

**ADMINISTRATIVE ORDER NUMBER 54
RESPECTING THE PROCEDURES FOR
DEVELOPING ADMINISTRATIVE ORDERS**

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality under the authority of the *Halifax Regional Municipality Charter*, as follows:

Short Title

1. This Administrative Order may be cited as Administrative Order Number Fifty--four, the *Procedures for the Development of Administrative Orders*.

Interpretation

2. In this Administrative Order,

(a) “Administrative Order” means:

(i) a policy adopted by the Council on any matter that it considers conducive to the effective management of the municipality; or

(ii) any other matter where the Council is required by an enactment to exercise its powers and duties by policy.

(b) “CAO” means the Chief Administrative Officer of the Municipality;

(c) “Council” means the Council of the Municipality;

(d) “lead business unit” means the business unit designated by the CAO, or his delegate, from time to time, to be responsible to implement and/or administer a particular Administrative Order; and

(e) “resolution” means a motion passed by the Council, Community Council or Standing Committee of the Council.

Purpose

3. The purpose of this Administrative Order is to create a standardized form and process for Administrative Orders including the initiation of the procedure to create an Administrative Order, the drafting of the Administrative Order, the writing of the staff report to accompany the draft Administrative Order, the adoption by the Council of the Administrative Order, and the storage of and access to those Administrative Orders that the Council has adopted.

Application

4. All Administrative Orders adopted by the Council after the effective date of this Administrative Order shall follow the process set out hereunder.

5. All Administrative Orders, amendments to Administrative Orders, and repeals of Administrative Orders require at least seven (7) days notice to all the Council Members in accordance with subsection 59(1) of the *Halifax Regional Municipality Charter*.
6. Subject to Section 7 of this Administrative Order, the procedures in this Administrative Order apply to all new Administrative Orders including Administrative Orders developed to amend, consolidate or repeal existing Administrative Orders.
7. This Administrative Order does not apply to policies previously adopted by the Council.

Initiation of Administrative Order

8. Administrative Orders may be initiated in one of three ways:
 - (a) by a resolution of the Council directing staff to draft an Administrative Order for consideration by the Council;
 - (b) by a resolution of a Community Council or a Standing Committee of the Council by means of a recommendation from the Community Council or Standing Committee to the Council and by a further resolution of the Council directing staff to draft an Administrative Order for consideration by the Council; or
 - (c) by staff through the CAO, by means of a staff report for consideration by the Council.

Number Convention and Template

9. Administrative Orders must follow the numbering convention provided in Appendix A of this Administrative Order.
10. A corporate template for Administrative Orders will be developed by the Office of the Municipal Clerk, in consultation with Legal Services.

Writing of Administrative Order

11. When an Administrative Order is initiated, the lead business unit will, in accordance with direction from the CAO, consult with HRM business units to determine which business units may be affected by the Administrative Order.
12. After completing the consultations with HRM business units, the lead business unit will draft an Administrative Order based on the corporate template. The lead business unit will also contact the Office of the Municipal Clerk to obtain an Administrative Order number. The lead business unit will consult with Legal Services prior to developing the draft Administrative Order.
13. The lead business unit will circulate the draft Administrative Order to appropriate business units, as identified during the consultation with HRM business units, for review and comment. The draft must be reviewed by Legal Services, and if identified as a requirement during the consultations, by Human Resources.

14. Once the feedback and comments have been received, the lead business units will draft all necessary changes and circulate the revised Administrative Order.

15. Once a final version of the Administrative Order has been agreed upon, the lead business unit will draft a recommendation report, in the form of the corporate template, for the Council's consideration. The draft Administrative Order will be attached to the recommendation report. The report must recommend either adopting or refusing to adopt the Administrative Order.

16. The recommendation report will be circulated for signature to the Directors who are responsible for those affected business units that were identified during the consultations.

17. Once the report has been signed off by the Directors, the lead business unit will forward the staff report, with the attached draft Administrative Order, to the Council. A Notice of Motion will then be drafted by the Office of the Municipal Clerk. The lead business unit will submit the report and proposed Administrative Order through the Council report approval process.

Council Adoption Process

18. At the first meeting of the Council, a member of the Council may give a Notice of Motion for the adoption of the Administrative Order.

