



Kaikoura District

Signs Bylaw

Amended 25 September 2024

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Please read PART III (Page 6) to understand the application of this bylaw

PART I - INTRODUCTORY

1. TITLE

This bylaw shall be cited as the Kaikoura District Signs Bylaw 2023.

2. COMMENCEMENT

This bylaw shall come into force on 10th December 2023.

3. PURPOSE

The purpose of the bylaw is to ensure that signs are erected, maintained and displayed in a manner that does not present a hazard or a danger to public safety or create nuisance.

Note: Waka Kotahi New Zealand Transport Agency as a road controlling authority has its own bylaw for the control of signs on State Highways. Signs on State Highways are however also subject to the provisions of this Council bylaw.

PART II - INTERPRETATION

4. DEFINITIONS

In this bylaw:

Access Way has the same meaning as in Section 315(1) Local Government Act 1974.

Approved Sign means a sign that meets the relevant criteria of Part V of this Bylaw and is not a Prohibited Sign under Part IV of this Bylaw.

Banner means any sign made of flexible material, suspended in the air and supported on more than one side by poles, ties, or cables.

Building has the same meaning as in Section 8 of the Building Act 2004.

Building Mounted Sign means any publicly visible sign that is attached immediately parallel to or is painted directly on the face or roof of a building including signs on the face of a veranda.

Business Zone for the purpose of this bylaw is as described in the Kaikoura District Council proposed and subsequently operative District Plan and planning maps.

Captive Balloon means a non-powered balloon for advertising purposes, which is tethered to a site or structure on a site.

Club or Society means an organisation that is judged by Council to be for the general public's recreation or entertainment, where there are no significant barriers to participating and funds are not used for the private benefit of owners, shareholders, members, beneficiaries or anyone else associated with the club or society.

Construction Sign means a sign providing information on construction, development, building or demolition work being conducted, or proposed to be conducted on a site.

Council means the Kaikoura District Council.

Commercial Zone for the purpose of this bylaw is as described and delineated in the proposed and subsequently operative Kaikoura District Plan and Planning maps.

Commercial Sexual Services has the same meaning as defined in the Prostitution Reform Act 2003

Community Facilities means facilities providing essential community services on a not-for-profit basis.

Directional Sign means a sign which provides direction to a particular commercial activity, industrial zone or public facility:

Display includes:

- To construct or maintain
- To cause, permit or allow to be displayed.

District means the area for the time being administered by the Kaikoura District Council

Enforcement Officer means any person appointed by the Council under Clause 11 of this bylaw to carry out all or any of the functions of an Enforcement officer under this bylaw.

Flashing Sign means a sign with lights or any other forms of illumination which flash, move, rotate, scintillate, blink, flicker or have any similar visual effect or which varies in intensity or in colour, or which uses intermittent electrical pulsations. These signs are prohibited.

Flatboard Sign is a portable flat publicly visible sign which is not self-supporting, which is leant flat against a vertical building wall or fence or other structure to which it relates, and which does not significantly intrude into a footpath or other public space.

Footpath has the same meaning as in Section 315(1) of the Local Government Act 1974.

Flag means a sign intended for the purposes of advertising or to attract attention but which is usually mounted on a flagpole or similar device and which is usually made from fabric, textile or cloth. National flags are not considered flags for the purpose of this bylaw.

Freestanding Sign means any publicly visible sign that is fixed on or into the ground and that is standing on its own, independent of any building for its primary support. Includes signs fixed to fences.

Illuminated Sign includes:

- Any sign the whole or any part of which is illuminated by any means and
- A sign on a light of any kind.

Mixed Use Zone for the purpose of this bylaw is as described and delineated in the proposed and subsequently operative Kaikoura District Plan and Planning maps.

Moving Signs means a sign which physically moves or appears to move in whole or in part. This excludes captive balloons, flags or banners. Moving signs are prohibited.

Noise Sign Any device that attracts attention and notice in an aural manner. Noise signs are prohibited.

Occupier has the same meaning as in the Local Government Act 1974.

Offsite Sign is a sign which does not relate to goods, services or events that are available or take place at the site where the sign is located.

Owner has the same meaning as in the Local Government Act 1974.

Person includes a corporation sole, a body corporate, and any unincorporated body of persons.

Prohibited sign means a sign prohibited by Part IV of this bylaw.

