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LOCAL GOVERNMENT ACT 1995

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**TOWN OF CLAREMONT**

**LOCAL LAW RELATING TO**

**SIGNS**



**LOCAL GOVERNMENT ACT 1995**

## TOWN OF CLAREMONT

**LOCAL LAW RELATING TO SIGNS**

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**LOCAL GOVERNMENT ACT 1995**

## TOWN OF CLAREMONT

**LOCAL LAW RELATING TO SIGNS**

In pursuance of the powers conferred upon it by Local Government Act 1995 and all other powers enabling it, the Council of the abovementioned Local Government hereby records having resolved on the 29th day of February 2000 to make and adopt the following Local Law.

**DIVISION 1—PRELIMINARY****1. Repeal**

1.1 The Town of Claremont By Law Relating To Signs published in the *Government Gazette* on 27 February 1962 and amended in the *Government Gazette* on 6 April 1984, 25 January 1985, 20 December 1985, 11 November 1988 and 12 June 1992 are hereby repealed.

**2. Citation**

2.1 This Local Law may be cited as “Town of Claremont, Local Law Relating to Signs”, and shall come into operation on the fourteenth day after the day that it is published in the *Government Gazette*.

**3. General Application**

3.1 This Local Law shall apply to the whole of the Local Government District of the Town of Claremont together with any place to which the Governor has given approval for the Local Law or any part of them to apply, as provided in Section 3.6 of the Act.

**4. Philosophy underlining this Local Law Relating to Signs**

4.1 Any changes to the Local Law Relating to Signs must be implemented in such a way as to preserve and enhance the amenity and character of the Town.

4.1.1 No signage should detrimentally impact upon the special character and ambience of the Town of Claremont, nor detract from the visual beauty of its suburbs, streetscapes, town centre and recreational and cultural areas;

4.1.2 No signage should compromise pedestrian, vehicular or any other safety or security considerations;

4.1.3 As a general rule, footpaths within the Town of Claremont are for pedestrian traffic and the enjoyment of the people and in only the rarest of exceptions have any form of signage placed temporarily upon them;

4.1.4 Such exceptions to be strictly limited to the advertising of community or non-commercial events for a limited time (eg for 3 days prior to and during the actual event);

4.1.5 Signs should blend with the natural and/or built environment;

4.1.6 Median strips are for the purpose of assisting pedestrian and traffic management and are not to be used for signage purposes;

4.1.7 Council parks and reserves are similarly not to be used for advertising purposes except as provided for under Council’s established policies;

4.1.8 Trees on Council property will not be removed or unnecessarily pruned to enhance the visual presence of signs;

4.1.9 Council treats its Local Law seriously and will devote the necessary resources to ensure its Local Laws are adhered to;

4.1.10 Nature strips should not be used for sign location.

**5. Interpretation**

5.1 In this Local Law, unless the context otherwise requires—

“Act” means the Local Government Act 1995;

“advertising device” means any object or structure on which any word, letter, number, symbol, figure, drawing, image, distinctive colour 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 publicizing any business, project, enterprise, or undertaking, or any function or event, or any person, body or group, or any product or article, or other thing whatsoever, and includes bunting, plastic flags or similar, an airborne device anchored to any land, building or thing, and also includes any vehicle or trailer and a sandwich board or other thing carried by a person or other similar object placed or located so as to serve the advertising purpose hereinbefore referred to;

- “authorised officer” means an employee of the Town of Claremont authorised to administer and enforce the provisions of this Local Law.
- “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 or 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;
- “building surveyor” means Council’s Building Surveyor appointed pursuant to the ‘Act’;
- “Council” means the Council of the Town of Claremont;
- “Council representative” means an officer or other employee of the Town of Claremont;
- “development sign” means a sign erected on an area of land which has been approved for subdivision into smaller lots, advertising the subdivided lots for sale but upon which no building development has taken place at the time of approval of the sign;
- “direction sign” means a sign attached to a pole in the street indicating the direction in which or the distance at which a building or place may be found but the term does not include any sign erected pursuant to any statutory provision;
- “district” means the district of the Town constituted;
- “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, but does not include a sign erected by Council for the purpose of public information;
- “hoarding” means a detached or detachable structure including a 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;
- “horizontal sign” means a sign affixed or attached with its largest dimension horizontal to the wall of a building or a structure to which it is attached;
- “illuminated sign” means a sign that is capable of being lighted whether from within or from without the sign by artificial light provided solely or mainly for that purpose;
- “information panel” means a panel used for displaying Government and Local Government notices, functional and dated announcements of a religious, educational, cultural, recreational or similar character, general information for the benefit of the public, travellers and general commercial advertising;
- “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 similar nature;
- “licensee” means the holder of a licence issued by Council pursuant to this Local Law;
- “low level sign” means a sign complying with the standards and requirements of Clause 27 hereof;
- “panel sign” means an advertisement sign which is attached or otherwise affixed to a panel and is greater than 1.2m above natural ground level, but does not include a pylon sign;
- “non site specific advertising” means any advertising which is not site specific advertising;
- “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, fence or building 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 infill may be added;
- “residential area” means the land located within a residential zone in the Town Planning Scheme;
- “roof sign” means a sign erected on the roof of a building;
- “sale sign” means a sign indicating that 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 is affixed and supported at, or by, one of its ends only;
- “sign” includes a signboard or any message, direction or representation whatsoever displayed on a building or structure, a bunting sign, a clock other than a clock which is built into a wall and does not project beyond the face of the wall, or flags, and bunting, whether they contain a written message or not, and every other type or style of sign defined or referred to in this Local 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, with the exception of temporary community signs and banners;
- “tethered sign” means an airborne device anchored to any land, building or thing;
- “Town Planning Scheme” means the Town Planning Scheme No 3 published in the *Government Gazette* on 1 June 1999 as amended from time to time or any Town Planning Scheme replacing it for the time being in force within the district;

“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 this Local Law, 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 erected in or about the forecourt of such business premises;

Where applicable any word or expression in this Local Law and not defined in Section 5.1 has the same meaning as is given to it in the Act.

## DIVISION 2—LICENCES

### 6. Licences

6.1 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 issued under this Local Law unless it is exempt under Section 7.1.

### 7. Exemptions

7.1 The following signs and things are exempt from the requirement to obtain a licence under this Local Law—

7.1.1 A sign erected or maintained pursuant to any statute having operation within the State;

7.1.2 A sale sign not exceeding 1m<sup>2</sup> in area;

7.1.3 A plate not exceeding 0.2m<sup>2</sup> in area erected or 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;

7.1.4 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 percent of the area of the window is so used;

7.1.5 A sign within a building;

7.1.6 A building name sign on residential flat or home units when such sign is of a single line of letters not exceeding 300mm in height, fixed to the facade or fence of the building;

7.1.7 A sign that is required by the Builders Registration Board or other government body or authority to be displayed on a building site, provided that—

(i) The area of the sign does not exceed 1.5m<sup>2</sup>;

(ii) No part of the sign's structure is more than 20m 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;

7.1.8 A sign erected by Council on land under the care, control and management of Council.

7.2 Every licence that is granted pursuant to this Local Law shall exist subject only to the provision of this Local Law.