19. At a meeting of the Council, which shall be at least seven (7) days after the Notice of Motion is given, the Council may consider the proposed Administrative Order.

20. Where the Council considers the proposed Administrative Order, the Council may:

- (a) adopt the Administrative Order;
- (b) adopt the Administrative Order with amendments;
- (c) direct staff to draft amendments to the Administrative Order and return to the Council at a later date with such amendments for further consideration;
- (d) refuse to adopt the Administrative Order; or
- (e) provide any other direction as the Council sees fit.

21. Where the Council adopts the Administrative Order with amendments, the lead business unit will draft the amendments in consultation with Legal Services.

22. Where the Council directs amendments be made for further consideration, the lead business unit will draft a supplementary report and will draft the directed amendments in consultation with Legal Services.

Post Adoption Process

23. Once an Administrative Order, and any amendment made by the Council to the Administrative Order, is adopted by the Council:

- a) the lead business unit will forward the complete electronic version (including schedules and maps) of the Administrative Order as adopted by the Council (including any amendments the Council has adopted to it) to the Office of the Municipal Clerk;
- b) copies of the Administrative Order will be signed by the Mayor and Municipal Clerk and notification of the approved Administrative Order will be advertised on the HRM Internet site; and
- c) the Office of the Municipal Clerk will certify two copies of the Administrative Order for vault and administrative filing

Effective Date of Administrative Order

24. Unless otherwise stated in the Administrative Order, the Administrative Order will be effective on the date the Council adopts it.

Distribution, storage and indexing of Administrative Orders

25. The original Administrative Order will be securely filed in the Office of the Municipal Clerk. Copies may be distributed to internal staff as identified on a distribution list maintained by the Office of the Municipal Clerk.

26. An Administrative Order index (detailing Notice of Motion and approval date) will be maintained by the Office of the Municipal Clerk.

Amendments to an Administrative Order

27. The same process will be followed for amendments, revisions, or repeals to an Administrative Order.

28. Amendments shall be noted at the bottom of the amended Administrative Order citing the date which the Council approved the amendment.

Appendix

29. Appendix A attached hereto shall form part of this Administrative Order.

Done and passed in Council on this 28th day of January, A.D. 2014

Mayor

Municipal Clerk

I, Cathy Mellett, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of Halifax Regional Council held on January 28, 2014.

Cathy Mellett, Municipal Clerk

Notice of Motion:
Approved:

January 14, 2014
January 28, 2014

Appendix A

Naming Conventions for Administrative Orders

Administrative Orders That Are Not Respecting Street Closures

1. Administrative Orders are assigned categories and numbers by the Office of the Municipal Clerk.
2. Subject to section 7 of this Appendix, Administrative Orders are categorized by:
 - (a) the calendar year in which they were approved (e.g. 2014) and include both a category pre-fix and a unique identifier number which begins at 001 of each calendar year (e.g. 2014-001-GOV); and
 - (b) one of the following categories:
 - (i) Administration (ADM): pertains to Administrative Orders that are administrative in nature,
 - (ii) Governance (GOV): pertains to Administrative Orders that apply to Regional Council, Community Council, Standing Committees and/or Other Boards and Committees of Council, or
 - (iii) Operational (OP): pertains to Administrative Orders that are operational in nature.
3. The categories for the Administrative Order will be determined by the Office of the Municipal Clerk in consultation with the lead business unit and Legal Services.
4. At the end of each calendar year, the Administrative Order numbering system will restart at “001” and the calendar year will be updated.
5. On the Halifax Regional Municipality website, Administrative Orders will be categorized based on the calendar year in which they were approved.
6. Sections 2 through 5 apply to all Administrative Orders, except for Administrative Orders Respecting Street Closure which follow a modified naming convention as set out below.

Administrative Orders Respecting Street Closures

7. Administrative Order Respecting Street Closures are assigned categories and numbers by the Office of the Municipal Clerk.
8. Administrative Orders Respecting Street Closures are placed in a unique Street Closure Category (AO-SC) and will be assigned a unique number which begins at 001 and continues on to infinity (e.g. A0 – SC – 001).

9. On the Halifax Regional Municipality website, Administrative Orders Respecting Street Closures will be separated from other Administrative Orders.