Item No.   11.1.4
Halifax Regional Council
September 25, 2012

TO: Mayor Kelly and Members of Halifax Regional Council

Original signed by

SUBMITTED BY:

Richard Butts, Chief Administrative Officer

Original Signed by

Mike Labreque, Deputy Chief Administrative Officer

DATE: August 28, 2012

SUBJECT: **Open Data Initiative**

ORIGIN

2012/2013 Business Plan- Finance & Information, Communication & Technology Deliverable 2.4: "Present Open Data report to Council and implement direction of Council."

RECOMMENDATION

It is recommended that:

1. Regional Council adopt the concept of Open Data, as described in this report, and declare HRM data to be "Open" through an Open Data pilot;

2. Regional Council amend the first sentence of Article I ("Data Covered by Policy") on page 1 of the current GIS Data Dissemination Policy (Attachment A) by adding the clause "excepting those data sets listed in Schedule C" to read as follows:

   a. "All geographic data that is stored on the Halifax Regional Municipality's corporate geographic information system, *excepting those data sets listed in Schedule C*, are covered by this policy."

   b. And include Appendix B of this Report as Schedule C to the current GIS Data Dissemination Policy; and,

3. Regional Council approve HRM staff to engage members of the public and others knowledgeable about open data applications to assist HRM in the development and running of an Open Data Application contest.

BACKGROUND

In June 2006, Halifax Regional Council adopted a formal GIS Data Dissemination Policy (GDDP) regarding the dissemination of corporate geographic data (Attachment A). It covers all data resident on the organization's GIS (Geographic Information System) system. This includes, but is not limited to, data sets such as civic addresses, community boundaries, infrastructure (i.e. roads), administrative boundaries, HRM owned property, parks and recreation sites, and building outlines.

The policy limits data access to defined groups and attaches fees depending on the category of clients. The rationale supporting this policy approach was that collecting and maintaining data was expensive, and therefore compensation should be sought to offset the costs incurred. This form of data dissemination was adopted by the majority of Canadian municipalities at the time.

Significant changes have occurred in the six years since adoption of the GDDP. These changes include:

a) Common place use of geographic data through use of technologies such as Global Positioning Systems (GPS)
b) Evolution of mobile technology and home-grown application development
c) Interest in using geographic information to build computer applications
d) Trend toward more "open government" and "open data"

In the recent past, members of Council have expressed a growing interest in open data. On December 8, 2009, staff received a request from Regional Council to "consider entering into the concept of 'open data' and making HRM's data accessible to residents." More recently on April 3, 2012, there was discussion at Regional Council COW, wherein Councillor Watts commented on the need for improved routine disclosure of information and needed improvements to the HRM website to make it easier for residents to find the information they need. The Chief Administrative Officer indicated his support for a routine disclosure and open data policy.

On May 10, 2012, the following motion was approved by the Community Planning & Economic Development Committee:

"MOVED by Councillor Outhit, seconded by Councillor Fisher that staff provide an information report on the assessment of value and options of making HRM's data more publicly accessible as a means of promoting economic development. MOTION PUT AND PASSED."

Based on direction from Regional Council, HRM staff has been investigating why and how other

Canadian cities like Ottawa, Vancouver, Edmonton, Toronto and others have adopted the Open Data concept to respond to the growing demand from the public to access and use publicly developed and maintained data. This report outlines the experiences of other Canadian municipal jurisdictions regarding open data and provides recommendations on how HRM might begin an Open Data Initiative.

DISCUSSION

What is Open Data?

Open Data is a philosophy and practice, to provide some of the municipally-generated data to the public in a machine-readable format, without the restrictions of copyright, patent or other control mechanisms and, most importantly, free of charge. The most commonly used Open Data focuses on structured data, such as geographic data, scheduling, statistics, and demographic data. The objective of Open Data is to eliminate burdens to access data created or managed by government agencies, while respecting privacy and sensitivity concerns. It enables entrepreneurs, academics, community groups, other learning communities, developers, and interested citizens to use data to improve the social experience and stimulate economic growth through data applications.

