

# LOCAL GOVERNMENT ACT 1960

## SHIRE OF ROEBOURNE

### BY LAW RELATING TO SIGNS, HOARDINGS AND BILL POSTING

In pursuance of the powers conferred upon it by the abovementioned Act, and all other powers enabling it, the Council of the Shire of Roebourne hereby records having resolved on the 30<sup>th</sup> day of May 1990, to submit for confirmation by His Excellency the Governor the following by-Laws:-

#### 1 Citation

This by-law may be cited as "Shire of Roebourne Signs, Hoarding and Bill Posting By-Law", or as Shire of Roebourne Signs By-Law"

#### 2 Interpretation

2.1 In this by-law, unless the context otherwise requires:

**"Act"** means the Local Government Act 1960 (as amended);

**"advertisement"** means the publication, display, or presentation of any sign or advertising device and the terms "advertise" and "advertising sign" have corresponding meanings;

**"advertising device"** means any object or structure on which any word, letter, number, symbol, figure drawing, image or other representation whatsoever is written, placed, affixed, attached, painted, projected or otherwise displayed for the purpose of giving any message or direction or promoting or publishing any business, project, enterprise or under-taking, or any function or event, or any person, body or group, or any product or article, or other thing whatsoever, and includes an airborne device anchored to any land building or thing, and also includes any vehicle or trailer or other similar object placed or located so as to serve the purpose hereinbefore referred to;

**"bill"** means any written printed or illustrated message or matter on paper, plastic or similar material;

**"bill posting"** means the attaching, sticking, painting or stencilling of any bill, poster, placard, advertisement on any building, wall, hoarding or structure whether erected upon private property or upon a public place and to "post a bill" has a corresponding meaning;

**"business sign"** means a ground level sign;

**"council"** means the council of the Shire;

**"district"** means the municipal district of the Shire;

**"election sign"** means a bill, poster, placard or advertisement relating to any election attached to or pasted, painted, or stencilled, on any hoarding, wall, building, or structure whether erected upon private property or upon a public place;

**"fly posting"** without limiting the generality of the provisions in these by laws relating to bill posting means advertising by means of more than one bill, poster, placard or placard attached, applied, painted, stencilled or affixed on fences, walls, buildings, structures, trees, rocks and like places, or thing without authority, and "fly post" has a like meaning;

**"ground level sign"** means a sign complying with the standards and requirements of clause 5.9 hereof;

**"hoarding"** means a detached or detachable structure including a poster panel, wall panel or an illuminated panel other than a pylon sign that is erected for the sole purpose of displaying one or more signs or advertising devices but excluding hoardings referred to in section 377 of the Act;

**"horizontal sign"** means a sign affixed or attached to the wall of a building or structure, of which the horizontal dimension of the sign exceeds the vertical dimensions of the sign;

- “illuminated sign”** means a sign that is so arranged as to be capable of being lit either from within or outside the sign by artificial light provided, or mainly provided for that purpose, or being a projected image;
- “information panel”** means a panel used for displaying Government and Local Authority notices, functional and dated announcements of a religious, educational, cultural, recreational or similar character, general information for the benefit of the public and travellers and general commercial advertising;
- “industrial area”** means an area classified as an industrial zone in the Town Planning Scheme or in any Interim Development Order in force within the District.
- “institutional sign”** means a sign erected or placed on any private property, public place or building used for or in connection with a medical or dental surgery, clinic, hospital, rest home, home for the aged, or other institution or place of a similar nature;
- “licensee”** means the holder of a licence issued by the Council pursuant to these by-laws;
- “non specific advertising”** means any advertising of a message or thing which DOES NOT RELATE TO the name and/or principal business and/or a thing or service, produced, stored, displayed, sold or supplied in the principal business of an occupier of the land or building on which the advertising appears or is proposed to appear;
- “planning approval”** means approval by the responsible authority under any town planning scheme controlling land development and use within the district;
- “portable sign”** means a sign not permanently attached to the ground or to a structure, wall, and including but not limited to a sandwich board sign consisting of two sign boards attached to each other at the top or elsewhere by hinges or other means;
- “pylon sign”** means a sign supported by one or more piers and not attached to a building and includes a detached sign framework supported on one or more piers to which to which infill may be added;
- “residential area”** means an area classified as a residential zone under the Town Planning Scheme;
- “roof sign”** means a sign erected on the roof of a building;
- “sale sign”** means a sign indicating what the property or premises whereon the sign is affixed, are for sale, for letting or to be auctioned;
- “semaphore sign”** means a sign attached or affixed to a structure or building which sign is affixed and supported at, or by, one of its ends only;
- “sign”** includes a sign board, or any message, direction or representation whatsoever displayed on a building or structure, a bunting sign, or flags, and bunting, whether they contain a written message or not, and every other type of style of sign defined or referred to in this by-law.
- “site specific advertising”** means any advertising of a message or thing which only identifies the name and/or principal business and/or a thing or service, produced, stored, displayed, sold or supplied in the principal business of an occupier of the land or building on which the advertising appears or is proposed to appear;
- “Surveyor”** means the Council’s Building Surveyor appointed pursuant to the Act;
- “Tourist Information Bay”** means an area of land to which motor vehicles have access on which area is erected a structure comprising one or more signs or maps to provide information to tourists;
- “Town Planning Scheme”** means the Shire of Roebourne Town Planning Scheme No. 6 published in the Government Gazette of 10 April 1987 as amended from time to time or such other town planning scheme for the time being in force within the District of the Shire of Roebourne, and the term also includes where the context permits any interim development order or other town planning scheme operating in respect of any of the district to which Town Planning Scheme No. 6 does not apply.