7.3 Notwithstanding that a sign or advertising device complies with the provisions of this Local Law 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.

### 8. Revocation of Licences

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

8.2 Notwithstanding that a sign or advertising device complies with the provisions of this Local Law, Council may revoke a licence if such a sign, in its opinion, injures the amenity or natural beauty or safety of the locality.

### 9. Inspection of Licences

9.1 A licensee shall, when required by a Council representative, produce for inspection any license issued by Council pursuant to this Local Law.

### 10. Application for Licences

10.1 An application to Council for a licence pursuant to this Local Law shall be made in the form of an application set out in the First Schedule hereto.

10.2 An application for the first issue of a licence in respect of a sign or advertising device shall be accompanied by duplicate plans, 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 to a building or structure, setbacks 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.

10.3 Subject to Clause 8 and except where otherwise provided in this Local Law a licence issued pursuant to this Local Law remains valid until an alteration is proposed to be made to the structure, area or message of the sign or advertising device in respect of which the licence was issued and in such event the licensee or persons proposing to make the alteration shall apply for a new licence.

10.4 Council, or an authorised officer may impose conditions on a licence issued pursuant to this Local Law.

#### **11. Licence Fees**

11.1 A licence pursuant to this Local Law shall only be issued by an authorised officer and shall only be valid upon payment of the prescribed fee, as determined by Council from time to time.

#### **12. Application and Licence Forms**

12.1 Every application for the issue of a licence shall be in the form of application set out in the First Schedule as determined by Council from time to time. A licence issued by Council or an authorised officer shall be in the form set out in the Second Schedule.

### **DIVISION 3—RESTRICTIONS**

#### **13. Restriction**

13.1 A sign or advertising device shall not be erected or maintained or suffered to be maintained—

- 13.1.1 Unless it is of a type specifically mentioned in Division 4 of this Local Law;
- 13.1.2 So as to obstruct the view, from a street or other public place, or traffic in that or any other street or public place;
- 13.1.3 If the sign is likely to obscure or cause confusion with or about a traffic light or traffic sign or if the sign is likely to be mistaken for a traffic light or traffic sign;
- 13.1.4 On any ornamental tower, spire, dome or similar architectural decoration;
- 13.1.5 So as to obstruct the access to or from any door, fire escape or window (other than a window designed for the display of goods);
- 13.1.6 On any footpath or median strip;
- 13.1.7 On the roof of any building;
- 13.1.8 On land zoned or used for residential purposes unless it is a SALE SIGN or a sign authorised under Clause 15 (Home Occupation) of Council's Town Planning Scheme as amended from time to time;
- 13.1.9 So as to project over any carriageway on which motor vehicles are permitted.

#### **14. Existing Signs**

14.1 Subject to the provisions of this section a sign or advertising device which was erected and maintained lawfully under a previous Local Law of the Town shall not become unlawful on revocation of that Local Law for a period of four years.

14.2 Any existing sign or advertising device shall within a period of four years from the date of gazettal of this Local Law comply with the standards and requirements of this Local Law.

14.3 Any sign or advertising device in respect of which a licence or permit was issued under a previous Local Law of the Town for a limited period of time shall, upon the expiration of that time, be made to comply with the provisions of this Local Law.

14.4 If a licence or permit for a sign or advertising device was issued under a previous Local Law of the Town without limitation as to time and the sign or advertising device does not comply with the provisions of the Local Law, if any alteration is proposed to be made to the structure, area or message of it, the sign or advertising device shall be made to comply with the provisions of this Local Law.

14.5 A licence shall not be issued under this Local Law in respect of a sign or advertising device which is required under subclause 14.3 or 14.4 to comply with this Local Law, unless the application for a new or renewed licence proposes changes which would make the sign or advertising device comply with this Local Law.

14.6 If it appears to Council that in respect of any sign or advertising device—

- (a) That it is not the subject of a valid licence or permit; or
- (b) That a licence or permit issued in respect of it has expired; or
- (c) That it has been altered as to its structure, area or message without a licence or permit having been issued by Council;

Council may give notice in writing to the owner of the land on which it is erected and the licensee (if any)—

- (a) Requiring an application to be made to Council for a licence within a stipulated period of time where the sign or advertising device complies or can be made to comply with this Local Law; or
- (b) Requiring the sign or advertising device to be removed within a stipulated period of time where it cannot be made to comply with this Local Law.

14.7 An owner or licensee who receives a notice referred to in subclause (6) shall comply with the requirement of the notice within the period of time stipulated therein.

14.8 In the case of a sign in respect of which a notice is issued under Item (a) of subclause (6) if a licence for the sign or advertising device is refused by Council; and the time for appealing against the refusal has expired; or an appeal made against the refusal is dismissed, then the sign or advertising device shall be removed forthwith.



14.9 A sign or advertising device referred to in subclause (4) shall not be altered in area or message unless a licence for the sign or advertising device as altered has first been issued under this Local Law.

#### **15. Fixing Signs**

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

#### **16. Glass in Signs**

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

#### **17. Readily Combustible Material**

17.1 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.

#### **18. Signs to be kept clean**

18.1 Every sign 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 Building Surveyor.

#### **19. Bill Posting**

19.1 A person shall not bill post within the district of the Town of Claremont.

#### **20. Design Principles**

20.1 Any sign or advertising device erected and maintained or proposed to be erected in accordance with this Local Law shall—

- 20.1.1 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;
- 20.1.2 Be designed, placed and constructed so as not to endanger public safety;
- 20.1.3 Have all signwriting, design work, lettering and colouring thereto carried out in a competent and professional manner.

### **DIVISION 4—REQUIREMENTS FOR PARTICULAR SIGNS**

#### **21. Illuminated Sign**

21.1 An illuminated sign—

- (a) And any boxing or casing enclosing it shall be constructed entirely of non-flammable material with the exception of the insulation of electric wires; and
- (b) Shall be protected that if any glass, other than the glass of fluorescent tubing, breaks none of the glass can fall on any street, way, footpath or other public place.

21.2 The electrical installations of an illuminated sign shall be constructed and maintained in accordance with the requirements of and to the satisfaction of Western Power and in accordance with S.A.A. Code 3000-1986.

