



## GALWAY CITY COUNCIL

### Policy regarding 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 Galway City Council prior to erecting any permanent sign on public land. ([Appendix 1: Licensing Principles and Conditions](#))

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

Application forms under Section 254 of the Planning and Development Act 2000 (as amended) are available from the Planning Department of Galway City Council at College Road, Galway or on line at [www.galwaycity.ie](http://www.galwaycity.ie)

#### **How much does a licence cost for a permanent sign on public land?**

The Planning & Development (No. 2) Regulations 2002 confirm the fees as follows:

- A licence for a Finger Post sign, not exceeding one meter in length and which is a directional sign, currently costs €50. An annual licence fee of €50 also applies.
- A licence for any other sign currently costs €630 on application. This is an annual fee.

Where Galway City Council considers that there is sufficient public benefit in allowing a Finger Post sign which indicates a non-profit charitable, cultural, sporting or community facility, the fee may be waived, and a written agreement entered into with the representatives of the facility.

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

Unauthorised advertising signs/structures will be dealt with under the enforcement provisions of the Planning Acts and/or the Roads Acts.. The person, company or business responsible for erecting unauthorised signs on public property shall be subject to enforcement proceedings, and shall be directed to remove the sign within 7 days. Failure to comply with this direction will result in the sign(s) being removed. Cost for removal of signs may be recovered by Galway City Council ([see Appendix 2: Recovery of Costs, Unpaid Fines and Schedule of Charges](#)).

#### **What happens if I already have a permanent sign on public land without a licence?**

You must apply for a licence to keep the sign in place. The Council will write to all parties who already have permanent signs in place but who do not have a licence, and will advise them that the sign(s) will be removed, unless a licence application has been submitted within one month of the date of the letter. If a licence application is submitted, and a licence is not granted, the sign must be removed.

## **APPENDIX 1**

### **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 place.

#### **Licencing Principles**

The following principles will be taken into account when considering applications for licences for erecting signs on a public place.

(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) In rural areas signs will generally be only licensed where premises are located away from main traffic routes.

(c) Advertising Signs for Commercial premises/events shall not be permitted on National roads and shall be severely restricted on Regional and Local Roads. If premises are located along a National or Regional road they should not have a sign on the road. A sign on their property is adequate.

(d) 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 any favourable consideration will generally only extend to a maximum of one sign located at the road junctions either side of the premises. Generally, no finger post signs for individual commercial businesses on junction with a National Road.

(e) 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.

(f) 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 so as to create a potential traffic hazard.

(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.

## **APPENDIX 1 (Contd.)**

(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. A second signpost for the same premises will not be considered within 250 meters of such permitted sign. (In urban areas, the 250 metres may be reduced).

(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. Consideration may be given to erection of signs using generic symbols indicating the location (but not the name) of tourist attractions at suitable locations on National Roads. These signs would indicate directions of attractions such as Sports Centres, Parking, Public Toilets, Fuel and Accommodation, etc. 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:

All signs shall be manufactured and created in accordance with the standards in Department of Environment, Traffic Signs Manual or similar current standards specified for the construction of traffic signs.

The owner of the business being advertised may erect signs and poles if valid insurances are submitted and accepted by the Council. The location and dimensions/details of the sign must be agreed in advance. The owner of the business is liable for all costs/expenses incurred. Signs for more than one premises may be erected on the same pole.

The owner of the business to which the signs relate 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.

The Council shall retain the right to remove a sign or alter its location at any time.

The owner of all existing signs will, where appropriate, be required to obtain a licence under the Planning and Development Act 2000 and subsequent regulations. Where authorised signs not conforming to the proposed criteria are already in place, road authorities may consider allowing the existing signs to remain. All new and replacement signs shall comply with the requirements of this policy.

The granting of a licence at any location will not be deemed to constitute a precedent.

## **APPENDIX 2**

### **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 City 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 Galway City Council that the Local Authority will in all but exceptional cases, seek the recovery of its costs.

#### **Unpaid Fines:**

It is the Local Authority'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 daily 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.

## APPENDIX 2 Cont'd./...

<b>Schedule of Charges for Removal and Storage of Unauthorised Signs</b>			
<b>Type of Sign</b>	<b>Description of Sign</b>	<b>Removal Charge</b>	<b>Daily Storage Charge/m<sup>2</sup> area of sign</b>
Type I	Sandwich Board set on Ground/ Footpath/ Pavement	€50.00	€5.00
Type II	Sign Panel Attached to Existing Post/Pole/Wall	€50.00	€5.00
Type III	Sign Panel Mounted on its Own Post(s)	€75.00	€7.00
Type IV	Sign Panel Mounted on Mobile Trailer	€250.00	€9.00
Type V	Signs printed on Parked Cars, Vans, Lorries, etc.	See Note 1 below	€9.00

### **NOTES:**

- 1) Removal charge to be based on actual costs which might involve a low loader and lifting equipment.
- 2) Daily Storage Charge will not commence until Ten working days after the date Notice to Owner has been issued informing them of whereabouts of sign. Storage Charges will be computed based on working days. Storage charges will commence immediately in the event of a second or further breach of legislation.
- 3) Area of Sign for calculating storage charges to be based on total area of one side of the sign.
- 4) Area to be rounded down to nearest square metre but minimum charge for one square meter shall be charged for signs that are smaller than one square metre.
- 5) In special circumstances where a particular sign does not fit any of the categories on the table or where the actual costs incurred in removing and storing the sign are significantly more than the charge listed, the Council may, at its discretion, charge the actual cost involved.
- 6) Total Charge to Sign Owner is Removal Charge plus charge for Daily Storage for relevant number of working days that the sign is stored.
- 7) These charges shall increase by 5% each year starting on the first day of January unless otherwise decided by the Council.
- 8) The item may be disposed of if the owner fails to claim it and remove it within six weeks of the date of service of notice on him/her.