

**HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER 2018-003-ADM
RESPECTING PRIVATE ROAD MAINTENANCE**

BE IT RESOLVED as an Administrative Order of the Council of the Halifax Regional Municipality, as follows:

WHEREAS the Municipality is committed to facilitating public streets access for residents of the Municipality whose principal residences are accessed from private roads which do not form part of the street system of the Municipality;

AND WHEREAS facilitating the maintenance of private roads is a service that provides for safety and long-term usability of private roads situated on privately owned land;

AND WHEREAS, pursuant to clause 79(1)(ab) of the HRM Charter, the Municipality may expend funds for work on private roads ;

AND WHEREAS, pursuant to section 104 of the HRM Charter, the Municipality may make by-laws imposing, fixing and providing methods of enforcement of charges for maintaining private roads, curbs, sidewalks, gutters, bridges, culverts and retaining walls that are associated with private roads where the cost is incurred by the Municipality or under an agreement between the Municipality and a person;

AND WHEREAS Council may levy an area rate or uniform charge pursuant to section 96 of the HRM Charter;

Short Title

1. This Administrative Order may be cited as the *Private Road Maintenance Cost Recovery Administrative Order*.

Interpretation

2. In this Administrative Order;

- (a) "area rate" means an area rate set pursuant to subsection 96(2) of the HRM Charter;
- (b) "Association" means a Property Owner's Association incorporated as a society pursuant to the *Societies Act*; 1989 R.S.N.S., c. 42, as amended;
- (c) "By-law" means By-law P-1100, the *Private Road Maintenance By-law*;
- (d) "Council" means the Council of the Municipality;
- (e) "Director" means the director of the department of the Municipality responsible for administering private roads, and includes a person acting under the supervision and direction of the Director;
- (f) "HRM Charter" means the *Halifax Regional Municipality Charter*, 2008 S.N.S. c. 39, as amended;
- (g) "Municipality" means the Halifax Regional Municipality;
- (h) "private road maintenance" means all work required to maintain a private road in a serviceable condition year-round, including work respecting
 - (i) curbs, sidewalks, gutters, culverts, retaining walls, and signage that are associated with those private roads, and

(ii) snow removal, grading, ditch and culvert and bridge repair, brush clearing, and the creation of or repairs to street and traffic signage;

(i) "rate" means an area rate or uniform charge for private road maintenance; and

(j) "uniform charge" means a uniform charge levied pursuant to subsection 96(4) of the HRM Charter.

Purpose

3. The purpose of this Administrative Order is to provide a financing procedure for the funding and repayment of private road maintenance.

General Provisions

4. A rate under this Administrative Order shall only apply to costs associated with private road maintenance.

5. The Municipality will only administer the collection of the rate, and assist an applicant with the process for the establishment of the rate.

6. The Municipality will not provide to the Association:

(a) engineering, technical, or legal services;

(b) advice in respect of the private road maintenance; or

(c) private road maintenance.

7. In accordance with the By-law, this Administrative Order does not apply to construction of or capital improvements to private roads.

8. Unless otherwise stated, a uniform charge under this Administrative Order is levied on each taxable property assessment in the catchment area.

9. Nothing in this Administrative Order requires Council to pass a rate, pass a rate at a certain amount, or restricts Council's ability to impose, set, change, or terminate a rate.

PROCESS

Commencement by Petition

10. Upon application by a person, the Municipality may consider the establishment of a rate under this Administrative Order.

11. To commence the application process, a petition must be presented to the Director.

12. The presented petition shall:

(a) be signed by property owners comprising at least two-thirds (66.7%) of the properties located within the proposed area that would be subject to the rate; and

(b) contain the following information:

(i) the proposed area that would be subject to the rate,

(ii) the proposed rate,

- (iii) the nature of the private road maintenance being proposed, and
- (iv) whether the proposed rate would be an area rate or uniform charge.

13. Upon acceptance of the petition by the Director, an employee of the Municipality will be assigned to assist the applicant with the process.

Meeting of Property Owners

14. Subject to section 16, after the Municipality has accepted the petition, the applicant shall call a public meeting of the subject property owners.

15. (1) The applicant shall provide notice of the public meeting by:

(a) posting a notice in three (3) conspicuous places in the proposed area that would be subject to the rate, and the notice shall:

- (i) contain the information required by subsection 15(2), and
- (ii) be posted not less than fourteen (14) days prior to the date of the meeting; and

(b) subject to subsection 15(3), mailing a notice to the tax assessment addresses of all the property owners located within the proposed area that would be subject to the rate, and the notice shall:

- (i) contain the information required by subsection 15(2),
- (ii) contain the ballot and proxy form required by subsection 15(5), and
- (iii) be mailed not less than fourteen (14) days prior to the date of the meeting.

(2) The notices of the public meeting shall contain the following information:

- (a) the date, time, and place of the meeting;
- (b) the name or names of the applicant;
- (c) a description of the area that would be subject to the proposed rate;
- (d) a description of the nature of the road maintenance proposed;
- (e) a description of the type of rate proposed;
- (f) a description of the road maintenance plan and budget;
- (g) the proposed rate amount;
- (h) that the property owners are entitled to vote on the establishment of the rate;
- (i) the date of the vote, including only ballots received within 7 days of the meeting will be counted; and

(j) the method of voting, including that a proxy may vote on a property owner's behalf at the public meeting.

(3) If a property owner owns property located within the proposed area but resides at a location outside of the proposed area that would subject to the rate, such as residing in another province or country, the Director may approve emailing the notice of the public meeting to them rather than mailing it.

(4) An emailed notice shall

(a) contain the information required by subsection 15(2);

(b) contain the ballot and proxy form required by subsection 15(5); and

(c) be emailed not less than fourteen (14) days prior to the date of the public meeting.

(5) Any notice mailed or emailed shall contain proxy forms and ballots approved to form by the Director.

Waiver of Public Meeting

16. (1) The requirement for a meeting of the property owners may be waived where, in the opinion of Council, a meeting is not in the best interest of the property owners affected, or a meeting is unreasonable in the circumstances.

(2) Before Council determines whether to waive the public meeting, a staff report may be prepared listing the reasons for the request of the waiver.

(3) If the public meeting requirement is waived by Council, the applicant shall provide notice of the rate by

(a) posting a notice in three (3) conspicuous places in the proposed area that would be subject to the rate, and the notice shall:

(i) contain the information required by subsection 15(2), except for the information respecting proxy voting, and except for the information respecting the date, time and place of the meeting, and

(ii) be posted not less than fourteen (14) days prior to the date of the vote; and

(b) mailing a notice to the tax assessment addresses of all property owners that would be affected by the proposed rate, and the notice shall

(i) contain the information required by subsection 15(2), except for the information respecting proxy voting, and except for the information respecting the date, time and place of the meeting,

(ii) contain the ballot required by subsection 15(5), and

(iii) be mailed not less than fourteen (14) days prior to the date of the vote.

(4) If a property owner owns property located within the proposed area but resides at a location outside of the proposed area that would subject to the rate, such as residing in another province or country, the Director may approve emailing the notice of the public meeting to them rather than mailing it.

- (5) An email notice shall
 - (a) contain the information required by subsection 15(2), except for the information respecting proxy voting, and except for the information respecting the date, time and place of the meeting;
 - (b) contain the ballot required by subsection 15(5); and
 - (c) be emailed not less than fourteen (14) days prior to the date of the vote.

Public Meeting

17. (1) The public meeting shall be conducted by the applicant.
- (2) At the public meeting, the applicant shall:
 - (a) have a register available in which those property owners attending the meeting may place their names and addresses; and
 - (b) make a presentation setting out the amount of the proposed rate and the proposed uses of the funds arising from that rate.
- (3) After the presentation, a vote shall be conducted to determine if the property owners support the proposed rate.
- (4) Proxy voting shall be allowed by property owners not in attendance at the public meeting.

Votes

18. (1) Each property located within the proposed area that would be subject to the rate is entitled to one vote.
- (2) A person who owns more than one property in the proposed area may vote once for each property that is owned.

Counting Votes

19. (1) The votes cast at the public meeting, and the mailed and emailed ballots that are received by 4:30 pm on the seventh day after the date of the public meeting, will be counted to determine the level of support for the proposed rate.
- (2) For a vote to be successful, owners representing at least two-thirds (66.7%) of the assessed properties that are located within the proposed area that would be subject to the rate must have voted in favor of the rate.

Request to Establish

20. The applicant may only request a rate be established under this Administrative Order if the vote was successful.
21. (1) The request for the establishment of a rate shall include the following information:
 - (a) the area where the proposed rate would apply;
 - (b) whether the proposed rate is an area rate or uniform charge, and if a uniform charge is proposed, the request shall indicate whether the proposed uniform charge will apply to each taxable property assessment or each dwelling unit in the area;

- (c) a detailed proposed maintenance budget to support the proposed rate;
- (d) a declaration that the public notice requirements have been satisfied;
- (e) unless the public meeting requirement was waived by Council, a declaration that the requirement for the public meeting was satisfied; and
- (f) any additional information that, in the opinion of the Director, is necessary to process the application, bill the rate on the tax bills, and collect the funds arising from the rate.

(2) A request for the establishment of the rate may only proceed if the Director is of the opinion that the information provided pursuant to subsection 21(1) is sufficient to allow the Municipality to process the rate, bill the rate on the tax bills, and collect the funds arising from the rate.

(3) If the Director is of the opinion that the information provided pursuant to subsection 2(1) is insufficient to allow the Municipality to process the rate, bill the rate on the tax bills, and collect the funds arising from the rate, the Director may request additional information, and if the information is not received by the date indicated in such request, the Director may terminate the application process.

Establishment of Rate

22. Upon receipt of a complete request, Council may consider the establishment of a rate in accordance with the provisions of this Administrative Order, the By-law, and the HRM Charter.

23. Staff will prepare a report and recommendation for the consideration of Council respecting the establishment of a rate.

24. Upon receipt of the staff report, Council may consider the report and may establish

(a) an area rate based on so much on the dollar on the assessed value of the taxable property in the catchment area; or

(b) a uniform charge on each taxable property assessment, or dwelling unit, in the catchment area.

25. If a rate is established, Council will define the area that will be subject to the rate.

Property Owner's Association

26. If Council establishes a rate, the applicant shall incorporate a Property Owner's Association in the form of a society under the *Societies Act*.

27. (1) The Association shall be comprised of the owners of the subject properties and all subject property owners shall be eligible for membership in the Association.

(2) Subject to subsection (3), the Association must provide written consent from the owner(s) of the private road(s), in the form of a Private Road Maintenance Agreement; if the private road(s) are not owned by the Association.

(3) Where the Association has provided a legal title search and a certificate of title respecting ownership of the private road(s), and the Treasurer is satisfied that one or more owners cannot be identified for a portion of the private road(s), Council may waive the requirement under subsection (2).

28. (1) The Municipality will enter into an agreement with the Association under which the Association shall accept responsibility for the implementing and administration of the maintenance services on the private road.

(2) Council hereby authorizes the Mayor and Clerk to enter into and execute on behalf of the Municipality the Agreement, and any amendments thereto, with an Association, providing such Agreements is generally in the form of the Agreement that was most recently approved by Council.

29. After the Agreement is signed by all parties, the Municipality will provide the funds collected from the rate to the Association.

30. The Association shall:

(a) direct and control all work resulting from the funds arising from the rate that are provided by the Municipality; and

(b) be wholly responsible for the application of the funds arising from the rate that are provided by the Municipality.

Meetings of the Association

31. (1) The Association shall have an annual general meeting prior to the end of each year at which meeting the majority of the quorum present shall review and approve the road maintenance plan and budget for the following year.

(2) The Municipality will review the plan and budget to ensure it complies with the purpose of the rate and that sufficient funding can be raised through the rate to fund it.

(3) Any changes to the amount of the rate requires majority approval at the annual general meeting, or at a special meeting of the Association that is called to determine the level of support for the rate increase.

(4) Notice of the special meeting or of the general meeting where a proposed rate increase will be considered shall comply with the public meeting notice requirements set out in section 15.

(5) All proposed rate increases are subject to Council approval.

(6) The Association may, by special meeting or at the general meeting, elect to request Council terminate the rate and, Council may consider such request.

Lien

32. A rate imposed under this Administrative Order constitutes a lien on the subject properties and is collectable in the same manner as rates and taxes under the *Assessment Act*.

33. Interest accrues on charges outstanding from the date of billing forward at rate set out in the By-law.

Installments

34. (1) In the first year a rate is established by Council, the amount payable from the rate will be invoiced entirely on the second regular tax bill.

(2) For any other year, the amount payable from the rate will be invoiced as installments in two billings on the regular property tax bills.

Administration

35. A one-time administration fee of \$200 is set by the By-law, and shall form part of maintenance funding for the first year the rate is levied.

Schedules

36. The Schedules attached to this Administrative Order shall form part of this Administrative Order.

Reference

37. A reference to the *Private Road Maintenance Cost Recovery Policy* and a reference to Administrative Order 45, *Respecting Private Road Maintenance*, shall be read as including a reference to the provisions of this Administrative Order relating to the same subject matter.