The Open Data movement is growing amongst a number of government agencies in Europe and North America, and is also gaining momentum in Canada. Since 2008, more than 20 Canadian jurisdictions have joined the Open Data movement and are freely providing municipal data via the web. The details of the international and Canadian Open Data movements can be found in Appendix A.

Open Data Drivers

There are a number of drivers behind the open data movement. In summary, they are:

Restrictive data policies such as the GDDP limit the access to public goods. Although some data need to be protected due to privacy or security concerns, many data sets should be free for public access in order to increase the overall transparency of the municipality. HRM is actually charging taxpayers again to create and access its GIS data, as they paid in the first place for the creation of the data. This reflects a shift in thinking from the initial introduction of the GDDP in 2006, when HRM sought to protect the taxpayer's investment in this data by charging for its use, particularly where commercial entities sought to use the data in profit-making ventures.

The current public data sharing process is costly and inefficient. Staff spends a significant amount of time and resources to prepare and share data sets based on individual requests. By streamlining the process, making the data sets available through a publicly accessible website on a regular basis, HRM will be able to provide the original format of the data directly to the public, and allows users to format it as they need.

Local HRM community movement. A number of requests are received each year from the public, asking to gain free access to HRM geographic data sets. Meanwhile, some Councillors

have asked why there are restrictions to prevent the free dissemination of geographic data. As the global 'open data, open government' movement continues to emerge, it will increase the expectations of local communities for HRM to lead open data reform.

Open Data as a Driver of Economic Growth. Once datasets are made available, there is very little cost associated with disseminating the information but there is evidence to suggest that access, pricing and licensing policies make a substantial difference in the levels of access to, use and re-use of public information.

A 2005 Organization for Economic Cooperation and Development (OECD) report on Public Sector Information and Content suggested there are two ways in which public sector information provides economic value. The first is directly, in that it provides raw material that can be turned into value-added products and services. The second is as a data input that improves efficient decision-making and production.

The success of open data projects to date suggests there is a market for information on public services and a demand that is not currently being met. Because information and communication technologies (ICTs) are the means by which data are disseminated, the ICT sector plays a particularly important role when it comes to the economic value of open data. Because Halifax has a large number of ICT companies and expertise from which to draw, Halifax is well-positioned in terms of potential when it comes to disseminating public information. To the extent that availability of government data drives further development in this sector this could represent a real benefit to the municipality. In Canada the ICT sector accounts for 3.2% of total employment but the share of GDP it contributed was higher at approximately 5%. Employees in the ICT sector in Canada earned on average $67,911 in 2011, or 49% more than the economy-wide average of $45,488. (Source:IndustryCanada,http://www.ic.gc.ca/eic/site/ict-tic.nsf/vwapj/0107229e.pdf/$FILE/0107229e.pdf)

Open Data in support of Increased Transparency & Citizen Engagement. Throughout government at all levels there is an emerging trend towards more open government, making government more transparent and increasing the engagement of its citizenry. It is recognized citizens can participate more meaningfully in government if they have access to relevant information and are able to participate and help to solve problems, particularly at the local level. Free and clear access to pertinent data can facilitate this.

Open Data Initiative Approach

In order to adopt Open Data, HRM staff is seeking endorsement from Council to develop an Open Data initiative approach. Through this approach, a pilot data catalogue website site will be built and made available for public access. This site will release the 15 data sets listed in Appendix B to the public. The initial version will focus on readily available data sets that have data management procedures already in place. The site will allow:

   a) quick release of preliminary data at relatively low cost (see budget implications section)
   b) measure data quality from the public perspective and

c) a better understanding of what kind of data is of greatest value to the public and local businesses.

To encourage the use of the released data sets, staff suggest engaging the public to host an Open Data Application contest. Municipalities such as Edmonton, Toronto and others have hosted development contests to publicize the availability of open data and to engage developers and programmers in creating application tools that may benefit citizens of the municipality. HRM staff will seek public input in judging the value added to the data sets through these applications. HRM staff will also explore the possibility of attracting private sponsorship support. In order to ensure the neutrality and reduce the responsibility of HRM, the contest website may be hosted through a third party.

