



District Council of Coober Pedy

By-Law made under the Local Government Act 1999

MOVEABLE SIGNS BY-LAW 2021

By-law No. 2 of 2021

To set standards for moveable signs on roads, to provide conditions for and the placement of such signs, to protect public safety and to protect or enhance the amenity of the area of the Council.

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Moveable Signs By-law 2021*.

2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

3. Definitions

In this by-law, unless the contrary intention appears:

3.1 approved construction means a moveable sign which:

- 3.1.1 is not more than 1 metre high, 700 mm in length and 700 mm in width; and
- 3.1.2 when placed on a footpath in a display position is not more than 700 mm in length; and
- 3.1.3 is constructed so as not to be (or likely to be) a hazard to a member of the public using the footpath upon which the moveable sign has been placed; and
- 3.1.4 is constructed so as to be (or likely to be) stable when displayed upon a footpath including being stable during adverse weather conditions; and
- 3.1.5 does not rotate, contain flashing lights or is illuminated internally or externally; and
- 3.1.6 does not have balloons, flags, streamers or other things attached to it;

- 3.2 **authorised person** has the same meaning as in the *Local Government Act 1999*;
- 3.3 **banner** means a moveable sign constituted of a strip of cloth, plastic or other material hung or attached to a pole, fence or other structure;
- 3.4 **business premises** means the premises from which a business, trade or calling is conducted that is open to the public;
- 3.5 **footpath** means:
 - 3.5.1 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;
 - 3.5.2 that part of a road between the edge of the carriageway and the boundary between the road and the adjoining land on the same side of the carriageway as that edge;
- 3.6 **moveable sign** has the same meaning as in the *Local Government Act 1999*;
- 3.7 **road** has the same meaning as in the *Local Government Act 1999*;
- 3.8 **road related area** has the same meaning as in the *Road Traffic Act 1961*.

Part 2 – Provisions Applicable to Moveable Signs

4. Construction and Design

A moveable sign displayed on a road must be of an approved construction.

5. Appearance

A moveable sign on a road must, in the opinion of an authorised person:

- 5.1 be painted or otherwise detailed in a competent and professional manner; and
- 5.2 be aesthetically appealing, legible and simply worded to convey a precise message; and
- 5.3 be of such design and contain such colours:
 - 5.3.1 as are compatible with the architectural design of the premises adjacent to the sign; and
 - 5.3.2 which relate well to the townscape and overall amenity of the locality in which it is situated; and
 - 5.3.3 which do not detract from or conflict with traffic, safety or direction signs or signals; and
- 5.4 contain combinations of colours and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated.

6. Placement

A moveable sign must:

- 6.1 only be placed on the footpath of a road; and
- 6.2 be adjacent to the business premises to which it relates; and
- 6.3 be placed at least 600mm from the kerb or where there is no kerb to define the footpath, must allow a set back of 600mm from the edge of the carriageway of a road; and
- 6.4 in the case of a flat sign, be in line with and against the property boundary of the road; and
- 6.5 be placed no less than 1.2 metres away from any structure, fixed object, tree, bush or plant (including another moveable sign); and
- 6.6 not be fixed, tied or chained to or leaned against any other structure, fixed object, tree, bush or plant (including another moveable sign); and
- 6.7 not be placed on a sealed part of any footpath, unless the sealed part is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 metres wide; and
- 6.8 not be placed within six metres of the corner or intersection of a road; and
- 6.9 not be placed on a designated parking area or within 1 metre of an entrance to or exit from business premises; and
- 6.10 not unreasonably:
 - 6.10.1 restrict the use of the footpath or road; or
 - 6.10.2 endanger the safety of members of the public.

7. Restrictions

A moveable sign displayed on a road must:

- 7.1 only display material which advertises a business being conducted on business premises adjacent to the sign, or the products available from that business; and
- 7.2 be limited to one per business premises; and
- 7.3 only be displayed when the business is open to the public; and
- 7.4 be securely fixed in position such that it cannot be blown over or swept away; and
- 7.5 not be placed in such a position or in such circumstances that the safety of any user of the road is at risk; and
- 7.6 not be displayed during the hours of darkness unless it is clearly visible; and

- 7.7 not to be displayed on a median strip, traffic island or on a carriageway of a road.

