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Item No. 15.1.2
Halifax Regional Council
June 24, 2025

TO: Mayor Fillmore and Members of Halifax Regional Council
FROM: Cathie O'Toole, Chief Administrative Officer
DATE: May 16, 2025
SUBJECT: Amendments to Streets By-Law S-300

ORIGIN

Staff-initiated Report Request, and

April 27, 2023, Transportation Standing Committee motion (12.1.1):

MOVED by Councillor Cleary, seconded by Councillor Lovelace

THAT Halifax Regional Council direct the Chief Administrative Officer to draft amendments to By-law S-300, the Streets By-law, to provide a clear process for requests for short or long-term road closures on municipally owned roads within business improvement districts, as outlined in the staff report dated April 24, 2023

MOTION PUT AND PASSED, and

August 24, 2023, Transportation Standing Committee motion (12.1.1):

MOVED by Councillor Cuttall, seconded by Councillor Lovelace

THAT Halifax Regional Council direct the Chief Administrative Officer to draft amendments to S-300, the Streets By-law, to provide a clear process for requests for summer Sunday Road closures on municipally owned roads, as outlined in the staff report dated August 8, 2023

MOTION PUT AND PASSED.

EXECUTIVE SUMMARY

The amendments to the Streets By-law aim to address the two motions brought forward in 2023, adding clarity to the application process and guidance for the Engineer when considering temporary closures. Staff have included several other amendments that will address some long-standing issues identified by internal stakeholders. These amendments will enable staff to enhance the clarity, efficiency, and effectiveness of services delivered under this By-law and address gaps in enforceability where the current by-law language doesn't align with the intended interpretation of a section.

RECOMMENDATION ON PAGE 2

Staff is also recommending additions to the by-law to clarify some long-standing use of authority under the Charter and provincial Acts to control certain on-street activities, such as requiring permits for trucks carrying oversized loads on Municipal streets and temporarily closing streets.

The proposed amendments include a new section to address temporary closures and improvements to the performance security provisions. The section on closures will provide legislative guidance for the Engineer when considering a temporary closure not related to construction, an action the Engineer already has the authority to undertake under the Halifax Charter but, currently lacks standards for application requirements and approval criteria. New provisions under the performance security section will include the option for surety bonds to better protect our assets while reducing red tape for Staff and applicants alike.

RECOMMENDATION

It is recommended that Halifax Regional Council:

1. Adopt By-law S-317, amending By-law S-300, *the Streets By-law; repealing Ordinance 180, the Streets Ordinance of the City of Halifax; and amending By-law R-100, the By-Law and Ordinance Repeal By-law*, as set out in Attachment 1; and
2. Adopt the amendments to Administrative Order Number 15, *the License, Permits and Processing Fees Administrative Order*, as set out in Attachment 2.

BACKGROUND

The staff-initiated housekeeping items were identified after a series of internal stakeholder meetings. Representatives from all departments that rely on the provisions of the Streets By-law for their service delivery were invited to participate in the review of the current legislation. Representatives provided feedback on the challenges they encountered in applying the legislation to their work and identified opportunities for improvement. The amendments were drafted from this feedback.

The April 27, 2023, and August 24, 2023, Transportation Standing Committee reports highlighted the challenges faced by the Engineer in evaluating applications for street closures that serve a “purpose beneficial to the public interest,” in accordance with Section 332 of the Halifax Charter. Unlike closures related to construction on or adjacent to the street, the application requirements and approval criteria for these types of closures are more subjective.

Large events would normally follow the Special Events Task Force (SETF) procedure. There is an Administrative Order outlining the process, and a dedicated group that reviews and considers all aspects of the event request. The “public interest” of any requested street closure to facilitate the event is also considered during this review process. There remain instances of temporary closure requests that are neither construction-related nor large special events. It is these types of closure requests that were the subject of the second 2023 motion. The new section of the by-law will address both types of temporary closure requests.

DISCUSSION

The proposed amendments to the Streets By-law (S-300) are outlined in Attachment 3 of this report, and the proposed amendments to Administrative Order Number 15, the License, Permits, and Processing Fees Administrative Order, are outlined in Attachment 4.

Application and Definitions

Some of the defined terms in the Streets By-law are also found in the Charter or other HRM By-laws. The definitions are often similar but not the same. Where appropriate, Staff recommend that the definitions be amended in the Streets By-law to align with the Charter or other By-laws.

Removal of Snow and Ice

Part I of the By-law deals with snow and ice removal. In Section 4, Staff are recommending that the minimum clear width that must be free of snow and ice after a storm be increased from three feet to 1.6m or the full sidewalk width, whichever is less. This will bring the minimum clear space into compliance with Section 8.2.2 of the *CSA Accessible design for the built environment* guideline (B651:23).

Removal of icicles is addressed in Section 5. The current language limits the requirement to remove icicles that could be dangerous to persons on the street to those accumulating in the eaves or gutters. The proposed amendment broadens the requirement to include any dangerous icicle accumulations on the entire structure.

Damages to Sidewalks, Curbs, and Landscaping

The current By-law has wording that limits an abutter's responsibility to repair damages to sods, curbs, and sidewalks resulting from construction activities on the abutting lands. The proposed amendments extend the abutter's responsibility to repair damages to include any other activity on the abutting land that causes the damage.

Littering and Maintenance of Grass

Throughout Sections 10 and 11 of the By-law, the requirement to maintain the area free from garbage, and the requirement to maintain the grass / sods was limited to only configurations with curbs and sidewalks. The amended wording will allow staff to order abutters to take action to address these issues between the edge of the road and their property line, even if there is no curb or sidewalk.

Permits for Utilities

The proposed amendments clarify that this section applies to all utilities. It removes reference to utilities requiring two permits, making it clear that only a streets permit is required. The purpose of this Part is restated to specify the rules that apply specifically to Utilities and to itemize the permit conditions for all street permits issued to utilities. The list of conditions was amended slightly to convert all units to metric and to repeal certain parts that were duplicated in either the design specifications or in other parts of this by-law.

Section 18 was amended to address conflicts between the Streets By-law and Municipal Access Agreements (MAAs), clarifying that in the event of any conflicts, the terms of the negotiated MAA take precedence.

Oversized Loads

The proposed amendments to Section 23 of the Streets By-law include the addition of operating an oversized vehicle on a street to the list of permit-required activities. This will add transparency to applicants by adding this long-standing business process into the By-law.

Performance Security

Staff recommend adding the option for surety bonds to the performance security section of the By-law. This would permit any applicant or contractor an alternative to providing cash, a certified cheque, or a letter of credit as a means of guaranteeing performance security. It will enable the Municipality to hold a high monetary value of performance security, thereby better protecting our interests while not unreasonably interrupting the applicant's or contractor's cash flow. This is a common tool in other jurisdictions. The use of surety bonds will reduce red tape and the administrative burden on Staff for tracking and returning deposits for individual jobs.

Adjustment of Pavement Impact Fee and Removal of Maintenance Fee

Staff recommend amendments to the non-refundable fees required for permits that include excavations. The By-law currently requires the collection of two non-refundable fees: a pavement impact fee when excavations occur in pavement areas, and a maintenance fee for excavations outside the pavement areas.

The pavement impact fee is intended to enable the Municipality to collect a fee that correlates with the

actual cost of the lost asset life of the pavement attributable to the excavation. The fee is dependent on the current condition of the asphalt and the area of the pavement cut.

Staff have two recommendations related to this fee. The first is an adjustment to how this fee is presented in the Administrative Order. Rather than presenting the fees as a percentage of the cost estimate of the trench reinstatement, it is recommended that this be set out as a dollar amount per square meter. This will make the fee more transparent and easier to calculate. The second recommendation is to change the amount collected for roads with a PQI rating of 0 to 40 ("poor" condition) from an equivalent of 5% of the reinstatement costs to 0% of the reinstatement costs. This is consistent with the schedule of fees presented in recent Municipal Access Agreements.

HRM has also been collecting a maintenance fee for non-pavement areas. This would be collected when the excavation area is outside the pavement area and includes materials like curbs, sodded areas, and sidewalks. Because it is more difficult to demonstrate that there is an actual cost to the Municipality associated with these excavations, and because this fee has been challenged by telecommunications companies and removed from recently negotiated MAAs, Staff recommend that this fee be removed from the By-law and the Administrative Order.

Annual Permits

Staff is recommending a new, smaller annual permit fee be added to the Administrative Order to be applied to non-utility applicants, such as window cleaning or sign companies who undertake routine work that does not require excavation and only limited sidewalk closures. The current annual permit fee of \$1,250 is not appropriate for non-excavation work types. The proposed amendments to Administrative Order 15 include a new Annual Permit fee category for non-excavation work types in the amount of \$250.

Emergency Work

Annual Permits will no longer cover emergency work. All emergency work will now be subject to the Emergencies clause of the By-law, Section 29. This section is also being amended to reflect a more realistic expectation.

The current language suggests that the Engineer must at least provide a verbal approval for the works to commence. Given the Engineer is not on call 24/7 to provide such verbal approval, the amendment is that the owner of any structure or facility may do emergency work to their structure or facility if the work requires immediate completion to avoid endangerment to health, safety, or to provide an essential service.

The person must notify the Engineer of the work and apply for any applicable permits as soon as possible (and no later than 5 business days after the emergency work commences). This approach to emergency work will bring our practices more in line with those of other major cities in Canada and will assist us in better tracking the reinstatements done after excavations related to emergency works.

Street Closures

A new section titled "temporary closures" was added to the By-law. This will provide legislative guidance for the Engineer when considering temporary closures that are not related to construction. The Charter provides the necessary authority to the Engineer to temporarily close streets for work to take place on or adjacent to the street but also allows the Engineer to temporarily close the street for "any other purpose beneficial to the public interest". This part is very broad, and the Engineer does not have a rigid set of criteria to evaluate in the By-law.

The need for these criteria was the subject of two recommendation reports to Council. Staff has since compared the suggestions from the discussion sections of both reports with the results of a cross-jurisdictional scan of how street closures are handled under similar legislation in other cities across Canada, and prepared amendments to the By-law for Council's consideration. The application requirements and consideration criteria will provide guidance to the Engineer when evaluating street closures unrelated to construction or special events, as outlined in the Special Events Administrative Order.

Driveways

Only minor housekeeping was done in the section to improve the wording and convert the measurements to metric.

Culverts

Staff recommend adding wording to acknowledge other jurisdictional authorities in the approval process. This is mainly to reflect how HRM currently includes Halifax Water in the review of requests for new driveway culverts, as they will be responsible for the infrastructure after installation.

Penalty

Staff recommend increasing the maximum fine amount from \$5,000 to \$10,000, consistent with recent amendments to other similar by-laws and the maximum amount that is allowed under the HRM Charter. The minimum fine amount of \$100 remains unchanged.

