



**Comhairle Cathrach  
& Contae Phort Láirge**  
Waterford City  
& County Council

**WATERFORD CITY AND COUNTY COUNCIL**

**POLICY ON ADVERTISING SIGNS**

**February 2016**

# WATERFORD CITY AND COUNTY COUNCIL

## POLICY ON ADVERTISING SIGNS

### EXECUTIVE SUMMARY

Waterford City & County Council recognises the value of advertising signs to visitors, customers, businesses, community groups etc and to the general vitality and vibrancy of an area. It also, recognises, however, that they can have a negative environmental impact as well as being a hindrance to traffic safety and safe pedestrian movement. In order to achieve a reasonable balance, it is vital that the situation with regard to advertising signage is monitored and regulated, especially signage of a temporary nature. There are a number of pieces of legislation and regulation which govern this area. This policy is intended to bring these together as well as to provide extra support to regulating this area.

There is growing evidence of an increase in the levels of unauthorised signage around the City and County with a resultant increase in workload in dealing with it - across a number of sections, mainly Planning, Environment and Roads. Waterford City and County Council will work with businesses, community groups etc in order to regulate the situation without creating an over-encumbrance of red tape. A rough summary is that large signs will require **Planning Permission**, permanent signs in public areas will require **Planning Licence** and temporary signs will require **written permission**. The table below gives a summary of the issues and responses which are outlined within the policy

<b>Subject</b>	<b>Issue</b>	<b>Response</b>
Coherent Policy	No cohesive point of contact on legislation, regulation, policy and procedures	The policy outlines the procedures and points of contact within the Council as well as outlining legal responsibilities and sanctions
Communication	People/businesses not knowing what they can and can't do regarding signage	This policy will be disseminated to Chambers of Commerce, Traders' Groups, Community Forum and other appropriate bodies and will be available on web-site
Businesses located off the beaten track	Businesses are difficult to find without some supporting signage	•Finger post signs (large in suburbs and approach roads, small in city Centre)

		<ul style="list-style-type: none"> <li>•Generic shared signage at entrances to business, industrial and retail parks</li> </ul>
Cost	Cost of licences prohibitive for businesses	WCC will work with businesses in order to provide best low-cost solution
A-Frames (Sandwich Boards)	Hindrance to pedestrians and cluttering up footpaths	Will be generally discouraged except outside restaurants, hotels etc where they function as menu boards and only where there is suitable space for them
Local events – temporary signage	Clutter, hindrance to traffic and poor quality	<ul style="list-style-type: none"> <li>•WCC will work with community groups and charities in order to agree best practice</li> <li>•Signage for events of a commercial nature will be discouraged</li> </ul>
Strategic events and services	Promotion of these events and services over a reasonably long lead-in period and at key locations	Use identified existing redundant signs for temporary signs
Signage on railings and fences	Use of railings, fencing and hoarding for either business signage or the promotion of local events	Remove, fine and pursue legal course, if necessary
Public authority signage	Damaged, dirty, redundant, duplicate or cluttered signage	Audit of issues and work programme to deal with
Auctioneers' signage	Profusion, quality and appropriateness of auctioneers' signs	Monitor the situation
Mobile signs	Advertising on trailers, vehicles, bicycles etc	Discourage
Elections and Referendums	Profusion of election material	Monitor the situation and continue to discourage election material in unsuitable locations
Circuses, funfairs etc and protest-style posters	Clutter and litter created by poor temporary signage	Monitor the situation, remove unpermitted material and pursue enforcement where appropriate
Cars for Sale	Cars for sale on roadsides etc	Do not permit

## **INTRODUCTION**

Advertising is a vital component of business activity and a means of providing information to the general public. It can also be a significant indicator of commercial vibrancy and vitality. However, advertising signs, separately, or more particularly, in groups, can often cause injury to amenities and can detract from the appearance of an area or building. They can also be a major distraction to road users as well as being a hindrance to pedestrians, particularly the disabled and those with prams and buggies. It is the policy of the Council to strictly control all advertising signs both in relation to their location, design, materials and function.

There is significant evidence of an increase in the numbers of illegal advertising signs as businesses, in particular, try and counteract the impacts of economic recession by increasing their promotion and public presence. The result is a profusion of signs which, quite often, are of poor design, badly located and adding little to the commercial value of the business while detracting significantly from the overall area.

There is also evidence of an increase in using signage in public areas to advertise local events, especially of a community non-commercial nature but, increasingly, also of one-off commercial events such as wedding fairs, home exhibitions, antique fairs etc. Quite often, these signs can be visually unattractive and can be a distraction to drivers, especially on busy urban and suburban streets.

From a legislation and regulation perspective, advertising is governed by the Planning and Development Acts 2000-2011, the Litter Pollution Acts 1997-2003, the Protection of the Environment Act 2003, the Roads Act 1993 and the Regulations applying to these Acts. It is worth noting that certain signs are exempt under the above regulations, e.g. election posters, but even these have certain conditions and limitations attached.

The purpose of this document is to outline Waterford City and County Council's policy with regard to all signs erected on private and public property which is visible from a public place. It outlines what must be done prior to erecting any sign and what sanctions are available to the Local Authority for the erection of unauthorised signs.

This policy does not change the responsibilities of Waterford City and County Council under legislation but is intended to strengthen the local authority's position with regard to unauthorised signs on public and private property.

It is intended that this policy will be implemented by the following sections of the Council, all of whom have responsibilities for dealing with advertising signs on public roads:

- (a)** Roads Section (under the Roads Act 1993)
- (b)** Planning Section (under the Planning and Development Acts 2000 to 2011)
- (c)** Environment Section (under the Litter Pollution Acts 1997 to 2003)

## **AIM OF POLICY**

The aim of this policy is to support good, creative and necessary signage in appropriate places and for appropriate events, facilities and services. It is also to ensure that the overall presentation of the city and county and the image which it portrays to residents, visitors and potential investors is not negatively affected by inappropriate and unauthorised signage. The aim is not to be anti-business or anti-community but rather to support economic activity, quality of standards and consistency in decision-making and to generally portray a positive image of Waterford.