Repeals

38. The *Private Road Maintenance Cost Recovery Policy*, adopted by Council on January 16, 2007, and all amendments thereto, is repealed.

39. Administrative Order 45, *Respecting Private Road Maintenance*, adopted by Council on May 13, 2008, and all amendments thereto, is repealed.

RATE SCHEDULES

1. Area Rates or Uniform Charges are hereby imposed in those areas described in the attached Schedules as is more particularly set out in the Schedules.

Schedule 1

1. A Uniform Charge for properties fronting or abutting in whole or in part on Petpeswick Drive, Gaetz Brook as identified on the map entitled Private Road Area Rate – Petpeswick Drive attached hereto, shall be a Uniform Charge of no more than \$330.00 annually. If a property owner owns more than one property on Petpeswick Drive, the Uniform Charge shall apply only to one property.

2. The Charges collected under this Schedule shall be used by the Petpeswick Drive Improvement Society for the maintenance of Petpeswick Drive, including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the road. Road maintenance includes all work required to maintain the road in a serviceable condition year round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 2

1. A Uniform Charge for properties fronting or abutting in whole or in part on the private streets located within the Three Brooks Sub-division, Hubley as identified on the map entitled Private Road Area Rate - Three Brooks Homeowners Association attached hereto, shall be a Uniform Charge of no more than \$750.00 annually.

2. The Charges collected under this Schedule shall be used by the Three Brooks Homeowner's Association for the maintenance of the private roads located within Three Brooks Subdivision, including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 3

1. A Uniform Charge for properties fronting or abutting in whole or in part on the private streets located within the Shag End Sub-division, Blind Bay as identified on the map entitled Private Road Area Rate - Shag End Lot Owners Association attached hereto, shall be a Uniform Charge of no more than \$900.00 annually.

2. The Charges collected under this Schedule shall be used by the Shag End Lot Owner's Association for the maintenance of the private roads located within Shag End Sub-division, including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year-round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 4

Repealed Schedule

Schedule 4A

1. Uniform charges for properties located on Kings Road, Wellington, or located on private roads in Wellington accessed from Kings Road, shall be as identified in the following areas:

Area 1. A Flat Area Rate Charge of no more than \$650.00 annually shall be applied to the following properties in Area 1 which must be accessed by Kings Road, Wellington: PID numbers 00503680, 40551178, 40377228, 40455123, 503755, 40621807, 40695132, 41266974, 41293994,

40480063, 568766, 40766347, 41026956, 41026964, 40813438, 41266966, 569103, 40621815, 40574394, and 41397696.

Area 2. A Flat Area Rate Charge of no more than \$750.00 annually shall be applied to the following properties in Area 2 which must be accessed by Kings Road, Wellington: PID numbers 503524, 503664, 503631, 503573, 503771, 40383630, 40383648, 40392656, 40392649, 40392631, 40392623, 40852089, 40695603, 40607269, 569194, 503581, 40784795, 40304289, 40766370, 40304297, 40852071, 503706, 40589178, 40068348, 40068355, 40068371, 40255150, 40704165, and 40585523.

Area 3. A Flat Area Rate Charge of no more than \$900.00 annually shall be applied to the following properties in Area 3 which must be accessed by Kings Road, Wellington: PID numbers 503565, 503599, 503722, 503607, 503615, 503656, 503698, 503797, 503805, 503847, 503870, 568790, 568865, 568931, 569087, 40301434, 40800625, 40304321, 40784787, 40304271, 40885337, 40742785, 41211491, 40304305, 40304313, 40151334, 40301251, 40695553, 40455115, 40455156, 40455149, 40533275, 40576001, 40608523, 40620296, 40688285, 40705089, 40761421, 40800088, 40885345, 41037052, 40607277, 41078205, 40872046, 41078213, 40669798, 41394347, 41435967, 41211509, 41266966, and 40377228.

Area 4. A Flat Area Rate Charge of no more than \$1050.00 annually shall be applied to the following properties in Area 4 which must be accessed by Kings Road, Wellington: PID numbers 569251, 40480055, 40574386, 40364028, 40068363, 40068389, 40068413, 40068405, 40068397, 568410, 40480071, 40068371, and 41294000.

2. The Area and therefore the Uniform Charge applicable to a property shall be determined in accordance with the following criteria:

(a) if the property is otherwise legally exempt from a Uniform Charge, then the property will not be subject to a Uniform Charge; or

(b) if the property does not contain a dwelling unit, then it will be included in Area 1 and the applicable Uniform Charge will be no more than \$650.00 annually; or

(c) if the property is located on Kings Road, and

(i) the property is used year round and has civic number 54 or has a civic number between 54 and up to and including civic number 106, then it will be included in Area 2 and the applicable Uniform Charge will be no more than \$750.00 annually, or

(ii) the property has civic number 112 or a civic number between 112 and up to and including civic number 429, then it will be included in Area 3 and the applicable Uniform Rate Charge will be no more than \$900.00 annually, or

(iii) the property has a civic number greater than 429, then it will be included in Area 4 and the applicable Uniform Charge will be no more than \$1050.00 annually; or

(d) if the property is located on Canal Cays Drive, it will be included in Area 2 and the applicable Uniform Charge will be no more than \$750.00 annually; or

(e) if the property is located on Alben Lane, then it will be included in Area 3 and the applicable Uniform Charge will be no more than \$900.00 annually; or

(f) if the property is used on a seasonal basis, it will be included in Area 2 and the applicable Uniform Charge will be no more than \$750.00 annually.

3. (1) The criteria pursuant to section 2 of this Schedule, will apply to any existing and new properties which become subject to a Uniform Charge under this Schedule.

(2) If the criteria applicable to a property changes such that another Area is indicated for the property other than the Area it is included in, then that property will become part of the Area for which it meets the criteria, and the appropriate Uniform Charge will apply.

4. The Charges collected under this Schedule be used by the South West Grand Lake Property Owners Association for the maintenance of the following private roads located within Wellington: Kings Road, Alben Lane, Twilight Lane, Sleepy Cove Road, and Turtle Cove Road, and shall include culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 5

1. A Uniform Charge for properties fronting or abutting in whole or in part on River Bend or River Court, private roads located in the community of Enfield as identified on the map entitled Private Road Area Rate – River Bend Rd & River Court Homeowners Association attached hereto, shall be a Uniform Charge of no more than \$500.00 annually.

2. The Charges collected under this Schedule shall be used by the River Bend Road and River Court Home Owners Association for the maintenance of River Bend Road and River Court, including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 6

1. A Uniform Charge for properties with fronting or abutting in whole or in part on any of the private roads located in the St Margaret's Village sub-division, in the community of Upper Tantallon as identified on the map entitled Private Road Area Rate – St. Margaret's Village Community Association attached hereto, shall be a Uniform Charge of no more than \$450.00 annually.

2. The Charges collected under this Schedule shall be used by the St. Margaret's Community Association for the maintenance of the private roads located in the St. Margaret's Village subdivision, including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 7

1. A Uniform Charge for properties fronting or abutting in whole or in part on Rutter Court, a private road located in the community of Seaforth as identified on the map entitled Private Road Area Rate – Rutter Court Residents Association attached hereto, shall be a Uniform Charge of no more than \$450.00 annually.

2. The Charges collected under this Schedule shall be used by the Rutter Court Residents Association for the maintenance of Rutter Court, including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 8

1. A Uniform Charge for properties fronting or abutting in whole or in part on the private portion of Bald Rock Road, a private road located in the community of Bald Rock as identified on the map entitled Private Road Area Rate – Sambro Head Lot Owners Association Bald Rock Rd attached hereto, shall be a Uniform Charge of no more than \$435.33 annually.

2. The Charges collected under this Schedule shall be used by the Sambro Head Lot Owners Association for the maintenance of the private portion of Bald Rock Road, including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 9

1. A Uniform Charge for properties fronting or abutting in whole or in part on Range Road, a private road located in the community of Grand Desert as identified on the map entitled Private Road Area Rate – Range Rd Private Road Maintenance attached hereto, shall be a Uniform Charge of no more than \$150.00 annually.

2. The Charges collected under this Schedule shall be used by the Range Road Land Owner's Association for the maintenance of Range Road, including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 10

1. A Uniform Charge for properties fronting or abutting in whole or in part on Seafarers Lane or Pioneer Hill, private roads located in Black's Subdivision in the community of White's Lake as identified on the map entitled Private Road Area Rate – Blacks Subdivision Ratepayers Association attached hereto, shall be a Uniform Charge of no more than \$150.00 annually.

2. The Charges collected under this Schedule shall be used by the Black's Subdivision Ratepayers Association for the maintenance of Seafarers Lane and Pioneer Hill, including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 11

1. A Uniform Charge for properties fronting or abutting in whole or in part on Fortress Drive, a private road located in the community of Ferguson's Cove as identified on the map entitled Private Road Area Rate – Redoubt Head Homeowners Association attached hereto, shall be a Uniform Charge of no more than \$750.00 annually.

2. The Uniform Charges collected under this Schedule shall be used by the Redoubt Head Homeowner's Association for the maintenance of Fortress Drive, including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 12

1. A Uniform Charge for properties fronting or abutting in whole or in part on any of the private roads located in the Mariner's Anchorage sub-division in the community of Glen Haven, as identified on the map entitled Private Road Area Rate – Mariners Anchorage Residents Association attached hereto, shall be a Uniform Charge of no more than \$300.00 annually.

2. The Charges collected under this Schedule shall be used by the Mariners Anchorage Residents Association for the maintenance of the private roads located in the Mariner's Anchorage sub-division,

including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 13

1. A Uniform Charge for properties fronting or abutting in whole or in part on any of the private roads located in the St. Margaret's Bay Heights sub-division in the community of Head of St. Margaret's Bay, as identified on the map entitled Private Road Area Rate – St Margaret's Bay Heights Subdivision attached hereto, shall be a Uniform Charge of no more than \$500.00 annually.

2. The Charges collected under this Schedule be used by the St. Margaret's Bay Heights Subdivision Resident's Association for the maintenance of the private roads located in the St. Margaret's Bay Heights sub-division, including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 14

1. A Uniform Charge for properties fronting or abutting in whole or in part on Shiloh Drive or Karla Lane, private roads located in the community of Hatchet Lake, as identified on the map entitled Private Road Area Rate – Shiloh and Karla Drive Road Association attached hereto, shall be a Uniform Charge of no more than \$700.00 annually.

2. The Charges collected under this Schedule shall be used by the Shiloh and Karla Drive Road Association for the maintenance of Shiloh Drive and Karla Lane, including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 15

1. A Uniform Charge for properties fronting or abutting in whole or in part on private roads located within the Kelly Point Sub-division, Prospect Peninsula as identified on the map entitled Private Road Area Rate – Kelly Point Private Road attached hereto, shall be a Uniform Charge of no more than \$1500.00 annually.

2. The Charges collected under this Schedule shall be used by the Kelly Point Lot Owners Association for the maintenance of private roads located within Kelly Point Sub-division including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year-round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 16

(a) A Uniform Charge for properties fronting or abutting in whole or in part on the private road of Jenna Lane, Hammonds Plains as identified on the map entitled Private Road Area Rate – Jenna Lane Private Road Fee attached hereto, shall be a flat charge of no more than \$1,275.00 annually.

(b) The Charges collected under this By-Law shall be used by the Jenna Lane Homeowner's Association for the maintenance of the private road of Jenna Lane including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year-round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 17

(a) A Uniform Charge for properties fronting or abutting in whole or in part on the private road Bayview Drive located in the community of Head of St. Margaret's Bay as identified on the map entitled Private Road Area Rate – Bayview Homeowners Society attached hereto, shall be a uniform charge of no more than \$600.00 annually.

(b) The Charges collected under this Schedule shall be used by the BV Homeowners Society for the maintenance of the private road of Bayview Drive including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year-round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 18

(a) An Area Rate Charge for properties fronting or abutting in whole or in part on the private roads located in the community of Cambrian's Cove as identified on the map entitled Private Road Area Rate – Cambrian's Cove Homeowners Association attached hereto, shall be a flat area rate of no more than \$680.00 annually.

(b) The Charges collected under this By-Law shall be used by the Cambrian's Cove Homeowners' Association for the maintenance of the private roads of Cambren Drive, Five Island Road, Hawkins Drive and Kenley Road including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the roads. Road maintenance includes all work required to maintain the road in a serviceable condition year-round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Schedule 19

(a) An Area Rate Charge for residential properties accessing Gill Cove Road, Lupin Lane, or Flemming Way located in the community of Ketch Harbour as identified on the map entitled Private Road Area Rate – Gill Cove Maintenance Homeowners Association attached hereto, shall be a flat area rate of no more than \$250.00 annually.

