



BILL NO. 66

Government Bill

*1st Session, 62nd General Assembly
Nova Scotia
63 Elizabeth II, 2014*

**An Act to Amend Chapter 39
of the Acts of 2008,
the Halifax Regional Municipality Charter,
and Chapter 18 of the Acts of 1998,
the Municipal Government Act**

CHAPTER 16
ACTS OF 2014

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
MAY 1, 2014**

The Honourable Mark Furey
Minister of Municipal Affairs

*Halifax, Nova Scotia
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**An Act to Amend Chapter 39
of the Acts of 2008,
the Halifax Regional Municipality Charter,
and Chapter 18 of the Acts of 1998,
the Municipal Government Act**

Be it enacted by the Governor and Assembly as follows:

1 Subsection 18(1) of Chapter 39 of the Acts of 2008, the *Halifax Regional Municipality Charter*, is amended by adding “or policy” immediately after “statute” in the first line.

2 Subsection 19(2) of Chapter 39 is amended by

(a) striking out the period at the end of clause (h) and substituting a semicolon; and

(b) adding immediately after clause (h) the following clause:

(i) any subject, the discussion of which could, in the opinion of the Council or the committee, as the case may be, violate the confidentiality of information obtained from

(i) the Government of Canada or the Government of the Province,

(ii) an agency of the Government of Canada or the Government of the Province, or

(iii) a public body.

3 Section 20 of Chapter 39 is amended by adding immediately after subsection (1) the following subsection:

(1A) The Council may, by policy, prescribe

(a) when a question arising at a meeting of the Council, a committee of Council or a community council must be decided by a majority of votes greater than a simple majority; and

(b) the size of the majority required to decide a question referred to in clause (a).

4 Clause 65(2)(a) of Chapter 39 is amended by striking out “shall” in the first line and substituting “may”.

5 Clause 229(1)(p) of Chapter 39 is repealed and the following clause substituted:

(p) the regulation or prohibition of development in areas near airports with a noise exposure forecast or noise exposure projections in excess of thirty, as set out on maps produced by an airport authority, as revised from time to time, and reviewed by the Department of Transport (Canada);

6 Clause 235(5)(q) of Chapter 39 is repealed and the following clause substituted:

(q) regulate or prohibit development in areas near airports with a noise exposure forecast or noise exposure projections in excess of thirty, as set out on maps produced by an airport authority, as revised from time to time, and reviewed by the Department of Transport (Canada);

7 (1) Subsection 277(4) of Chapter 39 is amended by

(a) striking out “judge” in the first line and substituting “justice or a judge of the Supreme Court of Nova Scotia”;

(b) adding “justice or” immediately after “the” in the second line and the second time it appears in the last line.

(2) Subsection 277(5) of Chapter 39 is amended by striking out “judge” in the first line and substituting “justice or a judge of the Supreme Court of Nova Scotia”.

8 Subsection 284(2) of Chapter 39 is amended by

(a) striking out the comma at the end of clause (f) and substituting a semicolon; and

(b) adding immediately after clause (f) the following clauses:

(g) new or expanded parks, playgrounds, trails, bicycle paths, swimming pools, ice arenas, recreation centres and other recreational facilities;

(h) new or expanded fire departments and other fire facilities;

(i) new or expanded public libraries and other library facilities,

9 Subsection 362(3) of Chapter 39 is amended by adding “justice or a” immediately after “a” in the third line.

10 Clause 367(3)(c) of Chapter 39 is amended by adding “justice or a” immediately after “a” in the fourth line.

11 (1) In this Section, “Administrative Order Number One” means Administrative Order Number One, the *Procedure of Council Administrative Order*, an administrative order of the Council of Halifax Regional Municipality made on April 2, 1996, and continued in force as a policy, within the meaning of the *Halifax Regional Municipality Charter*, of the Council, as amended from time to time, until its repeal on August 9, 2011.

(2) Administrative Order Number One is hereby validated and deemed to have been lawfully made, and everything done under the authority of Administrative Order Number One or for the purpose of bringing Administrative Order Number One into effect is hereby validated and deemed to have been lawfully done.

12 Clause 214(1)(p) of Chapter 18 of the Acts of 1998, the *Municipal Government Act*, is repealed and the following clause substituted:

(p) the regulation or prohibition of development in areas near airports with a noise exposure forecast or noise exposure projections in excess of thirty, as set out on maps produced by an airport authority, as revised from time to time, and reviewed by the Department of Transport (Canada);

13 Clause 220(5)(q) of Chapter 18 is repealed and the following clause substituted:

(q) regulate or prohibit development in areas near airports with a noise exposure forecast or noise exposure projections in excess of thirty, as set out on maps produced by an airport authority, as revised from time to time, and reviewed by the Department of Transport (Canada);

14 Sections 1 and 3 have effect on and after January 13, 2009.