Upon the completion of the pilot, HRM staff will gather and analyse the open data usage information; evaluate the cost, benefit and impact of freely sharing data sets to the public, and make recommendations on further adoption of Open Data as well as the existing GDDP.

ALTERNATIVES

Regional Council may choose to maintain the status quo by not considering an Open Data initiative or changes to the GIS Data Dissemination Policy at this time. This is contrary to the requested direction of Regional Council, the stated interests of some members of the public who wish to access and use municipal data, and the general direction most Canadian municipalities have moved in over the past four years.

BUDGET IMPLICATIONS

The proposed pilot initiative can be conducted using existing staff resources. Preliminary estimates for hosting of the open data and the conduct of an Open Data contest are in the vicinity of $25,000. Funds are available for this initiative in Project Account CI990001 Business Intelligence Roadmap.

Existing revenue from the sale of geographic data is minimal. Projected revenue in the amount of $3,000 per annum will be deposited into Operating Account A721 – 4950 ICT Plan/CRM Admin. – Other Licences & Permits. The majority of this revenue is generated through the production of hard-copy map product, not sales of geographic data.

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.

APPENDIX

Appendix A – Open Data Movement

International
(Source: http://en.wikipedia.org/wiki/Open_data#Open_data_in_government)

Several national governments have created web sites to distribute a portion of the data they collect. A list of over 200 open data catalogues is available on the open source datacatalogs.org project, which aims to be a comprehensive list of data catalogues from around the world. Prominent examples include:

- Data.gov - U.S. government open-data website. Launched in May 2009.
- Data.gov.uk - U.K. government open-data website. Launched in September 2009.
- data.govt.nz - New Zealand Government initiative to publish Government Data under Creative Commons licenses, defined further at NZ GOAL. Launched in Nov 2009.
- data.norge.no - Norwegian government open-data website. Launched in April 2010.
- opengovdata.ru - OpenGovData Russia Catalog. Launched in 2010, private initiative.
- Data.gov.au - Australian government open-data website. Launched in March 2011.
- Data.gc.ca - Canadian government open-data website. Launched in March 2011.
- opendata.go.ke - Kenyan government open-data website. Launched in Jul 2011.
- data.overheid.nl - Dutch government open-data website. Launched in Oct 2011.
- datos.gob.cl - Chilean government open-data website. Launched in Sept 2011.
- data.gov.it - Italian government open-data website. Launched in October 2011.
- datos.gob.es - Spanish government open-data website. Launched in October 2011.
- datos.gub.uy - Uruguayan government open-data website. Launched in November 2011.
- data.gouv.fr - French government open-data website. Launched in December 2011.
- dados.gov.br (beta) - Brazilian government open-data website. Beta launched in December 2011; full site scheduled for April 2012.
- www.opendata.ee - Estonian government open-data website.
- dados.gov.pt - Portuguese government open-data website.

Additionally, other levels of government have established open data websites. Data.gov lists the sites of a total of 31 U.S. states, 13 cities, and > 150 agencies and sub agencies providing open data; e.g. the state of California, USA. There are many local government entities pursuing Open Data in Canada.

Canadian Municipalities
(Source: http://en.wikipedia.org/wiki/Open_data_in_Canada)

Calgary
Report was released for the February 10, 2010 Finance and Corporate Services meeting. Recommendations included "Direct Administration to pilot a public data catalog with the re-launch of City On-line expected in 2010 Q2". Site launched in late September 2010.
https://cityonline.calgary.ca/Pages/Category.aspx?cat=CITYonlineDefault&category=PublicData

Edmonton
Edmonton is providing open data through the City of Edmonton Open Data Catalogue.
http://data.edmonton.ca/

Fredericton
Fredericton is providing open data through the City's Open Data Catalogue.
http://www.fredericton.ca/en/citygovernment/DataMain.asp