(b) The Charges collected under this By-Law shall be used by the Gill Cove Road Maintenance Homeowners Association to fund the maintenance of Gill Cove Road from the end of East Side Road to the junction with Lupin Lane, including culverts, retaining walls, sidewalks, curbs and gutters that are associated with the road. Road maintenance includes all work required to maintain the road in a serviceable condition year-round and may include snow removal, grading, ditch and culvert and bridge repair and brush clearing.

Done and passed in Council this 30 day of October, 2018.

Mayor

Municipal Clerk

I, Kevin Arjoon, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of the Halifax Regional Council held on October 30, 2018.

Kevin Arjoon, Municipal Clerk

Notice of Motion: September 11, 2018
Approval: October 30, 2018
Effective: November 10, 2018

Amendment # 1 – addition of Schedule 17

Notice of Motion March 5, 2019
Approval: March 26, 2019

Amendment # 2 – amendment to Schedule 13

Notice of Motion March 5, 2019
Approval: March 26, 2019

Amendment # 3 – amendment to Section 27, addition of Schedule 18

Notice of Motion April 16, 2019
Approval: April 30, 2019

Amendment # 4 – amendments to Schedule 6 and Schedule 18

Notice of Motion July 21, 2020
Approval August 18, 2020

Amendment # 6 – amendments to Schedule 4A, Schedule 6, and Schedule 7

Notice of Motion May 3, 2022
Approval May 17, 2022

Amendment # 7 – amendments to Section 27

Notice of Motion July 12, 2022
Approval August 23, 2022

Amendment #8 – amendments to Schedules 13 & 15

Notice of Motion May 9, 2023
Approval May 23, 2023

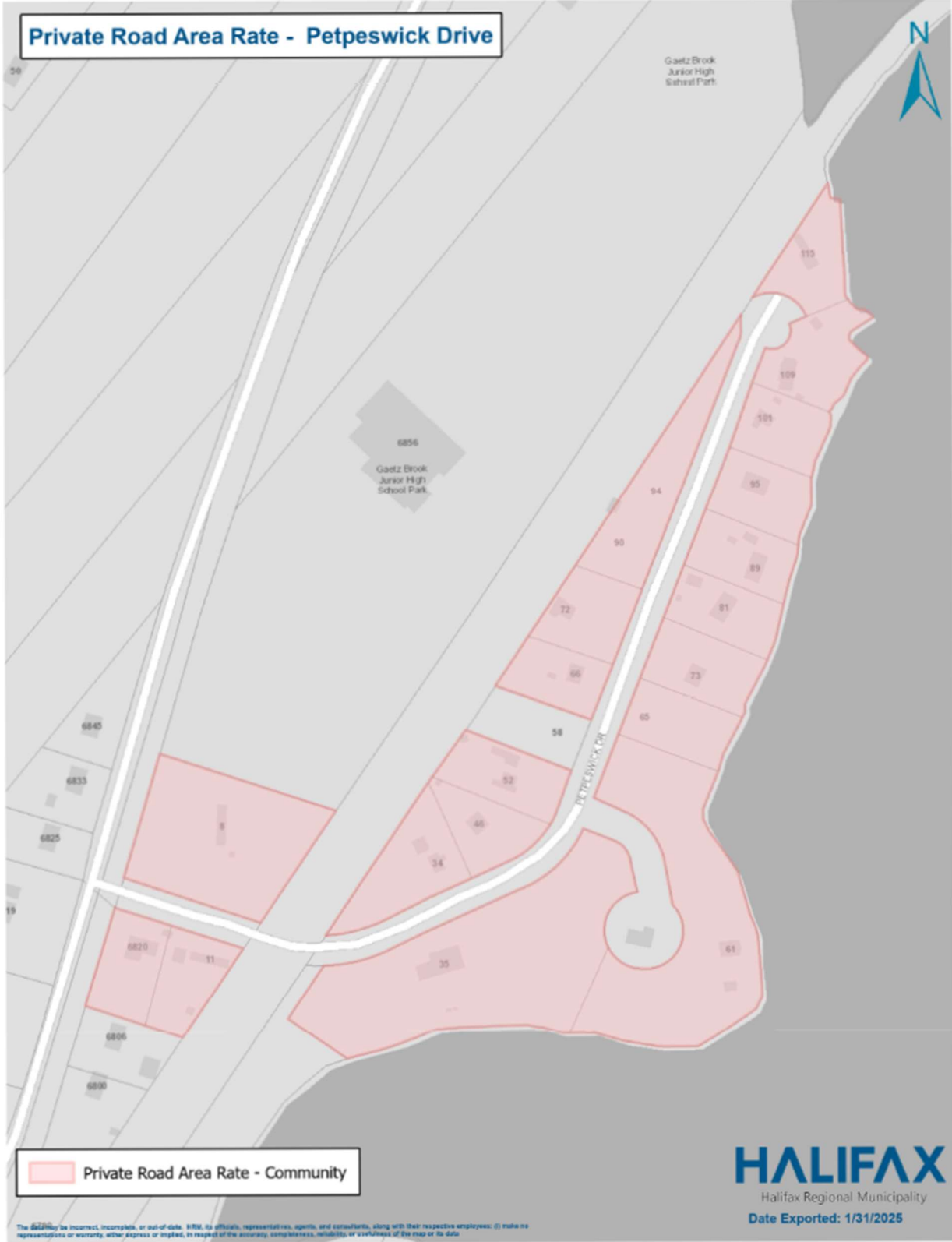
Amendment #9 – amendments to s. 17(2), Schedule 3, 4A & 18, adding Schedule 19

Notice of Motion April 9, 2024
Approval April 23, 2024

Amendment #10- amendments to Schedules 1, 2, 3, 5,-19, maps

Notice of Motion March 25, 2025
Approval April 8, 2025

Private Road Area Rate - Petpeswick Drive



Private Road Area Rate - Community

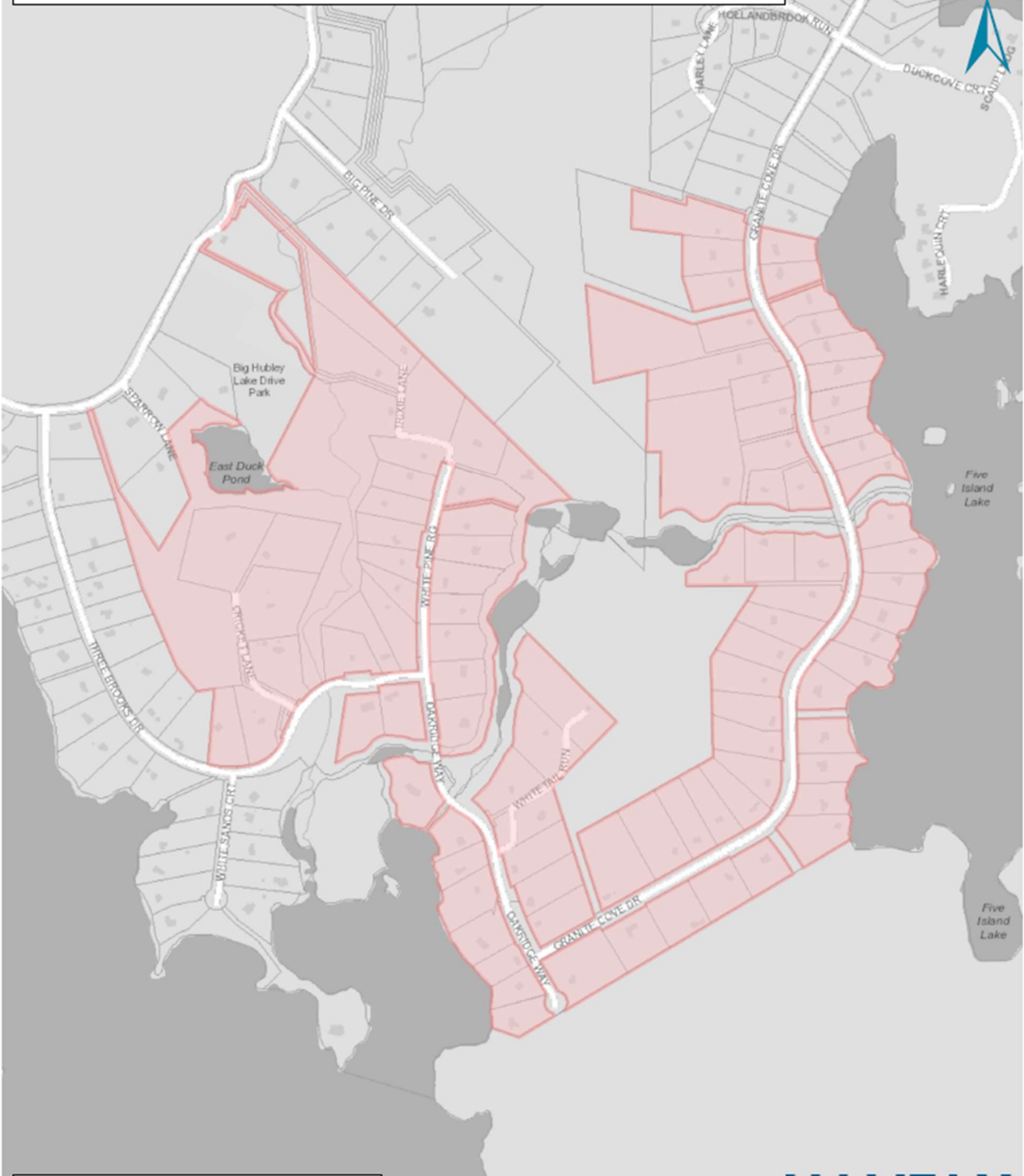
HALIFAX

Halifax Regional Municipality

Date Exported: 1/31/2025

The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees, do not make any representations or warranties, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data.

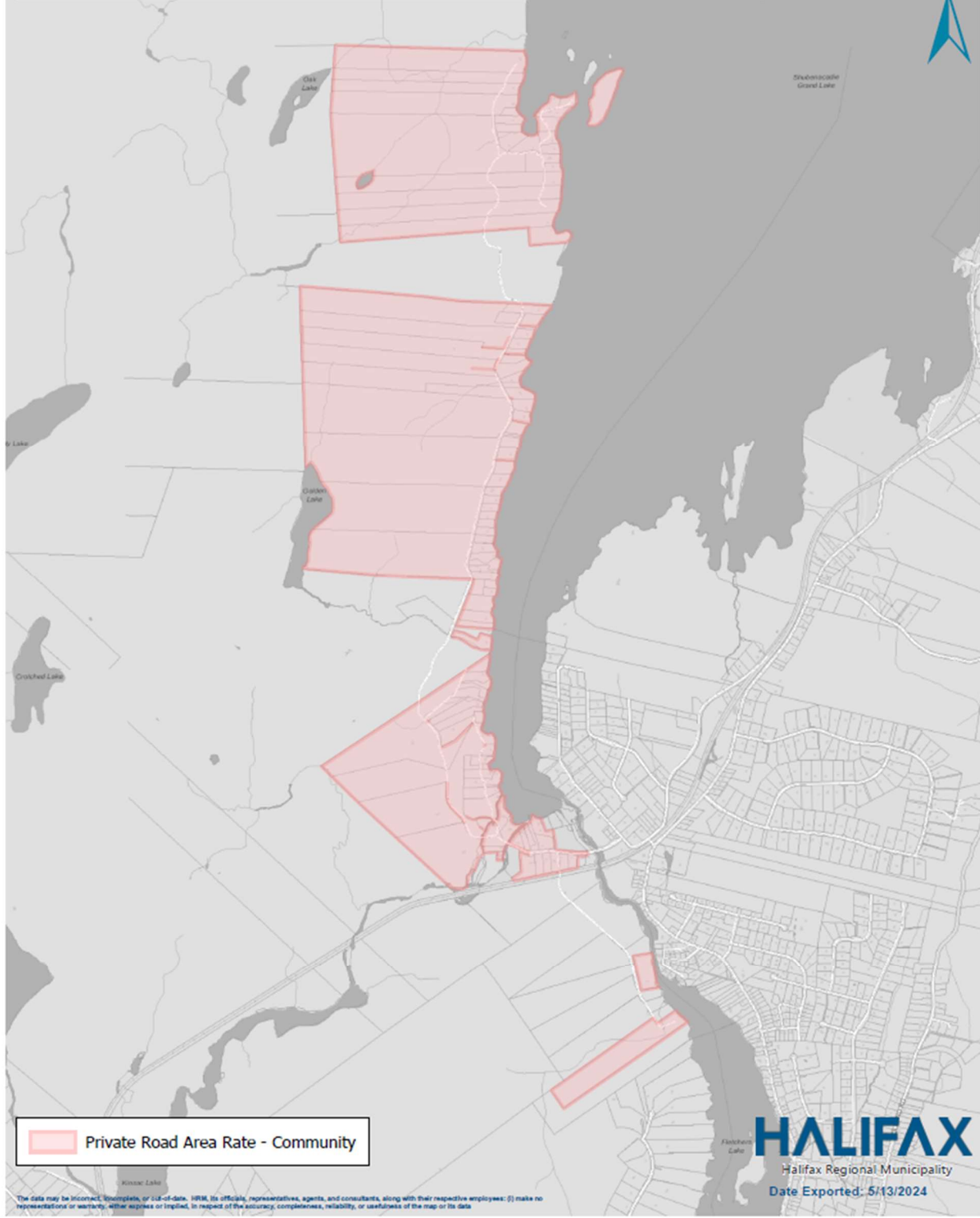
Private Road Area Rate - Three Brooks Homeowners Association



Private Road Area Rate - Community

The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees: (i) make no representations or warranty, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data.