Protruding Sign a publicly visible sign attached to a building which extends beyond the boundary of the site to which the sign relates into a space above a public place, but does not include signs on the face of or under verandas, sandwich boards or flatboards.

Public Place includes any place that, at any time, is open to or is being used by the public, whether of right or not, and whether for free or for payment of a charge.

Road Boundary of a site means a boundary of a site contiguous to a boundary or proposed final boundary of any legal road (other than an access way or service lane).

Road has the same meaning as in Section 315(1) of the Local Government Act 1974.

Sandwich Board means a publicly visible one or two sided sign that is self supporting and portable, which is located on a footpath or other public space outside the premises to which it relates.

Service Lane has the same meaning as in Section 315(1) of the Local Government Act 1974

Sign - for the purpose of this bylaw includes:

- Any name, figure, character, outline, display, device, delineation, announcement, design, logo, painting or other artwork, poster, handbill, hoarding or any other thing of a similar nature which is intended to attract attention and convey a message, and includes;
- 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;
- A banner, captive balloon, flag, flashing sign, flat board, sign, illuminated sign, moving sign, roof sign, sandwich board, streamer or other similar object;

and which has content that is reasonably discernible with the naked eye from a road or any public place.

Site - In this bylaw, "site" means:

- When used in relation to land, means any land which is lawfully permitted to be used for an activity and which; If it is under the Land Transfer Act 1952, is contained in one Certificate of Title; or; If it is subject to a Unit Plan under the Unit Titles Act 1972 is, the whole of the land comprised in a Unit Title on the Plan; or If the land is not subject to the Land Transfer Act or Unit Titles Act is the whole of the parcel of land last acquired under one instrument of conveyance.
- "Site" includes the air space above land or water.
- A "site" intersected by a road, river or railway line shall constitute one site.
- If a "site" is used for any activity in conjunction with any other site or sites, then for the purpose of this bylaw all sites are deemed to be one site if: o the sites adjoin one another; or o the sites are intersected by a road, river or railway line.

- If any “site” is crossed by a zone boundary under the District Plan, the site is deemed to be divided into two or more sites by the zone boundary.
- Where a "site" is situated partly within the district of the Council and partly in an adjoining district, then the part situated in the district shall be deemed to be one site.

Sponsorship Sign means a sign that is located on the primary site where the activity of a Club or Society is conducted and which identifies another party which is providing sponsorship of that Club or Society.

Under Veranda Sign means a sign attached to the under side of a veranda

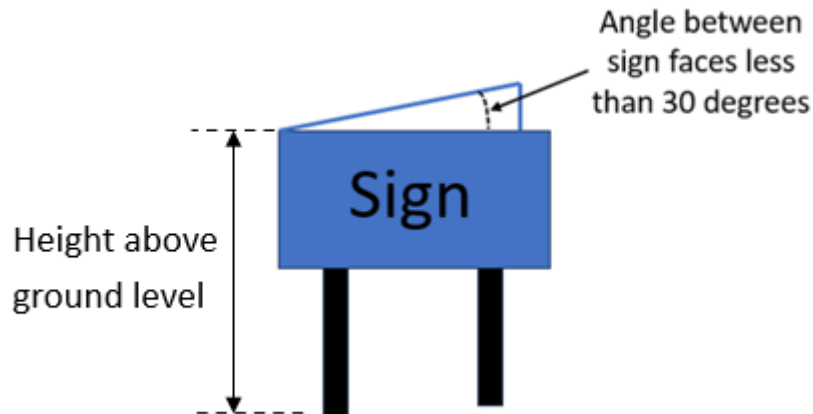
Vehicle has the same meaning as in the Land Transport Act 1998.

Veranda means a roof of any kind which extends out from a face of a building and which continues along the whole of that face of the building.

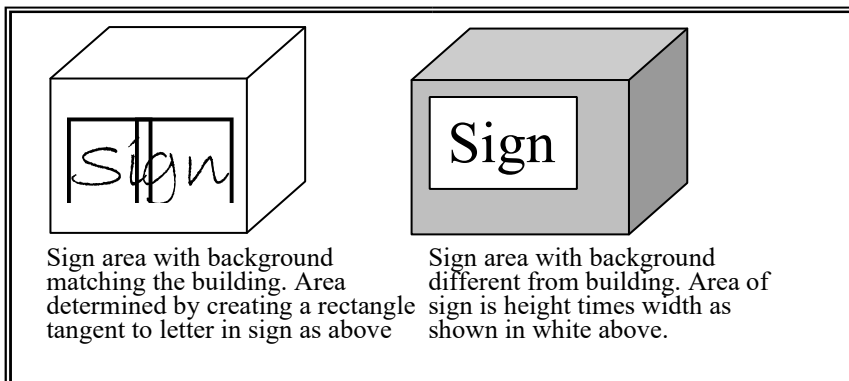
Veranda Face has a corresponding meaning and includes the whole or part of the area of the veranda that is parallel or perpendicular to a road or access way.

