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ADV. B. GERBER,  
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Cape Town.

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ADV. B. GERBER,  
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Provinsiale-gebou,  
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14 March 2011

**OVERSTRAND MUNICIPALITY****BY-LAW RELATING TO OUTDOOR ADVERTISING AND SIGNAGE**

To provide a set of regulations governing the use of land and buildings for outdoor advertising and signage and for matters incidental thereto.

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## **1. INTRODUCTION**

### **1.1. Constitutional basis of this by-law**

Under Section 156 of the Constitution of the Republic of South Africa, 1996, the Overstrand Municipality, enacts that which follows in this document.

### **1.2. Definitions**

In this by-law, unless the context otherwise indicates:

**ADVANCE SIGN** means a sign indicating the direction or distance to a facility, locality, activity, service or enterprise.

**ADVERTISEMENT** means any visible presentation of a word, name, letter, figure, object, mark or symbol or of an abbreviation of a word or name, or of any combination of such elements with the object of transferring information, including an election advertisement.

**ADVERTISER** means the person, or the proprietor of an enterprise, placing an advertisement, alternatively the supplier of a product which is being advertised.

**ADVERTISING** means the act or process of notifying, warning, informing, making known or any other act of transferring information in a visible manner.

**ADVERTISING DEVICE** means any physical device which is used to display or transfer an advertisement or which is in itself an advertisement.

**ADVERTISING STRUCTURE** means any physical structure built to display an advertisement.

**AERIAL SIGN** means any sign which is affixed to or produced by any form of aircraft, balloon or blimp and which is displayed in the air. Furthermore, aerial sign means a sign which is exhibited, displayed or performed in the air with the aid of balloons, searchlights, aircraft or similar means.

**ANIMATION** means a process whereby an advertisement's visibility or message is enhanced by means of moving units, flashing lights or similar devices.

**APPLICANT** means the owner of the advertising structure or device.

**AREA OF CONTROL** refers to the degree of advertising control to be applied in a specific area, i.e. maximum, partial or minimum control, in accordance with the visual sensitivity of the area and traffic safety conditions. Area of control is also used to express the degree of landscape sensitivity of specific areas.

**ARTERIAL ROAD** means a road which, in the opinion of the roads authority, functions as a main carrier of traffic within an urban area, and which is of a lower order than a freeway.

**AUTHORISED OFFICIAL** means an official of the Municipality authorised to implement the provisions of this by-law.

**BACKLIGHT UNITS (BACKLIT)** means advertising structures or devices which house illumination in a box to throw light through translucent advertising printed on plastic or heavy duty paper for higher visibility and extended night viewing.

**BALCONY** means 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.

**BASIC LANDSCAPE SENSITIVITY** indicates the visual or aesthetic sensitivity of the landscape with regard to outdoor advertisements and signs in terms of three basic landscape types which are, in order of sensitivity, natural, rural and urban landscapes.

**BILLBOARD** means any screen or board larger than 4,5m<sup>2</sup>, supported by a free-standing structure, 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 OF INFORMATION** refers to the basic unit for measuring the length of advertising messages and may consist of letters, digits, symbols, logos or abbreviations.

**BUILDING** means any structure whatsoever with or without walls, with a roof or canopy and a means of ingress and egress underneath such roof or canopy.

**CANOPY** means a structure in the nature of a roof projecting from the façade of a building and cantilevered from that building or anchored otherwise by columns or posts.

**CLEAR HEIGHT** means the vertical distance between the lowest edge of a sign and the level of the ground, footway or roadway immediately below such sign.

**COMBINATION SIGN** means a single free-standing advertising structure for displaying information on various enterprises and services at locations such as road-side service areas, urban shopping centres and other urban complexes.

**CORPORATE SIGNAGE** means trademark, brand-name, franchise and such like signage where only a specified range of signage is available to the proprietor of an enterprise.

**CONTROLLING AUTHORITY** means the authority or body, including the Municipality, which exercises control over the erection or placement of advertising signs within the area of jurisdiction of the Municipality.

**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.

**DEEMED CONSENT (PERMITTED WITH)** means a sign which is deemed approved without the controlling authority having to provide specific consent.

**DIRECTION SIGN** means a guidance sign provided under the South African 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** includes the erection of any structure if such structure is intended solely or primarily for the support of such sign.

**DISPLAY PERIOD** means the exposure time during which the individual advertising message is on display.

**ELECTRIC SIGN** means a sign in which electric current is used.

**ELECTRONIC SIGN** means a digital or analogue sign which can display permanently changing images or animation by means of LCD or plasma screens. An electronic sign is animated, but an animated sign is not necessarily electronic.

**ENTERPRISE** means a business undertaking.

**ESTATE AGENCY OR AGENT** means a person, or group of persons, natural or legal, who renders any service referred to in subsections (i) to (iv) of paragraph (a) of the definition of "Estate Agent" in section 1 of the Estate Agents Act, 1976 (Act 112 of 1976), as amended, or an estate agent as defined in sub-section (vi) of section 1 of Act 112 of 1976.

**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 varying intensity or colours.

**FLAT SIGN** means any sign which is affixed to any external wall of a building used for commercial, office, industrial or entertainment purposes, but excluding a parapet wall, balustrade or railing of a veranda or balcony of any such building, which sign at no point projects more than 300mm from the surface of such a wall and which may consist of a panel or sheet or of individual numbers, letters or symbols.

**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.

**FREEWAY** means a road designated as a freeway by means of a road traffic sign.

**GANTRY BILLBOARD** is a billboard placed on a structure specifically built for the purpose of advertising and which straddles a road.

**GANTRY** means a structure specifically built for the purpose of supporting billboards and which spans a road.

**GATEWAY** means a prominent entrance to 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 LEVEL** means the level immediately below any portion of a sign and means natural ground level where the natural ground level is uncovered and where such ground level is covered, the top surface level of the covering on the natural ground.

**HEIGHT (OF A SIGN)** means the vertical distance between the ground level and the uppermost edge of a sign.

**ILLUMINATED** means any advertising structure which has been installed with electrical or other power for the purpose of illumination of the message of such sign.

**ILLUMINATED SIGN** means a sign, the continuous or intermittent functioning of which depends upon it being illuminated by means of either external or internal illumination.

**LIMITED USE AREA** means an area of 50 metres outside the road reserve boundary of a freeway to which the same restrictions apply as the actual freeway reserve but where consent is given under certain circumstances for the display of specific sign types in order to indicate enterprises situated in such a limited use area.

**LOCALITY-BOUND SIGN** means a sign displayed on a specific site, premises or building and which refers to an activity, product, service or attraction located, rendered or provided on that premises or site or inside that building.

