



P.O. Box 1749
Halifax, Nova Scotia
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Item No. 15.1.3
Halifax Regional Council
March 7, 2023

TO: Mayor Savage and Members of Halifax Regional Council

SUBMITTED BY: Original Signed

Cathie O'Toole, Chief Administrative Officer

DATE: February 22, 2023

SUBJECT: **Proposed Amendments to By-law A-600 Respecting Advertisements on Provincial Highways**

ORIGIN

July 16, 2019, motion of Halifax Regional Council:

MOVED by Councillor Hendsbee;

THAT Halifax Regional Council request a staff report requesting an addendum or amendment to Schedule 1 of HRM By-law A-600 respecting Advertisements on Provincial Highways for the inclusion of a section of Highway 7 within the Eastern Shore-West MPS (Municipal Planning Strategy) from Musquodoboit Harbour to Ship Harbour.

LEGISLATIVE AUTHORITY

Halifax Regional Municipality Charter

60 (1) The Council may make policies

(c) setting and amending the fees to be paid for

(i) licences issued pursuant to a by-law of the Municipality,

(ii) an inspection required or conducted pursuant to a by-law of the Municipality or an enactment,

(iii) permits, applications and approvals required to be obtained from the Municipality or an employee of the Municipality pursuant to a by-law of the Municipality or an enactment,

Public Highways Act

49A (2) Subject to subsections (3), (4) and (6), the council of a municipality may make a by-law prohibiting or regulating the erecting, maintaining, pasting, painting or exposing of advertisements upon any part of a highway located within the municipality and designated in the by-law.

RECOMMENDATION ON PAGE 2

(3) The Minister may

(a) approve all or part of the by-law and from time to time approve other parts or the remainder of the by-law;

(b) attach any condition to the approval of the by-law;

(c) approve the by-law with amendments;

(d) revoke or from time to time vary the approval or any condition, either in whole or in part.

(4) A by-law, or an amendment to a by-law, is effective upon and subject to approval pursuant to subsection (3) and ceases to have effect upon the revocation of that approval or repeal of the by-law with the approval of the Minister.

(5) Were any part of a highway becomes subject to a by-law, no regulation made under Section 49 applies to it and any licences issued under any such regulation cease to have any force or effect.

(6) Subsection (2) does not apply to any part of a highway that has been designated as a controlled access highway by the Governor in Council pursuant to Section 21 and, where any part of a highway that is subject to a by-law is designated as a controlled access highway pursuant to that Section, the by-law ceases to apply to that part.

RECOMMENDATION

It is recommended that Regional Council:

1. Declare that the “pilot project” for regulating advertising on provincial secondary highways has ended;
2. Adopt By-law A-601, amending By-law A-600, *the Advertising on Provincial Highways By-law*, as set out in Attachment 5;
3. Direct staff to forward By-law A-601 to the Minister of Public Works for approval; and
4. Adopt the amendments to Administrative Order Number 15, *the License, Permits and Processing Fees Administrative Order*, as set out in Attachment 6 to increase the license application and renewal fees, as set out in Table 4.

EXECUTIVE SUMMARY

By-law A-600 Respecting Advertisements on Provincial Highways was adopted in 2015 to address the proliferation of advertising signage along Highway 333. This was intended to be a pilot project; it was the municipality’s first attempt to manage the sign proliferation on roads outside our core area. Council approved a motion in 2019 requesting a staff report that would see the program expanded to Highway 7 from Musquodoboit Harbour to Ship Harbour.

This report includes an evaluation of the pilot program along Highway 333 and outlines the implications of expanding the program to Highway 7. Although the pilot project proved successful in providing clear, consistent wayfinding messaging to motorists and in reducing clutter along highways, it did not achieve cost-neutrality. The program can be expanded, but the license costs and renewal fees should be increased to cover the actual cost of running the program.

BACKGROUND

While the Halifax Regional Municipality (HRM) extends from Hubbards to Ecum Secum, the vast majority of municipal infrastructure is within the “core area” defined by the 2022 HRM/NSPW service exchange boundary. Consequently, there are many roadways within HRM that are owned and maintained by Nova Scotia Public Works.

The proliferation of advertising signage along provincially-owned secondary highways is a concern for municipalities across Nova Scotia. As a result, the Province amended the *Public Highways Act* in 2011 to enable municipalities to adopt a by-law that regulates advertising signs on provincial non-100-series highways. In 2015, Halifax Regional Council approved By-law A-600, *the Advertising on Provincial Highways By-law*.

At that time, Council directed staff to develop By-law A-600 using Highway 333 as a pilot project due to concerns about advertising signage brought forward by constituents, local businesses, and tourism groups. The objectives of the pilot project were to provide effective guidance to motorists by installing clear, consistent signage and to reduce clutter along scenic highways.

By-law A-600 allows the Municipality to install standardized signs and structures, with approval from the Province, on the sections of highway described therein. Businesses along an identified section of highway can apply for an annual sign license through the 311 Contact Centre and the Municipality will construct additional advertising sign structures only when demand exceeds the space available on existing structures. Each sign structure can accommodate four advertisements. It is important to note that By-law A-600 does not prohibit the installation of advertisements on an identified highway or portion of a highway; rather, it only prohibits the installation of advertisements within 2.5km of an HRM-owned advertising sign structure.

DISCUSSION

Investigating Highway 7

A site visit was conducted on September 25, 2020 to investigate signage along the identified section of Highway 7 between Musquodoboit Harbour and Ship Harbour (Attachment 1). The identified section of highway was divided into smaller sections based on community boundaries (Attachment 1, Figure 2) and advertising signs were categorized as either “on utility poles” or “free standing” meaning that they had their own post or frame. Examples of both types of sign installations can be found in Attachment 1, Figures 5a & 5b. Table 1 below categorizes the 125 advertising signs that were observed along the approximately 40km section of highway.

Table 1: Inventory of advertising signs along the identified portion of Highway 7 (Sept. 2020)

Communities	Advertising Signs	
	On Utility Poles	Free Standing
Musquodoboit Harbour	16	29
Smiths Settlement	6	5
Head of Jeddore	13	5
Salmon River Bridge	0	4
Oyster Pond	6	0
Lake Charlotte	12	13
Beech Hill	1	0
Ship Harbour	8	3
East Ship Harbour	2	2

Communities	Advertising Signs	
	On Utility Poles	Free Standing
Total	64	61
	125	

Attachment 1, Figure 3 shows a complete map of all signs as well as a representation of the 2.5km prohibited zone that would be established around an advertising sign structure installed by the Municipality. Attachment 1, Figures 4a through 4e show a closer look at several intersections as signs tended to be more concentrated at these locations. The largest cluster of signs is located near the intersection with Highway 107 where there are ten free standing signs in a row (Figure 4a).

Evaluating the Pilot Project on Highway 333

By-law A-600 was approved as a pilot project which means that the results of the program need to be measured against the original goals and intent to determine whether it has been successful.

Before expanding the pilot project to include additional highways the Municipality should confirm the project goals and their relative level of importance:

1. **Reduce sign clutter along scenic non-100-series highways.**
 This is the primary reason for this project. Public engagement indicates that residents are not happy with the sign clutter along scenic highways, particularly the signs that are not being maintained.
2. **Provide effective guidance to tourists and other non-local motorists.**
 This is the secondary goal of the project. Providing effective guidance to tourists and other non-local motorists is intended to help drive economic development for communities and businesses outside HRM's core service area.
3. **Install clear, consistent signage for drivers.**
 This is the tertiary goal for this project. The signage must be simple so that it can provide value to motorists. Posted speed limits along these scenic highways are as high as 90km/h so drivers have only a few seconds to read the sign before returning their focus to the road.