5. DETERMINING AREA OF SIGNS

1. Where a sign is double sided and the angle between the two faces is less than 30 degrees, the area of the sign will be considered to be that of a single face. If the angle between faces is more than 30 degrees the area will be considered to be the sum of the areas of both faces.



2. If a sign is displayed on a wall or window or roof 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 as indicated in the following figure:



6. OTHER LEGISLATION

A reference in this bylaw to any statute, regulation, plan or bylaw (unless the context otherwise requires) includes reference to all later statutes, regulations, plans, changes to plans and bylaws made in amendment or substitution of the statute, regulation, plan or bylaw cited.

Compliance with this bylaw does not remove the need to comply with any Act, regulation, rules of law or any operative or proposed regional or district plan under the Resource Management Act 1991 or any other bylaw.

This bylaw 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.

PART III - CONTROL OF SIGNS

7. CONTROL OF SIGNS

No sign shall be displayed unless it:

1. Is not a Prohibited sign under any provision(s) of Part IV of this bylaw; and either
2. Meets all the criteria to be an approved sign of that particular type in any area of the Kaikōura District in accordance with Table 1 of Part V of this bylaw; or
3. Meets all the criteria to be an approved sign of that particular type in the area where it is to be displayed, in accordance with the relevant Table 2,3,4,5 or 6 of Part V of this bylaw.

PART IV - PROHIBITED SIGNS

8. PROHIBITED SIGNS

A. The following signs are Prohibited:

1. Off-Site signs other than signs for temporary events for which approval for the signs has been obtained from Council or where the signs are sponsorship signs that are approved under Part V Table 1 of this bylaw.
2. Signs erected without Council permission on Council controlled land.
3. Signs erected on land without permission of the landowner
4. Flashing signs or flickering and flashing lights used for advertising.
5. Moving signs.
6. Signs causing direct glare.
7. Signs creating any optical illusion.
8. Noise signs.
9. Signs attached to a tree unless the sign identifies the species of tree and/or its classification under the District Plan.
10. Building Mounted signs for which any part of the sign extends for more than 200mm above the height of the nearest part of the roof of the building to which they are attached.

11. Signs on properties along roads with posted speed limits over 50 kph which meet any of the following criteria:
 - a. Have lettering with a height of less than 160mm or display more than 6 words and/or symbols, or have a total of more than 40 characters.
 - b. Are less than 100 metres from an official sign or traffic signal.
 - c. Are on the State Highway and are not at right angles to road or otherwise positioned to avoid vehicle headlights reflection.
 - d. Are on State Highway and are illuminated.
12. Signage that is in, or is visible from, a public place, and that advertises commercial sexual services.
13. Illuminated signs that:
 - a. Result in light spill greater than 3 lux at any point 2 metres inside any adjacent property; or
 - b. Are internally illuminated and have luminance that exceeds 100 candelas per square metre measured at any point 2 metres from the sign between the hours of sunrise and sunset.; or
 - c. Are illuminated outside the hours of the activity for which the sign relates; or
 - d. Are illuminated by an external upward or laterally facing light source, or a source which is not entirely focussed on the sign.
14. Signs that extend beyond the boundary of the site to which the sign relates unless they are explicitly permitted in this bylaw.
15. Signs in, on or attached to any vehicle or trailer parked in or visible from any road or public space for the principal purpose of advertising. Signage on vehicles that are primarily used for transport or conveyance is however permitted – see Table 1 for further details.
16. Signs attached to buildings where either:
 - I. The total area of signs attached to the walls of the building that are visible from an adjacent public place exceeds 45% of the total area of those visible walls; or
 - II. The total area of signs attached to the roof of the building that are visible from an adjacent public place exceeds 45% of the total area of that visible roof;

Unless either:

 - III. Such areas of signs on a particular building have been approved by a resolution of Council on the basis that these areas of signs include elements such as murals that are considered to have aesthetic merit and are of a nature that is appropriate and complementary to the character of the Kaikōura community; or
 - IV. The building in question is a wall-less cover over a petrol station.

