

BANKS PENINSULA DISTRICT COUNCIL

PUBLIC PLACES AND SIGNS BYLAW 2004

CONTENTS

GENERAL EXPLANATORY COMMENTARY	
PREAMBLE	
PART 1	BYLAW ADMINISTRATION
PART 2 *	LIQUOR CONTROL IN PUBLIC PLACES
PART 3 *	PUBLIC PLACES
PART 4 *	SIGNS

Note:

- * Part 2 of this bylaw was revoked on 1 July 2009 by the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009
- * Part 3 of this bylaw was revoked on 1 July 2008 by the Christchurch City Council Public Places Bylaw 2008
- * Some parts of Part 4 (4.2, 4.3, 4.4, 4.10, 4.11 and 4.12) of this bylaw were revoked on 1 July 2008 by the Christchurch City Council Public Places Bylaw 2008
- * Amendments made to this bylaw are marked in grey throughout

GENERAL EXPLANATORY COMMENTARY

This document is the Banks Peninsula District Council Public Places and Signs Bylaw 2004.

This is the third edition of this bylaw.

The first edition of this bylaw was issued on 27 April 2005 by the Banks Peninsula District Council.

The second edition of this bylaw was issued as a result of revocations contained in the Christchurch City Council Public Places Bylaw 2008, which was adopted by the Christchurch City Council on 19 June 2008 and came into force on 1 July 2008. The Public Places Bylaw 2008 revoked part 3 and parts of part 4 of this bylaw (4.2, 4.3, 4.4, 4.10, 4.11 and 4.12).

The third edition of this bylaw was issued as a result of revocations contained in the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009, which was adopted by the Christchurch City Council on 28 May 2009 and came into force on 1 July 2009. The Alcohol Restrictions in Public Places Bylaw revoked part 2 of this bylaw.

Revocations are indicated in grey throughout.

A bylaw is a rule or regulation made by a local authority, which affects the public, which orders something to be done, or in some cases, something not to be done. It provides penalties for not complying, including fines imposed by a District Court. Additional measures to enforce bylaws include Court orders or, in some cases, direct intervention by a Council to demolish or remove non-conforming features.

This Bylaw is set out in several parts as detailed on the Contents page. Part 1 - Bylaw Administration needs to be read with all other parts as it contains the common definitions and procedures.

At the beginning of each Part of the Bylaw is a short explanation of the contents of that part. Words in italics do not form part of the Bylaw but are there to provide guidance.

The Preamble following the Contents page is a legal statement of the force and effect of this Bylaw as at the time it came into force.

PREAMBLE

1. This Bylaw of the Banks Peninsula District Council is made in pursuance of the powers and authorities contained in the Local Government Act 2002, the Transport Act 1962, the Health Act 1956, the Burial and Cremation Act 1964, the Standards Act 1988, and their amendments, and in pursuance of all other powers and authorities contained in any other Act enabling the Council in that behalf.
2. This Bylaw shall be cited as "The Banks Peninsula District Council Public Places and Signs Bylaw 2004" and shall come into force on the 15th day of December 2004.

3. All bylaws made by the Council or its predecessors in force in the District at the time of the coming into force of this bylaw, which relate to any matter or thing to which this bylaw relates, or any bylaws inconsistent with this bylaw are hereby revoked as from the date of the coming into force of this bylaw.
4. Any bylaw revoked by this bylaw shall remain in force so far as it relates to anything done or any offence committed, prosecution or proceeding commenced, right or liability accrued, licence issued, notice given or order made under or against any of the provisions thereof, before the coming into force of this bylaw.
5. All licences issued under any revoked bylaw shall, after the coming into operation of this bylaw, be deemed to have been issued under this bylaw and be subject to the provisions hereof.
6. A reference in this by-law to any statute, regulation, plan or by-law (unless the context otherwise requires) includes reference to all later statutes, regulations, plans, changes to plans and by-laws made in amendment or substitution of the statute, regulation, plan or bylaw cited.
7. Compliance with this by-law does not remove the need to comply with any Act, regulations, rules of law or any operative or proposed regional or district plan under the Resource Management Act 1991 or any other by-law.
8. This by-law shall have full force and effect unless inconsistent with any Act, regulations or the provisions of any operative or proposed regional or district plan under the Resource Management Act.
9. In interpreting and applying this bylaw:
 - (a) the singular includes the plural
 - (b) the plural includes the singular
 - (c) words referring to one gender include all other genders.
10. The Council may from time to time by resolution:
 - (a) Make additions to or deletions from any of the Schedules in this bylaw.
 - (b) Substitute new Schedules to replace existing Schedules in this bylaw.

