

**ADMINISTRATIVE ORDER NUMBER 2014-012-ADM  
RESPECTING GRANTS FOR RURAL TRANSIT**

**WHEREAS** the Halifax Regional Municipality wishes to provide grants to community organizations that provide community-based transit services in rural communities within the Halifax Regional Municipality to subsidize the cost of regular operation and maintenance of vehicles;

**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 known as the *Rural Transit Grants Administrative Order*.

**Interpretation**

2. In this Administrative Order,

(a) “applicant” means an organization applying for a rural transit grant in accordance with this Administrative Order;

(ab) “Committee” means the Grants Committee or such other committee designated by Council;

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

(c) “Halifax Transit” means the municipal department that provides public transit services in the Municipality;

(d) “Municipality” means the Halifax Regional Municipality;

(da) “not-profit co-operative” includes a non-profit co-operative incorporated under the Nova Scotia Co-operative Associations Act;

(db) “non-profit society” includes a non-profit society incorporated under the Nova Scotia Societies Act;

(e) “organization” means a non-profit co-operative, non-profit society, or a registered Canadian charitable organization; and,

(f) “registered Canadian charitable organization” means a charitable organization registered pursuant to the Income Tax Act (Canada) and the regulations made pursuant to that Act.

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**Purpose**

3. The purpose of this Administrative Order is to assist community organizations to operate community-based transit services in rural communities in the Municipality as an efficient, cost effective form of public transportation outside of urbanized areas.

**Grants Available**

4. There is hereby established a grant program for community-based transit services in rural communities in the Municipality.

5. Commencing in fiscal year 2024-2024, grants shall consist of the following:

- (a) an annual lump sum payment of between \$6,381 and \$12,763; and
- (b) a flat rate payment of \$0.64 (sixty-four cents) per vehicle kilometre logged while providing community-based transit service within the Municipality.

6. Commencing fiscal year 2024-2025, the amount of the annual lump sum payment under section 5 will be determined based on the level of service provided by the organization:

- (a) Where the organization provides service more than 16 hours per day, at least one day per week, the annual lump sum payment is \$12,763;
- (b) Where the organization provides service 8.1 to 15.9 hours per day, 6 to 7 days per week, the annual lump sum payment is \$12,763;
- (c) Where the organization provides service 8.1 to 15.9 hours per day, 1 to 5 days per week, the annual lump sum payment is \$6,381; and
- (d) Where the organization provides service 1.0 to 8.0 hours per day, at least one day per week, the annual lump sum payment is \$6,381.

6A. (1) In this section,

- (a) “Change in TCPI for year” means the total percentage change in the TCPI for the given calendar year, calculated by subtracting the TCPI reported on January 1 of the given calendar year from the TCPI reported on December 31 of that same year, and may be expressed as follows:

(December 31 TCPI for the given calendar year) – (January 1 TCPI for the given calendar year) = Change in TCPI for the given calendar year

- (b) “five-year average change” means the average change in percentage of the TCPI over the five calendar years immediately prior to the given calendar year, calculated by:

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i) adding together the changes in percentage of the TCPI for each of the five immediately prior calendar years, and

ii) dividing that sum by five;

and may be expressed as follows, where “X” is equal to the current calendar year:

$$\frac{(change\ in\ TCPI\ for\ year\ (X - 5)) + (change\ in\ TCPI\ for\ year\ (X - 4)) + (change\ in\ TCPI\ for\ year\ (X - 3)) + (change\ in\ TCPI\ for\ year\ (X - 2)) + (change\ in\ TCPI\ for\ year\ (X - 1))}{5} = Five\ Year\ Average\ Change$$

(c) “Total Consumer Price Index” (“TCPI”) means the Total Consumer Price Index inflation percentage as reported by the Bank of Canada for a period of 12 months;

(2) Subject to subsections (3) and (4), beginning on April 1, 2025, and on each April 1 thereafter,

(a) the annual lump sum payment, and the flat rate payment under sections 5 and 6 shall be automatically increased by the five-year average change to the TCPI for the period of time from January 1<sup>st</sup> to December 31<sup>st</sup> of the preceding five calendar years, rounded up to the nearest \$10; and

(b) sections 5 and 6 listing the annual lump sum payment and the flat rate payment which have been increased under clause 6A(2)(a) shall be automatically amended to those increased payment amounts.

(3) If there is no increase in the five-year average change to the Total Consumer Price Index as reported by the Bank of Canada, there shall be no change in the annual lump sum payment or the flat rate payment under sections 5 and 6.

(4) If there is a decrease in the five-year average change to the Total Consumer Price Index as reported by the Bank of Canada, there shall be no change in the annual lump sum payment or the flat rate payment under sections 5 and 6.

