



PLEASE NOTE

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For more information concerning the history of these regulations, please see the [Table of Regulations](#).

If you find any errors or omissions in this consolidation, please notify the Legislative Counsel Office at (902) 368-4291 or by email to pmporter@gov.pe.ca.

CHAPTER H-4.1
HIGHWAY SIGNAGE ACT
REGULATIONS

Pursuant to section 16 of the *Highway Signage Act* Stats. P.E.I. 2002, c.12, Council made the following regulations:

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| 1. (1) In these regulations | Definitions |
| (a) “Act” means the <i>Highway Signage Act</i> Stats. P.E.I. 2002, c.12; | Act |
| (b) “directional sign for a tourism business” means a sign that is erected, displayed, maintained or placed for a tourism business under section 8 of the Act; | directional sign for a tourism business |
| (c) “former Act” means the <i>Highway Advertisements Act</i> R.S.P.E.I. 1988, Cap. H-4; | former Act |
| (d) “on-premises sign” means a sign that contains one or more advertisements that direct attention to a business, commodity, service, industry or other activity that is sold, offered or conducted on the property on which the sign is erected, displayed, maintained or placed; | on-premises sign |
| (e) “parcel” includes any lot, block or other area in which land is held; | parcel |
| (f) “special event sign” means a sign that contains an advertisement relating to a special event or exhibition of a patriotic, religious, charitable, artistic, social, sporting or similar nature; | special event sign |
| (g) “tourism establishment” means a tourism establishment as defined in clause 1(i) of the <i>Tourism Industry Act</i> R.S.P.E.I. 1988, Cap. T-3.3. | tourism establishment |
| (2) In the Act and these regulations | Definitions |
| (a) “land” or “property” means a parcel of land, and includes a building or premises situated on the parcel of land; | land, property |
| (b) “mobile sign” means a sign, other than a sandwich board, that is designed to be moved from one location to another, whether or not the wheels or other means of moving the sign are attached or in working order, and includes a stationary vehicle with a sign that is parked, within view of a highway and for a period of more than three consecutive days, on a property that is not owned or occupied | mobile sign |

by the person or organization whose business, commodity, service, industry or other activity is promoted by the sign;

tourism business

- (c) “tourism business” means
- (i) a business that operates a tourism establishment for which a license issued under the *Tourism Industry Act* R.S.P.E.I. 1988, Cap. T-3.3 is in full force and in effect,
 - (ii) a restaurant,
 - (iii) a tourist attraction, including a museum, historic site, theme or amusement park, art gallery, recreation facility, and a cultural, animal or plant attraction,
 - (iv) a liquor store,
 - (v) a craft shop or gift shop,
 - (vi) an antique shop,
 - (vii) a gas station,
 - (viii) a convenience store or grocery store,
 - (ix) a fresh food market,
 - (x) a youth camp,
 - (xi) a church,
 - (xii) a legion home,
 - (xiii) a pharmacy, or
 - (xiv) a business for which, on the day before this section comes into force, one or more directional signs for the business are erected, displayed, maintained or placed at locations along a highway pursuant to the Highway Informational Signage System Program operated by the Department under the former Act. (EC298/03)

Exempt municipalities

- 2.** The following municipalities are exempt from the application of the Act and these regulations:
- (a) the City of Charlottetown;
 - (b) the City of Summerside;
 - (c) the Resort Municipality of Stanley Bridge, Hope River, Bayview, Cavendish and North Rustico. (EC298/03)

REGISTRATION PERMITS

Requirement for a registration permit

- 3.** (1) Subject to these regulations, no person shall erect, display, maintain or place any sign at a location where the sign is within view of a highway, unless the person holds a registration permit authorizing the person to do so.

Exceptions

- (2) A registration permit is not required under subsection (1) in respect of the erection, display, maintenance or placement, within view of a highway, of any sign of one of the following types:
- (a) signs which are necessary for public safety and welfare;

- (b) signs relating to federal, provincial, municipal or regional school board elections;
- (c) signs identifying schools and post-secondary educational institutions;
- (d) notices authorized to be posted pursuant to any enactment or order of a court;
- (e) no trespassing signs;
- (f) signs which are incidental to construction, while construction is in progress;
- (g) signs indicating the name and address of a resident;
- (h) signs that are floral and landscaping arrangements;
- (i) directional signs indicating parking or street entrances and exits;
- (j) directional signs for map-stops erected by the Department;
- (k) window signs;
- (l) identification signs for entrance to a residential neighbourhood;
- (m) flags or pennants of a municipal, provincial or federal government;
- (n) yard sale signs;
- (o) notices respecting hazards to public safety or health;
- (p) civic address signs;
- (q) directional signs for a tourism business;
- (r) signs that regulate or control traffic on highways;
- (s) signs indicating touring routes;
- (t) signs identifying
 - (i) churches or community centres,
 - (ii) non-profit service clubs or organizations,
 - (iii) historical buildings or historical sites, or
 - (iv) parks or natural areas;
- (u) welcome signs indicating the name of a municipality or region of the province;
- (v) signs respecting dumps, waste depots and recycling centres;
- (w) signs for the advertisement of real estate;
- (x) fascia signs on buildings;
- (y) signs for the advertisement of a business that are erected, displayed, maintained or placed under the Highway Informational Signage System Program operated by the Department under the former Act.

