

Item No. 2
Halifax Regional Council
April 23, 2013

TO: Mayor Savage and Members of Halifax Regional Council

Original Signed by Director

SUBMITTED BY: _____
Marian Tyson, QC, Acting Director, Legal Services & Risk Management

DATE: March 12, 2013

SUBJECT: Status of By-law Review Project

INFORMATION REPORT

ORIGIN

Legal Services –Solicitor Services. Regular updates for Council anticipated.

BACKGROUND

In January 2013, Legal Services hired a By-law Coordinator to oversee the review, updating and consolidation of by-laws. The position and partial funding was transferred from Community and Recreation Services. This project involves a comprehensive updating of the status of the by-laws to ensure that those requiring action are identified and prioritized. Some by-laws require substantive changes, while others require only small housekeeping amendments. Some by-laws can be consolidated or repealed. Legal Services is in the process of ascertaining the priorities of the business units in this regard. Another lawyer in Legal Services is addressing the new requirements of Council and the business units.

There are 111 by-laws of general application (land use by-laws have been excluded from this project). Many of the by-laws and ordinances of the former City of Dartmouth, Town of Bedford, City of Halifax and County of Halifax have been dealt with over the years and may require only a quick review. In addition to the 67 HRM by-laws, there are currently 10 Dartmouth by-laws, 3 Bedford by-laws, 13 County by-laws and 18 City of Halifax ordinances.

The scope of the project is significant. By-law service delivery involves a number of different elements: policy, administration, licensing and fees, enforcement and remedy. Police and prosecutions are involved from an enforcement standpoint. There can be a number of business units involved in discussions for each by-law, as well as public consultations in some cases, and it is essential that all stakeholders are consulted in the by-law development process. The attached chart shows which by-laws were completed in the current 2012/2013 fiscal year, and which ones are actively in progress in Legal Services at this time.

DISCUSSION

This information report is provided as a result of inquiries of Councillors as to the status of the by-law project. If Councillors would like regular updates, a report can be provided twice yearly, or as often as Council determines.

FINANCIAL IMPLICATIONS

There are no budget implications.

FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Project and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Project and Operating Reserves, as well as any relevant legislation.

COMMUNITY ENGAGEMENT

The community is engaged at various points during the public consultation process with respect to new by-laws and amendments to existing by-laws.

ATTACHMENTS

- A - Status of By-Law Review Project as of March 6, 2013.
- B - Complete list of all HRM by-laws of general application

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: Elizabeth Hughes, Solicitor & By-law Coordinator, 490-2787



By-laws of general application (non-planning by-laws) that have been recently amended or enacted by Council, or are currently in the process of being reviewed by Legal Services.

By-law	Status	Comments
A-100 Appeals Committee By-law	Amendments enacted by Council - Apr 17, 2012	
A-400 Alternative Voting By-law	Amendments enacted by Council - July 10, 2012	
Administrative Order 32 - By-law Adoption	Enacted by Council - Feb 5, 2013	
B-700 Business Improvement District By-law	Enacted by Council - Oct 2, 2012	
S-900 Controlled Access Streets By-law	Amendments enacted by Council - Apr 17, 2012	
T-1000 Taxi and Limousine By-law	Enacted by Council - Oct 23, 2012	
A-300 Animal By-law	in progress	substantially complete; last draft provided Feb 20/2013
C-500 Vending By-law	in progress	consultations underway with vendors and business improvement districts; drafting underway
C-600 Capital Cost for Transit By-law	in progress	second draft with staff
C-700 Cemeteries By-law	in progress	substantially complete; draft MOU provided to Last Post Fund for comment
E-200 Encroachments By-law	in progress	research and consultation with Business unit underway
F-100 Fire Prevention By-law	in progress	first draft completed
N-200 Noise By-law	in progress	initial discussion held with Superintendent Auld on March 8, 2013
P-505 Parking Meter By-law	in progress	substantially drafted; on hold for RFP process for pay stations
P-800 Pesticides By-law	in progress	currently being reviewed by Legal Services for repeal due to the existence of provincial legislation
S-203 Smoking By-law	in progress	currently being reviewed by Legal Services for repeal due to the existence of provincial legislation
S-300 Streets By-law	in progress	meetings with staff in Nov 2012 and Feb 2013
S-600 Solid Waste By-law	in progress	on hold for service review
S-800 Temporary Signs By-law	in progress	drafting in progress, meeting with staff anticipated in March 2013
Sidewalk Café By-law	in progress	new by-law; second draft reviewed Feb 18, 2013
Signage Management (non-100 Series Highways) By-Law	in progress	new by-law; proposals presented to Transportation Standing Committee Feb 28/2013