- B. Notwithstanding any other provision of this bylaw or any permit issued under the bylaw, no sign shall be displayed if:
 - 1. That display or manner of display is or is likely to be harmful or dangerous; or
 - 2. In the reasonable opinion of an enforcement officer offensive, objectionable, indecent, obscene, threatening or insulting.
- C. Notwithstanding any other provision of this bylaw no sign shall be displayed if the sign:
 - 1. Obstructs the view of any driver or pedestrian of any corner, bend, intersection, access or vehicle crossing; or
 - 2. Obstructs, obscures or impairs the view of any driver or pedestrian of any traffic sign or signal; or
 - 3. Resembles or is likely to be confused with any traffic sign or signal; or
 - 4. Uses reflective materials that may interfere with the vision of any driver or pedestrian; or
 - 5. Creates a hazard to road users or pedestrians.

PART V - APPROVED SIGNS

For certain types of signs the criteria for approval are the same regardless of where the signs are to be located within the Kaikōura District. The approval criteria for these signs are listed in the following Table 1. For other types of signs the approval criteria for those particular types vary between different areas within the District. The approval criteria for these types of signs in these different areas listed in the following Tables 2 to 7.

In every case for a sign to be displayed it must both meet all the relevant conditions in the relevant table and must not have characteristics that make it a Prohibited Sign under Part IV of this Bylaw

Table 1: Signs with Approval in all areas

Sign Type	Conditions for Approval (All conditions must be satisfied, and the sign must not be a prohibited sign under Part IV of this Bylaw)
Minor Temporary Sign	<ul style="list-style-type: none"> • Single sign per site, less than 1 square metre, display permitted for not more than 1 month in total in any 12-month period. • Sign must relate to goods, services or events that are available or take place at the site where the sign is located. • Shall not be illuminated.
Temporary Signs for specific events or activities (if not covered by other sign types)	<ul style="list-style-type: none"> • Permit required from Council. Issue of such a permit will be subject to any conditions considered appropriate by relevant officers of Council. • Conditions will include maximum display period of four months in any 12-month period, signs to be removed within 2 days of the completion of the event or activity to which the sign relates. • Shall not be illuminated.
Property For Sale Signs	<ul style="list-style-type: none"> • One sign per real estate agent per site, maximum sign area 1.1 square metres • Maximum of three signs in total on any site • If the property is for sale by auction one sign only with a maximum area of 2.2 square metres • All Property for Sale (or ‘Sold’) Signs to be removed within 2 weeks of the sale being completed • Shall not be illuminated
Vehicle Signs	<p>Signs on or attached to vehicles are permitted provided that the display is incidental to the principal use of the vehicle as a means of transport or conveyance. ‘Incidental to the principal use’ means the vehicle has a current registration and warrant of fitness and is used in the day to day operation of the business, with the vehicle displaying the signs in the exact location where that business is being conducted.</p> <p>No vehicle shall be visible to the public for the sole purpose of advertising. Signs shall not be illuminated.</p>
Construction Signs	<ul style="list-style-type: none"> • A single freestanding sign with a maximum area of 1.5 square metres. Shall not be illuminated. • May be displayed not more than 14 days before works commence, and not more than 14 days after works are completed.