8. Banners

A banner must:

- 8.1 only be displayed on a road, footpath or road related area;
- 8.2 be securely fixed to a pole, fence or other structure so that it does not hang loose or flap;
- 8.3 not, without the Council's permission, be attached to any building, structure, fence, vegetation or other item owned by the Council on a road, or other improvement to a road owned by the Council;
- 8.4 not be displayed more than one month before and two days after the event it advertises;
- 8.5 not be displayed for a continuous period of more than one month and two days in any 12 month period;
- 8.6 not exceed 3 m² in size.

Part 3 – Enforcement

9. Removal of Unauthorised Moveable Signs

- 9.1 If a moveable sign has been placed on any public road or footpath in contravention of this by-law or of Section 226 of the *Local Government Act 1999*, an authorised person may order the owner of the sign to remove the moveable sign from the road or footpath.
- 9.2 If the authorised person cannot find the owner, or the owner fails to comply immediately with the order, the authorised person may remove the sign.
- 9.3 If a moveable sign is removed under subparagraph 9.1 of this by-law and is not claimed within 30 days of such removal the authorised person may sell, destroy or otherwise dispose of the moveable sign as the authorised person thinks fit.
- 9.4 Any person who displays an unauthorised moveable sign or who is the owner of an unauthorised moveable sign which has been removed under subparagraph 9.2 of this by-law must pay the Council any reasonable costs incurred in removing, storing or attempting to dispose of the moveable sign before being entitled to recover the moveable sign.

10. Removal of Authorised Moveable Signs

- 10.1 A moveable sign must be removed or relocated by the person who placed the moveable sign on a road or footpath or the owner of the moveable sign, at the request of an authorised officer if, in the opinion of the authorised person, and notwithstanding compliance with this by-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign.
- 10.2 A moveable sign must be removed or relocated by the person who placed the movable sign on a road or public place or the owner of the sign, at the request of an authorised person, if so required by the authorised person for the purpose of special events, parades, road or footpath works or any other circumstances which, in the opinion of the authorised person, requires relocation or removal of the moveable sign.

Part 4 – Miscellaneous

11. Specified Exemptions


This by-law does not apply to a moveable sign which:

- 11.1 is a moveable sign that is placed on a public road pursuant to an authorisation under the *Local Government Act 1999* or another Act;
- 11.2 directs people to a current open inspection of any land or building that is available for purchase or lease;
- 11.3 directs people to a current garage sale that is being held on residential premises provided the sign does not restrict the use of the road or endanger the safety of members of the public;
- 11.4 is a flat sign containing only the banner or headlines of a newspaper or magazine provided:
 - 11.4.1 the sign does not restrict the use of the road or endanger members of the public; and
 - 11.4.2 only three such signs are displayed in relation to a business premises;
- 11.5 is related to a Commonwealth election that occurs during the period commencing at 5:00pm on the day before the issue of the writ or writs for the election and ending at the close of polls on polling day;
- 11.6 is related to a State election and is otherwise authorised to be exhibited under Section 226 of *Local Government Act 1999* or the *Electoral Act 1985*;
- 11.7 is related to an election held under the *Local Government Act 1999* or the *Local Government (Elections) Act 1999* and is otherwise authorised to be exhibited under Section 226 of *Local Government Act 1999*;
- 11.8 related to a referendum and is displayed during the course and for the purpose of that referendum;

11.9 is displayed with permission of the Council and in accordance with any conditions attached to that permission; or

11.10 is a sign of a class prescribed in the regulations.

The foregoing by-law was duly made and passed at a meeting of the District Council of Cooper Pedy held on the 25th day of May 2021.



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Mr Dean Miller
Chief Executive Officer