(3) A person may, without a registration permit, erect, display, maintain or place on a property up to two sandwich board signs, each of less than 1.5 square metres (16.15 square feet) in area, that are within view of a highway. (EC298/03)

4. (1) The Registrar shall, on application, issue a registration permit to the applicant if

- (a) the applicant
 - (i) applies for the permit in accordance with these regulations, and
 - (ii) pays the prescribed fee; and
- (b) the Registrar is satisfied
 - (i) that the sign or signs to be authorized by the permit will be erected, displayed, maintained and placed consistent with the requirements and restrictions of these regulations,
 - (ii) that there are no outstanding costs owing from the applicant to Her Majesty in right of the province in respect of the removal of any unauthorized sign previously erected, displayed, maintained or placed by the applicant,
 - (iii) after consultation with the Department of Transportation and Public Works, that the sign or signs to be authorized by the permit do not by reason of illumination, size or proximity to the highway constitute a hazard to the safety of users of the highway, and
 - (iv) that the permit may otherwise be issued under these regulations.

Application for
registration permit

(2) An application for a registration permit shall be made in a form acceptable to, and include the information required by, the Registrar.

Number and date on
permit

(3) Every registration permit issued by the Registrar shall be numbered and dated with the date of issue.

Number or sticker

(4) A registration number or a registration sticker with a registration number shall be given by the Registrar to a person who is issued the initial sign registration permit for a sign.

Duty to apply
number or sticker

(5) Every person given a registration number or a registration sticker under subsection (4) shall have the registration number printed on, or the registration sticker attached to, the sign to which it applies.

Registration

(6) On issuing a registration permit, the Registrar shall enter in a register

- (a) the name and business address of the permit holder;
 - (b) the date the permit is issued;
 - (c) the date the permit expires, if any;
 - (d) the type of the sign or signs authorized by the permit;
 - (e) information describing either
 - (i) the property to which the registration permit applies, if it is an on-premises sign registration permit, or
 - (ii) the property or properties to which the registration permit applies, if it is a special event sign registration permit; and
 - (f) the registration number of each sign authorized by the permit.
- (EC298/03)

- 5.** The Registrar may, when issuing a registration permit, attach such conditions as the Registrar considers appropriate in respect of the structure or location of a sign. (EC298/03) Conditions
- 6.** The Registrar may revoke a registration permit, and order the removal of any sign authorized by the registration permit, if the permit holder fails to comply with Revocation
- (a) any provision of the Act or these regulations; or
 - (b) any condition attached to the permit. (EC298/03)
- 7.** A registration permit of one of the following classes may be issued by the Registrar: Classes of registration permits
- (a) an on-premises sign registration permit;
 - (b) a special event sign registration permit. (EC298/03)
- 8.** (1) A special event sign registration permit expires on the date shown on the permit, unless sooner revoked under these regulations, and is not transferable. Expiry of special event sign registration permit
- (2) An on-premises sign registration permit does not expire, unless revoked under these regulations, and may be transferred to a purchaser or a new occupant of the property to which it applies. (EC298/03) Expiry of on-premises sign or permit
- 9.** On the expiry or revocation of a registration permit, the person who was issued the permit shall, within three days of the expiry or revocation, remove or cause the removal of any sign erected, displayed, maintained or placed under the authority of the permit. (EC298/03) Removal of signs
- 10.** Any license issued under the former Act that is in effect on the date this section comes into force is deemed, for the purpose of these regulations, to be an on-premises sign registration permit, and any condition attached to the license under the former Act is deemed to be a condition attached under section 5. (EC298/03) Licenses issued under former Act

ON-PREMISES SIGN REGISTRATION PERMITS

- 11.** (1) An on-premises sign registration permit may only be issued Restriction on issuance
- (a) to an applicant whom the Registrar is satisfied owns or occupies the property to which the permit will apply; and
 - (b) in respect of a property for which there is no other on-premises sign registration permit in effect.
- (2) An on-premises sign registration permit may only be issued in respect of a single property and the property to which it applies must be specified on the permit. Application of permit to specific property