## **MAIN ISSUES**

The following have been identified as being the major issues with regard to advertising and signage in Waterford, in the city, towns and villages and even rural locations.

- A-Frames (or Sandwich Boards)
- Signs for Community Events
- Banners/placards on railings and fences
- Poorly made and designed signs and posters
- Poor local authority signage
- Auctioneers' Signs
- Mobile Signs (e.g. On trailers/bicycles etc)
- Election Signs etc
- Temporary signage advertising circuses, protests etc
- Cars for Sale
- No one section within Council responsible for policy and implementation
- Lack of consistency in decision-making with our neighbouring local authorities

## RESPONSES

Waterford City and County Council sees the need for a certain amount of signage both in the public and private domain. It also recognises the positive value which good quality signage can have both from an informational perspective and indeed by adding to vibrancy and colour. It will support the idea of “the right signs in the right places” and shall do so through a cooperative approach between the Planning, Environment and Roads sections leading to consistency in decision-making.

However clutter, distraction to traffic, impediments to pedestrian flow and poor standards of finish will not be tolerated and this shall be achieved through dialogue with individuals, businesses, community groups and their representative groupings (e.g. Chambers of Commerce, Traders’ Groups, Community Forum) or through enforcement action if necessary.

The Council will allow signage on a hierarchical basis, via planning permission, planning licence and written permission. Planning permission will apply for large permanent (or long term) signs on private property<sup>1</sup>. Planning licences under Section 254 of the Planning Acts will apply to permanent (or long term) signs on public property and written permission will be required for all other temporary signs. Generally, it is the wish of Waterford City and County Council not to enter into protracted and costly legal actions. The prime aim of the Council is to present Waterford in a positive light and to negotiate a best set of solutions. However, due legal process will be pursued if needs be and especially in the case of repeat offenders.

The Council recognises that some businesses are geographically awkward to locate and need some support signage in order to direct visitors. The Council will support these businesses to erect appropriate signage at appropriate locations. However, temporary signage (e.g. A-Frames tied to poles, temporary signs stuck into green areas etc) will not be tolerated. In particular, in the City/Town Centres, the Council is willing to invest in a series of junction posts (e.g. along primary routes) which will host small finger posts directing pedestrians to local businesses (especially tourist oriented businesses and food/drink outlets). The Council also recognises the need for temporary sandwich boards or menu boards outside cafés, restaurants etc showing “menu of the day” type information. These will be permitted as temporary signage and at agreed times where appropriate locations are identified and agreed for same. Generally speaking, sandwich board type advertising for other businesses will not be tolerated, except in very exceptional circumstances.

Some of the most significant problems that exist with temporary signage for local events of a general community nature are that, sometimes:

- The quality of the signs is very poor and visually unattractive
- They are erected with little regard for traffic safety or pedestrian mobility
- They are erected too far in advance of an event and left up too long after
- They do not conform with legal restrictions
- It is difficult to decipher whether it is a charity event or whether it is commercial or, indeed, a mixture of both

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<sup>1</sup>Such signage is regularly included as a sub-component of larger development permission

In response to these issues, Waterford City and County Council's Environment Section will act as both an adviser and regulator on temporary signage. It will oversee a set of standards for temporary signage, monitor same, advise on locations for signs, enforce regulations and generally liaise with community groups and individuals who wish to erect temporary signage. In general, signage for commercial events and activities will not be allowed as won't signage for events which stretch over long periods (e.g. 5-a-side winter leagues). To facilitate significant and strategic community events or festivals (e.g. the Viking Marathon), the Council has identified a number of redundant infrastructure signs at strategic locations around the City which can now be used to host signage promoting these events. These are bookable by contacting the Roads Section which will oversee a set of standards for same.

Posters, banners and placards on fences, railings etc are generally very unsightly and detract significantly from local amenity. Unless in very exceptional circumstances, these will not be treated favourably and will be removed as a matter of course by Council officials or via enforcement.

Generally speaking, auctioneers' signs do not pose a difficulty. There is a generally accepted code of conduct within the trade which does not support a proliferation of signs and which generally accepts the legal limits on the sizes of signs. The Council will continue to monitor auctioneer's signs, while seeking to discourage auctioneers' signs which remain in place for a long time, especially when sales and lettings may be sluggish. The Council will also take action against large auctioneer's signs, especially on new developments or unfinished estates, which have become eyesores or indeed dangerous.

Vehicles, especially ones which are not mechanically propelled (e.g. trailers), are regularly used for advertising purposes, as they are seen as being a loophole in the law. However, this aspect of the law is very much orientated towards allowing exemptions for mechanically propelled vehicles in the normal course of their business duties and with appropriate promotional material emblazoned on them. Waterford City and County Council will not, in general, allow any vehicles to be used for the express purpose of advertising, especially ones parked in public spaces and will also discourage this use on private property.

With certain restrictions and limitations, material in respect of elections, referenda, etc is exempt from the regulations. However, there is also a generally-agreed code of conduct among the main political parties which keeps the City Centre free from election postering. Over the last number of years, most candidates and parties have operated in a very timely fashion when removing posters after elections though some have not been so good in also removing cable ties which then become litter in their own right. The Council will continue to work with parties, candidates and agents in order to maintain an unwritten code of conduct and to remove all material from the public domain within 7 days of elections and referendums.

Circuses, funfairs etc are now generally knowledgeable of the regulatory environment and cooperate with the Council in both erecting and removing signage and agreeing on locations for such signage. Should there be any evidence of a lack of cooperation in this respect or, indeed, of breaches of regulation, the Council will issue fines as appropriate and take legal proceedings, if necessary. With regard to signage re protests etc, this tends to be organised at short notice, be concentrated in the City/Town Centre and to have no contact information for the organisers or those erecting the signs. Without exception, these signs will be removed and, if those responsible are identified, enforcement action taken.