Private Road Area Rate - Southwest Grand Lake Private Road Fee

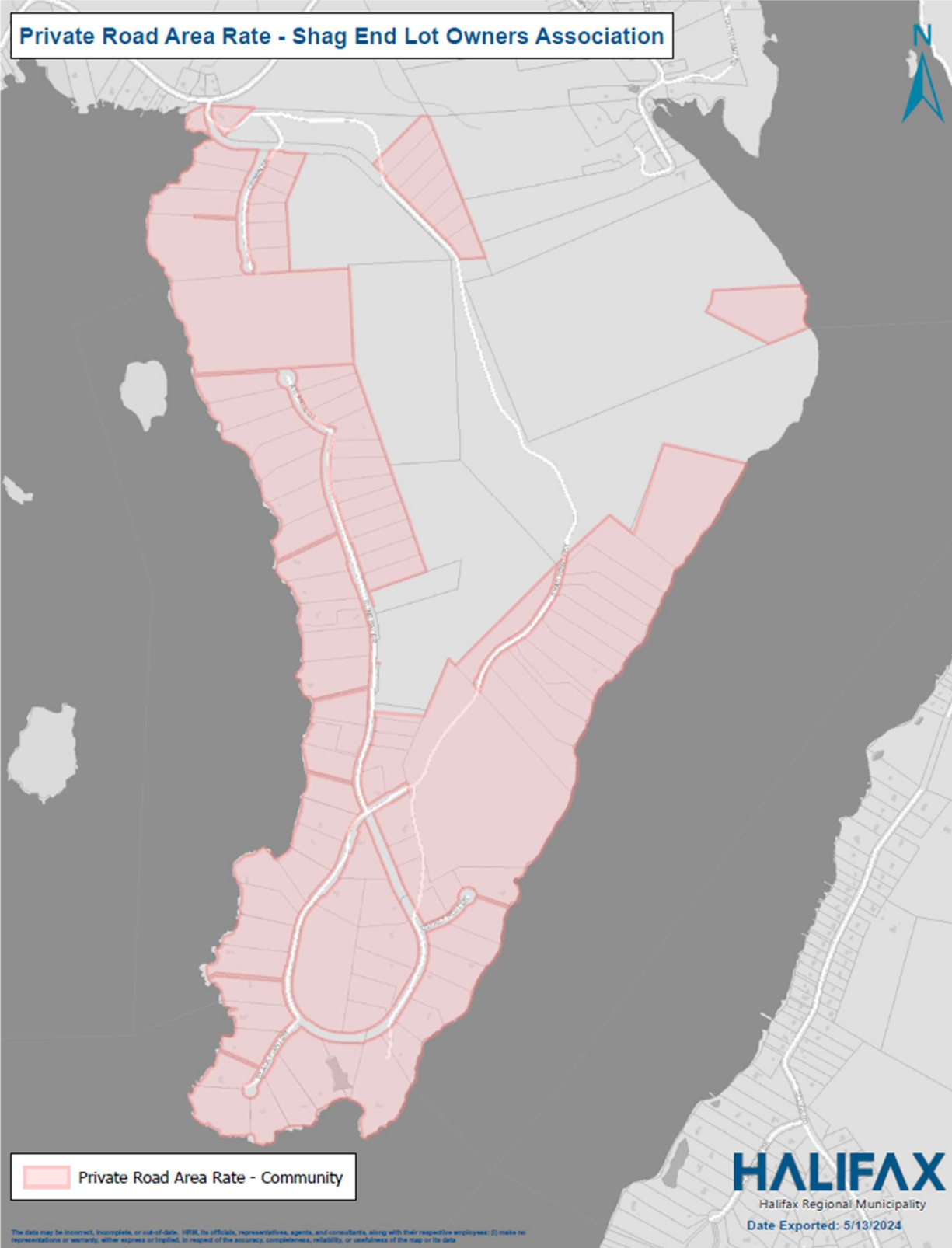


Private Road Area Rate - Community

The data may be incorrect, out-of-date, or not-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees, make no representations or warranty, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data.

HALIFAX
Halifax Regional Municipality
Date Exported: 5/13/2024

Private Road Area Rate - Shag End Lot Owners Association



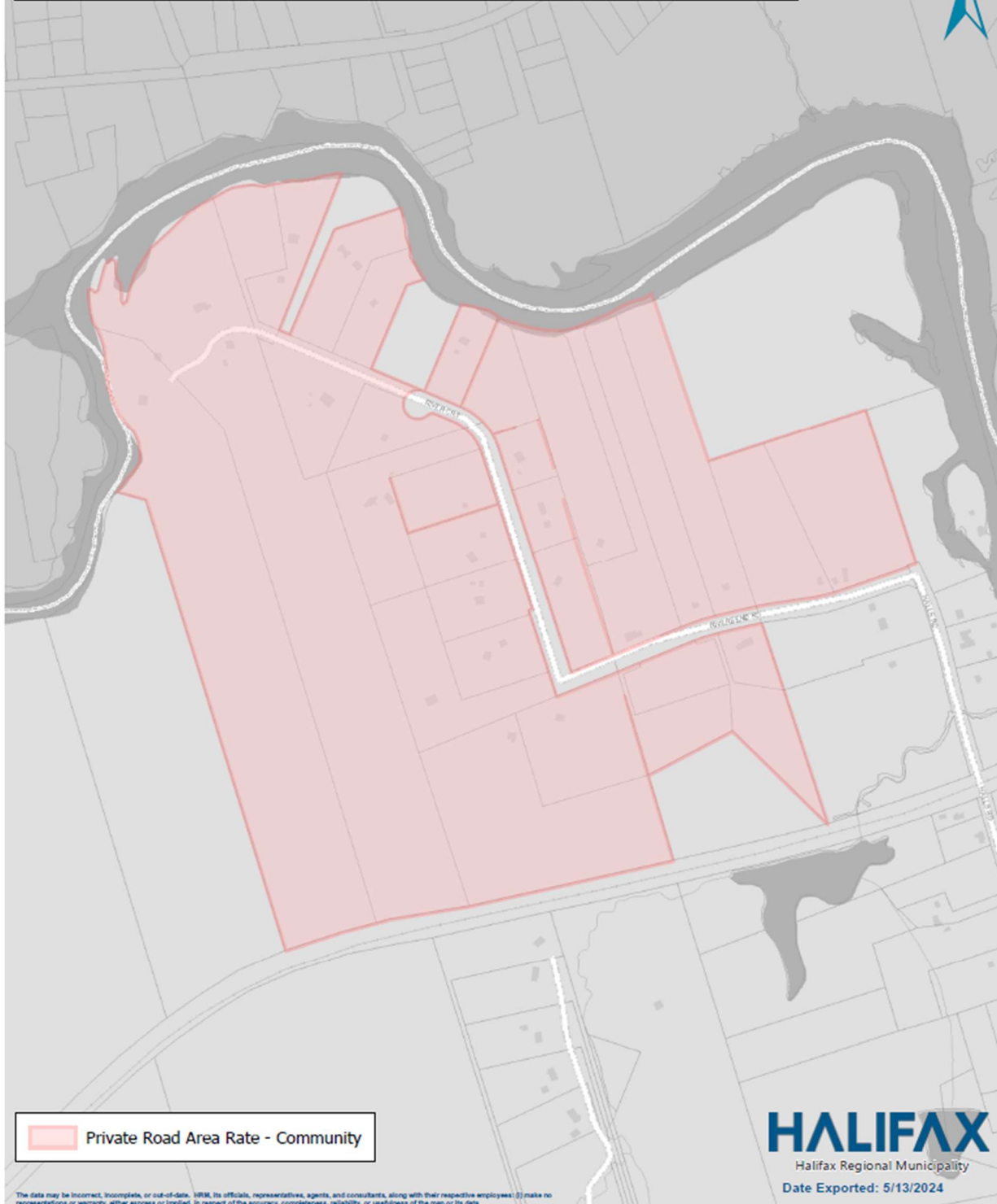
Private Road Area Rate - Community

HALIFAX
Halifax Regional Municipality

Date Exported: 5/13/2024

The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees, make no representations or warranty, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data.

Private Road Area Rate - River Bend Rd & River Court Homeowners Association



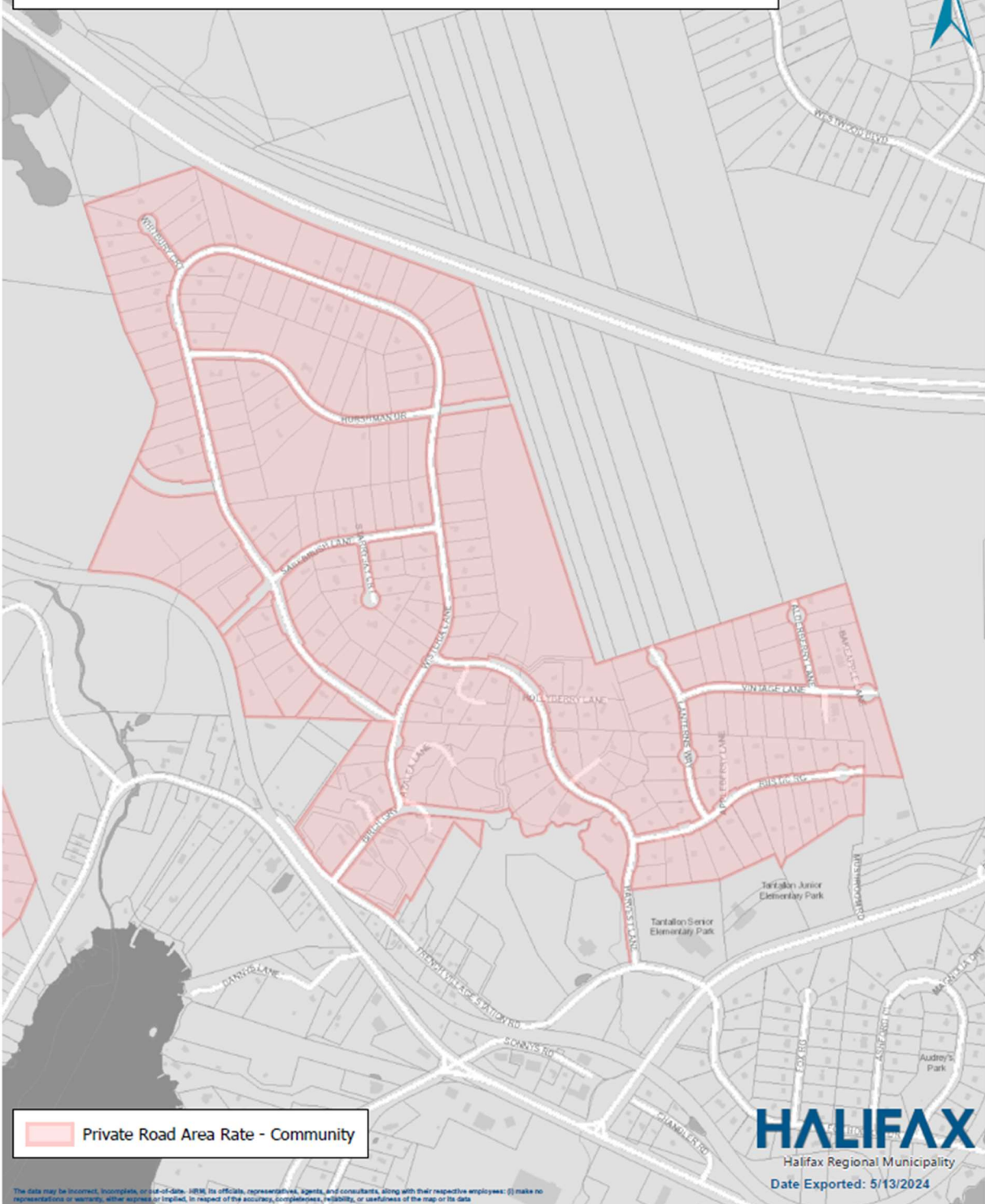
 Private Road Area Rate - Community

The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees, make no representations or warranty, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data.