PART 1	BYLAW ADMINISTRATION
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EXPLANATORY NOTE

Part 1 of this Bylaw deals in general with definitions and interpretation of terms in the Bylaw, licences issued pursuant to the provisions of the Bylaw, and offences and breaches of its provisions. The purpose of this Part of this Bylaw is to provide consistency in interpretation of terms in the Bylaw and to deal with some matters, which are general to all Parts of the Bylaw. Some Parts contain definitions which are relevant to that Part only.

Contents

- 1.1 Interpretation
- 1.2 Licences
- 1.3 Dispensations
- 1.4 Offences and Breaches
- 1.5 Serving of Notices, Documents etc
- 1.6 Penalties
- 1.7 Officers
- 1.8 Fees

1.1 INTERPRETATION

In this Bylaw, unless the context otherwise requires or where otherwise expressly provided:-

“**Act**” means the Local Government Act 2002

“**Authorised Officer**” means any person authorised to carry out any of the duties provided for in this bylaw.

“**Chief Executive**” means the officer for the time being appointed by the Council and holding the position of Chief Executive and includes any person authorised to act on his/her behalf.

“**Council**” means the Banks Peninsula District Council and includes any person authorised by the Council to act on its behalf.

“**Erect**” includes place in position, and “erection” shall have a corresponding meaning.

“**Footpath**” means a path or way principally designed for, and used by, pedestrians; and for the purposes of this Bylaw includes any accessway, pedestrian mall, walkway, footbridge or grass berm.

“**Public Place**” includes, within the Council’s district, every road, street, footpath, court, alley, pedestrian mall, roadway, cycle track, lane, accessway and thoroughfare, square, reserve, park, domain, beach, foreshore and recreational ground under the control of the Council.

“**Reserve**” means a reserve as defined in the Reserves Act 1977.

“**Road**” means a road as defined in Section 2 of the Land Transport Act 1998, and as defined in Section 315 of the Local Government Act 1974 and under the care, control and management of the Banks Peninsula District Council.

“**Roadway**” means that portion of the road used or reasonably usable for the time being for vehicle traffic in general; and for the purposes of this bylaw includes a public cycle track constituted under Section 332 of the Local Government Act 1974.

“**Rural**” means those areas that are within the Rural and Rural-Residential zones as defined in the Banks Peninsula Proposed District Plan.

“**Urban**” means those areas that are within the Town Centre, Industrial, Residential Conservation, Residential, Akaroa Hillslopes or Small Settlement Zones as defined in the Banks Peninsula Proposed District Plan.

“**Vehicle Crossing**” means a path or way principally designed for vehicles between the roadway and private property.

“**Zone**” means a zone defined by any Operative and or Proposed District plan, including all operative and notified changes and or variations to those plans.

1.2 LICENCES

1.2.1 Any person doing or proposing to do anything or to cause any condition to exist for which a licence or approval from the Council is required under this Bylaw or any Part thereof or by any Act, shall first obtain a licence or approval from the Council.

1.2.2 The Council may attach to any licence such terms or special terms or conditions as it thinks fit.

1.2.3 No application for a licence from the Council, and no payment of or receipt for any fee paid in connection with such application or licence, shall confer any right, authority or immunity on the person making such application or payment.

1.2.4 Except as may be otherwise provided in any enactment or in this Bylaw:

(a) Should it be brought to the notice of the Council either by a report from its Officer or otherwise that the holder of any licence granted hereunder:

- (i) Has acted or is acting in a manner contrary to the true intent and meaning of this Bylaw or in any Part thereof; or
- (ii) Has failed to comply with any of the conditions of such licence; or
- (iii) Is in any way unfit to hold such licence;

then the Council may by notice in writing call upon him/her to appear before the Council or a Committee of the Council at a time and place stated in the notice, and show cause why his/her licence should not be revoked or suspended. The Council or Committee may, if it considers the allegations correct or if there is no appearance by the holder of a licence, revoke the licence or suspend the same for as long as it may think fit.