21.3 The light from an illuminated sign shall not have a greater intensity than 25 lumens and not have or produce light of such intensity or colour as to cause annoyance to the public and not interfere with traffic control lights.

21.4 Illuminated signs may not be blinking or flashing.

#### **22. Clock**

22.1 A clock shall—

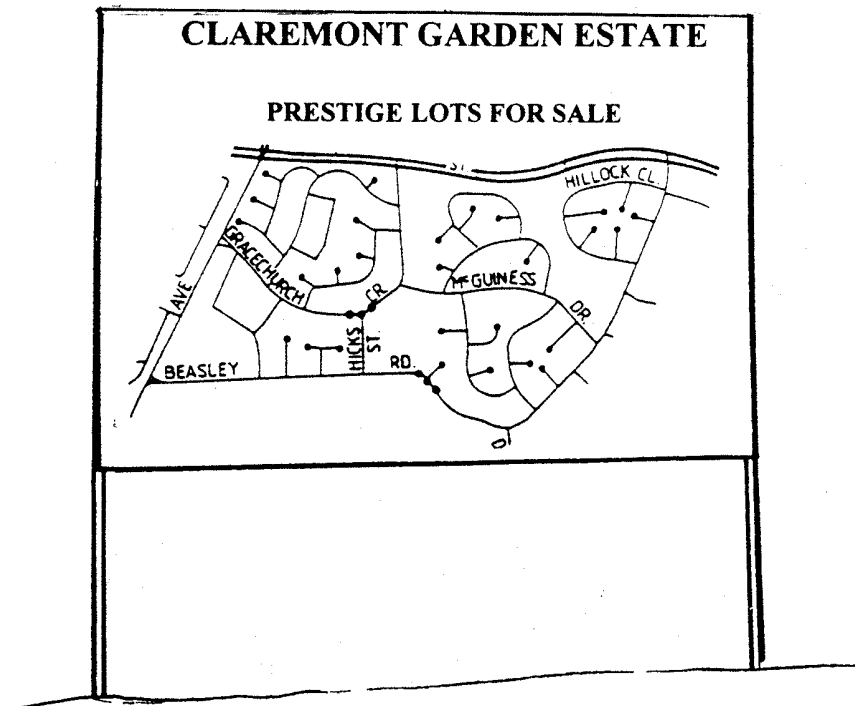
- (a) If suspended under a verandah or an arcade, have its centre coinciding with the centre line of the footway, access way or footpath thereunder;
- (b) Not exceed 500mm measured in any direction across the face unless otherwise approved by Council;
- (c) Be affixed or attached either parallel or at right angles to the wall to which it is affixed or attached;
- (d) Not project from the wall to which it is affixed or attached—
  - (i) If parallel to the wall, more than 300mm; or
  - (ii) If at right angles to the wall, more than 1m;
- (e) Afford a minimum headway of 2.7m;
- (f) Be maintained so as to show the correct time;
- (g) Be illuminated from sunset to midnight; and
- (h) If fitted with chimes and is located within 100m of a residential zone not be permitted to strike between 10.00pm and 7.00am.

#### **23. Development Sign**

23.1 Development signs shall—

- (a) Only be erected where more than ten subdivisional lots are to be created in the development or the stage of development being advertised;

- (b) Only be erected in the ratio of 1m<sup>2</sup> of area per hectare of total land to be subdivided, up to a maximum aggregate area of all development signs of 50m<sup>2</sup> with no individual sign exceeding 22m<sup>2</sup> in area; and
- (c) Be removed from the site within two years of the granting of a licence for the same or when 80 per cent of the lots by number in the subdivision or stage being advertised have been sold, whichever is the sooner.



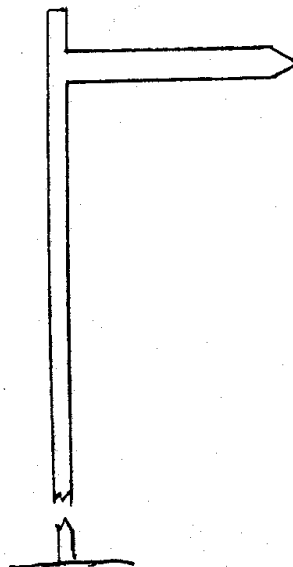
#### 24. Direction Sign

24.1 A direction sign indicating the location of an amenity which, in the opinion of Council, is beneficial to the public shall only be erected by authority of Council and shall—

- (a) Have a minimum headway of 2.7m;
- (b) Be 150mm in depth, with a maximum length of 750mm supported on 40mm diameter steel pipes, except where otherwise approved by Council; and
- (c) Have lettering which is to be 100mm in depth and be white, with a blue background, except where otherwise approved by Council.

24.2 The initial supply and erection costs of the sign shall be paid by the applicant.

24.3 Unless otherwise approved by Council, all direction signs are to be erected and maintained at the expense of the applicant and only to be erected or maintained by Council employees.



## 25. Hoarding

25.1 No new hoarding shall hereafter be erected on private property except pursuant to a requirement or a licence issued pursuant to the Local Government (Miscellaneous Provisions) Act 1995.

25.2 A person shall not erect a hoarding contrary to this clause and the owner and occupier of any premises shall not permit a hoarding so erected to remain on those premises.

## 26. Horizontal Sign

26.1 A horizontal sign—

- (a) Which projects over a street by more than 50mm shall have a minimum headway of 2700mm;
- (b) Shall be fixed parallel to the wall of the building to which it is attached;
- (c) Shall not project more than 600mm from the wall to which it is attached;
- (d) Shall 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 225mm wide and which projects at least 25mm in front of and 75mm above and below the sign; and
- (e) Shall not have a greater superficial area than 2m<sup>2</sup>.

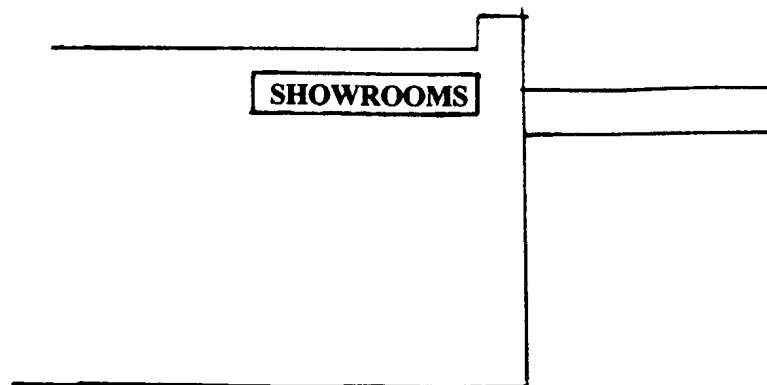
26.2 Where the distance between the bottom of a horizontal sign and the ground below that sign is that specified in the first column of the following table, subject to subclauses (4) and (5) of this Clause the height of that sign shall not exceed that specified in the second column of that table.

