

**ADMINISTRATIVE ORDER NUMBER 2020-006-OP  
RESPECTING ROADSIDE MEMORIALS**

**WHEREAS** people who have lost a loved one will sometimes place a memorial in the public right of way;

**AND WHEREAS** the Municipality is responsible to ensure public safety, access to the public and ongoing maintenance and municipal operations in the HRM right of way;

**AND WHEREAS** removal of roadside memorials may cause stress to those members of the public who placed the memorials and to staff involved in the removal;

**BE IT RESOLVED AS AN ADMINISTRATIVE ORDER** of the Council of the Halifax Regional Municipality under the authority of the *Halifax Regional Municipality Charter*, as follows:

**Short Title**

1. This Administrative Order may be known as the “*Roadside Memorials Administrative Order*.”

**Purpose**

2. The purpose of this Administrative Order is to set guidelines for the placement of roadside memorials within the municipally owned public right of way.

**Interpretation**

3. In this Administrative Order,

(a) “core area” means that portion of the Halifax Regional Municipality for which the Municipality has assumed responsibility for the maintenance of public streets;

(b) “Engineer” means the Engineer of the Halifax Regional Municipality and includes a person acting under the supervision and direction of the Engineer;

(c) “Municipality” means the Halifax Regional Municipality;

(d) “roadway” means that portion of a street between the curb lines or the travelled portion of a street designed for vehicular travel;

(e) “sidewalk” means that portion of a street between the curb line and adjacent property line or any part of a street especially set aside for pedestrian travel and separated from the roadway; and

(f) “street” means all public streets, roads, lanes, sidewalks, thoroughfares, bridges, and squares, and all curbs, gutters, culverts and retaining walls in connection therewith and without restricting the generality of the foregoing includes the full right of way width.

**Application**

4. This Administrative Order shall apply to those areas of the Halifax Regional Municipality located within the core area.

### **Placement of Roadside Memorials**

5. A roadside memorial may be placed within a street if the following conditions are met:

(a) the roadside memorial must not be located on the travelled portion of a roadway, median, traffic island, sidewalk, bicycle path or multi-use trail;

(b) no more than one roadside memorial per individual or event may be installed;

(c) the roadside memorial is placed for a maximum period of 24 months;

(d) the roadside memorial is no larger than 1.5 m<sup>2</sup>, with a maximum height of 1.0 m, and should be placed no deeper than 30 cm below grade;

(e) a roadside memorial that must be deeper than 30 cm must obtain underground locates and clearances from all utilities prior to placing the memorial;

(f) the roadside memorial must not damage HRM property;

(g) the person placing a roadside memorial must submit contact information to the Municipality; and

(h) the roadside memorial must not be placed on any infrastructure owned by HRM including but not limited to parking meters, parking or traffic signs and posts, street litter disposal containers, traffic control devices and signal control boxes, trees, street furniture, bus shelters, bicycle racks, or hydrants.

6. Notwithstanding section 5, no roadside memorial shall be placed such that, in sole discretion of the Engineer:

(a) the memorial presents a hazard to those using or maintaining the roadway or sidewalk;  
or

(b) the roadside memorial causes intersection sightline obstructions or causes a significant distraction to motorists.

### **Damage to Memorials**

7. The Municipality shall not be responsible for any damage that may occur to the memorial once erected, including, but not limited to, damage caused by road operations and maintenance, snow removal, or by vandalism, theft, or any other circumstance.

### **Indemnity**

8. The Municipality assumes no responsibility for the installation, maintenance, or replacement of memorials.

### **Removal of Roadside Memorials**

9. A roadside memorial that does not meet the above guidelines may be removed by the Municipality.

10. A roadside memorial that becomes unsightly or is not maintained may be removed by the Municipality.

11. A roadside memorial that is still in place 18 months after the Municipality is made aware of its presence may be removed by the Municipality.

12. Where contact information is not provided to the Municipality, a roadside memorial will be held by the Municipality for a period of 30 days after removal before being disposed.

Done and passed in Council this 29<sup>th</sup> day of June, 2021.

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Mayor Mike Savage

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Iain MacLean, Municipal Clerk

I, Iain MacLean, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above noted Administrative Order was passed at a meeting of Halifax Regional Council held on June 29<sup>th</sup>, 2021.

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Iain MacLean, Municipal Clerk

Notice of Motion:  
Approval:  
Effective Date:

May 18, 2021  
June 29, 2021  
July 3, 2021