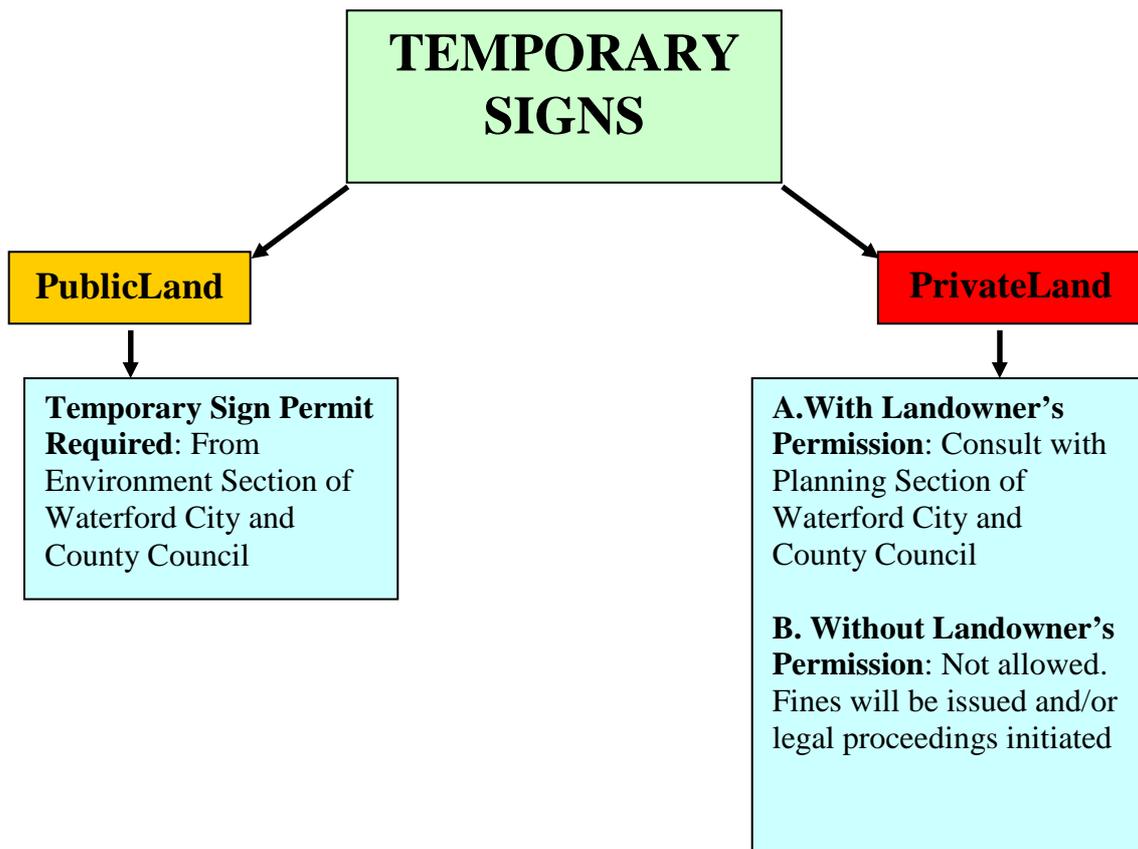
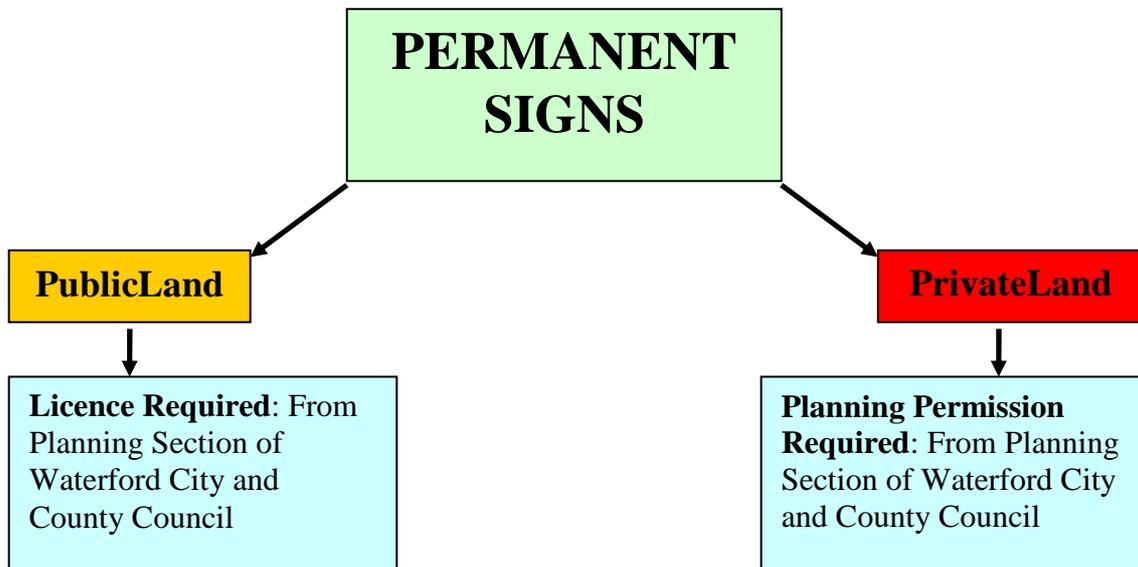
Cars for sale by the side of the road or in public places will not be tolerated. Such cars may be removed by the Council and appropriate costs charged for such removal under the provisions of Section 71 of the Roads Act 1993 and as per the schedule of costs in Appendix 3 below.

This policy identifies the role which each section of the Council has in ensuring that the overall aims of the policy are achieved. Internally, there will be one main point of contact in each of the three sections dealing with this issue (Planning, Environment & Roads) and these will also meet regularly to review the effectiveness of the policy. With regard to cooperation with other neighbouring local authorities, these officers will inform their neighbouring counterparts of any issues of which they become aware. We will also, however, give consideration to developing a Section 85 agreement with our neighbouring authorities if such level of collaboration is deemed to be required.

However, to simplify the situation for the public, there will be one initial point of contact and this will be the designated Environmental Enforcement Officer who currently is:

**Kathryn Jones**  
**Environmental Enforcement Technician**  
**0761 102720**

## ADVERTISING SIGNS - SUMMARY OF REQUIREMENTS



## PERMANENT SIGNS

**Permanent or long term signs** can be defined as signs erected on metal, wooden, plastic or other durable poles with concrete base or permanently fixed to the ground or affixed to a building or other structure and including large hoarding type signs or finger post signs.