Table 1 (Continued): Signs with Approval in all areas

Sign Type	Conditions for Approval (All conditions must be satisfied, and the sign must not be a prohibited sign under Part IV of this Bylaw)
Directional Signs	<p>Only permitted where in the view of Council’s Roading Engineer the sign is likely to significantly contribute to effectively directing people to community facilities or reducing traffic congestion (for example identifying a route that avoids the town centre) or improving traffic safety. If approved such signs shall:</p> <ul style="list-style-type: none"> • Be coloured to a recognised international standard; and • Be not greater than 225mm by 1.2metres in size; and • Contain only the name of the facility to which it relates; and • Not be illuminated.
Election Signs	<ul style="list-style-type: none"> • Only permitted in accordance with the current provisions of the Electoral Act 1993 and the Electoral (Advertisement of a Specified Kind) Regulations 2005. This Bylaw does not give any permissions for the display of election signs beyond those provided by these Regulations. • Election signs will not be permitted to be erected on Council controlled land. • Shall not be illuminated.
Legally Authorised Signs	<ul style="list-style-type: none"> • Signs required to be displayed by any other legislation or discharging a statutory function and displayed in accordance with the provisions of that legislation. • Public information signs on public lands that are displayed with the approval of the relevant managing authority (KDC, ECan or DoC)
Signs Authorised by Resource Consents	<p>All signs displayed in accordance with any resource consent (whether granted before or after the commencement of this bylaw and including any deemed resource consent under Part XV of the Resource Management Act 1991). May not be illuminated unless this is permitted by a condition of the resource consent.</p>
Signs Granted Amnesty	<p>All existing permanent signs established before 1 September 2023 except off-site signs (other than where those signs are sponsorship signs), sandwich boards, flatboards, flags and any signs that are prohibited under any of clauses 8A(1) to 8A(9) inclusive, 8A(15), 8B or 8C of Part IV of this bylaw. Such approvals under amnesty will however cease when the sign is renewed, modified or replaced.</p>
Sponsorship Signs	<p>Permitted to be established after 1 September 2023 where:</p> <ul style="list-style-type: none"> • The total area of such sign(s) on the site do not exceed 1 square metre; and • No more than two such sponsorship signs are displayed by a particular sponsoring party anywhere in the Kaikōura District. <p>Exemptions may apply where naming rights for particular council-controlled public facilities are granted by Council. Note: The total area of approved sponsorship signs will be excluded when determining permitted total sign areas under Tables 2 to 6 of this Part.</p>

Table 2: Conditions for Signs to be approved in Mixed Use Zone (Part of Beach Road, Wakatu Quay)

To be approved signs must satisfy all conditions below for the relevant type of sign and must not be a prohibited sign under Part IV of this Bylaw.

Sign Type	Maximum Number of Signs	Maximum Total Area (for all signs of this type per business)	Height above ground level (any part of sign)		Other Conditions
			Minimum	Maximum	
Free Standing Sign	No Limit	3 square metres or 10 square metres for retail buildings with footprints of more than 1500 square metres	No Limit	3.5 metres	Must be entirely within site to which the sign relates.
Building Mounted Sign	No Limit	Generally 45% of wall or roof areas - see Part IV 8(16) for further details	No Limit	200mm above adjacent roof height ¹	
Under Veranda Sign	1 per business	Not applicable	2.3 metres		Any part of sign at least 1 metre away from veranda of adjacent building or business.
Protruding Sign	1 per business	1 square metre	3 metres	Lesser of 4metres or adjacent roof height ¹	Must not project into the public place by more than 1 metre over a footpath. No projection permitted over roads or service lanes.
Sandwich Board	1 per business	Not applicable			Maximum sign height of 800mm, maximum sign width of 600mm. Must be against kerb edge, perpendicular to the kerb. Must provide 2 metres clear pedestrian passage. Shall not be illuminated.
Flatboard	1 per business	1 square metre			Must be placed flat against the exterior of the site to which it relates. Shall not be illuminated.
Flag	1 per business	2 square metres		3.5 metres	Must be entirely within site to which the sign relates, not on the footpath. Shall not be illuminated.

¹ The height of every part of the sign relative to the point on the roof closest to it.

Table 3: Conditions for signs to be approved in Business Zone (West End, Killarney to Brighton Street Blocks)

To be approved signs must satisfy all conditions below for the relevant type of sign and must not be a prohibited sign under Part IV of this Bylaw.

Sign Type	Maximum Number of Signs	Maximum Total Area (for all signs of this type per business)	Height above ground level (any part of sign)		Other Conditions
			Minimum	Maximum	
Free Standing Sign	No Limit	2 square metres	No Limit	2.5 metres	Must be entirely within site to which the sign relates
Building Mounted Sign	No Limit	Generally 45% of wall or roof areas - see Part IV 8(16) for further details	No limit	200mm above adjacent roof height ¹	
Under Veranda Sign	1 per business	Not applicable	2.3 metres		Any part of sign at least 1 metre away from veranda of adjacent building or business
Protruding Sign	1 per business	1 square metre	3 metres	Lesser of 4metres or adjacent roof height ₁	Must not project into the public place by more than 1 metre over a footpath. No projection permitted over roads or service lanes.
Sandwich Board	1 per business	Not applicable			Maximum sign height of 800mm, maximum sign width of 600mm. Must be against kerb edge, perpendicular to the kerb. Must provide 2 metres clear pedestrian passage. Shall not be illuminated
Flatboard	1 per business	1 square metre			Must be placed flat against the exterior of the site to which it relates. Shall not be illuminated
Flag	1 per business	2 square metres		3.5 metres	Must be entirely within site to which the sign relates, not on the footpath. Shall not be illuminated

¹ The height of every part of the sign relative to the point on the roof closest to it.