Attachment B to Council Report - Status Update re By-Law Project

BY-LAW NO.	SHORT TITLE
new by-law being developed	Signage Management - Non--100 Series Provincial Highways
new by-law being developed	Sidewalk Café Policy or By-law
new by-law being developed	Stormwater Management & Lot Grading By-Law
A-100	Appeals Committee By-law (HRM)
A-400	Alternative Voting By-law (HRM)
A-500	Amending By-law (HRM, relates to Appeals Committee)
B-200	Building By-law Repeal By-law (HRM)
E-100	Emergency Management By-law (HRM)
H-200	Heritage Property By-law (HRM)
H-300	Halifax County Regional Rehabilitation Centre By-law (HRM)
P-100	Police Board By-law (HRM)
P-300	Dartmouth Employees' Pension Amendments By-law (HRM)
P-301	Dartmouth Employees' Pension Amendments By-law (HRM)
P-302	Dartmouth Employees' Pension Amendments By-law (HRM)
P-303	Dartmouth Employees' Pension Amendments By-law (HRM)
P-304	Dartmouth Employees' Pension Amendments By-law (HRM)
R-100	By-Law and Ordinance Repeal By-law (HRM)
V-100	Amendments to Various By-Laws Respecting the Inclusion of Measures to Permit Inspectors to Invoke the Lien Provisions of the <i>Municipal Government Act</i> (HRM)
V-101	Amendments to Various By-Laws Respecting the Inclusion of Minimum Fines to Invoke the Summary Offence Ticket Provisions of the <i>Summary Proceedings Act</i> (HRM)
01	Interpretation By-law (County of Halifax)
B-62	Warden's Retiring Allowance By-law (County of Halifax)
(not numbered)	Street Closure By-law (Bedford)
A-200	Automatic Machines By-law (HRM)
A-300	Animal By-law (HRM)
A-501	Licensing of Persons Maintaining Automatic Machines, Game Tables, Vending Machines and Mechanical Rides (Dartmouth)
B-201	Building By-law (HRM)
B-400	Alarms By-law (HRM)
B-500	Building Service Connections By-law (HRM)
B-600	Blasting By-law (HRM)

BY-LAW NO.	SHORT TITLE
B-700	Business Improvement District By-law
C-300	Civic Addressing By-law (HRM)
C-500	Commerce and Vending on Municipal Land By-law (HRM)
C-700 *	Cemeteries By-law (HRM)
D-300	Derelict Building By-law (HRM)
E-200 *	Encroachment By-law (HRM)
F-100	Fire Prevention By-law (HRM)
H-100	Civic Holiday By-law (HRM)
H-500	Heritage Conservation District (Barrington Street) By-law (HRM)
J-101	Junk Dealers, Second Hand Dealers and Pawnbrokers By-law (Dartmouth)
L-100	Use of Lakes By-law (Dartmouth)
L-200	C&D Materials Recycling and Disposal License By-law (HRM)
L-300	Lot Grading By-law (HRM)
M-100	Standards for Residential Occupancies By-law (HRM)
M-200	Mobile Homes and Parks By-law (Dartmouth)
M-300	Movement of Buildings By-law (Dartmouth)
N-200	Noise By-law (HRM)
N-300	Nuisances By-law (HRM)
O-109	Open Air Burning By-law (HRM)
P-300	Penalties By-law (Dartmouth)
P-400	Plumbing By-law (HRM)
P-500	Parking Meter By-law (HRM)
P-600	Municipal Parks By-law (HRM)
P-800	Pesticide By-law (HRM)
P-1000	The On-Street Parking Exemptions and Permits By-law (HRM)
S-203	Smoke Free Places By-law (HRM)
S-300	Streets By-law (HRM)
S-600	Solid Waste Resource Collection and Disposal By-law (HRM)
S-700	Swimming Pool By-law (HRM)
S-800	Temporary Sign By-law (HRM)
S-900	Controlled Access Streets By-law (HRM)
S-1100	Snow Mobiles By-law (Dartmouth)
T-108	Halifax Regional Municipality Taxi and Limousine By-law (HRM)
T-400	Truck Route By-law (HRM)
T-600	Tree By-law (HRM)
T-700	Transient Traders By-law (Dartmouth)
W-100	Obstruction of Waterflow By-law (Dartmouth)