**“tower sign”** means a sign affixed to or placed on a chimney stack or an open structural mast or tower;

**“verandah”** for the purpose of these by-laws, includes cantilever awnings, cantilever verandahs and balconies whether in, or above a street, way, footpath, public place or private property;

**“vertical sign”** means a sign affixed or attached to the wall of a building or a structure, of which the vertical dimension of the sign exceeds the horizontal dimension of the sign exclusive of the back projection of the sign;

**“wall panel”** means a panel used for displaying a bill poster or painted advertisement which panel is attached or affixed to the wall of a business premises or which panel is erected in or about the forecourt of such business premises;

Where applicable words and expressions used in clause 2.1 hereof have the same respective meaning as is given to them in the Act.

### **3. Licences**

#### **3.1 Signs requiring planning approval**

3.1.1 Where under any written law operating within the district a sign or advertising device requires planning approval, the requirement of planning approval shall be additional to the requirement of a licence under this by-law.

3.1.2 in respect of the following signs and advertising devices, an application for a licence under this by-law shall not be determined unless and until planning approval has been given in respect of:

- (a) a roof sign;
- (b) any sign or advertising device displaying non-site specific advertising which sign or advertising device is not exempted by clause 3.3 from the requirement to obtain a licence under this by-law;
- (c) any sign or advertising device that is proposed and will exceed the provisions of these by-laws;
- (d) any sign or advertising device not exempted by clause 3.3 on land zoned residential under a town planning scheme of the Shire.

3.1.3 Where a sign or advertising device has displayed a message which was site specific advertising and for that reason did not require planning approval under the preceding sub clause, the message shall not be changed to non site specific advertising, until any planning approval required under a written law operating within the district has been given in respect of the non site specific advertising whether or not any other change is made to the sign or advertising device necessitating the issue of a licence under this by-law.

#### **3.2 Licence Application**

Subject to clause 3.3 a person shall not erect, attach, affix or maintain a sign or advertising device and the owner or the occupier of premises shall not suffer or permit a sign or advertising device to be erected, attached, affixed or maintained in, on or above such premises within 100 metres of a street, way, footpath, or other public place, except pursuant to a licence under these by-laws.

#### **3.3 Licence Exemptions**

The following signs and things are exempt from the requirements to obtain a licence under this by-law -

