



Signs Bylaw

Kaipara District Council

**This Bylaw is made under sections 145 and 146
of the Local Government Act 2002.**

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Part A

Preliminary provisions

1. Title

1.1 This Bylaw is the Signs Bylaw.

2. Commencement

2.1 This Bylaw comes into force on 1 May 2024.

3. Application

3.1 This Bylaw applies to signs located on or within:

- i. Council owned or controlled land and property, including public places;
- ii. Council controlled roads, and road reserves; and
- iii. a State Highway road reserve within the 70km per hour or less speed limited zone.

3.2 This Bylaw does not apply to:

- i. official signs; or
- ii. signs located in or on private property; or
- iii. a sign for which a resource consent has been issued by Council.

4. Purpose

4.1 The purpose of this Bylaw is to:

- i. protect the public from nuisance, protect public safety, and protect Council owned or controlled land and property from misuse; and
- ii. manage impacts on the effectiveness, efficiency, and safety of the Kaipara District roading system.

4.2 The Bylaw seeks to achieve this by providing for signs that are located on or within the areas provided for in clause 3.1 of this Bylaw.

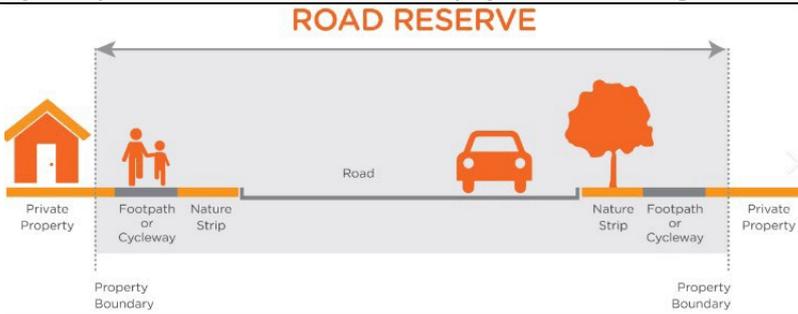
Related Information

The Bylaw does not control signs on private property, including business, industrial, and residential premises, this is regulated under the Kaipara District Plan.

[New Zealand Transport Agency \(Signs on State Highways\) Bylaw 2010](#) controls signs that are located or that can be seen from any State Highway Road in areas that have a speed limit of 70km per hour or more speed limited zone. Council administers signs on State Highways where the speed limit is less than 70km per hour.

5. Interpretation

5.1 In this Bylaw, unless the context otherwise requires:

| | |
|--|---|
| Act | means the Local Government Act 2002. |
| Enforcement Officer | means a person appointed by Council as an Enforcement Officer under section 177 of the Local Government Act 2002 . |
| Bylaw | means the Kaipara District Council Signs Bylaw. |
| Council | means the Kaipara District Council or any person delegated or authorised to act on its behalf. |
| Council owned or controlled land and property | means a place, including a public place, that is owned, managed, maintained, controlled or administered by Council and to avoid doubt, includes any: <ul style="list-style-type: none"> i. building, vehicles, park, reserve, recreational ground, sports field, public garden, public square, cemetery, beach, foreshore, dune, wharf, breakwater, boat ramp, pontoon, road, road reserve, footpath, access way, grass verge, berm, and ii. any Council asset including but not limited to: <ul style="list-style-type: none"> a. park benches b. lamp posts; and c. fences. |
| Official sign | means all signs provided by or on behalf of Council that gives information or direction to the public for: <ul style="list-style-type: none"> i. education, public awareness, and safety; ii. signs relating to a place of historic or environmental significance; iii. public transport signs; iv. signs required by legislation; or v. signs that provide safety or security information. |
| Public place | means any place that, at any material time, is open to or is being used by the public, whether free or on payment of charge. |
| Road reserve |  <p>The area from a property boundary on one side of the road to the property boundary on the other side of the road.</p> |

5.2 The Legislation Act 2019 applies to this Bylaw.

5.3 Words implying the singular include the plural and vice versa.

5.4 Any related information is provided for information purposes and does not form part of this Bylaw. It may be inserted, amended, or removed without formality. Related information notes are provided within the boxes throughout this Bylaw.

