

NORTHERN CAPE PROVINCE

PROFENSI YA KAPA-BOKONE



NOORD-KAAP PROVINSIE

IPHONDO LOMNTLA KOLONI

**Provincial Gazette
Kasete ya Profensi**

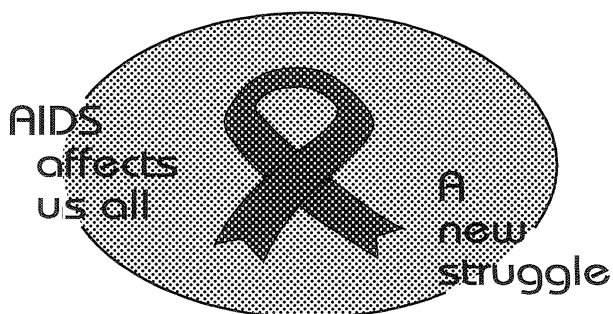
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GENERAL NOTICE

NOTICE 85 OF 2014

Gen 85/2014

SOL PLAATJE MUNICIPALITY

PUBLICATION OF THE SOL PLAATJE MUNICIPALITY OUTDOOR ADVERTISING SIGNS BY-LAW 2011

The Municipal Manager of the Sol Plaatje Municipality hereby publishes in terms of section 13 (a) of the Local Government; Municipal System Act, 2000 (Act 32 of 2000), read with section 162 of The Constitution of the Republic of South Africa, 1996 (Act 108 of 1996). Publishes the **OUTDOOR ADVERTISING SIGNS BY-LAW 2011** for Sol Plaatje Municipality, as contemplated in the SCHEDULE hereafter and shall come into operation on the date of publication hereof.

The following bylaw is herewith published.

- OUTDOOR ADVERTISING SIGNS BY-LAW 2011

**MUNICIPAL MANAGER
G AKHARWARAY**

17 June 2014

By-law No. 2011

OUTDOOR ADVERTISING SIGNS BY-LAW, 2011

BY-LAW

To provide for the by-law of Outdoor Advertising on or visible from all public spaces and the control of advertising signs and the prohibition of disfigurement of the fronts or frontages of streets in the Sol Plaatje municipality; and for matters connected therewith.

The Sol Plaatje Municipality has in terms of section 156 of the Constitution, 1996 (Act No 108 of 1996), read in conjunction with sections 11 - 13 of the Municipal Systems Act, 2000 (Act No. 32 of 2000), made the following By-law and therefor:

BE IT ENACTED by the Sol Plaatje municipality, as follows:-

Definitions

1. (1) In these bylaws, a meaning that has been assigned to a word or expression in the bylaws shall bear that meaning and, unless the context indicates otherwise:

“advance sign” means a sign indicating the direction or distance to a facility, locality, activity, service or enterprise;

“advertiser” means the person or organization whose product or service is being advertised, or whose name or image is mentioned or promoted in a sign;

“advertisement” means any visual representation of a word, name, number, letter, figure, illustration, object, mark or symbol or of an abbreviation of a word or name, or any combination of such elements with the object of transferring information;

“advertising” means the act or process of notifying, warning, informing, making known or any other act of transferring information in a visual manner;

“advertising sign scoping report” means a limited Environmental Impact Assessment (EIA) the scope of which shall be determined by the Municipality in each particular case;

“advertising device or structure” means any physical device or structure erected to display a sign or advertisement or which is in itself an advertisement ;

“advertising hoarding” means a screen, fence, wall or other structure in a fixed position to be used, or intended to be used, for the purpose of posting, displaying or exhibiting any advertisement.

“aerial sign” means a sign painted on, attached to or produced by an aircraft, including a captive balloon, kite, unmanned free balloon, moored airship, parasailing craft, hang glider, model or radio controlled aircraft, an aircraft towed behind a vehicle or sailing vessel for the purpose of flight, and an aircraft towing banners or producing smoke signals;

“affix” means and includes painting onto and “affixed” shall have a corresponding meaning

“animated” means that the visibility or message of a sign is enhanced by means of moving units, flashing lights or similar devices, or that a sign contains a variable message;

“arcade” means a covered pedestrian thoroughfare not vested in the municipality, whether or not located at ground level passing wholly or partly through a building and to which the public normally has regular and restricted access;

“area of control” means an area of minimum, maximum or partial control of outdoor advertising as determined by the Municipality from time to time, in accordance with the visual sensitivity of the area and traffic safety conditions, also means to express the degree of landscape sensitivity of specific areas;

“area of maximum control” means an area subject to stringent control of outdoor advertising due its sensitivity to visual disturbance and includes the following areas:

“area of minimum control” means an area subject to minimal control of outdoor advertising due to the areas’ concentrated economic activity where the dominant concern and motivation is to conduct business and to sell products and services. The area includes the following:

Commercial:

Commercial districts, business districts and office precincts.
Commercial enclaves and shopping centers.

Industrial:

Industrial areas or industrial parks.

Entertainment:

Entertainment districts or complexes.

Transportation nodes:

Prominent public transport nodes such as railway stations, large bus stations and taxi ranks, airports, but excluding nodes of exceptional historical and architectural value.

Institutional:

Government, municipal and educational premises or buildings

“area of partial control” means that portion of an area of minimum control located within 50m of an area of maximum control, and as determined by the municipality;

“area surrounding the advertising sign or structure” means an area with a radius of no less than 5m immediately surrounding the footing of the sign or as determined by the Municipality

“architectural and historical” means national or local heritage premises or buildings, special tourist areas, historical or contextual streetscape; areas or facilities of strong architectural context or historical scale, as determined by the Municipality from time to time.

“arterial road” means a road which, in the opinion of the roads authority, functions as a main carrier of traffic in an urban area;

“authorised agent” means any individual, firm or entity appointed by the Municipality to act on its behalf in the application or administration of these bylaws;

“backlight units” (backlit) means advertising structures which house illumination in a box to throw light through translucent advertising printed on plastic or heavy duty paper for a higher visibility and extended night viewing.

“balcony, veranda, canopy and under awning sign” means a sign or a platform projecting from a wall, enclosed by a railing, balustrade or similar structure, supported by columns or cantilevered out and accessible from an upper-floor door or window:

- (a) fixed flat onto or painted on a parapet wall, balustrade or railing;
- (b) affixed flat onto or painted on a fascia;
- (c) affixed flat onto or painted on the fascia of a roof structure without walls;
- (d) affixed to or painted on a pillar, column or post supporting a roof structure without walls;
- (e) painted or printed on the fabric of a blind;

“banner” means a piece of cloth (or similar material) upon which an advertisement is displayed in such a manner as to be fully legible in windless conditions, attached to poles or flagstaffs projecting vertically, horizontally or at an angle by means of ropes or brackets, or attached to buildings or to special structures, but excludes banners carried as part of a procession;

“basic landscape sensitivity” indicates the visual or aesthetic sensitivity of the landscape with regard to outdoor advertisements and designs in terms of three basic landscape types, which are, in order of sensitivity, natural, rural and urban landscapes.

“billboard” means a sign, any screen or board larger than 4,5m², supported by a free-standing structure, which may be paper posted, sign written, pasted with vinyl or covered, pasted or written upon by a combination of such methods and may feature special effects such as internal illumination, special character cutouts or three-dimensional representations; which is to be used or intended to be used for the purpose of posting, displaying or exhibiting an advertisement and which is also commonly known as an advertising hoarding. The main function of a billboard is to advertise non-locality bound products, activities or services.

“bit” means the basic unit for measuring the length of advertising messages and shall consist of letters, digits, symbols, logos, graphics, illustrations or abbreviations. For the purposes of these bylaws bit values shall be calculated as follows:

Words such as “a, the, than, and, an”:	0,25 bits
Words of up to eight letters, inclusive:	1,0 bit
Words of more than eight letters :	2,0 bit
Numbers of up to four digits, inclusive:	0,5 bit
Numbers of five to ten digits:	1,0 bit
Symbol or abbreviation:	0,5 bit
Logos and graphics:	0,5 bit

“bit of information” refers to the basic unit for measuring the length of advertising messages and may consist of letters, digits, symbols, logos or abbreviations.

“blind” means a vertical screen attached to shop windows or verandas in order to keep sun and rain from shop fronts and sidewalks, and which may be rolled up when not in use.

“building” means any structure whatsoever with or without walls, having a roof or canopy and a normal means of ingress and egress under such roof or canopy.

“bus shelter display” means posters positioned as an integral part of a free-standing covered structure at a bus stop.

“boundary wall sign” means a sign painted onto a boundary wall, and it may only be allowed in industrial areas;

“building wrap sign” means a sign of vinyl mesh or similar material attached to a building or structure under construction, renovation or maintenance for the duration of such construction, renovation or maintenance, or to an unsightly building or structure;

“candela” means a unit of luminance as determined from time to time by the International Commission on Illumination;

“canopy” means a structure in the nature of a roof projecting from the facade of a building and cantilevered from that building or anchored otherwise than by columns or posts.

“charge determined by the municipality” means the appropriate charge set forth in a by-law made by the municipality.

“clear height” means the vertical distance between the lowest edge of the sign and the level of the ground, footway or roadway immediately below such sign.

“combination sign” means a single free-standing advertising structure or sign for displaying information on various enterprises and services at locations such as roadside service areas, urban shopping centres and other urban complexes, also comprising a number of smaller, individual signs, usually displaying different products or services, placed adjacent to each other on a single structure specially designed to accommodate more than one sign;

“composite sign” means a sign linked to a standardised background of a specific size similar to a poster board on which logos or other tourist-related information can be attached.

“copy” means the complete advertising message to be displayed on the advertising structure.

“cut-outs” means letters, packages, figures or mechanical devices attached to the face of an outdoor sign, which might extend beyond the rectangular area for greater attention value, can provide a three dimensional effect and are also commonly known as add-ons or embellishments.

“centre of economic activity” means an enterprise or a group of enterprises outside urban areas and which shall include farm stalls, service facilities, accommodation facilities, food services, industries and cottage industries, as well as shops and other commercial facilities;

"clear height" means the minimum vertical distance from the ground, road or surface level, whatever the case may be, to the underside of the sign;

"conservation" means natural open space and urban conservation areas, scenic areas, interface between natural landscape in the form of natural edges like bodies of water, rivers, ridges, forests and built fabric.

"commercial advertising" means advertisements of goods or services or the provision of facilities by way of trade;

"commercial event" means an event taking place on premises zoned for business purposes with the purpose of promoting the sale of a product or service;

"community institution and facility sign" means a sign identifying community services;

"community newspaper" means a newspaper containing community news, circulated free of charge in a specific geographical area;

"consent" means the Municipality's written approval to erect or display or distribute a sign in a particular area and is dependent on the relevant area of control in which the sign is situated or displayed or distributed. Such consent shall either be "deemed consent" where no application and formal approval is required or "specific consent". The latter may require an Environmental Impact Assessment before consideration for approval;

"construction premises sign" means a sign affixed flat against, or on top of, a fence or wall forming the boundary of a construction premises, or on a building, to conceal construction and/or an unsightly condition arising out of the use to which the premises is lawfully being put;

"cultural event" means an event promoting the fine arts or other human intellectual achievement and its purpose shall not primarily be of a commercial nature;

"custom made billboard" means a billboard not less than 18m² and not exceeding 81m² in sign area, which features special effects such as internal illumination, special character cutouts or three dimensional representations as well as rotating or scrolling panels that provide a number of different messages in succession;

"depth of a sign" means the vertical distance between the uppermost and lowest edges of the sign.

"development sign" means a sign describing the type of development to be carried out or being carried out on a construction premises and may include a pictorial representation of the proposed development;

"directional sign" means a type of guidance sign provided under the South African Road Traffic Sign System and used to indicate to the road user the direction to be taken in order that they may reach their intended destination.

“display of a sign” shall include the erection of any structure if such structure is intended solely or primarily for the support of a sign.

“display period” means the exposure time during which the individual advertising message is on display.

“EIA” means an environmental impact assessment in terms of the Environmental Conservation Act, which is a structured public process that is used to identify, predict and assess the potential impact of a proposed project on the environment;

“electronic sign” means a sign not exceeding 18 square metres in a sign area which has an electronically controlled, illuminated display surface which allows all or a portion of the sign to be changed, animated or illuminated in different ways;

“election” means National, Provincial or Local Government elections and by-elections held from time to time.

“engineer” means an engineer registered in terms of relevant legislation;

“erf” means any piece of land registered in a deeds registry as an erf, lot, plot, stand or agricultural holding.

“event” means an organized occasion for the general public;

“façade” means the principal front or fronts of a building.

“flashing sign” means a sign in which the visibility of the contents is enhanced by their intermittently appearing and disappearing or being illuminated with various intensity of colours.

“flag” means a piece of cloth (or similar material) upon which a sign is displayed and which is attached to a single rope, pole or flagstaff projecting vertically, horizontally or at an angle. Flags exclude:

- (a) National, provincial or municipal flags that do not carry any advertisement in addition to the design of the flag; and
- (b) flags carried as part of a procession.

“flat sign” means a sign which is affixed to or painted directly onto an external wall of a building used for commercial, office, industrial or entertainment purposes, excluding a parapet wall, balustrade or railing of a veranda or balcony of such a building; and which at no point projects more than 300mm in front of the surface of such wall;

“forecourt” means an outdoor area forming a legal and functional part of the premises of a business enterprise, and shall include the area of a filling station where the fuel pumps are situated, or a terrace in front of a restaurant, including enclosing fences, walls, screens or similar structures, excluding sidewalk areas intended for pedestrian circulation;

“forecourt sign” means a sign on a forecourt of business premises, displayed to draw attention to commercial services, goods for sale or other services available at the premises, but does not include a combination sign at a filling station or roadside service area;

“freeway” means a road that has been designated as a freeway by an appropriate road traffic sign in terms of the National Road Traffic Act as amended from time to time;

“free-standing sign” means any immobile sign which is not attached to a building or to any structure or object not intended to be used for the primary purpose of advertising.

“freestanding signs at educational facilities and at institutions” means a sign that may indicate the name and nature of the institution and the name of a sponsor and may display merchandise;

“full video” means a sign displayed as a video and containing variable messages;

“functional sign by a public body” means a sign displayed solely for announcement or direction or information relating to any of the functions of local, provincial –and national government or parastatal bodies and the operation thereof;

“gantry billboard” means a billboard not less than 18m² and not exceeding 81m² in sign area which spans or is suspended across a roadway;

“ gateways to the city”, means a prominent entrance to enter or exit from an urban area or a specific part of an urban area, consisting of man-made or natural features and creating a strong sense of arrival or departure;

“ground sign” means any sign detached from a building, other than an aerial sign.

“height of sign” means the maximum vertical distance from the ground, road surface or surface level to the top of the sign;

“high impact signs” means billboards, electronic signs, product replica and three dimensional signs 18m² or larger in sign area, or any other sign that, in the opinion of the Municipality, may have a high impact on road safety, aesthetics or environmental aspects;

“home undertaking” means the practice of an activity at a dwelling place with the aim of deriving an income there from;

“illuminated sign” means a sign that has been installed with electrical or other power for the purpose of continuous or intermittent illumination;

“imbizo” means a meeting called to discuss certain matters;

“inflatable sign” means any hoarding erected and maintained by means of air used for the purpose of posting or displaying any advertisement.