As shown in Figure 1 below, sign clutter along Highway 333 has been reduced as a result of the prohibited zone established around each HRM-owned advertising sign structure. Note that there are currently no service standards for pro-active monitoring of signage violations associated with By-law A-600; enforcement is reactive whereby staff will investigate complaints submitted through the 311 Contact Centre.

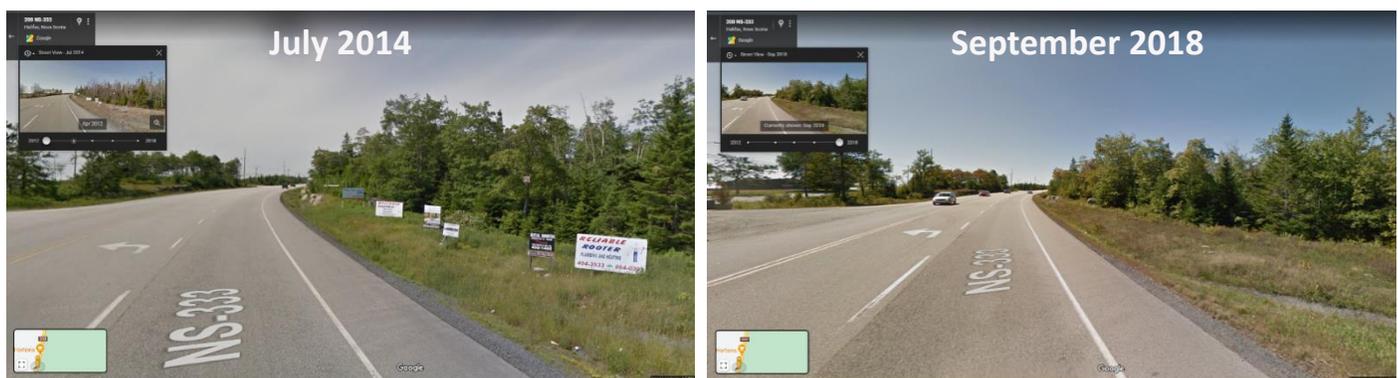


Figure 1: Comparison of advertising signage along Highway 333 before (left) and after (right) adoption of

By-law A-600.

The next project goal was to provide effective guidance to motorists, and this was achieved by a combination of factors including:

- Strategic positioning of signs to ensure good visibility. As Highway 333 is a 61km loop the signs have been installed facing outbound traffic to have them seen by more tourists and non-local motorists. All eight sign structures are within approximately 5km of either intersection with St Margarets Bay Road.
- Spacing requirements for advertising signs are relative to key decision points (including intersections and other sign structures) to reduce driver workload.
- Sign messages and style are simple so they can be understood quickly and easily. The signs on the structure are also organized based on distance with the closest business at the top of the structure.

The final goal was to have clear and consistent signage, and this is shown below in Figure 2. The signs include only the business name and distance from the structure in large white text over a blue background.



Figure 2: Examples of HRM-owned advertising sign structures along Highway 333.

Table 2 below shows the status of advertising sign licenses since the start of 2018. Participation in the program is the highest it has ever been with 30 active licenses and the consistent license renewals year after year seem to suggest that business owners are satisfied with the program.

Table 2: Advertising sign license data by year

Highway 333	2018	2019	2020	2021	2022
Renewed Licenses	22	28	28	26	30
New Licenses	6	0	0	4	0
Cancelled Licenses	0	0	0	2	0
Repairs	0	0	0	0	1

Given all of the above, the pilot project on Highway 333 appears to be meeting the intended goals. For these reasons and given the desire to expand the program to other locations, staff recommend transitioning from a unique pilot project to a more broadly applicable signage program.

Expanding the Sign Program to include Highway 7

Expanding the sign program to include a linear corridor like Highway 7 would require amendments to By-law A-600 as described in Attachment 3. The two most significant changes are outlined below:

Prohibited Zone

One of the key concepts of By-law A-600 is set out in clause 3(b) which establishes a 2.5km “prohibited zone” around each advertising sign structure where only licensed advertising signs are allowed. This was intended to incrementally reduce sign clutter along the highway as advertising structures are installed and the prohibited area gets larger over time. A significant benefit is that this defined a specific and localized area for staff to focus on compliance rather than managing advertising on the entirety of an identified highway from the start.

The proposed change is to reword By-law A-600 to clarify this key concept. To be clear, the “identified highways” described in Schedule 1 would be locations where advertising structures may be installed, and this prohibited zone around each advertising structure would define locations where unlicensed signs are not allowed. The prohibited zone is measured along the paved portion of the identified highway, inclusive of the first 50 metres of an intersecting public street.

Business Location

Clause 6(e) of By-law A-600 currently requires that a business is located directly on an identified highway to be eligible for a sign license. This was seen as appropriate for Highway 333 as it is a loop with few side streets, but Highway 7 is a linear corridor with several collector-type side streets, each with their own unique commercial destinations.

Another proposed amendment is to add language to not only include businesses on an identified highway but also those on an intersecting public street. Subject to approval from HRM and the Province, signs for side street businesses would be installed on the identified highway in advance of the intersection and the distance measurement on the sign would be supplemented by an arrow symbol directing motorists to turn. Furthermore, the distance noted on the sign would be the measurement between the advertising structure and the intersection to clearly indicate where drivers must turn (see Figure 3 below). This change is intended to help provide effective guidance to tourists and non-local motorists who may not be aware of side street businesses (which would otherwise not be eligible to advertise on Highway 7).

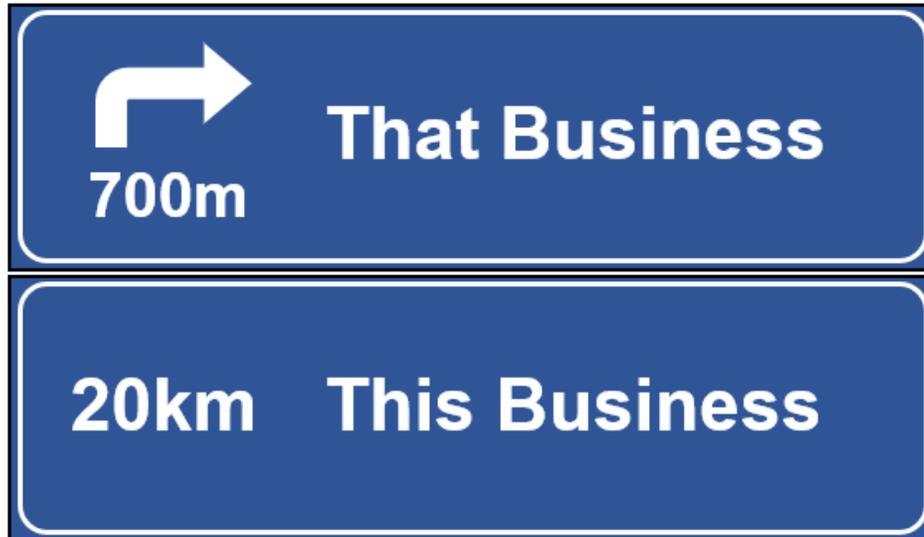


Figure 3: Proposed sign graphics for businesses located on side streets (top) as well as businesses located directly on an identified highway (bottom).

This change would result in a more inclusive sign program, but it is also expected to increase the cost and complexity of administering this program given the anticipated need to install new structures, relocate signs, and revise graphics to properly position the advertisements relative to their side streets. The intention is to continue with the directional sign program and install advertising structures for outbound traffic only, and this is consistent with the positioning of the majority of the signs that were observed during the site visit.