HALIFAX
Halifax Regional Municipality

Date Exported: 5/13/2024

Private Road Area Rate - St. Margaret's Village Community Association



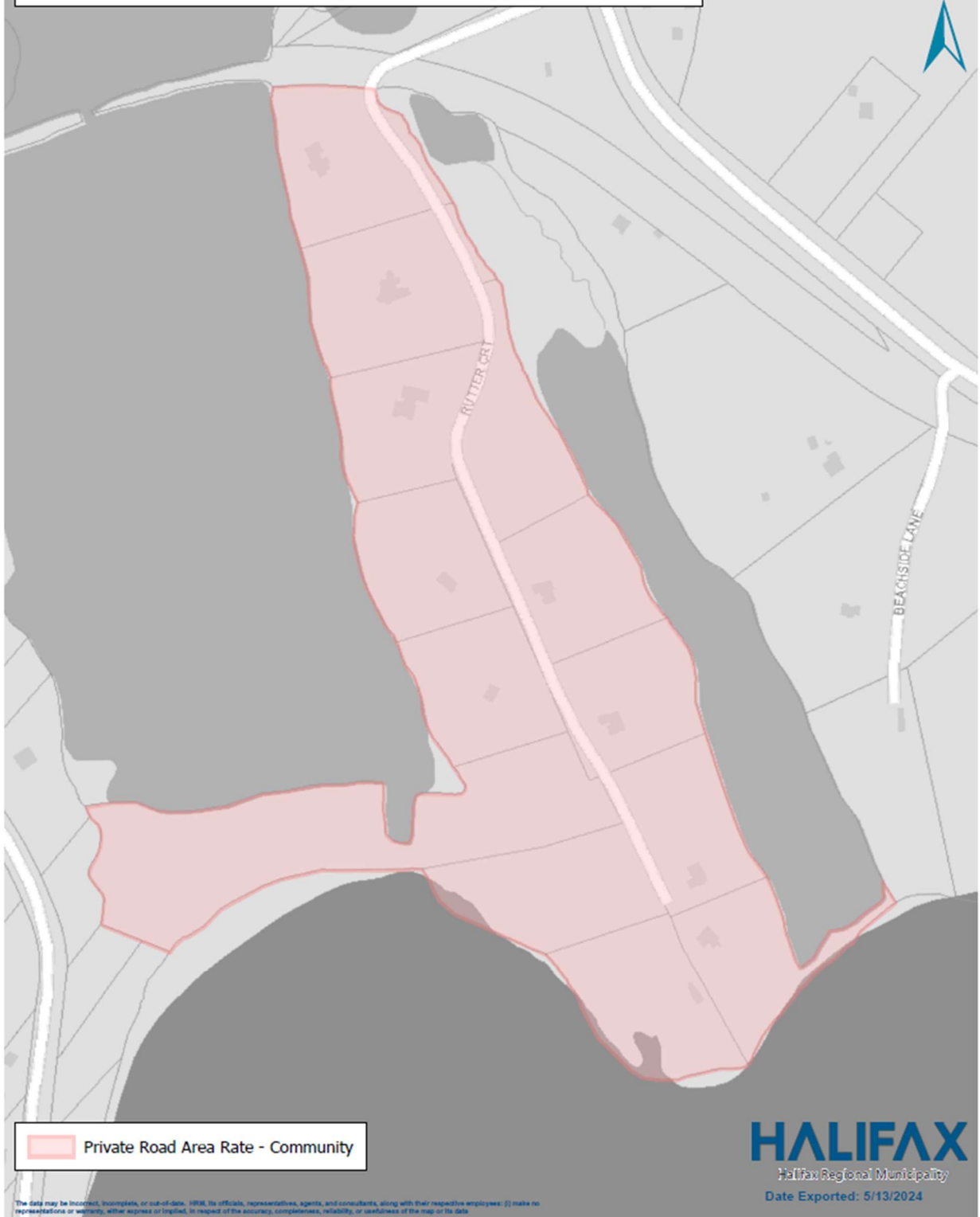
Private Road Area Rate - Community

HALIFAX
Halifax Regional Municipality

Date Exported: 5/13/2024

The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees, do not make any representations or warranty, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data.

Private Road Area Rate - Rutter Court Residents Association



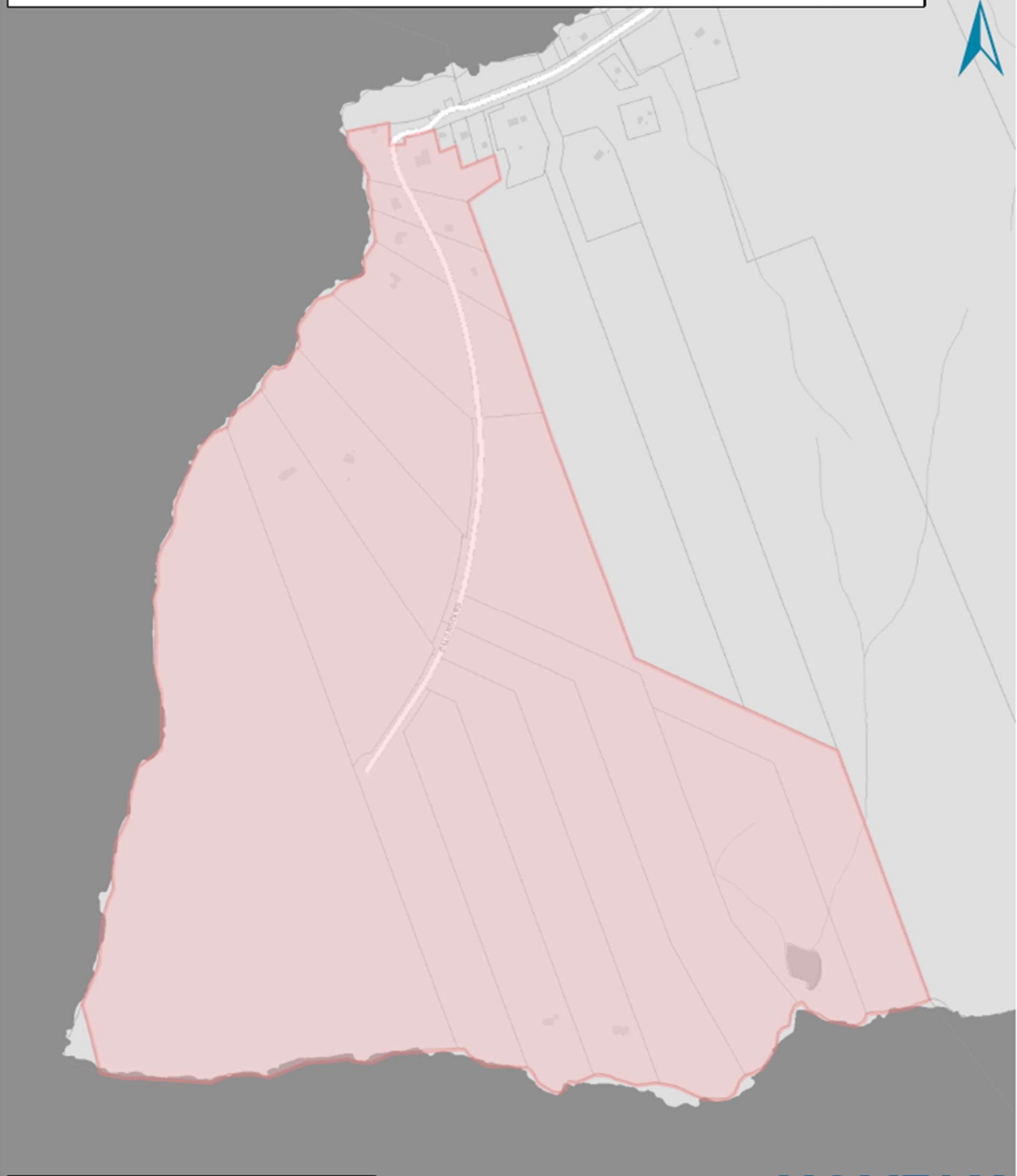
Private Road Area Rate - Community

HALIFAX
Halifax Regional Municipality

Date Exported: 5/13/2024

The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees: (i) make no representations or warranty, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data.

Private Road Area Rate - Sambro Head Lot Owners Association Bald Rock Rd



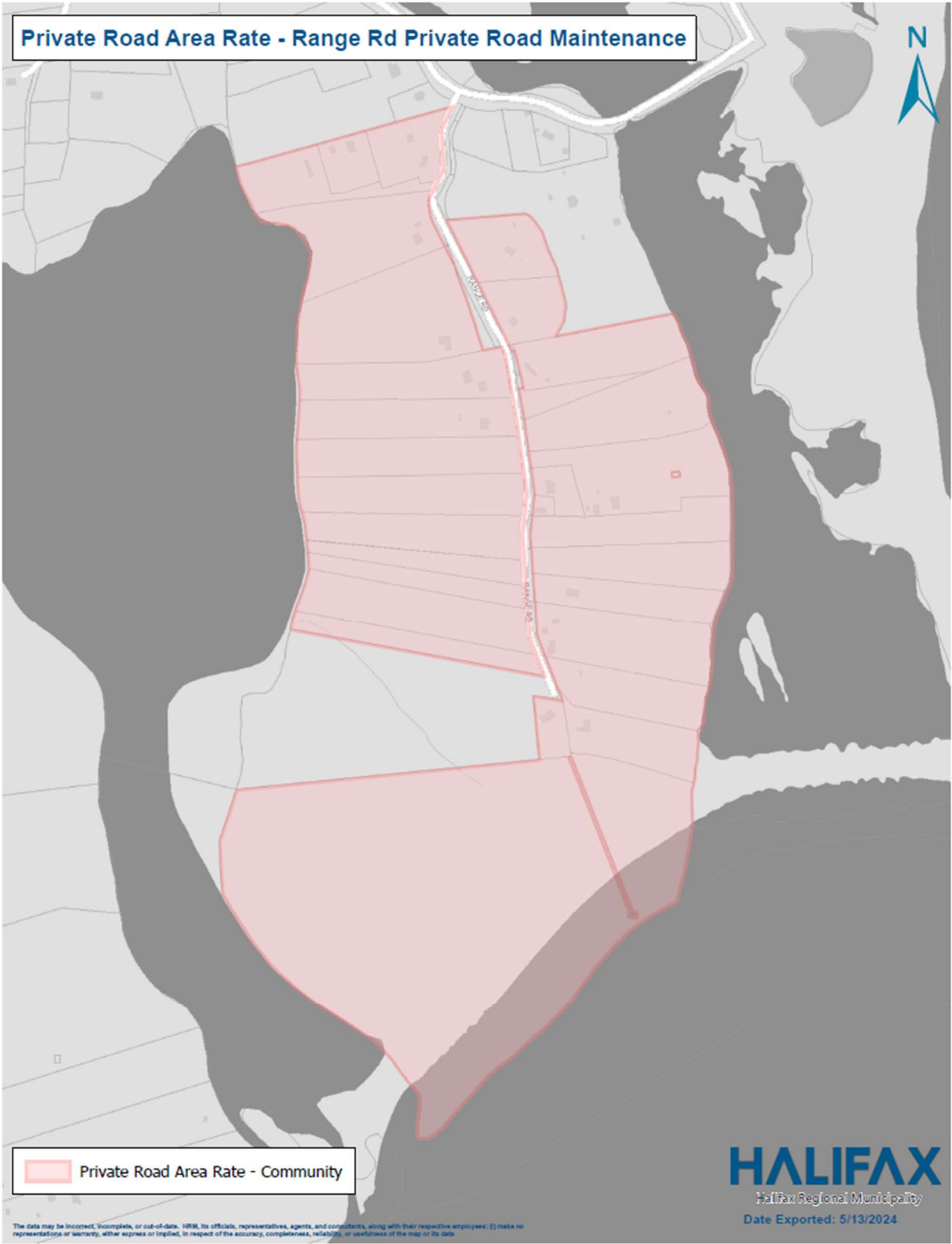
Private Road Area Rate - Community

HALIFAX
Halifax Regional Municipality

Date Exported: 5/13/2024

The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees, do not make any representations or warranties, either express or implied, in regard to the accuracy, completeness, reliability, or usefulness of the map or its data.

