



P.O. Box 1749
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Item No. 15.1.3
Halifax Regional Council
September 12, 2023

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed

Cathie O'Toole, Chief Administrative Officer

DATE: July 13, 2023

SUBJECT: **Amendments to AO 15 S-300 Permit Fees for 23-24 Budget**

ORIGIN

During the January 15, 2023, Budget Adjustment List (BAL) deliberations at the Budget Committee, the budget committee approved a 25.14% increase to permit fees issued under the Streets By-law (S-300).

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, SNS 2008, c 39:

60(1) The Council may make policies ...(c) setting and amending the fees to be paid for (iii) permits, applications and approvals required to be obtained from the Municipality or an employee of the Municipality pursuant to a by-law of the Municipality or an enactment...

188(2) Without restricting the generality of subsection (1) but subject to Part VIII, a Council may, in any by-law ...(e) provide for a system of licenses, permits or approvals, including any or all of ...(i) establishing fees for licences, permits or approvals, including fees for licences, permits and approvals that may be in the nature of a reasonable tax for the activity authorized or for the purpose of raising revenue, which fees may be set or altered by policy...

RECOMMENDATION

It is recommended that Halifax Regional Council adopt the amendments to Administrative Order 15, the License, Permits and Process Fees Administrative Order, as set out in Attachment A to this report.

BACKGROUND

As part of the budget process for 2023-24, Regional Council directed staff to propose changes that would help offset anticipated increases to the average tax bill. Public Works responded with several options, including increased street permit fees (2023/24 Budget Adjustment List for Consideration, item 7, BN023).

DISCUSSION

The last comprehensive fee adjustment for street permits occurred in 2010. At that time, permit fees were set at \$125, \$200, and \$700, depending on the work type and complexity. Street permit fees issued under the Streets By-law (S-300) have not been adjusted since.

In the 12 years since the last adjustments, the Consumer Price Index (annual average) for Services in Canada has increased by 25.14%. If permit fees were increased by 25.14% and rounded up to the nearest \$5 increment, the new permit values would be \$155, \$250, and \$875, respectively. Applying this change to a recent three-year fiscal average of permit revenues based on permit type, the increased annual revenue would be approximately \$45,700.

Additionally, a mechanism consistent with Planning & Development fees has been added to keep street permit fees in pace with inflation. This includes automatically adjusting street permit fees annually based on the all-item Consumer Price Index for Nova Scotia (average annual year-over-year increase), rounded up to the nearest \$10 increment.

FINANCIAL IMPLICATIONS

Street permits between 2018-21 accounted for an annual average of \$215,870 in revenue into R112-4905 (Street Opening Permits). Proposed increases are not anticipated to impact demand. Therefore, staff estimate an increase of approximately \$45,700 to a total annual revenue of \$258,100 for future fiscal year operating budgets. Due to the time required to implement legislation, the proposed increase in revenue for the 2023-24 operating budget is estimated to be \$18,280 or 40% of \$45,700, as street permits are predominantly applied for during or in anticipation of the trench reinstatement period between May 1 and October 31.

RISK CONSIDERATION

No risk considerations were identified.

COMMUNITY ENGAGEMENT

No community engagement was required.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

ALTERNATIVES

Halifax Regional Council may:

1. Refuse to adopt the Amendments to Administrative Order 15, introducing a 25.14% increase to Street permit fees. Halifax Regional Council has approved and included the 25.14% increase to Street permit fees in the 2023-24 Operating Budget. Refusing to adopt the Amendments to Administrative Order 15 would result in an operating deficit of \$45,700 in 23-24.
2. Adopt the Amendments to Administrative Order 15, subject to modifications. This may require a supplementary staff report.

ATTACHMENTS

Attachment A – Amendments to Administrative Order 15

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Matthew Hamer, EIT., Right of Way Services 902.483.0787

**Attachment A
(Amendments to Administrative Order 15)**

**HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER 15
Respecting License, Permit and Processing Fees**

BE IT RESOLVED by the Council of the Halifax Regional Municipality that Schedule A of Administrative Order 15, the License, Permits and Processing Fees Administrative Order, is amended as follows:

1. Section 1A is amended by adding the number “19” after the number, letter, and comma “16A,” and before the word “and” in clause 1A(1)(a).
2. Section 19 is repealed and replaced as follows:

By-law #	Short Title	Section	Fee
By-law S-300	Streets By-law	23 (2)	
		Activity	
		Lateral Connection - Main	\$250.00
		Renew Lateral Connection – Main	\$250.00
		Sewer Cap Off	\$250.00
		Water Lateral Cap	\$250.00
		Water Lateral Main to Prop	\$250.00
		Extension to Sewer Main	\$875.00
		Sewer Main Repair	\$875.00
		New Watermain	\$875.00
		Watermain Relining	\$875.00
		Watermain Renewal	\$875.00
		Culvert	\$250.00
		Curb/Sidewalk Cut	\$250.00
		Utility Pole Support Anchor(s)	\$155.00
		Utility Pole Installation	\$155.00
		Replace Utility Pole	\$155.00
		Temporary Closure – Crane	\$250.00
		Partial Closure – Crane	\$250.00
		Partial Closure – Movie	\$250.00
		Temporary Closure – Movie	\$250.00
		Partial Closure – General	\$250.00
		Temporary Closure – General	\$250.00
		Overhead Power Lines	\$155.00
		Overhead Telecom Lines	\$155.00
		Monitor Well/Borehole	\$155.00
		Rickshaws	\$250.00

		Special Events	No Charge
		Overhead Banner	\$155.00
		Lateral Connection- Pro Line	\$250.00
		Renew Lateral Connection – Prop	\$250.00
		Water Lateral Renewal	\$250.00
		Buried Electrical Lateral	\$250.00
		Buried Electrical Main	\$250.00
		Buried Telecom Lateral	\$250.00
		Buried Telecom Main	\$250.00
		Newspaper Boxes	\$155.00
		Refuse Container	\$155.00
		Advertising Benches	\$155.00
		Kiosk/Booths	\$155.00
		Transit Shelter	\$155.00
		Repairs to Street Surface	\$155.00
		Repairs to sidewalk	\$155.00
		Road Construction	\$155.00
		Temp Workplace Adjacent to ROW	\$155.00
		Temporary Workplace on ROW	\$155.00
		Natural Gas Lateral	\$250.00
		Natural Gas Main (<20m)	\$250.00
		Natural Gas Main (21m < 500m)	\$875.00
		Natural Gas Main (>500 m)	Staff time
		25 (2)	\$ 1250.00 Application Fee

3. Adding the following section immediately after section 19:

19A.

By-law #	Short Title	Section	Fee
By-law S-300	Streets By-law	23 (2)	
		Activity	
		Special Move	\$125.00
		24(1)(a)	\$1000.00 Security Deposit
		24 (1)(b)	
		Pavement Condition Index of the Street	Percentage of estimated reinstatement
		85 - 100	30%
		70 – 84.99	25%
		60 – 69.99	20%
		40 – 59.99	15%

		0 – 39.99	5%
		24 (1)(c)	15% of total restoration Cost based on current unit prices
		25 (2)	\$ 20,000.000 Security Deposit
		25 (6)	\$ 65.00 per inspection
		28(h)(i)	\$ 2 million per occurrence
		28(h)(ii)	\$ 2 million per occurrence
		30(2)	\$1000.00 Security Deposit

3. This amending Administrative Order shall come into effect October 1, 2023.

Done and passed in Council this day of , 2023.

Mayor

Municipal Clerk