


Item No. 10.1.6
Halifax Regional Council
January 15, 2013

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: December 14, 2012

SUBJECT: Proposed Amendments to Administrative Order #48 Respecting the
Creation of Community Councils

ORIGIN

December 6, 2012 Motion of the East Community Council meeting
December 10, 2012 Motion of the West Community Council meeting
December 13 2012 Motion of the Central Community Council meeting

LEGISLATIVE AUTHORITY

Sections 24 to 31 of the *Halifax Regional Municipality Charter* refer to the establishment, powers and duties of Community Councils. Administrative Order 48 relates to the Creation of HRM Community Councils.

RECOMMENDATION

It is recommended that Halifax Regional Council adopt the proposed amendments to Administrative Order #48, as set out in Appendices A and B of this report, to change the names of the three HRM Community Councils as follows:

1. Change "East Community Council" to "Harbour East-Marine Drive Community Council";
2. Change "West Community Council" to "Halifax and West Community Council";
and
3. Change "Central Community Council" to "North West Community Council".

It is further recommended that Halifax Regional Council adopt the proposed amendments to Appendix "A" of Administrative Order One as set out in Appendices C and D of this report.

BACKGROUND

Regional Council, on November 27, 2012, approved Administrative Order #48 Respecting the Creation of Community Councils, which came into effect on December 3, 2012 creating the East, West, and Central Community Councils.

Under Appendix “A” of Administrative Order One public hearings at Community Council are advertised to commence at 7:00 pm while Community Council meetings start at 6:00 pm.

DISCUSSION

The inaugural meetings of East, West, and Central Community Councils took place on December 6, 2012 (East), December 10, 2012 (West) and December 13, 2012 (Central). Motions were approved at each of these meetings requesting that Regional Council approve amendments to Administrative Order #48 to change the names of each of the Community Councils

Administrative Order #48, with proposed amendments to section 2(a), (b), and (c) is attached as Appendix A to this report.

Administrative Order One requires a Community Council to advertise that a public hearing will commence at 7:00 pm. The Community Councils have the flexibility to set the time when a meeting will commence but a public hearing must be advertised to start at 7:00 pm. It is recommended that Community Councils be given the same flexibility to set a different time for a public hearing to commence as exists for setting when a meeting will start.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

COMMUNITY ENGAGEMENT

The members of HRM’s three Community Councils are duly elected officials of Halifax Regional Council. Community Council meetings are held on a regularly scheduled basis in public (unless otherwise indicated) and include a public participation portion at the end of each meeting. Agendas, reports and minutes are available on the HRM website.

The motions approved by each community council requesting name changes were put forward, debated, and approved at the inaugural meetings of each Community Council in public. No further community engagement was deemed necessary.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with this report.

ALTERNATIVES

Halifax Regional Council may choose to not adopt the proposed amendments to Administrative Order #48, with regard to changing the names of the three Community Councils.

Should Council not adopt the proposed amendments to Administrative Order #48, the current names would continue to be in effect.

Council may choose to bring forward alternative Community Council names, to be amended in Administrative Order #48.

ATTACHMENTS

Appendix A – Proposed Amended Administrative Order Number 48 Respecting the Creation of Community Councils

Appendix B – Amending Policy

Appendix C - Proposed amendments to Appendix ``A`` of Administrative Order One

Appendix D – Proposed amendments to Administrative Order One

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: Jennifer Weagle, Legislative Assistant, 490-6517 and Derk Slaunwhite, Solicitor

Report Approved by:

Cathy Mellett, Municipal Clerk

Report Approved by:

Marian Tyson, A/Director, Legal Services and Risk Management

APPENDIX A
(proposed changes incorporated)

**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 ~~Central~~ **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. Margaret's;
 - iii) polling district 14, Upper/Middle Sackville - Beaver Bank;
 - iv) polling district 15, Lower Sackville; and
 - v) polling district 16, Bedford – Wentworth.
- (b) the ~~East~~ **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 - Porters Lake - 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;
 - ii) polling district 8, Peninsula North;
 - iii) polling district 9, Peninsula West - Armdale;
 - iv) polling district 10, Birch Cove - Rockingham – Fairview;
 - v) polling district 11, Spryfield - Sambro - 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 (2) of this section, sections 29, 30 and 31 of the *Halifax Regional Municipality Charter* apply to each Community Council.

(2) Subsection (2) of section 30 of the *Halifax Regional Municipality Charter* does not apply to a Community Council.

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.

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

BE IT RESOLVED that Administrative Order 48, the Community Council Administrative Order, is amended as follows:

1. Clause a of section 2 is amended by:
 - (a) striking out the word ``Central`` after the word ``the`` and before the word ``Community``; and
 - (b) adding the words North West after the word ``the`` and before the word ``Community``.
2. Clause b of section 2 is amended by:
 - (a) striking out the word ``East`` after the word ``the`` and before the word ``Community``; and
 - (b) adding the words ``Harbour East-Marine Drive`` after the word `` the`` and before the word ``Community``.
3. Clause c of section 2 is amended by adding the words ``Halifax and`` after the word ``the`` and before the word ``West``.

Appendix C

(proposed changes to Appendix ``A`` of Administrative Order One)

HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER ONE
RESPECTING THE PROCEDURES OF COUNCIL

Appendix ``A``

(1) Except where otherwise stated, these Rules shall apply equally to Public Hearings conducted by Community Council as to those conducted by Regional Council.

(2) All Regional Council Public Hearings will be advertised to commence at 6:00 p.m. Community Council Public Hearings will be advertised to commence at 7:00 p.m. **or such other time as designated by motion of the Community Council.** Advertisements will only be placed for the first date of a Public Hearing only. The advertisements shall indicate that if the Public Hearing cannot be concluded at the advertised date, it will continue on a date determined by Council at the Public Hearing.

**HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER ONE
RESPECTING THE PROCEDURES OF COUNCIL**

BE IT RESOLVED by the Council of the Halifax Regional Municipality that Administrative Order One, the Procedure of Council Administrative Order, is further amended as follows:

1. Section two of Appendix “A” of Administrative Order One is amended by adding the words “or such other time as designated by motion of the Community Council” after the words “at 7:00 p.m.” and before the period at the end of the sentence.