“institution” means a building, whether public or private, designed or used as a charitable institution, hospital, nursing home, clinic or dispensary;

“land owner” means the legally registered owner of a property;

“large billboard” means any billboard not less than 18m² and not exceeding 40m² in sign area;

“large poster” means a poster attached to or used in combination with street furniture;

“light not intended for illumination” means a flashing, flickering or continuous light source, beam of light or a number of such sources or beams, aimed or moved in such a manner as to attract attention, without being primarily for the purpose of illuminating an area or object;

“locality bound” means a sign displayed on a specific premises referring to an activity, product, service or attraction located, rendered or provided on those premises;

“location sign” means a type of guidance sign provided under the South African Road Traffic Sign System and used to identify places or locations, which either provides reassurance during a journey.

“lower order road” means a road in the opinion of the Municipality, with lower traffic volumes than an arterial road;

“m” means metre;

“mm” means millimetre;

“m²” means square metre;

“main roof of a building” means any roof of a building other than the roof of a veranda or balcony.

“main wall of a building” means any external wall of such building, but shall not include a parapet wall, balustrade or railing of a veranda or a balcony.

“movable temporary sign” also termed as **mobile or transit sign** means an advertisement attached to or displayed on a vehicle, vessel or craft on land, in water or in air.

“Municipality” means the Sol Plaatje Municipality,

“Municipal Manager” means the person appointed in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998); or his or her designate or other persons being designated to act for the purposes of this bylaw, In terms of the delegation of powers the municipal manager has delegated the authority to the Executive Director: Strategy Economic Development and Planning;

“National Road Traffic Act” means the National Road Traffic Act, 1996 (Act 93 of 1996) as amended from time to time;

“natural area” means an area which is in an unspoilt natural state or is of high scenic value, and includes, but is not limited to, national parks, game reserves, nature reserves, marine reserves, wilderness areas, areas of extensive agriculture and scenic areas;

“newspaper” means a registered publication issued daily or weekly, usually consisting of folded unstapled sheets and containing news, articles and advertisements;

“newspaper headline poster” means a placard announcing or attracting public attention to newspaper headlines of the day of a specific daily or weekly newspaper, excluding promotional posters for events, competitions and commercial advertisements;

“on premises business sign” means a sign on a business premises identifying the specific business enterprise(s) or industry, and excludes a residential or community sign;

“outdoor advertising” means the act or process of notifying, warning, informing or making known or any other act of transferring information in a visual manner, primarily to attract the attention of road users; any sign, model, placard, board, notice, billboard, poster, flag, banner, light display, device, structure, or representation employed outdoors wholly or partially to following:

- (a) Advertise a facility, business, service, or product that is available to the public (information on products and services) or
- (b) Make known an organizations or individual's opinion, grievance or protest, or
- (c) Provide information on localities and activities

“Outdoor Advertising Control Scheme Mapping System” means the GIS based computerized system indicating, inter alia, the areas of maximum, minimum –and partial outdoor advertising control in the municipal area;

“owner” in relation to a sign means the person who owns the advertising structure, or will own the structure once it has been erected, or any person who has a right to or share in the ownership of the advertising structure;

“permanent sign” means a sign that may be displayed for a period longer than two weeks;

“permissible sign” means a sign that shall either be subject to deemed consent or specific consent;

“poster or notice” means a temporary sign announcing or attracting public attention, attached to a street lamp pole within a road reserve, to attract attention to, or advertise public and charitable events, functions, occasions, meetings or campaigns of a religious, educational, cultural, political, social, sporting or recreational nature, and includes a poster displayed for an

election or referendum campaign and newspaper headline poster; or any placard advertising any product or service or announcing the sale of any goods, livestock or property

“premises” means an erf, stand, land, lot, plot, agricultural holding, farm portion or similar land entity registered in a deeds registry, or traditional land allotment;

“product replica or three-dimensional sign” means a replica or device used for advertising that may be freestanding or attached to a structure, and includes an inflatable object that is not an aerial sign;

“project sign” means a sign displaying the involvement of contractors and/or consultants in a construction project;

“projecting sign” means any sign which is affixed to a wall of a building which is used for commercial, office, industrial or entertainment purposes, at right angles to the street line and which projects more than 300 mm from the surface of the wall;

“public space” means a Municipally owned and controlled area to which the public have free access that includes roads, streets, squares, transit facilities, sport stadia, sport and recreational facilities such as parks, nature trails and golf courses and also premises accessible to the general public on a more continuous basis such as large suburban shopping centres;

“pylon sign” means any sign whether stationary or actuated, displayed on or forming an integral part of a pylon or mast or similar structure other than a building or advertising hoarding.

“recreation” means open areas for active and passive recreation such as parks and non commercialized squares

“residential purposes” means the use of a building as a dwelling house, two or more dwelling units, a hostel, a boarding house, a residential club, all residential properties including single residential, group housing, medium density residential and high density residential areas and agricultural holdings.

“real estate agents’ sign” means a sign advertising the fact that land, premises, a development or other forms of fixed premises are for sale or to let;

“residential information sign” means a sign identifying, giving direction or providing a warning with regard to a place of residence;

“residential or community sign” means a sign displayed on premises used for residential orientated purposes and for community services;

“road” means any open public way for the passage of vehicles and people and includes a street or pedestrian mall;

“road island” means an area demarcated on a roadway by means of painted lines, kerbstones or by other means with the intention of prohibiting vehicles from using the area;

“road median” means the area separating opposing traffic lanes on a roadway;

“road reserve” means the full width of a road, and includes roadways, shoulders and sidewalks and the air space above such roadways, shoulders and sidewalks and all other areas within the road reserve boundary;

“road reserve boundary” means the proclaimed boundary forming the outer edge of the road reserve;

“road traffic sign” means a road traffic sign as defined in the National Road Traffic Act as amended from time to time;

“roadway” means a roadway as defined in the National Road Traffic Act , Act No. 93 of 1996, the detailed dimensions and applications of which are controlled by the regulations to this Act and the South African Road Traffic Signs Manual.

“rotating sign” means a sign, which rotates about any axis.

“running light sign” means a sign or portion of a sign in the form of an illuminated strip, the illumination of which varies periodically in such a way as to convey the impression of a pattern of lights moving steadily along such strip.

“roof sign” means a sign which is fixed to the roof of a building equal to or less than 15 floors in height and used or partly used for commercial, office, industrial or entertainment purposes and shall include any sign consisting of a single line of freestanding, individual, cutout, silhouetted letters, symbols or emblems;

“rural area” means an area of relatively low population density forming a transition between urban areas and natural areas and includes intensive agriculture, subsistence agriculture and smallholdings of a predominantly rural nature;

“security sign” means an outdoor sign for neighborhood watch, farm watch and similar schemes, and a sign containing the name, address and telephone number of a security company contracted to protect the neighborhood or premises on which the sign is displayed;

“service facility sign” means a combination sign at a filling station or roadside rest and service area referring to the types of services provided at such facility;

“sign” means any method of displaying writing, large billboards, small placards, posters, letters, numbers, figures, objects, marks, photographs, symbols or illustrations, or a nonphysical sign erected or displayed out-of-doors, projected on buildings or any other structure or in the air with the aid of modern technology (e.g. laser beams), which device, article or

nonphysical sign is visible or distributed in any way whatsoever from a road or public place, for the purpose of advertising, providing information, or attracting the public to any place, public display, article or merchandise for sale. The surface or structure of such device, article or nonphysical sign is attached to or forms part of a building, or is fixed to the ground or to a pole, tree, screen or hoarding, person, vehicle or other movable object, or is displayed or distributed in any other way;

“sign area” means the entire area of a sign on which writing, letters, numbers, figures, objects, marks, symbols or illustrations, logos, trademarks are placed. Sign structures and associated architectural embellishments, frameworks and decorative features which contain no written or advertising copy, which are not illuminated and which contain no logos or trademarks shall not be included. Sign area shall be calculated by measuring the area of the smallest rectangle that will encompass the extreme limits of the sign or combined sign, together with any material or color forming an integral part of the background of the sign or used to differentiate the sign from the structure or building against which it is placed;

“sign for sale of goods or livestock” means a sign announcing a sale on land or premises not normally used for commercial purposes;

“sign for sponsored road traffic projects” means a sign relating to a specific sponsored project aimed at the provision of road services, the promotion of road safety or the management and conservation of roadside environments, agreed to between the Municipality and the sponsor;

“signs incorporated into the fabric of a building” means a sign incorporated in and forming an integral part of the fabric of a building;

“sign painted on a wall and roof of a building” means a sign painted directly onto the main walls or roof of a building used for commercial, office, industrial or entertainment purposes;

“sky sign” means a sign not less than 75 m² to 300m² on top of a high-rise building in a metropolitan area and which may form an important landmark, or a sign on top of skyscrapers and shall also include any sign consisting of a single line of freestanding, individual, cutout, silhouetted letters, symbols or emblems;

“small billboard and tower structure” means a sign less than 18 m² in sign area for general and non-locality bound advertisements of products, activities and services in parking areas of shopping centers and at important transport nodes such as railway stations, bus stations and airports or other areas determined and approved by the Municipality;

“stack sign” means a combination sign in an area zoned for industrial and/or commercial use identifying the businesses within such areas;

“spectacular” is an advertising industry term and means a custom-made billboard, which incorporates special effects such as internal illumination, cut-outs and three-dimensional representations.

“street” means any street, road or thoroughfare shown on the general plan of a township, agricultural holding or any other division of land or in respect of which the public have acquired a prescriptive or other right of way and which vests in the municipality.

“street furniture sign” means a sign on public facilities and structures (which are not intended primarily for advertising) including seating, planters, sidewalk litter bins, pole mounted litterbins, bus shelters, sidewalk clocks, drinking fountains and street lamp poles, but excluding road traffic signs, traffic lights, or any other traffic related structures;

“street name sign” means a pole mounted advertising sign which may be illuminated, that is displayed in combination with a street name sign;

“streetscape” means the visual product of all the features within and adjacent to a street such as street furniture, signage, landscaping and road traffic signs;

“suburb name sign advertisement” means a pole mounted location sign at the entrance to a town or suburb that carries an advertising sign beneath the road traffic sign bearing the name of the town or suburb;

“super billboard” means a sign larger than 40 m² and up to 81 m² in sign area;

“temporary advertisements and sign” means a sign and advertisement which are usually displayed to publicize a forthcoming event or to advertise a short term use of the advertisement site, the sign or advertisement that may only be displayed for a maximum of 21 days and not permanently fixed and not intended to remain fixed in one position;

“third party advertisement” means an advertisement that is displayed or distributed on a premises, which is unrelated to the business carried out on the premises;

“tourism sign” means a road traffic sign having a trapezoidal shape with white lettering on brown background, the main purpose of which is to inform and guide tourists in the final stages of their journeys;

“tower and bridge sign” means an advertising structure affixed to a tower or bridge that is not used primarily for outdoor advertising purposes;

“trailer sign” means a structure carrying advertisement(s) mounted on a trailer of a relatively light construction, which is parked at strategic locations or towed for the sole purpose of advertising;

“tri-vision” means a display embellishment, which, through use of a triangular louver construction, permits the display of three different copy messages in a predetermined sequence

“vehicle” means a motor vehicle, bicycle, cart etc. as defined in the National Road Traffic Act;

“**vehicular advertising**” means outdoor advertising on normally moved or self-driven vehicles which are normally driven on land or water and which are normally moving; including taxis, buses, trailers, trams, vessels, etc;

“**veranda**” means a structure in the nature of a roof attached to or projecting from the facade of a building and supported along its free edge by columns or posts.

“**window sign**” means a sign which is permanently painted on or attached to the window glass of a building used for commercial, entertainment, office or industrial purposes, or any other permanent sign which is displayed inside a building within two metres of any window or other external opening through which it can be seen from outside such a building.

Purpose of these Bylaws and technical criteria for applications

2. (1) These bylaws are designed to provide for the assessment of all applications for permission to proceed with various forms of outdoor advertising, to manage, regulate all forms of outdoor advertising on visible from all public spaces under the jurisdiction of the Sol Plaatje Municipality.
- (2) Prohibition and control of the erection of signs:
- a) No advertising hoarding may be erected and no advertisement displayed, that is visible from any public space, without the consent of the Municipality: Provided that the Municipality's consent, shall in no way be deemed to constitute an exemption from this by-law, if any, relating to the erection and display of advertising hoardings and advertisements.
 - b) In addition, an owner applying in terms of par 2(a) above shall together with the application submit the following documents for consideration by the Municipality as the Municipality shall not consider an application for the approval of any form of permanent outdoor advertising installation, which does not comply with the minimum criteria with respect to the following documentation and information:
 - (i) Proposal shall be clearly illustrated, with a locality plan, a site plan to a scale of 1:500, and plans, elevations and sections to a scale of 1:100.
 - (ii) Where, in the opinion of the municipality, a proposal cannot be adequately evaluated at a scale of 1:100, further details will be requested, and the scale of the drawings to be furnished shall be stipulated by the council; but will not exceed a scale of 1:20.
 - (iii) A full description of the materials and finishes to be employed shall be provided on the plan, elevations and sections.
 - (iv) An artist's impression or coloured drawing of the final product in its setting may be requested by the municipality if the

proposal is located in an area which is architecturally or environmentally sensitive.

- (v) A registered, professional engineer shall take full written responsibility for all structural work contemplated by the applicant.
- (vi) A written motivation, briefly setting out the benefits of the outdoor advertising fixtures in environmental, social and economic terms is to accompany each application.
- (vii) The written approval of the registered owner of the property (together with copies of the applicable Title Deeds, on request) is to be submitted together with the application.
- (viii) The applicant shall satisfy the municipality that proposals for signs have been commented upon by the Ward Councillors.
- (ix) The applicant shall satisfy the municipality that cognisance has been taken of the relevant statutory provisions regarding the environmental impact of the proposed form of outdoor advertising.
- (x) The above technical criteria for submissions are essential in order to effectively evaluate the application in question on both environmental and technical grounds. It is also intended to expedite the assessment and approval of applications on the grounds that the provision of comprehensive information is an aid to effective decision-making.
- (xi) The criteria do not apply to applications for approval of posters, or any form of advertising described as "Temporary advertisements" – where appropriate criteria for submission of applications can be determined administratively.
- (xii) The municipality, when granting approval for any advertisement, or structure upon which an advertisement is to be displayed in an urban or rural area, must make its approval conditional on the also obtaining the approval of any other relevant authority;
- (xiii) The municipality may grant approval subject to conditions, which must be complied with by the owner of the advertisement and/or the owner of the structure upon which an advertisement is to be displayed, the person or persons who erect or display it, the owner of the land on which it is displayed or erected and/or any occupier or other person in charge of such land;
- (xiv) Where the municipality has granted approval for the erection or display of an advertisement, the advertisement may not be moved or re-erected nor shall any alteration be made to the electric wiring system thereof, except for the purpose of

maintenance, without first obtaining the further written approval of the municipality;

(3) Renewal:

- (i) Approvals granted in terms of these by-laws may be renewed after expiry of the period for which the approval was granted by:
- (ii) Making application for such renewal to the municipality
- (iii) Lodging the application form with the renewal fee determined by the municipality;
- (iv) The municipality may reject an application for renewal or of an approval;
- (v) Where an approval has so lapsed, application may be made afresh in accordance with the provisions of this policy.
- (vi) Approvals granted by the municipality in terms of the by-laws shall be additional to, and not in substitution of, consent or approval required by any other law;
- (vii) The municipality may withdraw any approval given under its by-laws where the relevant advertisement does not or ceases to comply with its by-laws, or a condition imposed in such approval has not been complied with.
- (viii) In respect of temporary advertisements applied, welfare organisations, schools, churches, government and semi-government structures as well as organisations organising large community events that has an economic benefit for the municipal area, may by means of a written application to the municipality, only pay 50% of the prescribed application fees and the applicable deposit.
- (ix) An applicant shall submit two (2) copies of an application for the erection of advertising sign on the relevant application form.
- (x) This application form shall be accompanied by the following:
 - (aa) a clear indication of the sign-class being applied for
 - (bb) A detailed site plan with adequate dimensions
 - (cc) Elevations; and
 - (dd) Any other additional information required in terms of this policy (i.e. structural design, traffic or environmental impact assessments) and/or by the Executive Director Economic Development and Planning (i.e. photographs)

- (4) No person shall erect, maintain or display a sign or allow any other person to erect, maintain or display, a third party advertisement, except where the premises are in an area of minimum control as defined in these bylaws. Any sign type not covered by these bylaws shall be regarded as an illegal sign unless the specific consent of the Municipal Manager has been obtained.

