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GREAT LAKE TAUPŌ
Taupō District Council

TAUPŌ DISTRICT COUNCIL OBJECTIONABLE SIGNS BYLAW 2016

Purpose and Scope

1. The purpose of this Bylaw is to set the requirements for **objectionable signage** within Taupō District to protect the public from nuisance and to minimise the potential for offensive behaviour.
2. The Bylaw is made under the authority of section 145 of the *Local Government Act 2002*, and section 22AB of the *Land Transport Act 1998*. In addition, signs are also regulated and controlled by other Acts, regulations, standards, rules, bylaws, Taupō District Plan, reserve management plans, and consent conditions which should be referred to in conjunction with this Bylaw.

Commencement

3. The Bylaw comes into force throughout the district on 1 June 2016

Revocations

4. Part 3 – Control of Advertising Signs of Taupō District Council General Bylaw No 1: 2008 is revoked at the time of the Taupō District Council Objectionable Signs Bylaw 2016 coming into force.

Definitions

5. Any words, phrases or expressions used in this Bylaw which have meanings assigned to them by the *Local Government Act 2002*, the *Humans Rights Act 1993*, the *Films, Videos and Publications Classification Act 1993*, and the *Land Transport Act 1998* will have the meanings as are respectively assigned in those Acts and corresponding supplementary legislation, unless inconsistent with the context in which such words occur.
6. In this Bylaw, if not inconsistent with the context:

Chief Executive	The chief executive of Council and any person delegated to perform any duties of the chief executive
Council	Taupō District Council
Objectionable	The same meaning as the <i>Films, Videos and Publications Classification Act 1993</i>
Prohibited grounds of discrimination	The same meaning as the <i>Human Rights Act 1993</i>
Public Place	Any place under Council control and open to or used by the public as of right, including roads and footpaths
Signage	Any notice, message or advertisement that conveys a message through a visual medium in a public place

Objectionable Signage

7. A person must not display or erect any **signage** on any **public place** or on any private property that can be viewed from a **public place**:
 - a. that is discriminatory, advocates discrimination or is based on the **prohibited grounds of discrimination**;
 - b. that is **objectionable**, threatening or insulting; or
 - c. that incites or directs any person to commit any offence.

Offences/Penalties/Powers

8. A person commits an offence under this Bylaw if they display or erect any visible **signage** that is contrary to this Bylaw.
9. A person is in breach of this Bylaw who fails to comply with this Bylaw and commits an offence under section 239 of the *Local Government Act 2002*, and is liable on conviction to the penalties set out in section 242(4) of the *Local Government Act 2002*, for which a person is liable on conviction to a fine not exceeding \$20,000. These fines are current at the time of adoption of this bylaw.
10. Any person that commits a breach of a provision of this Bylaw made under section 22AB of the *Land Transport Act 1998* commits an offence and is liable to a fine under section 139 of the *Land Transport Act 1998* as follows:
 - a. Not exceeding the amount fixed for any breach for which an infringement notice is issued;
 - b. Not exceeding \$500.00 and if the breach is a continuing one, not exceeding a further \$50.00 per day thereafter.These fines are current at the time of adoption of this bylaw.
11. **Council** may, after the conviction of any person for a continuing offence against this Bylaw, apply to the court for an injunction to restrain the further continuance of the offence.
12. **Council** may remove, or cause to be removed, any **objectionable signage**, in breach of this Bylaw, and/or recover all charges in connection with the removal of the **objectionable signage**.

Public Availability

13. This Bylaw, and any supporting documentation, is available for public inspection.

THIS BYLAW WAS MADE BY RESOLUTION TDC201604/07 OF COUNCIL AT AN ORDINARY MEETING OF THE TAUPŌ DISTRICT COUNCIL HELD ON 26 APRIL 2016.

The Common Seal of Taupo District Council
was hereto affixed in the presence of:



Mayor



Chief Executive