- Signs authorized by on-premises sign registration permit (3) An on-premises sign registration permit authorizes the permit holder to erect, display, maintain or place on the property to which the permit applies, and within view of a highway, either
- (a) one free-standing on-premises sign consistent with the requirements of subsection (4), if the property is not adjacent to the intersection of two or more highways; or
 - (b) up to two free-standing on-premises signs, each consistent with the requirements of subsection (4), if the property is adjacent to the intersection of two or more highways.
- Restriction on free-standing signs (4) A free-standing on-premises sign shall not exceed
- (a) 8 metres (26.25 feet) in height above the main grade of the ground in which it is placed;
 - (b) in surface area, excluding supports, if any
 - (i) 3 square metres, (32.3 square feet) if the sign is located at the boundary of the property and a highway, or
 - (ii) the sum of
 - (A) 3 square metres (32.3 square feet), and
 - (B) 1 square metre (10.7 square feet) for each linear metre that the sign is set back from the nearest boundary of the property and a highway, up to a maximum of 14 square metres (150.64 square feet), if the sign is not located at the boundary of the property and a highway. (EC298/03)

SPECIAL EVENT SIGN REGISTRATION PERMITS

- Special event sign registration permits **12.** (1) A special event sign registration permit may only be issued to an applicant if
- (a) the application is made in respect of the erection, display, maintenance or placement of a special event sign on a property that is not owned or occupied by the applicant; and
 - (b) the applicant provides the Registrar with the written consent of the owner or current occupant of the property.
- Application of permit to specified property (2) A special event sign registration permit may be issued in respect of one or more properties of a type referred to in subsection (1) and the properties to which the permit applies must be specified on the permit.
- Signs authorized by temporary sign registration permit (3) A special event sign registration permit authorizes the permit holder to erect, display, maintain or place
- (a) the number and types of signs specified on the permit;
 - (b) at the property or properties specified on the permit; and
 - (c) for the period or periods specified on the permit. (EC298/03)

DIRECTIONAL SIGNS FOR TOURISM BUSINESSES

13. An application under subsection 8(1) or (3) of the Act in respect of directional signs for a tourism business shall be made in a form acceptable to, and include the information required by, the Registrar. (EC298/03)

Application for directional signs for tourism business

14. (1) Subject to subsection (2), only four directional signs for a tourism business may be erected, displayed, maintained or placed in the province under section 9 of the Act.

Number of signs for a tourism business

(2) The Registrar may cause directional signs for a tourism business to be erected, displayed, maintained or placed in such number, in excess of four, as the Registrar considers appropriate where the Registrar is satisfied that the location of the tourism business warrants additional signs.

Extra signs

(3) A directional sign for a tourism business must be erected, displayed, maintained or placed at a location along a highway that

Locations

- (a) is within a radius of 15 km from the site of the tourism business; and
- (b) is at an intersection of two or more highways.

(4) A directional sign for a tourism business

Characters on sign

- (a) may not contain more than
 - (i) 28 characters, if it does not contain a symbol, or
 - (ii) 20 characters, if it contains a symbol or symbols; and
- (b) may not have more than 14 characters per line;
- (c) must, on the left side of the sign, include an arrow and indicate the distance in kilometres to the tourism business; and
- (d) must, if a symbol or symbols are used in the sign, include the symbol or symbols on the right side of the sign.

(5) For the purposes of subsection (4), a “character” includes a space between characters.

“character”, defined

(6) The information set out in a directional sign for a tourism business may be displayed in such language as is preferred by the tourism business. (EC298/03)

Language

15. (1) For each year following the initial year that the Registrar causes directional signs for a tourism business to be erected, displayed, maintained or placed, the tourism business shall pay to the Registrar, by the date requested, the annual fee prescribed for the continued erection, display, maintenance or placement of such signs.

Annual fee

SCHEDULE

FEES

1. The fee payable for an application for an on-premises sign registration permit is.....\$25.
2. The fee payable for an application for a special event sign registration permit is.....\$10.
3. The fee payable for an application for each new directional sign for a tourism business is\$160 per sign.
4. The annual fee payable for the continued erection, display, maintenance or placement of directional signs for a tourism business is.....\$60 per sign.
5. The fee payable for an application under subsection 8(3) of the Act to relocate or replace directional signs for a tourism business is.....\$100 per sign.
6. The annual fee payable for the display at a map-stop of information respecting a tourism business is\$50.
7. The fee payable for changing the information respecting a tourism business displayed at a map stop is\$50.
(EC298/03)