

## **HALIFAX REGIONAL MUNICIPALITY BY-LAW NUMBER U-100 RESPECTING USER CHARGES**

**BE IT ENACTED** by the Council of the Halifax Regional Municipality, under the authority of Sections 102 and 104 of the *Halifax Regional Municipality Charter*, 1989 R.S.N.S. c. 39, as amended, as follows:

### **Short Title**

1. This By-law shall be known as By-law U-100, the *User Charges By-law*.

### **Interpretation**

2. In this By-law,

(a) "CAO" means the Chief Administrative Officer of Halifax Regional Municipality;

(b) "Council" means the Council of the Municipality;

(c) "Municipality" means the Halifax Regional Municipality; and

(d) "user charge" includes a charge, fare, fee, or levy for the provision of a service to be paid by a person who uses or benefits from the service.

### **Application of the By-law**

3. Council hereby establishes user charges to be paid by the person using the service in the amount as set out in each Schedule to this By-law.
4. Any Schedule to this By-law shall form part of this By-law.
5. The user charges as listed in the Schedules are subject to Federal and Provincial taxes where applicable.

### **Offences**

6. A person who contravenes any provision of this By-law shall be guilty of an offence.
7. A person who contravenes any provision of this By-law is liable on summary conviction to a penalty of not less than one hundred dollars (\$100) and not more than one thousand dollars (\$1,000), in default of payment, to imprisonment for not more than ten days.

Done and passed in Council this 21<sup>st</sup> day of June, 2016.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

I, Kevin Arjoon, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above-noted By-law was passed at a meeting of the Halifax Regional Council held on June 21, 2016.

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Kevin Arjoon, Municipal Clerk

Notice of Motion:	May 24, 2016
First Reading:	May 31, 2016
Notice of Public Hearing Publication:	June 4, 2016
Second Reading:	June 21, 2016
Approval by Service Nova Scotia and Municipal Relations:	N/A
<u>Effective Date:</u>	<u>June 25, 2016</u>

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Amendment # 1 – Repeal and Replace Schedule 2

Notice of Motion:	March 28, 2017
First Reading:	April 11, 2017
Notice of Public Hearing Publication:	April 22, 2017
Second Reading:	May 9, 2017
Approval by Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	May 13, 2017

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Amendment # 2

Notice of Motion:	June 20, 2017
First Reading:	July 18, 2017
Notice of Public Hearing Publication:	July 29, 2017
Second Reading:	August 15, 2017
Approval by Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	August 26, 2017

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Amendment # 3 – “Welcomed in Halifax” Program Criteria

Notice of Motion:	February 27, 2018
First Reading:	March 6, 2018
Notice of Second Reading Publication:	March 10, 2018
Second Reading:	March 27th, 2018
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	April 21, 2018

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Amendment # 4 – Department of Community Services Transit Pass Program

Notice of Motion:	May 8, 2018
First Reading:	May 22, 2018
Notice of Second Reading Publication:	May 26, 2018
Second Reading:	June 19, 2018
Approval of Service Nova Scotia and Municipal Relations:	N/A
Effective Date:	June 23, 2018

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Amendment # 5 – Halifax Transit Fare Strategy 2019

Notice of Motion:	July 30, 2019
First Reading:	August 13, 2019
Notice of Second Reading Publication:	August 24, 2019
Second Reading:	September 17, 2019
Approval by Minister of Municipal Affairs:	N/A
Effective Date:	September 21, 2019

## Schedule 1

### Halifax Transit User Charges

#### Interpretation

1. In this Schedule,

(a) “Access-A-Bus” means the Halifax Transit service for persons unable to use conventional transit due to a physical or cognitive disability;

(b) “adult” means a person 18 years of age and up to and including 64 years of age;

(c) “child” means a person between 0 years of age and up to and including 4 years of age;

(d) “CNIB” means The Canadian National Institute for the Blind;

(da) “Department of Community Services Pass” means a transit pass purchased by the Province of Nova Scotia and issued to an Employment Support and Income Assistance client;

(e) “Halifax Transit” means the transit facilities and services provided by the Municipality;  
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(f) “Low Income Transit Pass” means a transit pass issued under the Low Income Transit Pass Program;

(g) “personal care attendant” means a person issued a Personal Care Attendant Identification Card by Access-A-Bus;

(h) “proper authority” means any employee of Halifax Transit carrying an identification card issued by Halifax Transit;

(i) “refugee” means a person identified as a refugee pursuant to the *Immigration and Refugee Protection Act*;

(ia) “refugee claimant” means a person

(i) who has been granted Protected Person status by the Immigration and Refugees Board of Canada,

(ii) who has been issued a Refugee Protection Claimant Document by the Government of Canada,

(iii) who has applied to the Government of Canada for a Pre-Removal Risk Assessment,

(iv) who cannot return to their home country because the Government of Canada has suspended or deferred removal to that country, or

(v) without temporary status, has applied to the Government of Canada to stay in Canada permanently on humanitarian and compassionate grounds;

(j) “registered Access-A-Bus user” means a person eligible to travel on Access-A-Bus as determined through an application process;

- (k) “senior” means a person 65 years of age and over;
- (l) “SmartTrip EPass” means a transit pass issued under the SmartTrip Program;
- (m) “student monthly pass” means a monthly pass purchased and distributed by the Halifax Regional Centre for Education;
- (n) “transfer” means proof of payment in a form prescribed by Halifax Transit that
  - (i) is issued by Halifax Transit when the initial user charge is paid;
  - (ii) allows the person to continuously travel on more than one route, of the same or lesser user charge, without having to pay an additional user charge; and
  - (iii) expires ninety (90) minutes after the last timepoint on the originating route;
- (o) “UPass” means a transit pass issued to a student who attends a post-secondary institution that has signed a contract with the Municipality; and
- (p) “youth” means a person between 5 years of age and up to and including 17 years of age.