Amendments to Administrative Order 15

Tables 19 and 19A in Administrative Order 15 list 51 types of “activities” for which permits can be issued. This table can be greatly simplified to 9 work types. This will ensure the table is consistent with the generalized work types as currently described in our permitting software. The simplified table, along with the other amendments noted earlier in the Discussion, is shown in Attachment 4.

A new “HRM Contracted Works” work type will replace the “Capital Project” work type. This is a more appropriate name for the work type as works for the HRM Capital Program and for other on-street contracted works, like those done through standing offers, have been issued under this work type in the past.

Repeal of City of Halifax Ordinance 180

Most of the provisions in the *City of Halifax Ordinance 180 Respecting Streets* have been repealed over time, leaving only the definitions section, section headings, and schedules that serve no purpose. Matters previously addressed in Ordinance 180 are now addressed in By-Law S-300 and C-501, *the Vending By-law*. Formally repealing this Ordinance is considered a housekeeping amendment.

FINANCIAL IMPLICATIONS

Implications to R112 4905 – Permit revenues

There is an anticipated increase in permit fees collected due to the revised approach to emergency work. Under the current approach, the pavement impact fee, maintenance fee, and \$65 inspection fee are collected for every reported emergency work site. After the amendments, the separate inspection fee will no longer be applicable; however, a \$155 “Temporary Workplace in the ROW” permit fee will still be collected. The net gain to R112 4905 would be \$90 per site.

Halifax Water reported approximately 250 emergency work locations in 2024. Assuming 2024 was a typical year, the revenue to R112 4905 is projected to increase by approximately \$22,500 annually.

Implications to GL 2307 – Holding account for Pavement Impact Fees and Removal of Maintenance Fee

Pavement Impact Fees are held in general ledger account 2307 until they are used to subsidize recapitalization projects on streets with significant utility cut damages, or when utility trenches settle or fail after the warranty period. In 2024, HRM collected \$803,997 in Pavement Impact fees. Of that total, \$ 24,417 was the Pavement Impact Fees on “poor” quality streets. Adjusting the Pavement Impact Fees to \$0 for trench cuts on “poor” quality streets is expected to result in a reduction in pavement impact fees collected by approximately \$25,000 per year.

Maintenance Fees are also held in GL 2307 and used for the same purpose. Last year, HRM collected \$189,268 in Maintenance Fees. Adjusting the Maintenance Fees to \$0 is expected to result in a reduction

in pavement impact fees collected by approximately \$190,000 per year.

The total impact of both amendments on the revenues is a reduction of approximately \$215,000 annually, approximately 21.5% of the current revenues. This is recommended to ensure our fees are evidence-based and applied consistently to all applicants.

RISK CONSIDERATION

No risk considerations were identified.

COMMUNITY ENGAGEMENT

The engagement was limited to internal staff only. The internal stakeholder group that provided feedback on the housekeeping items necessary in the By-law consisted of representatives from Traffic Management, Engineering Design, Infrastructure Maintenance & Operations, Community Standards & Compliance, Development Approvals, and Legal Services. The proposed amendments are primarily aimed at enhancing the functionality and application of the existing By-law, with changes that have a minimal impact on external parties.

ENVIRONMENTAL IMPLICATIONS

No environmental implications were identified.

ALTERNATIVES

1. The Regional Council could direct further amendments to the Streets By-law. Depending on the scope of the proposed amendments, an additional staff report may be required.
2. The Regional Council could choose not to approve the recommendation. This alternative is not recommended.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter, S.N.S. 2008, c. 39:

319(1) The Council may make by-laws for the protection of streets and may limit the by-law to certain streets, or to certain times of the year, or to both.

320(1) The Council may, by by-law, (a) require the owner, occupier or person in charge of a property to clear snow and ice from the sidewalks adjoining the property; (b) prescribe measures to be taken by the owners, occupiers or persons in charge for the abatement of dangerous conditions arising from the presence of snow and ice on the sidewalks adjoining the property.

320(2) Where a person required by a by-law made pursuant to subsection (1) fails to clear the ice and snow from the sidewalk forthwith after notice to do so or to take the necessary measures for the abatement of any dangerous condition arising from the presence of the snow and ice, the Engineer may have the snow and ice cleared and any necessary measures to abate dangerous conditions taken.

320(3) The Council may, by by-law, (a) require the owner of a property to remove ice or icicles from part of a building overhanging or abutting a sidewalk.

322 The Engineer may (a) permit a person to use a portion of a street for construction or other temporary purpose; (b) temporarily close a street, or part thereof, for the protection of the public, to allow work to be done on the street or on lands and buildings adjacent to the street or for any other purpose beneficial to the

public interest.

327(1) No person shall break the surface of a street without the permission of the Engineer.

327(2) The Council may, by policy, prescribe the terms upon which a permit to break the surface of a street may be granted, including setting a fee for the permit and requiring security to be posted to ensure that the street is restored.

327(3) No person shall construct or widen a driveway, or other access to a street, without the permission of the Engineer.

Motor Vehicle Act, R.S.N.S. 1989, c. 293:

194(4) Local authorities may by by-law limit the operation of trucks or other commercial vehicles, by class, weight or otherwise, to certain designated highways at all times or between specified hours and may prohibit or regulate the operation of these trucks or other commercial vehicles upon any highway and at any time not so designated except for purposes specified in the by-law.

ATTACHMENTS

Attachment 1 – Amending By-law S-317

Attachment 2 – Amending Administrative Order 15

Attachment 3 – Showing Proposed Changes to By-law S-300

Attachment 4 – Showing Proposed Changes to Administrative Order 15

Report Prepared by: Christopher Davis, P.Eng., Manager, Right of Way Services, Public Works, 902.476.0349

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW NUMBER S-317
RESPECTING STREETS**

BE IT ENACTED by the Council of the Halifax Regional Municipality that By-law S-317, amending By-Law S-300, the *Streets By-law*; repealing Ordinance 180, the *Streets Ordinance* of the City of Halifax; and amending By-law R-100, the *By-Law and Ordinance Repeal By-law*, is adopted as follows:

PART I – STREETS BY-LAW

1. Section 2 is repealed and substituted with the following:

Application

2. This by-law shall apply to all public streets in the Halifax Regional Municipality, except for bridges vested in the Halifax-Dartmouth Bridge Commission and streets vested in His Majesty in right of the Province.

2. Section 3 is amended by:

- (a) Re-lettering the definition of “applicant” as clause (ab);
- (b) Adding a new clause (aa) after clause (a) and before clause (ab) as follows:
 - (aa) “Appeals Committee” means the Appeals Committee established pursuant to Halifax Regional Municipality By-law A-100, the Appeals Committee By-law;
- (c) Repealing clause (c);
- (d) Adding clause (ea) after clause (e) and before clause (f) as follows:
 - (ea) “driveway” means that portion of a street between the curb or edge of the roadway and the abutting property line which is improved to allow vehicular access to the property;
- (e) Repealing clause (f);
- (f) Striking out “, but shall not include any service connection between private property and any main, wire, cable, conduit, duct or pipe in or upon any street” in clause (h);
- (g) Adding clause (ka) after clause (k) and before clause (l) as follows:
 - (ka) “oversized vehicle” means a vehicle, including any trailer or load connected thereto, having dimensions in excess of 30.5 metres in length, 3.7 metres in width; or 4.5 metres in height;

(h) Repealing the definition of “public tree” in clause (m) and substituting the following:

(m) “public tree” means a tree of which the majority of the trunk is on public land within the Municipality;

(i) Repealing the definition of “street” in clause (p) and substituting the following:

(p) “street” means a public street, highway, road, lane, sidewalk, thoroughfare, bridge and square, and the curbs, gutters, culverts and retaining walls in connection therewith, and without restricting the generality of the foregoing includes the full right of way width, but does not include bridges vested in the Halifax-Dartmouth Bridge Commission and streets vested in His Majesty in right of the Province;

(j) Re-lettering the definition of “undergrounding area” as clause (pb);

(k) Adding a new clause (pa) after clause (p) and before clause (pb) as follows:

(pa) “structure” includes any building, bridge, pedway, balcony, bay window, elevator, fence, foundation wall, grating, hatch, hatchway, loading platform, manhole, porch, portico, railing, retaining wall, permanent sign attached to a building, step, storage tank, tunnel, vault, veranda, or any part thereof;

and;

(l) Repealing clause (r).

3. Section 4 is amended by striking out “three feet” and substituting “1.6 metres”.

4. Section 5 is amended by striking out “the eaves or gutters of any building” and substituting “any part of a structure”.

5. Subsection 6 is amended by:

(a) Striking out “sidewalks or structures” and substituting “a sidewalk or a structure” in subsection (1); and

(b) Striking out “from Sidewalks” in subsection (1) and subsection (2).

6. The header titled **Part II - USE OF SIDEWALKS** is amended by adding “**AND BOULEVARDS**” after “**SIDEWALKS**”.

7. Section 8 repealed and substituted with the following:

Damage to Sidewalks, Curbs and Landscaping

8. Whenever any sidewalk, curb, or landscaping between the edge of the roadway and the property line has been broken or otherwise damaged by the abutter, their contractor or agent, the Engineer may serve notice in writing upon the owner of the abutting property requiring the owner to take immediate action to render the damaged area in a safe condition, to obtain a permit to repair said damage within 48 hours, as hereinafter provided, and to effect

repair of such damage within 7 days from service of such notice or such time as stated on the notice, and if the owner fails to make such repairs within such time, the Engineer may cause the same to be done at the expense of the owner.