<i>Distance of Sign Above Ground</i>	<i>Maximum Height of Sign</i>
Less than 7.5M	600mm
7.5M to 9M	750mm
More than 9M	900mm

Provided that if any part of a sign includes a motif or capital letter the height of that part of the sign may be increased by 50% of the prescribed maximum height.

26.3 Where more than one horizontal sign is fixed to the same storey or level of a building and those signs face the same street, the signs shall be fixed to that building in one line and shall be of uniform height.

26.4 Where the facade of one building abuts, or is contiguous to, the facade of another building, any horizontal signs attached to those facades shall be in one line and of a uniform height.

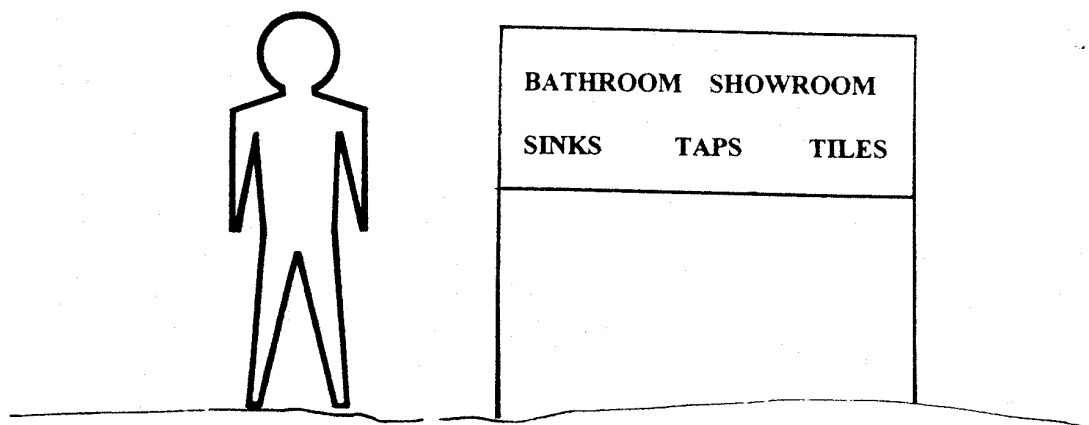


## 27. Low Level Sign

27.1 A low level sign—

- (a) May be erected on one or more piers or columns;
- (b) Shall have a dimension of 1.8m x 1m;
- (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, way or footpath in any manner;
- (e) Shall display only messages which relate to the business and/or name of any occupier of premises on the lot on which it is erected; and
- (f) Shall contain only messages in panels not greater than 400mm in depth, the panels being separated by a space of not less than 50mm;

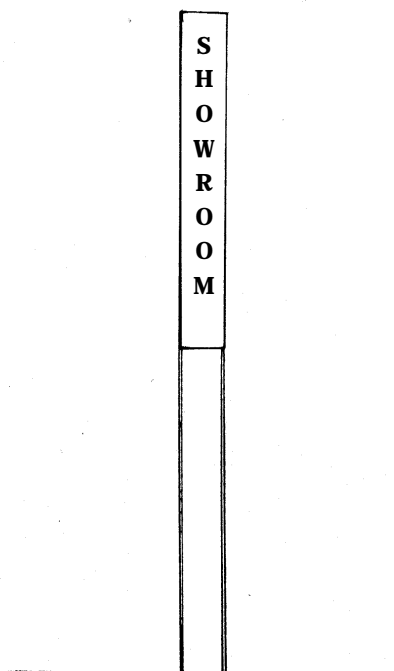
27.2 Council shall not permit both a low level sign and a pylon sign on any lot.



## 28. Panel Sign

28.1 Panel signs shall—

- (a) Have a maximum vertical dimension of 3.0m and a maximum area of 5.0m<sup>2</sup>;
- (b) Not, in aggregate, have a combined area greater than 20m<sup>2</sup> per lot;
- (c) Not be less than 1.2m or greater than 6m from ground level; and
- (d) Not be erected within the front set back area of a lot.



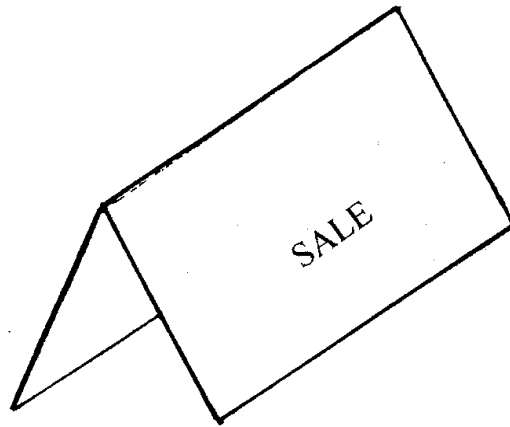
## 29. Portable Sign

29.1 A portable sign shall—

- (a) Not exceed 1m in height;
- (b) Not exceed 0.8m in area;
- (c) Be placed so not to be hazardous to, or impede vehicular traffic or pedestrians;
- (d) Be of sound construction and maintained in good condition;
- (e) Be so constructed and be of sufficient mass or, suitably anchored so as to be stable at wind speeds of 80 kph; and
- (f) Be removed during any period when wind speed exceeds 80 kph.

29.2 A person who erects a portable sign shall remove that sign, or cause that sign to be removed, before sunset and not replace that sign before sunrise on the following day.

29.3 Portable signs are not permitted except for the promotion of special events such as fairs, and may be permitted during the period of the event only.



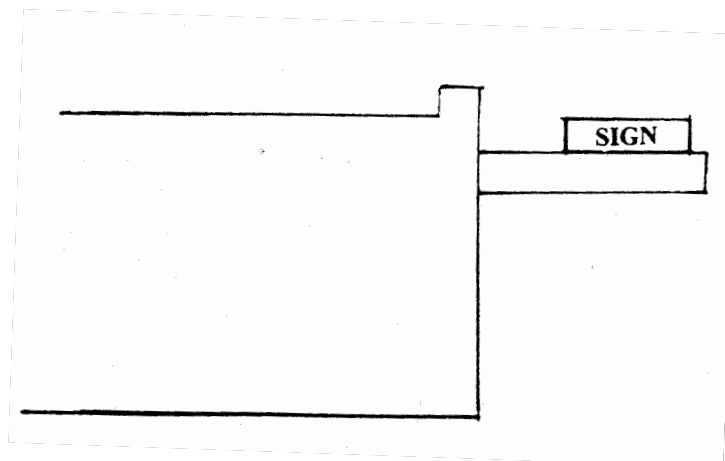
### 30. Projecting Sign

30.1 Projecting signs attached above a verandah or the like shall—

- (a) Shall have a length of 1.8m and a vertical dimension of 500mm;
- (b) Not be closer than 3m of another such sign attached above the same verandah;
- (c) Be orientated perpendicular to the front street boundary except on a corner lot where the signs may be placed so as to be visible from both streets; and
- (d) Not project beyond the outer frame or surround of the verandah.