**LOCATION SIGN** means a guidance sign provided under the SA Road Traffic Sign System and used to identify places or locations which either provide reassurance during a journey or identify destinations such as town, suburbs or streets near the end of a journey.

**MAIN ROOF-LINE OF A BUILDING** means the gutter-line or wall plate level of any roof of a building other than the roof of a veranda or balcony.

**MAIN WALL OF A BUILDING** means any external wall of a building, but does not include a parapet wall, balustrade or railing of a veranda or a balcony.

**MAXIMUM AREA (OF A SIGN)** means the measured area of a signboard, or where there is no backing board to the sign, the area of an imaginary rectangle drawn around the outer extremities of the contents of a sign.

**MOBILE OR TRANSIT SIGN** means an advertisement attached to or displayed on a vehicle, vessel or craft on land, on water or in the air.

**MUNICIPAL PROPERTY** means immovable assets in the registered ownership of the Municipality, and includes land, improvements, road reserves and infrastructure;

**MUNICIPALITY** means the Overstrand Municipality established in terms of section 12 of the Local Government: Municipal Structures Act 117 of 1998, and includes any political structure, political office bearer, or duly authorized agent thereof or any employee thereof acting in connection with this by-law by virtue of a power vested in the Municipality and delegated or sub-delegated to such political structure, political office bearer, agent or employee.

**NATIONAL BUILDING REGULATIONS** means the regulations promulgated from time to time under the National Building Standards and Regulations Act, 1977 (Act 103 of 1977), as amended from time to time.

**NATURAL LANDSCAPE** means relatively unspoilt areas outside urban areas such as natural parks, game reserves, marine reserves, wilderness areas and extensive agriculture and scenic corridors.

**OUTDOOR ADVERTISING** means the act or process of notifying, warning, informing, making known or any other act of transferring information in a visible manner and which takes place out of doors.

**PERMANENT SIGN** means a sign that may be displayed for a maximum of five years or any other period approved by the relevant controlling authority.

**PERSON** means a natural or legal person.

**POSTER** means any placard announcing or attracting public attention to any meeting, event, function, activity or undertaking or to the candidature of any person nominated for election to parliament, local government or any similar body or to a referendum, or any placard advertising any product or service or announcing the sale of any goods, livestock or property.

**PROJECTED SIGN** means any sign projected by a cinematograph or other apparatus.

**PROJECTING SIGN** means any sign which is affixed to a main wall of a building which is used for commercial, office, industrial or entertainment purposes and which projects more than 300 mm from the surface to the main wall and is affixed at a right angle to the street line.

**ROAD TRAFFIC SIGN** means any road traffic sign as defined in the National Road Traffic Act, Act 93 of 1996 as amended, the detailed dimensions and applications of which are controlled by the regulations to this Act and the 3<sup>rd</sup> (1999) edition of the SADC Road Traffic Signs Manual.

**ROOF SIGN** means a sign attached to or painted on a roof of a building.

**ROTATING SIGN** means a sign which rotates on 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 light moving steadily along such strip.

**RURAL LANDSCAPE** refers to areas of transition between developed urban areas and relatively unspoilt natural areas. Typical rural land use forms include intensive agriculture, subsistence agriculture and peri-urban smallholdings of a rural nature with relatively low population density.

**SAMOAC** means the South African Manual for Outdoor Advertising Control (April 1998 as amended) published by the National Department of Environment Affairs and Tourism;

**SCROLLING SIGN** which means a sign which, by mechanical means, permits the rotation or changing of advertising faces to display a series of advertisements on one side of the sign structure.

**SIGN OR SIGNAGE** is a more comprehensive term than "advertisement" and refers to any advertisement or object, structure or device which is in itself an advertisement or which is used to display an advertisement.

**SIGNAGE MASTER PLAN** means a set of design guidelines, not in conflict with this by-law, which will govern the type and style of signage to be utilized on a building or erf containing more than one enterprise or undertaking.

**SKY SIGN** means a very large sign between 75m<sup>2</sup> to 300m<sup>2</sup> on top of a building and which may form an important landmark.

**SPATIAL DEVELOPMENT FRAMEWORK** means a strategic spatially based policy guidelines and proposals whereby changes, need and growth in the area can be managed to the benefit of the environment and its inhabitants.

**STREET** means any public street, avenue, sidewalk, public open space or park within the area of the jurisdiction of the Municipality.

**STREETSCAPE** means a street or a portion of a street in an urban area or any part of an urban area.

**STREET FURNITURE** means public facilities and structures which are not intended primarily for advertising but which are provided for pedestrians and commuters and may include seating benches, planters, pavement litter-bins, bus shelters, pavement clocks and drinking fountains;

**STREET POLE ADS** means a sign which consists of permanent signs attached to electrical light poles within the road reserve to advertise primarily commercial third party advertisements in the urban environment.

**STROBE LIGHT** means an electronic tube that can emit extremely rapid, brief and brilliant flashes of light.

**TEMPORARY ADVERTISING STRUCTURE OR SIGN** means the time period, other than permanent, laid down by the Overstrand Municipality as a condition of approval for the erection or display thereof, within which the structure/sign is to be removed.

**TOWER** means a tall equilateral or circular self-standing structure.

**TRI-VISION** means a display embellishment which, through the use of a triangular louver construction, permits the display of three different copy messages in a pre-determined sequence.

**URBAN AREA** means a human settlement with a permanent population of more than 1000 people.

**URBAN LANDSCAPE** means an urban area or any part of an urban area.

**VEHICULAR ADVERTISING** means advertising on self-driven vehicles which are normally driven on land or water and which are normally moving.

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

**VISUAL ZONE** refers to a zone considered to be an area of maximum control, visible from an urban freeway, extending a distance of 50 metres in any direction from the freeway reserve boundary, but which excludes all visually isolated space which cannot be seen from such a freeway.

**WINDOW SIGNS** means signs which are permanently painted on or attached to the window-glass of a building.



### **1.3. Abbreviations and Acronyms**

APT'S	Automatic Public Toilets
DEAT	Department of Environmental Affairs and Tourism
EAP	Environmental Assessment Practitioner
EIA	Environmental Impact Assessment
EMF	Environmental Management Framework
EMP	Environmental Management Plan
NEMA	National Environmental Management Act
OHMSA	Out of Home Media South Africa
SANS	South African National Standards
SEA	Strategic Environmental Assessment
VIA	Visual Impact Assessment

### **1.4. The purpose of this by-law**

This by-law aims to balance a number of needs in the municipal area, amongst others to

- 1.4.1 ensure a well-maintained and attractive townscape;
- 1.4.2 ensure adequately identified and communicated advertisements;
- 1.4.3 contribute to the conservation of tourism resources; and
- 1.4.4 ensure public safety and welfare.