Application for approval of signs

3. (1) Every application to display a sign on private premises or on Municipal premises must be signed by the person and/or persons required by the Municipality and must be submitted for approval to the Municipal manager on the appropriate application form, in accordance with the application procedures approved by the Municipality, as amended from time to time.
- (2) The Municipal Manager may request any additional information which he/she may consider necessary, including an Environmental Impact Assessment (EIA) or advertising sign scoping report in order to consider an application.
- (3) Every application must be accompanied by the prescribed application fee and, where applicable, a deposit as determined by the Municipality from time to time.
- (4) No person may to any degree or in any manner, way or form, deviate from the conditions of approval of the Municipality, and any deviation constitutes an offence and consequently negates an approval.
- (5) The approval of a sign in terms of these Bylaws must not be construed as approval in terms of any other act, ordinance, bylaw or by-law, and approval must be obtained in the manner prescribed in the relevant act, ordinance, bylaw or by-law.
- (6) The approval of a sign in terms of any other act, ordinance, bylaw or by-law must not be construed as approval in terms of these Bylaws.
- (7) The evaluation of applications shall include the consideration of environmental, traffic safety, aesthetic and architectural aspects.
- (8) More than one class of sign, with the exception of billboards, and more than one sign in each such class, may be considered on premises.
- (9) The Municipality may, at the discretion of the Municipal Manager, invite applications to erect non locality bound signs, by public notice.
- (10) The Municipality may, in its discretion, approve applications for the following sign types in the public road reserve: billboards, street furniture signs, suburban name sign advertisements, direction signs to show houses, posters, functional signs by public bodies, street name signs, security signs at the entrances to suburbs or gated communities, stack signs, signs on bridges, signs for sponsored road traffic projects and any other sign deemed appropriate by the Municipality.
- (11) The approval period of signs may not exceed a maximum period of 5 years.

- (12) Approvals granted in terms of these bylaws may be considered for renewal in the sole discretion of the Municipal Manager, after receipt of an application by the owner of the sign after expiry of the period for which the approval was granted, by:
 - (a) making application for such renewal to the Municipal Manager, in the prescribed manner; and
 - (b) lodging the complete application with the renewal fee determined by the Municipality (which shall include an inspection fee).
- (13) An application which has shown no substantive progress due to any act or omission on the part of the applicant shall be deemed to have lapsed one year after date of submission to the Municipality, unless motivation to the contrary is supplied to the satisfaction of the Municipal Manager
- (14) The owner of the land or his legal agent or representative, on which a sign is erected or displayed in terms of an approval obtained under this by-law, must retain certified copies of all documentation relating to the application and the approval issued by the Municipality and any renewal thereof for as long as the sign is erected or displayed, and must present it to any person authorised by the Municipality on request. The owner of the sign, if not also the owner of the land, must provide the owner of the land with certified copies of all relevant documentation.
- (15) The Municipality shall withdraw any approval given under this by-law where the relevant sign does not or ceases to comply with these bylaws, or a condition imposed in such approval has not been complied with.
- (16) All changes to the content of an advertisement (graphic) shall be subject to specific consent in all categories of signs in these bylaws and, when specified, on payment of an amount determined by the Municipality from time to time.
- (17) The owner of the sign shall be held responsible for any damage or loss caused by the structure and/or due to the display of the sign.

Provisions applicable to all signs

- 4. (1) Notwithstanding the other provisions of these bylaws, no sign shall:
 - (a) constitute a danger or cause an obstruction to persons or premises;
 - (b) be so placed as to distract, or contain an element which distracts, the attention of drivers of vehicles in a manner likely to lead to unsafe driving conditions;
 - (c) be illuminated to the extent that it causes discomfort to adjacent residents or inhibits the vision of approaching pedestrians or drivers of vehicles;

- (d) be attached to traffic signs or signals, combined with traffic signs unless otherwise allowed in the South African Road Traffic Safety Manual (SARTSM), obscure traffic signs or signals, create confusion with traffic signs, interfere with the functioning of traffic signs or create road safety hazards; as determined by the Municipality;
- (e) obscure a pedestrian's or driver's view of pedestrians, road or rail vehicles and features of the road, railway or pavement such as junctions, bends and changes in width;
- (f) project over a sidewalk or pedestrian circulation route, unless the clear height of such sign exceeds 2,40 m and for a cycle circulation route a clear height of 3,00m.
- (g) obstruct any fire escape or the means of egress to a fire escape or obstruct or interfere with any window or opening required for ventilation purposes; or
- (h) exceed the minimum clearance with regard to overhead power lines as prescribed in regulations 15 of the Electrical Machinery Regulations (No R 1593 in GG 11458 of 12 August 1988). (Permission must be obtained from the relevant supply authority before any advertising structure may be erected in power-line servitude).
- (i) Contain any surfaces covered with retro-reflective material and/or paint.
- (j) Resemble a formal road traffic sign in colour, shape or general appearance.
- (k) Be closer than 25m from formal road traffic sign, if located within the road reserve.
- (l) Signs or advertisements positioned along roads and specifically targeting the road user shall be concise and legible and shall comply with the following requirements:
- (m) No signs displaying a single advertisement or message shall exceed 15 "bits" of information.
- (n) No combination sign or any other sign displaying more than one advertisement or message shall contain more than 6 "bits" of information per enterprise, service or property or per individual advertisement of message displayed on a combination sign. "Bit" values shall be calculated as follows:
 - (i) Words of up to 8 letters, inclusive: 1 "bit"
 - (ii) Numbers of up to 4 digits, inclusive: 0.5 "bit"
 - (iii) Numbers of 5-8 digits: 1 "bit"
 - (iv) Symbol, logo or abbreviation: 0.5 "bit"

- (o) Street numbers indicating specific premises shall have a minimum size of 150 mm and a maximum size of 350 mm.
 - (p) The minimum letter size to be used on advertising signs inside road reserves shall be 80mm.
 - (q) No message shall be spread across more than one sign or sign panel.
 - (r) The underlying safety philosophy is as follows: no sign may be erected in such a way that:
 - (aa) a pedestrian may walk into, fall over, or hit his/her head against an advertisement or its supporting structure.
 - (bb) it can be mistaken as a formal road traffic sign, competes with formal road traffic signs for attention of motorists,
 - (cc) reduces the visibility of road traffic signs, other traffic or pedestrians inside the road reserves.
 - (dd) it causes motorists to decelerate or execute any other unexpected driving manoeuvre that may result in vehicular conflict.
 - (s) be placed on traffic islands or be attached to power masts, trees, pillars, fencing, electrical substations or any other similar structures;
 - (t) where permitted in the vicinity of signalized intersections primarily display the colours red, yellow or green if such colours will constitute a road safety hazard;
 - (u) be erected without approval from the municipality
- (2) In considering applications for approval of signs that will face a road, the Municipality must evaluate, according to road traffic sign standards published under applicable road traffic legislation, prevailing traffic conditions and the roadside environment, whether:
- (a) the sign, together with other signs in the area, if any, will affect the visibility of road traffic signs due to potential visual clutter;
 - (b) the size of the sign, or any portion thereof in terms of its colour, letter size, symbols, logo, graphics or illumination will have the effect of distracting the attention of drivers of vehicles from the task of driving and lead to unsafe driving conditions;
 - (c) the number of road traffic signs and other signs in the area constitute a driving hazard, by distracting the attention of drivers of vehicles from the task of driving and lead to unsafe driving conditions;

- (d) the colour, or combination of colours, contained in the sign correspond with the colours or combinations of colours specified for road traffic signs;
 - (e) the colours red, amber or green in the content of an advertisement erected in the vicinity of a signalised intersection will constitute a road safety hazard;
 - (f) the portrayal of a road traffic sign in the content of an advertisement will constitute a road safety hazard;
 - (g) the speed limit and the extent to which traffic adheres to the speed limit, the traffic volume, the average following distance and accident history of the road demand more stringent control of outdoor advertising;
 - (h) the amount of information contained in the sign, measured in bits, is within prescribed limits;
 - (i) the sign is suitably positioned and orientated;
 - (j) the position of the sign will negatively affect the visibility of, sight distance to or effectiveness of any road traffic sign, or series of such signs;
 - (k) the sign could be mistaken to represent a road traffic sign;
 - (l) the illumination of signs or the light source of such illumination is likely to distract drivers' attention from road traffic signs which are not illuminated;
 - (m) the position of a sign would disrupt the sequence of information on road traffic signs for drivers who encounter a series of road traffic signs intended for traffic by-law, warning or guidance, in cases where the applicable speed limit on the road exceeds 60 km per hour;
 - (n) the position of any sign would potentially distract drivers' attention at places where traffic turns, negotiates curves, merges or diverges, or in the vicinity of intersections or interchanges, or where the drivers' uninterrupted attention to the driving task is important for road safety;
 - (o) the distance of any sign before any road traffic sign, a sign's position in between road traffic signs or a sign's distance behind any road traffic sign is of such a nature as to distract a driver's attention from any road traffic sign.
- (3) The Municipality may increase the minimum spacing between signs, or place further restrictions on the position, size and content of any sign if it considers it necessary in the interests of road safety.
 - (4) No sign will be allowed that emits a noise, sound, smoke, smell or similar sensory stimuli.
 - (5) When erecting or removing a sign, advertising hoarding, temporary sign (e.g. poster) or banner, no person may cause any damage to any tree, electrical pole, electrical service (e.g. mini substation) or any other public installation,

building or premises. Should any damage be caused, the cost of repair thereof shall be for the account of the sign owner.

- (6) The owner of the sign is to ensure that the sign structures and the procedures followed in maintaining the structure or changing the content of an advertisement, are safe and do not pose a safety risk of any nature.
- (7) Any sign approved by municipality should be so designed and displayed that it:
- (a) Shall, be constructed, executed and finished in a neat and proper manner;
 - (b) Shall, not be detrimental to or have a negative aesthetic impact on the urban design, streetscapes or the character of the surrounding area by way of the design of the structure or device;
 - (c) Shall have a neat appearance and shall consist of durable materials in accordance with the function, nature and permanence of the advertisement, sign or structure and materials such as cloth, canvas, cardboard, paper or synthetic cardboard should be used only when essential to the nature and function of a particular sign;
 - (d) Shall have a neat appearance in terms of advertisement content and sign writing while untidy written messages should be avoided as far as possible;
 - (e) Shall not deface building facades with electrical services provisions and other accessories;
 - (f) Shall be rigidly and securely attached, supported or anchored in a safe manner and so that unwanted movement in any direction is prevented;
 - (g) Shall be capable of effectively securing, supporting and maintaining not less than twice its mass with the addition of any force to which the sign may be subjected, including wind pressure;
 - (h) Shall wherever necessary in accordance with the nature of the sign and when attached to brickwork, masonry or concrete, be securely and effectively attached thereto by means of bolts securely embedded in such brickwork, masonry or concrete or passing through the same and secured on the opposite side;
 - (i) Shall, when attached to conservation-worthy buildings be attached with the necessary expert advice in order to prevent damage to such buildings;
 - (j) Shall not be detrimental to the environment or to the amenity of the neighbourhood by reason of size, intensity of illumination, quality of design or materials or for any other reason;
 - (k) Shall not constitute a danger to any person or property;

- (l) Shall not display any material which is indecent, suggestive of indecency, prejudicial to public morals or objectionable, or
- (m) Shall not obliterate any other signs;
- (n) Shall not in the opinion of the municipality, be unsightly or detrimentally impact upon a sound architectural design;
- (o) Shall in size, location and its alignment in relation to any existing sign on the same building or erf, be compatible with the visual character of the area surrounding it;
- (p) Should be appropriate to the type of activity to which it pertains.

Amenity and decency

5. (1) No sign shall be displayed in places or in such a manner that it could, in the opinion of the Municipality, be detrimental to the environment, character or amenity of the neighbourhood or a human living environment, or disfigure the surroundings.
- (2) No illuminated sign shall be erected in such a way that it may have a detrimental effect on the amenity of a residential building, could be detrimental to the character or amenity of the neighbourhood, in the opinion of the Municipality.
- (3) An advertising structure or advertisement shall not be detrimental to or have a negative aesthetic impact on the streetscape or character of the surrounding area due to design.
- (4) Notwithstanding any other provisions of these bylaws, no sign shall:
- (a) be detrimental to the environment due to size, colour, texture, intensity of illumination, quality of design or materials or for any other reason;
 - (b) be in its content objectionable, indecent (including graphics), offensive or suggestive of indecency or prejudicial to public morals;
 - (c) obscure, partially or wholly, a sign owned by another person that has earlier been legally erected and displayed.
- (5) No signs of whatever nature or class may be displayed or erected on or in the vicinity of any area or place deemed in the discretion of the Municipality to be of national, provincial or local importance.

Sign to be concise

6. A sign positioned on or next to and visible from a road must be concise and legible and comply with the following requirements:
- (1) No single message displayed on a sign may exceed fifteen bits of information unless otherwise permitted in terms of these bylaws.
 - (2) A sign shall have a neat appearance in terms of sign content and sign writing, and shall not contain untidy handwritten messages.
 - (3) The advertising message on each individual sign must be understandable on its own without reference to a series or progression of signs.

Design and construction

7. (1) Any advertising structure or advertisement must, to the satisfaction of the Municipal Manager
- (a) be neatly and properly constructed according to generally accepted design and construction standards;
 - (b) have a neat appearance and be made of durable materials suited to the function, nature and permanence of the sign;
 - (c) not deface building facades with electrical service conduits and other accessories;
 - (d) be rigidly and securely attached, supported or anchored in a safe manner so that unwanted movement in any direction is prevented;
 - (e) be capable of effectively securing, supporting and maintaining not less than twice its mass with the addition of any force to which the sign may be subjected, including wind pressure;
 - (f) wherever necessary in accordance with the nature of the sign and when attached to brickwork, masonry or concrete, be securely and effectively attached thereto by means of bolts securely embedded in such brickwork, masonry or concrete or passing through the same and secured on the opposite side;
 - (g) not be secured to the structure by water soluble adhesive, adhesive tape or similar material;
 - (h) have all exposed metalwork painted or otherwise treated to prevent corrosion and all timber treated to prevent decay;
 - (i) have measures taken to prevent entry of water into, and the accumulation of water or moisture on or in the sign or any part of its supporting framework, brackets or other members.
- (2) If required by the Municipal Manager the design of an advertising structure shall be certified by a professional engineer.