8. Section 9 is amended by striking out “and the cost thereof may be recovered by the Municipality by action”.
9. Section 10 is amended by:
 - (a) Striking out “curb” and substituting “edge of the roadway” in subsection (1) and subsection (2);
 - (b) Repealing subsection (3) and substituting the following:
 - (3) If the garbage, waste or debris is not removed in accordance with the by-law and the time period outlined in the Order to Remove Improperly Placed Solid Waste, the Engineer or a peace officer, may remove or cause to be removed such garbage, waste or debris at the expense of the abutting owner.
 - and;
 - (c) Repealing subsection (5).
10. Section 11 is amended by:
 - (a) Adding “or the Halifax Regional Water Commission” after “Municipality” and before “, shall maintain”;
 - (b) Striking out “sidewalk and the curb” and substituting “edge of the roadway and the edge of the property line,”; and
 - (c) Striking out “six inches” and substituting “15 cm”.
11. The header titled **Part III UTILITY PERMITS** is amended by striking out “**UTILITY PERMITS**” and substituting “**UTILITIES**”.
12. Section 13 is amended by:
 - (a) Striking out “**Utility**” in the header titled “**Utility Permit Required**”; and
 - (b) Striking out “No facility shall be constructed without first obtaining a permit therefor from the Engineer and” and substituting “No facility shall be constructed by a utility without first obtaining a permit therefor from the Engineer in accordance with Part IV of this by-law, and such facility” in subsection (1).
13. Section 15 is amended by:
 - (a) Adding “**for Utilities**” after “**Permit Conditions**” in the header.
 - (b) Striking out “Every permit shall be issued on” and substituting “In addition to the conditions set out therein, every permit issued to a utility is deemed to include”;

- (c) Repealing clause (e);
 - (d) Striking out “30 inches (0.75m)” and substituting “750 mm”, and striking out “24 inches” (0.6m)” and substituting “600 mm” in clause (f); and
 - (e) Repealing clause (g).
14. Section 16 is amended by:
- (a) Striking out “owner” and substituting “utility” in subsection (1) and subsection (2); and
 - (b) Striking out “three days notice” and substituting “three days’ notice” in subsection (2).
15. Section 18 is repealed.
16. Section 18A is added immediately before section 19 as follows:
- Conflict with Agreements under By-Law E-200**
- 18A. Notwithstanding the provisions of this By-law, if a utility has an agreement with the Municipality pursuant to section 10 of By-law E-200, the Encroachment By-Law, and the terms of that agreement conflict with any of the provisions contained herein, the terms of the agreement shall prevail.
17. Section 22 is amended by Striking out “**Utility Penalty**” and substituting “**Non-Compliance**” in the header; and
18. The header titled **Part IV – STREETS & SERVICES PERMIT** is amended by striking out “**STREETS & SERVICES PERMIT**” and substituting “**PERMITS**”.
19. Section 23 is amended by:
- (a) Repealing subsection (1) and substituting the following:

23. (1) No person shall, without first obtaining a permit therefore from the Engineer:

 - (a) make any excavation in a street;
 - (b) install or repair any facility on a street;
 - (c) obstruct a street;
 - (d) construct a driveway;
 - (e) operate an oversized vehicle on a street; or
 - (f) close off or make use of the street, or any portion thereof, for any activity other than as a right of way or a use already regulated under this or any other by-law of the Halifax Regional Municipality.
 - (b) Striking out “Streets and Services” in subsection (2) and subsection (3); and

(c) Striking out “dependant” and substituting “dependent” in subsection (2).

20. Section 24 is amended by:

- (a) Adding “**& Warranty**” after “**Performance Security**” in the header;
- (b) Adding “, or bonding in a form and amount acceptable to the Engineer” after “Administrative Order 15” in clause (1)(a);
- (c) Striking out “, and” and substituting a period in clause (1)(b);
- (d) Repealing clause (1)(c).
- (e) Striking out “guarantee” and substituting “warranty” in subsection (2);
- (f) Striking out “works are accepted” and substituting “reinstatement works are inspected and approved” in subsection (2); and
- (g) Striking out “balance may be recovered from the applicant by action” and substituting “applicant and contractor are liable to the Municipality for the remainder” in subsection (3).

21. Section 25 is amended by:

- (a) Striking out “Streets and Services Permit for the purpose of service emergencies and routine maintenance” and substituting “permit for routine work and maintenance” in subsection (1);
- (b) Striking out “subclause 28 (h)(l)” and substituting “clause 28(h)” in subsection (1);
- (c) Striking out “Streets and Services” in subsection (2) and subsection (6);
- (d) Striking out “utility” and substituting “holder of an annual permit” in subsection (4);
- (e) Repealing subsection (5) and substituting the following:
 - (5) Every holder of an annual permit shall be responsible to keep records and inform the Engineer of excavations made in the roadway portion of the street by the permit holder for any works undertaken pursuant to the issuance of an annual permit and shall pay the pavement impact fee specified in clause 24(1)(b).

and;

- (f) Striking out “utility” and substituting “excavation” in subsection (6).

22. Section 26 is amended by striking out “In the event of an emergency arising at the location of the excavation” and substituting “If, in the opinion of the Engineer, the excavation poses a hazard”.

23. Section 27 is repealed and substituted with the following:

Protection of Excavations

27. Every person obtaining a permit to make any excavation or opening in or near any street shall comply with all applicable health & safety regulations and instructions from the Engineer, and take all reasonable measures (including the erection of fencing, lighting, plating and signage as appropriate) to safeguard the work site and to protect workers and the public.

24. Section 27A is added immediately before section 28 as follows:

Temporary Street Closure Permits

27A (1) Notwithstanding any other by-law or policy, the Engineer may grant a permit for the temporary closure of a street, or part thereof, for any purpose that the Engineer deems beneficial to the public interest.

(2) An application to temporarily close a street, or part thereof, shall include the following:

- (a) a depiction or description of the proposed closure limits;
- (b) an outline of how the street will be used during the closure and how this use is beneficial to the public interest;
- (c) the date, time and duration of the proposed closure;
- (d) confirmation that sidewalks will remain fully open and that a 6-metre fire lane will be maintained at all times;
- (e) if requested by the Engineer, a petition showing the support of abutters within the area of the proposed closure; and
- (f) any other information that the Engineer may deem appropriate in the circumstances.

(3) In determining whether to grant a permit for a temporary street closure, the Engineer shall consider:

- (a) information contained in the application;
- (b) impacts of the proposed closure on traffic flow and transit services;
- (c) the recommendations, if any, of Regional Council, the Special Events Task Force, and other HRM staff; and
- (d) any other criteria that the Engineer deems appropriate.

25. Section 28 is amended by:

- (a) Striking out “for the granting of a street and services permit”;
- (b) Repealing clause (f);

(c) Repealing clause (h) and substituting the following:

(h) the applicant or contractor shall provide and maintain liability insurance in an amount as outlined in Administrative Order 15 with the Municipality named as additional insured, and such insurance shall indemnify the Municipality and its employees from any and all claims made as a result of the actions of the applicant or contractor undertaken pursuant to a permit issued under this by-law.

(d) Repealing clause (i);

(e) Adding clause (ia) as follows:

(ia) All pavement cuts must comply with the requirements of the Municipal Design Guidelines;

(f) Repealing clause (j) and substituting the following:

(j) unless otherwise authorized by the Engineer, pavement cuts shall not be permitted

(i) for two calendar years on streets which have been resurfaced, reconstructed or have received a pavement treatment, or

(ii) from November 1st through April 30th of any calendar year;

(g) Striking out “in respect of safety that the Engineer may impose; and” and substituting “that the Engineer may impose” in clause (k);

(h) Striking out the period and substituting “; and” at the end of clause (l);

and

(i) Adding clause (m) as follows:

(m) the applicant or contractor must maintain a copy of the issued permit at the work site, and produce it to the Engineer, an HRM by-law enforcement officer, or a peace officer upon request.

26. Section 29 is repealed and substituted with the following:

Emergencies

29. Despite anything to the contrary in this By-law, a person who owns a structure or facility in a street may do emergency work with respect to such structure or facility without first obtaining a permit or delivering notice to the Engineer, if:

(a) the work requires immediate completion to avoid endangerment to health, safety, or to provide an essential service;

(b) obtaining a permit or consent from the Engineer before doing the work is not practicable;

(c) the person does only such work as is necessary to end the emergency;

(d) the person notifies the Engineer of the work and applies for any applicable permits as soon as possible (and in any event, no later than 5 business days after the emergency work commences);

(e) the person provides to the Engineer such information concerning the work as the Engineer may reasonably require; and

(f) after the emergency, the person complies with the requirements of this By-law to the extent it is still possible to do so.

27. Section 30 is amended by striking out “Street & Services” in subsection (1) and subsection (4).

28. Section 31 is amended by striking out “obtain a street and services permit from the Engineer before constructing a driveway access” and substituting “obtain a permit from the Engineer before constructing a driveway”.

29. Section 32 is amended by:

(a) Striking out “within a street” after “Every driveway”;

(b) Striking out “lot served and in conformance” and substituting “lot served, in conformance”; and

(c) Adding “, and in compliance with all applicable laws and regulations” after “engineering practice”.

30. Section 33 is amended by:

(a) Designating the existing provision as subsection (1);

(b) Adding “and” after the semi-colon in clause (1)(b);

(c) Striking out “greater than 10 feet (3m) and less than 23 feet (7m)” and substituting “greater than 3 metres and less than 7 metres” in clause (1)(c); and

(d) Adding subsection (2) as follows:

(2) Notwithstanding subsection (1), the Engineer may approve a single driveway for access and egress subject to special conditions, where in the opinion of the Engineer the driveway will not affect the safe movement of traffic.

31. Section 34 is amended by:

(a) Striking out “a width not less than 10 feet (3m) and not greater than 16 feet (5m) at a point where the driveway meets the edge of the public right of way, except where the property

frontage exceeds 60 feet (18 m), a driveway up to 20 feet (6m) in width may be permitted;.” in clause (1)(b) and substituting the following:

“a width not less than 3 metres and not greater than 5 metres at a point where the driveway meets the roadway, except where the property frontage exceeds 18 metres, a driveway up to 6 metres in width may be permitted;”

- (b) Striking out “a width not less than 23 feet (7m) and not greater than 33 feet (10m) at a point where the driveway meets the edge of the public right of way;” in clause (1)(c) and substituting the following:

“a width not less than 7 metres and not greater than 10 metres at a point where the driveway meets the roadway; and”

- (c) Striking out “a width not less than 33 feet (10m) and not greater than 39 feet (12m) at a point where the driveway meets the edge of the public right of way.” in clause (1)(d) and substituting the following:

“a width not less than 10 metres and not greater than 12 metres at a point where the driveway meets the roadway.”

32. Section 35 is amended by:

- (a) Striking out “The Engineer shall not issue a permit to construct a driveway which does not conform to” and substituting “All driveways must conform with” in subsection (1);
- (b) Striking out “100 feet (30m)” and substituting “30 metres” wherever it appears;
- (c) Striking out “600 feet (180m)” and substituting “180 metres” wherever it appears;
- (d) Striking out “which” in clause (1)(b);
- (e) Striking out “commercially” and substituting “non-residentially” in clause (1)(c) and clause (1)(d);
- (f) Striking out the period in clause (1)(d) and substituting “; and”;
- (g) Striking out “500 feet (150m)” and substituting “150 metres” in clause (1)(e); and
- (h) Striking out “more than one access where the additional access” and substituting “to issue a permit for more than one driveway per lot where the additional driveway” in subsection (2).

33. Section 36 is amended by:

- (a) Repealing subsection (1) and substituting the following:

(1) No driveway shall be located

- (a) within 30 metres of a street intersection controlled by traffic signals;

- (b) within 30 metres of the intersection of a major street; or
- (c) within 8 metres of the intersection of a local street;

measured from the extension of the edge of the roadway of the intersecting street, excluding any curb return or flare.