1.3 DISPENSATIONS

1.3.1 The Council may grant a dispensation from full compliance with any provision in this Bylaw or any other Bylaw enacted by the Council, in a case where the Council is of the opinion that full compliance would needlessly and injuriously affect any person or business, without a corresponding benefit to the public or any section of it.

1.3.2 Written application for a dispensation shall be made to the Council, giving full details of the relief sought and the reasons for the application. The Council shall consider the

application and may either refuse it or grant it subject to such conditions as it considers appropriate.

- 1.3.3 The applicant for a dispensation may elect to appear in person or by a representative when the application is being considered.

1.4 OFFENCES AND BREACHES

1.4.1 Every person commits a breach of this Bylaw who:

- (a) Does, or causes to be done, or permits or suffers to be done, or is concerned in doing, anything whatsoever contrary to or otherwise than as provided by this Bylaw;
- (b) Omits, or neglects to do, or permits or suffers to remain undone, anything which according to the true intent and meaning of this Bylaw ought to be done at the time and in the manner therein provided;
- (c) Does not cease any action which that person is required to cease under this Bylaw;
- (d) Knowingly permits or allows any condition of things to exist or continue to exist contrary to this Bylaw;
- (e) Fails, refuses or neglects to comply with any notice duly given to that person under this Bylaw;
- (f) Obstructs or hinders any Officer of the Council or other person appointed, employed or authorised by the Council in the execution or performance or attempted execution or performance of any duty to be discharged by such person under or in the exercise of any power conferred by this Bylaw;
- (g) Fails to comply with any notice, or direction, or conditions contained in any licence granted by the Council.

1.4.2 Every person commits a breach of this Bylaw:

- (a) Who having constructed, erected, affixed, provided or removed, or caused to be constructed, erected, affixed, provided or removed any building or any part of a building, or any work, appliance, or material of any description whatsoever, contrary to, or otherwise than in accordance with, the provisions of this Bylaw;
- (b) Who having omitted to construct, erect, affix, provide or remove any work, appliance, or materials as required thereby, and who does not within a reasonable time after notice in writing has been given to that person by the Council or any Officer of the Council so to do, either:
 - (i) Open up, lay bare, pull down, take away, or remove that building, part of a building or work, appliance, or material; or
 - (ii) Cause the same to be pulled down, taken away, or removed; or
 - (iii) Alter or replace or cause to be replaced or altered the same;so as to comply with this Bylaw.

1.4.3

- (a) Every notice referred to in Clause 1.4.2 shall state the time within which the remedial action is to be carried out, and may be extended from time to time.
- (b) The provisions of Clauses 1.4.1 and 1.4.2 shall also apply to the case of any building, part of a building, work, appliance, or material that has, before the coming into force of this Bylaw, been constructed, erected, affixed, provided or removed, or omitted contrary to or otherwise than as provided by any provision of any Bylaw hereby

repealed, but re-enacted, or re-enacted in substance in this Bylaw, and notice may be given and renewed in respect of any such building, part of a building, work, appliance, or material with the like consequences as are herein before specified in this clause.

1.4.4

(a) Whenever under any of the provisions of this Bylaw, any person may be required to do anything, or abstain from doing anything, when called upon to do, or abstain from doing such thing, by notice from the Council, or from any Officer of the Council, the omission, whether wilful or otherwise, of any such person to comply with such notice, request or order shall be a separate offence upon each day which the person fails to comply with the notice, request, or order.

(b) The provisions of this clause shall not be construed to relieve any person from any penalty which they may have incurred before receiving such notice.

1.4.5 Except where it is expressly otherwise provided by any Act, any person (including a member of the Police) may lay an information for an offence against this Bylaw.

1.4.6 Where it is suspected that any person has committed a breach of this Bylaw, that person shall on the direction of the Police provide his/her full name and address.

1.5 SERVING OF NOTICES, DOCUMENTS, ETC

1.5.1 Except where otherwise expressly provided for in any Act, in any case where it is provided by this Bylaw or any Part thereof, that an order may be made upon or notice given to any person requiring that person to do or abstain from doing anything, or any notice is required by this Bylaw to be given or sent to any person, the order or notice shall be delivered to that person either personally or by sending it to the person's last known address, place of abode or business, and in the case of a company to its registered office, by messenger or by post.