Township of Langley
Open data from the Township of Langley, British Columbia.
http://www.tol.ca/ServicesContact/OpenData.aspx

London
London launched an open data catalogue (Open Data London) in September 2010.
http://www.london.ca/open

Medicine Hat
Medicine Hat launched an open data catalogue in April 2011, there is some background information at http://www.medicinehat.ca/City Government/Open Data/
http://data.medicinehat.ca/

Mississauga
Mississauga has released data and will move towards providing the data sets in open formats.
http://www.mississauga.ca/data

Montréal
Montréal launched its open data portal in October 2011. Background on their approach is available http://donnees.ville.montreal.qc.ca

Nanaimo
The City of Nanaimo's planning department has, over the past five years, steadily produced enough municipal data to warrant a Time magazine article on open-government, and to be dubbed 'the capital of Google Earth'. Working directly with Google, the city fed it a wealth of information about its buildings, property lines, utilities and streets. The result is earth.nanaimo.ca, city data viewed through the Google Earth 3D mapping program.
http://www.nanaimo.ca/datafeeds

Niagara Falls
http://www.niagarafalls.ca/services/open/

District of North Vancouver
Open data from the District of North Vancouver
http://www.geoweb.dnv.org/

Ottawa
City Council approved open data on May 12, 2010 and announced plans for a $50,000 apps contest.
http://ottawa.ca/opendata
The city also offers free public access to its internal mapping data via a site called eMap.
The Apps4Ottawa contest submission period ran from September 29, 2010 to January 3, 2011 followed by a voting period and awarding of prizes.
http://www.apps4ottawa.ca/

Prince George
http://princegeorge.ca/cityservices/online/odc/Pages/default.aspx

Quebec City
Launched at Web à Québec event February 22, 2012.
http://donnees.ville.quebec.qc.ca/

Regina
Launched February 27, 2012.
http://www.regina.ca/residents/open-government/data/

Surrey
http://surrey.ca/city-services/658.aspx

Toronto
In early April 2009, Toronto's mayor, David Miller announced plans to share city data at toronto.ca/open.
http://www.toronto.ca/open

Vancouver
In May 2009 Vancouver passed a resolution that states, "the City of Vancouver will freely share with citizens, businesses and other jurisdictions the greatest amount of data possible while respecting privacy and security concerns."
http://data.vancouver.ca/

Waterloo
Waterloo Region provides open data.
http://www.regionofwaterloo.ca/en/regionalgovernment/OpenDataHome.asp

Windsor
Windsor provides open data. "Windsor has joined a growing number of cities employing a philosophy and practice known as Open Data".
http://www.citywindsor.ca/opendata/Pages/Home.aspx

Appendix B – Data sets to release in Open Data pilot

Currency Column: (C) = Creation year; (L) = Last update; (F) = Update frequency

Data Set	Description	Source	Currency	Coverage
Civic Address	Point representing a civic address and includes civic number, street name and GSA (general service area). The reference point, where possible, was placed within the building polygon or attached to the building centroid.	GIS	Pre-2000 (C) 2011 (L) Continually (F)	HRM
Street Network	Single line representation of every street in HRM with associated street names and types, address block face ranges and GSA's.	GIS	Pre-2000 (C) 2012 (L) Continually (F)	HRM
Community Boundaries	A feature class which stores all of the General Service Area (GSA) polygons as described by the E911 system.	GIS	Pre-2000 (C) 2011 (L) As requested (F)	HRM
BUS Routes	Bus routes from Metro Transit.	GIS	Pre-2000 (C) 2010 (L) Quarterly (F)	Core
Bus Stops	Transit point features	GIS	Pre-2000 (C) 2012 (L) As requested (F)	Core
Transit Scheduling Data	Metro transit bus schedules	HASTUS	2012(L)	Core
Building Footprints	Building polygons compiled from various scales and types of mapping. Each scale of mapping has different standards for collecting building polygons. The newest additions to this file are done by scanning, registering and rectifying building footprints from location certificates	GIS	2010 (C) 2011 (L) On-going (F)	HRM
Building Symbols	Points representing the different uses within each building where the use is of a type that is to be depicted on mapping products.	GIS	2010 (C) 2011 (L) On-going (F)	HRM
HRM Parks	HRM owned Park data. Contains parks that HRM owns, and has an "interest" in. (Maintained, leased, etc). This layer is a composite of various data sets including the MOP data, as well as staff site visits and knowledge.	GIS	2008 (C) 2011 (L) On-going (F)	HRM
HRM Park Recreation Features	HRM owned or maintained Recreation related data. Contains points that represent various outdoor recreational facilities such as playgrounds, sports fields, etc. This layer is a composite of various data sets including the MOP data, as well as staff site visits and knowledge.	GIS	2008 (C) 2011 (L) On-going (F)	HRM
Trails	Linear representation of trails, that are either owned, maintained, or of interest to HRM.	GIS	2009 (C) 2012 (L) As requested (F)	HRM