Cost Considerations

One of the key considerations during the development of the pilot project was that it be cost neutral. The current fee schedule includes a \$200 sign license application fee and a \$50 license renewal fee which were intended to recuperate the cost of fabrication, installation, and maintenance of the signs and structures over a 10-year service life.

Given the limited number of new licenses purchased each year, nearly all revenue generated by this program comes from license renewals. If they were all renewed next year, the 30 active licenses would generate \$1,500.

It was assumed that costs associated with by-law compliance would be minimal given that the area of concern was directly adjacent to the HRM/NSPW exchange boundary. The fee schedule does not directly account for costs associated with staff time, maintenance of vegetation, or traffic control and these costs are currently an expense to the Municipality.

In terms of staff time, several departments are involved with this program including Right of Way, Traffic Maintenance, and Infrastructure Maintenance & Operations (IMO) from Public Works as well as License Standards from Planning & Development. While each of these groups has a role to play the actual time invested by any given employee is expected to be less than one hour per week, on average, due to the sporadic nature of actionable requests; work associated with this program requires effort and coordination between staff, but these activities may only occur a few times each year, if at all.

With that said, expanding the program to include a section of Highway 7 is expected to result in immediate cost increases given the initial infrastructure implementation as well as the additional travel time required to get there. The increased demand for staff time could likely be absorbed into day-to-day workflow for

Year	1	2	3	4	5	6	7	8	9	10	Total
per structure (\$)											

Table 4: Summary of Direct Costs and Revenues associated with the program (proposed fee schedule)

Year	1	2	3	4	5	6	7	8	9	10	Total
Revenue per structure (\$)											
Application fee (\$300 x 4)	1200										1,200
Annual License fee (\$110 x 4)	440	440	440	440	440	440	440	440	440	440	4,400
Costs per structure (\$)											
Sign Fabrication (\$125 x 4)	(500)										(500)
Construction	(2,500)										(2,500)
Vegetation maintenance					(2,600)						(2,600)
Total revenue(cost) per structure (\$)	(1,360)	440	440	440	(2,160)	440	440	440	440	440	-

The costs described in Table 3 & 4 above are expressed per advertising structure over its service life: the construction of the structure (\$2,500) plus the fabrication of advertising signs (4 x \$125) results in an initial direct cost of \$3,000. Vegetation maintenance would have an additional direct cost of \$2,600, anticipated approximately halfway through the infrastructure’s 10-year service life, for a total cost of \$5,600 per structure.

The proposed user fee increase seeks to provide a balanced approach where both the license application and license renewal fees are increased; approximately 20% (\$1,200) of the initial direct costs would be offset by application fees while the remaining 80% (\$4,400) of costs would be recouped through renewal fees over the 10-year service life of each structure, assuming it was at capacity. This approach is recommended as it spreads the cost increases out among all program participants to maintain a relatively low financial barrier for participation while still providing additional funding up-front (through increased application fees) for HRM to expand the program to Highway 7.

Becoming a Service (not cost-neutral)

The Municipality could choose to run this program as a service for local businesses. The current user fees could help offset some of the costs and the Municipality would acknowledge that while this program is an expense it is providing a benefit to the public. The current shortfall, averaging approximately \$2,100 per year for vegetation maintenance around the eight advertising structures, would have to be accounted for in Planning & Development budget S330-4950. The Municipality would effectively subsidize costs for participants so this approach would not be cost-neutral and is not recommended.

FINANCIAL IMPLICATIONS

A new advertising structure with four signs has an initial direct cost of \$3,000. Vegetation maintenance is a contracted service with a cost of approximately \$2,600 per sign structure.

Advertising sign license applications currently generate \$200 each (\$800 per structure at capacity). Annual license renewal fees are \$50 and the 30 current program participants generate \$1,500 per year (\$200 per

structure at capacity).

Expanding this program to include a section of Highway 7 will increase costs for the Municipality. A fee increase is recommended per Table 4: license application fees will be increased from \$200 to \$300 and license renewal fees will be increased from \$50 to \$110 to offset direct program costs.

Revenue from user fees is deposited into a Planning & Development account (S330-4950). Funds are withdrawn from this account to pay invoices for contracted services associated with this sign program.

RISK CONSIDERATION

There are no significant risks associated with the recommendation in this report. The risks considered rate low, and to reach this conclusion consideration was given to financial, environmental, operational impacts as well as alignment with strategic initiatives.

COMMUNITY ENGAGEMENT

Community engagement was carried out in early 2021 through cooperation with the Musquodoboit Harbour & Area Chamber of Commerce & Civic Affairs (MHACCCA). A detailed summary has been included in Attachment 2.

The engagement had two parts: a videoconference presentation and Q&A session for MHACCCA members; and an online survey open to business owners and residents. The survey had 415 respondents with the following highlights:

- 89% of respondents identified as citizens, 9% identified as business owners.
- 59% of respondents felt that sign clutter is a problem along Highway 7 and 70% were in favour of a standardized sign program.
- 51% of respondents preferred the limits of Highway 7 between Highway 107 and West Ship Harbour Road.
- Concerns that were raised included: agreeing on project limits, bland standard signs, and unnecessary government regulation.

ENVIRONMENTAL IMPLICATIONS

There are no significant environmental implications associated with the recommendation in this report.

ALTERNATIVES

1. Council could approve the proposed amendments to the By-law and direct staff to run this program as a service using the existing funding model. This alternative would not be cost-neutral, so it is not recommended.
2. Council could refuse to adopt By-law A-601. This will maintain status quo with the current pilot project and not amend By-law A-600 to include a section of Highway 7.

ATTACHMENTS

Attachment 1 – Highway 7 Advertising Sign Inventory (maps)

Attachment 2 – Highway 7 Signage Program: Summary of Community Engagement

Attachment 3 – Showing Proposed Changes to By-law A-600

Attachment 4 – Showing Proposed Changes to Administrative Order 15

Attachment 5 – Amending By-law A-601

Attachment 6 – Amending Administrative Order 15

A copy of this report can be obtained online at halifax.ca or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by: Ben Daisley, P.Eng., Right of Way Engineer, Traffic Management – 902.490.6853
Christopher Davis, P.Eng., Manager, Right of Way, Traffic Management – 902.490.7462

Figure 1: Map showing the identified section of Highway 7 (between Musquodoboit Harbour and East Ship Harbour) relative to HRM's service exchange boundary.