- (b) Striking out “No” and substituting “Except where the property to be served abuts two local streets, no” at the beginning of the sentence in subsection (2);
 - (c) Adding “the proposed driveway will form part of the intersection, or where” after “driveway where” and before “there is no other” in subsection (3); and
 - (d) Adding “or (2)” after “Notwithstanding subsection (1)” and before “, the Engineer” in subsection (4).
34. Section 37 is amended by adding “, and in accordance with the instructions and approvals of other authorities having jurisdiction” after “engineering practice” and before the period at the end of the sentence.
35. Section 41 is amended by adding “, other than the Municipality with the approval of the Engineer,” after “No person” and before “shall construct”.
36. Section 45 is amended by:
- (a) Repealing subsection (1) and substituting the following:
 - (1) Any person who contravenes any provision of this By-law, an order issued pursuant to this By-Law, or a permit issued pursuant to this By-law is guilty of an offence and is liable on summary conviction to a penalty of not less than one hundred dollars (\$100) and not more than ten thousand (\$10,000.00) dollars.
 - (b) Repealing subsection (2).
37. Section 46 is amended by striking out “Parts I, II, III, IV and V of” before “Ordinance 180”.

PART II – STREETS ORDINANCE

38. Ordinance 180, the *Streets Ordinance* of the City of Halifax is repealed.

PART III – BY-LAW AND ORDINANCE REPEAL BY-LAW

39. Schedule C of the *By-Law and Ordinance Repeal By-law* is amended by adding section 25 after section 24, as follows:

25	180	Streets Ordinance
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Done and passed in Council this th day of , 2025 .

MAYOR

MUNICIPAL CLERK

Attachment 2
(Amending Administrative Order)

Amending Administrative Order

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

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

1. By repealing sections 19 and 19A.
2. By adding section 19B as follows:

19B.

Fees pursuant to By-law S-300, Respecting Streets		
Permit Fee based on Activity Type		
Activity Type	Section	Fee
Driveway Access	23 (2)	\$155.00
Oversized Vehicle	23 (2)	\$125.00
HRM Contracted Works – Capital Project	23 (2)	\$0.00
HRM Contracted Works – Contracted Works	23 (2)	\$0.00
Temporary Work	23 (2)	\$155.00
Utility Work – Pole & Anchor	23 (2)	\$155.00
Utility Work – Underground / buried laterals	23 (2)	\$250.00
Utility Work – Underground / buried mains	23 (2)	\$875.00
Street Closure for work on or adjacent to the street	23 (2)	\$155.00
Emergency Work	23 (2)	\$155.00
Annual Permit, no excavations permitted	25 (2)	\$250.00
Annual Permit, excavations permitted	25 (2)	\$1,250.00
Excavation Inspection	25 (6)	\$65.00
Performance Security & Insurance		
Description	Section	Amount
Security Deposit for excavations	24 (1) (a)	\$1,000.00
Security Deposit for annual permits, excavations permitted	25 (2)	\$20,000.00

Liability Insurance	28 (h)	\$2,000,000.00 per occurrence (min.)
Security Deposit for obstructions	30 (2)	\$1000.00
Pavement Impact Fee		
Pursuant to Section 24 (1) (b); the Pavement Impact Fee is calculated using the area of the excavated area in the paved portion of the street, the street classification (local street or Collector/Arterial), and the current condition of the street according to the Pavement Quality Index rating of the street.		
Pavement Quality Index (PQI) of the street	Rate (\$/m ²)	
	Local Street	Collector/Arterial
85-100	36.00	43.50
70-84.99	30.00	36.25
60-69.99	24.00	29.00
40-59.99	18.00	21.75
0-39.99	0.00	0.00

Done and passed this day of , 2025,

Mayor

Municipal Clerk

I, Iain MacLean, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted amendments were passed at a meeting of the Halifax Regional Council held on , 2025.

Iain MacLean, Municipal Clerk

Notice of Motion:
Approval:
Effective Date:

HALIFAX REGIONAL MUNICIPALITY

BY-LAW NUMBER S - 300

BY-LAW RESPECTING STREETS

Number and Short Title

1. This By-law shall be known as By-law Number S-300 and shall be cited as the “Streets By-law”.

Application

2. This by-law shall apply to ~~those areas of~~ all public streets in the Halifax Regional Municipality, except for bridges vested in the Halifax-Dartmouth Bridge Commission and streets vested in His Majesty in right of the Province ~~located within the core area.~~

Definitions

3. In this By-law:

(a) "abutter" means the owner, lessee, or occupier of any premises or lot in the Municipality which abuts a street, and where the premises or lot has been registered as a condominium under the Condominium Property Act, includes the condominium corporation which manages the premises or lot;

(aa) “Appeals Committee” means the Appeals Committee established pursuant to Halifax Regional Municipality By-law A-100, the Appeals Committee By-law;

~~(aab)~~ “applicant” means any person who makes an application for, and obtains, any permit under the provisions of this by-law;

(b) “construct” includes the installation, alteration, or removal of any facility;

(ba) “contractor” includes any person who, for another person, carries out work or supplies labour for the alteration, construction, demolition, excavation, or development of land or a structure;

~~(c) repealed “core area” means that portion of the Halifax Regional Municipality for which the Municipality has assumed responsibility for maintenance of public streets and is more particularly described in Agreement No. HRM 01 between the Halifax Regional Municipality and the Minister of Transportation & Public Works which became effective on June 24, 1996;~~

(d) "Council" means the Council of the Halifax Regional Municipality;

(e) “crosswalk” means that portion of a roadway ordinarily included within the

prolongation or connection of curblines or the edge of a roadway and property lines at intersections or any portion of a roadway clearly indicated for pedestrian crossings by lines or other markings on the road surface;

(ea) “driveway” means that portion of a street between the curb or edge of the roadway and the abutting property line which is improved to allow vehicular access to the property;

(f) ~~“eating establishment” includes any premises where foodstuffs are offered for sale or sold to the public for immediate consumption thereon or for immediate consumption or delivery where take-out is provided.~~Repealed;

(g) "Engineer" means the Engineer of the Halifax Regional Municipality and includes a person acting under the supervision and direction of the Engineer;

(h) “facility” means any pole, pole lines (including braces and anchors), wires, duct bank, aerial cables, manholes, conduits, underground cables, pipes for the carriage of gas or liquids, and associated apparatus for the provision of utility services, including amplifiers, connection panels, transformers, valves and other fittings or equipment, ~~but shall not include any service connection between private property and any main, wire, cable, conduit, duct or pipe in or upon any street.~~

(i) “municipal infrastructure” includes infrastructure that supports the provision of municipal services and without restricting the generality of the foregoing includes public trees, street lighting, traffic lights, traffic signs and other municipal signs;

(j) “municipal street furniture” includes banners, flower pot and other decorations owned by the Municipality;

(k) "Municipality" means the Halifax Regional Municipality;

(ka) “oversized vehicle” means a vehicle, including any trailer or load connected thereto, having dimensions in excess of 30.5 metres in length, 3.7 metres in width; or 4.5 metres in height;

(l) "owner" includes

(i) a part owner, joint owner, tenant in common or joint tenant of the whole or any part of land or a building, and

(ii) in the absence of proof to the contrary, the person or persons assessed for the property;

(la) “person” means a natural person, corporation, partnership, an association, society, firm, agent, trustee, or registered Canadian charitable organization as defined in section 3(bc) of the *Halifax Regional Municipality Charter*, and includes the heirs, executors or other legal representatives of a person, or owner;

(m) “public tree” means a tree of which the majority of the trunk is on public land within

~~the Municipality means a tree the majority of the trunk of which, is located within a street or on municipal property;~~

(n) “roadway” means that portion of a street between the curb lines or the travelled portion of a street designed for vehicular travel;

(o) "sidewalk" means that portion of a street between the curb line and adjacent property line or any part of a street especially set aside for pedestrian travel and separated from the roadway;

(p) “street” means ~~all a~~ public streets, highway, roads, lanes, sidewalks, thoroughfares, bridges and squares, and all the curbs, gutters, culverts and retaining walls in connection therewith, and without restricting the generality of the foregoing includes the full right of way width, but does not include bridges vested in the Halifax-Dartmouth Bridge Commission and streets vested in His Majesty in right of the Province;

(pa) “structure” includes any building, bridge, pedway, balcony, bay window, elevator, fence, foundation wall, grating, hatch, hatchway, loading platform, manhole, porch, portico, railing, retaining wall, permanent sign attached to a building, step, storage tank, tunnel, vault, veranda, or any part thereof;

(~~papb~~) “undergrounding area” means the area of the Municipality shown on Schedule 1;

(q) “utility” includes any person or corporation that provides water, wastewater services, stormwater services, electric power, telecommunications service, ~~-natural gas or other gas intended for use as fuel to the public.~~

(r) ~~“Appeals Committee” means the Appeals Committee established pursuant to Halifax Regional Municipality By-law A-100, the Appeals Committee By-law: Repealed.~~

PART 1 - REMOVAL OF ICE AND SNOW FROM SIDEWALKS

Removal of Snow and Ice

4. (1) Owner, except where snow removal service is provided by the Municipality, shall remove all snow and ice,
 - (a) from any sidewalk which abuts any side of their property; provided , however, that where a property containing a detached one-family dwelling unit, a duplex dwelling or a semi-detached dwelling unit as defined in the Land Use Bylaws has frontage on a street at both the front and rear of the property, the owner shall not be required to remove the snow and ice from a sidewalk which is part of the street at the rear of the property, where the street at the front of the property is defined as the street on which the property has its civic address, and
 - (b) from any pathway leading from a sidewalk abutting their property to the

roadway, and

(c) between any sidewalk abutting their property and a crosswalk

for a minimum width of ~~three feet~~ 1.6 metres or the full width of the paved sidewalk, whichever is less, within twelve hours after the end of any snowfall or, where the snow stops falling during the night, six hours after daylight, and without restricting the generality of the foregoing, owners shall render the sidewalk completely free of snow and ice to bare pavement within said times.

(2) No person shall deposit snow or ice on the travelled way of any street.

Removal of Icicles

5. No person shall permit icicles to accumulate on ~~the eaves or gutters of any building~~ any part of a structure owned or occupied by them so as to become dangerous to persons passing on the street.

Engineer May Remove

6. (1) Where the owner fails to remove snow or ice from a sidewalks or a structures as required by this By-law, the Engineer or a peace officer may serve an Order to Remove Snow and Ice ~~from Sidewalks~~ upon the owner by posting the Order in a conspicuous place upon the property.

(2) If the owner fails to comply with the Order to Remove Snow and Ice ~~from Sidewalks~~ within 24 hours of service of the Order, the Engineer or a peace officer may remove such snow and ice and may recover the cost of such work from the owner.

(3) The Municipality's cost in removing the snow and ice pursuant to subsection (2) shall constitute a lien against the property which shall be applied and enforced in the same manner as for rates and taxes under the Assessment Act.

PART II - USE OF SIDEWALKS AND BOULEVARDS

Animals on Sidewalk

7. No person shall drive or ride any horse, cow, sheep or other animal, on any sidewalk where the passage or excrement of such animal would be likely to cause annoyance to persons using the sidewalk.