Polling District Boundaries	Final version of the polling districts as approved by the Nova Scotia Utility and Review Board.	GIS	2000 (C) 2012 (L) None planned (F)	HRM
Solid Waste Collection Areas	Waste Collection Service provision boundaries.	GIS	2002 (C) 2010 (L) As requested (F)	HRM
Zoning Boundaries	Land use zone applied to a particular area of land within a land use by-law (LUB) area. Zoning designations differ between LUB areas, so each zone must be interpreted within the context of the LUB area in which it is applied.	GIS	Pre-2000 (C) 2012 (L) Continually (F)	HRM
LIDAR DEM 1m/2m/5m	An active remote sensing technology that measures topography of the earth's surface, and landscape feature heights and intensity. Contours will be derived and released.	GIS	2012(L) As requested (F)	HRM

ATTACHMENTS

Attachment A – Geographic Data Dissemination Policy

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:	Donna Davis, Chief Information Officer, 490-4417
	Qingshuang Jiang, Data Architect, ICT Planning & CRM, 490-3262
	Mark Helm, Data Analyst, ICT Planning & CRM, 490-1483

Original Signed

Report Approved by: _____

Greg Keefe, Director, Finance & Information, Communication & Technology, 490-6308

SUBJECT:	**GEOGRAPHIC DATA DISSEMINATION POLICY**
AUTHORITY:	**GIS SERVICES, DATA & BUSINESS INFORMATION SERVICES,**
	HALIFAX REGIONAL MUNICIPALITY

POLICY STATEMENT

This policy defines what the Halifax Regional Municipality (HRM) charges for the dissemination of digital and hard copy geographic data. The policy ensures that consistent and equitable service is provided to the public, and ensures that costs are kept to a minimum by basing fees on cost recovery. Recovery of costs will be based on dissemination costs only and will not include the cost of acquiring, developing or maintaining the original data. HRM geographic data may be purchased for limited, non-commercial uses; additional fees will apply. The attached pricing structure outlines the charges applicable to the dissemination of digital geographic data and hard copy maps created from digital geographic data.

APPLICATION

This policy defines the type of data to which it applies and the categories of client who may access the data. It also provides a schedule of costs for data items, materials and custom services. It is intended that staff will use the policy when fulfilling requests for data from internal and external clients.

This policy will be implemented commencing on June 20, 2006.

1. Data Covered by Policy.

All geographic data that is stored on the Halifax Regional Municipality's corporate geographic information system are covered by this policy. For the purposes of this document, "geographic data" can be defined as:

> *"...data or information derived from data that is stored within computer systems by latitude/longitude, or other similar spatial referencing system. This includes all descriptive, or attribute data which is "linked" or "related" to the spatial referencing system by codes, keys, or similar means."*

2. Target Groups Subject to Policy

For the purposes of interpreting and implementing this policy, the following categories of clients have been identified :

Category "A" includes internal clients of the Halifax Regional Municipality, such as Halifax Regional Municipality business units, police services (HPD), etc.

