motion**

Staff initially recommended the inclusion of either a telephone number or an email address for everyone signing a petition, the contact information providing staff the means to validate that a particular person signed the petition. Staff have considered the need for this information relative to the importance of minimizing the amount of personal information the municipality collects. Staff is now recommending that a signatory to the petition only be required to provide a civic address while the originator of the petition will still be required to provide a civic address and either a phone number or an email address. Staff are satisfied this is sufficient to verify the accuracy of a petition while minimizing the collection of the signatories' phone number or email address.

Staff are recommending that:

- 1) a phone number or email address be required for the originator of the petition; and
- 2) the requirement for either a phone number or email address for all other signatories not be included in the amendments to Administrative Order One.

## **Amendments to Administrative Order One**

### **Definitions**

It is recommended that section 2 of Administrative Order One be amended to add subsection (e) to define “petition” as follows:

- (e) “petition” includes a written or an electronic petition;

### **Form of Petitions**

Subsection 27(1) of Administrative Order One requires petitions to be “legibly written, or printed”. As an electronic petition may be “typed” as opposed to “printed” or “written”, it is recommended that the word “or” be deleted from subsection 27(1) and “or typed” be added to subsection 27(1).

It is further recommended that subsection 27(1) be renumbered to 27(1)(a) and that 27(1)(b) be added as follows:

- (b) A petition shall include:
  - i) the date the petition was commenced;
  - ii) the signature, civic address and either the telephone number or email address of the person(s) who started the petition;
  - iii) the name and civic address of every person who signed the petition; and
  - iv) the date every person signed the petition.

### **Written Communications**

Administrative Order One states:

- 28. (1) A petition or other written communication to Council on a subject already before a committee may be referred by the presiding officer to the committee without any motion unless otherwise ordered.
- (2) No member shall speak upon nor debate a written communication if it has been referred but a member may move that in referring the matter Council give certain instructions.
- (3) Notwithstanding subsections (1) and (2) above, when Council considers that the communication requires an immediate reply, the matter contained therein may be discussed and disposed of forthwith.

Subsections 28(1) and 28(2) include “a petition” as a “written communication”. As Regional Council has directed that electronic petitions now be accepted, it is recommended that subsections 28(1), 28(2) and 28(3) be amended to include electronic petitions as follows:

- subsection 28(1) be amended by striking out “other” after “or” in the first line;
- subsection 28(2) be amended by adding “petition or a” after “debate a” in the first line; and
- subsection 28(3) be amended by adding “petition or” after “considers that the” in the first and second lines.

### **Business Practice**

In response to Regional Council’s direction on January 12, 2008, the Municipal Clerk’s Office has prepared a business practice relating to petitions, a copy is attached hereto as Appendix “B”. The business practice was drafted in anticipation of Regional Council passing the recommended amendments. The wording of the business practice will not be finalized nor will the practice be implemented until such time as Regional Council amends Administrative Order One to allow for the acceptance of electronic petitions.

### **BUDGET IMPLICATIONS**

There are no budget implications associated with this recommendation.

### **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.

### **ALTERNATIVE**

None.

### **ATTACHMENTS**

Appendix “A” - Administrative Order

Appendix “B” - Sample Web Page on Public Information for Submitting E-Petitions

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.

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Report Approved by: \_\_\_\_\_  
M.E. Donovan, Director, Legal Services

Financial Approval by:  \_\_\_\_\_  
Catherine Sanderson, Senior Manager, Financial Services, 490-1562

## APPENDIX "A"

### Definitions

2. In this Administrative Order:

...

(e) "Petition" includes a written or an electronic petition;

### Petitions and Communications

27(1)(a) Every communication, including a petition designed to be presented to Council, shall:

- i) be legibly written, printed, or typed;
- ii) not contain any impertinent or improper matter or language;
- iii) be signed by at least one person;
- iv) state the reasons for the communication and the remedy sought; and
- v) be filed with the Clerk as set out in subsection (2).

