

**WESTERN
AUSTRALIAN
GOVERNMENT**
Gazette
ISSN 1448-949X



PERTH, TUESDAY, 13 JANUARY 2004 No. 9 SPECIAL

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.45 PM

© STATE OF WESTERN AUSTRALIA

LOCAL GOVERNMENT ACT 1995

SHIRE OF ESPERANCE

**LOCAL LAWS RELATING
TO SIGNS 2004**

LOCAL GOVERNMENT ACT 1995

SHIRE OF ESPERANCE

LOCAL LAWS RELATING TO SIGNS 2004

TABLE OF CONTENTS

PART 1—PRELIMINARY

1. Title
2. Purpose
3. Repeal
4. Application of Local Law
5. Definitions

PART 2—LICENSES AND EXEMPTIONS

6. Licence Required
7. Applications for Licenses
8. Licence Fees
9. Licence Exemptions

PART 3—STANDARDS

10. Restrictions
11. Fixing of Signs
12. Headroom
13. Hoardings
14. Signs to be Kept Clean
15. Size and Location of Signs
16. Information on Signs
17. Portable Signs
18. Property Disposal Sign
19. Rural Producers Sign
20. Community Event or Information Signs

PART 4—MISCELLANEOUS

21. Existing Signs
22. Signs in Road Reserves and Open Space Reserves Under the Care and Control of the Local Government
23. Design Principles
24. Discretionary Power

PART 5—REMEDY FOR BREACH

25. Revocation of Licence
26. Removal of Signs from Public Property
27. Removal of Signs from Private Property
28. Limit on Liability
29. Public Liability Insurance and Indemnity

PART 6—PENALTIES

30. Offences and Penalty
31. Prescribed Offences
32. Form of Notices
33. Prosecution for Offences
34. Rights of Objection and Appeal

Schedule 1

LOCAL GOVERNMENT ACT 1995

SHIRE OF ESPERANCE

LOCAL LAWS RELATING TO SIGNS 2004

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it the Council of the Shire of Esperance resolved on the 17th December 2003 to make the following local law.

PART 1—PRELIMINARY

1. Title

This local law may be referred to as The Shire of Esperance Local Laws Relating to Signs 2004.

2. Purpose

- (1) The purpose of this local law is to provide for—
- (a) the regulation, control and management of signs within the district;
 - (b) the preservation of public safety and the amenity of the district;
 - (c) appropriate exposure of activities and services available in the district.
- (2) The effect of this local law is to establish the requirements with which any person seeking to erect a sign within the district must comply and the means of enforcing those requirements.

3. Repeal

The Shire of Esperance By Law Relating To Signs, Hoardings and Bill Posting published in the *Government Gazette* on 7th October 1983 as amended in the *Government Gazette* on 23rd March 1984, 24th August 1984, 1st March 1985 and 10th July 1987 are hereby repealed.

4. Application of Local Law

This local law applies throughout the district except for road reserves under the control of the Commissioner for Main Roads.

5. Definitions

In this local law unless the context otherwise requires—

“**Act**” means the *Local Government Act 1995*;

“**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 an object on which words, numbers or figures are written, placed, affixed or painted for the purpose of advertising any business, function, operation, event, undertaking, product, or thing and includes a vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising a business, function, operation, event, undertaking, product or thing;

“**application**” means the completed form lodged for the purpose of obtaining a sign licence or permit in accordance with this local law;

“**appointed place**” means a place appointed by the local government or the CEO, of the local government to which signs and hoardings, erected and maintained in breach of this local law, may be—

- (a) placed by the local government; and
- (b) recovered by the sign owner;

“**authorised person**” means a person authorised by the local government under section 9.10 of the Act;

“**bill posting**” means the attaching, sticking or posting of a bill, poster or placard, or painting, stencilling or affixing an advertisement on a building, structure, fence, wall, hoarding, sign post, pole, blind, or awning, whether erected on private property or a public place so as to be visible to a person in a street, public place, private property or other land; and to post a bill has a corresponding meaning;

“**CEO**” means the chief executive officer of the local government;

“**community information sign**” means a temporary sign relating to or giving directions to a charitable, cultural, educational, recreational, or other public or community function, exhibition, meeting, display, event or activity conducted by a community association other than for commercial gain;