- (a) a portable sign advertising meetings, functions, events or cultural activities by charitable and community groups or clubs, but excluding any activities carried out for general gain;
- (b) a sign erected or maintained pursuant to any Statute having operation within the State other than the Act.
- (c) a sale sign not exceeding 1.2m<sup>2</sup> in area;
- (d) an election sign erected upon private property;
- (e) a plate not exceeding 0.2m<sup>2</sup> in area erected and affixed on the street alignment of a building or between that alignment and the building line to indicate the name and occupation or profession of an occupier of a building on the land;
- (f) an advertisement affixed to or painted on a shop window by or on behalf of the occupier thereof and relating to the business carried on therein provided that not more than 25% of the area of the window is so used;
- (g) a sign within a building;
- (h) a sign no larger than 0.7m x 0.9m on advertising pillar or panel approved by or with the consent of the Council for the purpose of displaying public notices for information;
- (i) a building name sign on residential flats or home units when such sign is of a single line of letters not exceeding 300mm in height, fixed to the facade of the building;
- (j) a sign that is required by the Builder's registration Board or other Government body or authority to be displayed on a building site, provided that:
  - the area of the sign does not exceed 1.5m<sup>2</sup>; and
  - no part of the sign's structure is more than 2m above the ground directly below it.

Any such sign shall be removed within seven days of completion of the building works on the building site.

3.4 Notwithstanding the provision Clause 3.3, a sign or thing exempted from the necessity to obtain a licence under this by-law shall nevertheless be erected and maintained so as to comply with all other requirements of this by-law and all other written laws affecting it:

3.5 Every licence that is granted pursuant to this by-law shall exist subject only to the provisions of this by-law.

3.6 Notwithstanding that a sign complies with the provisions of this by-law the council may refuse a licence if such a sign would, in its opinion, be injurious to the amenity or natural beauty or safety of the locality.

### 3.7 Revocation of Licences

Where anything purporting to be done pursuant to a licence issued under this by-law is not done in conformity with the licence or the conditions thereon or with this by-law or where the licensee is convicted of any offence against this by-law the council may without derogating from any penalty to which that person may be liable, by notice in writing revoke the licence.

### 3.8 Inspection of Licences

3.8.1 A licensee shall, when required by the Surveyor, produce for inspection any licence issued by the council pursuant to this by-law.

3.8.2 Every sign or advertising device subject of a licence issued by the council pursuant to this by-law shall bear on its face (bottom left hand corner as viewed) is clearly legible

figures (minimum 25mm high) the number of the licence applicable to the sign or advertising device as provided by the council.

### 3.9 Application for Licences

3.9.1 An application to the council for a licence pursuant to this by-law shall be made in the form of any application set out in the First Schedule hereto.

3.9.2 An application for the first issue of a licence in respect of a sign or advertising device shall be accompanied by plan in duplicate drawn to a scale of not less than 1 to 50 showing the size, position, design and inscriptions to appear thereon, the method of construction and fixing of the sign or advertising device from a street, way, footpath, other public place or lot boundaries where applicable together with such further information as council requires generally or in any particular case.

3.9.3 An application for the first issue of a roof sign, pylon sign, illuminated sign, hoarding, horizontal sign, tourist information bay, ground level sign, and vertical sign shall be accompanied, in addition to the requirements in Clause 3.9.2, by a certificate from a structural engineer certifying that the proposed sign structure and structural members are designed and certified as being Standard 1170-1989 Part 2, Wind Load Code. The certificate must also certify that any building or roof thereof upon which it is proposed to erect or affix the sign is in all respects of sufficient strength to support the sign.

3.9.4 If the applicant is not the registered proprietor of the land or building on which the sign is to be erected the applicant shall produce to the Council the written consent of the registered proprietor to the application.

3.9.5 If so required by the council an applicant for a licence in respect of an illuminated sign shall produce to the council a written consent to the erection of the sign, signed by or on behalf of the Mains Road Department.

3.9.6 Subject to Clause 3.7 and except where otherwise provided in this by-law a licence issued pursuant to this by-law remains valid until an alteration is proposed to be made to the structure or area of the sign or advertising device in respect of which a licence has been issued and in such event the licensee shall apply for a new licence.

3.9.7 The Council may impose conditions on a licence issued pursuant to this by-law and may require the applicant to furnish such other particulars as are deemed necessary by the Surveyor.

3.9.8 In the event that an application is made pursuant to this by-law for a sign which;

(a) is to be erected on land which is vested in, or under the care control or management of the Shire:

OR

(b) when erected will project over any adjacent road reserve, way or footpath:

then Council may in its absolute discretion require the applicant to indemnify the Shire, on the prescribed form in the First Schedule from all claims whatsoever arising from the erection or placing of the sign.

3.9.9 Notwithstanding anything contained in this bylaw Council may by issue of a permit in the form contained in the Second Schedule issue a temporary sign permit to all the display of advertisements for charitable or non-profit meetings, functions, artistic and cultural activity or other events of public interest upon such terms and conditions as Council deems fit.

