

**ADMINISTRATIVE ORDER NUMBER 2017-009-ADM  
RESPECTING DISTRICT FUNDS**

**WHEREAS** the Council of the Halifax Regional Municipality wishes to provide a simple and responsive method of providing financial support to non-profit organizations in the community through discretionary grants provided by district councillors, and to supplement funds that are provided for in the Halifax Regional Municipality Operating and Capital Budgets;

**BE IT RESOLVED AS AN ADMINISTRATIVE ORDER** of the Council of the Halifax Regional Municipality under the authority of the *Halifax Regional Municipality Charter*, S.N.S. 2008, c. 29, as amended, as follows:

**Short Title**

1. This Administrative Order may be known as the *District Funds Administrative Order*.

**Interpretation**

2. In this Administrative Order,
  - (a) “Council” means the Regional Council of the Halifax Regional Municipality;
  - (b) “Municipality” means the Halifax Regional Municipality;
  - (c) “non-profit organization” means:
    - (i) a nursing, medical, athletic, educational, environmental, cultural, community, fraternal, recreational, religious, sporting or social organization within Nova Scotia; or
    - (ii) a body corporate with the purpose of promoting or beautifying a business district.
  - (d) “registered charity” means a charitable organization registered pursuant to the Income Tax Act (Canada) and the regulations made pursuant to that Act.
  - (e) “registered non-profit organization” includes a non-profit organization that is:
    - (i) a society incorporated pursuant to the *Societies Act*, R.S.N.S. 1989, c. 435;
    - (ii) a non-profit co-operative incorporated pursuant to the *Co-operative Associations Act*, R.S.N.S. 1989, c. 98;
    - (iii) a non-profit corporation incorporated pursuant to the *Canada Not-for-Profit Corporations Act*, S.C. 2009, c. 23; or
    - (iv) a non-profit organization otherwise incorporated under an Act of the Nova Scotia Legislature or Parliament of Canada;

## **Purpose**

3. The purpose of this Administrative Order is to enable members of Council to better support the community through:

- (a) the provision of grants to any non-profit organizations and registered charities; and
- (b) the allocation of funds to HRM capital projects, or to goods or services provided by the Municipality.

## **Part I – District Activity Fund**

### **Establishment of District Activity Fund**

4. There is hereby established a District Activity Fund.
5. The District Activity Fund budget shall be established annually as part of the municipal budget process.
6. The total budget allocation for the District Activity Fund budget shall be distributed equally among the districts of Council annually.
7. Funds must be spent within the fiscal year in which they are allocated and may not be carried forward.
8. Individual councillors may authorize expenditures from the funds allocated to them, subject to the requirements established by this Administrative Order.
9. The purpose of the District Activity Fund is to provide small grants to any non-profit organizations and registered charities for local initiatives, including by way of advertising with such entities.

### **Grants**

10. A request for a grant under this Part may be from:
- (a) a registered non-profit organization;
  - (b) a non-profit organization; or
  - (c) a registered charity.
11. The maximum amount that may be given to a non-profit organization that is not registered is five hundred dollars (\$500.00).

## **Part II – District Capital Fund**

### **Establishment of District Capital Fund**

12. There is hereby established a District Capital Fund, the purpose of which is to provide for a grant to any non-profit organization or charity, or to provide funding for HRM projects that are in the HRM departmental operating or capital budget, or proposed by the councillor.

13. The District Capital Fund budget shall be established by Council annually as part of the municipal budget process.

14. The total budget allocation for the District Capital Fund budget shall be distributed equally among the 16 districts of Council annually.

15. Funds in the District Capital Fund may be used as follows:

(a) for the provision of grants to any non-profit organizations and registered charities; or

(b) for allocation toward HRM capital projects, or to the provision of goods or services by the Municipality.

16. Funds shall remain within the fund until spent or rescinded by Council, and may be carried forward to the following fiscal year.