(5) From time to time, the Chief Administrative Officer, or designate, shall post a revised version of this Administrative Order incorporating the annual lump sum payment and the flat rate payment that were increased under subsection 6A(1).

(6) In accordance with subsection 79C(1) of the *Halifax Regional Municipality Charter*, 2008, C. 39, as amended, the Municipality will disclose to the public the recipients of all grants, including the amount of a grant under this Administrative Order.

7. The number of hours the service is provided is based on either the actual number of hours the service is provided, or the number of hours the service is potentially available if the service is demand responsive.

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8. The annual lump sum payment shall be made following the annual grant approval process.
9. The total amount of the flat rate payment will be based on the number of in-service vehicle kilometres travelled in each quarter of the municipal fiscal year, as reported to the Municipality in accordance with the following deadlines:
  - (a) First quarter (April 1 to June 30) shall be reported by July 15;
  - (b) Second quarter (July 1 to September 30) shall be reported by October 15;
  - (c) Third quarter (October 1 to December 31) shall be reported by January 15; and
  - (d) Fourth quarter (January 1 to March 31) shall be reported by April 15.
10. Quarterly reports shall include a statement of operations and a statement of financial position.
11. The flat rate payments shall be made following the submission of each complete quarterly report.
12. At the end of each fiscal year, the organization shall provide the Municipality with a copy of the previous year's audited or reviewed financial statements, including a statement of operations, a statement of financial position, and a statement of cash flows.
13. If the organization receiving a grant intends to apply for a grant for the following fiscal year it shall include in its third quarter report projected ridership and projected in-service vehicle kilometres for the upcoming fiscal year.
14. All grants are subject to annual budget availability.
15. (1) Where the program budget is insufficient to provide both the lump sum payment and the flat rate payment per vehicle kilometre, the lump sum payments shall be paid in full, and the flat rate payment will be distributed as a pro-rated per cent for each organization.  
  
(2) Where the program budget is insufficient to provide even the lump sum amount, the total amount of funding will be distributed as a pro-rated per cent to each organization.
16. (1) The Municipality shall not provide grants to more than one applicant operating in the same service area.  
  
(2) Notwithstanding subsection (1), the Municipality may provide grants to more than one applicant operating in the same service area where the services address the needs of different groups.

**Eligible Organizations**

17. To be eligible to receive a grant, organizations shall:

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- (a) Offer a public transit service located within the Municipality or intended to serve the residents of the Municipality that is:
  - (i) in an area of the Municipality not currently serviced by Halifax Transit; or
  - (ii) in an area serviced by Halifax Transit where the organization can demonstrate that the rural transit service would complement existing Halifax Transit service and address an unmet need in the community; and,
- (b) Offer a public transit service that is available to any member of the public and does not require a membership to access.
- (c) Repealed

17A. In addition to Section 17, non-profit societies and non-profit co-operatives must also be registered with the Nova Scotia Registry of Joint Stocks.

**Application Requirements**

18. There is one intake period per fiscal year. Applications shall be received in person or postmarked on or before January 15 for consideration for the following fiscal year.

19. Halifax Transit may review draft applications from first time applicants, received on or before November 1, and provide feedback prior to the submission of the applications.

20. All applications shall be received by mail or in person. E-mailed or faxed applications will not be accepted. Applications may be submitted:

- (a) In person to:
  - Rural Transit Grants, Halifax Transit
  - 200 Ilsley Avenue
  - Dartmouth, NS
- (b) By mail to:
  - Rural Transit Grants, Halifax Transit
  - PO Box 1749,
  - Halifax, NS, B3J 3A5

21. First time applicants shall include the following information in their application on or before January 15:

- (a) proof of incorporation;
- (b) Repealed;
- (c) Repealed;

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- (d) map of service area;
- (e) business description, including services offered and governance structure;
- (f) market assessment, including: a description of the market being served, the approximate population of the catchment area and its spatial distribution, a description of any competing services, and the integration/complementation of existing Halifax Transit Services;
- (g) financial assessment, including: three year projected revenues and expenditures; projected annual ridership and service kilometers; previous financial statements; and list of other funding sources;
- (h) Repealed; and,
- (i) a description of use of community resources and volunteers to ensure service is as efficient and cost effective as possible.