Damage to Sidewalks, Curbs and Landscaping

8. Whenever any sidewalk, ~~landscaping between the sidewalk and the curb, or~~ landscaping between the edge of the roadway and the property line has been broken or otherwise damaged ~~as a result of construction on an abutting property~~ by the ~~owner~~ abutter, ~~his servant~~ their contractor or agent, the Engineer may serve notice in writing upon the owner of the abutting property requiring the owner to take immediate action to render the damaged area in a safe condition, to obtain a permit to repair said damage within 48 hours,

as hereinafter provided, and to effect repair of such damage within 7 days from service of such notice or such time as stated on the notice, and if the owner fails to make such repairs within such time, the Engineer may cause the same to be done at the expense of the owner ~~and the cost thereof may be recovered by the Municipality as by lien as provided by s. 49 of the Halifax Regional Municipality Act.~~

Encroaching hedges, tree roots, tree branches

9. (1) Abutters shall trim the branches or roots of any tree, hedging, bush or other shrubbery which encroaches from the abutting property over or under any street so as to prevent such trees, hedging, bushes or other shrubbery from interfering with or affecting the sightlines of any person travelling on a street or interfering with any structure on or in a street.
- (2) Where the abutter has failed to comply with subsection (1), the Engineer may serve notice in writing upon the abutter requiring the trimming of said tree, hedging, bush or other shrubbery within such time as stated on the notice, and if the abutter fails to do so within such time, the Engineer may cause the same to be done at the expense of the abutter ~~and the cost thereof may be recovered by the Municipality by action.~~

Littering

10. (1) Owners shall maintain the area between the ~~curb edge of the roadway~~ and their property line free ——— from garbage, waste or debris whether or not it is placed in containers.
- (2) Where the owner fails to maintain the area between the ~~curb edge of the roadway~~ and their property ——— line as required by subsection (1) the Engineer or a peace officer may serve an Order ——— to remove Improperly Placed Solid Waste upon the owner by posting the Order in a conspicuous place upon the property. Such an Order shall not be given on a collection day for the property pursuant to By-Law S-600 Solid Waste Collection and Disposal by-law.
- (3) If the ~~solid waste~~ garbage, waste or debris is not removed ~~from the sidewalk~~ in accordance ~~to with~~ the by-law ——— and the ~~24 hour~~ time period outlined in the Order to Remove Improperly Placed Solid Waste, the Engineer or a peace officer, may remove or cause to be removed such garbage, waste or debris ~~and may recover the cost of such work from~~ at the expense of the abutting owner.
- (4) The Municipality's cost in removing the garbage, waste or debris pursuant to subsection (3) shall constitute a lien against the property which shall be applied and enforced in the same manner as for rates and taxes under the Assessment Act.
- (5) ~~Abutters who operate an eating establishment shall empty all garbage receptacles within the sidewalk abutting the eating establishment immediately prior to closing each day.~~
Repealed.

Maintenance of Grass

11. Abutters, except where grass cutting and maintenance service is provided by the Municipality or the Halifax Regional Water Commission, shall maintain any grass between the ~~sidewalk and the curb~~ edge of the roadway and the edge of the property line, closely clipped and to a height not greater than ~~six inches~~ 15 cm and shall keep such areas in good order including raking and renewal of the grass as necessary.

Boulevard Gardens

- 11A (1) Section 11 shall not apply where a boulevard garden has been placed in accordance with the Boulevard Gardens Administrative Order.

(2) For greater certainty, a Streets and Services Permit is not required for a boulevard garden as set out in subsection (1).

- 11B. (1) A boulevard garden shall be constructed in accordance with the Boulevard Gardens Administrative Order.

(2) Where the Engineer is satisfied that a boulevard garden is

- (a) not constructed in accordance with the Boulevard Gardens Administrative Order,
- (b) a hazard to public safety, or
- (c) a hinderance to municipal or utility operations,

the Engineer may issue an Order to Comply to the abutter.

(3) Every Order to Comply shall contain:

- (a) the standards to which the boulevard garden does not comply;
- (b) the date after which the boulevard garden will be subject to re-inspection to confirm compliance with the Order to Comply; and
- (c) the action that will be taken against the abutter should the boulevard garden not comply with the standards at the time of re-inspection.

(4) Where an abutter fails to comply with the requirements of an Order to Comply within the time specified in the Order to Comply, the Engineer may enter upon the property and carry out the work specified in the Order to Comply.

- 11C. A boulevard garden that becomes unsightly or is not maintained may be removed by the Municipality.

- 11D. No person shall plant an invasive species, as set out in the Boulevard Gardens

Administrative Order, in a boulevard garden.

PART III

UTILITY PERMITS UTILITIES

Application

12. This Part shall apply to any utility constructing a facility in or upon any street.

Utility Permit Required

13. (1) No facility shall be constructed by a utility without first obtaining a permit therefor from the Engineer in accordance with Part IV of this by-law, and such facility shall be constructed in accordance with the conditions set out in the permit. The location thereof shall be subject to the approval of the Engineer.
- (2) A separate permit shall be required for the construction of a facility on each street affected.

Contents of Application

14. The application shall include plans satisfactory to the Engineer showing the location of such facility, existing municipal and utility infrastructure, including public trees.

Permit Conditions for Utilities

15. In addition to the conditions set out therein, every permit issued to a utility is deemed to include ~~Every permit shall be issued on~~ the following conditions:
- (a) every line of poles must be run on one side of the street only, except when absolutely necessary to change to the other side, but such change may be made only by the permission of the Engineer;
 - (b) new poles must not be deposited on any street more than 3 days in advance of their erection;
 - (c) two lines of poles shall not be erected on the same side of the street;
 - (d) when directed by the Engineer, or when required to clear trees, poles and wires shall be of such height as the Engineer deems necessary;
 - (e) ~~poles shall be located at least 18 inches (0.5m) from the curb face on local streets and 24 inches (0.6m) on major or collector streets unless specifically permitted by the Engineer~~ repealed;
 - (ea) in the undergrounding area all wires, cables, pipes, and other Facilities associated with the transmission, delivery or furnishing of telecommunications, electricity, water, wastewater, stormwater, steam, gas, geothermal energy or other utilities, shall be constructed underground and in conduits or vaults, unless authorized otherwise by the

Engineer;

(f) underground facilities shall be constructed no less than ~~30 inches (0.75m)~~ 750 mm below grade under paved surfaces or otherwise no less than ~~24 inches (0.6m)~~ 600 mm below the surface grade of the street;

(g) ~~repealed. (i) — the utility shall provide and maintain public liability insurance which names the Municipality as an additional insured party, such insurance shall indemnify the Municipality and its employees against any and all claims made as a result of the presence, operation and maintenance in the street of the facility and shall further agree to reimburse the Municipality for any damages caused to the Municipality or its property as a result thereof, except to the extent such loss or damage is caused by the Municipality; or~~

~~(ii) — where the utility can satisfy the Municipality that it is financially capable of responding to a claim without the benefit of insurance, the utility need not provide proof of insurance as set out in clause (i) but shall save the Municipality and its employees harmless in the event of any claim made as a result of the presence, operation and maintenance in the street of the facility and shall further agree to reimburse the Municipality for any damages caused to the Municipality or its property as a result thereof, except to the extent such loss or damage is caused by the Municipality.~~

Removal of Wires and Poles

16. (1) All broken and dead wires, and all wires, poles and fixtures not actually in use must be removed by the ~~owner~~ utility unless permitted to remain by the Engineer.

(2) Any broken pole or dead wire that is on any street more than 3 days may be removed by the Engineer at the expense of the ~~owner~~ utility, after three days' notice to remove same.

(3) When a pole is taken down it must be removed the same day.

Change of Location

17. Where in the opinion of the Engineer the location of any facility shall interfere with any works or undertakings of the Municipality, the facility shall be changed or altered and, wherever necessary removed; whenever the Engineer orders such changes of location or removal, it shall be done by the utility without unnecessary delay and at its expense, or it may be done by the Engineer at the expense of the utility.

Street and Services Permit

18. ~~In addition to securing a Utility Permit as herein required, every utility which opens or works upon any street as part of the construction of a facility, shall first obtain a Street and Services Permit in accordance with Part IV and shall otherwise comply with the provisions of Part IV hereof.~~ Repealed.

Conflict with Agreements under By-Law E-200

18A. Notwithstanding the provisions of this By-law, if a utility has an agreement with the Municipality pursuant to section 10 of By-law E-200, the *Encroachment By-Law*, and the terms of that agreement conflict with any of the provisions contained herein, the terms of the agreement shall prevail.

Use by Municipality

19. Every utility owning poles shall allow the Municipality free of charge,

(a) (i) the use of a portion of each pole for the purpose of erecting and maintaining thereon municipal infrastructure or municipal street furniture owned by the Municipality, and appurtenances thereto advance notification of which will be provided to the utility; and

(ii) the Municipality indemnifies and saves the utility harmless in the event of any claim made as a result of the presence, operation and maintenance on poles of the utility of such municipal infrastructure or municipal street furniture, except to the extent that such loss or damage is caused by the utility or by a party or parties other than the Municipality;

(b) where the utility wishes to remove a pole which is being used to support municipal infrastructure, the Municipality shall have the option of requiring the pole to remain, and upon removal of the utility's facilities from the pole, ownership of and responsibility for the pole shall be transferred to the Municipality.

Records

20. When required by the Engineer, every utility shall file in the office of the Engineer such records of the facilities owned by it as the Engineer requires.

Public Trees

21. (1) Except in the event of an emergency, no utility shall disturb a public tree by pruning or other means without first obtaining permission therefor from the Engineer.

(2) In constructing any facility, a utility shall minimize any disturbance to a public tree.

(3) Where it is necessary for a utility to alter a public tree, the Engineer may assign an inspector to supervise the work, the cost of which shall be borne by the utility.

(4) The Engineer may require that the utility do such things as are necessary to ensure the health and safety of public trees affected by any works carried out by the utility, even where not required by the utility's own standards.

(5) Where a utility disturbs a tree by pruning or other means, the utility shall use sound arboricultural practices as determined by the Engineer.

Utility Penalty Non-Compliance

22. Every utility constructing a facility in or upon a street shall comply with this bylaw; and in the event of failure to do so within the time specified by the Engineer, the Engineer may require the removal of the facility.

PART IV - ~~STREETS & SERVICES PERMITS~~

Permit Required

23. (1) No person shall, without first obtaining a permit therefore from the Engineer:
- (a) make any excavation in a street;
 - (b) install or repair any facility on a street;
 - (c) obstruct a street;
 - (d) construct a driveway;
 - (e) operate an oversized vehicle on a street; or
 - (f) close off or make use of the street, or any portion thereof, for any activity other than as a right of way or a use already regulated under this or any other by-law of the Halifax Regional Municipality.
- ~~without first obtaining a Street and Services Permit from the Engineer.~~
- (2) Every ~~Streets and Services~~ permit application shall include: the appropriate application fee, ~~dependant~~dependent upon the type of activity to be undertaken, as specified in Administrative Order 15.
- (3) Where the activity is in association with a construction, demolition or restoration project on property abutting a street, the ~~Streets and Services~~ permit shall include the name of the contractor engaged in work in the right of way, if different from the applicant.