Table 4: Conditions for signs to be approved on Churchill Street or Esplanade east of Brighton Street

To be approved signs must satisfy all conditions below for the relevant type of sign and must not be a prohibited sign under Part IV of this Bylaw.

Sign Type	Maximum Number of Signs	Maximum Total Area (for all signs of this type per business)	Height above ground level (any part of sign)		Other Conditions
			Minimum	Maximum	
Free Standing Sign	No Limit	2 square metres	No Limit	2.5 metres	Must be entirely within site to which the sign relates
Building Mounted Sign	No Limit	2 square metres	No Limit	3.5 metres	
Under Veranda Sign	1 per business	Not applicable	2.3 metres		Any part of sign at least 1 metre away from veranda of adjacent building or business
Protruding Sign	1 per business	1 square metre	3 metres	Lesser of 4metres or adjacent roof height ¹	Must not project into the public place by more than 1 metre over a footpath. No projection permitted over roads or service lanes.
Sandwich Board	1 per business	Not applicable			Maximum sign height of 800mm, maximum sign width of 600mm. Must be against kerb edge, perpendicular to the kerb. Must provide 2 metres clear pedestrian passage. Shall not be illuminated
Flatboard	1 per business	1 square metre			Must be placed flat against the exterior of the site to which it relates. Shall not be illuminated
Flag	1 per business	2 square metres		3.5 metres	Must be entirely within site to which the sign relates. Not on the footpath. Shall not be illuminated.

1 The height of every part of the sign relative to the point on the roof closest to it.

Table 5: Conditions for signs to be approved in the Kaikōura Peninsula Tourism Zone

To be approved signs must satisfy all conditions below for the relevant type of sign and must not be a prohibited sign under Part IV of this Bylaw.

Sign Type	Maximum Number of Signs	Maximum Total Area (for all signs of this type per business)	Height above ground level (any part of sign)		Other controls
			Minimum	Maximum	
Free Standing Sign	One freestanding sign per building or at the entrance to Scarborough Street	2 square metres	No Limit	3.5 metres	Must be located within the building platforms as designated in Appendix O of the Kaikoura District Plan with the exception of the entrance at Scarborough Street, which must be entirely within the site. All illumination shall be hooded and directed solely at the sign. No illumination of the sign may occur between 23:00 and sunrise.
Building Mounted Sign	No Limit	5 square metres	No Limit	3.5 metres	Must be located within the building platforms as designated in Appendix O of the Kaikoura District Plan with the exception of the entrance at Scarborough Street, which must be entirely within the site. All illumination shall be hooded and directed solely at the sign. No illumination of the sign may occur between 23:00 and sunrise.
Under Veranda Sign	Not Permitted				
Protruding Sign	Not Permitted				
Sandwich Board	Not Permitted				
Flatboard	1 per business	1 square metre			Must be placed flat against the exterior of the site to which it relates. Shall not be illuminated
Flag	1 per business	2 square metres		3.5 metres	Must be entirely within site to which the sign relates, not on the footpath. Shall not be illuminated.

No sign shall be able to be read with the naked eye from South Bay Reserve or any point of the Department of Conservation walkway between South Bay Reserve and Point Kean.

Table 6: Conditions for signs to be approved in all other areas (Urban and Rural)

To be approved signs must satisfy all conditions below for the relevant type of sign and must not be a prohibited sign under Part IV of this Bylaw.

Sign Type	Maximum Number of Signs	Maximum Total Area (for all signs of this type per site)	Height above ground level (any part of sign)		Other controls
			Minimum	Maximum	
Free Standing Sign	No Limit	Tourism & hospitality businesses - 2 square metres Other activities – 1 square metre	No limit unless sign projects over boundary of site	2.5 metres	
Building Mounted Sign	No Limit	Tourism & hospitality businesses - 2 square metres Other activities – 1 square metre	No Limit	3.5 metres	
Under Veranda Sign	Not permitted				
Protruding Sign	1 per site	1 square metre	3 metres	Lesser of 4metres or adjacent roof height ₁	Must not project into the public place by more than 1 metre over a footpath. No projection permitted over roads or service lanes.
Sandwich Board	Not permitted				
Flatboard	Not permitted				
Flag	1 per site	2 square metres		3.5 metres	Must be entirely within site to which the sign relates, not on the footpath. Must not be illuminated.

