

## CITY OF SALISBURY

*By-law made under the Local Government Act, 1999*

### **By-law No. 3 –Roads**

For the management of the use of roads in Council's area.

#### **1. Definitions**

In this by-law:

1.1 "Authorised Person" has the same meaning as in the Local Government Act 1999.

1.2 "Road" has the same meaning as in the Local Government Act 1999.

#### **2. Activities requiring permission**

A person must not, without the permission of the Council, undertake any of the following activities on any Road:

##### **2.1 Advertising**

Display any sign other than a moveable sign which is displayed on a Road in accordance with the Council's Moveable Signs By-law;

##### **2.2 Amplification**

Use an amplifier or other device whether mechanical or electrical for the purpose of amplifying sound to broadcast announcements or advertisements;

##### **2.3 Animals**

2.3.1 Cause or allow any animal to stray onto, move over, graze or be left unattended on any Road;

2.3.2 Lead, drive or exercise any horse or other animal in such a manner as to endanger the safety of any person;

##### **2.4 Donations**

Ask for or receive or indicate that he or she desires a donation of money or any other thing, or otherwise solicit for charitable purposes on any Road to which this subparagraph applies;

##### **2.5 Public Exhibitions and Displays**

2.5.1 Sing, busk or play any recording or use any musical instrument;

2.5.2 Conduct or hold any concert, festival, show, public gathering, circus, meeting, performance or any other similar activity;

2.5.3 Cause any public exhibitions or displays;

##### **2.6 Obstruction of a Road**

Erect, install or place or cause to be erected, installed or placed any structure, item or material of any kind so as to obstruct the Road or any footway, water channel, or water course in a Road;

\* Please note that the following provisions of By-law No. 3 – Roads, being 2.7 and 2.8, will not be enforced in accordance with the Supreme Court Decision of the Corporation of the City of Adelaide v Corneloup & Ors [2011] SASCF 84.

**2.7 Posting of Bills\***

Post or allow or cause to be posted any bills, advertisements or other papers or items on a building or structure on a Road except for any electoral matter posted on a building or structure by or with the authority of a candidate which is related to a Commonwealth or State election and is posted 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 is related to an election held under the Local Government Act 1999 or the Local Government (Elections) Act 1999 and is posted during the period commencing four (4) 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 is posted during the course of and for the purpose of a Referendum;

**2.8 Preaching\***

Preach, harangue or solicit for religious purposes on any Road to which this subparagraph applies;

**2.9 Tents and Camping**

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

2.9.2 Camp or sleep overnight;

**2.10 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 vehicle breakdown;

**3. Exemptions**

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 the driver of an emergency vehicle when driving an emergency vehicle as defined in the Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999 and the Australian Road Rules 1999.

**4. Directions**

4.1 A person must comply with any reasonable direction or request from an Authorised Person of the Council relating to:

4.1.1 that person's use of the Road;

4.1.2 that person's conduct and behaviour on the Road;

4.1.3 that person's safety on the Road;

4.1.4 the safety and enjoyment of the Road by other persons.

**5. Removal of Animals and Persons**

5.1 If any animal is found on any part of a Road in breach of a by-law:

5.1.1 any person in charge of the animal, must immediately remove it from that part of the Road on the direction of an Authorised Person; and

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- 5.1.2 an Authorised Person may remove the animal from the Road if the person fails to comply with the request, or if no person is in charge of the animal.
- 5.2 A person who is committing or has committed a breach of this by-law must immediately comply with a direction of an Authorised Person to leave that part of the Road;
- 5.3 An Authorised Person may remove any person from a Road who is committing a breach of a by-law of the Council but may not use force in doing so.

## 6. **Application**

- 6.1 Any of subparagraphs 2.4 and 2.8 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.

The foregoing by-law was duly made and passed at a meeting of the Council of the City of Salisbury held on the 28<sup>th</sup> day of July 2008 by an absolute majority of the members for the time being constituting the Council, there being at least two thirds of the members present.

Mr Stephen Hains  
Chief Executive Officer

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