



BILL NO. 340

Government Bill

*1st Session, 64th General Assembly
Nova Scotia
2 Charles III, 2023*

An Act Respecting Municipal Contributions and Grants

CHAPTER 14
ACTS OF 2023

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
NOVEMBER 9, 2023**

The Honourable John Lohr
Minister of Municipal Affairs and Housing

*Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly*

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An Act Respecting Municipal Contributions and Grants

Be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the *Municipal Reform (2023) Act*.

CORRECTIONS ACT

2 Section 24 of Chapter 103 of the Revised Statutes, 1989, the *Corrections Act*, is amended by

- (a) striking out clauses (a) to (c);
- (b) adding “and Housing” immediately after “Affairs” in the first line of clause (e); and
- (c) striking out clause (f).

3 Sections 26 to 30 of Chapter 103 are repealed and the following Section substituted:

26 (1) Subject to subsection (2), each municipality shall pay in each fiscal year a contribution towards the expense incurred by the Province for corrections as determined by a calculation prescribed by the regulations.

(2) Subsection (1) does not apply to a municipality exempted by the regulations.

(3) A municipality shall pay its contribution in four equal, quarterly instalments in April, July, October and January of each fiscal year.

(4) Any amount of a contribution owing to the Province by a municipality under this Section is a first charge on the municipality’s entitlement to a grant pursuant to the *Municipal Grants Act*.

4 Subsection 31(1) of Chapter 103 is amended by

- (a) striking out “or the Metropolitan Authority” in the fourth line; and
- (b) striking out “, except that in the case of the Metropolitan Authority “debt charges” means the interest only on outstanding sinking fund debentures” in the sixth to eighth lines.

5 Subsection 32(1) of Chapter 103 is amended by

- (a) relettering clause (a) as (ab); and
- (b) adding immediately before clause (ab), as relettered, the following clauses:
 - (a) respecting the calculation of the contribution referred to in subsection 26(1) payable by a municipality or class of municipality;

(aa) exempting a municipality or class of municipality from the requirement to pay a contribution under subsection 26(1);

EDUCATION ACT

6 Section 77 of Schedule A of Chapter 1 of the Acts of 2018, the *Education Act*, is amended by adding immediately after subsection (2) the following subsections:

(3) Subject to subsection (4), where an education entity no longer requires land and any pre-1981 buildings on the land, the Minister may require the lands and the buildings to be conveyed to the Province subject to any lien, mortgage or charge in respect of unmatured debt that exists at the time the land and buildings are declared to be no longer required.

(4) A municipality, unless it is excluded by the regulations, has the first right to offer to purchase the land and building referred to in subsection (3) from the Province for a negotiated amount, if the Province has no Provincial purpose for the land or building.

7 Subsection 97(1) of Schedule A of Chapter 1, as amended by Chapter 14 of the Acts of 2019, is further amended by adding immediately after clause (lf) the following clause:

(lfa) excluding any municipality or class of municipality from the first right of offer in subsection 77(4);

EDUCATION (CSAP) ACT

8 Subsection 93(1) of Chapter 1 of the Acts of 1995-96, the *Education (CSAP) Act*, is repealed.

HOUSING SUPPLY AND SERVICES ACT

9 Section 11 of Chapter 36 of the Acts of 2022, the *Housing Supply and Services Act*, is repealed and the following Section substituted:

11 (1) Each municipality shall pay in each fiscal year a contribution towards the net operating losses incurred by the Province to support and provide public housing for the residents of that municipality.

(2) An agreement entered into by a member of the Executive Council or by the Province with a municipality with respect to the contribution referred to in subsection (1) continues to have legal force and effect unless or until terminated with notice by the Minister.

(3) The amount of the contribution referred to in subsection (1) is as set out in an agreement in effect under subsection (2) or, where there is no agreement in place, the amount of the contribution is calculated as set out in the regulations.