3.10 Any sign or advertisement approved by Council pursuant to clause 3.9.9 shall not be erected more than four weeks before the event and shall be removed by the applicant not later than one week after the conclusion of the event.

#### 3.11 Licences Fees

A licence granted pursuant to this by-law shall only be issued and valid upon payment of the appropriate fee, as set out in the Second Schedule but the payment of a licence fee pursuant to any by-laws that were in operation prior to the coming into operation of this by-law shall be deemed to be a payment for the purpose of this by-law.

### **4. General**

#### 4.1 Restrictions

A sign or advertising device shall not be erected or maintained-

- (a) so as to obstruct or impede all or part of the view which may be enjoyed from a street, way, footpath, public place or private property of a river, the sea or any other place or feature of natural beauty;
- (b) so as to obstruct or impede the sight-lines required for the free and safe movement of traffic into or from any street, way, footpath, public place or private property;
- (c) so as to be likely to be confused with or mistaken for an official traffic light or sign or so as to contravene the Road Traffic Act 1974 or Main Roads Act 1930 or any Regulations made hereunder;
- (d) on any building or structure of which the stability of the building or structure is, in the opinion of the Surveyor, likely to be detrimentally affected by the sign or advertising device;
- (e) on a road reserve, footpath or drainage reserve unless it is a sign permitted under Clause 3.3 but even such a sign shall not be erected or maintained on a carriageway;
- (f) so as to have all or part thereof projected, flashing, animated, moving or rotating, except as follows;
  - (i) on any pylon sign the face of which rotates;
  - or
  - (ii) on any roof sign known as a tri vision sign or similar;
- (g) as a election sign
- (h) on any land zoned in the Town Planning Scheme as residential or any land used for residential purposes.

#### 4.2 Existing Signs

A sign or advertising device which was erected and maintained lawfully prior to this by-law coming into force shall not become unlawful. Unless the sign or advertising device is changed it shall not be affected by provisions in this by-law except those relating to cleanliness, repair and maintenance, and safety.

#### 4.3 Fixing Signs

Every sign or advertising device shall be securely fixed to the structure by which it is supported, to the satisfaction of the Surveyor, and the structure and the method of securing shall be maintained in good order and repair to the satisfaction of the Surveyor.

#### 4.4 Glass in Signs

Glass shall not be used in any sign unless it is part of an illuminating globe or tube.

#### 4.5 Readily Combustible Material

Except in the case of posters securely affixed to a signboard or other structure, readily combustible materials including but not limited to paper, cardboard or cloth shall not form part of or be attached to any sign or advertising device.

#### 4.6 Signs to be kept clean

Every sign and advertising device shall be kept clean and free from unsightly matter and shall be maintained by the licensee or owner in good order and repair to the satisfaction of the Surveyor.

#### 4.7 Bill Posting

A person shall not bill post within the district of the Shire of Roebourne except on a hoarding approved for that purpose by the Council.

#### 4.8 Fly Posting

A person shall not fly post within the district of the Shire of Roebourne.

#### 4.9 Design Principles

Any sign or advertising device erected and maintained or proposed to be erected in accordance with this by-law shall:

- (a) in design, colour and location be sympathetic and harmonious with the surrounding street, way, footpath, public place or private property and environment and the building or structure to which it is attached or affixed;
- (b) be designed placed and constructed so as not to endanger public safety;
- (c) have all sign writing, design work, lettering and colouring thereto carried out in a competent and professional manner in accordance with good sign writing practise.

### **5. Requirements for Particular Signs**

#### 5.1 Illuminated signs

Every illuminated sign shall:

- (a) have any boxing or casing in which it is enclosed constructed of non-combustible material;
- (b) have its electrical installation constructed and maintained to the satisfaction of the State Energy Commission or the appropriate electricity supply authority and in accordance with the S.A.A Code 3000-1976;
- (c) be maintained to operate as an illuminated sign:  
and
- (d) not have or produce light of such intensity or colour as to cause annoyance to the public and not interfere with traffic control lights.