1.5.2 If that person is absent from New Zealand, the order or notice may be sent to his/her agent instead of to that person in any manner mentioned in Clause 1.5.1 of this clause.

1.5.3 If that person is not known, or is absent from New Zealand and has no known agent in New Zealand, and the order or notice relates to any land or building, the order or notice, addressed to the owner or occupier of the land or building, as the case may require, may be served on the inhabitant occupier of that property, or left with some person residing therein, or, if there is no occupier, may be put up on some conspicuous part of the land or building. It shall not be necessary in any such notice to name the occupier or the owner of the land or building.

1.5.4 If that person is deceased, the order or notice shall be served in any such manner as aforesaid on that person's personal or legal representative or executor.

1.5.5 Where an order or notice is sent by post it must be sent so as to arrive in the due course of post on or before the latest time on which the order or notice is required to be served and shall be deemed to have been served at the time when the letter would be delivered in the ordinary course of post.

1.6 PENALTIES

- 1.6.1 Subject to any provision to the contrary any person guilty of an offence against this Bylaw shall be subject to the penalties set out in Section 242 of the Act.
- 1.6.2 Pursuant to Section 163 of the Act, the Council or any authorised officer or agent appointed by it may pull down, remove or alter, or cause to be pulled down, removed, or altered, any work, material or thing erected in contravention of this Bylaw.
- 1.6.3 The Council or any authorised officer or agent appointed by it may recover from the person committing the breach all expenses incurred by the Council in connection with the pulling down, removal or alteration.
- 1.6.4 The exercise of this authority shall not relieve any person from liability for any penalty incurred by reason of such breach.

1.7 OFFICERS

- 1.7.1 (a) For any of the purposes of this Bylaw, any Officer or other person duly appointed, employed or authorised by the Council in that behalf may at all reasonable times enter upon any land, building or premises in order to carry out an inspection thereof and may execute thereon any works or actions authorised under or pursuant to this Bylaw.
- (b) All Inspectors or other Officers appointed by the Council under or for the purpose of any repealed Bylaw and holding office at the time of the coming into operation of this Bylaw shall be deemed to have been appointed under this Bylaw.
- (c) Every person commits an offence against this Bylaw by personating any person who is charged with the administration of this Bylaw or of any aspect thereof.

1.8 FEES

- 1.8.1 The Council may by resolution publicly notified prescribe fees for the purposes of this Bylaw and in respect of any certificate, authority, approval, consent, or service given or inspection made by the Council under this Bylaw or any other enactment in any case where that provision or enactment contains no provision authorising the Council to charge a fee, and does not provide that the certificate, authority, approval, consent, service or inspection is to be given or made free of charge.
- 1.8.2 Where an annual fee is payable in respect of a licence issued under this Bylaw or any Part thereof, such fee shall, where the licence is issued for less than one year, be reduced by one-twelfth thereof for every complete month by which the term of the licence is less than one year.

PART 2	LIQUOR CONTROL IN PUBLIC PLACES
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EXPLANATORY NOTE

This part of the Banks Peninsula District Council Public Places and Signs Bylaw 2004 was revoked on 1 July 2009 by the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009.

PART 3	PUBLIC PLACES
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EXPLANATORY NOTE

This part of the Banks Peninsula District Council Public Places and Signs Bylaw 2004 was revoked on 1 July 2008 by the Christchurch City Council Public Places Bylaw 2008.

PART 4	SIGNS
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EXPLANATORY NOTE

Clauses in this part of the Banks Peninsula District Council Public Places and Signs Bylaw were revoked on 1 July 2008 by the Christchurch City Council Public Places Bylaw 2008. Revoked clauses are indicated throughout.

The objective of this Part of the Bylaw is to provide for the orderly use of signs. Signs are used for a range of purposes - to advertise services and products, to indicate location and to provide information. In providing for signs, the Council is concerned to ensure that there is no danger to public safety, that the physical appearance of buildings are not significantly altered by the presence of signs and that the sign is appropriate in terms of its effect on the surrounding environment. It is intended that signs which have an impact on areas with high amenity values such as residential areas, conservation areas, historic areas and reserves should have more restrictive performance requirements than signs in other parts of the District.

It is also intended to introduce remote sign frames and centrally located static information sign frames to limit the private business or tourist facility signs mounted in conjunction with Council controlled street signage.