(4) A municipality, unless it is excluded by regulation, shall pay the municipal contribution amount towards public housing determined by the agreement

in effect under subsection (2) or, where there is no agreement in place, as determined by the regulations.

10 Subsection 15(1) of Chapter 36 is amended by adding immediately after clause (c) the following clauses:

- (ca) exempting any municipality or class of municipality from the requirement to pay a municipal contribution towards public housing losses under subsection 11(1);
- (cb) respecting the calculation of the municipal contribution amount towards public housing losses payable by a municipality or class of municipality;

MUNICIPAL GRANTS ACT

11 Subsection 3(1) of Chapter 302 of the Revised Statutes, 1989, the *Municipal Grants Act*, is repealed and the following subsections substituted:

(1) The Minister shall pay out of the General Revenue Fund of the Province in each taxation year a grant in lieu of property assessment taxes to every municipality, village and service commission.

(1A) A grant under subsection (1) is payable in respect of the Provincial property, Provincially occupied federal property and property of supported institutions located within the municipality or within the area of jurisdiction of a village or service commission as shown on the filed assessment roll for that year.

12 (1) Subsection 4(1) of Chapter 302, as amended by Chapter 9 of the Acts of 2003, is further amended by striking out “and business occupancy” in the fourth line.

(2) Subsection 4(1A) of Chapter 302 is repealed.

(3) Subsection 4(2) of Chapter 302, as amended by Chapter 7 of the Acts of 1994-95, Chapter 9 of the Acts of 2003, Chapter 6 of the Acts of 2005 and Chapter 21 of the Acts of 2007, is further amended by striking out “and business occupancy” in the third and fourth lines.

13 Section 6 of Chapter 302, as amended by Chapter 9 of the Acts of 2003, is further amended by

- (a) striking out clause (c); and**
- (b) adding immediately after clause (c) the following clause:**

(ca) property of the Minister of Municipal Affairs and Housing under the *Housing Supply and Services Act*;

14 Section 8 of Chapter 302 is repealed and the following Section substituted:

8 (1) The Minister may pay an annual municipal financial capacity grant to an eligible municipality or class of municipality in an amount as established by the regulations.

(2) The total municipal financial capacity grants payable to municipalities for that fiscal year is the amount determined by the Governor in Council.

(3) A municipal financial capacity grant for an eligible municipality or class of municipality in subsection (1) must be paid in four quarterly instalments in each fiscal year.

15 Sections 9, 11 to 14, 16, 17 and 19 of Chapter 302 are repealed.

16 Section 19A of Chapter 302 is repealed and the following Section substituted:

19A (1) The Minister may pay a town foundation grant to an eligible town or class of town.

(2) The total town foundation grants payable to towns for that fiscal year is the amount determined by the Minister.

(3) The calculation of the amount and frequency of a grant payable under subsection (1) is as established by the regulations.

17 (1) Subsection 19B(1) of Chapter 302, as enacted by Chapter 5 of the Acts of 2002, is amended by adding “or the regulations” immediately after “Act” in the second line.

(2) Subsection 19B(2) of Chapter 302, as enacted by Chapter 5 of the Acts of 2002, is amended by adding “referred to in subsection (1)” immediately after “grant” in the first line.

18 Section 37 of Chapter 302, as amended by Chapter 7 of the Acts of 1994-95, is further amended by adding immediately before clause (b) the following clauses:

(a) respecting the designation of an eligible municipality or class of municipality under subsection 8(1);

(aa) respecting the calculation of municipal financial capacity grants and entitlements, including by use of standard expenditures per dwelling unit, uniform assessments of municipalities and standard rates for classes of municipalities;

(ab) respecting the designation of an eligible town or class of town under subsection 19A(1);

(ac) respecting the calculation of a town foundation grant entitlement under subsection 19A(2);

(ad) respecting the frequency for the granting of a town foundation grant under subsection 19A(2);

EFFECTIVE DATE

19 This Act, except Sections 11 and 12, has effect on such day as the Governor in Council orders and declares by proclamation.