#### 5.2 Hoardings

5.2.1 No hoarding shall be erected in a residential area.

5.2.2 A hoarding shall:

- (a) except with the express approval of Council not be erected within fifteen (15) metres of any street or public place;
- (b) not be of a greater area of twenty (20) m<sup>2</sup>, which area shall exclude structural supports and any empty space between such supports;

5.2.3 the licence fee for the hoarding is payable annually by the 30<sup>th</sup> day of June each year.

5.2.4 subject to compliance with all the terms of this by-law and payment of the annual fee of a licence issue for a hoarding may remain in force for a period to be determined by Council not exceeding ten (10) years.

#### 5.3 Horizontal Signs

5.3.1 A horizontal sign shall;

- (a) afford a minimum headway of 2.40m;
- (b) be affixed or attached parallel to the wall of the building or structure to which it is affixed or attached;
- (c) conform as to depth to the following table for Commercial Zone and Service Trade Zone

Minimum Distance of bottom of sign To adjacent street	Maximum Depth of level Sign
Less than 7.5m .....	800mm
7.5m to 10m.....	1000mm
10m to 12m.....	1200mm

In an Industrial Zone Council may apply the Table in this paragraph with or without variations;

- (d) not project more than 600mm from the wall to which it is affixed or attached; and
- (e) not be within 600mm of either end of the wall to which it is attached, unless the end of the sign abuts against a brick, stone or cement corbel, pier or pilaster which is at least 25mm in front of and 75mm above and below the sign.

5.3.2 A horizontal sign may be erected in an Industrial Zone on bollard posts either side of a culvert over a surface drain on a road reserve, subject to the following conditions:-

- (a) the culvert or spoon drain must be constructed to Council standard and be part of a sealed crossover driveway approved by Council;
- (b) Maximum size of the sign shall be 900mm high by 2000mm in length;
- (c) the top of the sign shall be no higher than 1000mm above the paving level of the crossover;
- (d) the sign must be a minimum of 3000mm from the edge of bitumen sealed roadway and erected at 90 degrees to the roadway.

5.3.3 Council may permit an increase of not more than fifty percent of the depths mentioned in any part or parts of a sign to permit the inclusion therein of a motif or capital letter.

5.3.4 There shall be not more than one line of horizontal signs facing any one street, way, footpath, public place or private property on any building or structure.

5.3.5 The name of the building or structure, owner or occupier may be shown on the façade of a building or structure but:

- (a) unless otherwise approved by the council, only one such name shall be placed on any façade,
- (b) ..the letters of the name shall not exceed 1.0m in height;
- (c) ..the letters shall be of metal or other non-combustible material; and
- (d) ..the letters shall not be lit or illuminated unless approved by the council.

#### 5.4 Information Panels

The council may provide information panels or bays of varying sizes.

#### 5.5 Institutional Signs

Institutional signs shall not exceed 0.5m<sup>2</sup> in area except with the approval of the council but in any case no such sign shall exceed 2m<sup>2</sup> in area.

#### 5.6 Portable Signs

5.6.1 A portable sign shall:

- (a) ..not exceed 1m in height
- (b) ..with the area of all faces combined, not exceed 0.8m<sup>2</sup>;
- (c) not indicate or display any matter other than the name of the owner or occupier of the premises to which it relates and the nature of the business carried on therein;
- (d) ..not contain any letter of a size less than 120mm
- (e) be used to indicate that premises are open and to that end shall contain the work "open" on its face;



- (f) be placed so as not to cause interference or be hazardous to vehicular traffic or cause any interference or hazard or impede pedestrians;
- (g) be of sound construction, maintained in good condition, neatly sign written and placed in position in compliance with this sub-clause and to the satisfaction of the Surveyor;
- (h) be located wholly within the boundaries of land owned or occupied by the person who erected or who has maintained the sign.

5.6.2. A person shall not erect a portable sign in any position other than adjacent to the building to which the sign relates.

5.6.3. A person shall not erect more than one portable sign in relation to the one shop or business unit or premises.

5.6.4. A person who erects a portable sign shall remove the same at the close of business each day and shall not erect the same again until the commencement of business on the following or subsequent trading day.