17. Individual councillors may authorize expenditures from the funds allocated to them, subject to the requirements established by this Administrative Order.

#### **Grants**

18. A request for a grant under this Part may be from:

(a) a registered non-profit organization;

(b) a non-profit organization; or

(c) a registered charity.

19. The maximum amount that may be given to a non-profit organization that is not registered is five thousand dollars (\$5,000.00).

20. A grant may be given for either capital or operating purposes.

21. A grant for capital purposes may be used by the recipient on land or buildings that are owned by:

(a) the registered non-profit organization or registered charity;

(b) the Municipality; or

(c) the Crown, where the land or buildings are generally accessible to the public with demonstrated community use.

22. Subject to budget, a grant may be given in any amount.

### **HRM Capital Projects**

23. (1) Subject to subsection (2), councillors may allocate funds from the District Capital Fund to a municipal asset that is part of a project in the HRM Capital Budget or is proposed to be added to the HRM Capital Budget.

(2) District Capital Funds may not be used for the acquisition of land by the municipality.

### **Municipal Goods or Services**

24. The allocation of funds to the municipality for the provision of goods or services the municipality may provide shall be done in consultation with the Director of the department of the municipality that will be using the goods or providing the service.

## **Part III - General**

### **Elections**

25. (1) Subject to subsection (2) the authorization of expenditures from the District Funds shall be suspended for councillors offering as a candidate in a municipal, provincial, or federal election as follows:

(a) for an ordinary or special municipal election, from the date the councillor files his or her nomination papers to the date the councillor is sworn into office;

(b) for a provincial by-election or general election, from the date the writ is issued until the return on the writ is completed; and

(c) for a federal by-election or general election, from the date the writ is issued until the return on the writ is completed.

(2) Where an incumbent councillor is acclaimed in an ordinary municipal election, the councillor may resume making expenditures from the District Funds as of the date of his or her acclamation.

26. Nothing in section 25 shall be taken to limit the ability to carry out expenditures already authorized prior to that date.

### **Administration**

27. The District Activity and Capital Funds shall be managed by the Finance Department and administered jointly with the Councillors' Support Office.

28. The Chief Financial Officer, or designate, shall develop procedures to support the timely and transparent administration of this Administrative Order, which shall include:

(a) accounting and authorization procedures and requirements;

(b) reporting procedures that ensure all commitments and expenditures are fully

transparent and publicly available;

(c) deadlines for the inclusion of proposed items in the HRM Capital Budget; and

(d) all forms and application requirements, both for Councillors and non-profit organizations.

29. This Administrative Order does not authorize a councillor to:

(a) negotiate the terms of a contract;

(b) enter into an employment contract on behalf of the municipality;

(c) commit the municipality to fund the future operating costs of new assets; or

(d) undertake any administrative function that would otherwise be the responsibility of the Chief Administrative Officer.

#### **Transition and Repeal**

30. This Administrative Order shall come into force upon adoption by Council.

31. All expenditures authorized in accordance with the District Capital Fund Policy and District Activity Fund Policy and Procedures, but not paid prior to the coming into force of this Administrative Order, shall continue to be processed and paid in accordance with the District Capital Fund Policy or District Activity Fund Policy, pursuant to whichever they were authorized in accordance with.

32. The District Capital Fund Policy adopted by Council on July 31, 2007, and the District Activity Fund Policy and Procedures adopted by Council on December 12, 2002, and all amendments thereto are repealed.

Done and passed by Council this 8<sup>th</sup> day of October, 2019.

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Mayor

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Municipal Clerk

I, Kevin Arjoon, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of Halifax Regional Council held on October 8, 2019.

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Kevin Arjoon, Municipal Clerk

Notice of Motion:  
Approval:

September 24, 2019  
October 8, 2019

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Amendment #1 (Section 19)  
Notice of Motion:  
Approval:

February 25, 2020  
March 10, 2020