Examples of permanent or long term signs include:

- Tourist attractions (For a “Tourist Attraction” to qualify for signposting it must be recognised by Fáilte Ireland as being predominantly a tourist interest rather than a retail outlet.)
- Tourist accommodation, Hotels, Guest Houses, Bed and Breakfast, Caravan/Camping Park
- Industrial and Business Premises or Estates
- Sports Facilities
- Public buildings – Gárda Síochána, City Hall, Civic Offices, Libraries, Railway Station, Institute of Technology
- Finger post signs
  - Local Authority Regulatory signs
  - Private/community facilities
- Some Auctioneers signs (e.g. large signs in new housing developments)

## Legislation Applicable to Permanent Signs

The legislation, which applies to permanent signs, is:

- (i) Planning and Development Acts 2000 - 2011
- (ii) Planning & Development Regulations 2001-2011 (see Appendix 4)

### Permanent Signs on Private Land.

Privateland is land not owned by the Local Authority, and will normally be behind the road/street boundary (eg. hedge, fence, wall, etc.) or attached to buildings.

### Is planning permission required for a permanent sign on private land?

Planning permission *is* required from the Planning Department of Waterford City and County Council to erect a permanent sign on private land. (Certain exemptions may apply, see Appendix 1: Exempted Development Advertisements)

### How do I apply for planning permission to erect a permanent sign on private land?

Planning permission application forms are available from the Planning Department of Waterford City and County Council, Menapia Building, The Mall, Waterford or on line at [www.waterfordcouncil.ie](http://www.waterfordcouncil.ie) The normal planning process applies. Fees are determined by size of signs.

#### Scale of Fees for Planning Applications

Class (as per Planning Regulations)	Class of Development	Amount of Fee	Amount of Fee for Retention Permission
9	The provision of an advertisement structure or the use of an existing structure or other land for the exhibition of advertisements.	€80, or €20 for each square metre, or part thereof, of advertising space to be provided, whichever is the greater.	€240, or €60 for each square metre, or part thereof, of advertising space to be provided, whichever is the greater.

### What happens if I erect a permanent sign on private land without planning permission?

Unauthorised advertising signs/structures will be dealt with under the enforcement provisions of the Planning and Development Acts 2000 to 2011.

### Permanent Signs on Public Land

These are signs that are placed on any part of a public road or street including grass verges, footpaths, hard shoulders, lay-bys, roundabout islands, public car-parks, median areas or islands, public right of ways or any location that is deemed by the Local Authority to be a public area.

## What is required to erect a permanent sign on public land?

A **licence** is required from the Planning Department of Waterford City and County Council prior to erecting any permanent sign on public land. (Appendix 2: Licensing Principles and Conditions)

## How do I apply for a licence to erect a permanent sign on public land?

Planning licence application forms are available from the Planning Department of Waterford City and County Council, Menapia Building, The Mall, Waterford or on line at [www.waterfordcouncil.ie](http://www.waterfordcouncil.ie) The normal planning process applies. Fees are determined by size of signs.

*Licence Fees under Section 254 of the Planning and Development Acts in respect of specified appliances, apparatus and structures and as specified in Schedule 12 of the Planning Regulations 2001-2011*

Reference in Schedule	Appliance, Apparatus or Structure	Licence fee
(b)	A town or landscape map for indicating directions or places.	€25
<b>(d)</b>	<b>An advertisement structure.</b>	<b>€630</b>
<b>(dd)</b>	<b>An advertisement structure (being of a fingerpost type not exceeding 1 metre in length) consisting of a direction sign.</b>	<b>€50</b>
(g)	A case, rack, shelf or other appliance, apparatus or structure for displaying articles, whether or not for the purpose of advertisement or sale in or in connection with any adjacent business premises.	€125
(i)	An advertisement consisting of any text, symbol, emblem, model, device or logo.	€630

## What happens if I erect a permanent sign on public land without a licence?

The person, company or business responsible for erecting unauthorised signs on public property shall be issued with an on-the-spot fine of €150 and shall be requested to remove the sign within 7 days. Failure to comply with this request will result in legal proceedings being initiated. All signs erected without a licence on public roads/public places will be removed. Cost for removal of signs may be recovered by Waterford City and County Council (see Appendix 3: Recovery of Costs, Unpaid Fines and Schedule of Charges).

## **TEMPORARY SIGNS**

Temporary signs can be defined as signs erected on flimsy or mobile structures and made of materials with a limited life expectancy, such as paper, corri-board, timber or light plastic.

Examples of short term signs include:

- Small advertisement signs. These can be stand alone or tied or nailed to existing signs or poles
- Sandwich board signs or other similar signs
- Billboard type signs
- Signs mounted on trailers
- Signs mounted on motorised vehicles
- Cars for sale
- Some forms of Auctioneers signs

Examples of the types of events etc which can be promoted using this form of advertisement include:

- Auctions
- Houses for sale / to let
- General commercial sales
- Agricultural or other shows
- Recreational or sporting fixtures
- Political events, elections and referendums
- Circuses, Concerts and Theatre
- Meetings, Festivals, Fundraisers, Local Interest, Religious
- Cultural, Educational or Social events.

### **Legislation Applicable to Temporary Signs?**

The legislation which applies to temporary signs is:

- (i) Litter Pollution Acts 1997 to 2003
- (ii) Protection of the Environment Act 2003, and
- (iii) Roads Act 1993 (see Appendix 4)

## **Temporary Signs on Private Land**

### **Can I erect a temporary sign on private land visible from a public place?**

Any signs erected on private land that can be viewed from a public place such as a road, or footpath, may have an impact on road safety. They may also be considered to impact on the environment or the amenity of an area.

If you are a landowner, or have the permission of the landowner, you may erect a temporary sign without any planning permissions, licences or permits. But if the sign impacts on road safety or the local amenity, Waterford City and County Council may take action. Thus you are advised to consult with the Planning Section of the Council in advance of erecting any sign.

### **What happens if I erect a temporary sign on private land that impacts on road safety or the amenity or the environment of an area?**

(a) With Permission of the Land Owner:

Where temporary signs are erected on private land where the signs are visible from a public place with the permission of the landowner, then a notice under Section 20 of the Litter Pollution Acts 1997 to 2003 shall be served on the landowner requesting him/her to remove the sign.

