



**RURAL CITY OF MURRAY BRIDGE**

**MOVEABLE SIGNS BY-LAW 2016**

**By-law No. 4 of 2016**

A by-law to regulate the construction and placement of moveable signs on roads.

**PART 1 –PRELIMINARY**

**1. Title**

This by-law may be cited as the *Moveable Signs By-law 2016*.

**2. Objectives**

The objectives of this by-law are to set standards for moveable signs on roads:

- 2.1 to protect the comfort and safety of road users and members of the public;
- 2.2 to enhance the amenity of roads and surrounding parts of the Council area;
- 2.3 to prevent nuisances occurring on roads;
- 2.4 to prevent unreasonable interference with the use of a road; and
- 2.5 for the good rule and government of the Council area.

**3. Commencement**

- 3.1 The Council's *Moveable Signs By-law 2010* is revoked from the day on which this by-law comes into operation.
- 3.2 This by-law comes into operation on 1 July 2017.

**4. Application**

- 4.1 The *Permits and Penalties By-law 2016* operates in respect of:
  - 4.1.1 permissions required by or given under this by-law; and
  - 4.1.2 penalties for breach of this by-law.
- 4.2 This by-law applies throughout the Council area.

## 5. Interpretation

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

5.1.1 **Act** means the *Local Government Act 1999*;

5.1.2 **arterial road** means a main road that is included in the following list:

- (a) Adelaide Road, Murray Bridge;
- (b) Bridge Street, Murray Bridge;
- (c) Princes Highway, Murray Bridge East;
- (d) Swanport Road, Murray Bridge;
- (e) Mannum Road, Murray Bridge to Council boundary;
- (f) Maurice Road, Murray Bridge, Mulgundawah Road to Cypress Terrace;
- (g) Hindmarsh Road, Murray Bridge;
- (h) Cypress Terrace, Murray Bridge;
- (i) Green Street, Mypolonga;
- (j) Drummond Street, Jervois;
- (k) Rayson Street, Jervois;
- (l) Jervois/Langhorne Creek Road, Wellington, from Shankland Road to Richards Street; and
- (m) East Terrace, Callington, from Cemetery to Jaensch Roads;

5.1.3 **banner** means a sign that is made from non-rigid and lightweight material which is mounted to a building or other structure by its ends or corners;

5.1.4 **business premises** means premises from which a business is conducted;

5.1.5 **Council** means the Rural City of Murray Bridge;

5.1.6 **footpath area** means:

- (a) that part of a road between the property boundary of the road and the edge of the carriageway on the same side as that boundary;
- (b) a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;

5.1.7 **tear drop sign** means a sign in the style of a tear drop sign or feather sign;

5.1.8 **vehicle** has the same meaning as in the *Road Traffic Act 1961*.

5.2 This by-law is to be interpreted as being subject to the Act, other Acts and the general law of South Australia.

## **PART 2 – MOVEABLE SIGNS**

### **6. Construction and design**

A moveable sign placed on a footpath area must:

- 6.1 be of a kind known as an 'A' frame or sandwich board sign, an inverted 'T' sign, or a flat sign, a tear drop sign or, with the permission of the Council, a sign of some other kind;
- 6.2 be designed, constructed and maintained in good quality and condition;
- 6.3 be of strong construction and sufficiently stable or securely fixed so as to keep its position in adverse weather conditions;
- 6.4 have no sharp or jagged edges or corners;
- 6.5 not be unsightly or offensive in appearance or content;
- 6.6 be constructed of timber, cloth, metal, plastic or plastic coated cardboard, or a mixture of such materials;
- 6.7 not exceed 900mm in height, 600mm in width and 600mm in depth where the speed limit that applies to the road adjacent to the footpath area upon which the sign is placed does not exceed 60km/hour;
- 6.8 not exceed 1200mm in height, 900mm in width and 900mm in depth where the speed limit that applies to the road adjacent to the footpath area upon which the sign is placed exceeds 60km/hour;
- 6.9 in the case of an 'A' frame or sandwich board sign:
  - 6.9.1 be hinged or joined at the top;
  - 6.9.2 be of such construction that its sides are securely fixed or locked in position when erected; and
  - 6.9.3 not have a base area in excess of 0.6 square metres; and
- 6.10 in the case of an inverted 'T' sign, not contain struts or members that run between the display area and the base of the sign.

### **7. Placement**

- 7.1 Subject to this clause 7, a moveable sign may be placed:
  - 7.1.1 on a footpath that is at least 2.5 metres wide;
  - 7.1.2 at least 0.6 metres from:
    - (a) where the road has a kerb, the kerb;

- (b) where the road has no kerb but has a shoulder, the shoulder;
- (c) where the road has neither a kerb nor a shoulder, the edge of the carriageway.