30.2 Projecting signs attached directly to the building shall—

- (a) Not project more than 1m from the wall;
- (b) Not be placed within 2m of either end of the wall to which they are attached;
- (c) Not project above the top of the wall to which it is attached; and
- (d) Have a minimum clearance of 2.4m from ground level.



### 31. Pylon Sign

31.1 A pylon sign—

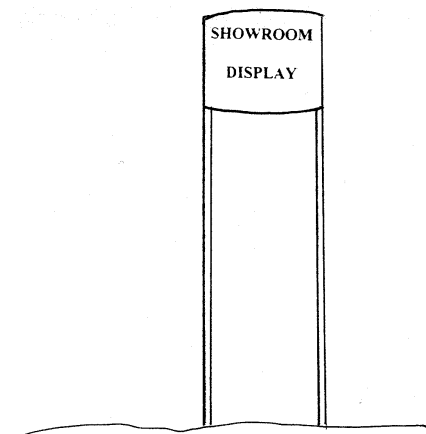
- (a) Shall be so constructed that no part of the sign shall be more than 6000mm above the level of the ground immediately under the sign;
- (b) Shall have a dimension of 1.8m high x 1.2m wide;
- (c) Shall not project over any street, way, footpath or other public place;
- (d) Shall be supported on piers or columns of brick, stone, concrete or steel of sufficient size and strength to support the sign under all conditions; and
- (e) Shall not be within 1800mm of the side boundaries of the lot on which it is erected.

31.2 Subject to compliance with subclause (1) of this Clause more than one sign may be supported on the one pylon, but not more than one pylon supporting a sign or signs shall be erected or maintained on one lot of land.

31.3 Where a pylon sign is supported on two or more piers or columns the space between the piers or columns shall be filled in.

31.4 Notwithstanding the provisions of subclause (1)(b) of this Clause, Council may, where more than one occupier is conducting a business on a lot, permit each occupier to erect a sign up to 1.8m in height and 1.2m wide, providing every sign is attached to common piers or columns.

31.5 On Stirling Highway the name and street number shall be shown and the curved design shown in the diagram below is preferred.



### 32. Sale Sign

32.1 Any sale sign of any description shall be erected on the land to which it relates and not elsewhere.

32.2 A land sale sign advertising for sale lots created by a sub-division shall—

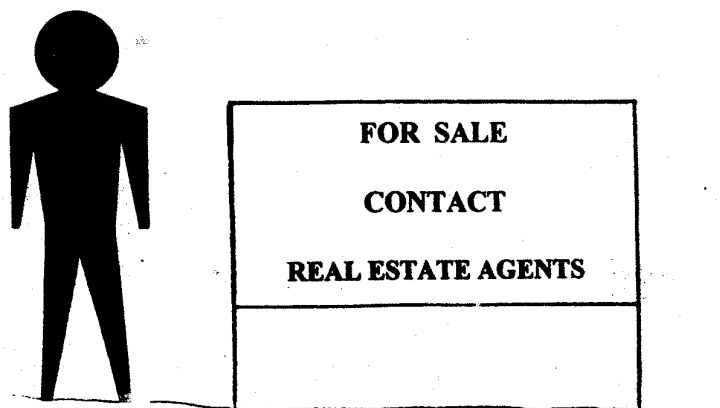
- (a) Not exceed 2m<sup>2</sup> in area;
- (b) Not be erected or maintained for a period exceeding six months without the approval of Council; and
- (c) Not be erected until—
  - (i) The plan of subdivision has been approved by the Western Australian Planning Commission; and
  - (ii) The land has been zoned for the appropriate use.

32.3 A sale sign advertising an auction shall—

- (a) Not exceed 2m<sup>2</sup> in area;
- (b) Not be erected more than 28 days before the proposed date of the action;
- (c) Be removed no later than 48 hours after the auction has been held;
- (d) Where such a sign is erected on land having a frontage to a road that is a main road within the meaning of the Main Roads Act 1982, consist of letters not less than 150mm in size; and
- (e) Not be erected or placed outside the boundaries of the lot.

32.4 A sale sign advertising that a dwelling, a flat or a dwelling unit in a building erected or to be erected are or will be available for letting or for purchase shall—

- (a) Not exceed 1m<sup>2</sup> in area;
- (b) Not be erected before the issue of a building licence for any such building; and
- (c) Not be erected or maintained for a period exceeding three months following completion of any such building, without the approval of Council.

