



THE CITY OF MARION

By-law made under the Local Government Act 1999

ROADS BY-LAW 2014

By-law No. 5 of 2014

For the management of public roads.

Part 1 – Preliminary

1. Short Title

This by-law may be cited as the *Roads By-law 2014*.

2. Commencement

This by-law will come into operation four months after the day on which it is published in the *Gazette* in accordance with Section 249(5) of the *Local Government Act 1999*.

3. Definitions

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

- 3.1 **camp** includes setting up a camp, or causing a tent, caravan or motorhome to remain on the road for the purpose of staying overnight, whether or not any person is in attendance or sleeps on the road;
- 3.2 **emergency vehicle** has the same meaning as in the Australian Road Rules and the Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999;
- 3.3 **electoral matter** has the same meaning as in the *Electoral Act 1985* provided that such electoral matter is not capable of causing physical damage or injury to any person within its immediate vicinity;
- 3.4 **road** has the same meaning as in the *Local Government Act 1999*.

Part 2 – Management of Roads

4. Activities Requiring Permission

A person must not on any road, without the permission of the Council:

4.1 Advertising

display any sign for the purpose of commercial advertising, other than a moveable sign which is displayed on a public road in accordance with the *Moveable Signs By-law 2014*;

4.2 **Amplification**

broadcast any announcement or advertisement;

4.3 **Animals**

ride, lead or drive any horse, cattle or sheep, except on any street, road or car park or where the Council has set aside (through the erection of signage) a track or other area for the use by that animal;

4.4 **Camping**

4.4.1 erect any tent or other structure of calico, canvas, plastic or similar material as a place of habitation;

4.4.2 camp or sleep overnight;

4.4.3 camp or sleep overnight in a motorhome, except where a sign or signs erected by the Council indicate that camping on the road in such a vehicle is permitted;

4.5 **Donations**

ask for or receive or indicate that he or she desires a donation of money or any other thing;

4.6 **Handbills on Vehicles**

place on any vehicle, or cause to be placed on any vehicle (without the consent of the owner of the vehicle), any handbill, book, notice, leaflet, or other printed matter;

4.7 **Posting of bills etc**

post any bills, advertisements or other papers or items on a building or structure on a road;

4.8 **Working on vehicles**

perform the work of repairing, washing, painting, panel beating or other work of any nature on or to any vehicle, except for running repairs in the case of breakdown.

Part 3 – Miscellaneous

5. Exemptions

5.1 The restrictions in this by-law do not apply to any Police Officer, Council Officer or Council employee acting in the course and within the scope of that person's normal duties, or to a contractor while performing work for the council and while acting under the supervision of a Council Officer, or to an emergency worker when driving an emergency vehicle.

5.2 The restrictions in paragraph 4.6 and 4.7 of this by-law do not apply to:

- 5.2.1 electoral matters authorised by a candidate and which relate to a Commonwealth or State election that occurs during the period commencing on the issue of the writ or writs for the election and ending at the close of polls on polling day; or
- 5.2.2 electoral matters authorised by a candidate and which relate to an election under the *Local Government Act 1999* or the *Local Government (Elections) Act 1999* that occurs during the period commencing four weeks immediately before the date that has been set (either by or under either Act) for polling day and ending at the close of voting on polling day; or
- 5.2.3 matters which relate to, and occur during the course of and for the purpose of a referendum.

6. Application

- 6.1 Paragraph 4.3 of this by-law shall apply only in such portion or portions of the area as the Council may by resolution direct from time to time in accordance with Section 246(3)(e) of the *Local Government Act 1999*;

7. Revocation

Council's *By-law No. 5 – Streets and Roads*, published in the *Gazette* on 31 July 2008, is revoked on the day on which this by-law comes into operation.

The foregoing by-law was duly made and passed at a meeting of the Council of the Corporation of the City of Marion held on the 26 day of August 2014 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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Mr Mark Searle
Chief Executive Officer