### **1.5. Application of the by-law and deferment of compliance**

- 1.5.1. This by-law deals with the authorization and regulation of the public display of advertisements within the area of jurisdiction of the Municipality.
- 1.5.2. Nothing contained in this by-law shall be construed as being in derogation of any law enacted by a national or provincial authority, in particular, the provisions of the Advertising on Roads and Ribbon Development Act, 1940 (Act 21 of 1940), as amended, or any regulations made in terms thereof in its application to the advertisement to which it refers.
- 1.5.3. This by-law shall not apply in respect of signs which are not visible from beyond the boundaries of the property on which they are displayed.
- 1.5.4. This by-law shall not, from the date of commencement hereof, apply to any sign lawfully in existence at that date, if such sign is continuously displayed without alteration, re-erection or reconstruction and if at all times it complies with this by-law and is maintained in a proper and safe condition.
- 1.5.5. All other signs shall be removed or brought into compliance with this by-law within a period of twelve months from date of promulgation hereof, unless more immediate removal or amendment is required by written notification of the controlling authority or for a longer period.
- 1.5.6 All applications for outdoor advertising signs in conservation areas shall require the input of the relevant local body concerned with environmental and conservation matters.

## **1.6. Guideline framework and the SAMOAC sign typology**

- 1.6.1 The policy underlying this by-law is the South African Manual for Outdoor Advertising Control (SAMOAC), as amended from time to time, issued by the Department of Environmental Affairs and Tourism.
- 1.6.2 Advertising signage erected or placed within the municipal area must comply with the advertising opportunities for each sign type as well as the specific conditions attached to such opportunities as set out in SAMOAC.
- 1.6.3 The sign typology used in this by-law follows the July 2008 draft of SAMOAC.
- 1.6.4 Specifications regarding each type of sign are dealt with in terms of the classes used in SAMOAC.

## **1.7. Areas of Sensitivity**

The Municipality may determine areas of visual, environmental or cultural sensitivity within which the approval of the Municipality shall be required for all advertising signage and structures as determined by the Municipality's Zoning Scheme.

## **1.8. Guidelines for signage**

The following general guidelines shall apply:

- 1.8.1. Signs must be in keeping with the general architectural design and aesthetics of the property to which they relate, and must be in keeping with the character of their immediate surroundings. Preference will be given to signs with a narrow proportional border. Where more than one enterprise is operating on a single property or in a single building, a signage master plan shall be required to be submitted by the owner of the property, for the Municipality's approval prior to any signage being displayed.
- 1.8.2. Signs on a property may only relate to the business operated thereon and the products processed, produced or sold thereon.
- 1.8.3. No property may be used for the primary purpose of erecting advertising signage.
- 1.8.4. A maximum of two signs per enterprise or undertaking per direct street frontage and up to a maximum of three signs per business or undertaking shall be permitted on any property.
- 1.8.5. The content of a sign may not be offensive, but must be tasteful, simple and informative.
- 1.8.6. Illumination may not be a source of light pollution, visual nuisance or interference. An Environmental Impact Assessment (EIA) may be required prior to consideration for approval. Such an EIA, conducted in terms of the National Environmental Management Act (NEMA), could address visual, social and traffic safety aspects.

- 1.8.7. A sign or a portion thereof may not protrude above the main roof-line or parapet wall of a building, or beyond the edges of the particular portion of the building to which it is attached, nor conceal architectural detail of façades on buildings. A sign that is affixed to a building may not contain obtrusive visible struts or anchors and the electricity supply to illuminated signs shall be concealed.
- 1.8.8. Illumination shall be limited to the face of the sign and where illumination is by external means or spotlight, such illumination will be directed downwards onto the face of the sign and may not cause nuisance to passing traffic or to other properties.
- 1.8.9. A minimum clear height of 2,3m shall be adhered to for all signs over public walkways and accesses, except for road traffic signs.
- 1.8.10. A sign or a portion thereof may not be placed within 300mm of the vertical line formed by the roadside edge of a kerbed-stone.
- 1.8.11. Any sign, including those utilized for advertising of events of a civic, cultural, religious, social, sporting or welfare-related nature may display a sponsor's logo not greater than one-third of the area of the advertising sign.
- 1.8.12. Corporate signage must comply with the provisions of this by-law.
- 1.8.13. An information "i" sign may only be displayed by an enterprise accredited as an information bureau by the Destination Marketing Organisation in terms of the Western Cape Tourism Act, 2004 (Act 1 of 2004), as amended from time to time.
- 1.8.14. All signs on main roads shall comply with the provisions of the Advertising of Roads and Ribbon Development Act, 1940 (Act 21 of 1940), as amended from time to time.
- 1.8.15. No advertising pamphlet may be pasted on any wall or structure, or placed under the windscreen wiper of any vehicle without the express permission of the owner thereof. The advertiser shall be liable for any costs involved in removing such advertisements, including where littering has occurred as a result of unauthorized placing of such pamphlets or posters.
- 1.8.16. Any vehicle containing signage that such vehicle is for sale and which is parked on municipal land without the prior written approval of the Municipality, may be removed to the traffic pound at the owner's cost and a retrieval cost shall be payable as determined by the Municipality from time to time.

## **1.9. Advertising signage on municipal property**

Advertising on municipal property –

- 1.9.1 will only be permitted in accordance with the provisions of this by-law and the Municipality's policies in this regard, as amended from time to time;
- 1.9.2 may only be erected or placed on municipal property with the approval of and in compliance with the policies of the Municipality;
- 1.9.3 that has not been erected or placed in accordance with the provisions of this by-law may be removed without written notice at the advertiser's expense and it will only be released to the advertiser after payment of a prescribed fee.