- (3) No sign shall:
- (a) obstruct any window or opening provided for the ventilation of a building or obstruct any stairway or doorway or other means of exit from a building or prevent the movement of persons from one part of a roof to another part;
 - (b) be painted on any fence or boundary wall , except in an industrial area;
 - (c) on a premises, be higher than 8,5 m if freestanding unless specifically approved by the Municipality in accordance with the relevant Town planning Scheme as amended from time to time;
 - (d) within a road reserve, be higher than 8,5 m unless an application for the relaxation of the height of the structure is submitted for approval and approved in terms of these bylaws;
 - (e) encroach on the building restriction area unless a relaxation has been obtained in terms of the relevant Town Planning Scheme or Land Use Management Scheme (LUMS) as amended from time to time;
 - (f) cover or impede access to any maintenance or inspection points on street lamp poles or other municipally maintained equipment;
 - (g) be constructed or erected in such a way that a street tree or similar planting must be removed, relocated or pruned to accommodate the sign.

Glass

8. (1) All glass used in a sign, other than glass tubing used in a neon and similar sign, must be safety glass at least 3 (three) millimetres thick.
- (2) Glass panels used in a sign must not exceed 0,9 m² in area, each panel being securely fixed in the body of the sign, structure or device independently of all other panels.

Electrical

9. Every illuminated sign and every sign in which electricity is used, must:
- (1) have power cables and conduits containing electrical conductors positioned and fixed in such a manner that they are not unsightly in the opinion of the controlling authority;
 - (2) be designed in such a manner and constructed of material, that the sign is not a fire risk or combustible;

- (3) be provided with an external switch in an accessible position and at a height of at least three metres from the ground by means of which the electricity supply to the sign may be switched off;
- (4) be wired and constructed in accordance with and subject to the provisions of all applicable laws and by-laws.

Erection and maintenance of signs and advertising hoardings

10. (1) A sign must:
- (a) be located at a height that discourages vandalism;
 - (b) be serviced on a regular basis;
 - (c) be maintained in good repair and in a safe and clear condition.
- (2) The area immediately surrounding the sign must be maintained in a neat and tidy condition.
- (3) The owner of any land or building on which a sign is displayed or erected, or to which a sign is attached, and the owner of any such sign shall be jointly and severally responsible for the maintenance in a safe, tidy and proper condition and for the proper condition of the sign, the cleaning and the repainting of any such sign and the surrounding area.
- (4) If, in the opinion of the municipality any sign is in a dangerous or unsafe condition or has been allowed to fall into a state of disrepair or interferes with the functioning of any road traffic sign, the municipality may serve a notice on an owner requiring him at his own cost, to remove the sign or do other work specified in the notice within a period so specified.
- (5) The municipality may, if in its opinion an emergency exists, instead of serving notice, or if such notice has been complied with within the period specified therein, itself carry out the removal of a sign or do other work which it may deem necessary and may recover the cost thereof from the owners, jointly and severally.

Illumination and electronic signs

11. (1) Illumination is permitted on a sign only if it does not lead to unsafe driving conditions, or does not have a detrimental effect on the surrounding area and where it is not specifically prohibited.
- (2) The luminance level on any sign where illumination is permitted, and where the applicable speed limit on the road is higher than 60 km per hour, shall not exceed the following:

Illuminated area	Maximum luminance
Less than 0,5 m ²	1 000 candela per m ²
0,5 to 2,0 m ²	800 candela per m ²

2,0 to 10 m² 600 candela per m²

10 or more m² in other areas and visual zones 400 candela per m²

- (3) A variable or animated message shall not exceed the following frame update limits:
- Speed limit 60 km per hour or less: Full video and frames that change continuously
- Speed limit more than 60 km per hour :One single complete frame that changes every 30 seconds as a minimum
- (4) An electronic sign shall not obstruct the view of a driver or pedestrian or be in the direct line of sight of a traffic light.
- (5) An electronic sign shall not have subliminal flashes.
- (6) Light not intended for illumination shall only be utilised if it is allowed for in the environmental plans of the Municipality.
- (7) All signs that could interfere with radio or television reception must be equipped with suppressors that eliminate all forms of interference, and electrical wiring must be in accordance with the provisions of the Municipality's Electrical Bylaws, any other legislation applicable to electric signs and the approval of the General Manager: Electricity.
- (8) The light source emanating from floodlights shall not be visible to traffic travelling in either direction.
- (9) Floodlighting shall be positioned to ensure effective distribution and minimize light wastage of "spill".
- (10) In respect of urban freeways, irrespective of the area of control, the following signs may not be illuminated in any way unless overhead lighting lights the freeway over the full distance within which the advertising sign is visible from the freeway: Super billboards, custom-made billboards, large billboards, small billboards and tower structures, suburban ads, temporary advertisements, product replicas and three-dimensional signs, flat signs, roof signs, signs painted on walls and roofs, signs incorporated in the fabric of a building, signs on towers, bridges and pylons, advertisements on construction site boundary walls and fences, aerial signs, and trailer advertising

High impact signs

12. (1) The spacing of all high impact signs shall be as follows; unless specifically stated otherwise:
- (a) On a road where a speed limit of more than 80 km/hour has been imposed. At least 250 metres apart .

- (b) On a road where a speed limit of more than 60 and up to 80 km/hour has been imposed .At least 200 metres apart.
- (c) On a road where a speed limit of 60 km/hour or less has been imposed.
At least 120 metres apart
- (2) High impact signs may not be permitted within 100 m radius from the centre of an existing intersection of arterial roads, and may not be permitted within 50 m radius from the centre of an existing intersection of an arterial road and any lower order road, or between two lower order roads. In the case where traffic lanes merge or diverge, the Municipality may increase the distance requirements from an intersection.
- (3) Applications for the erection of high impact signs shall be accompanied by an Advertising Sign Scoping Report.

Transitional provisions

13. (1) Any sign which was erected or displayed on the date of commencement of these bylaws but which is prohibited by these bylaws must be removed within 90 days of such date of commencement. If proof of approval by any former local authority can be furnished, the sign may remain until the original approval period expires. If no period was approved, an approval period not exceeding three (3) years shall be agreed upon between the owner of the sign and the Municipality where after the sign must be removed within 30 days of the new approval period having lapsed.
- (2) The owner of the signs erected or displayed on the date of commencement of these bylaws but which in terms of these bylaws may not be so erected or displayed without the approval of the Municipality and/or another authority, must apply for such approval within ninety (90) days of the date of commencement. If proof of approval by any former local authority can be furnished, the sign may remain until the original approval period expires. If no such period was approved, an approval period not exceeding three (3) years shall be agreed upon between the owner of the sign and the Municipality.
- (3) If approval for a sign has been refused, the sign must be removed by the owner within 30 days of receipt of notification of such refusal. Where such a notification has been sent by registered mail, the owner will be deemed to have received it eight days after being posted.
- (4) The Municipal Manager may, in his sole discretion, after the expiry of an agreement signed prior to the commencement of these bylaws, decide whether such agreement may be renewed and determine the period of such renewal.

Signs not described in these by-laws

14. The Municipality may approve an application to erect a sign that is not referred to in these bylaws after having considered the application in terms of the Outdoor Advertising Policy that the Municipality determines from time to time.

Contradictions

15. Where any contradiction, ambiguity or vagueness in the bylaws may occur, the interpretation of the Municipal Manager is final and binding.

Signs for national, provincial, municipal and similar campaigns

16. In the case of campaigns for parliamentary, provincial or municipal elections (including by elections) and referenda, as well as campaigns by state and parastatal institutions to promote democracy, good governance and/or similar principles, or promotion of any National, Provincial or Municipal Imbizo or similar event, the written consent of the Municipal Manager, in consultation with the Executive Mayor, must first be obtained.

Offences and penalties

17. (1) Any person who:
- (a) Contravenes or fails to comply with any provision of the By-laws;
 - (b) Contravenes or fails to comply with any requirement set out in a notice issued and served on a person in terms of the by-laws;
 - (c) Contravenes or fails to comply with any conditions imposed in terms of the By-laws knowingly makes a false statement in respect of any application in terms of the By-laws shall be guilty of an offence and shall on conviction be liable to a fine not exceeding R5000,00 or in default of payment, to imprisonment for a period not exceeding twelve months, and in the case of a continuing offence to a fine not exceeding R 500,00 for every day during the continuation of such offence, and for a second or subsequent offence shall be liable on conviction to a fine not exceeding R 1500,00 per day or in default of payment, to imprisonment for a period not exceeding three months.
 - (d) Penalties for offences will be updated from time to time to ensure that it stays in line with income that can be generated from illegal advertisements.
- (2) Responsible persons: If any person is charged with an offence, relating to any sign, advertising board or poster: It shall be deemed that:
- (a) such person either displayed such sign, advertising hoarding or poster or caused or allowed it to be displayed;

- (b) the owner of any land or building on which any sign, advertising hoarding or poster was displayed, shall be deemed to have displayed such sign, advertising hoarding or poster, or caused or allowed it to be displayed;
- (c) any person who was either alone or jointly, with any other person responsible for organising, or was in control of any meeting, function or event which a sign or poster relates, it shall be deemed to have displayed every sign or poster displayed in connection with such meeting, function or event to have caused or allowed it to be displayed;
- (d) any person whose name appears on a sign, advertising hoarding or poster shall be deemed to have displayed such sign, advertising hoarding or poster or to have displayed, unless the contrary is proved.
- (e) if various persons, companies or institutions are found to be guilty of an offence in terms of this policy, council can prosecute them jointly or separately as if every one of them has committed the offence individually.

Signs across premises boundaries

18. The Municipality may, in its sole discretion, at any time direct the owner of a sign that wholly or partially projects over or encroaches on any boundary of a premises, or the owner of the building to which such sign is attached, to remove part of or the whole portion that is projecting over or encroaching on the premises boundary, within 14 days of the date of notification, irrespective of whether the Municipality has approved the sign. Failure to comply with the notice shall constitute an offence.

Access to premises

19. An authorized agent or employee of the Municipality acting in the course of and within the scope of his/her duties has the right to enter into and upon any premises at any reasonable time to inspect a sign and to request that approval for the sign be furnished by the owner of the sign within 10 working days of such inspection.

Removal or confiscation of signs or advertising hoardings

20. (1) If any sign is so erected, distributed or displayed that, in the opinion of the Municipality, it is detrimental to the environment or to the amenity of the neighbourhood, or is otherwise in contravention of these bylaws, the Municipality or its authorised agent may remove the sign if erected, distributed or displayed on Municipal property, or may serve a notice on the responsible person to remove such sign or carry out such alteration thereto or do such other work as may be specified in such notice within a time specified in the notice.
- (2) The Municipality shall, in removing a sign contemplated in subsection (1) above, not be required to compensate any person in any way for loss or damage resulting from its removal.

- (3) If a sign constitutes a danger in any manner or is obscene, in the opinion of the Municipality, the Municipality itself may, without serving any notice, carry out the removal of such sign.
- (4) Any costs incurred by the Municipality in removing, storing, or undertaking alterations to a sign, shall be recovered from the responsible person.
- (5) The responsible person may apply in writing to the Municipality within 7 working days of the date of the removal/ confiscation of the sign, to have the sign returned and if the application is approved, such person must pay the total cost incurred by the Municipality as well as any penalty which may have been imposed.
- (6) Should the responsible person omit to collect the sign within one week of the approval referred to in (5) above, the sign may be destroyed or disposed of by the Municipality in terms of the Criminal Procedure Act as amended from time to time.
- (7) The Municipality is not liable for damages of whatever nature arising from the confiscation, removal or disposal of the sign.

Serving of notices

21. Any notice or other document required to be served on any responsible person by these bylaws, shall be deemed to have been properly served if served personally on him or her or on any member of his/her household apparently over the age of sixteen years or at his/her place of residence or on any person employed by him/her at his/her place of business, or is sent by registered post to such persons' residential or business address appearing in the records of the Municipality or, if such person is a company, if served on an officer of that company at its registered office or sent by registered mail to such office.

Responsible persons

22. (1) For the purpose of this section the responsible person shall be deemed to be:
- (a) the person who either displayed, erected and/or distributed such a sign, or caused or allowed it to be displayed, erected and/or distributed;
 - (b) the registered owner of any premises on which any sign was displayed, erected and/or distributed;
 - (c) any person who was either alone or jointly with any other person, responsible for organising, or was in control of, any meeting, function or event to which a sign relates;
 - (d) any person or group of persons whose name(s) appears on the sign; unless the contrary is proved.

Appeal procedure

23. (1) Any person whose rights are affected by a decision of the municipality or of any authorized official under these Bylaws may, in terms of Section 62 of the Local Government Municipal System Act, 2000 (Act No 32 of 2000), appeal against the decision by giving written notice of the appeal and the reasons for the appeal to the municipal manager within 21 days of the date of the issue of the notification of the decision.
- (2) The municipal manager will refer the appeal to the appropriate appeal authority in terms of the Local Government Municipal Systems Act, 2000 (Act No 32 of 2000). The appeal authority must commence with the appeal within 6 weeks and decide the appeal within a reasonable period.

Types of signs and by-law of their erection or display and control measures of custom made billboards

24. (1) A custom-made billboard shall be not less than 18 m² but not exceeding 81 m² in sign area, and could feature special effects such as internal illumination, special character cutouts and three-dimensional representations as well as rotating or scrolling panels that provide a number of different messages in succession.
- (2) A custom-made billboard may only be permitted in areas of minimum control, with the exception of signs in this class not exceeding 36 m² in sign area which may be considered in areas of partial control.
- (3) A custom-made billboard requires the specific consent of the Municipality.
- (4) The advertising structure may not exceed 8,5 m in height unless otherwise approved by the Municipality.
- (5) The clear height of the advertising structure shall be not less than 2,4 m.
- (6) An advertising sign scoping report and/or an EIA which includes visual, social and traffic safety aspects, may be required for custom-made billboards.
- (7) A custom-made billboard consisting of a single sign shall be displayed perpendicular to or at an angle of 30° to the direction of oncoming traffic.
- (8) In the case of two boards joined together, the advertisement shall be displayed with the axis of symmetry perpendicular to the direction of oncoming traffic.
- (9) Spacing requirements shall be in accordance with the spacing of high impact signs, as in clause 12 herein.

- (10) Illumination may be permitted subject to the stipulations thereof in clause 11 herein.
- (11) A custom-made billboard may not be animated.
- (12) A custom-made billboard shall be placed on a base which has been designed and erected to the satisfaction of the Municipality.

Electronic sign

25. (1) An electronic sign shall not exceed 18 m² in sign area except with the specific consent of the Municipality.
- (2) The advertising structure shall not exceed 8,5 m in height.
 - (3) The clear height of the advertising structure shall not be less than 2,4 m.
 - (4) An electronic sign may only be erected in an area of partial or minimum control and requires the specific consent of the Municipality.
 - (5) An electronic sign shall be displayed perpendicular, or at an angle of 30°, to the direction of oncoming traffic.
 - (6) An advertising sign scoping report and/or an EIA which includes visual, social and traffic safety aspects may be required for electronic signs.
 - (7) Spacing requirements shall be in accordance with the spacing of high impact signs as in clause 12 herein.
 - (8) Notwithstanding (7) above, an electronic sign may not be erected closer than 1,5 kilometres to another electronic sign in the same road.
 - (9) An electronic sign shall be placed on a base which has been designed and erected to the satisfaction of the Municipality.