## 5.7 Pylon Signs

5.7.1 A pylon sign:

- (a) shall not have any part thereof less than 2.4m or more than 6m above the level of the ground immediately below it;
- (b) shall not exceed 2.6m measured in any direction across the face of the sign or have a greater superficial area than 4m<sup>2</sup>.
- (c) shall not project more than 1000mm over an adjacent street;
- (d) shall be supported on one or more piers or columns of brick, stone, concrete or steel designed by a structural engineer for cyclonic conditions complying with A.1170-Part 2 1989, Wind Load Code.
- (e) where supported by two or more piers or columns, the space between the piers or columns must not be wholly or partly filled in with any advertising material below 2.4m above ground level;
- (f) shall not, as to any part thereof, project over any adjacent street at a height of less than 2.4m;
- (g) shall not be within 2m of the side boundaries of the lot on which it is erected unless the lot on which the pylon sign is erected abuts an intersecting street or right of way, in which case the council may authorise the erection of a sign at a lesser distance than 2m;
- (h) shall not have any part thereof less than 10m from any part of another pylon sign erected on the same lot.

5.7.2 Where more than one pylon sign is proposed to be erected on a lot on which unit factories, offices, showrooms or small shops are erected or are to be erected council may require all the pylon signs to be incorporated into one sign in which event –

- (a) initial approval shall be given to the pylon sign framework together with one or more sign infills;
- (b) an application is to be submitted and approval given for each additional infill;
- (c) all infills are to be an equal size, and space is to be provided to the sign for one infill for each shop or unit on the lot;
- (d) the total area of the infill signs specified under sub by-law 5.7.1(b) may be increased by up to 50% (i.e. to a maximum of 6m<sup>2</sup>).

5.7.3 Notwithstanding the provisions of sub-clauses 5.7.1 and 5.7.2, approval for the erection of a pylon sign that does not meet the requirements of these by-laws may only be granted by resolution of the council

## 5.8 Roof Signs

5.8.1 Approval for the erection of a sign on a roof of a building shall only be granted when planning approval has been granted and where approval has been so granted a roof sign shall:

- (a) not at any point be within 3.0m of the ground

- (b) not extend laterally beyond the external walls of the building
- (c) comply as regards height above ground and height of sign with the following table-

Height of Main Building above Ground Level at Point where Sign is to be fixed	Maximum Height of Sign
3m and under 4m.....	750mm
4m and under 6m	900mm
6m and under 9m	1000mm

(d) Have the roof and sign frame designed by a structural engineer for cyclonic conditions in accordance with AS.1170 – Part 2, 1989.

5.8.2 When ascertaining the height of the main building above ground level for the purpose of this by-law, any part of the roof at the point where the sign is to be erected that is provided solely for the purpose of architectural decoration shall be disregarded.

### 5.9 Ground Level Sign

5.9.1 A ground level sign:

- (a) may be erected on one or more piers or columns;
- (b) shall not have a dimension of more than 2.83m of any diagonal across its face;
- (c) shall not have any part of its structure more than 2.5m above the level of the adjacent pavement or the level of the ground on which it is constructed at any point;
- (d) shall not project into or over a street in any manner;
- (e) shall display only message which relate to the business and/or name of any occupier of premises on the lot on which is erected;
- (f) shall contain any messages in panels not greater than 400mm in depth, the panels being separated horizontally by a distance of not less than 50mm;
- (g) shall have no more than four panels of 400mm or more in depth and in any event shall have no more than six panels.

5.9.2 The Council shall not permit both a ground level sign and a pylon sign on any lot.

### 5.10 Semaphore Signs

5.10.1 A semaphore sign shall:

- (a) afford a minimum headway of 2.4m;
- (b) be affixed at right angles to the wall to which it is affixed or attached;
- (c) not project more than 1m from the point of attachment nor be of greater height at any point than 1m; and
- (d) be fixed over or adjacent to the entrance of building.

5.10.2 Not more than one semaphore sign shall be fixed over or adjacent to any one entrance to a building.

### 5.11 Signs on Fences

Notwithstanding clause 3.3 a person shall not erect, attach, affix, paint or maintain a sign or advertising device on or as part of a fence on any part of a lot and the owner or occupier shall not permit or suffer a sign or advertising device to be erected, affixed, painted or maintained on any fence or any part of lot.

### 5.12 Tower Signs

A tower sign shall not be erected within the District of the Shire of Roebourne.

### 5.13 Verandah Signs

5.13.1 Signs above Verandah Fascias.

Signs comprising free standing letters only may be erected above the outer fascia of a verandah parallel to the kerb, if the lettering does not exceed 400mm in height and is mounted on a base of at least 75mm in width.