Related information

Compliance with the Bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, the Kaipara District Plan, and the Regional Plan for Northland which contains rules for signs in the Coastal environment.

Where there is any conflict between this Bylaw and any Act or Regulation, the Act or Regulation will take precedence.

Part B

Sign Provisions

6. A person must comply with the Sign Standards

- 6.1 A person must comply with the Sign Standards made in accordance with clause 7.
- 6.2 Clause 6.1 does not apply to any person acting in compliance with a lawful direction of an Enforcement Officer.

Part C

Sign Standards

7. Council may make Sign Standards

- 7.1 Council may, by resolution, make any Sign Standards to regulate signs located on or within the areas identified in clause 3.1 of this Bylaw.
- 7.2 Any Sign Standards made under clause 7.1 may prescribe rules for one or more of the following purposes:
 - i. sign permits and associated conditions
 - ii. sign design;
 - iii. sign construction;
 - iv. sign content;
 - v. sign maintenance;
 - vi. sign locations;
 - vii. any other matters Council considers relevant and reasonably necessary to achieve the purpose of the Bylaw.

8. Fees

- 8.1 Council may by resolution, and in accordance with the Act set fees for permits and other matters.
- 8.2 Council reserves the right to determine situations when fees may be remitted, refunded, or waived on a case-by-case basis.

Part D

Enforcement powers, offences, and penalties

9. Consequences of breach of the Bylaw

- 9.1 In addition to the authority conferred on Council by any other Act, an Enforcement Officer may:
 - i. remove or alter a sign that is, or has been, located on a site in breach of this Bylaw;
 - ii. repair any damage resulting from a breach of this Bylaw; or
 - iii. instruct a sign owner to remove, repair or maintain the sign.
- 9.2 Council may recover the reasonable costs in connection with any enforcement undertaken in accordance with clause 9.1 from the person who committed the breach of this Bylaw.
- 9.3 In accordance with section 162 of the Act, Council may apply to the District Court for an injunction to restrain a person from committing a breach of this Bylaw.

10. Offences

- 10.1 It is an offence to breach this Bylaw.
- 10.2 A person commits a breach of this Bylaw who:
 - i. does something, or causes something to be done, or knowingly allows something to be done that is contrary to the provisions of this Bylaw;
 - ii. forgets to or neglects to do anything which should be done by that person at the time and in the manner provided for by this Bylaw;
 - iii. knowingly allows or unknowingly allows any condition or thing/s to exist contrary to any provision/s in this Bylaw;
 - iv. fails to comply with any notice or direction given to that person under this Bylaw by an Enforcement Officer; or
 - v. obstructs or hinders any Enforcement Officer in the performance of any duty under or in the exercise of any power conferred upon them by this Bylaw.

11. Penalties

- 11.1 Every person who commits an offence against this Bylaw is liable to the penalty set out in section 242 of the [Act](#).

Related information

In accordance with section 178 of the Act, if an Enforcement Officer suspects that a person has committed a breach of this Bylaw, they may direct the person to provide their full name and address.

Pursuant to section 242(4) of the Act the penalty upon conviction for an offence under a bylaw is a fine of up to \$20,000.00.

Part E

Exceptions and savings

12. Exceptions

- 12.1 A person is not in breach of this Bylaw if that person proves that the act or omission followed the directions of an Enforcement Officer or was in accordance with a permit issued by Council.

13. Savings

- 13.1 Any permits or other authorisations issued under Part 5-Signs of the Consolidated General Bylaw 2020 continue to be in force in accordance with their terms, unless re-negotiated, renewed, or cancelled by Council.