Because of public demand Council has included provision in this bylaw for rural information signs in rural zones, to allow businesses and public amenities to be advertised at the nearest intersection with a main travelling route, as defined in Schedule I of this part of this bylaw. This will not only provide an advertising outlet for those businesses but will assist the travelling public by providing information on what services and facilities are available in communities remote from main travelling routes.

CONTENTS

- 4.1 Definitions
- 4.2 Authorised Signs *
- 4.3 Prohibited Signs *

- 4.4 Flat Boards and Sandwich Boards *
- 4.5 Remote Signs
- 4.6 Remote Sign Frame
- 4.7 Rural Information Signs
- 4.8 Rural Information Sign Frames
- 4.9 Static Information Signs
- 4.10 Public Safety *
- 4.11 Dispensation *
- 4.12 Removal of Illegal Signs *
- 4.13 Penalties
- 4.14 Schedule I : Main Business Thoroughfares and Main Travelling Routes
Schedule II : Remote Sign Frame Locations
Schedule III : Remote Sign / Rural Information Sign Application Form

* Sections 4.2, 4.3, 4.4, 4.10, 4.11 and 4.12 were revoked by the Christchurch City Council Public Places Bylaw 2008

4.1 DEFINITIONS

“Captive Balloon” means a non-powered balloon for advertising purposes *

“Flag” means any bunting or other flexible material attached by one edge to a staff, pole or halyard *

“Flatboard” means any portable or fixed sign placed against a building, advertising goods, services or an event *

“Prohibited Sign” means a sign prohibited under Clause 4.3 of this bylaw *

“Remote Sign” means any sign located on a Council approved Remote Sign Frame to indicate the location of a business, or a public or recreational facility, not on a main business thoroughfare as defined in Schedule I of this Bylaw.

“Remote Sign Frame” means an official supporting frame for businesses to erect remote signs.

“Rural Information Sign” means any sign located on a Council approved Rural Sign Frame to indicate the location of a business, or a public or recreational facility, not located on a main travelling route as defined in Schedule I of this Bylaw.

“Rural Sign Frame” means an official supporting frame for businesses to erect rural information signs

“Sandwich Board” means any self supporting and portable sign, placed on a Public Place advertising goods, services or an event *

“Sign” means every advertisement or advertising device of whatever nature. It includes, but is not limited to:

(a) a captive balloon, flag, flat board, freestanding sign, illuminated sign, moving sign, remote sign, rural information sign, roof sign, sandwich board.

(b) all material and components comprising the sign, its frame, background, structure, any support and any means by which the sign is attached to any other thing *

“Static Information Sign” means a centrally located sign in an urban area that provides tourist and service information and links to remote sign frames.

“Traffic Sign” means a sign of one of the classes described in the Fourth Schedule of the Traffic Regulations 1976 and includes the support to which the sign is attached.

** These definitions were not revoked by the Christchurch City Council Public Places Bylaw 2008, but relate to parts of this bylaw that were revoked by the Christchurch City Council Public Places Bylaw 2008*

For the purposes of this Bylaw:

- (a) The height of a sign means the vertical distance from either:
 - (i) the base of the sign; or
 - (ii) if the sign is a freestanding sign from the level of the ground before any work is done to prepare the site for the sign to the highest point of the sign.
- (b) The width of a sign means the horizontal distance across the sign measured at its greatest extent.
- (c) The area of a sign means the surface area of a sign; if a sign is displayed on a wall or window the area of a sign means the area actually or notionally enclosed, as the case may be, by the outside of a line drawn around the sign.

4.2 AUTHORISED SIGNS

This clause was revoked on 1 July 2008 by the Christchurch City Council Public Places Bylaw 2008.

4.3 PROHIBITED SIGNS

This clause was revoked on 1 July 2008 by the Christchurch City Council Public Places Bylaw 2008.

4.4 FLAT BOARDS AND SANDWICH BOARDS

This clause was revoked on 1 July 2008 by the Christchurch City Council Public Places Bylaw 2008.