“**Council**” means the council of the local government;

- “**direction sign**” means a sign erected in a street or public place by or with the approval of the local government, to indicate the direction to another place but does not include a sign erected or affixed by the local government or the Commissioner of Main Roads or a road direction sign erected or affixed by a duly incorporated association or union of motorists authorised in that regard by the Minister for the time being administering the *Road Traffic Act 1974*;
- “**district**” means the district of the Shire of Esperance;
- “**election sign**” means a sign which encourages persons to vote for a candidate, political party, referenda or matter relating to any federal, state or local government election, but excludes bumper stickers;
- “**freestanding 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 sign infills can be added;
- “**hoarding**” means a detached or detachable structure including a wall panel or illuminated panel, other than a pylon sign, that is erected for the sole purpose of displaying one or more signs or advertising devices but excludes hoardings referred to in the *Local Government (Miscellaneous Provisions) Act 1960*;
- “**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;
- “**licence**” means a licence issued under this local law;
- “**licensee**” means the holder of a licence;
- “**local government**” means the Shire of Esperance;
- “**owner**” means the owner of the land or building on which the sign is to be or is erected and includes the owner of the business conducted on the land or building, to which the sign relates, or other person, who in the opinion of the local government is responsible for the sign;
- “**permit holder**” means the person issued with a permit;
- “**planning approval**” means an approval given under a relevant town planning scheme;
- “**portable sign**” means a sign not permanently fixed to the ground, a building, wall, fence or structure and includes but is not limited to a sandwich board sign consisting of 2 sign boards attached to each other at the top by hinges or other means;
- “**property disposal sign**” means a sign indicating that the premises whereon it is affixed or erected, are for sale, for letting or to be auctioned;
- “**rural producer’s sign**” means a sign erected on land zoned rural or land having a nonconforming use right for a rural use;
- “**sign**” means any message, direction or representation whatsoever displayed on a building, structure, board, or clock, other than a clock built into a wall which does not project beyond the face of the wall, or flags and bunting whether they contain a written message or not and includes any display produced by way of video or electronic means and every other type or style of sign defined or referred to in this local law;
- “**special event permit**” means a permit issued by the local government, detailing the terms and conditions under which community information signs or special event signs may be temporarily erected;
- “**special event sign**” means any sign temporarily erected, in accordance with a sign permit or licence, to advertise and promote an event to be held within the district which is available for attendance by the general public and is conducted for the purpose of commercial gain;
- “**thoroughfare**” means any street, way or place that is designed and used for the passage of vehicles and includes the shoulders and embayments at the side or centre of the carriageway used for the parking of vehicles;
- “**town planning scheme**” means any town planning scheme for the time being applying zoning or classification to land within the district; and
- “**vehicle**” includes every conveyance, and every object capable of being propelled or drawn, on wheels or tracks, by any means, not being a train, vessel or aircraft while being used as such.

PART 2—LICENCES AND EXEMPTIONS

6. Licence Required

- (1) A person shall not erect, maintain or display or permit to be erected maintained or displayed any sign on or above any land, building, road reserve or Crown reserve, except pursuant to a licence issued under this local law and in accordance with any conditions imposed on the licence, unless the sign is exempt under clause 9.
- (2) A licence issued under this local law remains valid until an alteration is made to the sign in respect of which it is issued and in that event the licensee shall apply for a new licence.
- (3) A licence shall be in the form used from time to time by the local government for that purpose.
- (4) A licence referred to in these local laws may be issued subject to such conditions as are specified in it and any other condition determined by the local government including any condition limiting the time within which the licence is valid and any requirement to hold and maintain current any public liability insurance policy in favour of the local government.

(5) Where under any written law operating within the district a sign or advertising device requires planning approval pursuant to the Shire of Esperance Town Planning Scheme, the requirement of planning approval shall be additional to the requirement of a licence under this Local Law.

(6) Where planning approval is required for a sign or advertising device the Council shall not consider or determine an application for a licence therefore under this Local Law unless and until planning approval has been granted.

7. Applications for Licenses

(1) An application for a licence under this local law shall be made in the form provided by the local government for the purpose.

