

YOUR GUIDE TO THE 2021 BY-LAWS – effective 1 Jan 2022

The City of Marion recently reviewed its by-laws. They were presented to council and endorsed on the 10 August 2021.

These by-laws will come into effect on the 27 December 2021

This guide provides information about the changes that were endorsed and what this now means to you as resident of the City of Marion.

1. WHAT ARE BY-LAWS AND WHAT ARE THEY FOR?

By-laws are local laws established by Councils to deal with issues specific to the relevant Council area.

The City of Marion now has seven by-laws, which apply only within the City of Marion's boundaries. These include:

1. Permits and penalties
2. Movable signs
3. Local Government land
4. Dogs
5. Roads
6. Cats
7. Animal Management

2. WHAT ARE SOME OF THE MAJOR CHANGES AND WHAT DO THEY MEAN?

By-law No. 2 – Moveable Signs

The moveable signs by-law was introduced to deal with temporary signs in the street. This includes where signs are allowed to be placed, and how long they are able to be displayed.

Changes to this by-law include:

- Moveable signage displayed on a road
- Restrictions on the number of signs
- Vehicles for sale

What do the changes mean for me?

There is no change to the application or approval process for moveable signs.

What is a moveable sign?

A moveable sign is an 'A' frame or sandwich board sign, an inverted 'T' sign, or a flat sign, or with the permission of the Council (including as may be set out in a Council policy of general application from time to time) or a sign of some other kind.

A sign cannot contain any sharp or jagged edges or corners.

What does this mean for businesses?

The owner or operator of a business must not, without council permission, cause or allow more than one moveable sign for each business premises to be displayed on the footpath at any time.

Can I advertise that I am selling my car with a moveable sign?

You must not, without the permission of the Council, display or cause to be displayed a moveable sign on, attached, or adjacent to a vehicle that is parked on Local Government land or a road primarily for the purpose of advertising or offering for sale a product. This includes the sale of a vehicle.

By-law No.3 – Local Government Land

By-law No. 3 regulates what people can do on local government land.

Changes to the by-law include:

- Consume, carry or be in possession or in charge of any liquor in an open container on council land
- Burials and Memorials
- Canvassing to convey any advertising, religious or other message to any bystander, passer-by or other
- Prohibited activities

What do the changes mean for me?

There is no change to the application or approval process to utilise local government land, however, there have been some changes to wording a titles.

Can I drink alcohol in local government parks and reserves?

You must not consume, carry or be in possession or in charge of any liquor in an open container on council Land on Local Government land. This includes parks or reserves to which the Council has determined this paragraph applies.

Can I scatter ashes on council land?

You must not scatter ashes on council land or erect any memorial without permission.

Can I busk, preach, or fundraise on council land?

You will need permission from council to preach, harangue, solicit, or canvass in a public place

How does this by-law effect my pets?

You must not allow or suffer any animal under the person's control to swim or bathe in or enter any waters to the inconvenience, annoyance or danger of any other person bathing or swimming.

You must not allow an animal in your control, charge or ownership to damage Council property.

By-law No.6 – Cats

By-law No.6 was introduced to prevent nuisance caused by cats.

Changes include:

- Cats not to be a nuisance
- Effective confinement of Cats
- Cat free areas
- Registration of Cats

How do I know if a cat or my cat is causing a nuisance?

The by-law states a cat (or cats) cause a nuisance if

- it unreasonably interferes with the peace, comfort or convenience of a person, including but not limited to a cat(s) displaying aggressive nature or creating unpleasant noise or odour
- damages or otherwise has an adverse impact upon native flora or fauna; or
- acts in a manner that is injurious to a person's real or personal property; or wanders onto land without the consent of the owner or occupier of the land; or
- defecates or urinates on land without the consent of the owner or occupier of the land

What does confinement of my cat look like?

As and from 1 January 2023, you must ensure that the cat is confined at all times at your property between the hours of 8pm and 7am daily.

What does a cat free area mean?

Your cat is not allowed on any Local Government land or in a public place that is labelled a cat free area.

What does registration of my cat look like?

Council has not yet endorsed cat registration, this is something that may be looked into in the future.

By-law No.7 – Animal Management

New By law

What do I need to know about this by-law and how will it affect me?

This is a By-law in place to manage and regulate the keeping of certain animals on residential premises to prevent nuisances.

From 1 January 2023, permission is required to keep either a rooster or peacock that is 2 months or older, as they are now considered to be prescribed animals.

What if I already own or would like to own a peacock or a rooster?

You will be required to complete an application form to seek permission to keep a prescribed animal.

The property will then be inspected by an authorised person for the purpose of assessing the suitability of the premises to keep these animals.

What will determine whether or not my application is successful?

Permission will be granted after determining whether or not an insanitary condition exists or has existed on the premises as a result of keeping animals.

The property will also be assessed on past nuisance caused to any neighbours as a result of keeping an animal on the premises or if a nuisance is likely to be caused. The nature and size of the premises will also be considered, as well as whether or not the animal can be adequately contained.