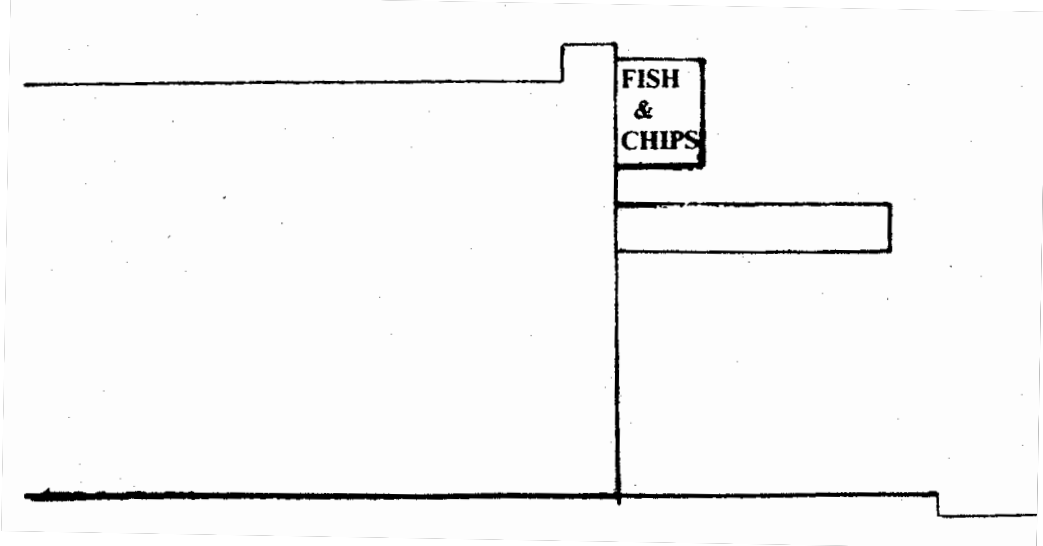


### 33. Semaphore Sign

33.1 A semaphore sign—

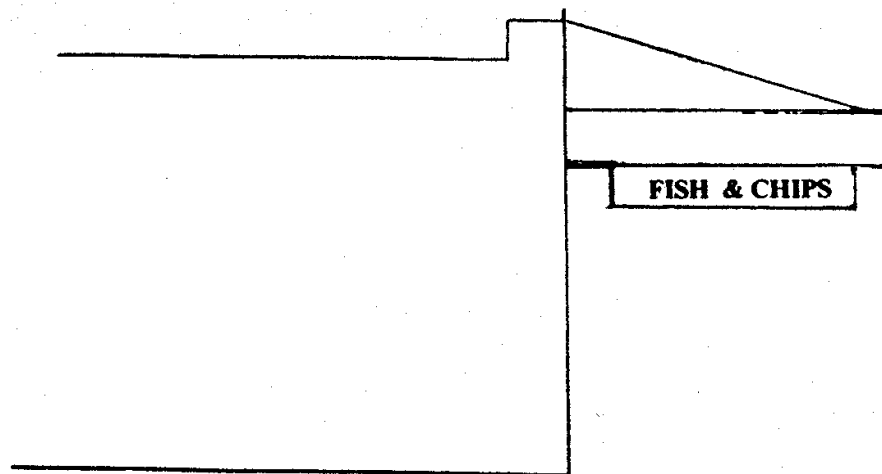
- (a) Shall be constructed that, at no point, is the distance between the bottom of the sign and the ground below less than 2700mm;
- (b) Shall be fixed at right angles to the wall to which it is attached;
- (c) Shall not exceed 1050mm in height at any point and shall not exceed 900mm in width at any point; and
- (d) Shall be fixed over or adjacent to the entrance to a building.

- 33.2 Not more than one semaphore sign shall be fixed over or adjacent to an entrance to a building.
- 33.3(a) Subject to paragraph (b) of this subclause, a semaphore sign shall not project more than 900mm from the face of the building to which the sign is attached;
- (b) Where a semaphore sign is fixed to the face of a building, and
- (i) That building is setback behind the face of a building which adjoins that building; and
- (ii) That building is within 3m of that adjoining building;
- a sign may project from the face of the building an additional distance being the distance the adjoining building projects beyond the building or 600mm whichever is the lesser.



#### 34. Sign Under Verandah

- 34.1 A sign fixed to the underside of a verandah—
- (a) Shall be so constructed that, at no point, is the distance between the bottom of the sign to the ground below less than 2700mm;
- (b) Shall have a dimension of 1.8m and a height of 0.5m;
- (c) Shall not weigh more than 60kg;
- (d) Shall be fixed at right angles to the wall of the building in front of which the sign is erected provided that where such a sign is erected at a street intersection that sign may be placed at an angle to the wall so as to be visible from both streets; and
- (e) Shall bear at its outer end its licence number in figures clearly legible from the footway.
- 34.2 If a sign fixed to the underside of a verandah exceeds 300mm in height that sign shall not—
- (a) Be located within 1350mm of the nearest side wall of the building; and
- (b) Be located with 2700mm of another sign fixed to the underside of the verandah.
- 34.3 If a sign fixed to the underside of a verandah does not exceed 300mm in height that sign shall not—
- (a) Be located within 900mm of the nearest side wall of the building; and
- (b) Be located within 1800mm of another sign fixed to the underside of the verandah.
- 34.4 For the purposes of subclauses (2) and (3) of this Clause the distance of sign from a side wall shall be measured along the front of the building from the edge of the sign closest to that side wall.



### 35. Temporary Community Banner

35.1 Temporary Community Banners above street reserves advertising forthcoming events (roads controlled by the Town of Claremont) may be approved.

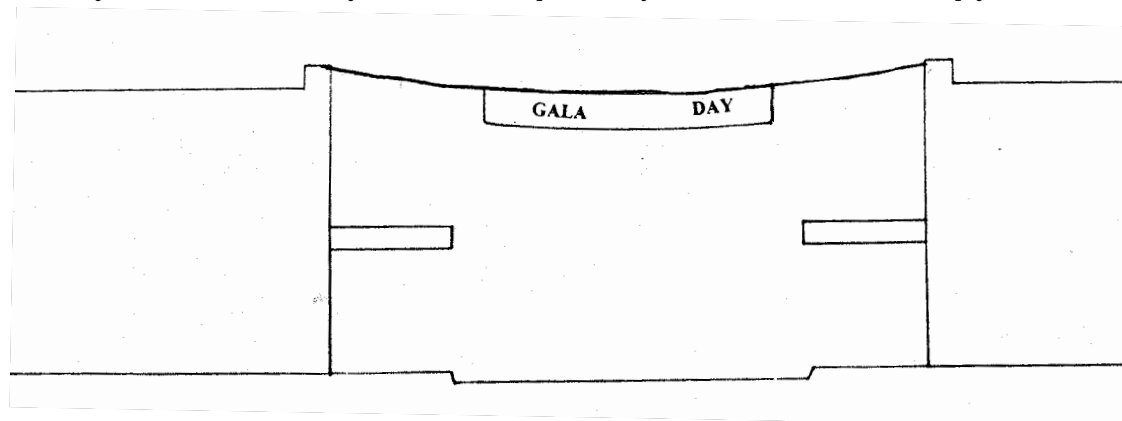
35.2 The banner shall—

- (a) Advise of a meeting, show, fete or exhibition conducted by a community service club, sporting, religious, cultural or benevolent organisation or Parent's and Citizens or Parent's and Friends Association, for a charitable purpose to assist the club or organisation in its public purpose;
- (b) Be no greater than 6m<sup>2</sup> in area and to be properly and securely affixed to adequate supports, that are to be static, clearly legible, and properly maintained; and
- (c) Be placed or erected not more than fourteen (14) days prior to the event and are to be removed no later than the day after the event.

35.3 The club or organisation making an application must accept and acknowledge full responsibility for public risk and fully indemnify Council from and against all claims, judgements and the like arising from the erection and exhibition of the business.

35.4 Council may, at its discretion require submission of a sketch of the proposed banner and/or location plan prior to granting approval for the erection of the temporary banner.

35.5 Council, or a Council representative may require the removal of any sign which does not comply with any of the above, and may remove and impound any banners which do not comply.