Large billboards

26. (1) A large billboard shall be not less than 18 m² but not exceeding 40 m² in sign area.
- (2) A large billboard may only be permitted in areas of minimum and partial control and requires the specific consent of the Municipality.
 - (3) The advertising structure shall not exceed 8,5 m in height unless otherwise approved by the Municipality.
 - (4) The clear height of the advertising structure shall be not less than 2,4 m.
 - (5) A large billboard consisting of a single sign shall be displayed perpendicular, or at an angle of 30°, to the direction of oncoming traffic.

- (6) In the case of two boards joined together, the advertisement shall be displayed with the axis of symmetry perpendicular to the direction of oncoming traffic.
- (7) An advertising sign scoping report and/or an EIA which includes, visual, social and traffic safety aspects may be required for large billboards.
- (8) Spacing requirements shall be in accordance with the spacing of high impact signs as in clause 12 herein.
- (9) Illumination may be permitted, subject to the stipulations in clause 11 herein.
- (10) A large billboard shall not be animated.
- (11) A large billboard shall be placed on a base which has been designed and erected to the satisfaction of the Municipality.

Super billboards

27. (1) A super billboard shall be larger than 40 m² but not exceeding 81 m², in sign area.
- (2) A super billboard shall only be permitted in areas of minimum control and requires the specific consent of the Municipality.
- (3) An advertising sign scoping report and/or an EIA which includes visual, social and traffic safety aspects may be required for a super billboard.
- (4) The clear height of the advertising structure shall be not less than 2,4 m.
- (5) The advertising structure may not exceed 8,5 m in height unless otherwise approved by the Municipality.
- (6) A super billboard shall be displayed perpendicular, or at an angle of 30°, to the direction of oncoming traffic.
- (7) Spacing requirements shall be in accordance with the spacing of high impact signs as in clause 12 herein.
- (8) A super billboard may not be animated.
- (9) A super billboard shall be placed on a base which has been designed and erected to the satisfaction of the Municipality.

Product replicas and three dimensional signs

28. (1) A product replica or three dimensional sign shall only be permitted in an area of

partial or minimum control and requires the specific consent of the Municipality.

- (2) The clear height of the advertising structure shall be not less than 2,4 m.
- (3) The advertising structure may not exceed 8,5 m in height unless otherwise approved by the Municipality.
- (4) The highest point of a freestanding product replica or three dimensional sign may not exceed 8,5 m, unless otherwise approved by the Municipality.
- (5) Spacing requirements shall be in accordance with the spacing of high impact signs as in clause 12 herein, unless otherwise approved by the Municipality.

Gantry billboards

29. (1) A gantry billboard shall be not less than 18 m² but not exceeding 81 m² in sign area per direction of traffic flow, fixed to an overhead one to six footed structure (gantry), usually spanning a road.
- (2) A gantry billboard shall be permitted only in areas of minimum control and requires the specific consent of the Municipality.
 - (3) The advertising structure shall not exceed a maximum height of 10 m, unless otherwise approved by the Municipality.
 - (4) The clear height of the advertising structure shall be not less than 5,2 m.
 - (5) An advertising sign scoping report and/or an EIA which includes visual, social and traffic safety aspects shall be required for a gantry billboard.
 - (6) A gantry billboard shall be displayed perpendicular to the direction of oncoming traffic.
 - (7) Spacing requirements shall be in accordance with clause 12 herein.
 - (8) Illumination may be permitted subject to the stipulations of clause 11 herein.
 - (9) Animation will not be allowed.
 - (10) A gantry billboard shall be placed on a base(s) which has been designed and erected to the satisfaction of the Municipality.

Small billboards and tower structures

30. (1) A small billboard and tower structure may be permitted at activity centres such as shopping centres and transit nodes (bus, taxi, train) in areas of minimum, partial and maximum control and shall require the specific consent of the Municipality.

- (2) A small billboard shall consist not of more than four faces and each face shall not exceed 6 m² in sign area.
- (3) A small billboard shall not exceed 6 m in height, unless otherwise approved by the Municipality.
- (4) A tower structure shall not exceed 7,5m in height, unless otherwise approved by the Municipality.
- (5) A tower structure shall not consist of more than four faces and each face shall not exceed 4,5 m² in sign area.
- (6) Small billboards and tower structures shall primarily be aimed at users within the activity centre, unless otherwise approved by the Municipality.
- (7) Small billboards and tower structures shall be placed on a base which has been designed and erected to the satisfaction of the Municipality.

Street furniture signs

31. (1) Street furniture signs shall not be placed so as not to obstruct pedestrian movement.
- (2) Street furniture signs shall require the specific consent of the Municipality.
 - (3) Street furniture signs may be illuminated but not animated.
 - (4) Street furniture signs may not be displayed on a road median of less than 4 m wide.
 - (5) A single face of a street furniture sign shall not exceed 2,2 m² in sign area.
 - (6) Street furniture signs may be used for commercial advertising.

Flags and banners

32. (1) Flags shall require the specific consent of the Municipality.
- (a) A flag shall not be used for commercial advertising.
 - (b) A flag must be attached to or supported by poles or other supports on the premises, or against the building where the function or event is to be held, or where the enterprise is located.
 - (c) A flag shall not be attached in such a manner as to interfere with or constitute a danger to passing pedestrian or motor traffic or compromise the structural stability of the structure to which it is attached.
- (2) A banner shall only be used for:

- (a) Locality bound advertising of functions or events conducted for religious, educational, social, welfare, animal welfare, sporting, civic or cultural purposes or functions or events relating to municipal, provincial or parliamentary elections or referenda;
- (b) displaying of the name, corporate symbol and nature of an enterprise;
- (c) decoration of the streetscape in urban areas such as pedestrian malls and gateways.
- (d) A banner shall not be used for commercial advertising.
- (e) The display of a banner requires the specific consent of the Municipality.
- (f) A banner must be attached to or supported between poles or other supports on the premises or against the building where the function or event is to be held or where the enterprise is located, or be attached to a structure specifically designed for this purpose.
- (g) A banner shall not be attached in such a manner as to interfere with or constitute a danger to passing pedestrian or motor traffic or compromise the structural stability of the structure to which it is attached.
- (h) A sponsors' name or logo may occupy no more than 20% of the advertising area on a banner.
- (i) Banners may not be suspended across a road or between street lamp poles or traffic signs or be affixed to a bridge spanning a road.

Suburb name sign advertisements

33. (1) A suburb name sign advertisement shall be permitted in areas where the applicable speed limit on the road in question does not exceed 80 km per hour, but not on or next to a freeway.
- (2) A suburb name sign advertisement may be permitted in all areas of control.
- (3) A suburb name sign advertisement requires the specific consent of the Municipality and the relevant roads authority.
- (4) A suburb name sign advertisement shall be rectangular, not more than 0,45 m in height and the same width as the suburb name sign and shall be less conspicuous than the suburb name sign.
- (5) The clear height of a suburb name sign advertisement shall be not less than 2.4m
- (6) A suburb name sign advertisement shall not bear colours or any other element that will cause confusion with road traffic signs.
- (7) A suburb name sign advertisement may be illuminated but not animated or reflective.

Real estate agent's signs

34. (1) A real estate agent's sign shall not contain information other than the words "for sale", "to let" or "sold", the name and telephone number of the selling or letting agent and the logo of the real estate agency.
- (2) Real estate agent's signs are permitted in all areas of control.
- (3) The maximum size of a real estate agent's sign shall not exceed 460mmX600mm on residential premises, unless otherwise approved by the Municipality.
- (4) A maximum of one sign per agent and a total of three signs may be permitted on residential premises.
- (5) The maximum height of the sign from the ground shall not exceed 3 m.
- (6) The size of a real estate agent's sign may be increased with the specific consent of the Municipality in the case of: Natural and rural areas; 2,0 m² for single signs or 2,3 m² in total for two joined Signs Areas of minimum and partial control 2,8 m² for single signs or 3,2 m² in total for two joined signs
- (7) A real estate agent's sign must be attached to the boundary fence/wall of the premises concerned or displayed within the boundaries of the premises, and may not be displayed inside the road reserve.
- (8) A real estate agent's sign may not be displayed on a premises for longer than three months unless otherwise approved by the Municipality and must be removed not later than 14 days after conclusion of a contract of sale or lease of the premises in question.
- (9) In the case of a property "on show", signs and bunting may only be erected on the premises. Information with regard to the premises on show may only be displayed for the duration of the show day and must be removed by the end of the day.
- (10) Direction signs indicating the location of the show house premises are permitted subject to the following:
- (a) The signs may be displayed over weekends only from Friday evening 17:00 until Monday morning 07:00 and in the case of public holidays, from 17:00 on the day before such public holiday until 07:00 the day immediately following the public holiday; should the public holiday be on a Monday, from 17:00 on the previous Friday; should the public holiday be on a Friday, till 17:00 on the following Monday.
- (b) Each face of a sign shall not be larger than 600mm x 460mm and shall only be displayed in landscape format.

- (c) The selling or letting agent shall not display more than eight signs per show house or premises, irrespective of the number of routes to the show house or premises. Such signs may be double sided.
 - (d) Direction signs may not be displayed on a provincial or national road.
 - (e) Each selling or letting agent shall erect only one sign per show house per intersection, with a maximum of 8 signs in total while not more than six signs are allowed at T-junctions.
 - (f) Each selling or letting agent shall not display more than one sign between consecutive intersections.
 - (g) Signs shall not be placed on traffic circles or traffic islands, traffic lights, road traffic signs, power masts, trees, pillars, fencing, electrical substations, bridges or any similar structures.
 - (h) Stakes or poles to which signs are affixed shall not be driven deeper than 120 mm into the ground.
 - (i) Only one sign per stake is allowed.
 - (j) Signs shall not be erected on tarred or paved surfaces.
 - (k) Signs shall not be higher than 1 m and shall not obstruct the view of motorists at intersections and/or exits on public roads or pose a danger to pedestrian or other traffic.
 - (l) Only the estate agent's name and/or logo, the words "on show" and an arrow indicating the direction to the relevant premises may appear on the signs.
- (11) The selling or letting agent shall register with the Municipality or the authorized agent of the Municipality before being allowed to erect signs in the Municipal area.
 - (12) An annual registration fee as determined from time to time by the Municipality is payable.
 - (13) A selling or letting agent who disregards any of the foregoing stipulations forfeits the registration fee and the agent, his/her principal and/ or agency will be considered unregistered and may not advertise in the Municipality area until he/she has reregistered.
 - (14) Real estate agent's signs shall not be displayed on the road reserve or road reserve boundaries of freeways.
 - (15) No illumination or animation of real estate agent's signs or the use of reflective materials on the signs is allowed.

Signs for sale of goods or livestock

35. (1) Only one sign for the sale of goods or livestock per sale event shall be allowed per street front.
- (2) The size of such a sign shall not exceed 2 m² in a natural area or an area of maximum or partial control, and 2,8 m² in an area of minimum control.
- (3) The advertising structure shall not exceed 3 m in height.
- (4) The sign shall be displayed only on the premises where the advertised sale is to take place, or be attached to the boundary fence or wall of such a premises.
- (5) No illumination or animation of the sign shall be allowed.
- (6) The sign shall be erected no earlier than 14 days before the sale in question and must be removed not later than one day after such sale.
- (7) Signs of a permanent nature are not allowed.
- (8) The sign shall not be displayed on the road reserve.
- (9) The date of the sale shall be displayed on the sign in letters of not less than 50 mm in height.

Auction posters

35. (1) An auction poster shall not be larger than 900 mm x 600 mm.
- (2) An auction poster requires the specific consent of the Municipality.
- (3) An auction poster may only be displayed for 14 days prior to the date of the auction.
- (4) Only one auction poster per street block is allowed, with a maximum of twelve posters per auction.
- (5) An auction poster may not be displayed on provincial or national roads.
- (6) Stakes or posts to which auction posters are affixed shall not be driven more than 120 mm into the ground.
- (7) An auction poster shall not be erected on tarred or paved surfaces.
- (8) An auction poster shall not be higher than 1 m and shall not cause an
- (i) obstruction or pose a danger to pedestrian or other traffic.
- (9) An auction poster shall use only an arrow to indicate the direction of the auction.
- (10) The auctioneer's name, the word "auction" and details of the auction must appear on the signs.

- (11) In the case of a liquidation auction, a copy of the relevant court order with the case number must accompany the application for consent.
- (12) The case number must be clearly displayed at the bottom of the sign.
- (13) All information on the poster shall have a minimum letter size of 50 mm (including the lower case letter size).
- (14) Auction posters shall not be placed on traffic circles, traffic islands, traffic lights, road traffic signs, power masts, trees, pillars, fencing, electrical substations, bridges or any similar structures.

Posters and notices

37. (1) Only posters and notices in the following four categories may be displayed:
- (a) Category one:
Posters with the main purpose of advertising a religious, sporting, educational, cultural, charity or similar event of a noncommercial nature.
 - (b) Category two:
Newspaper headline posters of the day of a daily, weekly or weekend newspaper.
 - (c) Category three:
Posters for parliamentary, provincial or municipal elections (including by elections) and referenda as well as campaigns by state and parastatal institutions to promote democracy, good governance or similar principles or any National, Provincial or Municipal Imbizo, or similar event.
 - (d) Category four:
Posters for public awareness campaigns and notices of a public meeting.
- (2) A poster or notice may be permitted in all areas of control and requires the specific consent of the Municipality.
 - (3) A poster or notice shall be displayed only on street lamp poles or other structure provided for the express purpose of displaying a poster or notice.
 - (4) A poster or notice shall not cover Municipal markings or the cover plates on street lamp poles.
 - (5) A poster or notice may not be illuminated or animated unless authorized by the Municipal Manager.
 - (6) A poster or notice shall be fixed to a street lamp pole or any other structure in a manner acceptable to the Municipality.
 - (7) The top of a poster or notice shall be at least 2 m below any light fixture and the bottom of such poster or notice shall be at least 2,1 m above ground

level with the exception of category two posters which shall be at least 1,5 m above ground level and should be limited to 3 posters per pole.

- (8) All posters or notices in each category in a particular street shall be mounted at the same height above ground level.
- (9) Posters and notices may not be displayed on the road reserve or road reserve boundaries of freeways.
- (10) No posters may be placed on or be attached to traffic circles or traffic islands, power masts, road traffic signs, traffic circles, traffic islands, traffic lights, trees, walls, pillars, walls of buildings, flag poles, fencing, electrical substations, bridges or any similar structure.
- (11) Posters may not exceed 0,55 m² (841 mm X 594 mm) (A1 size) in Category one, Category three and Category four.
- (12) Posters in category two shall not be larger than 600 mm X 450 mm and shall only be displayed in portrait format.
- (13) The content of a poster or notice displaying a single message may not exceed 15 "bits" of information.
- (14) A sponsor's name(s) or logo(s) may occupy no more than 20% of the area of the poster.
- (15) All posters, backing boards and cord or string shall be removed within 3 days of the event having taken place.
- (16) Category one posters shall not be used to advertise a commercial event, product or service, and may only be erected if a sticker/markings signifying the approval of the municipality is displayed thereon and the prescribed deposit and fees have been paid.
- (17) Only category two posters shall be displayed in approved receptacles on the first two street lamp poles from a road intersection on routes approved by the Municipality.
- (18) Only one poster in category one, two and four may be displayed facing oncoming traffic on any street lamp pole except where the street lamp pole is in a two way street, in which case two posters of the same category may be displayed back to back.
- (19) With the exception of posters in category three, no street lamp pole shall display posters of more than one category simultaneously.
- (20) Category two posters shall be displayed for 24 hours only.
- (21) The content of category one and category four posters are subject to Municipal approval. The name of the relevant responsible organisation, and the date and place of the occasion or event must be clearly displayed on the poster in letters of not less than 50 mm in height.

