

Guidelines for Temporary Signs in Public Places



WELLINGTON CITY COUNCIL GUIDELINES FOR TEMPORARY SIGNS IN PUBLIC PLACES

Introduction

These guidelines cover all temporary signs including posters, hoardings, billboards, handbills or other forms of advertising put up in public places, up to 3 square metres in area. Temporary signs mean any sign erected and removed in relation to:

- Advertising a community event
- Electioneering
- Identifying construction sites or subdivision developments
- Selling land or premises

Any other form of temporary advertising (e.g. commercial advertising for goods or services) will generally not be permitted on Council property other than as may be approved under a specific policy such as the Footpath Management Policy (e.g. for sandwich boards) or other contractual arrangement (e.g. for poster bollards and bus shelters).

These guidelines exclude the additional requirements for signs exceeding 3 square metres in area or placed in such a manner that they may also require a Building Consent, Resource Consent or Landowner Approval (e.g. on a heritage building or commercial advertising on private property). These guidelines also exclude temporary signs placed by the Council or Transit New Zealand, e.g. for traffic management, parking or information.

Anyone wanting to place signs in public places must comply with the following:

Election Hoardings		All other private and commercial signs
Central Government Elections	Local Government Elections	
Electoral Finance Act 2007 ¹	Local Electoral Act 2001 ¹	
Electoral (Advertisements of a Specified Kind) Regulations 2005 ¹	Local Electoral Regulations 2001 ¹	
Wellington Consolidated Bylaw 1991 ¹ (17.4: Hoardings, Posters and Notices in Public Places) ² , The Wellington City District Plan ¹ and the Wellington Town Belt Management Plan		
Wellington City Council Policy on Election Hoardings ³		Footpath Management Policy ¹
Specific agreements (e.g. for poster bollards or bus shelter advertising) or specific conditions listed in any approvals granted by the Council for temporary signs		
These Guidelines		

¹ See appendix 1, ² see Appendix 2, ³ see Appendix 3

If any of the above documents have conflicting requirements or restrictions, the document listed higher up takes precedence.

Process for Obtaining Approval

Permitted as of Right

Some temporary signs in public places are permitted “as of right”. This applies to temporary signs which are placed **on private property** but are visible from a public place (such as real estate signs or advertisements for garage sales or church or school fairs). In general, no further permission is required from the Council for temporary signs placed on private property that do not exceed 3m² in area, do not exceed 4m in height and are erected within 28 days preceding or 7 days following the purpose or event for which they were erected (or longer for elections, as specified in legislation).

Election Hoardings

An “election hoarding” is considered to be a temporary freestanding sign that is larger than approximately A3 and smaller than three square metres in size and promotes the election of a candidate or party. To obtain approval to erect election hoardings on public property, a party, candidate or person acting on their behalf needs to fill out a “Bond for Electoral Hoardings” form. This form includes all the information required, including the relevant electoral districts or wards in which the applicant wants to advertise. Approval will be provided on receipt of the bond and the list of approved hoarding sites will be attached to the approval. The list of approved sites will be limited to those in the electoral districts or wards for which a bond has been lodged. District/ward boundaries differ for central and local government elections, so advertisers need to be careful to ensure they adhere to the correct list of sites approved.

Poster Bollards

Public poster bollards and pole poster holders are managed on behalf of the Council by Phantom Billstickers Limited. All use of these public facilities should be coordinated through the Council’s contractor (see Contact Details). The Council’s contractor can advise what types of signs may be appropriate, including any applicable timing and fees.

Bus and Pedestrian Shelters

Commercial advertising on bus and other types of pedestrian shelters and street furniture in Wellington City is managed on behalf of the Council by Adshel. These structures are not available for public notice advertising.

Sandwich Boards and Retail Displays

Sandwich boards and other types of promotional advertising used on the footpath to promote any organisation, product or service, are covered by the Council’s Footpath Management Policy. Detailed application and fee information can be found on the Council’s external web pages under “Services & Information, Footpaths”.

Other Temporary Signs on Council Property

Any other temporary sign on Council property requires written permission from the Council (see “Contact Details” below). A proposal indicating the details of the sign (type, size, content, location etc) should be submitted before any investment is made. The Council will consider the proposal and provide approval for sites where this is considered appropriate. A bond may be required, e.g. if the sign may damage Council property, a large number of sites are approved for use or there is a history of non-compliance.