### 36. Temporary Community Sign

36.1 The Building Surveyor or other authorised officer by Council may upon receiving a written application, authorise in writing the erection and placement in or on a street, way or public place of a temporary community sign under the terms and conditions stipulated in the written authorisation,

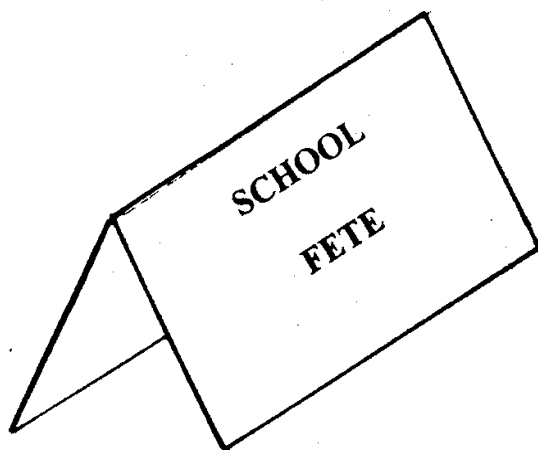
36.2 A sign authorised under subclause (1) shall—

- (a) Be subject to all provisions of this Local Law other than Clause 6;
- (b) Be placed so as not to cause interference or be hazardous to, or impede, vehicular traffic or pedestrians; and
- (c) Not be fixed to a street tree.

36.3 Council at any time can revoke the authorisation granted under subclause (1).

36.4 Upon the expiration or revocation of an authorisation issued under subclause (1), the person to whom it was issued shall remove the sign to which it relates.

36.5 Not be displayed for a period exceeding fourteen (14) days.





**37. Tethered Sign**

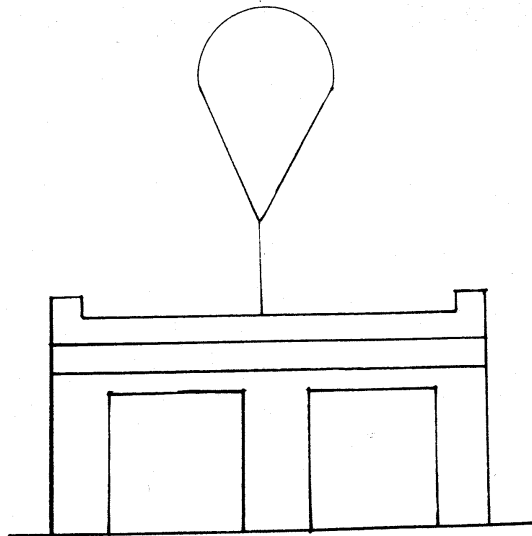
37.1 Tethered signs shall—

- (a) Be located wholly within the boundaries of the lot;
- (b) Have a maximum vertical dimension of 0.75m and a maximum area of 2m<sup>2</sup>;
- (c) Not be less than 2.4m or greater than 8m from ground level; and
- (d) Not exceed a ratio of one sign per any one lot and not be within 10m from a pylon sign.

37.2 Tethered signs which consist of balloon type objects shall—

- (a) Not exceed 7m in diameter or 9m in height; and
- (b) Not be permitted except for the promotion of special event activities such as fairs, and may be permitted during the period of the event only, and in the location of the event only.

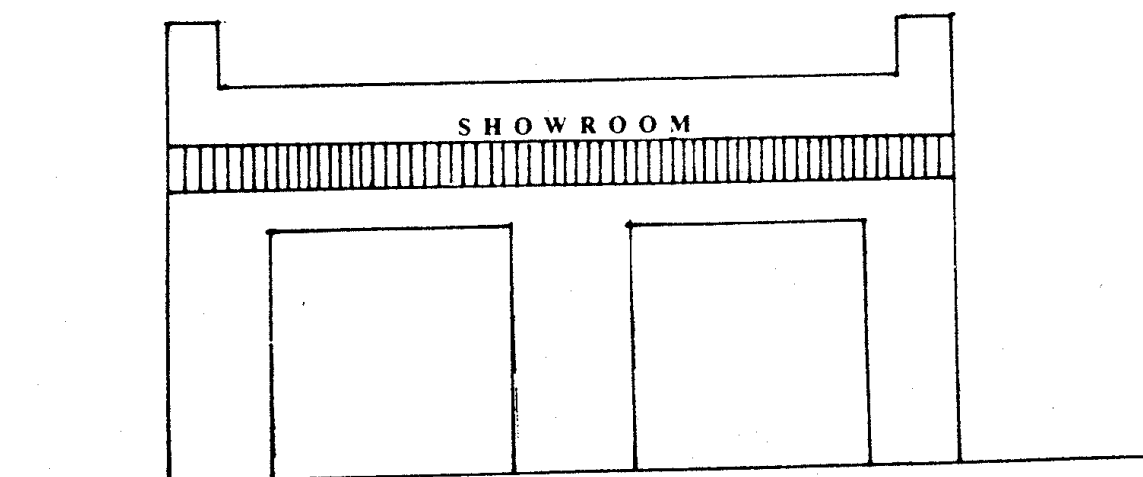
The advertiser shall supply a certificate from a structural engineer certifying that the connection of the balloon type object to the building is of a structurally sound design.

**38. Verandah Sign**

38.1 A sign erected above the outer fascia of a verandah shall be comprised only of free standing letters which are parallel to the nearest street kerb and each of which has a height of not more than 400mm. Each letter shall be mounted on a base 75mm in height.

38.2 A sign fixed to the outer or return fascia of a verandah—

- (a) Shall not exceed 600mm in height;
- (b) Shall not project beyond the outer metal frame or other surround of the fascia;
- (c) In the case of an illuminated sign, shall not be a flashing or blinking sign. For the purposes of this paragraph an illuminated sign which only changes colour is not a flashing sign; and
- (d) Shall be constructed so that the bottom edge of the sign is not lower than the bottom edge of the fascia.



**39. Vertical Sign**

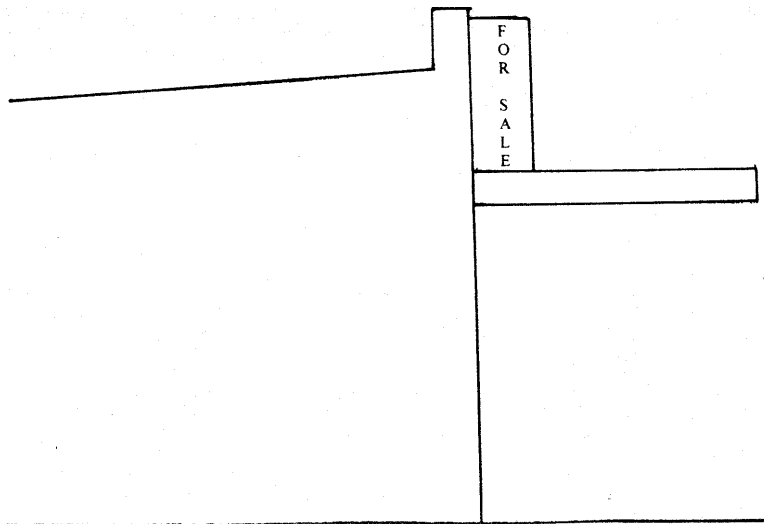
39.1 A vertical sign—

- (a) Shall be so constructed that, at no point, is the distance between the bottom of the sign and the ground below less than 3000mm;
- (b) Shall not project above the top of the wall to which it is attached at the point immediately adjacent to the sign and at no point shall the sign be extended more than 1500mm back from the face of that wall;
- (c) Shall not have an area greater than 2m<sup>2</sup>;
- (d) Shall not be located within 3600mm of another vertical sign attached to the same building; and
- (e) Shall not be located within 1800mm of either end of the wall to which it is attached except where the end in question—
  - (i) Adjoins a street or right of way, or
  - (ii) Is set back not less than 1800mm from the boundary of the land on which the building is erected.