21A. In addition to Section 21, first time applicants shall also provide Halifax Transit with the following information on or before September 30 of the fiscal year for which the grant is applied:

- (a) description of fleet and licenses;
- (b) (i) proof of license under the Motor Carrier Act, with associated proof of insurance; or
  - (ii) confirmation of status from the Nova Scotia Utility and Review Board that the Motor Carrier Act does not apply, with proof of insurance commensurate with the operations being undertaken and vehicles being used, but being no less than a Nova Scotia Automobile Standard Policy Form (SPF) 1 with SEF 6A endorsement (permission to carry passengers for compensation) and a SEF 22 endorsement (damage to property of passengers), or equivalent;
- (c) proof of driver's license for any driver; and,
- (d) a written declaration by the applicant stating that:
  - (i) all drivers have submitted a criminal record check with vulnerable sector check; and,
  - (ii) the applicant is satisfied that their drivers do not pose a risk to any members of the public.

22. Subsequent applications shall be submitted to Halifax Transit on or before January 15 and shall include the following information:

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- (a) Annual audited or reviewed financial statements;
- (b) Current proof of insurance and confirmation of status from the Nova Scotia Utility and Review Board; and

shall be in compliance with all reporting requirements from previous rural transit grant applications.

**Application Evaluations**

23. The following criteria will be used to evaluate applications for Council's consideration:

- (a) completeness of application;
- (b) appropriateness of business and governance model;
- (c) appropriateness of market assessment;
- (d) appropriateness of financial assessment;
- (e) use of community resources; and
- (f) any other matter staff considers relevant.

**Application Review and Approval Process**

24. All applications shall be screened by staff for basic eligibility as they are received. Applicants shall be notified promptly if their application is ineligible.

25. Applications that do not meet the requirements outlined in section 21 shall not be reviewed or considered.

26. Halifax Transit staff shall prepare a recommendation report of eligible applicants for consideration by the Committee.

27. The staff report shall be reviewed by the Committee for recommendation to Council.

28. Final approval of all applications for grants, and their amount, is a decision of Council in its sole discretion.

29. Notification of the decision of Council shall be mailed to applicants.

30. Approval of grants is conditional on Council's approval of the annual budget.

31. Not all eligible applications may receive a grant.

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31A. Notwithstanding receipt of final approval for a grant, an applicant:

(a) shall not receive any funds until the requirements outlined in section 21A are met;  
and,

(b) shall forfeit their right to receive the grant if the requirements outlined in section 21A are not met on or before September 30 of the fiscal year for which the grant was applied.

31B. If a deadline enumerated in this Administrative Order falls on a Saturday, Sunday, or Holiday, that deadline shall be extended until the next business day.

**Conditions of Approval**

32. Grant approval is subject to the following conditions:

(a) transit service vehicles are for the transportation of passengers and are not for personal use;

(b) the applicant shall maintain the necessary licenses in good standing under the *Motor Carrier Act* as applicable;

(c) the applicant shall maintain the necessary insurance for their operation;

(d) the applicant shall remain in good standing with the Registry of Joint Stock Companies;

(e) the applicant shall maintain a log of the number of daily passengers, the purpose of the trip, and the fare revenue collected;

(f) the applicant shall record all revenue received outside of fare collection and report annually to the Municipality;

(g) any modification to a proposal or transit service shall be reported to the Municipality;

(h) the applicant shall meet quarterly and annual financial reporting deadlines as outlined in this Administrative Order; and

(i) the applicant shall not represent itself as having any relationship or affiliation with Halifax Transit or the Municipality beyond being the recipient of a grant;

**Scope**

33. Nothing in this Administrative Order shall be interpreted to limit or otherwise prescribe Council's general discretion to provide grants under the *Halifax Regional Municipality Charter* or otherwise.

**Effective Date**

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34. This Administrative Order shall come into effect on the date it is adopted by Council. Notwithstanding section 18, for the fiscal year 2014-15, applications may be received until September 15, 2014 and notwithstanding section 9, for the fiscal year 2014-15, flat rate payments will commence with the third quarter reporting period but may include flat rate payments for the first, second, and third quarter with the requisite documentation.

34A. An application received on or before January 15, 2015 for the 2015-2016 fiscal year which was determined to be incomplete may be considered by Halifax Transit, provided that the application otherwise complies with this Administrative Order on the date this section comes into force.

**Repeal**

35. The HRM Community Based Transit Funding Program adopted by Council on March 26, 2013 is hereby repealed.

Done and passed by Council this 5<sup>th</sup> day of August, 2014.

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Mayor

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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 August 5, 2014.

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Cathy Mellett, Municipal Clerk

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Notice of Motion: July 29, 2014  
Approval: August 5, 2014

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Amendment # 1

Notice of Motion: March 10, 2015  
Approval: March 24, 2015

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Amendment #2 – amendments to s.5, s.6, s.8, addition of s.6A

Notice of Motion: May 28, 2024  
Approval: June 4, 2024