**Application**

2. (1) Subject to section 3, no person shall travel or attempt to travel on Halifax Transit without paying the appropriate user charge as set out in section 9 of this Schedule.

(2) Where the amount of the user charge for passage on Halifax Transit is disputed, the person disputing the amount shall pay the amount requested by a proper authority.

(3) A person who refuses to pay the user charge requested by a proper authority shall be refused passage on Halifax Transit.

3. Notwithstanding subsection 2(1), travel on Halifax Transit shall be free for the following:

- (a) a child under five (5) years of age;
- (aa) a youth between five (5) years of age and up to twelve (12) years of age when accompanying an adult carrying a valid SmartTrip EPass or a Department of Community Services pass;
- (b) a senior between 10:00 a.m. and 3:30 p.m. and after 6:00 p.m. until end of service day on Tuesdays;
- (c) a person with a CNIB identification card;
- (d) an employee or retiree of Halifax Transit;
- (e) a Halifax Regional Police officer in uniform;
- (f) a personal care attendant when accompanying a registered Access-A-Bus user;
- (g) a person, and any accompanying family member, who is a veteran or current member of the armed forces and
  - (i) is in uniform, or

(ii) who presents an armed forces ID on Remembrance Day; and

(h) an elementary school student travelling to or from the Beaver Bank Monarch Drive Elementary School on the Route 400.

4. (1) Council, by resolution, or the CAO, may waive any user charge under this Schedule:

(a) for the following days,

(i) Canada Day,

(ii) Natal Day, or

(iii) after 6 p.m. and until end of service on New Year's Eve;

(b) where, in the opinion of Council or the CAO, such a waiver would be beneficial to the Municipality;

(c) for up to one year for a refugee under the settlement support program or for a refugee claimant; or

(d) for event volunteers and participants upon application by an event organizer.

(2) The CAO may delegate the authority under subsection 1 of this section to the Director of Halifax Transit.

#### **Low Income Transit Pass Program**

5. A person who meets the eligibility requirements of the Low Income Transit Pass Program as adopted by Council, by resolution, may apply to the program.

6. Council may, by resolution, set the number of Low Income Transit Passes available under the program.

7. A Low Income Transit Pass shall be provided by the Municipality on a first come, first serve basis.

8. Meeting the eligibility requirements does not guarantee a person will receive a Low Income Transit Pass.

8A. (1) The Director of Transit or his designate shall set the program year for the Low Income Transit Pass Program.

(2) If the number of qualified applicants to the Low Income Transit Pass Program exceeds the number of Low Income Transit Passes available in the program year, a waiting list shall be created and names added as they are approved.

(3) The Director of Transit or his designate may remove a person from the Low Income Transit Pass Program if:

(a) the person has not purchased a Low Income Transit Pass for a period of six (6) consecutive months; and

(b) there is a waiting list.

(4) A person removed from the program in accordance with subsection 3, may apply to the program in the same program year and, if accepted into the program, the person shall be added to the waiting list.

**Department of Community Services Pass**

8B. The Province of Nova Scotia may purchase transit passes from Halifax Transit for distribution to Employment Support and Income Assistance clients.

**Youth Free Transit Pilot Program**

8C. (1) A person who meets the eligibility requirements of the Youth Free Transit Pilot Program as adopted by Council, by resolution, may use the program.

(2) Subsection 2(1) and clause 3(aa) shall be suspended for the duration of the Youth Free Transit Pilot Program.

**User Charges for Halifax Transit**

9. The uses charges for Halifax Transit shall be as follows:

Type of Service	User Charge per person
<b>Conventional Bus, Ferry and Access-A-Bus</b>	
Adult Cash	\$2.75
Senior or Youth Cash	\$2.00
10 Tickets Adult	\$24.75
10 Tickets Senior or Youth	\$18.00
Adult Monthly Pass	\$82.50
Adult Monthly Pass for Low Income Transit Pass	\$41.25
Senior or Youth Monthly Pass	\$60.00
Student Monthly Pass	\$50.00
UPass 4 month pass	\$79.33
8 month pass	\$158.65
9 month pass	\$177.65
<b>Regional Express</b>	
Adult Cash	\$4.25
Senior or Youth Cash	\$3.00
Adult Monthly Pass	\$127.50
Adult Monthly Pass for Low Income Transit Pass	\$63.75
Senior or Youth Monthly Pass	\$90.00

Type of Service	User Charge per person
Airport Route Cash	\$6.00
Person with Halifax Transfer ticket, MetroPass, UPass or transfer Cash	\$1.50
<b>Department of Community Services Pass</b>	
Department of Community Services Monthly Pass	\$21.00
<b>SmartTrip EPass</b>	
EPass for Adult	87.5% of the cost of 12 monthly passes for the corresponding type of Halifax Transit pass



**Schedule 2**

**SmartTrip Program Membership Fees**

1. The user charges for enrolment in the SmartTrip Program shall be as follows:

<b>Workplace Size (# of Employees)</b>	<b>Annual Fee</b>
1-100	\$100
100+	\$250