Performance Security & Warranty

24. (1) Where there is an excavation within the street, the application shall include:
- a) a security deposit as specified in Administrative Order 15, or bonding in a form and amount acceptable to the Engineer, and
 - b) for excavations within pavement areas, a non-refundable pavement impact fee as specified in Administrative Order 15, and
 - (c) ~~for excavations outside the paved portion of the street, a non-refundable maintenance fee as specified in Administrative Order 15~~repealed.
- (2) The security deposit shall be retained as a guarantee ~~warranty~~ that the applicant or

contractor will properly perform and complete the work for which the permit is granted, and restore and keep the surface of the street when such work is done, to a good condition and to the satisfaction of the Engineer, for a period of twenty-four months after the reinstatement works ~~are accepted~~ are inspected and approved by the Municipality.

- (3) If the Engineer is of the opinion that the work is not being properly performed, or the surface of the street is not kept in good condition, the Engineer may, with notice, perform such work in respect of the work or street as the Engineer considers necessary and the cost shall be deducted from the deposit, and the balance, if any, returned upon the expiry of the twenty-four month period referred to in subsection (2). If the cost of such work exceeds the deposit, the ~~balance may be recovered from the applicant by action~~ applicant and contractor are liable to the Municipality for the remainder.
- (4) Subject to subsection (3) if the permit is in association with a construction, demolition or restoration project on property abutting a street, the balance with interest at the rate determine by Council, by policy, from the date of the completion of the work until the date of payment, is a first lien on the property upon which, or for the benefit of which, the work was done.

Annual Permits

25. (1) The Engineer may grant a periodic or annual ~~Streets and Services Permit~~ permit for ~~the purpose of service emergencies and routine~~ work and maintenance including pavement patching related thereto which require excavation in municipal streets, subject to such conditions as the Engineer may determine, and, without restricting the generality of the foregoing, any such permit shall require that the Engineer be informed of the location, contractor and time of such work prior to its commencement and that the contractor provide liability insurance in accordance with ~~sub~~clause 28-(h)(~~1~~).
- (2) Applications for annual ~~Streets and Services~~ permits shall include the appropriate application fee and security deposit in the amounts specified in Administrative Order 15.
- (3) The provisions of s.24 shall apply, mutatis mutandis, to the annual permit security deposit and the said security deposit shall be returnable, upon the Engineer being satisfied that the provisions of this bylaw have been adhered to, on expiration of the permit.
- (4) Every ~~utility~~ holder of an annual permit shall file in the office of the Engineer a notice of completion of work for all facilities constructed or repaired within a street within one week of the completion of the work.
- (5) ~~The water, wastewater and stormwater utility and the natural gas utility~~ Every holder of an annual permit shall be responsible to keep records and inform the Engineer of excavations made in the roadway portion of the street by the ~~utility~~

permit holder for any works undertaken pursuant to the issuance of an annual permit and shall pay the Pavement Impact and Maintenance fees~~pavement impact fee~~ specified in Section 5(1) clause 24(1)(b).

- (6) All excavation ~~utility~~ work carried out under an annual ~~Streets and Services~~ permit is subject-
to inspection by the Municipality and said inspection is subject to an inspection fee as set out in Administrative Order 15.

Closing of Openings

26. (1) Every excavation in a street shall, after notice, either written or verbal, given by the Engineer to the applicant, contractor or abutter, be closed and filled as required by the notice, and if not so closed and filled within 48 hours after such notice, then it may be closed and filled by the Engineer at the expense of the applicant, contractor or abutter.
- (2) ~~In the event of an emergency arising at the location of the excavation~~If, in the opinion of the Engineer, the excavation poses a hazard, the Engineer may immediately fill the excavation and recover the costs thereof from the applicant, contractor or the abutter.

Protection of Excavations at Night

27. Every person obtaining a permit to make any excavation or opening in or near any street shall comply with all applicable health & safety regulations and instructions from the Engineer, and take all reasonable measures (including the erection of fencing, lighting, plating and signage as appropriate) to safeguard the work site and to protect workers and the public. ~~at night sufficiently and continuously light the same and shall in addition, enclose and secure the same by a fence or barrier at least three feet in height, and sufficient to protect the public from injury in accordance with the provisions of any applicable regulations enacted pursuant to the Occupational Health & Safety Act.~~

Temporary Street Closure Permits

- 27A (1) Notwithstanding any other by-law or policy, the Engineer may grant a permit for the temporary closure of a street, or part thereof, for any purpose that the Engineer deems beneficial to the public interest.

- (2) An application to temporarily close a street, or part thereof, shall include the following:

- (a) a depiction or description of the proposed closure limits;
- (b) an outline of how the street will be used during the closure and how this use is beneficial to the public interest;
- (c) the date, time and duration of the proposed closure;
- (d) confirmation that sidewalks will remain fully open and that a 6-metre fire lane will be maintained at all times;
- (e) if requested by the Engineer, a petition showing the support of abutters within

- the area of the proposed closure; and
- (f) any other information that the Engineer may deem appropriate in the circumstances.

(3) In determining whether to grant a permit for a temporary street closure, the Engineer shall consider:

- (a) information contained in the application;
- (b) impacts of the proposed closure on traffic flow and transit services;
- (c) the recommendations, if any, of Regional Council, the Special Events Task Force, and other HRM staff; and
- (d) any other criteria that the Engineer deems appropriate.

Permit Conditions

28. In addition to any other conditions imposed by the Engineer ~~for the granting of a street and services permit~~, all permits shall be subject to the following conditions:

- (a) the Engineer may stipulate the hours of work;
- (b) the applicant or contractor shall keep the work site at all times safe with respect to vehicular and pedestrian traffic, including direction of traffic, barricades, lights, signs, and supply of properly equipped and trained Traffic Control personnel for protection of traffic, in accordance with the Temporary Workplace Control Manual in force pursuant to the Occupational Health and Safety Act;
- (c) notice being given to the Engineer prior to the installation of temporary steel plates over openings;
- (d) the Engineer may order additional precautions, work stoppages and restorations of the street should circumstances warrant such action; upon the failure of the applicant or contractor to comply within 24 hours with such order or in the event of an emergency, the Engineer may undertake any necessary action and recover the cost of such action from the applicant or contractor;
- (e) the applicant or contractor shall ensure that the street is kept free from nuisance, dirt, and dust;
- (f) ~~the applicant or contractor shall dispose, store, or haul away any clean material suitable for use as structural fill excavated from a street in accordance with the directions of the Engineer and the material shall remain Municipal property repealed;~~
- (g) the applicant or contractor shall ensure that all excavations are backfilled and restored in such manner and with such material as is approved by the Engineer and that advance notice of a minimum of 24 hours of the backfilling operation shall be provided to the Engineer so that it may be properly inspected;
- (h) ~~(i) the applicant or contractor shall provide and maintain public liability~~

~~insurance in an amount as outlined in Administrative Order 15, such insurance shall indemnify the Municipality and its employees from any and all claims made as a result of the excavation, and the Municipality shall be named as an additional insured;~~

~~(ii) — where the applicant is a utility and can satisfy the Municipality that it is financially capable of responding to a claim in the amount set out in Administrative Order 15 without the benefit of insurance, the utility need not provide proof of insurance as set out in clause (I) but shall save the Municipality and its employees harmless in the event any claim is made as a result of the excavation.~~
the applicant or contractor shall provide and maintain liability insurance in an amount as outlined in Administrative Order 15 with the Municipality named as additional insured, and such insurance shall indemnify the Municipality and its employees from any and all claims made as a result of the actions of the applicant or contractor undertaken pursuant to a permit issued under this by-law.

~~(i) the permit shall be valid for a period of six months from date of issuance, but where work has commenced the permit shall expire 12 months after the date of issuance~~
repealed;

(ia) All pavement cuts must comply with the requirements of the Municipal Design Guidelines;

(j) unless otherwise authorized by the Engineer, pavement cuts shall not be permitted

~~or~~ (i) for two calendar years on streets which have been resurfaced, reconstructed or have received a pavement treatment, or

(ii) from November 1st through April 30th of any calendar year;

(k) any other condition ~~in respect of safety~~ that the Engineer may impose; ~~and~~

(l) the Engineer may require the completion of a Construction Management Plan as set out in Administrative Order 2016-003-ADM; ~~and~~

(m) the applicant or contractor must maintain a copy of the issued permit at the work site, and produce it to the Engineer, an HRM by-law enforcement officer, or a peace officer upon request.

Emergencies

29. ~~In the event of an emergency requiring the immediate excavation of the street, the Engineer may give verbal permission for such excavation on the condition that a Street and Services Permit is applied for and obtained on the first working day subsequent to the granting of such permission. Despite anything to the contrary in this By-law, a person who owns a structure or facility in a street may do emergency work with respect to such~~

structure or facility without first obtaining a permit or delivering notice to the Engineer, if:

(a) the work requires immediate completion to avoid endangerment to health, safety, or to provide an essential service;

(b) obtaining a permit or consent from the Engineer before doing the work is not practicable;

(c) the person does only such work as is necessary to end the emergency;

(d) the person notifies the Engineer of the work and applies for any applicable permits as soon as possible (and in any event, no later than 5 business days after the emergency work commences);

(e) the person provides to the Engineer such information concerning the work as the Engineer may reasonably require; and

(f) after the emergency, the person complies with the requirements of this By-law to the extent it is still possible to do so.

Obstructions

30. (1) No person shall obstruct any street without first obtaining a ~~Street & Services~~ permit from the Engineer.

(1a) Subsection 1 shall not apply to a roadside memorial as set out in the Roadside Memorials Administrative Order.

(2) Where an obstruction may cause damage to the street, the Engineer may require a security deposit in the amount specified in Administrative Order 15, such deposit to be held until the Engineer is satisfied that no damage has occurred to the street after the obstruction has been removed.

(3) The Engineer may permit any person to use any portion of a street for construction or other temporary purpose subject to any conditions that the Engineer may reasonably impose.

(4) The Engineer may refuse to issue a ~~Street & Services~~ permit when it is in the public interest to do so.

PART IVA – CROSSWALK FLAGS

30A (1) No person shall install crosswalk flags on or near a street except in accordance with this section.

(2) A person may request permission from the Engineer to install crosswalk flags on or near a street pursuant to the Placement of Crosswalk Flags Administrative Order.

(3) If permission is granted, the crosswalk flags shall be installed in accordance with the conditions set out in the permission, and such permission shall be provided to the requestor.

(4) If permission has been granted by the Engineer, every crosswalk flag shall

- (a) be bright orange in colour;
- (b) not exceed forty (40) centimeters by forty (40) centimeters in width; and
- (c) be attached to a dowel or rod that does not exceed 75 centimeters in length.

PART V - DRIVEWAY ACCESS

Permit Required

31. Every property owner is required to obtain a ~~street and services~~ permit from the Engineer before constructing a driveway ~~access~~.