39.2(a) Subject to paragraph (b) of this subclause, a vertical sign shall not project more than 900mm from the face of the building to which the sign is attached;

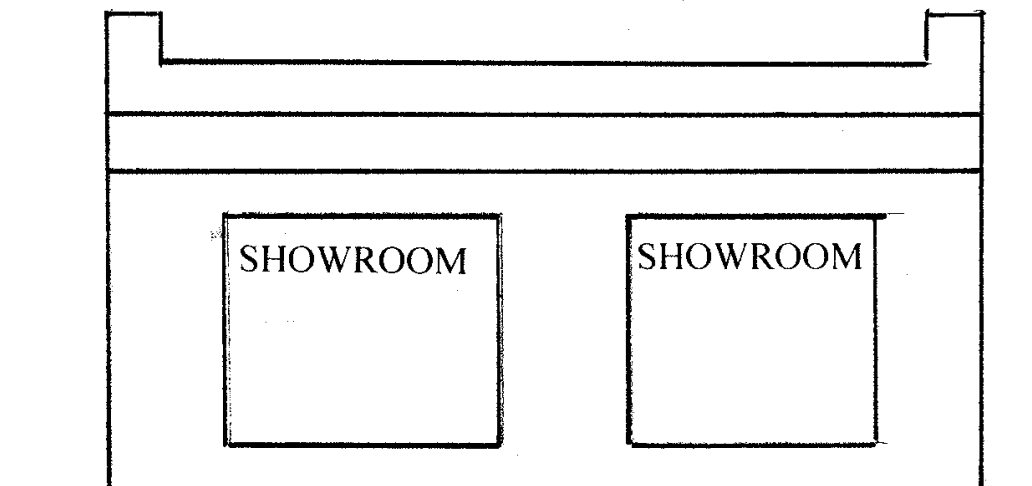
- (b) Where a vertical sign is fixed to the face of the building, and
  - (i) That building is set back behind the face of the building which adjoins that building; and
  - (ii) That building is within 3m of that adjoining building;

the sign may project from the face of the building an additional distance being the distance the adjoining building projects beyond the building or 600mm, whichever is the lesser.

**40. Window Sign**

40.1 A window sign shall—

- (a) Only be fixed, or painted on a ground or first floor window of a building;
- (b) Shall not exceed in area 25% of the area of all windows on the ground floor on the frontage of a building; and
- (c) Shall not exceed 50% of the area of the window on which it is painted or fixed.



**DIVISION 5**

**41. Offences**

41.1 Any person who erects or maintains or authorises, suffers or permits to be erected or maintained a sign or an advertising device in a manner contrary to the provisions of this Local Law commits an offence.

41.2 Any person who does anything prohibited under this Local Law or fails to do anything required of the person by this Local Law commits an offence.

41.3 Where by this Local 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.

41.4 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 Local Law.

41.5 Without prejudice to the preceding provision of this Local Law 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 Local 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/her pursuant to this clause commits an offence.

**42. Removal and Disposal of Signs Unlawfully Displayed**

42.1 A sign, advertisement, advertising device, hoarding or sign board that is placed in a position that—

- (i) Presents a hazard to the public safety;
- (ii) Obstructs the lawful use of any place; or
- (iii) Is prohibited, or regulated, by this Local Law;

is a contravention that can lead to impounding pursuant to the Local Government Act 1995.

**43. Penalties**

43.1 Any person convicted of an offence against this Local Law is liable to—

- 43.1.1 A penalty not less than two hundred (\$200) and not exceeding five thousand dollars (\$5000); and
- 43.1.2 A further penalty of one hundred (\$100) for every day during which the offence continues after conviction for the same.

**DIVISION 6**

**44. Rights or Objections and Appeal**

44.1 Where any provision is made for the granting, issuing or giving of any licence, authorisation, registration, approval or consent or the like under this Local Law, or for the refusal, refusal of renewal, or cancellation of the same, or for the imposition of conditions, then the rights of objections and appeal and the procedures associated with them provided for in Part 9 Division 1 of the Act shall apply, together with the relevant provision of the Local Government (Functions and General) Regulations 1996.

**45. Conditions**

45.1 If provision is made in this Local Law for the granting or issuing of any licence, authorisation, registration, approval or consent or the like subject to conditions, the person to whom the same is granted, issues or given and every other person operating under or within the terms of such licence, authorisation, registration, approval or consider or the like shall comply with such conditions and any failure to comply shall be a breach of this section and subject to the penalties applicable to the relevant Part of this Local Law.

**First Schedule**

TOWN OF CLAREMONT

**APPLICATION FOR A SIGN LICENCE**

No. .... Date .....

I hereby apply for a licence for a sign to be erected on the premises known as .....

Type of sign: .....

Full name and address of applicant: .....

Exact position of sign: .....

Dimensions of sign: .....

Materials and construction of sign and supports: .....

Inscription or device on sign: .....

Signature of Applicant .....

Signature of Owner of Land .....

Date: .....

**Second Schedule**  
**TOWN OF CLAREMONT**  
**SIGN LICENCE**

This document is not a receipt nor is this licence valid until the amount paid is printed by Cash Register on the space opposite.

No. .... Date .....

Type of sign: .....

Exact position of sign: .....

Dimensions of sign: .....

Materials and construction of sign and supports: .....

Inscription or device on sign: .....

This licence is granted to ..... of ..... in respect of  
a Sign on premises known as ..... in accordance with Application  
numbered as above and subject to the Local Laws of the Town of Claremont.

.....  
CHIEF EXECUTIVE OFFICER

Date: .....

\_\_\_\_\_

Dated this 1st day of March 2000.

The Common Seal of the Town of Claremont was hereunto affixed in the presence of—

PETER OLSON, Mayor.  
ARTHUR KYRON, Chief Executive Officer.

\_\_\_\_\_