(2) An application for a licence in respect of a sign shall be accompanied by 2 copies of a plan drawn to a scale of not less than 1:50 showing the position, design, method of construction, colours to be used in painting and the method of illumination, if any, of the sign for which the licence is sought.

(3) An applicant for a licence shall furnish, in writing and on plans, any further particulars required by the authorised person and this may include a certificate from a Structural Engineer certifying that the structure proposed to support the sign is sufficient.

8. Licence Fees

The fees payable for the issue of a licence or permit required under this local law shall be as determined by Council from time to time and payable at time of application.

9. Licence Exemptions

The following signs are exempt from the requirements of clause 6—

- (a) a sign erected or maintained in accordance with an Act;
- (b) a property disposal sign not exceeding 2m² erected on private property, or where it is not possible to erect it on private property then immediately adjacent to the front boundary;
- (c) in a Residential Zone, a plate not exceeding 0.2m² in area erected or affixed on the street alignment or between that alignment and the building line to indicate the name and occupation or profession of the occupier of the premises;
- (d) a sign used solely for the direction and control of people, animals or vehicles or to indicate the name or street number of a premises, if the area of the sign does not exceed 2m²;
- (e) an advertisement affixed to or painted on a shop window by the occupier thereof and relating to the business carried on therein;
- (f) a sign displaying solely the name and occupation of any occupier of business premises painted on a window or wall of those premises providing that the sign does not exceed 2m² in area;
- (g) a sign within a building;
- (h) a building name sign on any building, where it is of a single line of letters not exceeding 450mm in height, fixed to the facade of the building;
- (i) newspaper or magazine posters, provided they are displayed against the outside wall of the business premises from which the newspapers or magazines are sold;
- (j) a rural producer's sign which is the only sign on the lot on which it is erected;
- (k) a sign erected and maintained on street furniture, bus shelters or seats in accordance with the terms and conditions of a contract between the local government and the company responsible for those signs;
- (l) an election sign erected by the local government for the purpose of—
 - (i) encouraging participation in voting (but not in favour of any candidate, political party, group or thing) at a local government election, provided that the signs are erected no more than 28 days prior to the election; or
 - (ii) indicating the name and location of a polling place for an election;
- (m) an election sign which is—
 - (i) erected on private property in accordance with adopted Council Policy and with the approval of the owner of that property, where such approval has been obtained prior to the erection of the election sign;
 - (ii) erected not more than 28 days prior to the date of the election to which it relates;
 - (iii) erected in accordance with the restriction provisions of clause 10;
 - (iv) removed within 7 days of the date of the election;
- (n) Election signs or posters erected at the place of an election rally, election meeting or polling place, provided they are—
 - (i) erected on the day of the election rally, election meeting or polling day and are removed on the same day or at the conclusion of the rally or meeting;
 - (ii) each, no greater than 0.55m² in area;
 - (iii) erected at the entrance to a polling place in locations approved by the Presiding Officer, or in the road reserve adjacent a polling place;
 - (iv) not erected within a thoroughfare;
 - (v) erected in accordance with the restrictive provisions of clause 10;
- (o) a sign permanently affixed or painted on a vehicle used in the course of conducting business to identify a company or a business, or a service or product supplied or sold by that company or business;

- (p) a temporary sign relating to or giving directions to a charitable, cultural, educational, recreational or other public or community function, exhibition, meeting, display, event or activity conducted by a community association other than for commercial gain, if that sign is located in a Council's designated community information bay.