Cost and Driveway Specifications

32. Every driveway ~~within a street~~ shall be constructed and maintained at the expense of the property owner of the lot served, ~~and~~ in conformance with the specifications as determined by the Engineer in accordance with good engineering practice, and in compliance with all applicable laws and regulations.

Separate Driveways

33. (1) With the exception of signalized intersections, where more than 100 vehicles will enter or leave a street in any one hour, separate driveways are required, one for egress and the other for access, subject to the following conditions:

- (a) separate driveways shall not be permitted to join or meet the roadway at an angle less than 45 degrees;
- (b) separate driveways shall be physically separated from other driveways and shall be clearly marked as an entrance or an exit to the property the driveway will serve; and
- (c) separate driveways shall have a width greater than ~~10 feet (3m)~~ 3 metres and less than ~~23 feet (7m)~~ 7 metres at the point where the driveway joins the roadway.

(2) Notwithstanding subsection (1), the Engineer may approve a single driveway for access and egress subject to special conditions, where in the opinion of the Engineer the driveway will not affect the safe movement of traffic.

Two-Way Driveways

34. (1) Driveways permitted to allow vehicles to both enter and leave a street by means of

the same driveway shall conform to the following requirements:

- (a) two-way driveways shall not be permitted to join the roadway at an angle less than 70 degrees;
 - (b) Two-way driveways serving residentially used property with 4 or fewer units shall have a width not less than ~~10 feet (3m)~~ 3 metres and not greater than ~~16 feet (5m)~~ 5 metres at a point where the driveway meets the ~~edge of the public right of way~~ roadway, except where the property frontage exceeds ~~60 feet (18 m)~~ 18 metres, a driveway up to ~~20 feet (6m)~~ 6 metres in width may be permitted;-
 - (c) Two-way driveways serving commercially, institutionally or residentially used property with 5 or more units shall have a width not less than ~~23 feet (7m)~~ 7 metres and not greater than ~~33 feet (10m)~~ 10 metres at a point where the driveway meets the ~~edge of the public right of way~~ roadway; and
 - (d) Two-way driveways serving industrial used property or property which is zoned for industrial or construction and demolition use shall have a width not less than ~~33 feet (10m)~~ 10 metres and not greater than ~~39 feet (12m)~~ 12 metres at a point where the driveway meets the ~~edge of the public right of way~~ roadway.
- (2) Notwithstanding subsection (1), where there are limiting or special circumstances, the Engineer may approve a driveway width subject to special conditions, where in the opinion of the Engineer the driveway will not affect the safe movement of traffic.

Maximum Number of Driveways

35. (1) ~~The Engineer shall not issue a permit to construct a driveway which does not conform to~~ All driveways must conform with the following requirements:
- (a) no more than one driveway may serve any residentially used or zoned lot having less than ~~100 feet (30m)~~ 30 metres of frontage on one street, except where the lot is a corner lot fronting on two local streets in which case one driveway on each street may be permitted by the Engineer;
 - (b) no more than two driveways may serve any residentially used or zoned lot ~~which~~ having less than ~~600 feet (180m)~~ 180 metres and more than ~~100 feet (30m)~~ 30 metres of frontage on one street;
 - (c) no more than two driveways may serve any ~~commercially non-residentially~~ used or zoned lot having less than ~~100 feet (30m)~~ 30 metres of frontage on one street;
 - (d) no more than three driveways may be permitted to serve any ~~commercially non-residentially~~ used or zoned lot which has less than ~~600 feet (180m)~~ 180 metres and more than ~~100 feet (30m)~~ 30 metres of frontage on one street;

and-

- (e) -any lots having more than ~~600 feet (180m)~~180 metres of frontage on one street may be permitted an additional driveway for each additional ~~500 feet (150m)~~150 metres of lot frontage on the street.

(2) Notwithstanding subsection (1), the Engineer may refuse to issue a permit for more than one ~~access driveway per lot~~ where the additional ~~access driveway~~ would affect the safe movement of traffic on the street due to high traffic volumes or other reason.

(3) Notwithstanding subsection (1), where there are limiting or special -circumstances, the Engineer may approve an additional driveway subject to special conditions, where in the opinion of the Engineer the driveway will not affect the safe movement of traffic.

Proximity to Intersections

36. (1) No driveway shall be located

(a) within ~~100 feet (30m)~~30 metres of a street intersection controlled by traffic signals;

(b) within ~~100 feet (30m)~~30 metres of the intersection of a major street; or

(c) within ~~25 feet (8m)~~8 metres of the intersection of a local street;

measured from the ~~nearest street line of the intersecting street or property line where no street line exists~~extension of the edge of the roadway of the intersecting street, excluding any curb return or flare.

(2) ~~Except where the property to be served abuts two local streets, no~~ No driveway shall be located on any street where the property to be served abuts and has reasonable access to another street that carries a lesser amount of daily traffic

(3) Notwithstanding subsection (1), the Engineer may approve a driveway where the proposed driveway will form part of the intersection, or where there is no other means of access to the lot, and in such cases, the Engineer may issue the permit subject to any condition which, in the opinion of the Engineer, will minimize the impact to traffic by reason of said access.

(4) Notwithstanding subsection (1) or (2), the Engineer may refuse access, or approve access ~~subject to special conditions~~, where there are limiting circumstances such as compound curves, right turn by-pass lanes, acceleration or deceleration lanes.

Driveway Culverts

37. Where a driveway crosses an existing ditch, the property owner shall install a culvert at the owner's expense and in conformance with the specifications as determined by the Engineer in accordance with good engineering practice, and in accordance with the instructions and

approvals of other authorities having jurisdiction.

Sight Distances

38. (1) All driveways shall meet minimum stopping sight distances requirements in conformance with the specifications as determined by the Engineer in accordance with good engineering practice.
- (2) Notwithstanding subsection (1), the Engineer may approve a driveway where there is no other means of access to the lot, and in such cases, the Engineer may issue the permit subject to special conditions.

Curbs

39. No person shall drive a vehicle over a curb.

Driveway Drainage

40. Driveways shall be constructed and maintained so as to prevent surface drainage, dirt or dust from private property such as to constitute a nuisance or hazard or in such amount as will enter the public sewer system, from being carried onto the street or sidewalk by means of the surface of a driveway.

GENERAL PROVISIONS

Encroaching Gates

41. No person, other than the Municipality with the approval of the Engineer, shall construct or permit to be used any gate or barriers that open into or encroach upon any portion of the street or that may in any way impede pedestrian or vehicular traffic.

Revocation of Permits

42. (1) The Engineer may cancel, revoke or suspend any permit where there is a violation of this bylaw, any order made pursuant to this bylaw and any condition of any permit issued under the authority of this bylaw.
- (2) Any person who has been refused a permit or whose permit has been revoked pursuant to the exercise of any discretion by the Engineer may appeal to the Appeals Committee.
- (3) All appeals shall be in writing, in the form of a notice, and filed with the Municipal Clerk within 15 days of the refusal or revocation and shall clearly state the grounds for the appeal.
- (4) The Appeals Committee shall hear the appeal at a time and place as it determines and may confirm the refusal or revocation by the Engineer or direct the immediate issuance or re-issuance of the permit by the Engineer subject to such conditions as the Appeals Committee may determine.
- (5) For the purposes of this section, permit includes permission under Part IVA.

Dirt and Other Nuisances

43. No person shall place, permit to be placed, or permit to escape from an abutting property dirt, dust, or other nuisance onto the street surface.

Signs

44. No person shall place or allow to be placed any sign or advertising board, including sandwich boards, within the street without first obtaining a permit therefor pursuant to a sign or encroachment bylaw.

Penalty

45. (1) Any person who contravenes any provision of this By-law, an order issued pursuant to this By-Law, or a permit issued pursuant to this By-law is guilty of an offence and is liable on summary conviction to a penalty of not less than one hundred dollars (\$100) and not more than five-ten thousand (\$510,000.00) dollars ~~and in default of payment to imprisonment for not more than sixty days.~~
- (2) ~~A person who is alleged to have violated this bylaw and where the notice so provides, may pay a penalty in the amount of \$50.00 to the Chief of Police at the Halifax Regional Police Department provided that said payment is made within a period of fourteen (14) days following the day on which the alleged violation was committed and where the said notice so provides for a voluntary payment, said payment shall be in full satisfaction, releasing and discharging all penalties and imprisonments incurred by the person for said violation.~~ Repealed.

Schedule

- 45A. Any Schedule attached to this By-law shall form part of this By-law.

Repeal

46. ~~Parts I, II, III, IV and V of~~ Ordinance 180, the Streets Ordinance of the City of Halifax; Bylaw S-1400 of the City of Dartmouth; Halifax County Municipality Bylaw No. 6 respecting Municipal Streets and Property; City of Halifax Ordinance No. 7 respecting Poles and Wires in Streets; and City of Halifax Ordinance No. 7A respecting Wires, Cables, Conduits, Ducts and Pipes in the Street are repealed but City of Dartmouth amending bylaw S-1401 is not repealed.

Done and passed in Council this 18th day of November, 1997.

Walter R. Fitzgerald
MAYOR

Vi Carmichael
MUNICIPAL CLERK

I, Vi Carmichael, 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 November 18, 1997.

BY-LAW S-300

Notice of Motion:	September 15, 1997
First Reading:	September 30, 1997
Notice of Intent Publication:	October 18, 1997
Second Reading:	November 18, 1997
Third Reading:	November 18, 1997
Approval of Minister of Housing & Municipal Affairs:	N/A
Effective Date:	November 22, 1997

No. 1 Amendment by S-301**Subsection (2) of Section 23**

Notice of Motion:	November 17, 1998
First Reading:	December 1, 1998
Notice of Intent Publication:	December 5, 1998
Second Reading:	December 15, 1998
Third Reading:	December 15, 1998
Approval of Minister of Housing & Municipal Affairs:	N/A
Effective Date:	January 2, 1999

No. 2 Amended by S-302**Clause (a) and (c) of Subsection (1) of Section 4**

Notice of Motion:	February 20, 2001
First Reading:	March 6, 2001
Notice of Intent Publication:	March 10, 2001
Second Reading:	March 27, 2001
Approval of Minister of Housing & Municipal Affairs:	N/A
Effective Date:	March 31, 2001

No. 3 Amended by S-304

Subsection (1) of Section 10; Subsection (2) of Section 10 is renumbered as subsection (5) and subsections (2), (3), and (4), inserted between subsections (1) and (5).

