

CHAPTER 6

CONTROL OF ADVERTISING SIGNS

601 INTERPRETATION

NAME-PLATE means any plate of metal, wood, glass, plastics, or other material fixed to a wall surface or in a sign-case near the entrance to premises to denote the name, business, designation, and agencies of an occupier of such premises.

SIGN-CASE means any case, panel, board, or other device attached to any premises to which name-plates are affixed, or for the display of the names, business designations, agencies, and addresses of the occupiers of the premises to which it is attached.

SIGN means any display or device which is visible from a public place and which is intended to attract attention for the purpose of identifying, advertising, informing or directing.

602 GENERAL REQUIREMENTS FOR SITING OF SIGNS

602.1 No person shall display, erect, or maintain or cause or permit to be displayed, erected, or maintained any sign so close to any part of a road, motorway, or to any corner, bend, safety-zone, traffic sign, traffic signal, or intersection as in the opinion of the Authorised Officer would -

- (a) Obstruct or be likely to obstruct the view of traffic; or
- (b) Distract unduly or be likely to distract unduly the attention of road users; or
- (c) Constitute or be likely to constitute in any way a danger to the public.

602.2 No person shall place, display, or permit or suffer to be placed or displayed, or to remain any sign containing any reflective material which tends to reflect vehicle lights, or contains any material dependent for illumination upon the lights of traffic in such a position as in the opinion of the Authorised Officer would distract or be likely to distract the attention of the driver of any motor vehicle.

602.3 No person shall place, display, cause, or permit to be placed or displayed on or upon or against any public place, public building, bridge, or other structure, any post, pole, or other upright for whatever use including those for the guidance and control of traffic, or any tree or other vegetation, traffic sign, traffic signal, or pavement any sign for advertising or any other purpose unless with the prior permission in writing of the Authorised Officer.

602.4 No person shall cause or permit any sign other than a name-plate or sign-case to be erected over any public place unless every part of such sign is at least 2.5 m above the footpath or 5.5 m above the carriageway, and then only with the prior permission in writing of the Authorised Officer.

602.5 No person shall erect any sign-case in such a position as to project over any road, private street, or public place unless the prior permission in writing of the Authorised Officer has been obtained.

GENERAL REQUIREMENTS FOR CONSTRUCTION AND MAINTENANCE OF SIGNS

603.1 No sign shall be made, erected, or constructed otherwise than in a good and workmanlike manner of materials approved by the Authorised Officer and where required by the Authorised Officer, in accordance with plans and specifications approved by him.

603.2 Roadside Signs:

- (a) Such signs are to be located not closer than 50 metres to an intersection, and as close as possible to the carriageway kerb. A minimum distance of 100 metres is to be maintained between such signs at all times.
- (b) That the Council prohibit the location of any form of advertising sign inside the circular kerbed round-a-bouts located at the intersections of Regan Street and Fenton Street with State Highway 3.
- (c) The roadside shall mean all roads within the district including State Highways.

603.3 Footpath Signs:

- (a) The size of signs is not to exceed 1 m².
- (b) The signs must be located only on the footpath and as close as possible either to the kerb or to the inside edge of the verandah post outside the premises displaying such signs. Minimum distance of 5 metres must be maintained between signs at all times. Advertisers may place signs only along the frontage of the premises leased or occupied by them, and the location of signs along any other section of the frontage of any premises is prohibited.
- (c) This policy is to apply only to those parts of the urban areas which are zoned for business purposes or where retail shops are in operation.
- (d) Such signs can only be displayed on footpaths during the times the particular advertiser has a business premises open for public business.
- (e) No licensing system is to be established but the Council reserves the right through its officers to confiscate any portable advertising sign which is displayed in breach of the rules specified in this policy.

603.4 Every such sign shall at all times be maintained in good repair and condition to the satisfaction of the Authorised Officer.

603.5 If any sign shall at any time not be in good order and condition, or if it shall at any time be unsightly or dangerous, the Authorised Officer may, by notice in writing signed by him and addressed to the owner or lessee of the premises upon which such sign exists, require such owner or lessee to repair or secure or otherwise put in order or remove such sign within a period stated in such notice, and if such owner or lessee shall fail to comply with the requirements of any such notice within the time therein specified he shall be liable to prosecution for an offence against this Part of this bylaw.

REMOVAL OF OFFENDING SIGNS

604.1 If any sign fails to conform to all the provisions of this Part of this bylaw, it shall be the duty of the occupier for the time being of the premises on which such sign shall have been displayed or erected, after being served with a notice in writing under the

hand of the Authorised Officer requiring him so to do, to take down and remove such sign or so much thereof as does not conform to the provisions of this Part of this bylaw within the period of time specified in such notice.

604.2 If the person on whom such notice has been served fails to comply with the terms of such notice within the time stated therein he shall be liable to prosecution for an offence against this Part of this bylaw.

604.3 Pursuant to the authority given by Section 163 of the Local Government Act 2002, the Authorised Officer, may pull down or remove any sign, poster or notice which does not have a sign permit, or a resource consent pursuant to the Resource Management Act 1991 if required, or does not comply with the requirements of this Bylaw pertaining to the control of advertising signs, and also any fittings or attachment which prevents its ready removal.

The Council may recover from the owner of the property on which the non complying sign, poster or notice was displayed, or from any person referred to in Clause 706 who is responsible for removing any poster, all expenses incurred by the Council in connection with the removal of the poster or notice.

605 **RIGHT OF APPEAL**

605.1 The applicant or the owner of a sign shall, on having been informed in writing of any decision relating to this Part of this bylaw and of the reasons therefore, have the right of appeal within 14 days to the Council, which may confirm, reverse, or modify any such decision.