> *Category A clients are exempt from fees for geographic data and are not required to enter into a license agreement but have an understanding of the data dissemination and license policy. When data or custom mapping is required for a major project such as Harbour Solutions or a Municipal Election, data handling fees, hard copy map/publication fees, and material fees may be charged. All such fees charged to this category of clients may be waived at the discretion of the GIS Services Manager.*

Category "B" includes other municipalities, local school boards, local libraries, other local government agencies or associations; not-for-profit organizations (i.e. recreation trail associations, Friends of the Public Gardens) and charitable organizations (i.e. church groups, Girl guides, Diabetes Association); provincial or federal government agencies involved in local programs; and local media representatives within the Halifax Regional Municipality, and includes community associations and consultants (working on behalf of any Category B client).

> *Category B clients are exempt from fees for geographic data but they are required to pay data handling fees, hard copy map/publication fees and material fees charged at full cost recovery. Category B clients working in partnership with Halifax Regional Municipality are exempt from handling and material fees. Category B clients are required to enter into a license agreement for use of the data.*

Category "C" (Subscriber) includes utility companies (i.e. Aliant, Nova Scotia Power, Heritage Gas, Eastlink Cable, Canada Post, EHS), corporations, individuals, consultants, developers, and commercial ventures purchasing data for limited, non-commercial uses.

> *Category C clients must comply with the policy as defined herein, which includes a subscription rate that incorporates cost recovery for data handling fees, hard copy map/publication fees and material fees. These fees and charges shall in no case be less than full cost recovery. Category C clients are required to enter into a limited use license agreement (standard attached) for use of the data. Subscription fees may be waived in whole or part where a quid pro quo data exchange is available.*

Category "D" (Value Added Re-seller) includes corporations, individuals, private consultants, developers, and commercial ventures purchasing data for unlimited, commercial uses including re-sale of the data.. Publicly funded geospatial assets and staff resources to compile/collect to manipulate such data are not intended for the reuse of value added or for profit services. It will not be the practise of HRM to provide data that may be sold or reused for purposes of sale or profit by others.

3. Staff Responsible for Implementation of Policy

(1) The GIS Services Manager will be responsible for the implementation of this policy.

(2) All Halifax Regional Municipality staff will be responsible for adherence to this policy.

(3) The GIS Services Manager is authorized to establish, revise and waive fees as appropriate

4. Ownership of Geographic Data

(1)   Any electronic databases prepared under the direction or control of the Halifax Regional Municipality belong to the Halifax Regional Municipality; the Halifax Regional Municipality has the exclusive right to use the databases in any manner or to authorise others to copy it.

(2)   In accordance with the foregoing, direct access to the geographic databases is restricted to employees of the Halifax Regional Municipality

(3)   Responsibility to administer Halifax Regional Municipality's copyright and ownership of data rests with Legal Services.

5. Schedule of Costs

1. The cost of making data or "hard copy" maps available for purchase to the public or corporations shall reflect the full cost of collecting, compiling, preparing, producing and disseminating the data (the "marginal" cost of disseminating), but not the original cost of acquiring the data.

2. Fees and charges may be reduced or waived where appropriate (e.g. where health, safety and emergency preparedness issues are involved or there is an exchange of data with another government body, academic institution or utility).

3. Revenues received by GIS Services for geographic data and hardcopy mapping shall be placed in a GIS Services general revenue account

4. The costs of the data dissemination as defined in the above policy shall be implemented with the Manager of GIS Services authorized to establish, revise and waive fees as appropriate.   The current schedule of fees is attached as Schedule "B".

6. Data License Agreements

(1) Data License Agreements are required each time data is provided to a client. The Data License Agreement must be executed between the Licensee and HRM before data is provided.

(2) Data shall be provided as a "non-exclusive" license (Halifax Regional Municipality retains the right to access and distribute its data through other licensees).

(3) When a client wishes to use the data provided under an existing agreement for a new project, a new agreement shall be prepared and an administration fee charged.

(4) One standard form of Data License shall be available, with customized conditions for use depending on the nature of the data provided. A sample of the Data License Agreement is attached as Schedule "A".