PART 3—STANDARDS

10. Restrictions

- (1) A person shall not erect, maintain or display a sign, or suffer or permit a sign to be erected, maintained or displayed or to remain on any land, building, road reserve or Crown reserve—
- (a) so as to obstruct the view from a street or public place of traffic in a street or public place;
 - (b) 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 the Regulations made under that Act;
 - (c) so as to obstruct access to or from a door, fire escape or window, other than a window designed for the display of goods;
 - (d) except with the approval of the local government on an ornamental tower, spire, dome or similar architectural feature or on a lift machinery room, bulkhead over stairs or other superstructure over the main roof of a building;
 - (e) where the stability of the building is, in the opinion of an authorised person, likely to be affected by the sign;
 - (f) on any light or power pole;
 - (g) on any tree, shrub or plant;
 - (h) which contains glass other than an electric light globe or tube or toughened glass;
 - (i) which contains or has attached to it any paper, cardboard, cloth or other readily combustible material, except posters securely fixed to a signboard, flags, banners or canvas awnings;
 - (j) subject to sub clauses 9 (m) and (n) on any street, thoroughfare or other public place, if the sign is an election sign; and
 - (k) so as to protrude above the highest part of the roof of a building to which it is fixed.
- (2) Subject to clause 9, a person shall not post a bill or paint, stencil, place or affix an advertisement on a street or on a building, structure, fence, wall, sign post, blind or awning so as to be visible to a person in a street, public place, reserve or other land.
- (3) A person shall not fly post at any place or location within the district.

11. Fixing of Signs

The owner or licensee of a sign must—

- (a) cause it to be securely fixed to the structure by which it is supported, to the satisfaction of an authorised person;
- (b) maintain the sign in a safe condition; and
- (c) ensure that the structure on which a sign is fixed is sound and capable of withstanding any forces that it would be reasonably subjected to without collapsing, deforming or moving from the position on which it is erected.

12. Headroom

The owner or licensee of a sign erected or fixed over walkways, access-ways or other public land, shall cause it to be fixed to provide a clear headway under the sign of not less than 2.75m unless otherwise permitted by an authorised person.

13. Hoardings

(1) A hoarding shall not—

- (a) be erected on land that is zoned for residential purposes by a Town Planning Scheme or Local Laws for the time being in force;
- (b) except with the approval of the Council be erected within 15 metres of a street or other public place and in any case not closer than its own height to a street or public place;
- (c) be of greater area than 6 square metres.

(2) A licence issued in respect of a hoarding is valid in terms of the licence for the period specified in the licence but in any event not exceeding 10 years.

(3) The licence fee for a hoarding is the annual licence fee prescribed by the Council from time to time and is payable annually so long as the hoarding is maintained with the approval of the Council.

14. Signs to be Kept Clean

The owner or licensee of a sign shall keep it clean and free from unsightly matter and shall maintain it in good order and condition.

15. Size and Location of Signs

(1) The area of a sign or the total area of more than one sign fixed to or painted on any surface of a building shall not exceed the equivalent of 20% of the area of the elevation of the building. The area of any sign under a verandah shall be included in the total area of signs fixed to or painted on a building.

(2) The area of a freestanding sign on each face shall not exceed the equivalent of 1m² for every 3m of street frontage of the lot on which the sign is located up to a maximum area of 4m².

(3) A maximum of one freestanding sign is permitted per road frontage of a lot.

(4) A freestanding sign shall be located a minimum of 2m from any lot boundary.

(5) A freestanding sign, including structure to which it is fixed, shall not be higher than the highest building on the lot on which it is located. Where there are no buildings on the lot a freestanding sign shall have a maximum height of 3m.

16. Information on Signs

Any advertising sign erected and maintained in accordance with this local law shall—

- (a) be simple and provide for instant recognition; and
- (b) except where otherwise permitted under this local law only display—
 - (i) the name of one or more of the occupiers of the premises;
 - (ii) details of a business or businesses carried on in the premises;
 - (iii) details of the goods sold in the premises to which it is affixed;
 - (iv) any other matter approved by the Council.

17. Portable Signs

If the local government approves an application for a permit for a portable sign, the application is to be taken to be approved subject to the following conditions—

- (a) The portable sign shall—
 - (i) not exceed 1.2m in height;
 - (ii) not exceed 1m² in total area on any face;
 - (iii) be placed within the boundaries of the lot to which the sign relates or refers;
 - (iv) relate only to the business activity described on the permits;
 - (v) be placed so as not to cause interference or be hazardous to vehicular traffic or cause any interference or hazard to or impede pedestrians;
 - (vi) be of sound construction, maintained in good condition, neatly sign written and fixed in position to the satisfaction of the local government;
- (b) No more than one portable sign shall be erected in relation to the one building or business;
- (c) 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 a subsequent trading day.

18. Property Disposal Sign

(1) A property disposal sign other than one exempted by clause 9 of this local law shall comply with the Standards set out in this Part but shall be removed by the licensee immediately after the sale of the land or buildings to which it refers is complete.