- (22) Posters in category one and category four may not be displayed for a period exceeding 10 days except with the approval of the Municipality and must be removed within 3 days after the event in question.
- (23) Not more than 5000 posters from category one and category four may be displayed for any single occasion, meeting or campaign, except with the approval of the Municipality.
- (24) Posters in category three may be displayed in all areas of control, on street lamp poles only unless authorized by the Urban Planning Department.
- (25) In category three, a maximum of three posters may be displayed per street lamp pole.
- (26) The Urban Planning Department shall, in the absence of legislative prescriptions, determine the number and display format of posters in category three.
- (27) A parliamentary, provincial or municipal election or referendum poster may not be erected before the date on which the notice or proclamation in the Government Gazette or Provincial Gazette announcing the election or referendum is published, and shall be removed not later than 14 days after the date of such election or referendum unless authorized by the Urban Planning Department. The number and display format of such posters is to be determined by the Municipal Manager or Executive Director: Strategy Economic Development and Planning.
- (28) All posters in the first and second categories are to be positioned within municipal approved permanent display frames, which are fixed to specific electric light standards, in designated locations, which have been predetermined by the municipality. Individual display frames will be clearly allocated by the Council to the two categories of poster described above.
- (29) Commercial sponsorship of events is permissible on posters falling into the first two categories, but exclusively commercial advertising is prohibited.
- (30) No poster/pamphlets/ marketing related products may be distributed at street corners.

Large posters

- 38. (1) A large poster shall not exceed 1 m² (A0 size) in sign area and shall only be displayed in portrait format.
- (2) A large poster may be permitted in areas of partial or minimum control only and requires the specific consent of the Municipality.
- (3) The siting of a large poster shall require the specific consent of the Municipality.
- (4) A large poster may be illuminated but not animated.

- (5) A large poster is not allowed in a natural area.
- (6) A large poster may be used for commercial advertising with the specific consent of the Municipality.
- (7) The content of a large poster shall be subject to Municipal approval.
- (8) A large poster shall not be displayed on a road median or island of less than 4 m wide.
- (9) A large poster shall not be placed so as to obstruct pedestrian movement.
- (10) A large poster shall be displayed only on a street lamp pole or other structure provided for the express purpose of pasting or affixing a large poster.
- (11) A large poster shall not cover Municipal markings or the cover plates on street lamp poles.
- (12) A large poster shall not be displayed on the road reserve or road reserve boundaries of freeways.
- (13) A large poster shall not be displayed on the first two street lamp poles from any intersection.
- (14) The top of a large poster shall be at least 2 m below any light fixture and the bottom of such poster not less than 2,1 m above the ground level.
- (15) Only one large poster may be displayed facing oncoming traffic on any street lamp pole except where the street lamp pole is in a two way street, in which case two posters may be displayed back to back.
- (16) A large poster shall not be displayed on the same street lamp pole simultaneously with posters in categories one, two and four.
- (17) A large poster shall be affixed in a manner acceptable to the Municipality.

Handbills, leaflets, pamphlets or community newspapers

39. (1) Handbills, leaflets, pamphlets, community newspapers and similar promotional material shall only be distributed from door-to-door, post boxes or from within shops and privately controlled areas.

Functional signs by public bodies

40. (1) A functional sign by a public body shall not exceed 6 m² in area except with the specific consent of the Strategic Executive Officer: Housing, City Planning and Environmental Management if justified by circumstances.
- (2) The letter size of all information on the sign shall not be less than 20 mm in height.

- (3) Illumination may be provided if there is a need for information or directions to be read after dark.
- (4) A functional sign by a public body shall not be used for the purpose of commercial and/or competitive advertising.
- (5) A functional sign by a public body is permitted in all areas of control.
- (6) A functional sign by a public body may not be of a temporary nature and specifically excludes banners and posters.

Project boards

41. (1) A project board shall display only:
- (a) A description of the building or structure being erected or other work or activity being carried out;
 - (b) the names and the company symbols or logos of the contractors or consultants;
 - (c) the branches of their industry or profession;
 - (d) where relevant, details of the type of accommodation being provided, floor space available and the name, address and telephone number of the developer or the agent of the developer.
- (2) A project board requires the specific consent of the Municipality.
- (3) Only one project board shall be allowed per street front of a site.
- (4) A project board shall not exceed a total area of 18 m² except with the specific consent of the Municipal Manager.
- (5) A project board may be erected with the consent of the Municipality within a road reserve in front of the relevant site, with the exception of a freeway reserve, only if there is insufficient space on the development site, but a project board concerning road construction may be positioned in a road reserve.
- (6) A project board shall not be illuminated or animated.
- (7) A project board shall be displayed only for the duration of the relevant works on the site.

Street name signs

42. (1) A street name sign may be permitted in all areas of control on a road other than a freeway.

- (2) A street name sign requires the specific consent of the Municipality.
- (3) The street name section must be below the advertising section and at a height of at least 2,1 m above ground level.
- (4) The advertising section of the sign shall not exceed 1,64 m² squared off (blocked) in area.
- (5) Where the sign is illuminated, the illuminated portion must be above the level of standard pole mounted traffic lights and shall not extend over the road surface.
- (6) A street name sign shall only be erected at a street intersection and may be erected on a road reserve, road median or road island.
- (7) Illumination of a street name sign must be static and the luminance level of the advertising section may equal, but shall not exceed, the luminance level of the street name section.
- (8) The sign shall not be animated.
- (9) The colour of the street name sign and background is to be determined by the Municipality.
- (10) Any street name on the advertising space of a street name sign must be smaller and less conspicuous than the actual street name on the street name panel, and must not lead to confusion with the street name on the street name panel.
- (11) Only two street name signs positioned diagonally opposite one another will be permitted per intersection.
- (12) The street name sign shall not contain more than 15 "bits" of information and the primary colours or shapes shall not be that of traffic signs.

Security signs

- 43.
- (1) A security sign shall refer only to the existence and operation of a commercial security service, burglar alarm system, neighbourhood watch, farm watch or similar system or scheme.
 - (2) A security sign of 1m x 2m containing security information is permitted at the entrance to a closed neighbourhood or a gated community or at the entrances to areas subject to specific security arrangements such as a neighbourhood watch.
 - (3) A security sign containing security information shall not exceed a total height of 3,5m above ground level and, if sited inside a road reserve, shall have a minimum clear height of 2,4m.
 - (4) Farm watch signs containing security information shall not exceed 2 m² in sign area.

- (5) A security sign on residential, business and industrial premises shall not exceed 0,35 m² in sign area.
- (6) Only one security sign per 30 m length of street boundary of the premises shall be erected and must be firmly affixed to the building, boundary wall, fence or gate on the street frontage or within the boundaries of the premises.
- (7) A security sign may be illuminated with the consent of the Municipality, but may not be animated.

Balcony, veranda, canopy and under awning signs

44. (1) A balcony, veranda, canopy or under-awning sign shall be erected only on premises used for commercial, office, industrial or entertainment purposes.
- (2) In the case of a sign contemplated in paragraph (a), (b) or (c) of the definition of "balcony, veranda, canopy and under-awning sign":
- (a) no sign shall project at any point more than 100 mm from the surface to which it is affixed;
 - (b) no sign shall exceed a vertical dimension of 750 mm and a horizontal dimension of 2 400 mm;
 - (c) no sign shall extend above, below or beyond any extremity of a parapet wall, balustrade, railing, beam or fascia;
 - (d) not more than one sign per facade per enterprise shall be allowed, unless the facade exceeds 20 m in length, where more than one sign shall be allowed if they are spaced at a minimum of 6m intervals and the total horizontal sign length does not exceed 4 000 mm.
- (3) The sign may be suspended above a sidewalk or road reserve.
- (4) No illuminated sign or sign designed to reflect light shall be attached to or displayed on a splayed or rounded corner of a balcony at a street intersection, unless the bottom of the sign is at least 6m above the street immediately below it.
- (5) The following shall be applicable with regard to under awning signs:
- (a) a sign shall be fixed at right angles to the street line.
 - (b) a minimum clear height of 2 400 mm shall be maintained.
 - (c) a maximum horizontal dimension of 2 000 mm shall be maintained.
 - (d) a maximum sign area of 2 m² shall be maintained.

- (e) where enterprise facades exceed 20 m in length, more than one sign may be allowed, spaced at a minimum of 6 m intervals.
- (6) The following shall be applicable with regard to signs on veranda roofs:
 - (a) a sign shall be placed on veranda roofs only where such veranda does not have an appropriate parapet wall, balustrade, railing, fascia or beam to which a sign can be affixed.
 - (b) signs on adjacent buildings shall be aligned with each other in order to form a straight line.
 - (c) a sign shall as far as possible be parallel to the street face of the veranda.
 - (d) a sign shall not extend beyond the veranda roof.
 - (e) a sign shall not cover any window or obstruct the view from any such window.
 - (f) only one sign per enterprise facade shall be allowed.
 - (g) a sign shall not exceed a maximum area of 1 m² per 2 m length of veranda frontage.
- (7) The following shall be applicable with regard to signs affixed to supporting columns, pillars or posts:
 - (a) a sign shall be painted on or affixed flat onto the supporting column, pillar or post.
 - (b) only projecting signs shall be affixed to columns, pillars or posts supporting a roof over fuel pumps at a filling station or roadside service area and shall not exceed 1 m² per sign face or 2 m² per total sign area.
 - (c) no sign affixed flat onto a supporting column, pillar or post shall project more than 50 mm from the surface to which it is affixed.
 - (d) no sign affixed flat onto a supporting column, pillar or post shall extend beyond any of the extremities of such a column, pillar or post.
 - (e) signs affixed flat onto curved supporting structures shall be curved to fit the form of such a structure.
 - (f) only one sign per column, pillar or post may be allowed including signs projecting from columns pillars or posts supporting a roof over fuel pumps.
 - (g) no signs of any nature shall be pasted onto any supporting column, pillar or post.
- (8) The following shall be applicable to canopy signs:

- (a) a canopy sign shall form an integral part of the canopy or blind without dominating the canopy structure or blind.
- (b) a canopy sign shall complement the architecture of the building to which it is affixed and shall not, in the opinion of the municipal manager dominate such building.

Forecourt signs

45. (1) A forecourt sign may be displayed in all areas of control or in a center of economic activity.
- (2) The total sign area of all freestanding forecourt signs shall not exceed 5,0 m² on each forecourt frontage, except in the case of filling stations and roadside service areas, where it shall not exceed 8,0 m².
- (3) In the case of filling stations and roadside service areas, additional nonfree standing signs with a maximum area of 1,5 m² per sign may be allowed if attached to fuel pumps, vending machines and other non-advertising structures.
- (4) A forecourt sign may be freestanding, except for a sign attached to a fuel pump, vending machine or other non-advertising structure in a filling station or roadside service area.
- (5) A forecourt sign shall not be displayed in a road reserve and may not interfere with pedestrian circulation.
- (6) A forecourt sign shall not be movable.

Residential or community signs: sign at a home-undertaking

46. (1) The dimensions of the sign shall not exceed 900 mm x 600 mm (unless otherwise stipulated in any Annexure or Consent use or in terms of the relevant Town Planning Scheme or LUMS as amended from time to time).
- (2) The advertising structure shall not be higher than 3 m.
- (3) The specific consent of the Municipality is required.
- (4) The sign must form an integral part of the architecture of the boundary wall or fence on the street frontage of the premises.
- (5) Where there is no street boundary wall, the sign must form an integral part of a substantial architectural element, and be designed and placed on the premises to the satisfaction of the Municipal Manager.
- (6) The sign may not, at the discretion of the Municipal Manager, in any way detrimentally affect the residential character or amenity of the neighborhood or the surroundings.

- (7) The dominant content of the sign is to be the name of the undertaking.
- (8) No product advertising or advertising for sales of any kind is allowed on the sign.
- (9) No sign, with the exception of street numbers, may be painted on boundary walls.
- (10) Only one sign is permitted per street front on a premises.
- (11) In instances where a sign structure is orientated at right angles to the street, a double sided face is permitted where the sign area on each face may not exceed 0,5m².
- (12) A sign at a home undertaking may be illuminated with the consent of the Municipality, but may not be animated.

Signs at community institutions and facilities

- 47. (1) The sign area of a community institutions and facilities sign shall not exceed 3m².
- (2) The advertising structure shall not be higher than 3m.
- (3) The specific consent of the Municipality is required.
- (4) Only one sign is permitted per street front per institution or facility.
- (5) In instances where a sign structure is orientated at right angles to the street a double sided face is permitted where the sign area on each face may not exceed 3 m².
- (6) The name and logo of a sponsor shall not take up more than 20% of the sign area.
- (7) In cases where more than one community institution or facility share the same premises, a combination sign which does not exceed 6 m² in sign area, may be permitted.
- (8) The sign must form an aesthetic and integral part of the architecture of the boundary wall on the street frontage of the erf.
- (9) Where there is no street boundary wall, the sign must form an integral part of a substantial architectural element, and be designed and placed on the premises to the satisfaction of the Municipal Manager.
- (10) The sign(s) may be illuminated with the consent of the Municipality, but may not be animated.

On premises business signs

48. (1) An on premises business sign must be locality bound and shall only provide information on the name and nature of the enterprise, the brand name (s) and the nature of goods sold or produced and/or the nature of services provided and the name of the proprietor(s) or practitioner(s).
- (2) An on premises business sign may be a combination sign for a variety of businesses on the same premises and may also be freestanding.
- (3) An on premises business sign shall only be displayed if:
- (a) signs affixed to the building may not be noticed by passing pedestrians or motorists due to the position of the building;
 - (b) it is not structurally possible or visually feasible to affix appropriate signs to a building;
 - (c) the sign is needed to locate the entrance or the private access road to business premises;
- (4) An on premises business sign requires the specific consent of the Municipality and/ or the relevant roads authority.
- (5) In the case of a combination sign:
- (a) The design of the structure must harmonize with the architecture of the particular building or other adjacent buildings or structures;
 - (b) messages on individual signs must be concise and legible;
 - (c) the content of individual panels of such a sign must be harmonious in terms of form, letter types and colour.
 - (d) Each side of the sign may be a maximum of 12 m² in area.
 - (e) The maximum height of the sign shall not exceed 7,5m. A height increase to 10 m can be considered subject to an application for a height restriction relaxation in terms of the relevant Town planning Scheme as amended from time to time.
- (6) The maximum area of a sign per enterprise per frontage shall not exceed 1,5m² and where there is more than one enterprise, each sign shall have the same dimensions.
- (7) Only one on premises business sign shall be allowed per enterprise, unless there is more than one entrance on different road frontages, in which case one will be allowed per frontage.

- (8) The name or logo of the sponsor of the on premises business sign may be displayed if it refers to products or services available at that specific enterprise, but shall not occupy more than 20% of the total area of the sign.
- (9) An on premises business sign shall not have letters, figures, symbols or similar features that exceed 0,35 m in height in a natural or rural area and an urban area of maximum control, and 0,75 m in an urban area of partial or minimum control.
- (10) An on premises business sign may be placed closer to the road reserve boundary than the ruling building line, subject to the approval of an application for a building line relaxation in terms of the relevant Town planning Scheme as amended from time to time.
- (11) An on premises business sign may be illuminated.