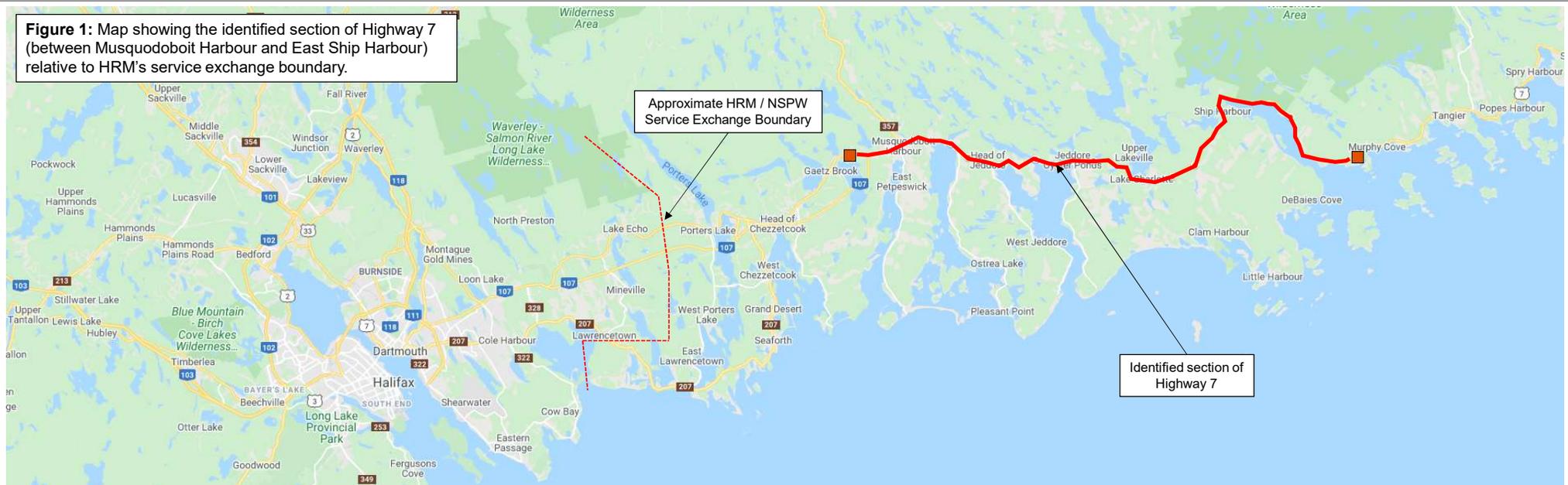


Figure 2: Map showing the communities along the identified section of Highway 7 (between Musquodoboit Harbour and East Ship Harbour).

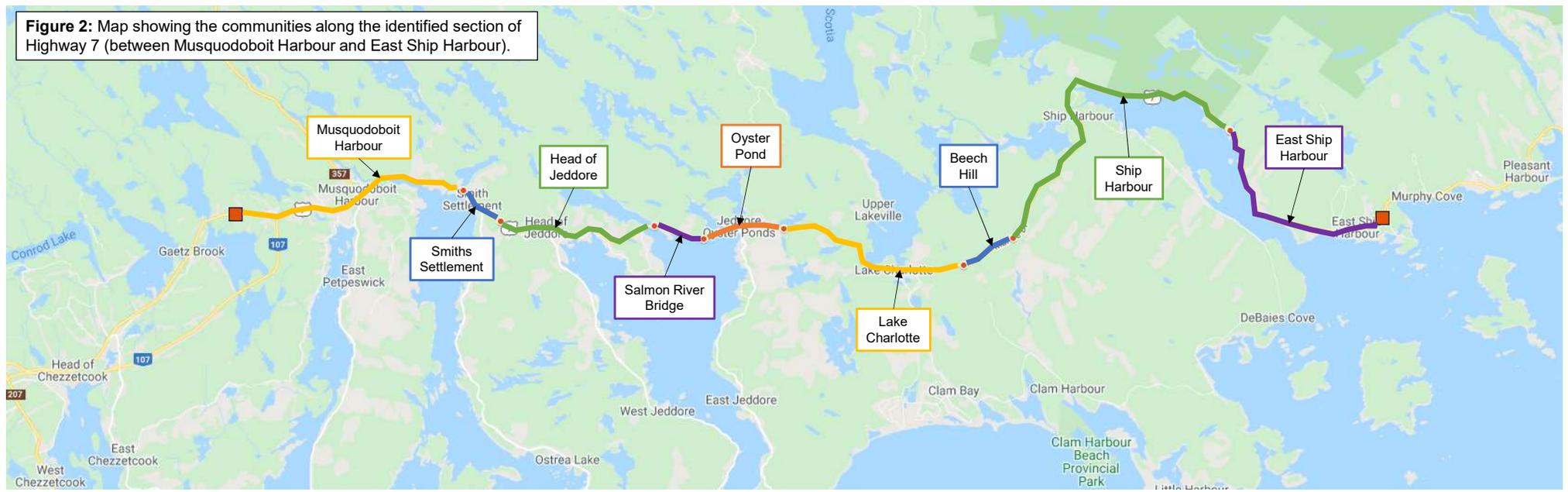


Figure 3: Map showing the advertising signs along the identified section of Highway 7 (as of September 2020). The red circle shows the approximate size of the prohibited area that would be established around an advertising sign structure installed by HRM.

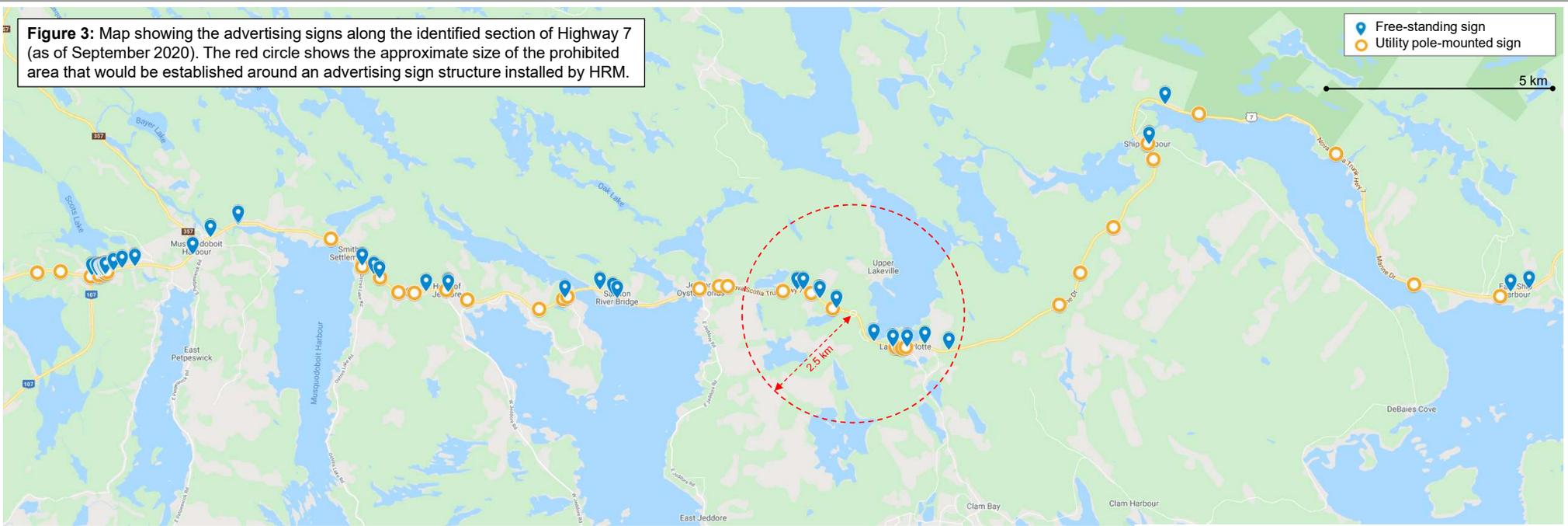


Figure 4a: Map showing a closer look at advertising signs in Musquodoboit Harbour (on Highway 7 near Highway 107).



Figure 4b: Map showing a closer look at advertising signs in Smiths Settlement (on Highway 7 near Ostrea Lake Road).



Figure 4c: Map showing a closer look at advertising signs in Head of Jeddore (on Highway 7 near West Jeddore Road).

