



## MOVEABLE SIGNS BY-LAW 2026

### By-law No. 5 of 2026

*A By-law to set standards for moveable signs on roads and to provide conditions for the placement of such signs for the purpose of protecting visual amenity and public safety in the Council's area.*

#### PART 1 – PRELIMINARY

##### 1. Title

This By-law may be cited as the *Moveable Signs By-law 2026* and is By-law No. 5 of the Adelaide Plains Council.

##### 2. Authorising Law

This By-law is made under sections 226, 238, 239 and 246 of the Act.

##### 3. Purpose

The objectives of this By-law are to set standards for moveable signs on roads:

- 3.1 to protect the comfort and safety of road users and members of the public;
- 3.2 to enhance the amenity of roads and surrounding parts of the Council's area;
- 3.3 to prevent nuisances occurring on roads;
- 3.4 to prevent unreasonable interference with the use of a road; and
- 3.5 for the good rule and government of the Council's area.

##### 4. Commencement, Revocation and Expiry

- 4.1 The following By-laws previously made by the Council are revoked from the day on which this By-law comes into operation<sup>1</sup>:

*By-law No. 5 – Moveable Signs 2019.*<sup>2</sup>

- 4.2 This By-law will expire on 1 January 2034.<sup>3</sup>

##### Note-

1. Generally, a By-law comes into operation 4 months after the day on which it is gazetted pursuant to section 249(5) of the Act .
2. Section 253 of the Act provides that the revocation of a By-law by another By-law that contains substantially the same provisions, does not affect certain resolutions such as those applying a By-law to a part or parts of the Council area.

3. Pursuant to section 251 of the Act, a By-law will expire on 1 January following the seventh anniversary of the gazettal of the By-law.

## 5. Application

- 5.1 This By-law operates subject to the Council's *Permits and Penalties By-law 2026*.
- 5.2 This By-law applies throughout the Council's area and is subject to the exemptions set out in clause 13.

## 6. Interpretation

In this By-law, unless the contrary intention appears:

- 6.1 **Act** means the *Local Government Act 1999*;
- 6.2 **authorised person** means a person appointed as an authorised person pursuant to section 260 of the Act;
- 6.3 **banner** means a strip of cloth, plastic or other material hung up or attached to a pole, fence or other structure;
- 6.4 **business premises** means premises from which a business is being conducted;
- 6.5 **Council** means the Adelaide Plains Council;
- 6.6 **footpath** area means:
- 6.6.1 that part of a road between the property boundary of the road and the edge of the carriageway on the same side as that boundary; or
- 6.6.2 a footway, lane or other place made or constructed for the use of pedestrians and not for the use of vehicles;
- 6.7 **Local Government land** has the same meaning as in the Act, being land owned by the Council or under the Council's care, control and management;
- 6.8 **moveable sign** has the same meaning as in the Act, being a moveable advertisement or sign, but does not include a banner;
- 6.9 **road** has the same meaning as in the Act, being a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes:
- 6.9.1 a bridge, viaduct or subway;
- 6.9.2 an alley, laneway or walkway; and
- 6.9.3 the footpath area.
- 6.10 **vehicle** has the same meaning as in the *Road Traffic Act 1961* and includes:
- 6.10.1 a motor vehicle, trailer and a tram;
- 6.10.2 a bicycle;

- 6.10.3 an animal-drawn vehicle, and an animal that is being ridden or drawing a vehicle;
- 6.10.4 a combination; and
- 6.10.5 a motorised wheelchair that can travel at over 10 kilometres per hour (on level ground), but does not include another kind of wheelchair, a train, or a wheeled recreational device or wheeled toy.

**Note-**

Section 12 of the *Legislation Interpretation Act 2021* provides that an expression used in this By-law has, unless the contrary intention appears, the same meaning as in the Acts under which the By-law was made.

## **PART 2 – MOVEABLE SIGNS**

### **7. Construction and Design**

A moveable sign displayed on a road must:

- 7.1 be of a kind known as:
  - 7.1.1 an 'A' frame or sandwich board sign;
  - 7.1.2 an 'inverted 'T' sign;
  - 7.1.3 a flat sign; or
  - 7.1.4 with the permission of the Council (including as may be set out in a Council policy of general application from time to time), be a sign of some other kind;
- 7.2 be designed, constructed and maintained in good quality and condition (in the reasonable opinion of an authorised person) so as not to present a hazard to any member of the public;
- 7.3 be of strong construction and sufficiently stable so as to keep its position in any weather conditions, including so it is not blown or swept away;
- 7.4 not, in the reasonable opinion of an authorised person, be unsightly or offensive in appearance;
- 7.5 not contain flashing or moving parts nor have any balloons, flags or streamers attached to it;
- 7.6 be not more than 1.2 metres high, 1m in width or 80cm in depth;
- 7.7 not have a display area exceeding 1m<sup>2</sup> in total or, if the sign is two-sided 1m<sup>2</sup> on each side;
- 7.8 in the case of an 'A' frame or sandwich board sign:
  - 7.8.1 be hinged or joined at the top;
  - 7.8.2 be of such construction that its sides can be and are securely fixed or locked in position when erected; and

- 7.9 in the case of an inverted 'T' sign, contain no struts or members than run between the display area of the sign and the base of the sign.