(b) Without Permission of the Land Owner:

Where temporary signs are erected on private land where the signs are visible from a public place, a fine will be issued under the Litter Pollution Acts 1997 to 2003 to the person, company or business responsible for erecting the sign, where permission of the land owner has not been given.

### **What Temporary Auctioneer's Signs are Permitted?**

On private land, Class 9 exemptions under the Planning & Development Regulations 2001 apply. (See Appendix 6: Auctioneers' Signs)

### **May I erect a temporary sign on public land?**

Perhaps – but it is Council policy that NO SIGN may be erected on public land without the prior consent of Waterford City and County Council.

### **What temporary signs are NOT allowed under any conditions on public land?**

- (i) Auctioneers Signs
- (ii) Vehicles for Sale

### **What temporary signs may be allowed on public land?**

Temporary signs promoting charity, sporting and cultural events may be allowed and are specified in the Planning and Development Regulations 2001-2011 as follows.

- Class 16 - This includes any local event of a religious, cultural, educational, political, social, recreational or sporting character not being an event promoted or carried out for commercial purposes.
- Class 16A - Advertisements other than advertisements specified in Class 16 of this Part of this Schedule, announcing any local event promoted or carried on for commercial purposes.
- Class 17 - Advertisements relating to the visit of any travelling circus, funfair, carnival, show, musicians, players or other travelling entertainment.
- Class 18 - Advertisement relating to any demonstration of agricultural methods or processes on the land on which the advertisement is exhibited.

Erection of these signs should not breach the Roads Act 1993 and should not cause a hazard to road users. Thus, **it is Council policy that prior to erecting any such sign in a public place a temporary sign permit should be obtained.**

### **How do I obtain a temporary sign permit?**

Temporary sign permits are issued by the Environment Section of Waterford City and County Council: Applications should be made **4 weeks** in advance of your event. (See Appendix 5: Temporary Sign Permit.)

### **How much does a temporary sign permit cost?**

No fee applies for this service.

### **What happens if you erect a sign without a temporary sign permit?**

Signs erected without a permit, which are considered a road traffic hazard or which impact negatively on the amenity or the environment of an area, will be removed by Waterford City and County Council and an on-the-spot fine of €150 under the Litter Pollution Acts will be issued. The recovery costs of signs applies – (See Appendix 3: Unpaid Fines and Recovery of Costs). Alternatively, the person/company/business responsible for erecting the sign will be issued with a fine and asked to remove the sign within 7 days. Failure to do so will result in legal proceedings being initiated. The same applies for signs which breach the conditions of a licence or permission

## APPENDIX 1

### EXEMPTED DEVELOPMENT – ADVERTISEMENTS

The following list are the exempted advertisement developments permitted under the Planning and Development Regulations 2001, Schedule 2, Part 2: Exempted Development - Advertisement and subject to Article 6 of the Regulations.

Note that all exemptions must be confirmed by Waterford City and County Council Planning Department.

**Class 1** - Advertisements (other than those specified in classes 2, 3 or 5 of this Part of this Schedule) exhibited on business premises, wholly with reference to the business or other activity carried on or the goods or services provided on those premises.

#### Conditions and Limitations

1. The total area of such advertisements exhibited on or attached or affixed to the front of any building on the premises shall not exceed an area equal to 0.3 square metres for every metre length of such front, less the total area of any such advertisements exhibited on the premises but not exhibited on or attached or affixed to a building, and in any event shall not exceed 5 square metres.
2. The total area of such advertisements exhibited on or attached or affixed to any face of a building on the premises other than the front thereof shall not exceed 1.2 square metres and the total area of any such advertisements on such face which are illuminated shall not exceed 0.3 square metres.
3. The total area of such advertisement which are not exhibited on or attached or affixed to a building on the premises shall not exceed 3 square metres, of which not more than 1.5 square metres shall consist of advertisements which are illuminated.
- 4(a) No part of any such advertisement which is not exhibited on or attached or affixed to a building on the premises, or of an advertisement structure on which it is exhibited, shall be more than 2.5 metres in height.
- 4(b). No part of any such advertisement which is not exhibited on or attached or affixed to a building on the premises shall be more than 4 metres in height above ground level.
5. Where any such advertisement projects more than 5 centimetres over any public road, the sign or other advertisement structure on which it is exhibited shall not be less than 2 metres above the level of such road and shall not project more than 1 metre over such road.
6. Where any such advertisement consists of a circular sign and projects more than 5 centimetres over any public road, the diameter of such sign shall not exceed 1 metre and no other such advertisement shall be exhibited on a sign or other advertisement structure projecting more than 5 centimetres over such road.
7. Where any one or more such advertisements are exhibited on a swinging or fixed sign or other advertisement structure (other than a circular sign) projecting more than 5 centimetres from any external face of a building, the total area of such advertisements shall not exceed 1.2 square metres and the area of any face of any such advertisement shall not exceed 0.4 square metres.
8. No such advertisement shall contain or consist of any symbol, emblem, model, logo or device exceeding 0.6 metres in height or any letter exceeding 0.3 metres in height
9. No such advertisement shall cover any part of any window or door of any building on which the advertisement is exhibited or to which it is attached or affixed.

**Class 2** - Illuminated advertisements exhibited as part of any shop or other window display on business premises and other advertisements affixed to the inside of the glass surface of a window of a business premises or otherwise exhibited through a window of such premises.

Conditions and Limitations

The total area of any advertisements so exhibited shall not exceed one quarter of the area of the window through which the advertisements are exhibited.

**Class 3** - Advertisements displayed within a business premises and which are not visible from outside the premises.

**Class 4** - An advertisement in the form of a flag which is attached to a single flagstaff fixed in an upright position on the roof of a business premises and which bears no inscription or emblem other than the name, device or logo of a person or business occupying the business premises.

Conditions and Limitations

Not more than one such advertisement shall be exhibited on a business premises.

**Class 5** - Advertisements, exhibited at the entrance to any premises, relating to any person, partnership or company carrying on a public service or a profession, business or trade at the premises.