Towers, bridges, cellular masts and pylons signs

- 49. (1) A tower or bridge sign shall not be erected or displayed in a natural area or an area of maximum control, or on a freeway in any area.
- (2) A tower or bridge sign requires the specific consent of the Municipality.
- (3) A maximum of only 2 signs per tower or bridge shall be permitted.
- (4) A tower or bridge sign shall not exceed a sign area of 18 m² per face per structure.
- (5) The maximum height of a tower sign shall not exceed 7,5 m.
- (6) The clear height of a tower sign shall be not less than 2,4 m.
- (7) The clear height of a bridge sign shall be not less than 5,2 m.
- (8) A sign shall not project more than 300 mm from the main supporting structure.
- (9) Illumination may be permitted subject to the stipulations of Clause 11.
- (10) The sign shall form an integral part of the design of the structure.
- (11) A tower to which a sign is to be attached shall be independently supported without the aid of guys, stays, brackets or other restraining devices, and shall be properly secured to an adequate foundation in the ground.
- (12) Applications for advertising on cellular masts shall include and must provide the following:
 - (a) The locality of the cellular mast, the land-use zoning of the erf on which it is positioned and its visual impact;

- (b) Preference should be given to advertising on cellular masts in shopping centres, in areas of concentrated commercial or industrial activity and on suitable portions of municipal-owned land where the municipality can derive an income from the advertising installation;
- (c) Full details of the name boards, wording, logo, materials to be used, the exact size and location of the boards on the tower and details of any illumination or special affects are to be provided when applying for permission to place advertisements on cellular masts.
- (d) The same general environmental and aesthetic criteria which are used for the evaluation of applications for outdoor advertising on free-standing billboards (hoardings) and sky-signs apply to advertising on cellular masts.

Construction site signs

50. (1) A construction site sign is permitted in all areas of control.
- (2) A construction site sign requires the specific consent of the Municipality.
- (3) A construction site sign shall be erected only for the duration of the relevant construction works on the site.
- (4) A construction site sign, if displayed or erected on or as a boundary wall or fence, shall not exceed a vertical dimension of 3,0 m and the total sign area will depend on the dimension of the site.
- (5) A construction site sign will not be allowed along or on freeways.
- (6) A construction site sign may be illuminated in areas of minimum control.
- (7) A construction site sign shall not project more than 100 mm from the surface to which it is affixed.
- (8) A construction site sign shall not be painted or pasted directly onto the site boundary wall or fence but shall form an integral part of the design of such wall or fence.
- (9) A construction site sign may be considered and evaluated in terms of criteria relating to high impact signs.

Building wrap signs

51. (1) A building wrap sign shall only be permitted in areas of minimum and partial control and requires the specific consent of the Municipality.
- (2) The shape, dimensions and area of the sign shall be as determined by the Municipality.

- (3) An advertising sign scoping report which includes visual, social and traffic safety aspects and the effect of the sign on other approved signs in the vicinity shall be required.
- (4) External illumination of a building wrap sign may be permitted at the discretion of the Municipality.
- (5) An approval of a building wrap sign shall be for a period of twelve months or the duration of the construction, renovation or maintenance work whichever is the shorter, where after the approval can be renewed subject to such additional conditions as the Municipality deems fit, on payment of the requisite fees.

Signs for a sponsored road traffic project

- 52.
- (1) A sign for a sponsored road traffic project may contain the name and the details of the project and the name(s), logo(s) and message(s) of the sponsor which shall not exceed 20% of the area of the sign.
 - (2) A sign for a sponsored road traffic project requires the specific consent of the Municipality.
 - (3) A sign for a sponsored road traffic project shall not exceed 4,5 m² in sign area and the total height of the sign shall not be more than 3 m above ground level.
 - (4) No sign for a sponsored road traffic project shall be combined with or be attached to a road traffic sign.
 - (5) No road traffic sign, or symbol used in any road traffic sign, shall be used in a sign for a sponsored road traffic project.
 - (6) A sign for a sponsored road traffic project may be displayed in a road reserve.
 - (7) A sign for a sponsored road traffic project shall not be animated.

Service facility signs

- 53.
- (1) A service facility sign shall refer only to the types of services provided at such a facility.
 - (2) A service facility sign shall be locality bound and shall be erected or displayed only in service facilities adjacent to and directly accessible from a road at which the sign is directed. Only one such sign per direction of traffic flow will be allowed, and only one service facility sign shall be allowed on the premises of a filling station or roadside service area.
 - (3) Service facility signs may be permitted in all areas of control.
 - (4) A service facility sign requires the specific consent of the Municipality.

- (5) A service facility sign shall be a maximum of 7,5 m in height. A height increase to 10 m can be considered subject to the approval of an application for a height restriction relaxation in terms of the relevant Town Planning Scheme or LUMS as amended from time to time.
- (6) A service facility sign shall not be animated.
- (7) A service facility sign in an area of maximum control may be illuminated during the facility's business hours.
- (8) A service facility sign may not exceed 2 m in width; and may not exceed 3 m in width if a height relaxation has been approved by the Municipality.
- (9) Advertisements on a service facility sign shall refer only to the name and logo of the business providing the service and the type of service provided.
- (10) A maximum of 8 advertising panels shall be permitted per service facility sign and only one business or service shall be permitted per advertising panel.

Development signs

54. (1) A development sign requires the specific consent of the Municipality.
- (2) A development sign shall display only:
- (a) a visual representation or description of the building or structure being erected or other work or activity being carried out;
 - (b) a visual representation or description of the development being carried out;
 - (c) where relevant, details of the type of accommodation being provided, floor space available and the name, address and telephone number of the developer or the agent of the developer.
- (3) A development sign shall not exceed a sign area of 36m².
- (4) Only one development sign per road frontage shall be allowed per site.
- (5) The clear height of a development sign shall not be less than 2,4m.
- (6) A development sign may be illuminated but not animated.
- (7) A development sign can only be displayed on the particular development site while the relevant works are taking place on the site.

Aerial signs

55. (1) An aerial sign shall not be permitted in natural areas and areas of maximum control.

- (2) An aerial sign requires the specific consent of the Municipality.
- (3) An aerial sign shall not be illuminated or animated, with the exception of moored airships, which may be illuminated.
- (4) With the exception of a moored airship, an aerial sign shall be displayed only during daylight hours.
- (5) No aerial sign shall be displayed for a period exceeding two weeks in any calendar year.
- (6) No captive or unmanned free balloon shall be flown without the written permission of the Commissioner of Civil Aviation after the permission of the Municipality has been granted.
- (7) Only the name of the business and one commercial article may be displayed on the balloon.
- (8) A public liability policy to the value determined by the Municipality from time to time, together with proof of submission of the application to the Commissioner of Civil Aviation must accompany an application.
- (9) An aerial sign shall not be flown at a height of more than 45 m above the surface (measured from ground level or from the surface on which a towing vehicle or vessel is travelling, to the top of the craft or object displaying the sign) without the written permission of the Commissioner of Civil Aviation.

Roof signs

56. (1) A roof sign may be permitted in areas of partial, maximum and minimum control.
- (2) A roof sign requires the specific consent of the Municipality.
 - (3) Only locality bound roof signs shall be permitted.
 - (4) The bottom of the roof sign shall not be more than 120 mm above the closest portion of the roof beneath it.
 - (5) The main axis of a roof sign shall be horizontal.
 - (6) A roof sign in any other shape or form shall be subject to the specific consent of the Municipality.
 - (7) A roof sign shall not exceed the areas set out below and height of sign above the ground Maximum sign area:

Less than 6 m: 2 m²
6 m and higher but less than 9 m: 4 m²
9 m and higher but less than 12 m: 8 m²
12 m and higher but less than 18 m: 12 m²

18 m and higher: 18 m²

- (8) A roof sign shall not exceed 300 mm in thickness.
- (9) Roof signs shall, if required by the Municipality, be placed so as not to form part of the skyline of buildings.
- (10) A roof sign shall not extend beyond the roof of the building in any direction.

Sky signs

- 57. (1) Sky signs shall be permitted only in areas of partial and minimum control.
- (2) Sky signs require the specific consent of the Municipality on the basis of an EIA which shall include the visual content of the advertisement envisaged.
- (3) The number of sky signs to be permitted in the central business district or other commercial nodes shall be decided on the basis of the EIA.
- (4) A sky sign may not obstruct the view from any other building.
- (5) The advertisement contents of an approved sign shall not be changed without further approval based on an additional impact assessment.

Flat signs

- 58. (1) A flat sign requires the specific consent of the Municipality.
- (2) The total flat sign area for any enterprise shall not exceed 20% of the specific ground floor facade of such an enterprise in areas of maximum control and 30% in areas of partial and minimum control. In the case of shopping centers, the area of wall units on which flat signs are displayed shall not exceed 30% of the area of a specific facade of the shopping center (excluding office levels).
- (3) An advertising sign scoping report and/or an EIA may be required for a non-locality bound flat sign in excess of 36 m².
- (4) A non-locality bound flat sign may be considered and evaluated in terms of criteria relating to high impact signs.
- (5) The maximum projection of any part of a flat sign over a sidewalk or ground level shall be 75 mm where such sign is less than 2,4 m above the sidewalk or ground level immediately below such sign, and 300 mm where such sign is more than 2,4 m above such sidewalk or ground level.
- (6) No flat sign shall cover a window or any other external opening of a building or obstruct the view from such an opening.
- (7) A flat sign shall not extend above the top or beyond either end of the wall to which it is affixed.

- (8) A flat sign shall not be displayed on the outside of boundary walls.
- (9) A flat sign may consist of a panel/sheet or of individual numbers, letters or symbols.
- (10) A flat sign can be attached to any wall of a building.
- (11) A locality bound flat sign is permitted in all areas of control
- (12) A non-locality bound flat sign shall only be allowed in areas of partial and minimum control.
- (13) Illumination is subject to specific consent in accordance with the prescribed luminance levels.
- (14) A flat sign may be animated in areas of partial and minimum control.

Signs painted on walls and roofs of a building

- 59.
- (1) Signs painted on walls and roofs require the specific consent of the Municipality.
 - (2) Signs painted on walls and roofs shall be permitted only in areas of partial control and minimum control.
 - (3) Signs painted on the facade of a building shall not cover more than 20% of the ground floor facade of the enterprise to which such sign pertains.
 - (4) Signs painted on side or back walls which do not fulfill the function of a building facade shall not exceed 18m².
 - (5) No more than one sign per enterprise shall be allowed while no more than one locality bound sign per wall shall be allowed.
 - (6) Non-locality bound signs shall be limited to the side and back walls of buildings or walls which do not fulfill the function of a building facade.
 - (7) A locality bound sign is allowed on any wall of a building.
 - (8) Signs painted on the facade of a building shall be allowed only at a position below the lower edge of any visible second floor window.
 - (9) Illumination of signs painted on walls and roofs shall not be permitted.

Window signs

- 60.
- (1) Window signs are subject to deemed consent.
 - (2) Window signs are permitted in all areas of control.

- (3) The total area of all permanent signs painted on or attached to the windows of a specific enterprise shall not exceed 50% of the total ground floor window area of such an enterprise.
- (4) In areas of maximum control, colours shall in the opinion of the municipal Manager be in harmony with the rest of the building and the general streetscape.
- (5) In areas of maximum control no internally illuminated signs inside a building shall be visible from outside the building.
- (6) Temporary window signs may only be displayed on ground floor windows.

Signs incorporated into the fabric of a building

- 61.
- (1) A building fabric sign requires the specific consent of the Municipality.
 - (2) A building fabric sign is permitted in all areas of control.
 - (3) The building or structure or any external face of such building or structure shall not be used principally for the display of signage.
 - (4) A building fabric sign shall, in the opinion of the Municipal Manager, be visually and architecturally integrated in the building or structure.

Freestanding signs at educational facilities and at institutions

- 62.
- (1) Freestanding signs at educational facilities and at institutions require the specific consent of the Municipality, which will be evaluated in accordance with the approved policy as amended from time to time.
 - (2) Freestanding signs at educational facilities and institutions may indicate the name and nature of the facility or institution and the name of a sponsor.
 - (3) The top of freestanding signs at educational facilities and institutions shall not be higher than 8,5m.
 - (4) A maximum total sign area of 36m² is allowed, provided that this area is divided into signs of equal size, form and construction.
 - (5) Freestanding signs at educational facilities and institutions shall only be displayed on property boundaries adjacent to public roads.
 - (6) No freestanding signs at educational facilities and institutions shall be placed on or next to property boundaries adjacent to parks, Municipal landscaped areas, traffic circles or other areas as determined by the Municipality.
 - (7) Freestanding signs at educational facilities and institutions and supporting structures must either form an aesthetic and integral part of a substantial architectural element or must harmonise with buildings, boundary walls or nearby and other structures on the premises as far as materials, colour, texture, form, style and character are concerned and be placed near the

street frontage boundary, to the satisfaction of the Urban Planning Department.

- (8) Illumination may be considered on the successful submission of an Advertising Sign Scoping report which will include traffic, visual and social aspects.
- (9) Freestanding signs at educational facilities and institutions shall not, at the discretion of the Municipal Manager, in any way detrimentally affect the character and amenity of the neighbourhood or any other amenities of the area and/or the surroundings.

Boundary wall and fences signs

- 63.
- (1) A boundary wall, fence sign requires the specific consent of the Municipality.
 - (2) A boundary wall, fence sign shall only be permitted in industrial areas of minimum control.
 - (3) The maximum size of letters permitted is 750mm.
 - (4) Only one sign is allowed per street frontage.
 - (5) The sign must form an integral part of the architecture of the wall on the street frontage of the premises.
 - (6) The sign shall not, at the discretion of the Municipal Manager, in any way detrimentally affect the character and amenity of the neighbourhood or any other amenities of the area and/or the surroundings.

Stack signs

- 64.
- (1) A stack sign shall only be permitted in areas of minimum control zoned for industrial and/or commercial use in terms of the relevant Town Planning Scheme and requires the specific consent of the Municipality.
 - (2) The maximum height of a stack sign shall not exceed 7,5m except by means of an application for a relaxation of height restriction in terms of the relevant Town Planning Scheme or policies, as the case may be, as amended from time to time.
 - (3) The minimum clear height of a stack sign shall be 2,1m.
 - (4) The width of a stack sign shall not be less than 2,1m and not more than 3,0m.
 - (5) The vertical dimension of individual panels shall not be less than 1m and no more than five panels shall be permitted per side of sign.
 - (6) Advertising panels may not be reflective.

- (7) No more than two stack signs shall be permitted in close proximity to any intersection
- (8) A stack sign may be double sided.
- (9) A stack sign may not be illuminated or animated.

Tourism signs

65. (1) Tourism signs are permitted in all areas of control.
- (2) Tourism signs are subject to the specific consent of the Municipality.
- (3) Tourism signs may be displayed within road reserves.

Trailer signs

66. (1) Trailer signs may not be stationary.
- (2) Trailer signs may not be parked on a road reserve or any place where the sign will be visible from a road.
- (3) A trailer sign must comply at all times with traffic safety by-laws and may not have a detrimental affect on traffic flow.

Vehicular advertising

67. (1) Vehicular advertising is permitted in all areas of control.
- (2) Vehicular advertising is subject to deemed consent.
- (3) No transportation vehicle shall be used for the sole purpose of advertising.
- (4) No transportation vehicle shall stand or be parked in any road reserve or portion of a road reserve if the vehicle is being used for the primary purpose of advertising or sale.
- (5) No animation shall be allowed.
- (6) Illumination of vehicular advertising shall be limited to the following:
- (a) An internally illuminated sign which indicates that a taxi is for hire;
 - (b) Retro-reflective signs with the colours red to the back, yellow to the side and white to the front of a vehicle.