5.13.2 Signs on Verandah Fascias

A sign affixed to the outer or return fascia of a verandah-

- (a) shall not exceed 600mm in depth;
- (b) shall not project beyond the outer metal frame or surround of the fascia;
- (c) if an illuminated sign, may be of changing colours but shall not emit a flashing light.

5.13.3 Signs under Verandahs

A sign under a verandah shall;

- (a) afford a headway of at least 2.4m;
- (b) not exceed 2.4m in length or 500mm in depth;
- (c) not weigh more than 50kg;
- (d) not, if it exceeds 300mm in width, be within 1.4m (or where it does not exceed 300mm width be within 1m) of the side wall of the building to which the said sign is affixed or attached, measured along the front of the building in respect to which it is erected;
- (e) not, if it exceeds 300mm in width, be within 3000mm (or where it does not exceed 300mm in width be within 2000mm) of another sign under that same verandah;
- (f) be fixed at right angles to the front wall of the building to which it is erected except on a corner of a building at a street intersection where the sign may be placed at an angle with the walls so as to be visible from both street;
- (g) be so placed that the centre of its base longitudinally is equidistant from the outer edge of the verandah and the vertical plane of the shop front.
- (h) not be constructed of shatterable material.

5.14 Vertical Signs

5.14.1 A vertical sign shall:

- (a) afford a minimum headway of 2.4m;
- (b) not project more than 1m from the face of the building to which it is affixed or attached;
- (c) subject to sub-clause 5.14.2 not be within 2.0m of either end of the wall to which it is affixed or attached;
- (d) be of a height of at least twice its width;
- (e) not project more than 1m above the top of the wall to which it is attached and be not more than 1m back from the face of that wall;
- (f) not be within 4m of another vertical sign on the same building;
- (g) not be placed on a corner of a building, except at a street intersection where the sign may be placed at an angle with the walls so as to be visible from both streets; and
- (h) except with approval of the council, not exceed 1m in width exclusive of the back projection.

5.14.2.....Where a building to which a vertical sign is affixed or attached is set back from the boundary or abuts intersecting streets or a right of way the council may approve the affixing of a vertical sign at a lesser distance from the end of the wall than that prescribed by paragraph (c) of sub-clause 5.14.1

5A Relaxation of Requirements and Standards

Where a sign the subject of an application for a licence under this by-law would not comply with a requirement or standard contained in Clause 5 of this by-law with respect to that application the Council may by simple majority resolution, and notwithstanding that non-compliance, approve the application and issue the licence with or without conditions.

6. Offences

- 6.1 Any person who erects or maintains or authorises or permits to be erected or maintained a sign or advertising device which does not comply with or erects or maintains or authorises or permits to be erected or maintained a sign or an advertising device in a manner contrary to the provisions of this by-law commits an offence.
- 6.2 Any person who does anything prohibited under these by-laws or fails to do anything required of this person by this by-law commits an offence.
- 6.3 Where by this by-law it is required that a person obtain a licence to erect or maintain a sign or advertising device, every person who erects or maintains a sign or advertising device without a licence or in respect of which the licence has expired or been cancelled commits an offence.
- 6.4 Neither the owner nor the occupier of any land or premises shall permit a sign or advertising device to remain thereon unless such sign or advertising device complies with this by-law.
- 6.5 Without prejudice to the preceding provisions of this by-law the council may serve on the owner or occupier of any premises on which any sign or advertising device is erected, affixed or maintained, contrary to this by-law, notice to remove the sign within such time as may be specified in the notice, and a person neglecting or failing to comply with the terms of a notice served on him pursuant to this clause commits an offence.

7. Removal and Disposal of Signs Unlawfully Displayed

- 7.1 The Council may remove to a place appointed by the council any sign, advertisement, advertising device, hoarding or signboard placed on or erected on any street, way, footpath or other public place under the care and control of council unless so placed or erected pursuant to this by-law. The council may without incurring any liability therefore dispose of any sign, advertisement, way, footpath or public place under the care and control of council at the expense of the person or persons responsible for the placing or erecting of the same thereon or the injury thereto and recover the expense of the removal from him in a Court of competent jurisdiction.
- 7.2 Where a hoarding is erected on private property of where any bill, placard or advertisement is attached to, or posted, or painted or stencilled on such a hoarding and the same in the opinion of the council is dangerous or objectionable, the council or a person acting under the authority of the council may remove the same without incurring any liability therefore and may recover the expense of removal from the owner of the property in a court of competent jurisdiction.