(b) A petition shall include:

- i) the date the petition was commenced;
- ii) the signature, civic address and either the telephone number or email address of the person(s) who started the petition;
- iii) the name and civic address of every person who signed the petition; and
- iv) the date every person signed the petition.

28. (1) A petition or written communication to Council on a subject already before a committee may be referred by the presiding officer to the committee without any motion unless otherwise ordered.

(2) No member shall speak upon nor debate a petition or a written communication if it has been referred but a member may move that in referring the matter Council give certain instructions.

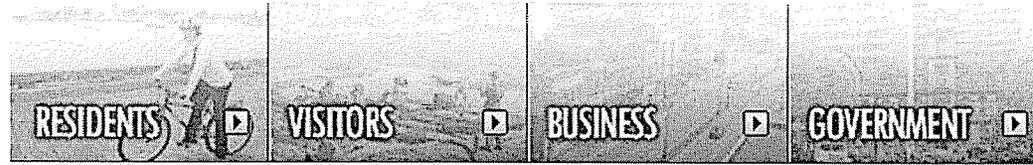
(3) Notwithstanding subsections (1) and (2) above, when Council considers that the petition or communication requires an immediate reply, the matter contained therein may be discussed and disposed of forthwith.

<b>PETITION TITLE:</b>	
<b>PURPOSE OF PETITION:</b> _____ _____ _____ _____ _____ _____ _____ _____ _____	
<b>REMEDY SOUGHT:</b> _____ _____ _____ _____ _____ _____ _____	
<b>NAME OF ORIGINATOR of PETITION (please print):</b> _____ _____	
<b>CIVIC ADDRESS</b> _____ _____	
<b>PHONE NUMBER</b> _____ <b>and / or E:Mail</b> _____ _____	
<b>DATE PETITION STARTED:</b>	<b>SIGNATURE OF ORIGINATOR:</b>



## APPENDIX B

You're Viewing the Development Environment



SEARCH

 Or select a Quick Link 

## About Petitions

- Preparing Petitions
- Acceptable Types of Petitions
- Submitting Petitions
- Disposition

### Preparing Petitions

- The purpose of the petition must be clearly stated, including the remedy sought from Regional Council or the appropriate Community Council;
- The name, civic address, and either telephone number or email address of the originator of the petition;
- The name, civic address, and date of signing of everyone who signs the petition; AND
- The date the petition was started.

All information contained in a petition is deemed to be public information, including the names and addresses of those signing the petition.

## Acceptable Types of Petitions

- Petitioners may use any format provided all of the above mandatory information is included.
- You may also download, print and use this "sample" petition form.

## Submitting Petitions

### Manually

Provide the original hardcopy of the completed petition to a member of Regional Council or the Municipal Clerks Office for presentation to either Regional Council or the appropriate Community Council.

### Electronically - via email

There are several providers of online petition services and forums that a petitioner may choose to run their petition. HRM does not endorse any specific method, however whichever method is used must include all of the above noted mandatory information.

- Send the **weblink** of the completed petition to the Municipal Clerk's Office for submission to the next available Regional Council session or the appropriate Community Council; OR
- Send a **.csv file** containing the completed petition data to the Municipal Clerk's Office for submission to the next available Regional Council session or the appropriate Community Council.

Due to the potential volume of response to online petitions, the size of electronic files MAY exceed HRM server capacity, therefore the preferred method of submission is via a weblink to the petition results. If attempting to send a file that is rejected due to size, please contact the Municipal Clerk's Office and arrangements will be made to receive your petition via alternate

means.

## Disposition of Petitions

- Unless deemed by Regional Council or Community Council to require an immediate response, all petitions submitted to Regional or Community Council will be forwarded to staff or an appropriate Advisory Committee for a report on the subject.
- Staff will notify the originator of the petition as to when the report will be submitted to Regional or Community Council.

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