## **2. THE EXHIBITION OF TEMPORARY ADVERTISEMENTS**

- 2.1 No advertisement relating to any function, event or presentation outside the Municipality, excluding advertisements relating to charitable, religious, cultural, educational, sporting, political, art or civil functions or meetings, shall be displayed or distributed in any manner.
- 2.2 The display of advertisements purely for commercial advertising is not permitted, provided that any poster erected or displayed by a person for a commercial advantage which relates to a sport, the arts or a cultural event may be permitted, despite the display of that poster being purely for commercial advertising.
- 2.3 An advertisement shall be attached in such a manner that it will not become wholly or partially dislodged by wind or rain, to a neat and strong board made of wood or other suitable material approved by the Municipality and neither such board or other material nor the advertisement itself shall measure more than 0.9m by 0.6m.
- 2.4 A board or material as prescribed in Section 2.3 shall not be placed on or against or be attached to or otherwise supported by any transformer box, telegraph pole, traffic light or sign or other structure or thing erected by the Municipality or the Provincial or National Government, or any other walls, fences, trees, rocks or other natural features, except on or against an electric pole in a street.
- 2.5 A board or material as prescribed in Section 2.3 shall be affixed securely with wire not exceeding 8 and not less than 10 standard wire gauge, stout string or plastic fastening.
- 2.6 No board or material shall be placed in such a position or fastened in such a manner as is likely in the opinion of the Municipality to constitute a danger to any vehicular traffic or pedestrian in any street.
- 2.7 Advertisements may not be displayed within 10m of any road traffic sign, traffic signal or intersection.
- 2.8 Only one advertisement per function, or event, per body or political party may be displayed on any one pole.
- 2.9 The name of the host organisation, the date of the function and the venue must appear on the advertisements.
- 2.10 No advertisement relating to a meeting, function or event other than an election shall be displayed for longer than 14 days before the day on which it begins or longer than three days after the day on which it ends.
- 2.11 Election advertisements may be displayed from the date on which an election is proclaimed, provided that no advertisement shall be displayed for longer than sixty days before the day on which the first polling day of the election starts, and must be removed not later than seven days after the day on which the election ends.
- 2.12 The maximum number of advertisements to be displayed at any one time relating to a meeting, function, event or election, shall be determined by the Municipality.

- 2.13 For control purposes stickers equal to the number of advertisements approved and on which the date on which the advertisement is to be removed is stamped, shall be issued and the applicant shall affix a sticker to each advertisement. All advertisements displayed without the prescribed sticker shall be removed by the Municipality.
- 2.14 The Municipality shall itself remove the advertisements which have not been removed within the period specified and the person who displayed such advertisement or caused it to be displayed shall be liable to refund to the Municipality an amount of R50,00 per advertisement, as amended from time to time, so removed and for purposes of which an applicant shall sign an undertaking when applying for approval.

### **3. PROHIBITED SIGNS**

- 3.1 The following signs may not be displayed:
- 3.1.1 Any sign which in the opinion of the Municipality, is of an indecent, obscene, repulsive, revolting or objectionable character or content or of a nature calculated to produce a promiscuous or injurious effect on the public or any person, or is displayed in such a place or in such a manner, or by such means affects or is likely to affect injuriously the amenities of, or disfigure or is likely to disfigure, any property or neighbourhood.
- 3.1.2 Any sign, including the name or number of the premises in the street in which such sign occurs, which is painted directly on rocks, trees, hillsides or other natural features, and any sign which is, in the opinion of the Municipality, detrimental or is likely to be detrimental to the environment by reason of size, shape, colour, texture, intensity of illumination, quality of design or materials or any other reason provided for in this bylaw or any other law.
- 3.1.3 Any sign which obstructs any fire escape or any window or door or other opening used as a means of egress or for which ventilation of for fire-fighting purposes or which prevents the free passage from one part of a roof to another.
- 3.1.4 Any sign which unreasonably obscures, wholly or partially, any sign owned by another person previously erected and legally displayed.
- 3.1.5 Any self propelled vehicle, trailer or other craft, carrying advertisements for the sole purpose of advertising, excluding advertising trailers and self propelled advertising vehicles that have been approved by the Municipality in the case of special events.

## **4 APPLICATION AND APPEAL PROCEDURES**

### **4.1 Consent required**

- 4.1.1 No person may, except as otherwise provided for in this by-law, erect or display or cause or permit to be erected or displayed any outdoor sign without the written approval of the Municipality and against the payment of a fee prescribed by the Municipality, provided that no such approval or fee shall be required in respect of:
- (1) a sign less than 0,75m<sup>2</sup> in extent on business, commercial, industrial or community facility premises up to 100m<sup>2</sup> in floor area;

- (2) a sign less than 1,5m<sup>2</sup> in extent on business, commercial, industrial or community facility premises greater than 100m<sup>2</sup> in floor area;
- (3) a sign less than 0,12m<sup>2</sup> on residential premises; and which sign complies with the relevant parameters prescribed in this by-law;
- (4) advertising signs on vehicles, trailers or other craft where such signs are not used for the primary purpose of displaying advertising signs.

## **4.2 Application for consent**

- 4.2.1 A person who intends to erect, alter or display a sign for which the approval of the Municipality is required, must apply to the Municipality on the prescribed form, accompanied by proof of payment of the prescribed application fee.
- 4.2.2 The following information must accompany the application referred to in Section 4.2.1:
  - (1) full specifications showing the dimensions and design of such sign, its location or proposed location on a building or other supporting structure, the materials of construction, the name and address of the contractor erecting the sign, and, where applicable, the number of electric lights and electrical details in regard thereto,
  - (2) a plan indicating the position of such sign on the site, detail drawings drawn to an appropriate scale, accompanied by the prescribed fee, and
  - (3) in the case of projecting signs or free-standing signs, information in regard to the size of all members of supporting frameworks and anchorages and, if required by the Municipality, all calculations upon which such size is based.
- 4.2.3 The Municipality may refuse any application or grant an application subject to such conditions as it may deem necessary.
- 4.2.4 An application for the erection of pavement posters, notices and banners on municipal property must comply with the procedures as contemplated in Schedule A of this by-law.
- 4.2.5 If an application is refused, withdrawn or is granted conditionally by the Municipality, the applicant may appeal against such decision as provided for in Section 4.4

## **4.3 Departures**

- 4.3.1 An application for a departure from the provisions of this by-law must be submitted in accordance with Section 4.2, accompanied by a motivation and any prescribed fee for consideration of departures from the provisions.
- 4.3.2 An applicant may, if deemed necessary, be required to submit an Environmental Impact Assessment with specific emphasis on the visual impact of the proposed departure.

#### **4.4 Appeals against applications for consent**

An appeal against a decision of the Municipality taken in terms of this By-law must be made in terms of section 62 of the Local Government: Municipal Systems Act (Act 32 of 2000) by giving written notice of the appeal and the reasons therefore within 21 days of the date of notification of the decision to the Municipal Manager.

### **5 TECHNICAL REQUIREMENTS FOR SIGNAGE**

#### **5.1 Safety and construction of signs**

5.1.1 No advertisement or advertising structure, as permitted by this by-law, may:

- (1) be displayed or placed so as to constitute a danger to any person or property;
- (2) be so placed or contain an element which distracts the attention of drivers in a manner likely to lead to unsafe driving conditions;
- (3) be illuminated to the extent that it causes discomfort to or inhibits the vision of approaching pedestrians or drivers;
- (4) be attached to a road traffic sign or signal, combined with a road traffic sign or signal, unless specifically provided for in the South African Road Traffic Signs Manual (SARTSM), obscure a road traffic sign or signal, create confusion with a road traffic sign or signal, interfere with the functioning of a road traffic sign or signal or create a road safety hazard in the opinion of the relevant roads authority;
- (5) obscure the view of pedestrians, road and features of the road, or pavement such as junctions, bends and changes in width;
- (6) exceed the minimum clearance with regard to overhead power lines as prescribed in regulation 15 of the Electrical Machinery Regulations, No R1593 in GG. 11458 of 12 August 1988; and
- (7) be erected in a power line servitude without the permission of the controlling authority and a copy of such permission must be made available to the Municipality.