Projecting signs

68. (1) A locality bound projecting sign shall be allowed in all areas of control.

- (2) A non-locality bound projecting sign shall be allowed only in areas of minimum and partial control.
- (3) A projecting sign requires the specific consent of the Municipality.
- (4) A locality bound projecting sign shall be limited only to buildings utilised for commercial, office, industrial or entertainment purposes and larger accommodation facilities.
- (5) A projecting sign shall be mounted to provide a minimum clear height of 2,4m.
- (6) A projecting sign shall not exceed 300mm in thickness.
- (7) A projecting sign shall not project more than 1,0m over the building line.
- (8) A projecting sign shall be at least 4,5m from any other vertical sign.
- (9) A projecting sign shall not project above the parapet or edge of a roof.
- (10) Only one projecting sign shall be allowed per enterprise facade.
- (11) A projecting sign shall be fixed at right angles to the street line.

Position of signs

69. (1) Signs as permitted by the Municipality.
- (a) Shall not be positioned on a road island or road median with the exception of street name advertisements.
 - (b) Shall not be suspended across a road with the exception of signs permitted on bridges across certain rural and urban roads other than freeways as well as banners suspended across urban roads other than freeways and as part of a street scaping project.
 - (c) Shall not be erected within or suspended above a road reserve or within the limited use area outside the road reserve boundary of freeways, with the following exceptions:
 - (d) That the following be allowed within all road reserves: sponsored road traffic projects, service facility signs, tourism signs, vehicular advertising, project boards that concern road construction may be allowed within all road reserves and project boards that do not concern road construction may be allowed on the actual development site only;
 - (e) That with municipality's consent, the following be allowed within all urban road reserves other than freeways: large posters and advertisements on street furniture, banners and flags, suburban ads, projecting signs, verandas, balcony canopy and under-awning signs, functional advertisements by public bodies, pavement posters and notices, street

name advertisements as well as signs on bridges, and towers and pylons may be allowed within road reserves other than freeways but only in areas of minimum or partial control.

- (f) Neighbourhood watch and similar council supported schemes signs may be allowed within road reserves other than freeways in urban, rural and natural environments.
 - (g) Flat signs, projecting signs, veranda, balcony, canopy and under-awning signs may be allowed within the limited use area along freeways if the main building housing an enterprise is within 50metres from the road reserve boundary of a freeway and if there is no other appropriate means of indicating that particular enterprise facing another public road carrying through passing traffic.
 - (h) Shall not be permitted within a restricted area at rural and urban street corners with the exception of sign types: Temporary window signs, street name advertisements, flat signs, projecting signs, veranda, balcony, canopy and under-awning signs, window signs and signs incorporated into the fabric of a building
- (2) Illuminated signs allowed within restricted areas at signalised street corners shall have a clear height of at least 6 m if such sign contain the colours red, green or amber.

Waiver of provisions

70. (1) The Municipality may, if it deems it desirable to do so in the public interest, or where there are extraordinary circumstances, waive compliance with or declare areas exempt from the provisions or relax the provisions of this By-law: Provided that any person whose rights are adversely affected by such waiver or relaxation shall not be bound thereby.
- (2) In each case in which such waiver or relaxation has been granted to any person, the Municipality shall serve a written notice upon such person citing the relevant provision waived or relaxed and the extent to which such provision has been waived and in addition, the Municipality shall keep a record containing an identical copy of each such notice, which record shall be available for inspection by members of the public at the offices of the Municipality.
- (3) Areas of exemptions where extraordinary circumstances exist, which justify exemption, take into consideration:
- (a) Whether an urban renewal programmes is in place which warrants a unique approach to outdoor advertising within its focus area;
 - (b) Whether exemption from the By-laws will contribute to the success of the urban renewal programme;
 - (c) The nature and function of the defined area;

- (d) The enhancement of the defined area, which can be achieved by means of exemption;
- (e) The financial benefit to the municipality and/or the urban renewal programme accruing from such an exemption; and,
- (f) The nature and extent of outdoor advertising, which will be permitted in terms of the proposed exemption.

Control of illegal signs

71. (1) Any person who displays or attempts to display a new sign or who alters or adds to, or attempts to alter or add to, an existing sign on private or municipal land without the prior written approval of the municipality given in terms of this policy, where specific consent is required, shall be guilty of an offence.
- (2) Any such person displaying an unauthorized sign on private land shall forthwith after service on him of an order in writing to that effect under the hand of the Executive Director Strategy Economic Development and Planning, cease or cause to cease all work on the display of such new sign, or shall cease or cause to cease any alteration or addition to such existing sign, as the case may be, and any such person who fails to comply with such order shall be guilty of an offence.
- (3) Any person who, having obtained such approval, does anything in relation to any sign on private or municipal land which is a departure from any form or plan approved by the local authority shall be guilty of an offence.
- (4) Any person shall forthwith, after the service upon him of an order in writing to that effect under the hand of the authorized employee of the municipality, discontinue or cause to be discontinued such departure, and any such person who fails to comply with such order shall be guilty of an offence.
- (5) If, before the completion of the removal or obliteration required by such order, such person satisfies the municipality that he has complied with these regulations, municipality may withdraw such order.
- (6) If, in the opinion of the municipality, any sign is illegal, the municipality may serve a notice on an owner requiring him at his own cost, to remove the sign or to amend, move or alter such sign in order to comply with the by-laws within a period so specified.
- (7) The municipality may, if the sign does not comply with said by-laws and without council's consent, itself carry out the removal of a sign or do other work it may deem necessary.
- (8) If any sign displayed on municipal land contravenes any of the provisions of this advertising policy, the sign may be removed and destroyed by the Executive Director Strategy Economic Development and Planning or his delegate without any order or notice being served.

- (9) The municipality shall, in removing a sign, not be required to compensate any person in respect of such a sign in any way for loss or damage resulting from its removal and any cost incurred in removing a sign may be recovered from the person or business who erected the sign.

Exempted and prohibited signs

72. (1) Exempted Signs: the following signs are exempt from the provisions of this policy:
- (a) Any sign displayed inside a sports stadium, which is not visible from outside the stadium;
 - (b) Any sign which is displayed inside a building at a distance of more than two metres from any window or other external opening through which it may be seen from outside the building and which is not aimed primarily at attracting the attention of the road user;
 - (c) Any national flag hoisted on a suitable flagpole as long as nothing is added to the design of the flag and no advertising material is added to the flagpole;
 - (d) A sign which is displayed by the council;
 - (e) Any sign displayed on an approved advertising hoarding, which complies with other relevant requirements of this policy; and
 - (f) Any banner or flag carried through the streets as part of a procession.
 - (g) A price tickets smaller than 0,01sq.m. on an item displayed in a shop window;
- (2) Prohibited Signs: Any sign type not covered by the policy and by-laws shall be regarded as an illegal sign unless the specific consent of the municipality has been obtained, and no person shall erect or display any of the following signs or cause or allow any such sign to be erected or displayed or such action to be carried out:
- (a) Any sign painted on, attached to, or fixed between the columns or posts of a veranda.
 - (b) Any sign, which will obscure a road traffic sign or signal, or which may be mistaken for, or cause confusion with or interfere with the functioning of a road traffic sign or signal.
 - (c) Any sign, which will obstruct any window or opening provided for the ventilation of a building or which obstructs any stairway or doorway or other means of exit from a building or which will prevent the movement of persons from one part of a roof to another part thereof.

- (d) Any animated or flashing sign, the frequency or the animation's or flashes or other intermittent alterations of which disturbs the residents or occupants of any building or is a source of nuisance to the public.
- (e) Any illuminated sign, the illumination of which disturbs the residents or occupants of any building or is a source of nuisance to the public.
- (f) Any swinging sign, which is a sign not rigidly and permanently fixed.
- (g) Any sign displayed on land not in accordance with the relevant zoning or approved consent use as per applicable Town-planning Scheme.
- (h) Any advertisement or sign other than an exempted sign, for which neither a permit nor approval has been obtained.
- (i) Any sign painted on a boundary wall or fence in a residential and rural area.
- (j) Any advertising sign, which, in the opinion of municipality, is suggestive of anything indecent or may prejudice the public morals.
- (k) Any sign, which relates to a business, which is conducted on an erf, or land, which is not zoned for that specific purpose.
- (l) Any advertisement, which relates to cigarettes or other tobacco products on municipal property.
- (m) Any poster pasted onto supporting columns, walls, pillars or any poster pasted otherwise than on a hoarding legally erected for the purpose of accommodating such poster.
- (n) The distribution of pamphlets at road intersections.
- (o) Any permanent sign of which the maximum display period has expired.
- (p) Advertisements that cannot be classified in full into one of the recognised advertising classes
- (q) Any advertisement inside a road reserve, which contains or does not contain retro-reflective material unless approval has been obtained.

Withdrawal or amendment of municipality's approval

73. (1) The municipality may refuse, withdraw or amend any condition or impose a further condition in respect of such approval at any time if in the opinion of the municipality:
- (a) It will be or becomes detrimental to the environment or the amenity of the neighborhood by reason of size, intensity of illumination, quality of design or materials or for any other reason;

- (b) It will constitute or become a danger to any persons or property,
- (c) If the sign is in a state of disrepair or does not comply with this By-law;
- (d) It will obliterate other signs, natural features, architectural features or visual lines of civic or historical interest; and
- (e) The advertisement does not comply with this policy; or does not conform to the initial approved application.
- (f) It will be in its content objectionable, indecent, or suggestive of indecency or prejudicial to the public morals.
- (g) It becomes necessary to implement traffic signage or traffic control measures that will be in competition with the advertisement, or where the removal of the advertisement is necessitated by road improvements.
- (h) It becomes clear that approval of an application is invalidated as a result of a misrepresentation by the applicant or oversight by a municipal official.

Public tenders

74. (1) The Municipality will invite and adjudicate on tenders for each standard advertising type aiming to provide non locality-bound advertising space for private sector services, products or any other message on Municipal land in accordance with the Supply Chain Management Policy.
- (2) Street furniture: e.g lamppost, waste bins: A tender may be awarded to more than one successful Tenderer, according to regions or any other criteria that municipality may deem necessary.
- (3) The successful Tenderer will:
- (a) Be responsible for the erection of advertising signs in terms of the conditions and stipulations of the By-laws on Outdoor Advertising control and his contract with the municipality;
 - (b) Maintain advertising signs in accordance with the maintenance clauses as set out in this By-law and any other additional conditions stipulated in his contract with municipality;
 - (c) Be responsible for the removal of any sign of the same class for which that particular contract has been awarded, illegally erected on municipal I-owned land; and
 - (d) Be considered in breach of contract should he not comply with any of the above. Municipality shall serve final notice on the contractor to rectify compliance with the said contract conditions.
 - (e) Should the said contractor not comply with the above within two (2) months after final notice have been served, municipality will have the

right to relieve him of his contract after which the said contractor will have no rights to the advertising signs all ready erected. Municipality will then re-advertise the relevant contract for public competition in terms of Municipality's tender procedures.

- (f) One part to look at will be the fee structure of the Tenderer whether is it accommodative of small businesses that cannot afford the exorbitant fees charged by the service provider.
- (4) Billboards: Permission and approval for the erection and installation of billboards of all classes will be done on an ad hoc basis and no exclusive rights will be given to any one company to erect billboards in a specific region.

Complaints and Enforcement

75. (1) Any person may file a complaint at the By-law Compliance and Enforcement Office at the municipality, who will address the complaint and inform the relevant department
- (2) The Municipal Manager, the Director of the relevant department or his or her designate or other persons being designated to act for the purposes of this bylaw, are authorized to examine an area within the municipal boundaries on which an infraction is suspected, to determine whether the provisions of this bylaw are being observed or have been violated.
- (3) The municipality may appoint private contractors to assist with the removal of illegal advertisements where there is insufficient internal staff to assist.

Appeals

76. (1) Any person whose rights are affected by a decision of the municipality or of any authorized official under these Bylaws may, in terms of Section 62 of the Local Government Municipal System Act, 2000 (Act No 32 of 2000), appeal against the decision by giving written notice of the appeal and the reasons for the appeal to the municipal manager within 21 days of the date of the issue of the notification of the decision. The municipal manager will refer the appeal to the appropriate appeal authority in terms of the Local Government Municipal Systems Act, 2000 (Act No 32 of 2000). The appeal authority must commence with the appeal within 6 weeks and decide the appeal within a reasonable period.

Repeal of laws

77. (1) The following law is hereby repealed:
- “Advertising Signs and Disfigurement of the Fronts or Frontages of Streets Control By-Law No. 6 of 2006 ”

- (2) Any permission obtained, right granted, condition imposed, activity permitted or anything done under a repealed law, shall be deemed to have been obtained, granted, imposed, permitted or done under the corresponding provision (if any) of this By-law, as the case may be.

Short title and commencement

78. This By-law shall be called the Outdoor Advertising Signs By-law 2011 and will commence on the date of publication in the Provincial Gazette.
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MUNICIPAL NOTICE

MUNICIPAL NOTICE 9

Mun 9/2014

SOL PLAATJE MUNISIPALITEIT

SLUITING VAN STRAAT EN ERF 11232, KIMBERLEY

Kennis geskied hiermee ingevolge Artikel 137(1) van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974) dat die Sol Plaatje Munisipaliteit straat en erf 11232, Kimberley permanent gesluit het.

S/362/25/65 (p. 278)
15/3 – 11232K

G H AKHARWARAY
MUNISIPALE ESTUURDER

Stadskantore
KIMBERLEY

MUNISIPALE KENNISGEWING 9

SOL PLAATJE MUNICIPALITY

CLOSURE OF STREET AND ERF 11232, KIMBERLEY

Notice is hereby given in terms of Section 137 (1) of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), that the Sol Plaatje Municipality has permanently closed street and erf 11232, Kimberley.

S/362/25/65 (p. 278)
15/3 – 11232K

G H AKHARWARAY
MUNICIPAL MANAGER

Civic Offices
KIMBERLEY

NOTICE – CHANGE OF TELEPHONE NUMBERS: GOVERNMENT PRINTING WORKS

As the mandated government security printer, providing world class security products and services, Government Printing Works has adopted some of the highly innovative technologies to best serve its customers and stakeholders. In line with this task, Government Printing Works has implemented a new telephony system to ensure most effective communication and accessibility. As a result of this development, our telephone numbers will change with effect from 3 February 2014, starting with the Pretoria offices.

The new numbers are as follows:

- Switchboard : 012 748 6001/6002
- Advertising : 012 748 6205/6206/6207/6208/6209/6210/6211/6212
- Publications Enquiries : 012 748 6052/6053/6058 GeneralEnquiries@gpw.gov.za
 - Maps : 012 748 6061/6065 BookShop@gpw.gov.za
 - Debtors : 012 748 6060/6056/6064 PublicationsDebtors@gpw.gov.za
 - Subscription : 012 748 6054/6055/6057 Subscriptions@gpw.gov.za
- SCM : 012 748 6380/6373/6218
- Debtors : 012 748 6236/6242
- Creditors : 012 748 6246/6274

Please consult our website at www.gpwonline.co.za for more contact details.

The numbers for our provincial offices in Polokwane, East London and Mmabatho will not change at this stage.