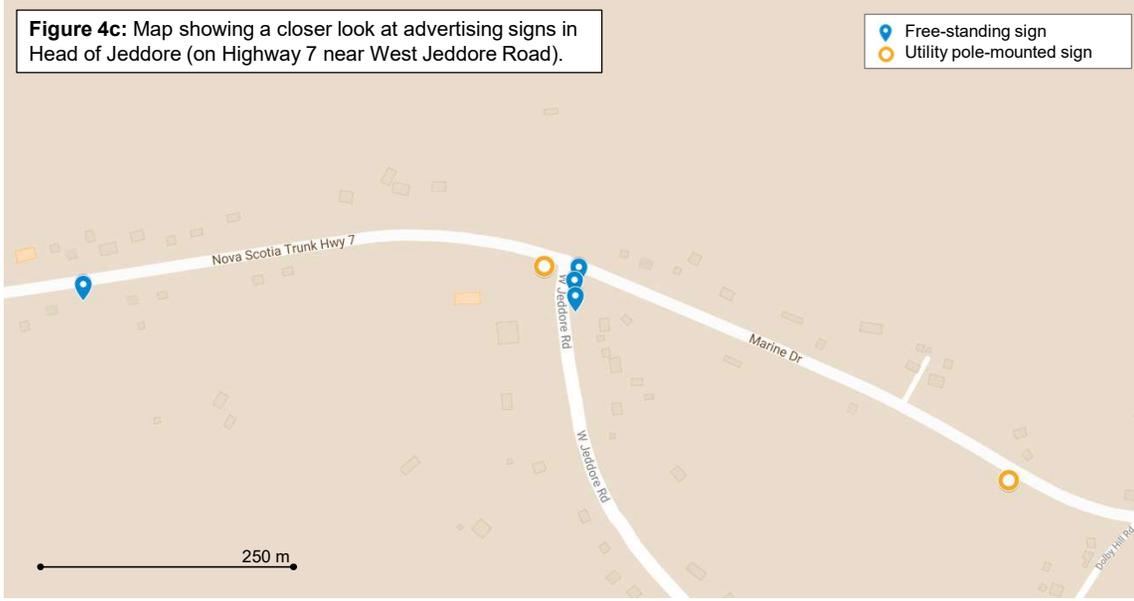


Figure 4d: Map showing a closer look at advertising signs in Lake Charlotte (on Highway 7 near Clam Harbour Road).

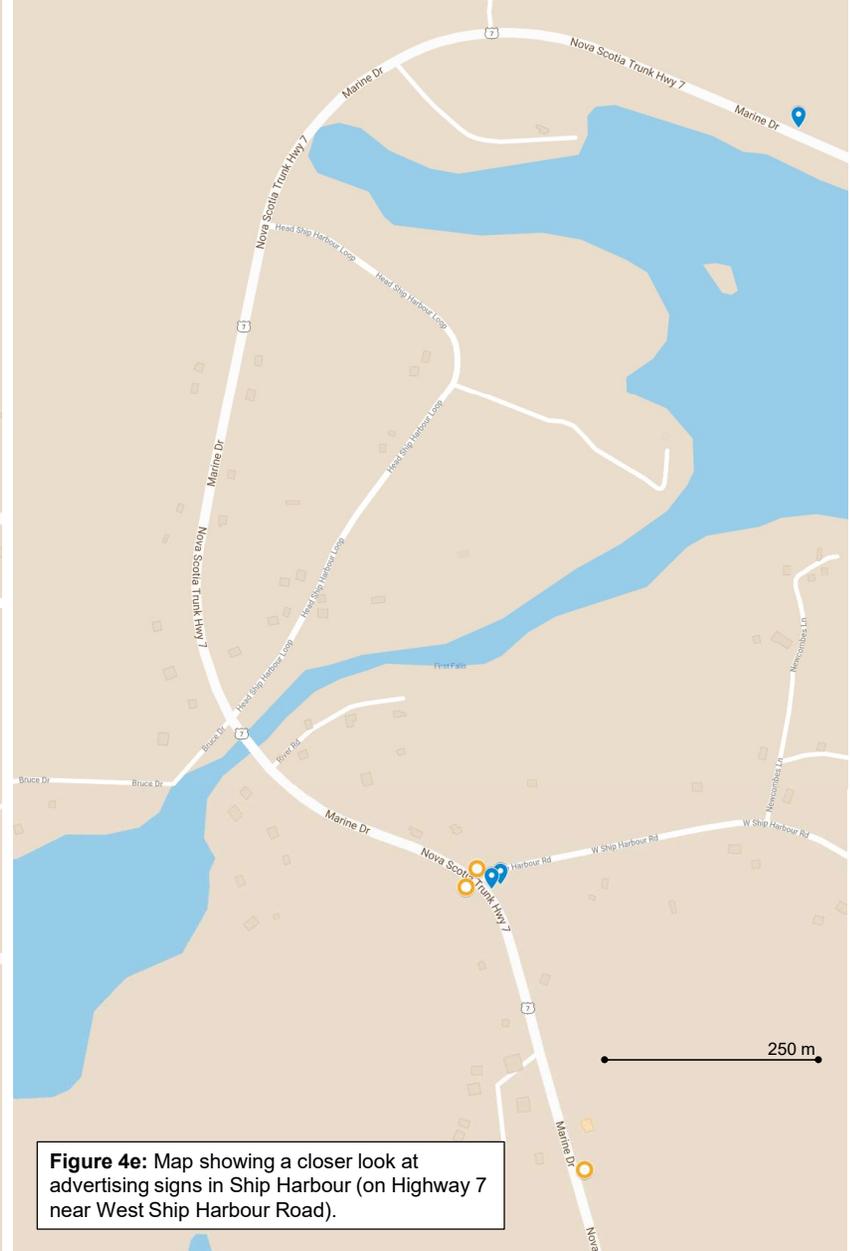


Figure 4e: Map showing a closer look at advertising signs in Ship Harbour (on Highway 7 near West Ship Harbour Road).

Figure 5a: Examples of free-standing advertisement signs along Highway 7.



Figure 5b: Examples of utility pole-mounted advertisement signs along Highway 7.



Highway 7 Signage Program: Summary of Community Engagement

Background

Municipal staff have engaged with community members in Musquodoboit Harbour to obtain feedback on By-Law A-600 respecting Advertisements on Provincial Highways. The proposed changes to the by-law would expand the scope of the program to include a section of Highway 7 within the Eastern Shore-West Municipal Planning Strategy from Musquodoboit Harbour to Ship Harbour.

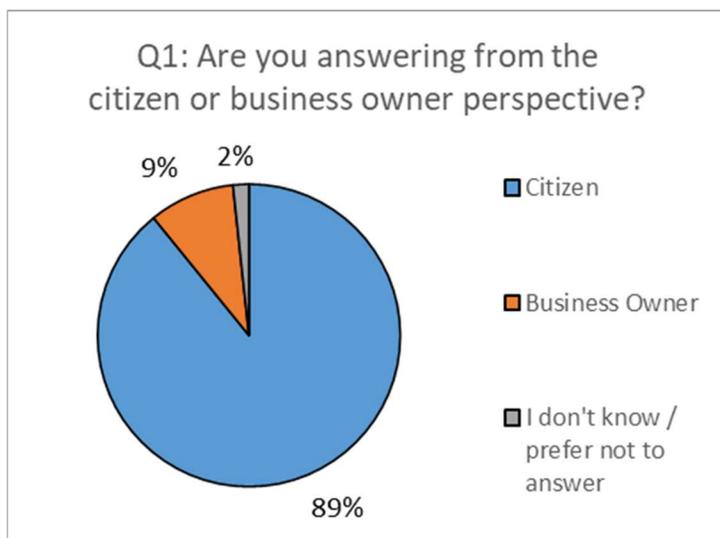
There were two primary components to the community engagement plan:

Videoconference Presentation for MHACCCA

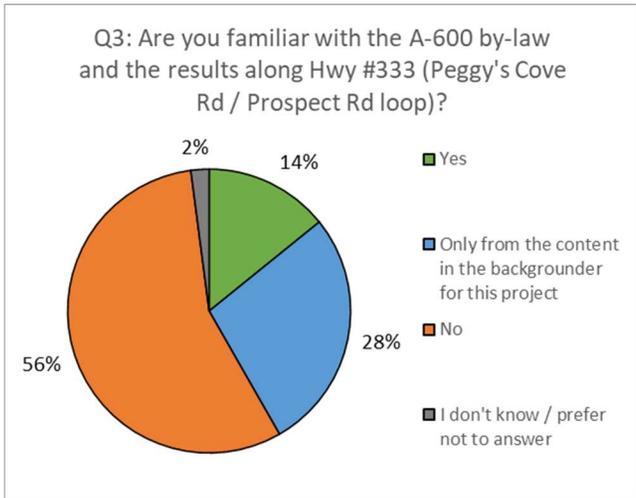
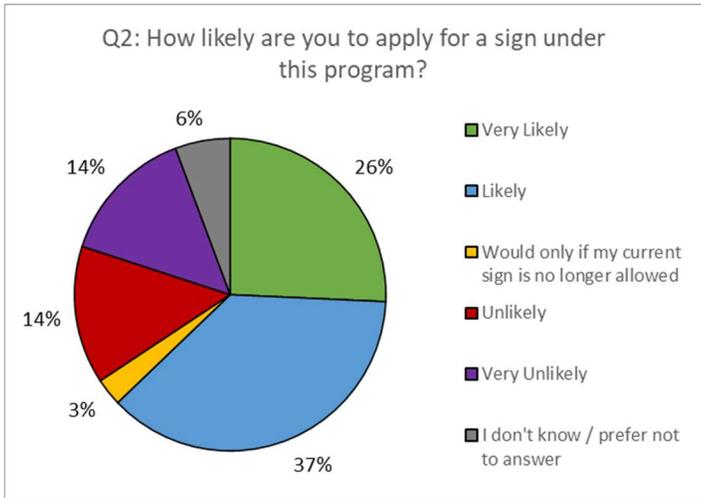
On February 17, 2021, staff met virtually with the Musquodoboit Harbour & Area Chamber of Commerce & Civic Affairs (MHACCCA) to give a 1-hour presentation with topics including: municipal and provincial jurisdiction; how By-Law A-600 currently works; how new signs were implemented as part of a pilot project on Route 333; and options for implementation of this program on Highway 7. The presentation was recorded and posted to MHACCCA's website and social media page.

Online Survey

From March 29 to May 3, 2021 (five weeks) an online survey was made available on [Halifax.ca](https://www.halifax.ca). MHACCCA also shared the link on their website and social media page encouraging residents and business owners to share their opinions. 415 people completed the survey and the results are summarized below.



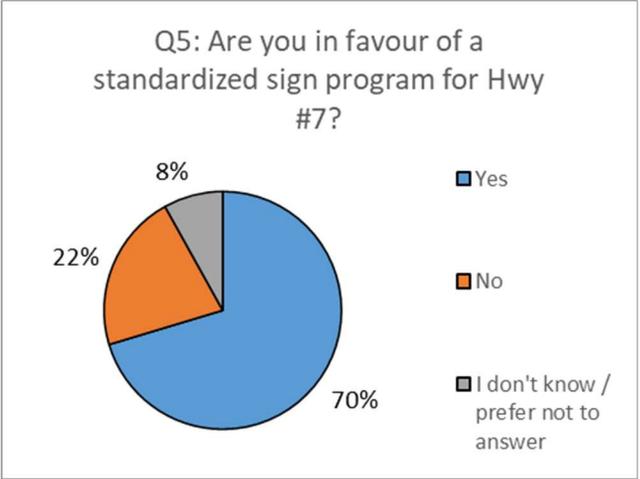
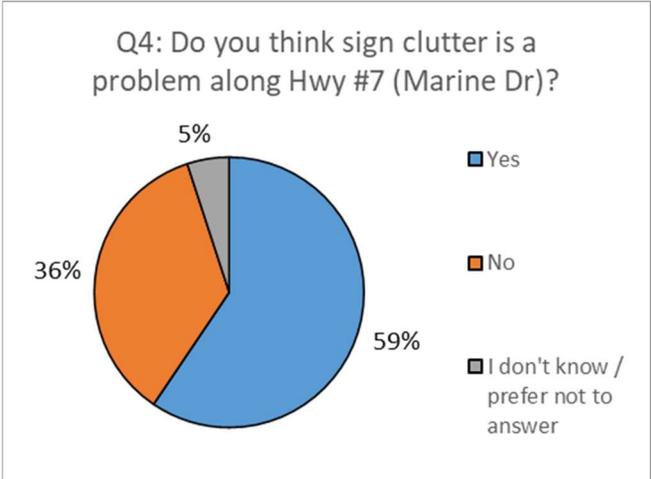
- 89% (370 out of 415) of the survey respondents identified as citizens.
- 9% (38 out of 415) of respondents identified as business owners.



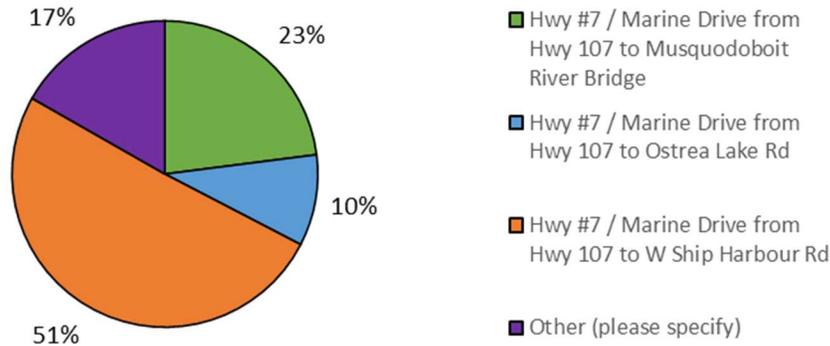
- 63% (22 out of 35) of respondents indicated that they would be “Likely” or “Very Likely” to apply for a sign under this program.

- 14% (48 out of 338) of respondents claimed to be familiar with By-Law A-600.
- 84% (283 out of 338) of respondents were unfamiliar with the by-law or were only aware of the information included with the survey.

- 59% (201 out of 338) of respondents felt that sign clutter is a problem along Hwy 7.
- 70% (235 out of 334) of respondents are in favor of a standardized sign program for Hwy 7.



Q6: What should the limits of the project be? Remember, only businesses located within the limits are eligible to apply for a sign under this program.



- 51% (163 out of 322) of respondents preferred that the limits of the program include the section of Hwy 7 between Hwy 107 and W Ship Harbour Rd. At 28km long this option is the longest of the three that were proposed.

Respondents were given the option to specify their own program limits by selecting “Other”:

- 61% (33 out of 54) of these comments proposed specific alternative program limits.
 - 24% (13 out of 33) of these comments suggested that there be no limits at all.
 - 20% (11 out of 33) suggested that the limits include more or all of Hwy 7.
 - 9% (5 out of 33) suggested that the limits extend all the way to the county line near Ecum Secum.