Notice of Motion:	July 17, 2001
First Reading:	August 21, 2001
Notice of Intent Publication:	August 25, 2001
Second Reading:	October 2, 2001
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	October 6, 2001

No. 4 (V-101)**Amending Subsection (1) of Section 45**

Notice of Motion:	August 19, 2003
First Reading:	August 26, 2003
Notice of Public Hearing Publication:	September 6, 2003
Second Reading:	September 23, 2003
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	September 27, 2003

No. 5 (S-305)	
Amending Subsection (3) of Section 24	
Amending Section 34 & 35	
Amending Subsection 2 and 4 of Section 42	
Notice of Motion:	December 16, 2003
First Reading:	January 13, 2004
Notice of Public Hearing Publication:	January 17, 2004
Second Reading:	February 3, 2004
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	February 7, 2004

No. 6 (S-307)	
Amending Sections 4, 5 6 and 10	
Notice of Motion:	October 26, 2004
First Reading:	November 9, 2004
Notice of Public Hearing Publication:	November 20, 2004
Second Reading:	December 7, 2004
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	December 11, 2004

No. 7 (S-308)	
Amending section 3, 15, 18, 23, 24, 25 & 28	
Notice of Motion:	May 13, 2008
First Reading:	May 27, 2008
Notice of Public Hearing Publication:	June 7, 2008
Second Reading:	June 24, 2008
Approved by Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	July 12, 2008

No. 8 (S-309)	
Amending sections 3, 23, 24, 25, 28 & 30	
Notice of Motion:	June 22, 2010
First Reading:	July 6, 2010
Notice of Public Hearing Publication:	July 17, 2010
Second Reading:	August 3, 2010
Approved by Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	August 7, 2010

No. 9 (A-500)	
Amending Section 42	
Notice of Motion:	March 20, 2012
First Reading:	March 27, 2012
Notice of Second Reading Publication:	March 31, 2012
Second Reading:	April 17, 2012
Approval by Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	April 21, 2012

No. 10 (A-501)	
Notice of Motion:	June 14, 2016
First Reading:	June 21, 2016
Notice of Public Hearing Publication:	July 2, 2016
Second Reading:	July 19, 2016
Approval by Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	July 23, 2016

No. 11 (S-311)	
Amending Sections 5, 24, 25, 30	
Notice of Motion:	August 18, 2020
First Reading:	September 1, 2020
Notice of Second Reading Publication:	September 5, 2020
Second Reading:	September 22, 2020
Approval by Minister of Municipal Affairs and Housing:	N/A
Effective Date:	September 26, 2020

No. 12 (S-312)	
Adding sections 11A, 11B, 11C, 11D	
Notice of Motion:	February 9, 2021
First Reading:	February 23, 2021
Notice of Second Reading Publication:	February 27, 2021
Second Reading:	March 23, 2021
Approval by Minister of Municipal Affairs and Housing:	N/A
Effective Date:	March 27, 2021

No. 13 (S-315)	
Adding subsection 30(1a)	
Notice of Motion:	May 18, 2021
First Reading:	June 8, 2021
Notice of Second Reading Publication:	June 12, 2021
Second Reading:	June 29, 2021
Approval by Minister of Municipal Affairs and Housing:	N/A
Effective Date:	July 3, 2021

No. 14 (S-316)	
Amend sections 3 and 15; add section 45A (Schedule 1)	
Notice of Motion:	August 31, 2021
First Reading:	September 14, 2021
Notice of Second Reading Publication:	September 18, 2021
Second Reading:	October 5, 2021
Approval by Minister of Municipal Affairs and Housing:	N/A
Effective Date:	October 9, 2021

No. 15 (S-313)	
Adding sections 30A & 42(5)	
Notice of Motion:	June 28, 2022
First Reading:	July 12, 2022
Notice of Second Reading Publication:	August 6, 2022
Second Reading:	August 23, 2022
Approval by Minister of Municipal Affairs and Housing:	N/A
Effective Date:	August 27, 2022

No. 16 (S-317)

Amending sections 2, 3, 4, 5, 6, 8, 9, 10, 11, 13, 15, 16, 18, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31,

32, 33, 34, 35, 36, 37, 41, 45, 46; Adding sections 18A & 27A

Notice of Motion:

First Reading:

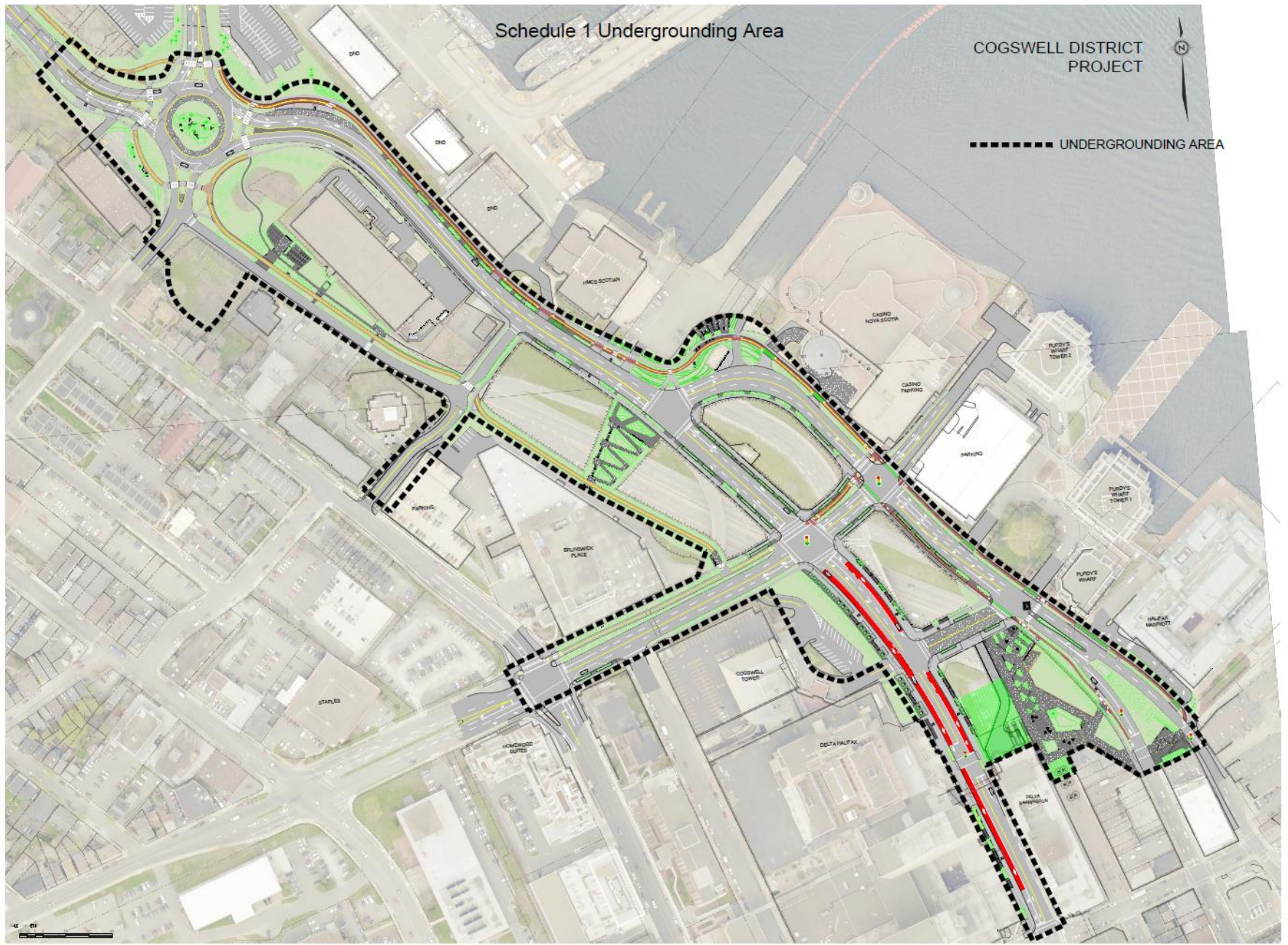
Notice of Second Reading Publication:

Second Reading:

Approval by Minister of Municipal Affairs and Housing:

N/A

Effective Date:



HALIFAX REGIONAL MUNICIPALITY

ADMINISTRATIVE ORDER NUMBER 15

Respecting License, Permit and Processing Fees

...

19. Repealed

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
		— Capital Project —	\$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 {	\$250.00
		— Natural Gas Main (21m < 500m) —	\$875.00
		— Natural Gas Main (>500 m) —	Staff time
		— 25 (2) —	\$ 1250.00 Application Fee

19A. Repealed

By-law #	Short Title	— Section	Fee
By-law S-300	Streets By-law	— 23 (2) —	-
-	-	— Activity	-
-	-	— Oversize 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% —	30%
-	-	— 70 – 84.99 25% —	25%
-	-	— 60 – 69.99 20% —	20%
-	-	— 40 – 59.99 15% —	15%
-	-	— 0 – 39.99 5% —	5%

-	-	—24 (1)(c)	15% of total restoration Cost based on current unit prices
-	-	—25 (2)	\$ 20,000.00 Security Deposit
-	-	—25 (6)	\$ 65.00 per inspection
-	-	—28(h)(i)	\$ 2 million per occurrence
-	-	—28(h)(iii)	\$ 2 million per occurrence
-	-	—30(2)	\$ 1000.00 Security Deposit

19B.

Fees pursuant to By-law S-300, Respecting Streets		
Permit Fee based on Activity Type		
Activity Type	Section	Fee
Driveway Access	23 (2)	\$155.00
Oversized Vehicle	23 (2)	\$125.00
HRM Contracted Works – Capital Project	23 (2)	\$0.00
HRM Contracted Works – Contracted Works	23 (2)	\$0.00
Temporary Work	23 (2)	\$155.00
Utility Work – Pole & Anchor	23 (2)	\$155.00
Utility Work – Underground / buried laterals	23 (2)	\$250.00
Utility Work – Underground / buried mains	23 (2)	\$875.00
Street Closure for work on or adjacent to the street	23 (2)	\$155.00
Emergency Work	23 (2)	\$155.00
Annual Permit, no excavations permitted	25 (2)	\$250.00
Annual Permit, excavations permitted	25 (2)	\$1,250.00
Excavation Inspection	25 (6)	\$65.00
Performance Security & Insurance		
Description	Section	Amount
Security Deposit for excavations	24 (1) (a)	\$1,000.00
Security Deposit for annual permits, excavations permitted	25 (2)	\$20,000.00
Liability Insurance	28 (h)	\$2,000,000.00 per occurrence (min.)
Security Deposit for obstructions	30 (2)	\$1000.00
Pavement Impact Fee		

Pursuant to Section 24 (1) (b); the Pavement Impact Fee is calculated using the area of the excavated area in the paved portion of the street, the street classification (local street or Collector/Arterial), and the current condition of the street according to the Pavement Quality Index rating of the street.

Pavement Quality Index (PQI) of the street	Rate (\$/m ²)	
	Local Street	Collector/Arterial
<u>85-100</u>	<u>36.00</u>	<u>43.50</u>
<u>70-84.99</u>	<u>30.00</u>	<u>36.25</u>
<u>60-69.99</u>	<u>24.00</u>	<u>29.00</u>
<u>40-59.99</u>	<u>18.00</u>	<u>21.75</u>
<u>0-39.99</u>	<u>0.00</u>	<u>0.00</u>

20.

By-law #	Fee
By-law S-500	
Solar Collector Permit	\$150.00