5.1.2 Signs or advertisements positioned along roads and specifically targeting the road user shall be concise and legible and shall comply with the following requirements:

- (1) No sign displaying a single advertisement or message shall exceed 15 "bits" of information.
- (2) 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 or message displayed on a combination sign.

(3) "Bit" values shall be calculated as follows:

a. Words of up to 8 letters, inclusive	1 bit
b. Numbers of up to 4 digits, inclusive	0.5 bit
c. Numbers of 5 - 8 digits	1 bit
Symbol, logo or abbreviation	0.5 b

5.1.3 Any sign permitted by this by-law must:

- (1) be neatly and properly constructed and executed and finished in a workmanlike manner;
- (2) must 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;
- (3) have a neat appearance in terms of advertisement content and sign writing;
- (4) be rigidly and securely attached, supported and anchored in a safe manner so that unwanted movement in any direction is prevented;
- (5) 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;
- (6) 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;
- (7) when attached to conservation-worthy buildings, be attached with the necessary expert advice in order to prevent damage to such buildings;

5.1.4 Glass used in signs (other than glass tubing used in neon and similar signs) must be safety glass, at least 6mm thick and glass panels used in signs may not exceed 0,900m<sup>2</sup> in area, each panel being securely fixed in the body of the sign, structure or device independently of all other panels.

5.1.5 Every illuminated sign and every sign in which electricity is used must be in accordance with the requirements of the Municipality or other electricity regulator and must -

- (1) have power cables and conduit containing electrical conductors positioned and fixed so that they are not unsightly;
- (2) be constructed of material which is not combustible;
- (3) be provided with an external switch in an accessible position whereby the electricity supply to the sign may be switched off;
- (4) be properly wired and constructed.



- 5.1.6 All signs must comply with the relevant provisions of the National Building Regulations.

## **5.2 Maintenance of signs**

- 5.2.1 The owner of the property on which any sign is erected or displayed and the advertiser shall be jointly and severally responsible for the maintenance of such a sign, together with all its supports, braces, guys and anchors, and to keep it in a state of good repair and preservation both structurally and aesthetically.
- 5.2.2 Whenever any alteration is made to the ground level adjacent to any sign, such owner and advertiser shall be jointly and severally responsible for the alteration of the height of such sign so as to comply with the following requirements:
- (1) It shall be serviced on a regular basis; and
  - (2) It shall be maintained in good repair and in a safe condition and according to the highest standards as regards quality of structures, posting and sign writing.
- 5.2.3 Should any sign become dangerous or a nuisance, the owner or advertiser must immediately remove the source of danger or the nuisance and failure to do so shall constitute an offence.
- 5.2.4 Should an owner or advertiser fail to comply with the terms of a notice issued by the Municipality to remove such source of danger or nuisance, the Municipality may remove the sign concerned at the expense of the owner or the advertiser and no compensation or damages shall be payable by the Municipality to any person in consequence of such removal.

## **5.3 Positioning of signs**

Unless otherwise provided for in this by-law, a sign permitted by this by-law may:

- 5.3.1 not be positioned on a road island or road median, with the exception of street name advertisements;
- 5.3.2 not be suspended across a road except with the written approval of the Municipality, and subject to any conditions imposed by the Municipality;
- 5.3.3 not be erected within or suspended above a road reserve, except for signs that relate to road construction;
- 5.3.4 not be erected within an area formed by a square with sides measured 10m long the edge of a kerb from any urban street corner, or within the road reserve for a distance of 25m from urban street corner, with the exception of signs which are attached to buildings, and illuminated signs allowed within the area formed by a square with sides measured 15m along edge of kerb from any signalized street corner, may not contain the colours red, green or amber.

## **5.4 Illumination**

- 5.4.1 In areas of sensitivity, downward-directed external lighting must be utilized and any departure from this prescription shall be subject to the approval of the Municipality.
- 5.4.2 The light source emanating from floodlights may not cause any nuisance to passing traffic.
- 5.4.3 Floodlighting must be so positioned to ensure effective distribution and minimize light wastage.
- 5.4.4 No illuminated flashing sign in the colours red, amber or green may be erected within 20 metres of a traffic light.

## **5.5 Damage or defacement by removal of signs**

Any damage or defacement of any building or site caused by or resulting from the removal of any sign must be repaired to the satisfaction of the Municipality at the owner's cost.

# **6 OFFENCES AND PENALTIES**

## **6.1 Offences**

- 6.1.1 Any person who contravenes the provisions of this by-law shall be guilty of an offence and liable on conviction to the penalty prescribed in Section 6.2.
- 6.1.2 When any sign is displayed for which no approval has been granted by the Municipality or for which the approval has expired, or which does not comply with the provisions of this by-law, the Municipality may by serving a written notice upon the person displaying or causing or permitting such sign to be displayed or upon both such person and such owner, directing such person or owner to, within a time specified in such notice, to remove, repair or alter such sign or to alter the manner or place or circumstances in which it is displayed, or to comply with any other requirements deemed necessary by the Municipality, so that such non-compliance may cease.
- 6.1.3 If a person or owner fails to comply with any requirements as contemplated in Section 6.1.2, the Municipality may give effect thereto, or remove and confiscate any sign referred to in such notice, or revoke any approval in respect of such sign and recover the cost of any such removal or any such action from any person upon whom the notice in question was served unless such person or owner proves to the satisfaction of the Municipality:
  - (1) that he did not display the sign; or
  - (2) that he did not take an active part in displaying the sign and did not grant any person permission to display it and did not receive any valuable consideration in connection with the displaying thereof.
- 6.1.4 No compensation shall be payable by the Municipality to any person in consequence of any removal or other work in terms of Section 6.1.2 or 6.1.3.

## **6.2 Penalties**

Any person who contravenes any provision of this by-law or who fails to comply with a lawful directive issued by an authorized official of the Municipality, shall be guilty of an offence and liable on conviction to a fine or to imprisonment or to both such fine and such imprisonment, and in the case of a continued offence, to a further fine per day for every day, since the date on which the directive had been given, that the offence continued.