Conditions and Limitations

1. No such advertisement shall exceed 0.3 square metres in area.
2. Not more than one such advertisement, or, in the case of premises with entrances on different road frontages, one such advertisement for each such frontage, shall be exhibited in respect of each such person, partnership or company on the premises.

**Class 6** - Advertisements relating to any institution of a religious, educational, cultural, recreational or medical or similar character, any guesthouse or other premises (other than a hotel) providing overnight guest accommodation or any public house, block of flats, club, boarding house or hostel, situated on the land on which any such advertisement is exhibited.

Conditions and Limitations

1. No such advertisement shall exceed 0.6 square metres in area.
2. No part of any such advertisement or an advertisement structure on which it is exhibited shall be more than 2.5 metres in height above ground level.
3. Not more than one such advertisement or, in the case of premises with entrances on different road frontages, one such advertisement for each such frontage, shall be exhibited in respect of any such premises.

**Class 7** - Advertisements exhibited on land wholly or for the most part enclosed within a hedge, fence, wall or similar screen or structure (not being land which is a public park, public garden or other land held for the use and enjoyment of the public, or a part of a railway undertaking's enclosed land normally used for the carriage of passengers or goods by rail) and not readily visible from land outside the enclosure wherein it is exhibited.

**Class 8** - Advertisements exhibited within a railway station, bus station, airport terminal or ferry terminal and which are not readily visible from outside the premises.

**Class 9** - Advertisements relating to the sale or letting of any structure or other land (not being an advertisement structure) on which they are exhibited

Conditions and Limitations

1. The area of any such advertisement shall not exceed—
  - (a) in the case of an advertisement relating to the sale or letting of a house, 0.6 square metres,
  - (b) in the case of an advertisement relating to the sale or letting of any other structure or land, 1.2 square metres.
2. Not more than one such advertisement shall be exhibited on the structure or other land.
3. No such advertisement shall be exhibited, and no advertisement structure erected for the purpose of exhibiting such advertisement shall remain on the structure or land, for more than 7 days after the sale or letting to which the advertisement relates.

**Class 10** - Advertisements relating to the sale on or before a date specified therein of goods or livestock, and exhibited on land where such goods or livestock are situated or where such sale is held, not being land which is normally used, whether at regular intervals or otherwise, for the purpose of holding sales of goods or livestock.

Conditions and Limitations

1. No such advertisement shall exceed 0.6 square metres in area.
2. Not more than one such advertisement shall be exhibited on the land concerned.
3. No such advertisement shall be exhibited, and no advertisement structure erected for the purpose of exhibiting such advertisement shall remain on the land, for more than 7 days after the date specified.

**Class 11** - Advertisements relating to the carrying out of building or similar works on the land on which they are exhibited, not being land which is normally used, whether at regular intervals or otherwise, for the purpose of carrying out such works.

Conditions and Limitations

1. Where only one advertisement is exhibited, such advertisement shall not exceed 3.5 square metres in area and shall not be exhibited more than 6 metres above ground level.
2. Where more than one advertisement is exhibited, no such advertisement shall exceed 0.6 square metres in area, the total area of such advertisements shall not

exceed 3.5 square metres and no such advertisement shall be exhibited more than 4 metres above ground level.

3. No such advertisement shall be exhibited, and no advertisement structure erected for the purpose of exhibiting such advertisement shall remain on the land, for more than 7 days after the completion of the works.

**Class 12** - Advertisements for the purposes of announcement or direction or warning exhibited by a statutory undertaker in relation to the operation of the statutory undertaking.

**Class 13** - Advertisements for the purposes of identification, direction or warning with respect to the land or structures on which they are exhibited. No such advertisement shall exceed 0.3 square metres in area.

Conditions and Limitations

No such advertisement shall exceed 0.3 square metres in area.

**Class 14** - Advertisements relating to an election to the office of President of Ireland, an election of members of DáilÉireann, the Parliament of the European Communities, a local authority or ÚdarásnaGaeltachta, or a referendum within the meaning of the Referendum Act, 1994.

Conditions and Limitations

No such advertisement shall be exhibited, and no advertisement structure erected for the purpose of exhibiting such advertisement shall be left in place, for more than 7 days after the date of the election or referendum to which the advertisement relates.

**Class 15** - Advertisements required to be exhibited by or under any enactment, including advertisements the exhibition of which is so required as a condition of the valid exercise of any power, or proper performance of any function, given or imposed by such enactment, or for compliance with any procedure prescribed by or under any enactment

**Class 16** - Advertisements other than advertisements specified in class 17 of this Part of this Schedule, announcing any local event of a religious, cultural, educational, political, social, recreational or sporting character, and advertisements relating to any temporary matter in connection with any local event of such a character, not in either case being an event promoted or carried on for commercial purposes.

Conditions and Limitations

1. No such advertisement shall exceed 1.2 square metres in area.
2. No such advertisement shall be exhibited more than 2.5 metres above ground level or be glued, pasted or otherwise affixed to any structure other than an advertisement structure.
3. No such advertisement shall be exhibited, and no advertisement structure erected for the purpose of exhibiting such advertisement shall be left in place, for more than 7 days after the conclusion of the event or matter to which it relates.

**Class 16A** - Advertisements other than advertisements specified in Class 16 of this Part of this Schedule, announcing any local event promoted or carried on for commercial purposes.

Conditions and Limitations

1. No such advertisement shall exceed 1.2 square metres in area.
2. No such advertisement shall be exhibited more than 2.5 metres above ground level or be glued, pasted or otherwise be affixed to any structure other than an advertisement structure.
3. No such advertisement shall be exhibited, and no advertisement structure erected for the purpose of exhibiting such advertisement shall be left in place for more than 7 days prior to the date of the event or for more than 3 days after the conclusion of the event to which it relates.
4. No such advertisement shall be exhibited, and no advertisement structure erected for the purpose of exhibiting such advertisement, at a distance greater than 15 kilometres from the location of the event.
5. The event shall not take place in the same location more than three times a year.
6. No advertisements shall be erected where they can be seen from any motorway or national primary road.

**Class 17** - Advertisements consisting of placards, posters or bills relating to the visit of any travelling circus, funfair, carnival, show, musicians, players or other travelling entertainment.