## **8. Placement**

A moveable sign displayed on a road must:

- 8.1 not be placed anywhere except on the footpath area;
- 8.2 not be placed on the sealed part of the footpath area, unless it is wide enough to contain the sign and still leave a clear thoroughfare at least 1.2 metres wide;
- 8.3 be placed at least 40cm from the kerb (or if there is no kerb, from the edge of the roadway);
- 8.4 not be placed on a landscaped area, other than on landscaping that comprises only lawn;
- 8.5 not be placed on a designated parking area or within 1 metre of an entrance to or exit from any premises;
- 8.6 not be fixed, tied or chained to, leaned against or placed closer than 2 metres to any other structure, object or plant (including another moveable sign) with the exception of moveable weights used to ensure stability in adverse weather conditions;
- 8.7 not be placed in a position (as determined by an authorised person acting reasonably) that:
  - 8.7.1 puts the safety of any person at risk;
  - 8.7.2 interferes with the reasonable movement of persons or vehicles using the road in the vicinity of where the moveable sign is placed; or
  - 8.7.3 otherwise obstructs or unreasonably restricts the use of a road;
- 8.8 not be placed on a median strip, roundabout or traffic island or in a manner that interferes with or obstructs a traffic control device; and
- 8.9 not be within 1 metre of an intersection of a road.

## **9. Restrictions**

- 9.1 A moveable sign displayed on a road must:
- 9.1.1 only contain material which advertises a business being conducted on commercial premises adjacent to the sign, or the goods and services available from that business;
  - 9.1.2 be limited to two per business premises;
  - 9.1.3 not be displayed unless the business to which it relates is open to the public; and
  - 9.1.4 not be displayed during the hours of darkness unless it is in a clearly lit area and is clearly visible.

- 9.2 If in the opinion of the Council a footpath area is unsafe for a moveable sign to be displayed, the Council may, by resolution, prohibit or restrict the display of a moveable sign thereon on such conditions as the Council thinks fit.

## **10. Appearance**

A moveable sign displayed on a road must, in the reasonable opinion of an authorised person:

- 10.1 be painted or otherwise detailed in a competent and professional manner;
- 10.2 be legible and simply worded to convey a precise message;
- 10.3 be of such design and contain such colours that are compatible with the architectural design of the premises adjacent to the sign and are compatible with the townscape and overall amenity of the locality in which the sign is situated; and
- 10.4 contain a combination of colours and typographical styles that blend in with and reinforce the heritage qualities of the locality and the buildings in which the sign is situated.

## **11. Banners**

A banner must:

- 11.1 be securely fixed to a pole, fence or other structure so that it does not hang loose or flap;
- 11.2 not be attached to any building, structure, fence, vegetation or other item owned by the Council on a road, or other improvement to a road owned by the Council;
- 11.3 where applicable, not be displayed more than:
  - 11.3.1 one month before; and
  - 11.3.2 two days afterthe event it advertises;
- 11.4 not, in any event, be displayed for a continuous period of more than one month and two days in any twelve month period; and
- 11.5 not exceed 3m<sup>2</sup> in size.

## **PART 3 – ENFORCEMENT**

### **12. Removal of Moveable Signs**

- 12.1 A person must immediately comply with the order of an authorised person to remove a moveable sign that is made pursuant to section 227(1) of the Act.

#### **Note-**

Pursuant to section 227(1) of the Act, an authorised person may order the owner of a moveable sign to remove the sign from the road if:

- the design, construction or positioning of a moveable sign does not comply with a requirement of this By-law; or

- any other requirement of this By-law is not complied with; or
- the moveable sign unreasonably restricts the use of the Road or endangers the safety of other persons.

12.2 The owner of or other person entitled to recover a moveable sign removed by an authorised person pursuant to section 227(2) of the Act, may be required to pay to the Council any reasonable costs incurred by the Council in removing, storing, and/or disposing of the moveable sign before being entitled to recover the moveable sign.

12.3 The owner of, or other person responsible for, a moveable sign must remove or relocate the moveable sign at the request of an authorised person:

12.3.1 if, in the reasonable opinion of an authorised person, and notwithstanding compliance with this By-law, there is any hazard or obstruction or there is likely to be a hazard or obstruction arising out of the location of the moveable sign; or

12.3.2 for the purpose of community events, special events, parades, roadworks or in any other circumstances which, in the reasonable opinion of the authorised person, require relocation or removal of the moveable sign to protect public safety or to protect or enhance the amenity of a particular locality.

### 13. Specified Exemptions

13.1 This by-law does not apply to a moveable sign which:

13.1.1 is placed on a road pursuant to an authorisation under another Act; or

13.1.2 is designed to direct people to the open inspection of any land or building that is available for purchase or lease; or

13.1.3 is related to a Commonwealth election, is not prohibited from exhibition under section 226A of the Act and is displayed during the period commencing at 5pm on the day before the day of the issue of the writ or writs for the election and ending at the close of polls on polling day; or

13.1.4 relates to a State election, is exhibited during the election period for the election and -

13.1.4.1 is an electoral advertising poster that is not prohibited from exhibition under section 115(2a) of the *Electoral Act 1985* (or is a poster within the ambit of section 115(2b) of that Act or exhibited in accordance with section 125(1a) and (1b) of that Act); or

13.1.4.2 is identical to a sign approved by the Electoral Commissioner for exhibition during that period for the purpose of notifying electors of the election; or

13.1.4.3 is of a class prescribed by regulations under the Act.

13.2 Subclauses 9.1.2, 9.1.3 and 10 of this By-law do not apply to a moveable sign that:

13.2.1 advertises a garage sale taking place from residential premises; or

- 13.2.2 is a directional sign to an event run by an Incorporated Association, a community organisation or charitable body.
- 13.3 Subclauses 9.1.2 and 9.1.3 of this By-law do not apply to a flat sign which only contains a newspaper headline and the name of a newspaper or magazine.
- 13.4 A requirement of this By-law will not apply where the Council has granted permission (including by way of adopting a policy for this purpose or upon application) for the moveable sign (or class of moveable sign) to be displayed contrary to that requirement.

This By-law was duly made and passed at a meeting of the Adelaide Plains Council on the **INSERT DATE 2026** by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

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JAMES MILLER  
Chief Executive Officer