Conditions for Use of Temporary Signs on Council Property

- (i) No-one may place posters, signs, hoardings or handbills on any public property without first obtaining permission from the Council. This includes Wellington City Council buildings, power poles, sub-stations, street signs, fences, tree cages, drip lines (the area underneath a tree where roots may be damaged), bus shelters, traffic signal poles and control boxes etc. Approval for using purpose-made public notice poster bollards should be obtained through the Council's contractor.
- (ii) All temporary signs placed on Council property are to clearly display the name and contact details for the party (whether a person, company or organisation) responsible for erecting the sign. For election hoardings the respective legislation specifies the format of this contact information.
- (iii) If any signs are found to be not in accordance with the Bylaw, the District Plan or any other relevant legislation, the Council will make all reasonable efforts to contact the party responsible for the sign. This party will be given reasonable opportunity to ensure that the sign is made compliant. The required response time can vary depending on the situation, e.g. "within 1 hour" for signs considered to be unsafe or "by 12pm of the next working day" if the services of a contractor are required.
- (iv) In the event that the Council cannot identify the party responsible for a non-compliant sign or a non-compliance reported to the party responsible for a sign is not remedied within the timeframe given, the Council may pull down, remove or alter the sign. Any costs associated with this work may be recovered from the party responsible for the sign, which may include the organiser, promoter or person in charge of the advertised good, service or event or, in the case of an election, the candidate or a delegate of that candidate.
- (v) All reasonable care is to be taken to prevent any damage to public assets during the erection or removal of any signs. The party responsible for a sign must make good any damage caused due to the erection or removal of the sign. The party will be notified by the Council of any damage to be remedied and given reasonable time to carry out the work. If this work is not completed within the time given or the level of reinstatement is not acceptable to the Council (e.g. cleaning or painting or reinstatement of lawn areas) then the Council may carry out the remedial works and charge the cost of this to the party responsible for the sign.
- (vi) In addition to the actions that can be taken by the Council in (iv) and (v) above, for any situations where the non-compliant use of a sign places the safety of people or property at risk or where the non-compliance is of a serious nature or where there is repeat offending, the Council may also choose to prosecute the offending party. Prosecutions for offences under the Bylaw can carry a penalty of up to \$20,000.
- (vii) The Council may request a bond to be paid as a condition of the approval to erect a temporary sign on Council property. The bond may be used to offset any costs associated with the repair or removal of the sign if this is not undertaken by the sign owner (see (iv) and (v) above). In the event that such costs exceed the bond amount, the difference may be recovered from the sign owner in addition to forfeiting the bond.
- (viii) The person erecting a hoarding should check with Utility Companies for any underground services that may be in the vicinity of the hoarding. A list of Utility Companies will be provided with the approval to erect the hoarding.
- (ix) The construction of a hoarding may also require Building Consent or Resource Consent (i.e. must comply with District Plan requirements). For further information, contact Building Consents & Licensing Services on (04) 499 4444.

(x) The Council will usually not permit any type of sign that is likely to cause damage to Council assets or distraction or obstruction of visibility to pedestrians or drivers, e.g.:

- Signs near pedestrian crossings or intersections
- Signs with moving parts (e.g. rotating signs or flags)
- Signs with reflective material or illumination
- Sign that resemble traffic signs in shape or colour
- Stencils on footpaths
- Signs that may be moved by members of the public or weather conditions
- Exceptionally large or heavy signs (all temporary signs need to be able to be easily removed in case of emergency)

Other than for company logos or the name and contact details of the person authorising the sign:

- Lettering on the sign must be at least 120mm in height if visible from a road with a speed limit of less than 70km/h
- Lettering on the sign must be at least 160mm in height if visible from a road with a speed limit of 70km/h or more
- Spacing between lines of text must be not less than 50mm

(xi) Once approval has been obtained, signs may be erected in approved locations only and in accordance with these conditions and any specific conditions stated in the approval letter. Council approvals are always in writing and if written approval cannot be produced within a reasonable time period, it may be assumed that no approval has been granted.