Conditions and Limitations

1. No such advertisement shall exceed 1.2 square metres in area.
2. No such advertisement shall be exhibited more than 2.5 metres above ground level or be glued, pasted or otherwise affixed to any structure other than an advertisement structure.
3. No such advertisement shall be exhibited, and no advertisement structure erected for the purpose of exhibiting such advertisement shall be left in place, for more than 7 days after the last performance or closing of the entertainment.

## APPENDIX 2

### LICENCING PRINCIPLES AND CONDITIONS

The following licencing principles and conditions will be taken into account when considering applications for licences for erecting signs on a public road

- (a) Signs will only be considered where an advertising “need” is identified. In this context the term “need” relates to the requirements of the travelling public, not the desire of the commercial operators to advertise as widely as possible. Each such need will be assessed on its merits.
- (b) Advertising signs for Commercial premises/events shall only be allowed when the need is identified and an appropriate location identified which will not create a traffic hazard or a negative environmental/amenity impact.
- (c) In areas where consideration is given to the erection of fingerpost signs for local advertising, they will only be permitted where they do not give rise to confusion for road users or endanger traffic safety. For each commercial operation this favourable consideration will generally only extend to one sign located at the road junctions either side of the premises
- (d) The more effective location of tourist signs will be encouraged in such a way as to help the user identify tourist attractions of national or regional importance, yet does not lead to visual clutter, dis-amenity or traffic hazard.
- (e) Provision of signs will not be permitted where the location of such structures compete with traffic information signs, sight lines or may distract attention at a junction or a roundabout so as to create a potential traffic hazard.
- (f) Licence applications for the location of advance advertising structures along approach roads into the City or Towns will not be permitted save for tourist attractions of national or regional importance.
- (g) If more than one industry or business is located in the same area, a general signpost indicating the direction of the industrial location may be considered. No trade name or other identification mark will be allowed.

- (h) So as to avoid clutter and intrusion, in general no more than five advertising finger post signs on any one pole will be permitted.
- (i) In the case of Accommodation signs one fingerpost sign at the junction nearest the premises may be permitted for hotels, guesthouses and other similar accommodation.
- (j) There shall be a general presumption against the approval of roads related advertising signs for individual industrial, commercial and other enterprises. Again the concept of “need” as identified above is the critical issue.
- (k) The Council, in general, supports the development of shared signage at entrances to such as enterprise parks, retail parks and industrial parks. Individual signs advertising individual businesses will be discouraged. Where a need is identified, this signage can be supplemented within the estate/park by appropriate finger post signage

***Notwithstanding the above, this Council reserves the right to deal with each application on its merits or on an individual basis. Nothing in this policy should prevent anyone from applying for a licence or planning permission for such advertising signs.***

### **Licencing Conditions**

In the event of the Local Authority granting approval for the erection of a sign the following conditions will apply:

- (i) All signs shall be manufactured and created in accordance with the standards in the Traffic Signs Manual of the Department of Transport, Tourism and Sport or similar current standards specified for the construction of traffic signs.
- (ii) Signs and poles, as appropriate, shall be purchased by the owner of the premises. They shall be erected by the Council at a suitable location at the expense of the owner unless otherwise agreed in writing with the Local Authority. Signs for more than one premises may be erected on the same pole.
- (iii) The licence number shall be clearly displayed on the sign.
- (iv) The owner of the premises shall be responsible for the cost of routine maintenance and replacement of signs should they become damaged or need renewal in the case of normal wear and tear.
- (v) The Council shall retain the right to remove a sign or alter its location at any time.
- (vi) The owner of all existing signs will, where appropriate, be required to obtain a licence under the Planning and Development Acts 2000 to 2011
- (vii) The granting of a licence at any location will not be deemed to constitute a precedent.

## APPENDIX 3

### RECOVERY OF COSTS, UNPAID FINES AND SCHEDULE OF CHARGES

#### Recovery of Costs:

The Roads Act 1993 provides for the recovery of the costs by the Council from the sign owner for removing and storing unauthorised sign, cars etc. as detailed in Section 71(6) which states:

*“a sign, caravan, vehicle or other structure or thing removed and stored under this section shall be given to a person claiming it if, but only if, he makes a declaration in writing that he is the owner of the sign, caravan, vehicle or other structure or thing or is authorised by its owner to claim it and, at the discretion of the road authority or the (Garda) Commissioner, pays the amount of the expenditure reasonably incurred in removing and storing it”*

It is the policy of Waterford City and County Council that the Local Authority will, in all but exceptional cases, seek the recovery of its costs.

#### Unpaid Fines:

It is the Council's policy that all unpaid fines issued will be prosecuted through the Courts.

#### Schedule of Costs:

This schedule has been developed on the basis that there will be a set charge for removing each type of sign plus a Storage Charge. It is proposed to use these set charges instead of logging and tracking the actual specific costs for each sign. This will simplify the administration and reduce the time, resources and cost of implementing this policy. It is proposed that these charges will increase by 5% each year starting on the first day of January unless otherwise decided by the Council.

In special circumstances where a particular sign does not fit any of the categories on the schedule of charges or where the actual costs incurred in removing and storing the sign are significantly more than the charge listed, the Council may charge the actual cost involved. In such a case, the Council will provide the necessary backup supporting the actual charge.

**Schedule of Charges for removal and Storage of Unauthorised Signs**

<b>Type of Sign</b>	<b>Description of Sign</b>	<b>Removal Charge</b>	<b>Storage Charge per Sign</b>
<b>Type I</b>	Sandwich Board set on Ground/ Footpath/ Pavement	<b>€15</b>	<b>€10</b>
<b>Type II</b>	Sign Panel Attached to Existing Post/Pole/Wall	<b>€15</b>	<b>€10</b>
<b>Type III</b>	Sign Panel Mounted on its own Post(s)	<b>€15</b>	<b>€10</b>
<b>Type IV</b>	Sign Panel Mounted on mobile Trailer	<b>See Note Below</b>	<b>€10</b>
<b>Type V</b>	Signs printed on Parked Cars, Vans, Lorries, etc	<b>See Note Below</b>	<b>€10</b>

Notes:

- Removal charge to be based on actual costs, which might involve a low loader and lifting equipment.
- Total Charge to Sign Owner is Removal Charge plus Storage Charge
- Any item may be disposed of if the owner fails to claim it and remove it within one month of the date of service of the fine.