7.2 A moveable sign must not be placed:

- 7.2.1 on the sealed part of a footpath, if there is an unsealed part on which the sign can be placed in accordance with this by-law;
- 7.2.2 on a landscaped area, other than landscaping that comprises only lawn;
- 7.2.3 within 6 metres of an intersection of two or more roads;
- 7.2.4 on a footpath area with a minimum height clearance from a structure above it of less than 2 metres;
- 7.2.5 closer than 2 metres from another fixed object, tree, bush plant or structure other than an entrance to premises;
- 7.2.6 on a designated parking area or within 1 metre of an entrance to premises;
- 7.2.7 so as to interfere with the reasonable movement of persons or vehicles using the footpath or road in the vicinity of where the moveable sign is placed;
- 7.2.8 in such a position or in such circumstances that the safety of a user of the footpath area or road is at risk; or
- 7.2.9 so as to obstruct or impede a vehicle door when opened, provided that the vehicle is parked lawfully on a carriageway.

## **8. Appearance**

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

- 8.1 be painted or otherwise detailed in a competent and professional manner;
- 8.2 be attractive, legible and simply worded to convey a precise message;
- 8.3 be of such design and contain such colours which are compatible with the architectural design of the premises adjacent to the sign and which relate well to the town scope and overall amenity of the locality in which it is situated;
- 8.4 contain combinations of colour and typographical styles which blend in with and reinforce the heritage qualities of the locality and the buildings where it is situated;
- 8.5 not have balloons, flags, streamers or other things attached to it; and
- 8.6 not rotate or contain flashing parts.

## 9. Banners

A person must not erect or display a banner on a building or structure on a road without the Council's permission.

## 10. Restrictions

10.1 A moveable sign must:

10.1.1 be limited to one moveable sign per business premises unless the business is located on a road that is not an arterial road, in which case two signs can be placed, one on each of:

(a) the footpath of the arterial road closest to the business as a directional sign; and

(b) the footpath in front of the business;

10.1.2 not be displayed on or attached to or adjacent to a vehicle that is parked on local government land (including roads) primarily for the purpose of advertising or offering for sale a product (including the vehicle) or business to which the sign relates;

10.1.3 subject to clause 10.1.1, only display material which advertises a business being conducted on premises adjacent to the moveable sign or goods and services available from that business;

10.1.4 only be displayed when the business premises to which it relates is open to the public;

10.1.5 not be displayed during the hours of darkness unless clearly lit; and

10.1.6 be securely fixed in a position that it cannot be blown over or swept away.

10.2 Notwithstanding compliance with the provisions of this by-law, if in the opinion of the Council a footpath area is unsafe for a moveable sign to be displayed either permanently or for a period of time, the Council may prohibit or restrict the display of a moveable sign on such conditions as the Council thinks fit.

## 11. Exemptions

11.1 Clauses 8, 10.1.1 and 10.1.3 of this by-law do not apply to a moveable sign which:

11.1.1 advertises a garage sale taking place from residential premises; or

11.1.2 is a directional sign to an event run by a community organisation or charitable body.

11.2 Clause 7 of this by-law does not apply to a moveable sign which advertises a garage sale taking place from residential premises.

11.3 Clauses 10.1.1 and 10.1.3 of this by-law do not apply to a flat sign which only contains a newspaper headline and the name of a newspaper or magazine.

- 11.4 A requirement of this by-law will not apply where the Council has granted permission for the moveable sign to be displayed contrary to that requirement.
- 11.5 This by-law will not apply to a moveable sign which is:
- 11.5.1 placed on a road pursuant to an authorisation under the Act or another Act;
  - 11.5.2 designed to direct people to the open inspection of any land or building that is available for purchase or lease;
  - 11.5.3 related to a State or Commonwealth election and is displayed during the period commencing on the issue of writ or writs for the election and ending at the close of polls on polling day; or
  - 11.5.4 related to an election held under the Act or the *Local Government Elections Act 1999* and is displayed during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day.

## 12. Removal of moveable signs

The owner or other person responsible for a moveable sign must remove or relocate the moveable sign at the request of an authorised person:

- 12.1 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; or
- 12.2 for the purpose of special events, parades, road works or in any other circumstances which, in the opinion of the authorised person, require relocation or removal of the moveable sign to protect public safety or to protect or enhance the amenity of a particular locality.

## PART 3 – ENFORCEMENT

### 13. Recovery of expenses

If a person breaches this by-law and does not comply with an order made against them by an authorised person pursuant to section 262(1) of the Act, the Council may recover expenses incurred in carrying out the order under section 262(3) of the Act from the person who failed to comply with the order as a debt by an action in a court of competent jurisdiction pursuant to section 144(1) of the Act.

This by-law was duly made and passed at a meeting of the Council held on 12 December 2016 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

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Michael Sedgman  
Chief Executive Officer