Question 7 allowed respondents to provide additional comments or feedback:

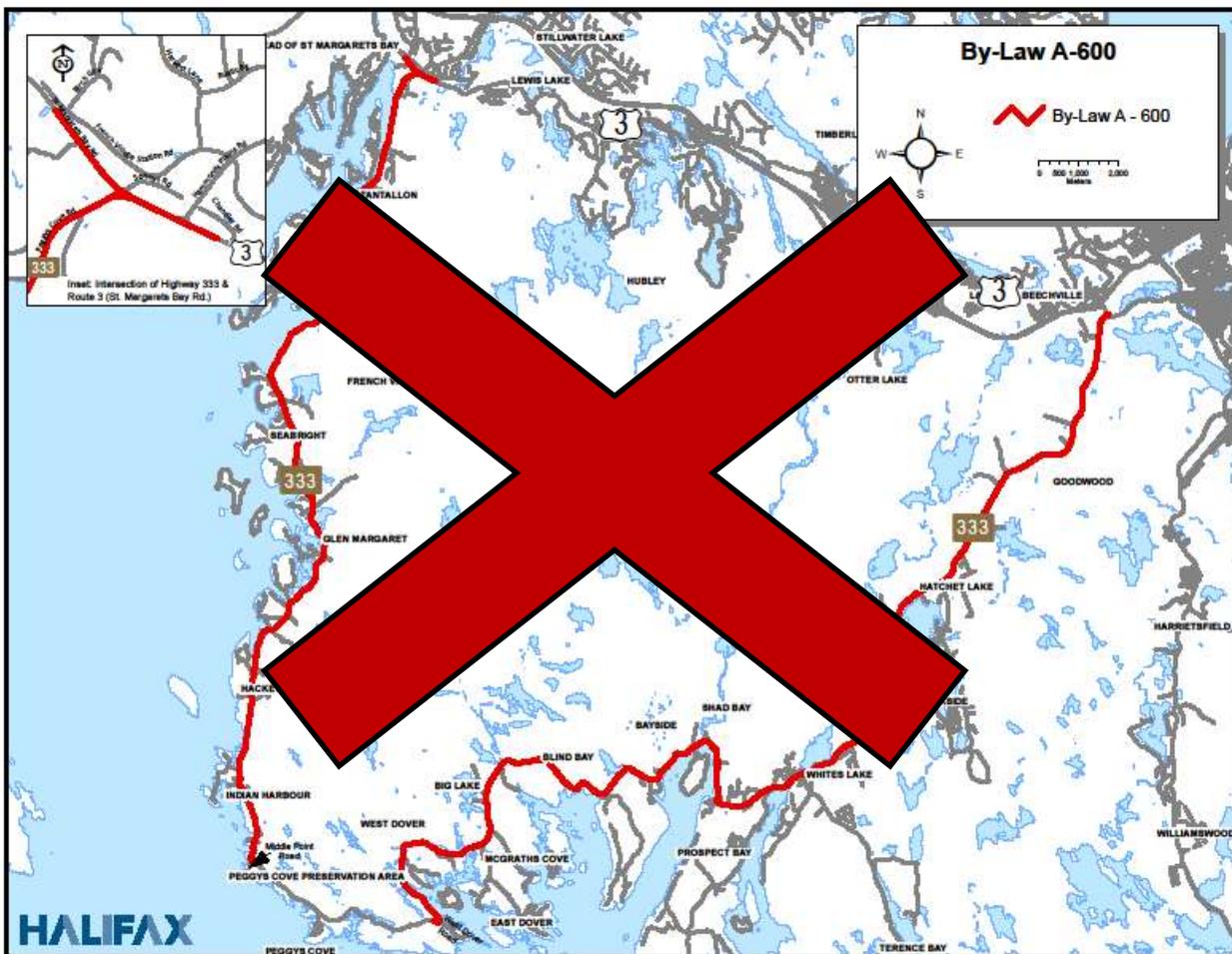
- 20% (84 out of 415) of the survey respondents provided additional comments.
 - 42% (35 out of 84) of these comments were generally in support of the program while 26% (22 out of 84) generally rejected it.

Comments that generally rejected the program cited concerns including: program area/limits; bland standardization; the existing signs being part of the community’s character; loss of work for local sign producers; the cost to business owners; and unnecessary government regulation/waste of resources.
 - Several respondents were interested in billboard-style signs and referenced examples at rest stops in Wolfville, NS and Newfoundland.
 - Several respondents were enthusiastic about Prince Edward Island’s program to manage advertising signs along highways.
 - One respondent indicated that they look for local businesses in the “Shop the Shore” flyer that is delivered by mail.

**BY-LAW NUMBER A-600
RESPECTING ADVERTISEMENTS ON PROVINCIAL HIGHWAYS**

The By-law was reviewed and approved by the Minister of Transportation and Infrastructure Renewal and the Minister of Municipal Affairs subject to the following conditions:

1. A TIR “Work Within Highway Right-of-Way Permit” is required prior to the installation of any advertising structures;
2. No advertising signs are permitted along the section of Route 333 designated by Order in Council as a parkway (Peggy’s Cove Parkway) beginning approximately 500 feet (150m) west of West Dover Rd (Authority #903) and extending westerly to Middle Point Rd. (Authority #487).
3. A plan showing “identified highway(s)” must be provided to TIR and made available to the public.



Repeal

Advertising on Provincial Highways By-law

HALIFAX REGIONAL MUNICIPALITY BY-LAW NUMBER A-600 RESPECTING ADVERTISEMENTS ON PROVINCIAL HIGHWAYS

BE IT ENACTED by the Council of the Halifax Regional Municipality, under the authority of Section 49A of the *Public Highways Act*, 1989 R.S.N.S. c. 371, as amended, as follows:

Whereas the purpose of this By-law is to provide a level of management of advertising signage along certain provincial highways to preserve and enhance the beauty of the Municipality, provide a useful and accurate way of providing information to travellers and to ensure the placement and installation of advertisements are carried out in a safe and fair manner;

And Whereas this By-law was reviewed and approved by the Minister of Public Works and the Minister of Municipal Affairs and Housing subject to the following conditions:

(a) a Nova Scotia Public Works "Work Within Highway Right-of-Way Permit" is required prior to the installation or maintenance of any advertising structures or signs; and

(b) a plan showing the "identified highway(s)" must be provided to Nova Scotia Public Works and be made available to the public;

Interpretation

2. In this By-law,

(j) "highway" means a highway vested in ~~Her~~ His Majesty in Right of the Province but excludes a highway or that portion of a highway that is designated as a controlled access highway pursuant to section 21 of the *Public Highways Act*;

Application of the By-law

3. This By-law shall apply

(a) to an identified highway or a portion of an identified highway, as set out in Schedule 1;

(b) within two and one-half (2.5) kilometres from an advertising structure, measured along the paved portion of an identified highway; and

(c) ~~along the paved portion of Route 3 for a distance of five hundred (500) metres from the intersection of Highway 333 and Route 3 (St. Margaret's Bay Road).~~ Repeal;

(d) where there is an advertising structure located on an identified highway that is within 2.5 kilometers of an intersecting highway, along that intersecting highway for a distance of fifty metres (50) measured from the edge of the pavement of the identified highway.

Prohibition

5. No person shall display, permit or cause to be displayed an advertisement ~~on a highway unless the advertisement is allowed under this By-law~~ within 2.5 kilometers of an advertising structure, unless it is displayed on an advertising structure.