Private Road Area Rate - Range Rd Private Road Maintenance



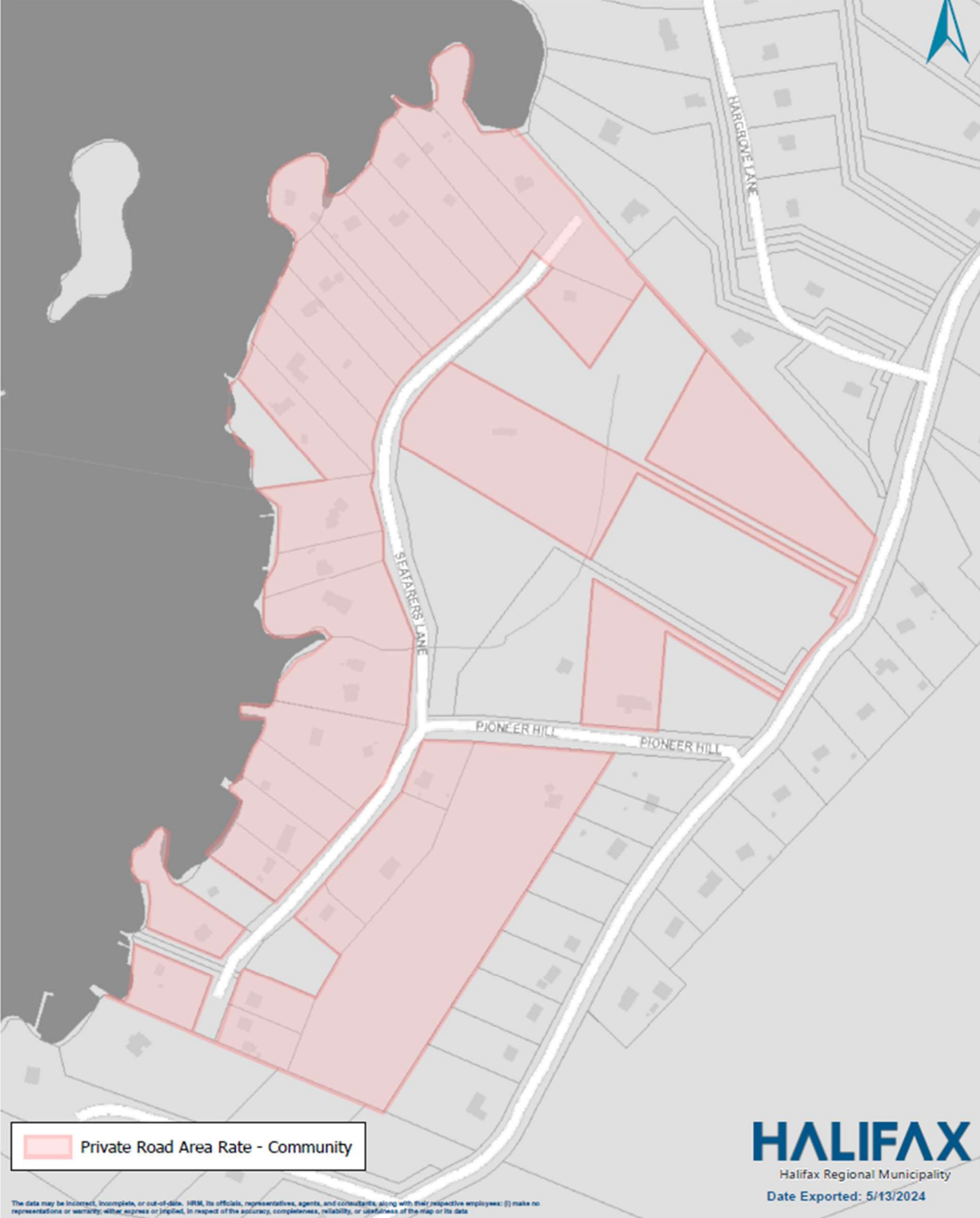
Private Road Area Rate - Community

HALIFAX
Halifax Regional Municipality

Date Exported: 5/13/2024

The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees, make no representation or warranty, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data.

Private Road Area Rate - Blacks Subdivision Ratepayers Association



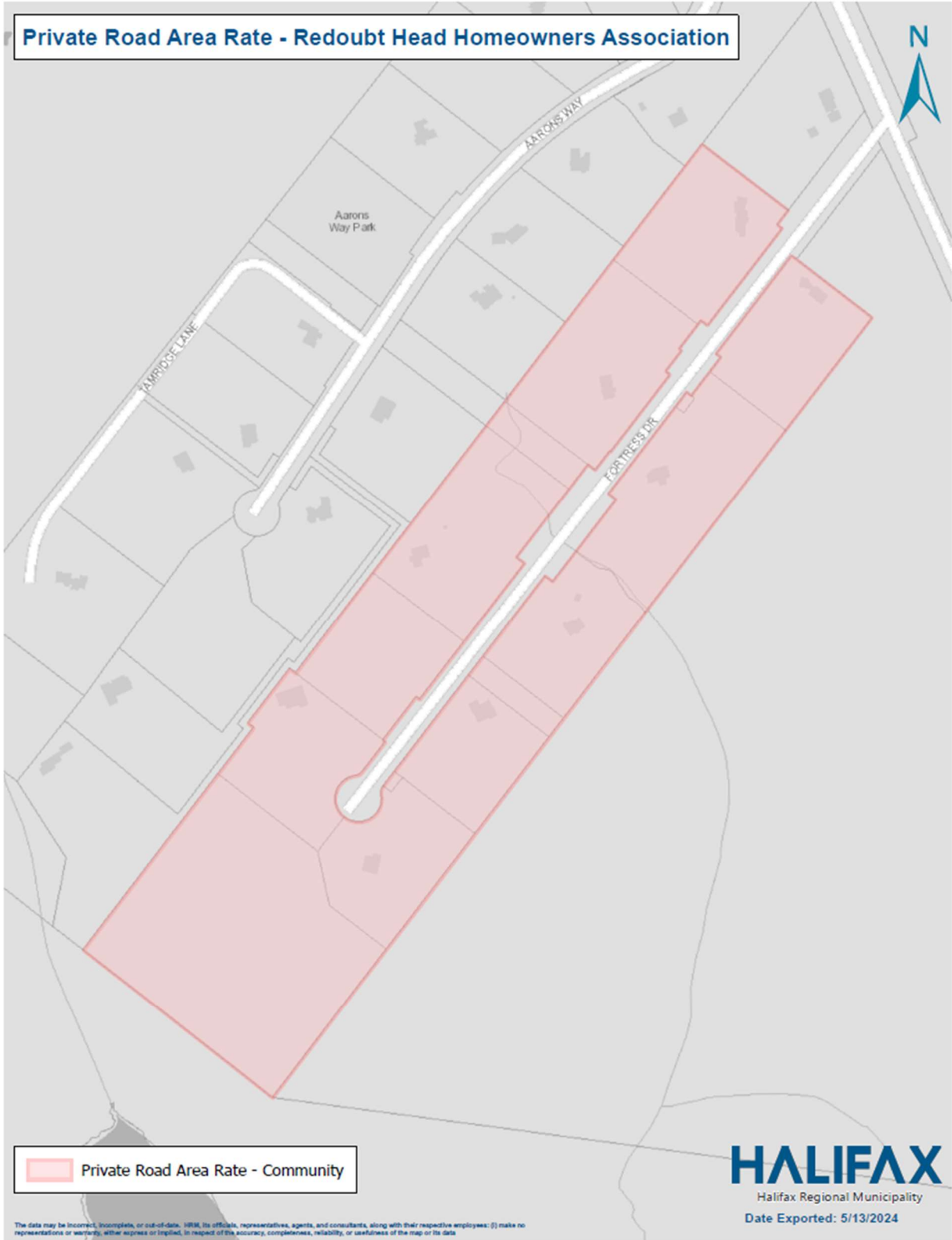
Private Road Area Rate - Community

HALIFAX
Halifax Regional Municipality

Date Exported: 5/13/2024

The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees, do not make any representations or warranty, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data.

Private Road Area Rate - Redoubt Head Homeowners Association



Private Road Area Rate - Community

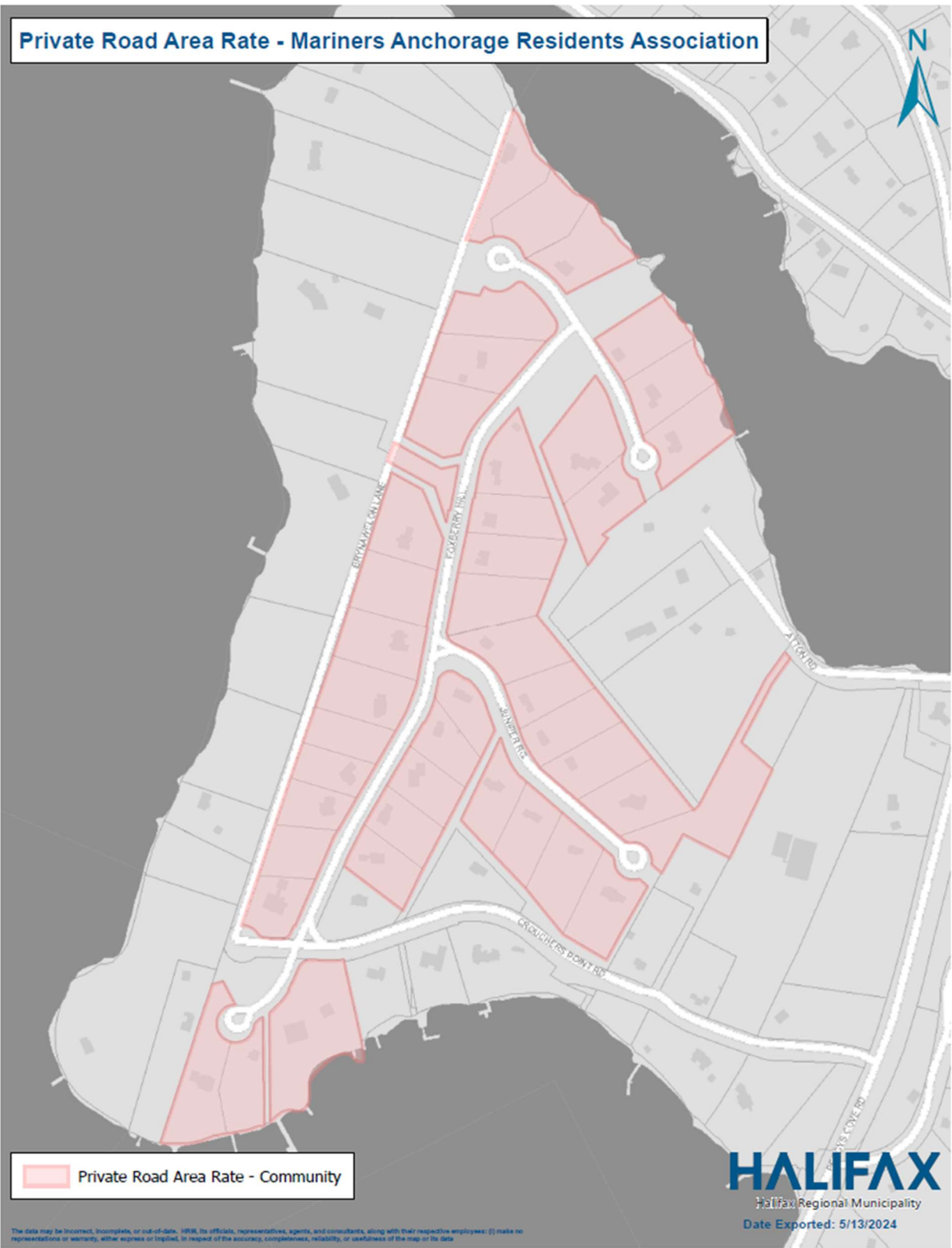
HALIFAX

Halifax Regional Municipality

Date Exported: 5/13/2024

The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees: (i) make no representations or warranty, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data