4.5 REMOTE SIGNS

- 4.5.1 Businesses in urban areas may apply to Council to have a sign located on a remote sign frame. The Chief Executive will have absolute discretion on whether to approve any application for a remote sign.
- 4.5.2 Remote signs will only be allowed in conjunction with an official Council remote sign frame.
- 4.5.3 Remote signs shall be a maximum of 1.0m wide x 120mm high, and shall be of a design consistent with the guidelines in Schedule III of this bylaw.
- 4.5.4 Remote signs may be left on display on a permanent basis.
- 4.5.5 Any remote sign must only advertise the name, the type of business being conducted and the distance to the business, and must not include any prices, specials or other variable factors.
- 4.5.6 In the case of a business closing or relocating, or for any reason no longer requiring its remote sign, such sign shall be removed by the business owner.

- 4.5.7 Businesses located in rural areas, which are accessed initially from urban streets, may make application to have a remote sign. The Chief Executive will have absolute discretion on whether to approve any such application for a remote sign.

4.6 REMOTE SIGN FRAME

- 4.6.1 A remote sign frame may be provided by Council where one or more businesses request a facility for the placement of a remote sign. The decision of whether or not to erect a remote sign frame shall be at the absolute discretion of the Chief Executive, who may set appropriate charges or conditions on the approval for such a frame.
- 4.6.2 Remote sign frames shall only be allowed in the areas as designated in Schedule II of this bylaw. Agreement to their location must be given by Transit New Zealand where they are to be sited adjacent to a State Highway.
- 4.6.3 Each remote sign frame shall be installed as approved by the Chief Executive, and shall have the basic dimensions to accommodate a maximum of 5 signs.
- 4.6.4 The precise location of each remote sign frame, in any designated situation, shall be determined by the Chief Executive.
- 4.6.5 Each business may only have one remote sign sited on a remote sign frame, excepting that the Chief Executive may, upon application, allow more than one remote sign where there is vacant space on a remote sign frame. In such instances the additional remote sign will only be allowed to remain for as long as the extra space remains unallocated. In such instances the decision as to whether an applicant may display a second sign will be at the absolute discretion of the Chief Executive.
- 4.6.6 The Council may by resolution set an annual fee for each sign on a remote sign frame. Such fee shall reflect the costs to Council of any maintenance and repairs of the remote signs and remote sign frames.
- 4.6.7 The Council shall be responsible for the repair and maintenance of the remote sign frame(s) but the responsibility for the maintenance of the signs remains with the business owner.
- 4.6.8 Council may at any time remove a remote sign frame and require the removal of the remote signs on that frame. In such instances Council may refund any prepaid annual fee on a pro rata basis, excepting that Council may firstly deduct from any refund such costs as may be incurred in the removal of the sign.

4.7 RURAL INFORMATION SIGNS

- 4.7.1 Businesses in rural areas may apply to Council to have a sign located on a rural information sign frame. The Chief Executive will have absolute discretion on whether to approve any application for a rural information sign.
- 4.7.2 Rural information signs will only be allowed in conjunction with a Council rural information sign frame.
- 4.7.3 Rural information signs shall be a maximum of 1.8m wide x 180 mm high, and shall be of a design consistent with the guidelines in Schedule III of this bylaw.
- 4.7.4 Rural information signs may be left on display on a permanent basis.

- 4.7.5 Any rural information sign must only advertise the name and type of business being conducted and the distance to that business, and must not include any prices, specials or other variable factors.
- 4.7.6 In the case of a business closing or relocating, or for any reason no longer requiring its rural information sign, such sign shall be removed by the business owner.

4.8 RURAL INFORMATION SIGN FRAMES

- 4.8.1 A rural information sign frame may be provided by Council where one or more businesses request a facility for the placement of a rural information sign. The decision of whether or not to erect a rural information sign frame shall be at the absolute discretion of the Chief Executive, who may set appropriate charges or conditions on the approval for such a frame.
- 4.8.2 Rural information sign frames shall be allowed in rural areas and only on a road where it intersects with a main travelling route as designated in Schedule I of this bylaw. Agreement to their location must be given by Transit New Zealand where they are to be sited adjacent to a State Highway.
- 4.8.3 The design of each rural information sign frame shall be approved by the Chief Executive, and shall have the basic dimensions to accommodate a maximum of 5 signs.
- 4.8.4 The precise location of each rural information sign frame, on any intersecting road, shall be determined by the Chief Executive.
- 4.8.5 Each business may only have one rural information sign sited on a rural information sign frame, excepting that the Chief Executive may, upon application, allow more than one rural information sign where there is vacant space on a rural information sign frame. In such instances the additional rural information sign will only be allowed to remain for as long as the extra space remains unallocated. In such instances the decision as to whether an applicant may display a second sign will be at the absolute discretion of the Chief Executive.
- 4.8.6 The Council may by resolution set an annual fee for each sign on a rural information sign frame. Such fee shall reflect the costs to Council of any maintenance and repairs of the rural information sign frames.
- 4.8.7 The Council shall be responsible for the repair and maintenance of the rural information sign frame(s) but not for the individual rural information signs.
- 4.8.8 Council may at any time remove a rural information sign frame and require the removal of the rural information signs on that frame. In such instances Council may refund any prepaid annual fee on a pro rata basis, excepting that Council may firstly deduct from any refund such costs as may be incurred in the removal of the sign.