(5) There is an implied copyright on all products; however an effort should be made to place copyright statements on the original documents, as well as other disclaimers and acknowledgements.

(6) Where the Halifax Regional Municipality is not the sole-owner, a multi-party agreement will be used, naming all parties involved.

Schedule "A":   GIS Data License Agreement

GIS Data License Agreement

THIS AGREEMENT dated the **dayth** day of **month, year.**

BETWEEN:

       Company Name ("Licensee")

AND

       HALIFAX REGIONAL MUNICIPALITY

WHEREAS Halifax Regional Municipality is the owner of digital files containing geographic information covering the Halifax Regional Municipality (hereinafter the "Database");

AND WHEREAS Halifax Regional Municipality has agreed to grant a non-exclusive license to **Company Name** subject to the terms and conditions of this Agreement;

NOW THEREFORE   Halifax Regional Municipality and the Licensee covenant and agree as follows:

1. Grant of License
The Halifax Regional Municipality hereby grants to the Licensee a non-transferable, non-exclusive license to use electronic files of the municipality's Geographic Database as itemised in Addendum 'A' (hereinafter called the "Licensed Database") royalty-free with respect to the specific needs of the **Project Name** Project commencing on execution of this license by all parties and expiring on completion of the project, subject to earlier termination.

2. Fee Payable
The Licensee shall pay to the Halifax Regional Municipality a fee of **$0.00** for the granting of this license. The licensee shall pay the fee to the Halifax Regional Municipality within thirty (30) days of receiving an invoice.

3. Restricted Use
The Licensee is authorised to use the Licensed Database solely for its own internal operation with respect to the specific needs of the **Project Name** Project.   The Licensee acknowledges that the Licensed Database is protected by copyright and that the only right that the Licensee obtains to the Licensed Database is the right of use in accordance with the terms of this License. Where the Database, or portion thereof, is used in combination with other data to produce derived works for distribution to individuals, associations and corporations, the derived work must be provided in a non-digital format. Any third party requiring access to the Licensed Database for the purpose of producing such derived works must execute an agreement with the Halifax Regional Municipality prior to being given access to the Licensed Database.

The Licensee may engage contractors to perform work on the Licensed Database. The Licensee shall ensure that contractors do not copy the Licensed Database or use the Licensed Database for any purpose other than providing services for the Licensee with respect to the specific needs of the **Project Name**, or in any manner in which Licensee is prohibited under this License Agreement.

4. No transfer

Any attempt by the Licensee to sub-license, assign or transfer any of the rights, duties or obligations hereunder are void. The Licensed Database shall not be sold or distributed to third parties in any manner by the Licensee.

5. No warranty

The Halifax Regional Municipality shall not be obliged to update the files or the Licensed Database or to make any changes thereto at the request of the Licensee. The Halifax Regional Municipality makes no warranties, either express or implied, as to any matter, including without limitation, the condition, quality or accuracy of the Licensed Database or its fitness for any particular purpose. The Halifax Regional Municipality does not take any responsibility for inaccuracies found in the maps or data. The granting of rights to any new edition of the Licensed Database will be subject to a new agreement between the parties.

6. Indemnity

The Licensee indemnifies and saves harmless Halifax Regional Municipality from any claim by a third party and for any losses, costs and damages arising out of or related to the Licensee's use of the Licensed Database where such use has not been in accordance with the terms of this Agreement.

7. Default

If the Licensee fails to comply with any of the terms or conditions of this Agreement, Halifax Regional Municipality may terminate this Agreement immediately.

8. Effects of termination

Upon the termination of this Agreement for whatever cause, all rights and privileges granted to the Licensee hereunder will immediately terminate and the Licensee shall immediately return to the Halifax Regional Municipality, or destroy, the Licensed Database and all related copies and materials. The Halifax Regional Municipality reserves the right to require proof from the Licensee of the destruction of the Licensed Database and related copies and materials.

9. Governing Law

This Agreement is governed by the laws of the **Province of Nova Scotia**.

10. Inurnment

This Agreement is binding upon and inures to the benefit of the parties and their respective successors and permitted assigns.