Private Road Area Rate - Mariners Anchorage Residents Association



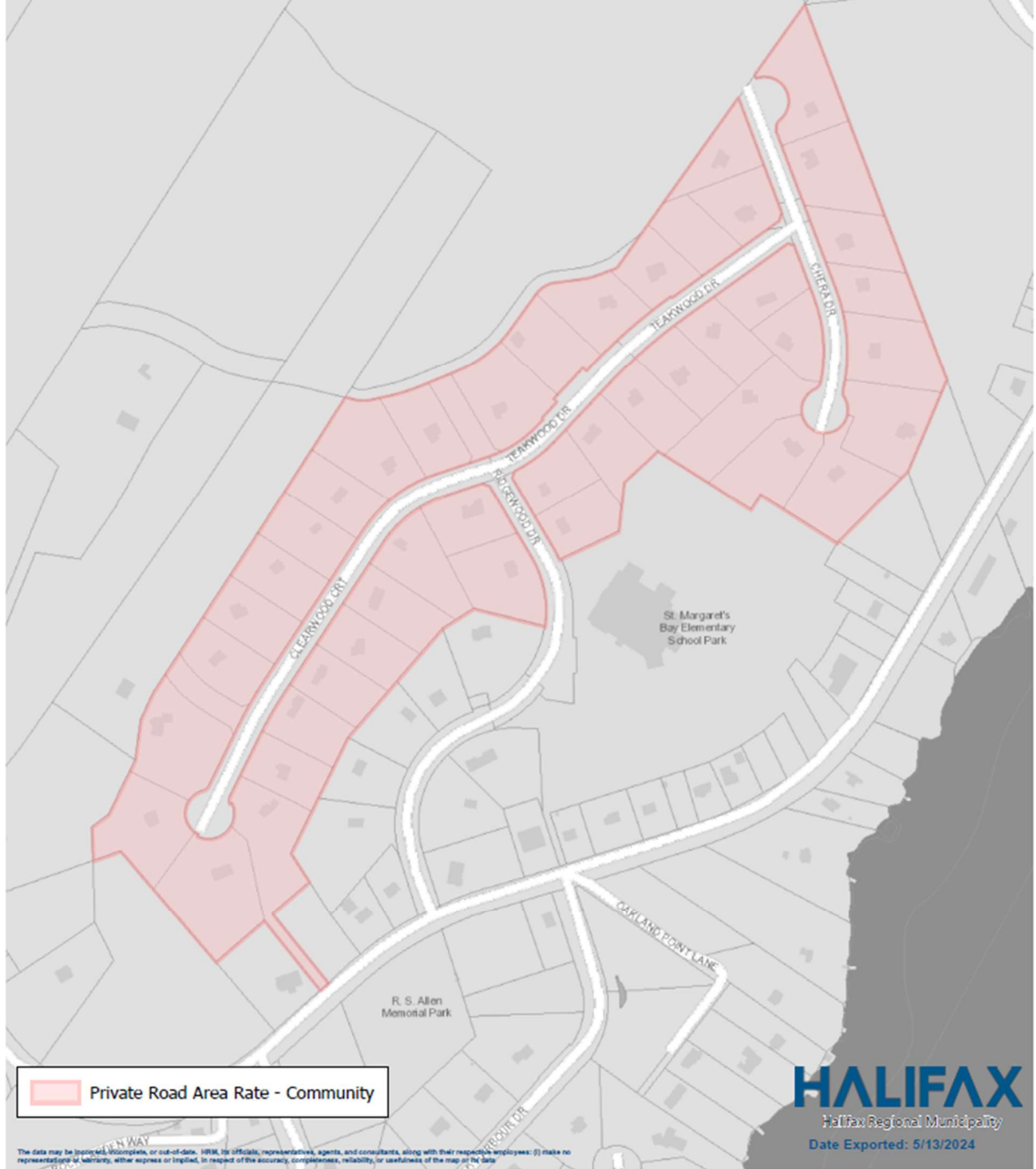
Private Road Area Rate - Community

HALIFAX
Halifax Regional Municipality

Date Exported: 5/13/2024

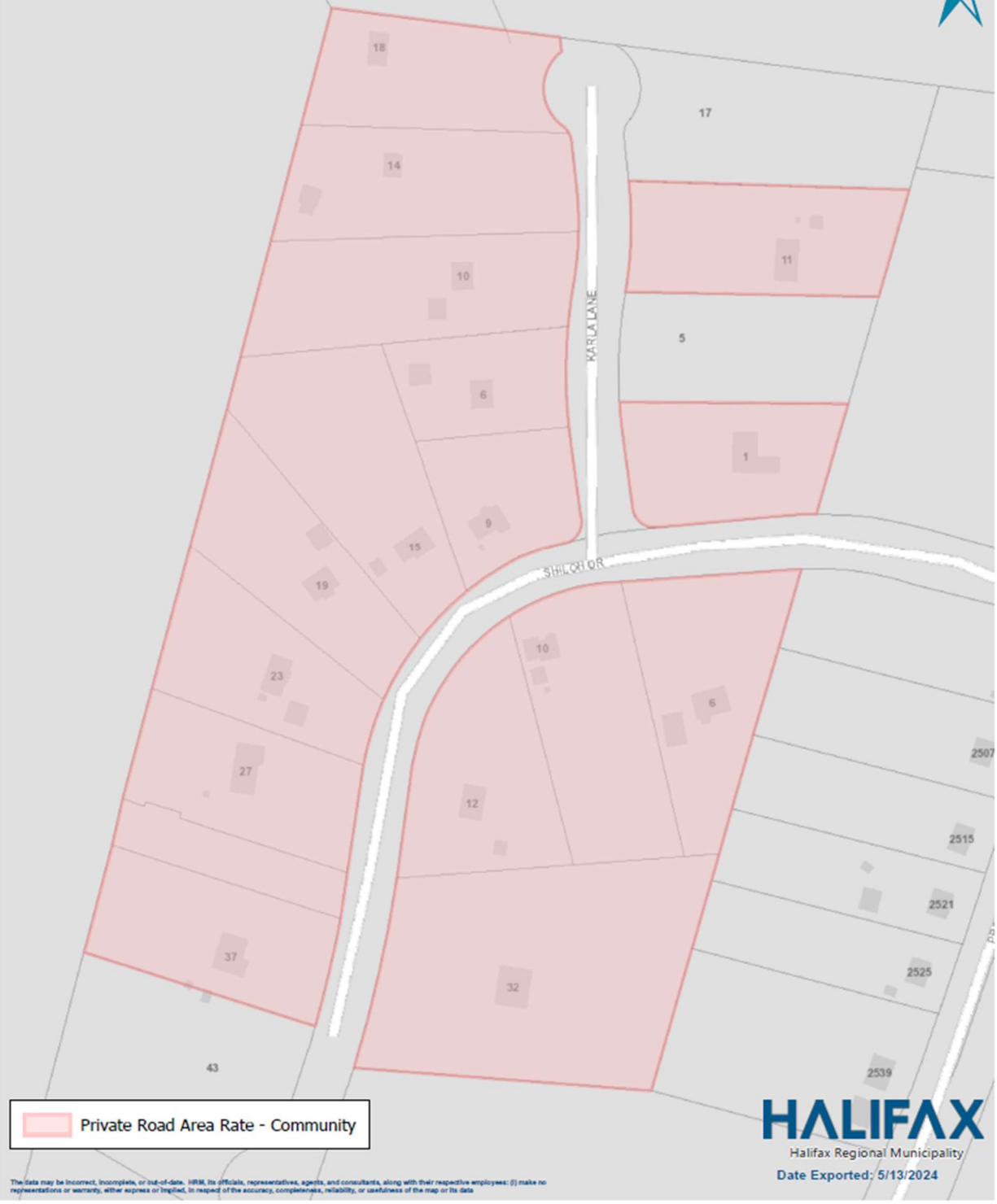
The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees, do not make any representations or warranties, either express or implied, in regard to the accuracy, completeness, reliability, or usefulness of the map or its data.

Private Road Area Rate - St Margaret's Bay Heights Subdivision

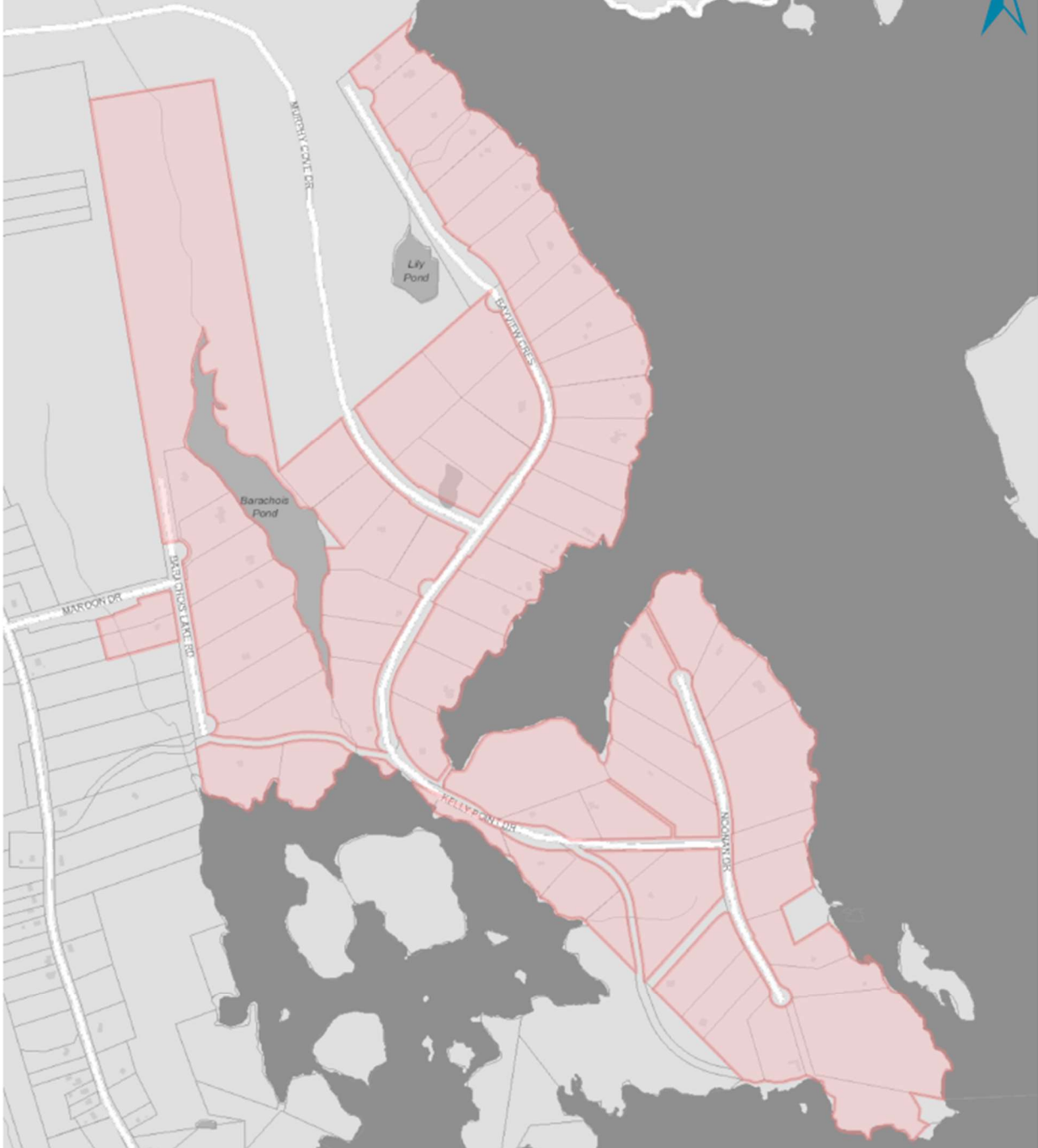


The data may be incomplete, inaccurate, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees, do not make any representation or warranty, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data.

Private Road Area Rate - Shiloh and Karla Drive Road Association



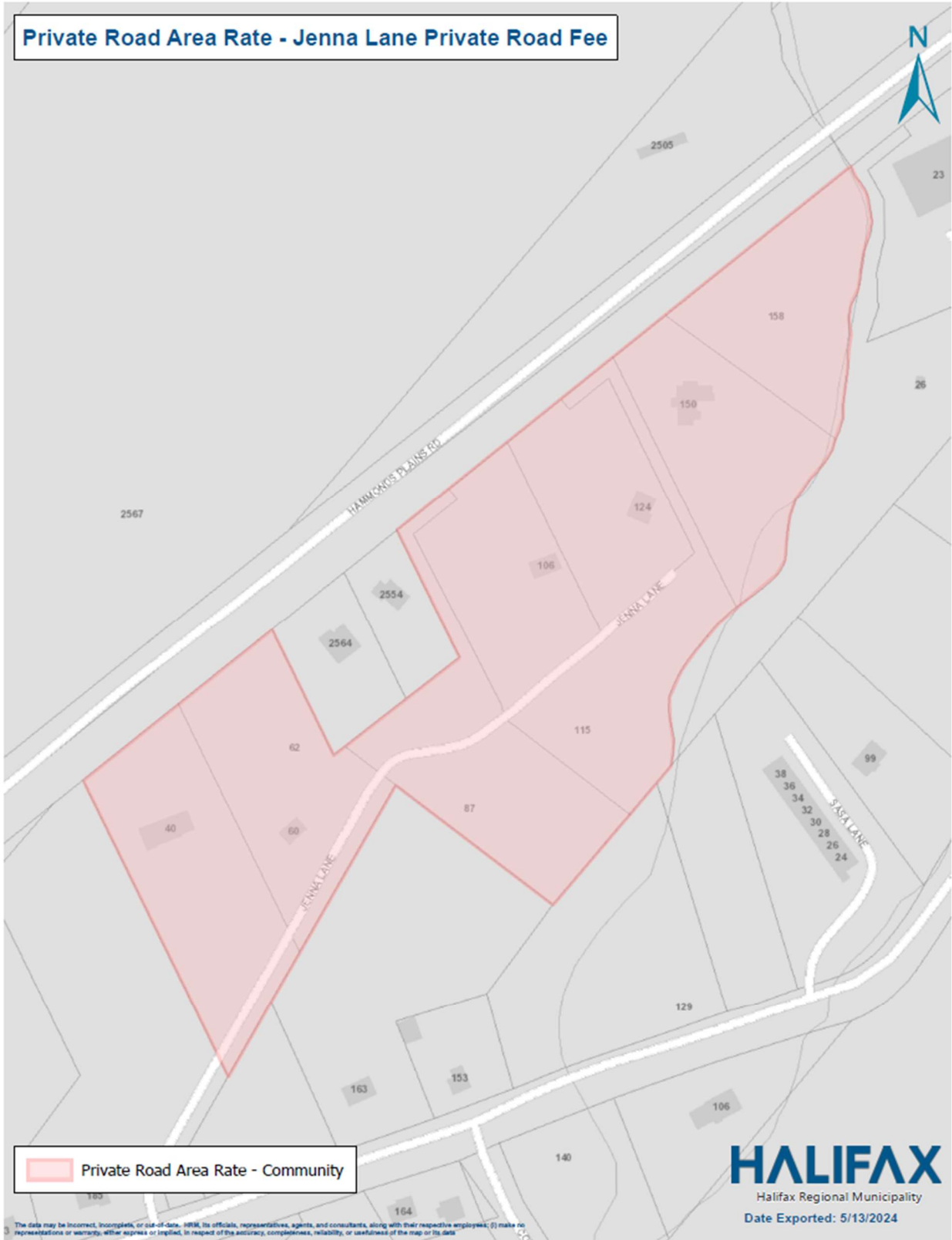
Private Road Area Rate - Kelly Point Private Road



Private Road Area Rate - Community

The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents and consultants, along with their respective employees, do not make any representations or warranty, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data.