BY-LAW NO.	SHORT TITLE
W-101	Wastewater Discharge By-law (HRM)
08	Mischiefs & Nuisances By-law (County of Halifax)
15	Trades and Licensing By-law (County of Halifax)
16	Penalties By-law (County of Halifax)
29	Mobile Home Parks By-law (County of Halifax)
35	Planned Unit Development By-law (County of Halifax)
40	Topsoil By-law (County of Halifax)
41	Excavation By-law (County of Halifax)
15100	Trade and Licensing By-law (Bedford)
23290	Grade Alteration By-law (Bedford)
Ordinance 10	Halifax Commons (Halifax)
Ordinance 10A	Grand Parade (Halifax)
Ordinance 17	Junk Dealers (Halifax)
Ordinance 40	Quarrying (Halifax)
Ordinance 43	Pawn Brokers (Halifax)
Ordinance 51	Smoke Abatement (Halifax)
Ordinance 54	Going-out of Business Sales (Halifax)
Ordinance 126	Train Whistles (Halifax)
Ordinance 140	Reservation of Land in Subdivisions (Halifax)
Ordinance 142	Streams and Drains (Halifax)
Ordinance 143	Mobile Home Parks (Halifax)
Ordinance 146	Auctioneers (Halifax)
Ordinance 149	Petty Trades (Halifax)
Ordinance 150	City Market (Halifax)
Ordinance 158	Lakes (Halifax)
Ordinance 173	Granville Mall (Halifax)
Ordinance 180	Streets (Halifax)
C-600	Capital Cost Charges By-law (HRM)
C-800	Capital Cost Charges for Solid Waste Facilities By-law (HRM)
D-200	Deed Transfer Tax By-law (HRM)
F-200	Fees By-law (HRM)
F-300	Provision of Tax Information By-law (HRM)
H-400	Marketing Levy By-law (HRM)
L-100	Local Improvements By-law (HRM)
P-1100	Charges for Private Road Maintenance By-law (HRM)
R-200	Amends By-law Respecting Road Improvement Taxes (HRM)
S-100	Sewer Charges By-law (HRM)

BY-LAW NO.	SHORT TITLE
S-400	Sewer Rates By-law (Dartmouth)
S-400	Street Improvement By-law (HRM)
T-200	Tax Exemption By-law (HRM)
T-500	Tax Collection By-law (HRM)
T-700	Tax Deferral By-law (HRM)
28	1977 Special Sewer Tax By-law (County of Halifax)
48	Halifax County Water Utility Tax Exemption By-law (County of Halifax)
55	Lakeside /Timberlea /Beechville Sewer Tax By-law (County of Halifax)
71	Road Improvement By-law (County of Halifax)
24236	Recovery of Capital Costs - Water and Sewer By-law (Bedford)
Ordinance 178	PSC Tax Exemption By-law (Halifax)

PROCEDURAL AND ADMINISTRATIVE BY-LAWS
REGULATORY BY-LAWS
CHARGES AND FINANCE BY-LAWS