4.9 STATIC INFORMATION SIGNS

- 4.9.1 Static information signs may be provided by Council in urban areas to provide tourist and service information and link with remote signframes, and to businesses within that urban area.
- 4.9.2 Businesses may apply to Council to be included on a Static Information Sign. The Chief Executive will have absolute discretion on whether to approve any such application.

- 4.9.3 Static information signs will be provided and maintained at Council's cost.
- 4.9.4 The design of a Static Information Sign, and details included on the Sign, shall be approved by the Chief Executive.
- 4.9.5 The Council may by resolution set an annual fee for each sign on a Static Information Sign. The fee shall cover the cost to Council of the installation, maintenance and future replacement of the Static Information Signs.
- 4.9.6 Static Information Signs shall not be located in such a position that they are directed at traffic on State Highways.

4.10 PUBLIC SAFETY

This clause was revoked on 1 July 2008 by the Christchurch City Council Public Places Bylaw 2008.

4.11 DISPENSATION

This clause was revoked on 1 July 2008 by the Christchurch City Council Public Places Bylaw 2008.

4.12 REMOVAL OF ILLEGAL SIGNS

This clause was revoked on 1 July 2008 by the Christchurch City Council Public Places Bylaw 2008.

4.13 PENALTIES

- 4.13.1 ~~In addition to Clause 4.12~~ The penalties for any breach of this bylaw shall be those provided in section 242 of the Local Government Act 2002.

SCHEDULE I
MAIN BUSINESS THOROUGHFARES

Main business thoroughfares are defined as:

Rue Lavaud, Church Street and Beach Road in Akaroa;
State Highway 75 in Duvauchelle and Little River;
Waipapa Avenue in Diamond Harbour;
Marine Drive in Church Bay and Diamond Harbour;
Main Road Governors Bay in Governors Bay; and
Oxford, Canterbury and London Streets and Norwich Quay in Lyttelton.

Main travelling routes are defined as:

Summit Road;
Lyttelton to Diamond Harbour main Road.

SCHEDULE II
REMOTE SIGN FRAME LOCATIONS

Remote sign frames shall only be allowed in the following defined locations:

Akaroa:-	Rue Grehan / Rue Lavaud intersection Rue Brittan / Rue Lavaud intersection Rue Croix / Rue Lavaud intersection Rue Balguerie / Rue Lavaud intersection Rue Jolie / Beach Road intersection Rue Jolie / Selwyn Avenue intersection Rue Jolie / Bruce Terrace intersection Rue Jolie / Aylmers Valley Road intersection Rue Jolie / Church Street intersection
Diamond Harbour:-	Marine Drive / Waipapa Avenue intersection
Governors Bay:-	Main Road Governors Bay / Jetty Road
Lyttelton:-	Oxford Street / London Street London Street / Canterbury Street Canterbury Street / Norwich Quay Norwich Quay / Oxford Street

SCHEDULE III

DESIGN GUIDELINES FOR REMOTE SIGNS and RURAL INFORMATION SIGNS

REMOTE SIGNS:

1. Shall be made of extruded aluminium with a powder-coated finish
2. Shall have green, blue, black or red lettering on a cream 6Y030 background.
3. Shall have a maximum of 40 characters, including symbols.
4. Shall not contain any moving parts, any internal, or external illumination or any reflective material greater than a Class 2 grade reflectivity.

RURAL INFORMATION SIGNS:

1. Shall be made of extruded aluminium with a powder-coated finish
2. Shall have green, blue, black or red lettering on a cream 6Y030 background.
3. Shall have a maximum of 40 characters, including symbols.
4. Shall not contain any moving parts, any internal, or external illumination or any reflective material.