Private Road Area Rate - Jenna Lane Private Road Fee



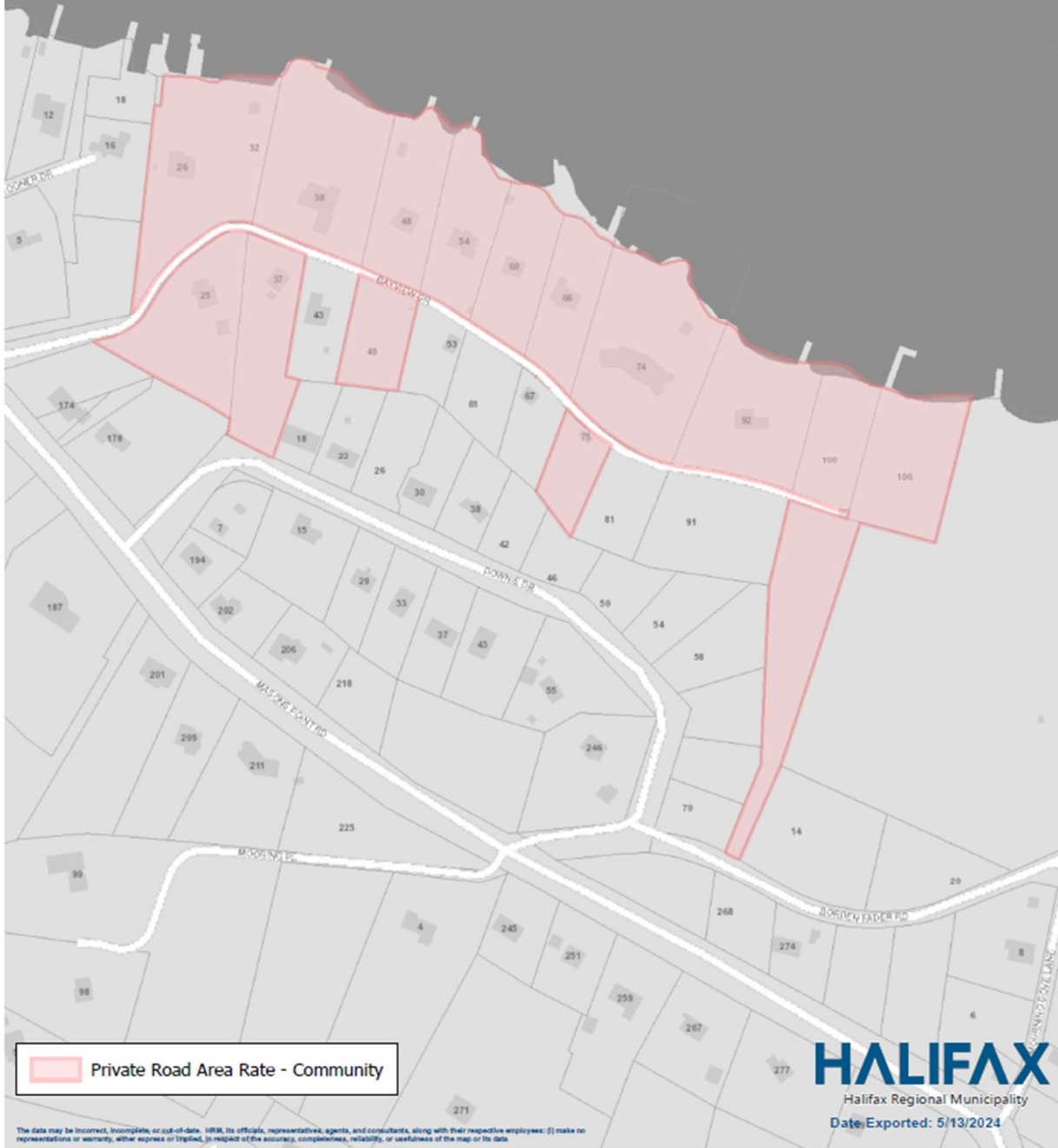
Private Road Area Rate - Community

HALIFAX
Halifax Regional Municipality

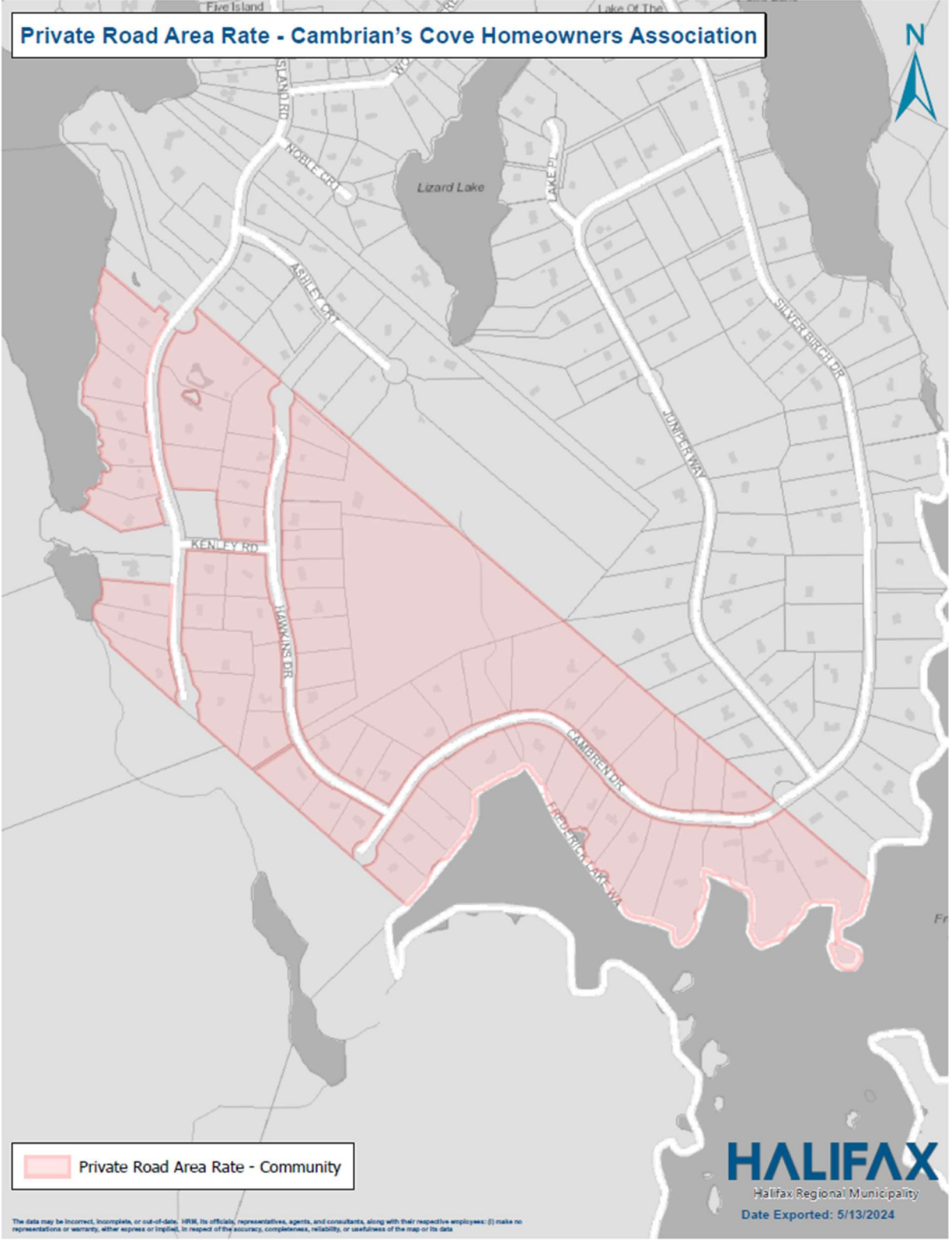
Date Exported: 5/13/2024

The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees, make no representations or warranty, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data.

Private Road Area Rate - Bayview Homeowners Society



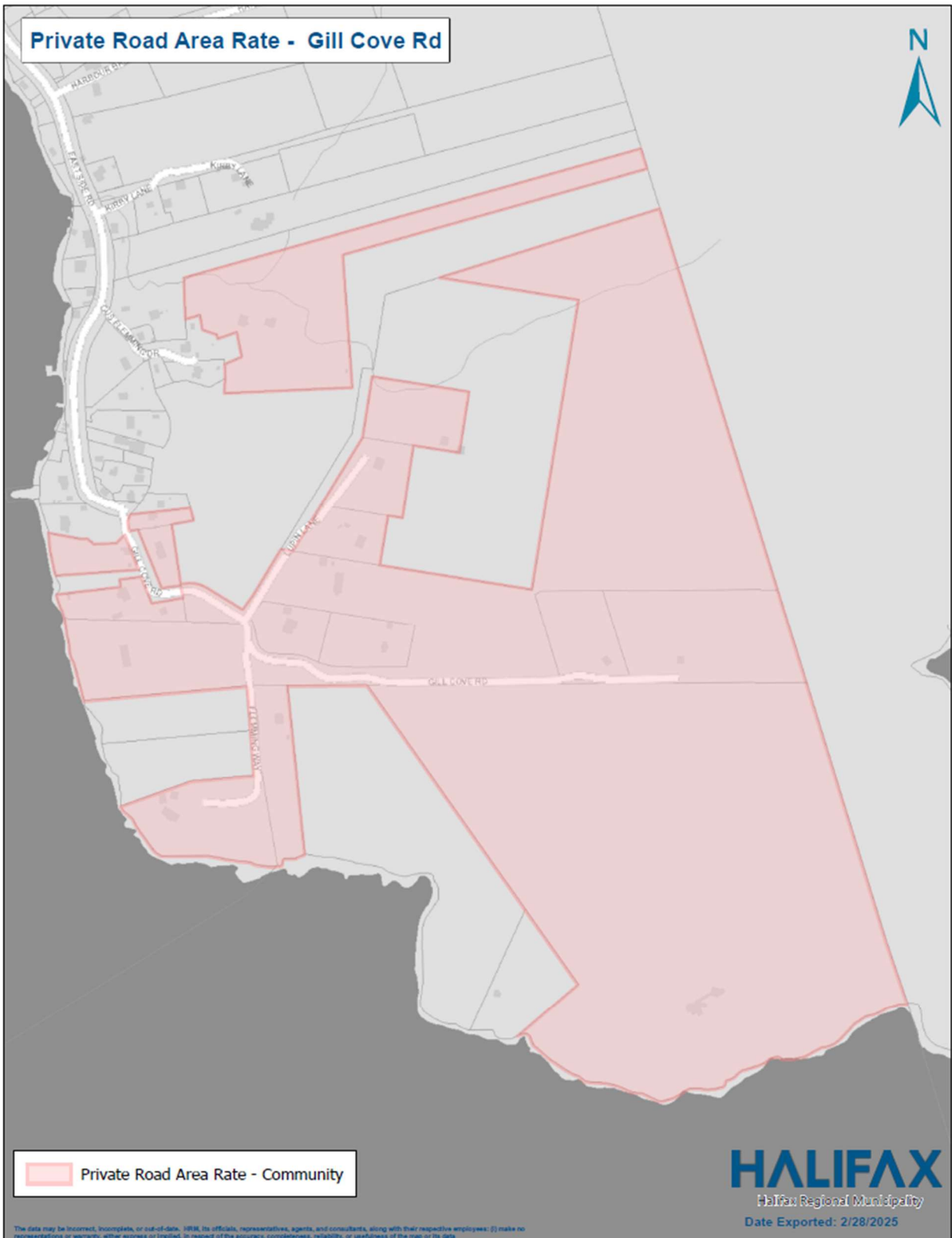
Private Road Area Rate - Cambrian's Cove Homeowners Association



 Private Road Area Rate - Community

The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees, do not make any representations or warranty, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data.

Private Road Area Rate - Gill Cove Rd



Private Road Area Rate - Community

HALIFAX
Halifax Regional Municipality

Date Exported: 2/28/2025

The data may be incorrect, incomplete, or out-of-date. HRM, its officials, representatives, agents, and consultants, along with their respective employees, make no representations or warranties, either express or implied, in respect of the accuracy, completeness, reliability, or usefulness of the map or its data.