

**ADMINISTRATIVE ORDER NUMBER 2014-017-GOV
RESPECTING THE APPOINTMENT OF MEMBERS OF COUNCIL
TO EXTERNAL BOARDS, COMMITTEES OR COMMISSIONS**

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality under the authority of the *Halifax Regional Municipality Charter*, as follows:

Short Title

1. This Administrative Order may be known as the *Appointments of Members of Council to External Bodies Administrative Order*.

Purposes

2. The purposes of this Administrative Order are to determine

- (a) when Council may appoint or refuse to appoint Members to external bodies;
- (b) which external bodies Council may consider appointing Members;
- (c) the reporting requirements regarding other bodies on which Members may choose to serve without the appointment of Council.

Interpretation

3. In this Administrative Order,

- (a) "CAO" means the Chief Administrative Officer of the Municipality;
- (b) "Clerk" means the Clerk of the Municipality, and includes a person acting under the direction or supervision of the Clerk;
- (c) "Council" means the Council of the Municipality;
- (d) "Community Council" means the council of a community established pursuant to the *Halifax Regional Municipality Charter*;
- (e) "External body" means any board, commission, committee, body or local authority of any kind established to exercise or exercising any power or authority under any general or special Act with respect to any of the affairs or purposes of a municipality or parts thereof or of two or more municipalities or parts thereof, or to which a municipality or municipalities are required to provide funds, and includes a school board pursuant to the *School Boards Act*;
- (f) "Member" means a member of Council, including the Mayor; and
- (g) "Municipality" means the Halifax Regional Municipality.

Roles and Responsibilities

4. (1) Only Council may appoint Members to external bodies.

(2) Any appointments by Council of Members to external bodies shall be made pursuant to section 9 or 10 of this *Administrative Order*.

5. Council may delegate, by Administrative Order, the nominating authority for appointments of Members to external bodies to a Standing Committee of Council or a Community Council.

6. The Clerk shall keep a list of the appointments of Members to external bodies made by Council.

7. A Member who sits on an external body that has not been appointed to such body by Council shall provide the name of that external body to the Clerk.

External Bodies

8. Council shall not be bound by the by-laws or articles of incorporation adopted by an external body providing for the appointment of a Member to such body.

Council Appointments Required By Enactment, By-law or Agreement

9. (1) Council may appoint Members to external bodies

(i) in accordance with any enactment of the Government of Canada or Province of Nova Scotia;

(ii) in accordance with the By-laws of the Municipality or an agreement to which the Municipality is a party; or

(iii) as otherwise directed by Council.

(2) An external body Council considers meets the purpose of subsection 1 of this section shall be named in Appendix A.

(3) Council may amend Appendix A to add or remove the name of an external body.

External Bodies by Council Appointment

10. (1) Council may appoint Members to bodies, including external bodies, which in the opinion of Council,:

(a) are Regional in scope;

(b) affect or may affect a municipal interest; or

(c) are community organizations with a mandate to provide an alternative service delivery in respect of municipal property on behalf of the Municipality, and to which the Municipality is the primary funder.

(2) An external body Council considers meets the purpose of subsection 1 of this section shall be named in Appendix B.

(3) Council may amend Appendix B to add or remove the name of an external body.

External Bodies Without Council Appointment

11. (1) A Member who sits on a body that has not been appointed to such body by Council shall advise the Clerk of the name of the body on which he or she sits.

(2) The Clerk, in accordance with the *Municipal Conflict of Interest Act*, shall retain a list of the names of the bodies provided by the Members pursuant to subsection 1 of this section and the list shall indicate the name of the Member and the name of the body provided.

(3) The Clerk shall retain the list created pursuant to subsection 2 of this section in the Office of the Municipal Clerk as a public record.

(4) The Clerk shall provide the list annually to the Members for their review and the Members shall advise the Clerk of any errors or omissions on such list.

Appendices

12. Any Appendix attached to this *Administrative Order* shall form part of this *Administrative Order*. Done and passed this 28th day of October 28, 2014.

Mayor

Municipal Clerk

I, Cathy Mellett, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of Halifax Regional Council held on October 28, 2014.

Cathy Mellett, Municipal Clerk

Notice of Motion:
Approval:

October 21, 2014
October 28, 2014

Appendix A
External Bodies to which Members
are appointed pursuant to section 9

| Board, Committee or Commission | Members Appointed | Act, Legislation, By-law. Agreement or membership |
|---------------------------------------|---|--|
| Halifax Water Commission Board | The Mayor Three (3) Councillors | <i>Halifax Regional Water Commission Act</i> In addition, three (3) citizens and the CAO (or designate). |
| Community Monitoring Committee | The Mayor Three (3) Councillors (comprised of the Councillor for District 11 and 12 and one Councillor from another District). | By Agreement In addition, two (2) citizens. |
| Federation of Canadian Municipalities | In accordance with By-laws. | Membership. |
| Union of Nova Scotia Municipalities | In accordance with By-laws. | Membership. |
| Canadian Urban Transit Association | One (1) Member. | Membership. |
| Board of Police Commissioners | Three (3) Members. | <i>Police Act</i> and HRM By-law P-100, the <i>Police Board By-law</i> Six (6) Council appointments in total. Council may appoint Members or citizens as they see fit. |
| Halifax Regional Library Board | Mayor is Ex Officio Two (2) Councillors. | <i>Library Act</i> and Provincial agreement. Appointment of two (2) Members in agreement. In addition, four (4) citizens in agreement. |
| Halifax-Dartmouth Bridge Commission | Up to Two (2) Members. | <i>Halifax-Dartmouth Bridge Commission Act</i> Four (4) Municipal appointments in total. Council may appoint Members or citizens as they see fit |
| Trade Centre Ltd. | The Mayor Two (2) Councillors | By agreement with the Province. In addition, the CAO (or designate) |

Appendix B
External Bodies to which Members
are appointed pursuant to Section 10

| Board, Committee or Commission | Members of Council Appointed | Comments |
|--|---|---|
| Alderney Landing | Up to two (2) appointments by Municipality Member of Council or citizen(s) | By Agreement/By-laws of the organization. Council may appoint Members or citizens as they see fit. |
| Shubenacadie Canal Commission | Four (4) appointments by Council Member or citizen. | By-laws of organization <i>An Act to Establish the Shubenacadie Canal.</i> Council may appoint Members or citizens as they see fit. |
| Destination Halifax | Mayor (or designate). One (1) appointment by Municipality – Member or citizen. | By-laws of the organization. Council may appoint Member or citizen as they see fit. |
| Greater Halifax Partnership | Mayor is Ex Officio/ nonvoting Two (2) Members. | Amendment to agreement/by-laws required to provide appointments as Council sees fit. |
| Multi-District Facilities (criteria contained in Section 12): Canada Games Centre, Halifax Forum, Cole Harbour Place, Dartmouth Sportsplex, Chain of Lakes Trail Association. | Council may, at their discretion, appoint a Member(s). | Various: Appointment process in accordance with the by-laws of the organization or as directed by Council. |