

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW C-900
RESPECTING CHARGES FOR STORMWATER FROM MUNICIPAL STREETS**

Short Title

1. This by-law may be cited as the *Charges for Stormwater from Municipal Streets By-law*.

Interpretation

2. In this by-law,
 - (a) "Board" means the Nova Scotia Utility and Review Board;
 - (b) "Commission" means the Halifax Regional Water Commission;
 - (c) "Customer" means a customer of the Commission as defined by the Regulations;
 - (d) "Municipality" means the Halifax Regional Municipality;
 - (e) "Regulations" mean the *Halifax Regional Water Commission Regulations* made by order of the Board, as amended from time to time;
 - (f) "Site Related Flow Charge" means a site related flow charge set by the Board;
 - (g) "Stormwater" means water from precipitation of all kinds, and includes water from the melting of snow and ice, groundwater discharge and surface water; and
 - (h) "Stormwater System" means a method or means of carrying stormwater, including ditches, swales, sewers, drains, canals, ravines, gullies, pumping stations, retention ponds, streams, watercourses, floodplains, ponds, springs, creeks, streets or private roads, roadways or driveways, that is vested in or under the control of the Commission.

Flat Charge Imposed

3. A flat charge is imposed on a Customer of the Stormwater System.

Amount of Charge

4. (1) The amount of the flat charge for each Customer shall be calculated by dividing the annual amount of Municipality is required to pay the Commission for stormwater service associated with the street right of way owned by the Municipality, as determined by the Board from time to time, by the number of Customers charged the Site Related Flow Charge by the Commission.

(2) For the calculation of the flat charge pursuant to subsection 1, the required annual Stormwater Right-of-Way payment shall be:
 - (a) reduced by the amount of any surplus resulting from the flat charge imposed under this By-law for the previous fiscal year; or
 - (b) increased by the amount of any deficit resulting from the flat charge imposed under this By-law for the previous fiscal year.

(3) The amount of the flat charge for each Customer shall be rounded up to the nearest dollar (\$1.00).

5. The charge shall be billed to the Customer by the Commission on the same basis as the Commission bills the Customer for the Site Related Flow Charge.

Set Off

6. The amount of the charge collected by the Commission under this By-law may be set off against the Right-of-Way Charge owned by the Municipality to the Commission.

Lien

7. A Charge imposed pursuant to this by-law is a first lien on the real property to which the charge has been levied and may be collected at the same time and by the same proceedings as other taxes.

Interest

8. Interest shall accrue at the same rate and on the same basis as interest is charged to the Customer by the Commission.

Done and passed this 5th day of September, 2017.

Mayor

Acting Municipal Clerk

I, Sherryll Murphy, Acting Municipal Clerk for the Halifax Regional Municipality hereby certify that the above noted By-law was passed at a meeting of the Halifax Regional Council held on September 5, 2017.

Sherryll Murphy, Acting Municipal Clerk

Notice of Motion:	June 20, 2017
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