(2) Notwithstanding the Standards set out in this Part the local government may at its discretion approve more than one property disposal sign after having regard to the area or size of the land or building to be offered for sale.

19. Rural Producers Signs

A rural producers sign shall—

- (a) show only the name and address of the occupier of the land and the name of the property and shall only advertise goods or products produced, grown or lawfully manufactured upon the land;
- (b) only be erected and maintained on land on which the goods or products are produced, grown or lawfully manufactured;
- (c) not exceed 3m² in area or 3m in height.

20. Community Event or Information Signs

(1) Unless in accordance with clause 9 (p), a person shall not erect or maintain or display or permit to be erected maintained or displayed, a community information sign or special event sign—

- (a) without first having obtained a sign permit; or
- (b) otherwise than in accordance with the conditions of the special event permit issued in respect of the sign.

(2) Notwithstanding anything contained in this local law, the local government may upon receipt of a written application, issue a special event permit for the temporary erection in or on a street, thoroughfare, way or public place, community information signs or special event signs, subject to the terms and conditions stipulated in the permit and compliance with clause 9.

PART 4—MISCELLANEOUS

21. Existing Signs

Subject to clause 25 a licence issued under any previous local law operating in the district, is deemed to have been issued in accordance with this local law.

22. Signs in Road Reserves and Open Space Reserves Under the Care and Control of the Local Government

- (1) The local government may grant a license for the erection of an advertisement sign on a road or open space reserve under its care and control.
- (2) In assessing a request for approval of an advertisement sign the local government shall have due regard to the preservation of public safety and the visual amenity of the locality.
- (3) The local government may impose such conditions or enter into any contract or agreement with the owner or licensee of the advertisement sign as it sees fit to ensure the proper control and maintenance of any such sign. In addition to any other conditions the local government may require the owner or licensee to provide public liability insurance and an indemnity in respect to the placement of an advertisement sign in a road or open space reserve.
- (4) The local government may grant a license for a directional sign that refers to a place of business provided that—
- the sign has a maximum depth of 200mm and a maximum length of 1200mm;
 - the business referred to has been approved by the local government; and
 - the applicant shall pay to the local government in addition to any license fee the costs associated with the provision, installation and maintenance of the sign.

23. Design Principles

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

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

24. Discretionary Power

Notwithstanding that a sign does not conform with the standards in Part 3 of this local law, provided the local government has determined that the purpose set out in clause 2 of Part 1 will be achieved, it may by an absolute majority decision resolve to vary a standard and approve a sign. An application for variation of a standard shall include a sign strategy that shows the proposed location and size of all advertisement signs for the whole of the subject site.

PART 5—REMEDY FOR BREACH**25. Revocation of Licence**

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

26. Removal of Signs from Public Property

- (1) The local government may remove to an appointed place any sign, advertisement, or other advertising device, placed or erected on any thoroughfare, footpath or other public place under the care control and management of the local government, unless placed or erected in accordance with the provisions of this local law.
- (2) Where a sign, hoarding advertisement, or other advertising device is removed to an appointed place in accordance with sub clause (1) and where it is possible to identify the name of the owner of the sign or advertising device, a notice shall be served on the owner advising—
- the location of the appointed place to where the sign has been removed; and
 - that the sign may be collected during such hours and on payment of such fees and charges as may be specified in the notice.

27. Removal of Signs from Private Property

Where a breach of any provision of this local law has occurred in relation to a sign or hoarding on private property, the local government may give notice in writing to the owner of that property—

- advising details of the breach of the local law; and
- requiring the owner to remedy the breach within the time specified in the notice.

28. Limit on Liability

A person, owner, or licensee is not entitled to make any claim by way of damages or otherwise, against an authorised person, local government employee, local government appointed sub-contractor or other person authorised by the local government—

- to carry out all or part of the works and do all things necessary that the owner, or licensee was required to do to comply with this local law; or
 - in respect of a sign removed and dealt with under the provisions of these clauses or against any person who purchases a sign sold by the local government;
- except in the case of negligence or breach of statutory duty by the Council.