8. Penalties

Any person who upon conviction of an offence against this by-law is liable to ;

- (a) a penalty not exceeding FIVE HUNDRED DOLLARS (\$500.00); and
- (b) a further penalty not exceeding FIFTY DOLLARS (\$50.00) for every day during which the offence continues after conviction for the same.

First Schedule  
INDEMNITY CLAUSE 3.9.8

Indemnity

WHEREAS

1. (Applicant)

.....  
.....

of (Address)

.....

has made application to the Shire of Roebourne pursuant to the Shire of Roebourne Signs By-Law for a licence to erect a sign at

Lot ..... No .....,

Street ..... Town and:

- (i) The sign when erected will project over an adjacent road reserve, way or footpath;
- OR
- (ii) the sign is to be erected on land vested in the Shire of under the care, control or management of the Shire.

2. In consideration of the grant of a licence by the Shire, the applicant hereby indemnifies the Shire against all claims, loss, damage, expense or other liability whatsoever arising from the erection, fixing or installation of the sign arising from the death of or injury to any person or any loss or damage against property or any claim, demand or action brought against the Shire for negligence or otherwise.

DATED the ..... day of .....

20.....

\_\_\_\_\_  
First Schedule

LICENCE: Signs and Hoardings

Shire of Roebourne  
Date:

No: .....

This Licence is granted to:

.....  
of: .....

to erect a ..... sign  
on premises known as Lot ..... No. .... Street

.....  
in accordance with application dated ..... and subject to it this licence shall remain valid until revoked by the Shire or until any alteration of any nature is made to the sign.

Licence fee paid to:

.....

Hoarding Licence Only

This licence expires on

.....

Subject to payment of an annual fee

.....

Shire of Roebourne  
Authorising Officer

NB: This licence shall be given to the owner of the sign to be produced when required in accordance with Clause 3.8.

First Schedule  
Application for Licence: Signs, Hoardings By-Law

To: Shire Clerk  
Shire of Roebourne  
PO Box 219  
KARRATHA WA 6714

Name of owner of land on which sign is to be erected:  
.....

Name of occupier of land on which sign is to be erected:  
.....

Address for correspondence:  
.....  
..... Postcode:  
.....

I/We hereby apply for a licence to erect a .....  
sign on

Lot ..... House No ..... Street

.....  
Town .....in accordance with the attached plan and details in  
duplicate.

Signature of Applicant:  
.....

Address:  
.....

Date: .....

Second Schedule  
*Shire of Roebourne*  
APPLICATION FOR TEMPORARY PERMIT  
Sign display for charitable of non profit organisations for an activity or other event of public  
interest.

TO: SHIRE CLERK  
SHIRE OF ROEBOURNE

Name of Organisation:  
.....

Representative Name and Position:  
.....

Place Where Temporary Sign/sWill be Located:  
.....

Purpose of Temporary Sign/s:  
.....

Address for Correspondence:  
.....

Signature of Applicant:  
.....

Address for Correspondence:  
.....

..... Date:  
.....

Second Schedule  
*Shire of Roebourne*

Temporary Sign Permit Number: .....

This Temporary Permit is Granted To:

.....  
Of: .....

To Place Temporary Sign/s At:

.....  
For the Purpose of:

.....  
Period of Permit: From: ..... To:

.....  
Conditions:

.....  
Shire of Roebourne, Authorising

Officer:.....

Date: .....



Second Schedule  
SCALE OF FEES

	For Each Licence
Pylon Sign	\$15
Oversized Pylon	\$25
Roof Signs	\$25
All other Signs (except Hoardings)	\$10
<hr/>	
Hoardings	\$25 per anum

Passed at a meeting of the Shire of Roebourne on the 30<sup>th</sup> day of May 1990.

B. CONNELL, President  
F. GOW, Shire Clerk.

Recommended-

DAVID SMITH, Minister for Local Government.

Approved by His Excellency The Governor in Executive Council this 3<sup>rd</sup> day of September, 1991.

L. M. AULD, Clerk of the Council.