6. No person shall display, permit or cause to be displayed an advertisement on an **identified highway advertising structure** unless:

(a) the person holds a valid license granted by the Municipality;

(b) the advertisement is displayed on an advertising structure that is located on the **an identified** highway;

(c) the advertisement is created or constructed by:

Advertising on Provincial Highways By-law

- (i) the Municipality; or
- (ii) a person under contract with the Municipality for the creation or construction;
- (d) the advertisement is displayed by:
 - (i) the Municipality; or
 - (ii) a person under contract with the Municipality to display an advertisement; and
- (e) the subject of the advertisement is located on a portion of an identified highway **or an intersecting highway or an intersecting municipal street.**

Advertising Structures

16. An advertising structure shall be **located on an identified highway and:**

- (a) located at least one hundred (100) metres apart located from another advertising structure; **or and**
- (b) located at least two hundred (200) metres apart from **any intersection approach an intersecting highway or an intersecting municipal street.**

Creating and Locating Advertisement

17. After the granting of a license, the Municipality, or the person under contract with the Municipality, shall:

(a) **create or construct the advertisement which shall include the name of the person who is advertising on the advertisement and the approximate distance of that person from the advertising structure where the advertisement will be located; and from the advertising structure where the advertisement will be located to the**

- (i) **person who is advertising, or**
- (ii) **intersection of the side street on which the person advertising is located; and**
- (b) display the advertisement on an advertising structure.

Schedule 1 Identified Highways

This By-law applies to the following Highways

1. ~~Highway 333, Tantallon Nova Scotia.~~ **Repeal**
2. ~~Portion of Route 3 for a distance of five hundred (500) meters from the intersection of Highway 333 and Route 3.~~ **Repeal**

Advertising on Provincial Highways By-law

3. Highway 333: from St Margarets Bay Road (Halifax) to St Margarets Bay Road (Upper Tantallon)

- Excluding that portion of Highway 333 designated by Order in Council as Peggy's Cove Parkway, approximately between Middle Point Road and West Dover Road.



Advertising on Provincial Highways By-law

4. Highway 7: from Highway 107 (Musquodoboit Harbour) to West Ship Harbour Road (Ship Harbour)



Attachment 4 – Showing Proposed Changes to Administrative Order 15

**HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER 15
Respecting License, Permit and Processing Fees**

BE IT RESOLVED as an Administrative Order of the Council of the Halifax Regional Municipality as follows:

22.

By-law	Short Title	Section	Fee
A-600	<i>Advertising on Provincial Highways By-law</i>		
		9 7(1) Application for initial license	\$200 \$300
		9 7(2) Application for license renewal	\$50 \$110

**BY-LAW NUMBER A-601
RESPECTING ADVERTISEMENTS ON PROVINCIAL HIGHWAYS**

BE IT ENACTED by the Council of the Halifax Regional Municipality, under the authority of Section 49A of the *Public Highways Act*, 1989 R.S.N.S. c. 371, as amended, that By-law A-600, the *Advertising on Provincial Highways By-law*, is amended, as follows:

1. The Ministerial approval references on the first page are amended by:
 - (a) striking out the words and colon “The By-law was reviewed and approved by the Minister of Transportation and Infrastructure Renewal and the Minister of Municipal Affairs subject to the following conditions:”;
 - (b) repealing conditions 1, 2 and 3; and
 - (c) striking out the Map after condition 3 and before the recitals for the By-law.
2. The recital after the words and colon “as follows:” and before section 1 is amended, as follows:
 - (a) by striking out the period at the end of the recital and replacing it with a semi-colon; and
 - (b) adding a second recital after the first recital and before the short title, as follows:

And Whereas this By-law was reviewed and approved by the Minister of Public Works and the Minister of Municipal Affairs and Housing subject to the following conditions:

 - (a) a Nova Scotia Public Works “Work Within Highway Right-of-Way Permit” is required prior to the installation or maintenance of any advertising structures or signs; and
 - (b) a plan showing the “identified highway(s)” must be provided to Nova Scotia Public Works and be made available to the public;
3. Clause 2(j) is amended by striking out the word “Her” after the words “vested in” and before the word “Majesty” and replacing it with the word “His”.
4. Section 3 is amended by:
 - (a) adding the words and comma “, as set out in Schedule 1” after the word “highway” and before the semi-colon at the end of clause (a); and
 - (b) adding clause (d) after clause (c), as follows
 - (d) where there is an advertising structure located on an identified highway that is within 2.5 kilometers of an intersecting highway, along that intersecting highway for a distance of fifty (50) metres measured from the edge of the pavement of the identified highway.

(c) repealing clause (c).

5. Section 5 is amended by:

(a) striking out the words “on a highway unless the advertisement is allowed under this By-law” after the word “advertisement” and before the period at the end of the section; and

(b) adding the words, number, comma, and decimal “within 2.5 kilometers of an advertising structure, unless it is displayed on an advertising structure” after the word “advertisement” and before the period at the end of the section.

6. Section 6 is amended by:

(a) striking out the words “identified highway” after the word “an” and before the word “unless”;

(b) adding the words “advertising structure” after the word “an” and before the word “unless”;

(c) striking out the word “the” after the word “on” and before the word “highway” in clause (b);

(d) adding the words “an identified” after the word “on” and before the word “highway” in clause (b); and

(e) adding the words “or an intersecting highway or an intersecting municipal street” after the word “highway” and before the period at the end clause (e).

7. Section 16 is amended by:

(a) adding the words “located on an identified highway and” after the words “shall be” and before the colon;

(b) striking out the word “or” after the semi-colon and word “structure” and before the end of clause (a);

(c) adding the word “and” after the semi-colon and word “structure” and before the end of clause (a);

(d) striking out the words “any intersection approach” after the word “from” and before the end of clause (b); and

(e) adding the words “an intersecting highway or an intersecting municipal street” after the word “from” and before the end of clause (b).

8. Section 17 is amended by:

(a) striking out the words and semi-colon “of that person from the advertising structure where the advertisement will be located; and” after the word “distance” and before clause (b);

(b) adding the words “from the advertising structure where the advertisement will be located to the” after the word “distance” and before clause (b);

(c) adding the subclauses (i) and (ii) after the newly added words “from the advertising structure where the advertisement will be located to the” and before clause (b), as follows:

- (i) person who is advertising, or
- (ii) intersection of the side street on which the person advertising is located; and

9. Schedule 1 is amended by:

- (a) repealing sections 1 and 2; and
- (b) adding sections 3 and 4 after the newly repealed section 2, as follows:

3. **Highway 333:** from St Margarets Bay Road (Halifax) to St Margarets Bay Road (Upper Tantallon)

- Excluding that portion of Highway 333 designated by Order in Council as Peggy’s Cove Parkway, approximately between Middle Point Road and West Dover Road.



4. **Highway 7:** from Highway 107 (Musquodoboit Harbour) to West Ship Harbour Road (Ship Harbour)



Done and passed this _____ day of _____, 2023,

Mayor

Municipal Clerk

**HALIFAX REGIONAL MUNICIPALITY
ADMINISTRATIVE ORDER NUMBER 15
Respecting License, Permit and Processing Fees**

BE IT RESOLVED as an Administrative Order of the Council of the Halifax Regional Municipality that Administrative Order 15, *the License, Permits and Processing Fees Administrative Order*, is amended, as follows:

1. Section 22 is amended by:
 - (a) striking out the chart after the number “22” and before the repealed section 23; and
 - (b) adding the following chart after the number “22” and before the repealed section 23:

By-law	Short Title	Section	Fee
A-600	<i>Advertising on Provincial Highways By-law</i>		
		7(1) Application for initial license	\$300
		7(2) Application for license renewal	\$110

Done and passed this ____ day of _____, 2023,

Mayor

Municipal Clerk