## **6.3 Repeal of by-laws**

The provisions of any by-laws previously promulgated by the Municipality or by any of the disestablished municipalities now incorporated in the Municipality, are hereby repealed as far as they relate to matters provided for in this by-law, and insofar as it has been made applicable to the Municipality by the authorization for the execution of powers and functions in terms of Section 84(3) of the Local Government: Municipal Structures Act, Act 117 of 1998.

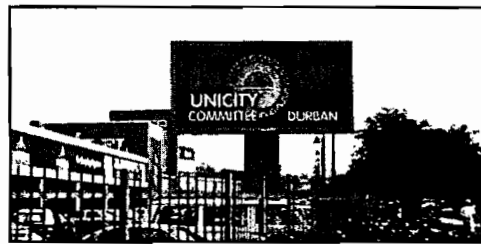
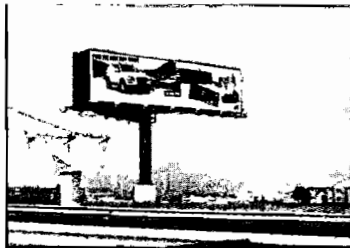
## **7 SHORT TITLE AND COMMENCEMENT**

This by-law shall be known as the Overstrand Municipality: By-law relating to Outdoor Advertising and Signage and shall come into operation on the date of publication thereof in the Provincial Gazette.

## **SCHEDULE A**

### **Class 1 Billboards and other high impact free-standing signs**

#### **Class 1a Super billboards**



Special application required.

#### **Class 1b Gantry billboards**



Special application required.

#### **Class 1c Large billboards**



Special application required.

### **Class 1d Medium billboards**

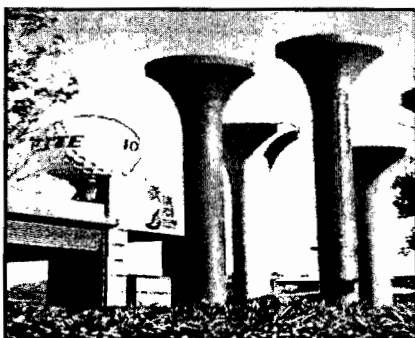


Billboards will only be permitted on a temporary basis not exceeding six months, and shall only be utilized for the advertising of specific events of a civic, cultural, religious, social, sporting, welfare or fundraising-related nature; will have a maximum sign size of 12m<sup>2</sup>, subject to approval of environmental impact assessments for signs exceeding 12m<sup>2</sup> in area; and may only be located in a position approved by the Municipality.

### **Class 2 Posters and general signs**

This large signage class consists of six permanent sub-classes, eight temporary sign sub-classes and three further special types of sub-classes. The permanent sub-classes (2a to 2f) are discussed first, followed by the temporary sub-classes (2g(i) to 2g(viii)) and then the special types.

#### **Class 2a Product replicas and three dimensional signs**



Enlarged product replicas and 3D signs shall not be permitted, except where, in the opinion of the Municipality, they reflect a local craft product.

### **Class 2b Street pole advertisements**



Special application required.

### **Class 2c Commercial signs at educational facilities**



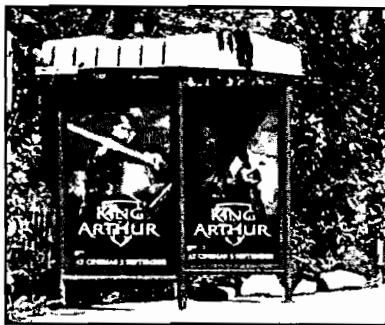
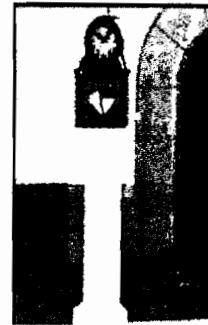
Special application required. Any sign structure should not be higher than 2,1m and larger than 12m<sup>2</sup>.

### **Class 2d Specialised signs for parking areas**



Special application required and limited to a maximum of 12m<sup>2</sup>.

### Class 2e Street furniture and large posters in pedestrian areas



Poster signs and advertisements on street furniture may not exceed 2,2m<sup>2</sup> in area, provided that where poster signs or street furniture face in more than one direction, the total area shall not exceed 4,4m<sup>2</sup>; may not exceed a maximum height of 3m; and specially designed advertising furniture of high visual quality may be utilized for the sole purpose of displaying street maps and other tourist information, subject to prior approval of the Municipality.

### Class 2f Banners and flags

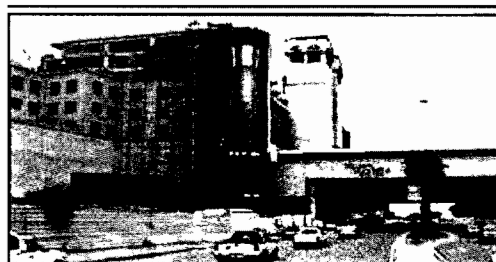
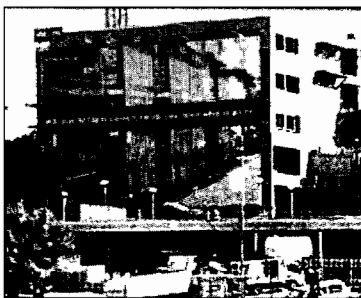


- (1) Five banners and flags may be used for advertising functions and events conducted for religious, social, welfare, sporting, civic, or cultural purposes or for the purposes of non-profit organisations; or functions or events relating to municipal, provincial or parliamentary elections or referendums, and for streetscaping urban areas such as pedestrian malls and gateways.

- (2) Flags en flag-type banners (flag-type banners attached to flag-poles or cross-pieces on flag-poles and hung vertically) may, in addition be used for displaying the name, corporate symbol and nature of enterprises,
- (3) Only locality-bound banners and flags may be used for advertising functions, events, producers, except when incorporated in a streetscaping project, or where the consent of the Municipality has otherwise been obtained for the placing of non-locality bound banners at designated points.
- (4) Banners and flags may not be used for advertising sales promotions or commercial projects or events, except with the consent of the Municipality.
- (5) No banner, flag or flag-type banner shall be larger than 5m<sup>2</sup>, and no flagpole shall exceed a relevant height restriction of the zoning of the premises, up to a maximum of 8m above natural ground level, measured directly below the pole.
- (6) Banners and flags not in a good condition may not be displayed and any such banners and flags must be removed if notified in writing by the Municipality.

