

**HALIFAX REGIONAL MUNICIPALITY  
BY-LAW NUMBER C - 800  
RESPECTING REGIONAL CAPITAL COST CHARGES  
FOR SOLID WASTE FACILITIES**

**GENERAL**

The Council of the Halifax Regional Municipality under the authority vested in it by Sections 79 and 81(1)(ba) of the *Municipal Government Act*, enacts as follows:

**Number and Short Title**

1. This by-law may be cited as By-law C-800, the Capital Cost Charges for Solid Waste Facilities By-law.

**Definitions**

2. In this by-law,

(a) **“accessory building”** means a subordinate building or structure on the same lot as the main building, or on a lot which directly abuts or is directly across a public street or highway, private road or right of way from the lot containing the main building, and is not attached in anyway to the main building;

(b) **“agricultural building”** means a building or the part thereof which is used for the production of food, fibre, flora, or the breeding and handling of livestock;

(c) **“dwelling unit”** means one or more habitable rooms designed, occupied or intended for use by one or more persons as an independent and separate housekeeping establishment in which cooking, sleeping and bathroom facilities are provided for the exclusive use of such persons;

(d) **“fishery building”** means a building or the part thereof used for storing or processing fish including fish houses, sheds, lobster pounds, wharf storage buildings, and smoke houses;

(e) **“floor space”** means the total area in square feet of all floors, measured along the outside surface of the exterior walls of the building, including the areas occupied by exterior and interior walls and partitions, all exits, service access spaces, vertical service spaces, and parking spaces within the exterior walls of the building but excluding non-habitable attic spaces and crawl spaces;

(f) **“forestry building”** means a building or the part thereof used for sawing or milling forest products including sawmills, vehicle and equipment storage and maintenance buildings;

- (g) **“mining building”** means a building or the part thereof used for mining or otherwise extracting minerals or aggregates including vehicle and equipment storage and maintenance buildings;
- (h) **“mixed use building”** means a building that contains both residential and non-residential uses.
- (i) **“multiple unit residential building”** means a building that contains more than one dwelling unit;
- (j) **“new building”** means a building that is newly constructed or which is moved onto a lot after coming into force of this by-law;
- (k) **“single detached residential building”** means a building that contains not more than one dwelling unit.

### **Capital Cost Charge for Solid Waste Facilities**

- 3.
  - (1) A charge in the amount of \$230.00 shall be paid to HRM prior to the issuance of a building permit for all new single detached residential buildings.
  - (2) A charge in the amount of \$230.00 per dwelling unit shall be paid to HRM prior to the issuance of a building permit for all new multiple unit residential buildings.
  - (3) A charge at a rate of \$0.17 per square foot of floor space shall be paid to HRM prior to the issuance of a building permit for all other new buildings and building additions except those identified in Sections 8 and 9.
  - (4) A charge in the amount of \$230.00 per dwelling unit and a charge at a rate of \$0.17 per square foot of floor space used for non-residential purposes, shall be paid to HRM prior to the issuance of a building permit for new mixed-use buildings.
- 4. Notwithstanding section 3, no charge shall be payable under this by-law where a building is rebuilt, replaced or repaired, if destroyed or damaged by fire or otherwise, including demolition for the purpose of renovation or redevelopment, if the building is substantially the same as it was before the destruction or damage and it is occupied by the same use.
- 5. Notwithstanding sections 3 and 4, when a building is rebuilt, replaced, or repaired in a manner that creates additional dwelling units, a charge in the amount of \$230.00 per each additional dwelling unit shall be paid to HRM prior to the issuance of a building permit.
- 6. Notwithstanding sections 3 and 4, when a building is rebuilt, replaced or repaired in a manner that creates additional square footage of floor space for non-residential purposes, a charge at

the rate of \$0.17 per additional square foot of floor space shall be paid to HRM prior to the issuance of a building permit.

7. Notwithstanding section 3, no charge shall be payable under this by-law for an addition to a residential building, or a residential unit within a mixed-use building where additional dwelling units are not being created.
8. Notwithstanding section 3, no charge shall be payable under this by-law for a residential accessory building.
9. Notwithstanding section 3, no charge shall be payable under this by-law for a building which is an agricultural, fishery, forestry, or mining building.
10. The Capital Cost Charges prescribed in this by-law shall be indexed without amendment to this by-Law on April 1, 2009, and in each subsequent year on April 1, in accordance with the indexing set out in the Non-Residential Building Construction Price Index for Canada, Table # 327-0039 as published by Statistics Canada for the immediate preceding quarter.
  - (1) The fees indexed in this manner shall be reduced to the nearest cent where they contain a fraction of a cent less than \$0.005 and shall be increased to the nearest cent where they contain a fraction of a cent equal to or greater than \$0.005.
  - (2) The Council of the Halifax Regional Municipality shall inform the public by publication of an Administrative Order, or by such other means as it considers appropriate, of the indexing calculated under this by-law.

## **Lien**

11. A charge or charges levied under this by-law shall constitute a lien against the property in respect of which the charge is levied and may be collected in the same manner and with the same remedies as provided for the collection of real property taxes.

Done and passed by Regional Council on April 29, 2008.

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Mayor

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Acting Municipal Clerk

I, Julia Horncaste, Acting Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted by-law was passed at a meeting of Halifax Regional Council held on the 29<sup>th</sup> day of April, 2008.

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Julia Horncastle, Acting Municipal Clerk

Notice of Motion:	March 4, 2008
First Reading:	March 18, 2008
Notice of Public Hearing Publication:	March 22, 2008
Second Reading:	April 8, 2008
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date: (Approved by Regional Council April 29, 2008)	May 3, 2008