

HALIFAX

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Item No. 14.1.10
Halifax Regional Council
April 25, 2017

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed by 

Jacques Dubé, Chief Administrative Officer

DATE: April 25, 2017

SUBJECT: Mobile Sign Industry and Payment Methods

ORIGIN

Motion from Councillor Whitman put and passed by Halifax Regional Council on July 26, 2016:

That Halifax Regional Council request a staff report to address recent concerns outlined to staff regarding the mobile sign industry and available payment methods."

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter. R.S.N.S. 2008, c.39, clauses 188(1)(c) & (f): Council may make by-laws, for municipal purposes respecting;

- (c) persons, activities and things in, on or near a public place or place that is open to the public;
- (f) businesses, business activities and persons engaged in business;

and clauses 188(2)(a) & (e)

- (a) , Council may, in any by-law regulate or prohibit
- (e) provide for a system of licenses, permits or approvals

By-law S-801, *Respecting Licensing of Temporary Signs*

Administrative Order #15, *Respecting License, Permit and Processing Fees*

RECOMMENDATION

It is recommended that Halifax Regional Council direct staff to undertake consultations with internal and external stakeholders to consider possible by-law and administrative amendments to By-law S-801, *Respecting Licensing of Temporary Signs* and Administrative Order #15, *Respecting License, Permit and Processing Fees* and prepare a recommendation report with proposed amendments for Regional Councils consideration.

BACKGROUND

By-law S-801 Respecting Temporary Signs was passed on January 13, 2015 and came into effect April 17, 2015. On June 6, 2016, the processing of Temporary Signs applications was transitioned from Development Approvals to Storefronts staff for license issuance by License Standards staff. At the same time changes were implemented to introduce a consistent process for the intake of applications and payment of fees at any Storefront location. Following this transition, concerns from industry about the new process were brought to the attention of staff, they include:

- Requirement for all applicants to visit a storefront identified as burdensome
 - Previously, applications were accepted by fax.
- Payment for individual sign applications identified as impractical (for business operators)
 - Previously, escrow accounts were available.

Other administrative barriers were identified as adding to “red tape” issues:

- requirement for letter from property owner,
- lack of refund option, and
- long approval times.

DISCUSSION

The discussion section of this report will focus on payment options and possible By-law and Administrative Order amendments.

Payment Options

In the permit and licencing industry, permits and licences are typically paid in full at the point-of-sale (POS) and are not usually invoiced. The following table provides a cross jurisdictional scan and some context of permit payment practices.

Municipality City	Payment at Point of Sale	Apply/pay In Person	On-line Permitting Option	Payment by Phone	Permits Invoiced
St. John’s	Yes	Yes	No	Yes	No
Moncton	Yes	Yes	No	No	No
Toronto	Yes	Yes	Yes	Yes	No
London	Yes	Yes	No	No	No
Winnipeg	Yes	Yes	Yes	Yes	No
Edmonton	Yes	Yes	No	Yes	No
Regina	Yes	Yes	No	Yes	No
Victoria	Yes	Yes	No	No	No

Beginning in September, 2016 Storefront personnel began implementation of processes to facilitate submission of application packages by email and fax. Finance staff have also reintroduced the escrow account option to help meet business service needs. These changes have improved business service for sign industry clients in that they result in overall faster processing times. While the escrow option is well received by business it can be perceived negatively in that it impacts operating capital by requiring deposit of funds prior to applying for approvals. Alternatives to pay licenses and permits by credit card or lines of credit do exist to defray this concern, by providing benefits of flexibility to the customer. Businesses can also top-up their escrow account remotely through on-line banking.

In the longer term (2-3 years) HRM is working toward a strategic solution for permitting and licencing. The system will have e-payment / e-commerce applications that will further enable remote application and provide payment options. Regional Council approved funding for this project in the 2016-17 Capital Budget.

Finally, payment options should be available to all applicants of sign licenses in the municipality. Individuals or companies that apply for a license will have the option to have an escrow account or pay at point of sale with cash, cheque or credit card. Additional service improvements are expected when an Electronic Payment System is in place and a new Permitting and Licensing Solution is available.

By-law and Administrative Order Amendments

Beyond the operational procedures already implemented, By-law and Administrative Order amendments and further expansive provisions are required to meet industry needs.

Business Licence and Fee Structure

Several things can be done to improve the regulatory environment and reduce red tape and streamline to create efficiencies for temporary sign companies and other temporary sign users. For example:

- Licenses for businesses can be offered which will allow significant efficiencies especially to those in the high volume rental sign business.
- Such licenses would allow companies to carry on a sign rental business within the municipal jurisdiction. Bulk licenses issued per sign/stickers would identify signage permitted for use within the municipality.
- A business license would require a new fee structure.
- Companies would not be confronted with the administrative burden of individual applications and reviews for each sign.
- Companies could operate under the expectation of operational compliance of the regulations.
- The current fee structure and application review process for individual temporary sign applications would remain.

Moving toward a state with no individual application reviews for sign businesses is not expected to impact demands on enforcement resources. Enforcement of current regulations is principally complaint driven focusing on signage erected without a license. Noncompliance would result in normal remedies (relocation, removal or fines) with the additional penalty of jeopardizing ones right to hold bulk licenses.

The resulting structure maintains overall program revenues roughly similar to current levels but would significantly improve the efficiency of businesses with multiple rentals per year.

The intent is that a company need not apply for each individual sign license. A final fee structure and subsequent report would provide recommendations following consultation with internal and external stakeholders.

By-law and Administrative Order Amendments

Further, staff proposes consideration be given to potential amendments to By-law S-801and Administrative Order 15 regarding the following items:

- Clarifying temporary signage use on Municipal Property:
 - 1/ municipal property locations used for temporary signage
 - 2/ duration of sign license permitted on municipal property;
- Remove the regulation requirement for written consent from a property owner, consider a declaration on the sign application;
- revisit the appropriateness of "Box Signs" respecting:

1/ there designated as a temporary sign within By-law S-801

2/ options to permit "Box Signs" in the right-of-way;

- Waiving temporary sign application fees for schools and churches; and
- Allowing the refund of license fees for denied individual applications.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report. The amendments to By-law S-801 and Administrative Order 15, as well as the described process improvements, can be accommodated with current Planning & Development resource and budget levels. No changes to By-law enforcement efforts are expected to be required.

RISK CONSIDERATION

There are no significant risks associated with the recommendations in this Report. The risks considered rate Low.

COMMUNITY ENGAGEMENT

The Origin of this report was as a result of the industry advising Councillors and staff of their concerns regarding the Temporary Sign By-law and perceived red tape. Should Council approve the recommendation, staff will continue consultations with industry partners prior to presenting detailed By-law and Administrative Order amendments.

ENVIRONMENTAL IMPLICATIONS

There are no Environmental Implications.

ALTERNATIVES

Regional Council could direct staff to not initiate amendments to By-law S-801, *Respecting Licensing of Temporary Signs* and Administrative Order #15, *Respecting License, Permit and Processing Fees*.

ATTACHMENTS

None.

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.php> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

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