### **Class 2g Temporary advertisements**

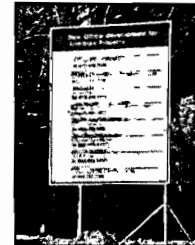
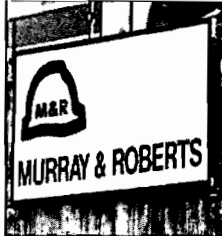
#### **Class 2g(i) Construction site advertisements**



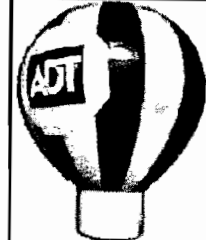
Development or sales boards includes signs describing the type of development being carried out on a property and giving details such as the type of accommodation being provided, floor space available and the name, address and telephone number of the developer or agent, provided that:

- (1) not more than two signs describing the type of development shall be allowed per property;
- (2) signs describing the type of development shall not exceed 3,0m in height, and shall not exceed 4,5m<sup>2</sup> in size;
- (3) signs describing the type of development and other relevant information may, subject to approval by the Municipality, remain on the property after completion of construction work for a maximum period of six months after date of completion, or until initial sale of all units or erven, whichever date is the earlier;
- (4) non-locality bound signs are not allowed.



**Class 2g(ii)****Project boards**

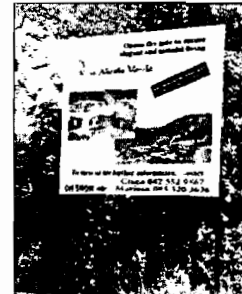
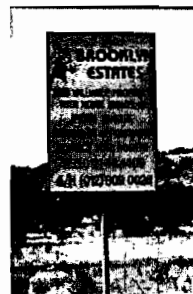
- (1) Contractor or consulting boards consist of signs displaying the involvement of contractors and consultants in construction projects or alterations to existing structures or facilities and;
- (2) may be positioned within road reserves other than freeways, but only next to a development site if sufficient space is not available on the actual site, subject to the Municipality approval;
- (3) boards concerning road construction may be positioned in any road reserve, including a freeway;
- (4) shall describe only the building or structure being erected or other work or activity being done during the construction period of the project, and the names of the contractors or consultants concerned in such work or activity;
- (5) may list the branches of the industry or the professions of the contractors or consultants;
- (6) shall not exceed 1,5m<sup>2</sup> per consultant or contractor, whether displayed as part of a combined project board or individually;
- (7) shall not exceed 9m<sup>2</sup> in total if they are combined project boards;
- (8) no individual or single boards shall be displayed if no other consultants or contractors are involved or if a combined project board has already been erected;
- (9) only one such sign per contractor or consultant is permitted per street frontage of a property;
- (10) may be displayed only during the period of construction on the property.

**Class 2g(iii)****Signs for sporting events, festivals and exhibitions**

Inflatable signs shall not be permitted, except where, in the opinion of the Municipality, they reflect a local craft product. For other signs special application is required. Signs are limited to a maximum height of 3m.

## Class 2g(iv) Estate agents' boards and show house signs

### Estate agents' boards



A sign shall consist of a single board not exceeding 0,27m<sup>2</sup> in size for a single residential property, but two duplicate boards with a total size of 2,3m<sup>2</sup> may be allowed for other types of property, with the Municipality's consent.

### Show house signs

1. Show house signs may be erected from 12 noon on Fridays until 12 noon on Mondays without prior approval by the Municipality, as well as over public holidays immediately before and/or immediately after weekends, in which case they may be erected after 12 noon on the day preceding the public holiday and are to be removed by no later than 12 noon after the weekend or public holiday.
2. Show house signs may be erected at other times only with prior written approval of the Municipality.
3. Only one showhouse board may be displayed per property, except for a corner property when one board may be displayed on each street frontage, or where visibility reasonably requires a board on either side of a road.
4. Show house signs must be erected in such a way as not to obstruct the normal movement of pedestrians along pavements.
5. No show house sign may be erected on any traffic circle.
6. Only one show house sign per agency may be erected at any intersection guiding visitors in one direction on one route along which the agency may have more than one show house. Where it is necessary to guide visitors off the route to a particular show house, a sign may be erected to indicate the route to that show house as well as another sign indicating that there is another show house(s) further along the original route.
7. Show house signs may only be erected on a property that is on show with a qualified agent or registered show house sitter in attendance for a minimum of 2 hours over the weekend or other properly authorised period that the show house signs are erected.

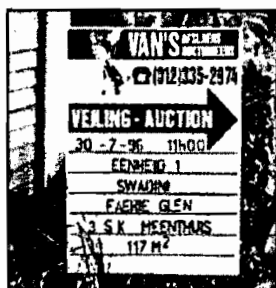
8. All On Show signs are not to exceed  $0,27\text{m}^2$  in size and are to be fitted to frames or standards. No other items may be affixed to such signs.
9. These signs shall not be displayed in the road reserve or on road islands or medians, except with the specific consent of the Municipality.
10. Bunting or banners flags may be displayed at show houses during the period the houses are actually on show.
11. In the case of a residential development or apartment block, only one show house board per agency may be displayed outside the development or block.
12. Should a show house be cancelled due to unforeseen circumstances, even at short notice, the show house signs are to be removed.

### **For sale signs**

1. Only two For Sale signs are permitted per property, of which not more than one may be of a particular estate agency. In the case of a corner property each of two agencies may erect a For Sale board on the two street frontages of the property.
2. Signs are to be fitted to frames or standards and erected inside the boundary of a property. Where this is not possible due to a boundary wall or fence, the sign is to be placed within 0,5m of the wall or fence and parallel to it. In suitable cases the board may be fixed to a gate or wall or fence of the property.
3. Agencies and agents are to inspect their signs on a regular basis to ensure that they are well maintained and comply with this by-law.
4. For Sale signs may only be erected on the property concerned and may not be used with arrows or similar indicators to lead clients to a property that is for sale, except in the case of a pan handle erf.
5. In the case of an enclosed residential development, only one For Sale board per agency may be displayed outside such development.
6. These signs shall be placed at or fixed to the building concerned, or attached to the boundary fence of the premises concerned, or displayed within the boundaries of such premises, or where acceptable to the Municipality, in the road reserve within a distance of 0,5m of the boundary of the premises concerned.
7. All For Sale signs are not to exceed  $0,27\text{m}^2$  in size and are to be fitted to frames or standards. No other items may be affixed to such signs.

### **Sold signs**

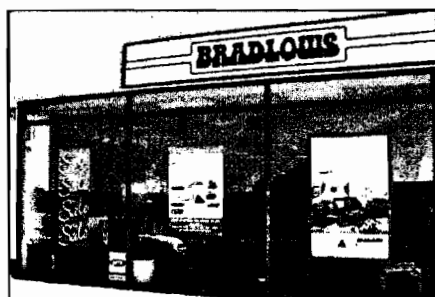
1. Sold signs may be erected on a property, under the same conditions applicable to For Sale signs, for a period of one month after the sale.
2. These signs shall be placed at or fixed to the building concerned, or attached to the boundary fence of the premises concerned, or displayed within the boundaries of such premises, or where acceptable to the Municipality, in the road reserve within a distance of 0,5m of the boundary of the premises concerned.