11. Notices

Any notice, instruction or other communication required or permitted to be given to any party pursuant to this Agreement must be in writing and will be deemed to have been sufficiently given if delivered personally or sent by pre-paid registered mail or by facsimile to the corresponding address show below:

If to the Licensee:
      Company Name

      Street Address

      City, Province
      Postal Code

If to HALIFAX REGIONAL MUNICIPALITY:
      Manager, GIS Services
      Halifax Regional Municipality - GIS Services Section
      P.O. Box 1749
      Halifax, Nova Scotia   B3J 3A5

or to such other address as any party may from time to time notify the others in accordance with this section.

Any such communication will be deemed to have been received on the date of delivering if personally delivered; or on the fifth business day after mailing if sent by pre-paid registered mail; or on the date of transmission if sent by facsimile.

IN WITNESS WHEREOF the parties have duly executed this Agreement as of the date first written above.

Company

_____

(signature)

Name: _____

Title: _____

Date: _____

HALIFAX REGIONAL MUNICIPALITY

_____

(signature)

Name: _____

Title: Manager of GIS Services

Date: _____

Prepared by: Employee Initials, Department

(
(Addendum 'A'
(
(Licensed database, transferred to licensee
(in electronic format, in file(s) as named hereafter;
(
(For the purposes of this contract you have been determined as a Category "B or C" client.
(
(Enter a description of data provided here and a description of the purpose.
(Need details as to what data is provided, in what format, and geographic extent
((e.g. DWG, shapefile, feature names, "area bounded by …", etc.).
(List and additional conditions of the agreement (for example data to be obtained in exchange).
(
(

HALIFAX
REGIONAL MUNICIPALITY

Schedule "B": GIS Data Dissemination Fees

Digital GIS Data Handling Fees

All request for digital data shall be charged a handling fee of $55.00 per hour, (minimum .5 hour charge) to cover the cost of staff time spent in discussions with the requester, and time spent in the preparation and delivery of the data. The minimum hourly rate will be charged for each separate request.   Digital transfer of data (email or FTP) are included in this price.

Data is available in the following formats:
    Standard Formats –ESRI Shapefile, Personal GeoDatabase
    Export formats –XML, DWG, DXF

Fees will also include the cost of   material transfers:
$25.00 per Data CD

Hard Copy Map Plotting Fees

All those requesting a hard copy map shall be charged a plotting fee of $55.00 per hour, (minimum .5 hour charge) to cover the cost of staff time spent in discussions with the requester, and time spent in the preparation and delivery of the map. The minimum hourly rate will be charged for each separate request.

Fees will also include a $5.00 per linear foot charge to cover the cost of standard paper. Other media available upon request and subject to applicable fees.

All pricing is subject to applicable taxes.

Subscription Fees:

Subscription Fees will apply to category "C" clients on an annual basis. "C" clients will be notified 30 days before their subscription term is completed. If renewal is not forthcoming, the Licensee shall immediately return to the Halifax Regional Municipality, or destroy, the Licensed Database and all related copies and materials.

Themes will be added as they become available. Regular updates of the themes will be made available as specified in the Data License.

Subscription type:	Cost
Annual- all available themes listed below	$5000
Street centreline graphic without attributes	$500
Street centreline graphic with attributes	$2000
Buildings (outlines &/ or points) no attributes	$500
Civic address point file	$2000
Administrative boundaries (i.e. polling districts, communities, pre-amalgamation boundaries, etc.)	$500
Public safety themes and attributes (i.e. police, fire, hospitals, etc)	$500
Metro Transit (stops & routes)	$500
Infrastructure without attributes (i.e. sewer, storm sewer, road right-of-way, curb, sidewalks, etc)	$500
Infrastructure with attributes (i.e. sewer, storm sewer, road right-of-way, curb, sidewalks, etc)	$2000
Backdrop (coastline, major water bodies, etc)	***

*** Backdrop information available free on the Province of Nova Scotia web site is available as a bundle provided the client shows a current signed Data License agreement with the province.