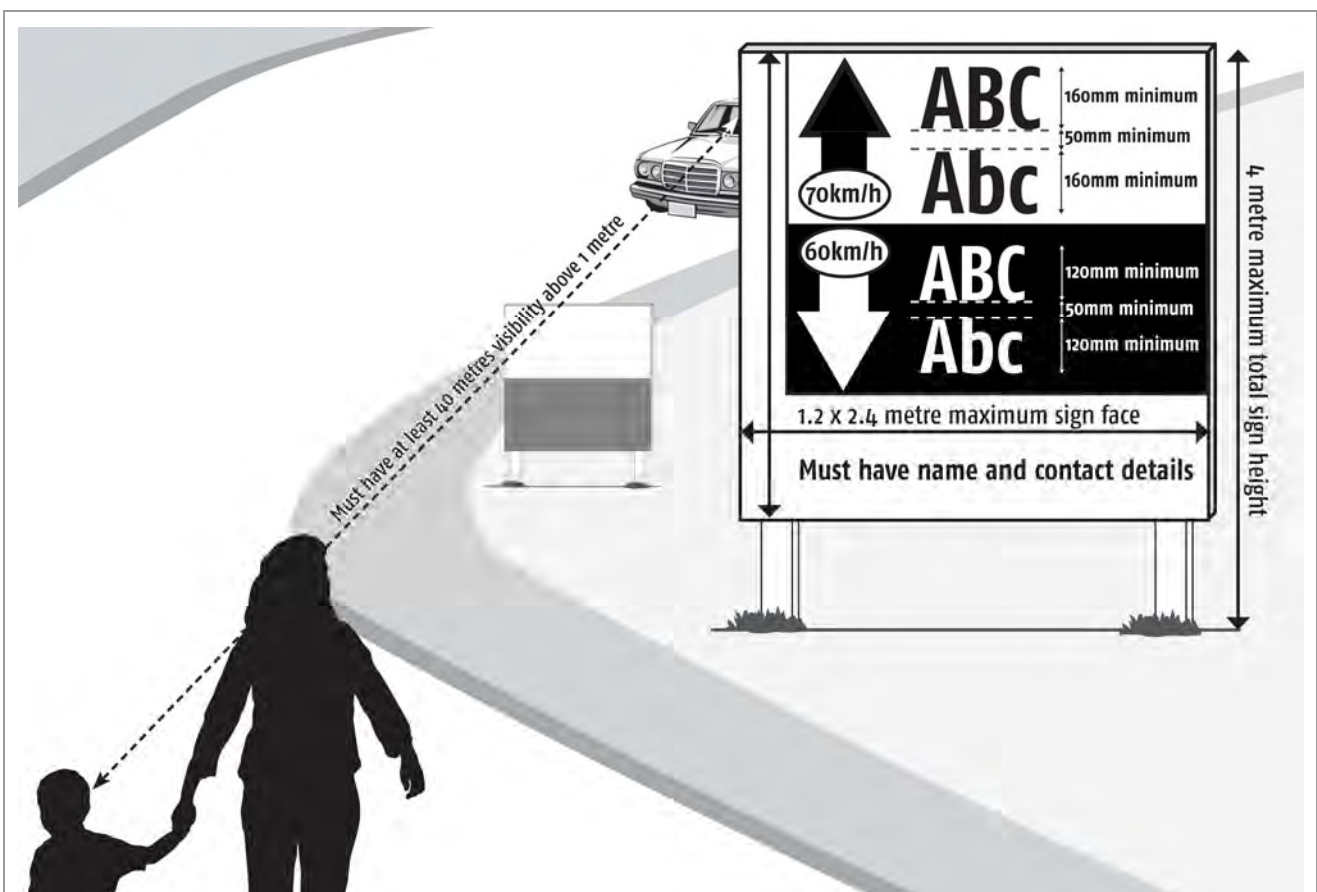


Diagram showing appropriate placement and dimensions of hoardings

Contact Details

To report concerns about hoardings or signs on Council property or to obtain approval for using Council sites please contact:

Gail Reeves

Street Activities Coordinator – Infrastructure

Phone: (04) 803 8077

Fax: (04) 801 3009

E-mail: Gail.Reeves@wcc.govt.nz

For issues regarding billboards on private property please contact:

Greg Campbell

Manager, Specialist Advice & Compliance

Phone: (04) 803 8199

Fax: (04) 801 3129

E-mail: Greg.Campbell@wcc.govt.nz

For complaints about the content of an advertising billboard please send a photo to:

Advertising Standards Authority Complaints Board

Ground Floor, 79 Boulcott Street

P.O. Box 10 675, Wellington

Phone: (04) 472 7852

Fax: (04) 471 1785

E-mail: asa@asa.co.nz

For any questions about policy, compliance, enforcement or issues concerning election hoardings please contact:

Jon Visser

Manager, Business Performance – Infrastructure

Phone: (04) 803 8076

Fax: (04) 801 3009

E-mail: Jon.Visser@wcc.govt.nz

Wellington City Council's Poster Bollard Contractor:

Phantom Billstickers Limited

Manager: Matthew Smith

Phone: (04) 382 9199 (working hours)

Fax: 0800 742 686 (0800 PHANTOM)

Mobile: (021) 477 405

Email: Matt@0800phantom.co.nz

Website: phantombillstickers.com

For all other inquiries please contact:

Wellington City Council

Council Offices, 101 Wakefield Street

P.O. Box 2199, Wellington 6011

Phone: (04) 499 4444

Fax: (04) 801 3138

E-mail: info@wcc.govt.nz

Website: Wellington.govt.nz

APPENDIX 1

References to Other Information Concerning Signs

Electoral Finance Act 2007

<http://www.legislation.govt.nz/act/public/2007/0111/latest/096be8ed80157343.pdf>

Electoral (Advertisements of a Specified Kind) Regulations 2005

<http://www.legislation.govt.nz/regulation/public/2005/0147/latest/096be8ed800a1fc0.pdf>

Local Electoral Act 2001

<http://www.legislation.govt.nz/act/public/2001/0035/latest/096be8ed8009da11.pdf>

Local Electoral Regulations 2001

<http://www.legislation.govt.nz/regulation/public/2001/0145/latest/096be8ed800a0e35.pdf>

Wellington Consolidated Bylaw 1991 (Part 17 – Public Places)

<http://www.wellington.govt.nz/plans/bylaws/part17.html>

The Wellington City District Plan

<http://www.wellington.govt.nz/plans/district/districtplan.html>

Footpath Management Policy

<http://www.wellington.govt.nz/plans/policies/footpath/footpath.html>

Central Government Guidelines for Election Candidates

http://www.elections.org.nz/voting/electoral_signs.html

<http://www.elections.org.nz/ceo-campaigning-by-electorate-candidates.html>

Local Government Elections

<http://www.wellington.govt.nz/haveyoursay/elections/>

Bond Form

<http://www.wellington.govt.nz/>

and search for “Bond for Electoral Hoardings”

APPENDIX 2

Wellington Consolidated Bylaw 1991

(Excerpts from Part 1 – Introduction and Part 17 – Public Places)

17.4 Hoardings, Posters and Notices in Public Places

- 17.4.1 The Council may supply hoardings in public places, or approve sites where hoardings can be erected in public places.
- 17.4.2 The approval of hoarding sites under clause 17.4.1 may be subject to conditions, including:
- a. placement
 - b. fees
 - c. dates a hoarding may be erected
 - d. approval of the hoarding design.
- 17.4.3 Hoardings erected without approval must be removed within 1 hour of being instructed to do so, or as otherwise specified by the Council.
- 17.4.4 Posters or notices displayed on hoardings shall be removed or covered immediately after the event has taken place.
- 17.4.5 With the exception of approved hoardings under clause 17.4.1, no one shall affix or place a poster or notice to any Council ornament, statue, structure, building, or facilities in a public place without the Council's prior permission.
- 17.4.6 Responsibility for compliance with this part of the bylaw lies with the person who displayed the poster or notice, or the organiser, promoter or person in charge of the advertised good, service or event or, in the case of an election, the candidate or a delegate of that candidate.

1.15 Authority to Pull Down Work and Recover Costs

- 1.15.1 Any authorised servant of the Council may pull down, remove or alter any work, material or thing erected or being in contravention of any provision of this Bylaw.
- 1.15.2 The Council may recover from any person responsible for the erection or any person permitting the continued existence of any such work, material or thing all expenses incurred by it; in connection with such pulling down or removal or alteration.
- 1.15.3 The exercise of this authority shall not relieve any such person from liability for any penalty for erecting or permitting the continued existence of any such work, material or thing.

APPENDIX 3

Wellington City Council Policy on Election Hoardings

The Wellington City Council has historically approved the following conditions for election hoardings, including some minor technical corrections. These conditions are considered to be mostly superfluous as they are also covered by overriding documents such as legislation and Bylaws, which in some cases have different requirements.

Approval to use Council sites for the purpose of political advertising is subject to the following conditions:

- (a) The hoardings must be soundly constructed, not exceed 1.2 x 2.4 metres, and be securely fixed and braced in place clear of mown areas.
- (b) Road signs and street nameplates must not be obscured.
- (c) Hoardings must be sited so as not to distract or obstruct driver or pedestrian visibility.
- (d) Signs must not be placed closer than 6 metres from an intersection and must be placed at a greater distance if visibility for pedestrians or drivers is obscured.
- (e) Unless otherwise stated signs may not be placed closer than 1.5m from the edge of the carriageway and must be clear of all pedestrian routes and accessways.
- (f) Any signs erected on private property must be kept within the confines of the property.
- (g) Signs and hoardings must not be erected earlier than six (6) weeks for Local Government elections or two (2) months for Central Government elections prior to the election day and must be removed from all sites the day prior to the election.
- (h) Should any sign or hoarding suffer damage it must be repaired immediately or removed from the site.

PLEASE NOTE

It is an offence against the Bylaw to place posters on any servicing equipment or facility.