29. Public Liability Insurance and Indemnity

(1) Where, as a condition of a sign licence or permit, the owner, licensee or permit holder is required to provide a public liability insurance policy, indemnifying the local government against all actions, suits, claims, damages, losses and expenses made against or incurred by the local government arising from any activity, action or thing performed or erected in accordance with the licence and keep that insurance policy current for the duration of the licence, the owner or licensee shall—

- (a) enter into an agreement with the local government to provide the required public liability insurance protection;
- (b) take out a public liability insurance policy in the name of the owner or licensee and the local government, for a minimum value of \$5,000,000.00 or such other amount as considered appropriate to the risk involved;
- (c) include a clause in the policy which prevents the policy from being cancelled without the written consent of the local government;
- (d) include a clause in the public liability insurance policy which requires the owner or licensee and the insurance company, to advise the local government if the policy lapses, is cancelled or is no longer in operation;
- (e) on the request of an authorised person, provide for inspection, a certificate of currency for the required insurance policy.

(2) In the event an owner or licensee refuses or cannot provide a current certificate of insurance within 2 working days as requested in accordance with sub clause (1) then the licence is deemed to be revoked and the sign is to be removed immediately.

(3) An owner or licensee who fails to remove a sign in compliance with sub clause (2) commits an offence.

PART 6—PENALTIES**30. Offences and Penalty**

(1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

(2) Any person who commits an offence under this local law shall be liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$100 for each day or part of a day during which the offence has continued.

31. Prescribed Offences

(1) An offence against a clause specified in Schedule 1 of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

(2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.

32. Form of notices

For the purposes of this local law—

- (a) the form of the infringement notice referred to in section 9.16 of the Act is form 2 in the Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
- (b) the form of the infringement withdrawal notice referred to in section 9.20 of the Act is form 3 in the Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

33. Prosecution for Offences

A penalty for an offence against this local law (not being a modified penalty) may be recovered by the local government by taking proceedings against the alleged offender in a Court of Petty Sessions.

34. Rights of Objection and Appeal

Where any provision is made for the granting, issuing or giving of any licence, authorisation, registration, approval or consent or the like under these Local Laws, 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*.

**Schedule 1
PENALTIES**

Clause	Description	Modified Penalty \$
6(1)	Erect or maintain or permit to be erected or maintained, a sign without a licence	100
10(1)(a)	To obstruct the view of traffic in a street or public place	100
10(1)(b)	To be confused or mistaken for official traffic lights or signs	100
10(1)(c)	To obstruct access to or from a door, fire escape or window not designed for display of goods	100
10(1)(d)	On an ornamental tower, spire, dome or other super structure over the main roof of a building	100
10(1)(e)	On a building which the stability is likely to be affected by the sign	100
10(1)(f)	On any light or power pole	100
10(1)(g)	On any tree, shrub or plant	100
10(1)(h)	Which contains glass other than an electric light globe or tube or toughened glass	100
10(1)(i)	Which contains or has attached to it any paper, cardboard, cloth or other readily combustible material to any sign	100
10(1)(j)	Subject to sub clauses 9 (m) and (n) on any street, thoroughfare or public place if an election sign	100
10(1)(k)	To protrude above the highest part of a building	100
10(2)	Post a bill, fix advertisement visible from street, public place, reserve except a hoarding approved for purpose	100
10(3)	Fly post at any place or location in district	100
11(a)	Fail to securely fix a sign to a supporting structure	100
11(b)	Fail to maintain a sign in a safe condition	100
11(c)	Fail to provide a sound structure on which a sign is fixed	100
12	Fail to fix a sign over walkways, access ways or public land to provide clear headway of not less than 2.75m	100
13(1)(a)	Erect a hoarding on land zoned for Residential purposes	100
13(1)(b)	Erect a hoarding within 15 metres of a street or other public place	100
13(1)(c)	Erect a hoarding of greater area than 6m ²	100
18	Fail to remove property disposal after sale completed	100
27	Fail to a remove a sign in accordance with a notice given under Clause 27	100
29 (3)	Fail to remove a sign in compliance with sub clause (2) of Clause 29	100

Dated this 24th day of December 2003.

The Common Seal of the Shire of Esperance was affixed in the presence of—

I. S. MICKEL, Shire President.
M. S. L. ARCHER, Chief Executive Officer