## APPENDIX 4

### RELEVANT LEGISLATION

The following is the legislation relevant to advertising signs.

#### **(1) Planning Legislation:**

**Section 254** of the Planning and Development Acts 2000-2011 and the Planning and Development Regulations, 2001-2011 provide that a planning authority may grant a licence for a range of structures/items on public roads, including “advertisement structures”.

**Article 6, Part 2** of the Planning & Development Regulations provide exemptions for certain types of temporary signs. This policy is particularly concerned with exemptions under Class 9, 16, 17, & 18 of these regulations.

#### **(2) Roads Legislation:**

**Section 71** of the Roads Act, 1993 prohibits the erection, placing or retaining of signs on public roads without “lawful authority” or the consent of the road authority.

#### **(3) Environmental Legislation**

**Section 19** of the Litter Pollution Act, 1997 prohibits any advertisements including defacement of structures with limited exemptions unless by the landowner or with his approval.

**Section 56** of the Protection of the Environment Act 2003 requires that an article or advertisement carries the name and address of the person who is promoting or arranging the meeting or event or in any other case carries the name and address of the person on whose behalf it is exhibited.

## APPENDIX 5

### TEMPORARY SIGN PERMIT

#### Application for a Permit:

In order to obtain a **Temporary Sign Permit** the applicant will be asked to submit the following

- The name, address and telephone number of the person responsible for the erection of signs and on whom responsibility will fall to remove the signs.
- Details of the type and size of sign to be erected and including materials to be used in the making of the sign (paper signs covered with plastic not allowed).
- Proposed wording on the advertisement
- The number of signs proposed to be erected.
- A map indicating where it is proposed to locate the signs.

Details should be sent to:

**Environment Department,  
Waterford City and County Council,  
Menapia Building,  
The Mall,  
Waterford**

or on line at [www.waterfordcouncil.ie](http://www.waterfordcouncil.ie)

#### Permit Conditions:

In the event of the Local Authority granting a permit for the erection of a sign the following conditions will apply:

- The size of any temporary sign shall not exceed that outlined in the Planning & Development Regulations 2001-2011 (Class 9,16,16A, 17 & 18).
- The Council may advise the applicant of more suitable locations for erecting signs taking into account road safety concerns.
- A temporary sign may not be erected more than **14 days** before the event is due to take place.
- No temporary sign will remain up longer than 7 days after the event finishes
- It is Council policy that no more than one sign may be erected per event on each approach road to the City or town or village, subject to an overall maximum of **8 signs**
- In cases where the event is run for charity, the name of the benefiting charity must be displayed on the advertisement.

## APPENDIX 6

### AUCTIONEERS' SIGNS

Under the Planning Regulations 2001 (Class 9), advertisements relating to the sale or letting of any structure or other land ***on which they are exhibited*** is considered exempted development.

This is subject however to conditions including

- Not more than one such advertisement may be exhibited on the land/structure.
- The size of the advertisement must not exceed 0.6m<sup>2</sup> for the sale or letting of a house or 1.2 m<sup>2</sup> for the sale/letting of any other structure or land.
- The advertisement must be removed within 7 days of the land/structure after the sale or letting of the land or structure to which the advertisement relates.

In this policy Waterford City and County Council will consider ***a sale/letting of land or structure*** completed once the ***sale/letting agreed sign*** has been erected. A fine will issue 7 days following this if the said sign has not been removed.

Any other signs relating to the sale of the property will result in the immediate issue of a fine and in the removal of the sign by the Council.

An increasing difficulty in a stagnant housing and investment market is that properties remain for sale or for letting over a long period of time. Where there is evidence that signs remain on a property for over a six months period, these signs will be removed and may not be replaced for at least a two month intermission period.

Large auctioneers' signs, especially on unfinished or partially sold housing developments, are becoming an increasing eye-sore and, in some instances, a safety issue. In these instances, enforcement action will be pursued in order to remove the disamenity or danger, whether this be enforcement action against the auctioneer or against the developer

## APPENDIX 7

### Guidelines for the Erection of Election Posters

Section 19(7) of the Litter Pollution Acts 1997 – 2009 governs the erection of election posters. The principal requirements are that posters shall not be erected prior to the making of an order by the Minister appointing the day upon which the relevant poll will take place or for 30 days prior to the to the date of the poll, whichever is the shorter. Posters must be removed within 7 days of the poll.

These guidelines apply to the erection of posters in respect of Local, Dáil, European, Presidential, ÚdarásnaGaeltachta and Referendum.

Those erecting posters should exercise extreme caution when on or near roadways and should be aware of their own and other road users physical safety, e.g. crossing busy roads, obstructing footpaths, parking of vehicles etc.

The following guidelines should be followed to ensure that posters do not present a hazard to the public:

- Posters should be erected at a minimum height of 2.5 metres above footpaths, cycle tracks or any area to which pedestrians have access
- Posters should not be erected on lamp standards with overhead line electricity feed, traffic signal poles, bridge parapets, overpasses, pedestrian bridges, or roadside traffic barriers.
- Posters should not be placed on or at roundabouts, junctions or traffic lights, as they are a hazard to the visibility of the motorists and cyclists etc, they should be placed 50 metres back from any of these locations, on the straight sections of the roads.
- Posters should not obscure statutory road signs or traffic/pedestrian signals in any way
- Posters should be securely fixed to poles with cable ties or similar material to facilitate removal without damage to the poles.
- All ties used in securing the posters to the poles / posts are also to be removed when the posters are being removed, within 7 days of the election.
- Posters may only be erected for a certain specified time period before an election. This time period is either (a) 30 days before the poll date or (b) from the date the polling day order for the election has been made, whichever provides the shorter period of time.

- Under 140 of the Electoral Act 1992 every poster having reference to a Dáil Election or distributed for the purpose of furthering the candidature of any candidate at a Dáil Election must have printed on its face the name and address of the printer and of the publisher on the poster. The omission of the name and address of the printer and publisher is an offence.