₁ The height of every part of the sign relative to the point on the roof closest to it.

PART VI - GENERAL OBLIGATIONS

10. CONSTRUCTION, MAINTENANCE AND CURRENCY OF SIGNS

All signs displayed under this bylaw other than temporary signs shall be designed and constructed to good professional standards and maintained in a good condition.

All signs shall be appropriately secured to minimise potential hazards.

Obsolete, damaged or severely deteriorated signs shall be removed by the owner.

If a building consent is required it must be obtained prior to the placement of the sign.

PART VII - MONITORING AND ENFORCEMENT

11. ENFORCEMENT OFFICERS

1. The Council may, by resolution, appoint any of its officers to act as an enforcement officer to carry out any of the functions of an enforcement officer under this bylaw.
2. Every enforcement officer who exercises or purports to exercise any power under this bylaw shall carry and produce, on demand, a warrant and evidence of the officer's identity.

12. POWERS OF ENTRY

Any enforcement officer duly authorised by the Council may at all reasonable times enter any land to see if the provisions of the bylaw are being observed or to exercise the powers of the Council under Clause 14.

13. NOTICE OF NON-COMPLIANCE

If a sign is displayed which is in contravention of any provision of this bylaw an enforcement officer of the Council may give notice in writing to the owner, or occupier, or both, of the site where the sign is displayed requiring, as the enforcement officer thinks fit:

1. The removal of the sign; or
2. The repair of the sign; or
3. Other specified work to be taken to ensure compliance with this bylaw or any permit issued under this bylaw, within the time specified in the notice.

Any person who fails to comply with the requirements of any notice within the time specified in the notice commits an offence against this bylaw.

14. REMOVAL OR ALTERATION OF SIGNS

If any person fails to comply with the requirements of any notice then the Council, or any officer or agent of the Council, may pull down, remove, or alter the sign and recover from any person who failed to comply with the notice all expenses incurred by the Council in connection with the pulling down, removal or alteration of the sign.

The exercise of the powers contained in this clause shall not excuse any person from liability for any other penalty for that breach of this bylaw.

15. OFFENCES

Every person commits a breach of this bylaw who:

1. Displays any sign or does, causes to be done, permits, or allows to be done, anything in breach of or otherwise than provided for by this bylaw; or
2. Fails to comply with any notice served on that person under this bylaw; or
3. Obstructs or hinders any officer, employee or agent of the Council in the performance of any duty or function under this bylaw; or

16. PENALTIES

1. A person who commits a breach of this bylaw is liable on summary conviction to a fine not exceeding \$500.00 and, where the breach is a continuing one, to a further fine not exceeding \$50.00 for every day on which the breach is continued.
2. Where a person commits a continuing breach of this bylaw, then, a District Court may, on application by the Council, grant an injunction restraining the further continuance of that breach by that person.

PART VIII - MISCELLANEOUS

17. DELEGATIONS

1. Except where this bylaw provides that a resolution or special order of the Council is required, all actions required to be done by the Council under this bylaw may be undertaken by any officer, employee or agent of the Council to whom authority has been lawfully delegated.
2. Proof of such delegation may be established by:
 - Reference to the instrument of delegation; or
 - Production of an identity card indicating the general terms of the holder's delegated authority; or
 - Any other reasonable means.

18. REPEALS

On the commencement of this bylaw, the Kaikoura District (Signs) Bylaw 2011 shall be repealed.

THE RESOLUTION BY WAY OF SPECIAL CONSULTATIVE PROCEDURE TO MAKE THIS BYLAW was passed by **THE KAIKŌURA DISTRICT COUNCIL** at a meeting of the Kaikōura District Council held on the 6th day of September 2023 and confirmed following minor amendment at a subsequent meeting of the Council held on the 29th day of November 2023. By a resolution passed by the Council on the 29th day of November 2023 the said Bylaw was ordered to come into effect on the 10th day of December 2023.

Minor amendments in respect of Sponsorship Signs made to this Bylaw by resolution of Council on 25 September 2024.

Mayor  25 September 2024

Chief Executive  25 September 2024