**Class 2g(v)****Auction signs**

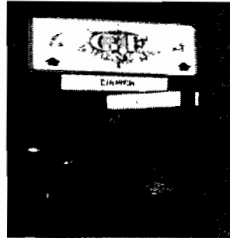
1. All boards advertising an auction may only be erected 14 days before such auction, and shall be removed one working day after such auction.
2. As per SAMOAC document; a maximum of two direction signs may be erected only on the day of the auction, limited to a maximum size of 1,5m<sup>2</sup> for all on-site boards.

**Class 2g(vi)****Election posters and municipal notices****Class 2g(vii)****Handbills, leaflets and pamphlets**

No special application required. The Municipality reserves the right to control distribution of this form of advertising if it causes a nuisance or littering.

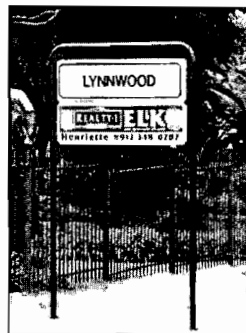
**Class 2g(viii)****Temporary window signs**

No special application is required. Offensive signs are prohibited.

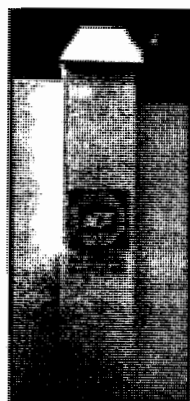
**Class 2h****Street name advertisements**

A special application is required in order to comply with Regulation 290 of the National Road Traffic Act. The following specifications apply:

- (1) The maximum size of the advertisement is 1m<sup>2</sup>
- (2) The minimum height of the advertisement is 2,1m
- (3) The maximum height of the advertisement is 3,5m
- (4) Non-illumination applies, only down lights

**Class 2i****Suburban advertisements**

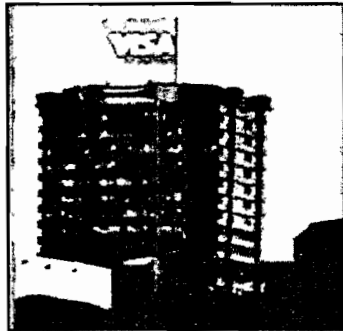
Special application is required.

**Class 2j****Security signs**

Signs shall not exceed 0,35m<sup>2</sup> in area nor a height of 3m above ground level with the exception of farm watch signs which shall not exceed 1,5m<sup>2</sup>

### **Class 3 Signs on buildings, structures and premises**

#### **Class 3a Sky signs**



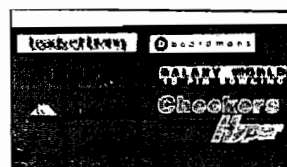
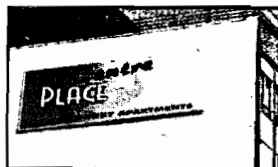
Not permitted.

#### **Class 3b Roof signs**



Not permitted.

#### **Class 3c Wall signs**



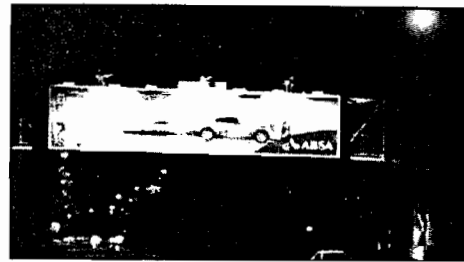
- (1) Flat and painted wall signs that are affixed to any external or main wall of a building used for commercial office, industrial or entertainment purposes, excluding a parapet wall, balustrade or railing of a veranda or balcony of such a building, shall:
  - a. not exceed 15% of a specific ground floor façade of the enterprise to which they relate;
  - b. not exceed 20% of a specific façade of the shopping centre (excluding office levels).
- (2) In the case of any flat or painted sign exceeding 12m<sup>2</sup> in area an environmental impact assessment shall be required.

### **Class 3d Signs and murals painted on walls and roofs**



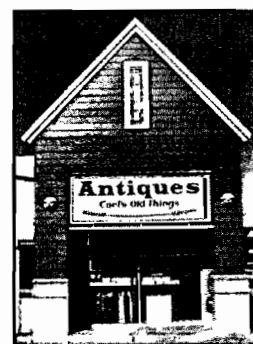
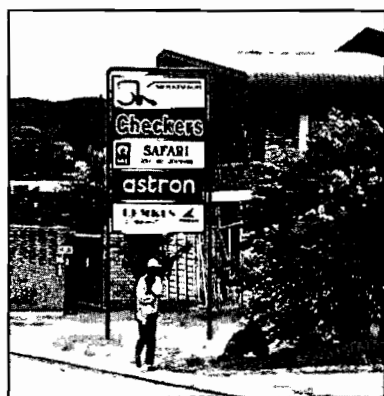
Signs painted onto the façade or roof of a building shall not exceed 20% of the area of the wall or roof. The 20% size referred to here includes the background or 'frame' of the sign within which the signage information is painted. The maximum size is 12m<sup>2</sup>.

### **Class 3e Advertising on towers, bridges and pylons**



Signs affixed to and painted on towers and bridges not used primarily for advertising purposes, including signs on cellular telephone base station towers, water towers, radio towers and similar structures, and signs attached to pylons are not permitted, unless approved by the Municipality for advertising of specific events of a civic, cultural, religious, social, sporting or welfare-related nature.

### Class 3f On-premise business signs in urban areas



- (1) Free-standing "on-premises business signs" may be permitted where a building, housing, or enterprise is so situated that any such signs affixed to such building are not legible from the road or street onto which it face, or where it is not structurally possible or visually feasible to affix appropriate signs to such building, or where such a sign is needed to locate the entrance to business premises or the private access road to a business, or where a free-standing combination may prevent the proliferation of signs.
- (2) Subsection (1) is not applicable to small businesses on urban residential sites or in buildings that were originally constructed for residential or community purposes;
- (3) Only one sign or advertising panel on a combination sign may be permitted per enterprise, provided that if there are more than one entrance to a premises on different road frontages, two signs or advertising panels may be permitted per enterprise, each on a different road frontage;



- (4) A maximum sign area of 4,5m<sup>2</sup> is permitted, provided that where a sign is affixed to a non-advertising structure such as a boundary wall or gate structure it may not occupy more than 50% of the structure to which it is affixed and a maximum height of 4m shall apply;
- (5) In the case of elaborate and solid advertising structures, a maximum area per sign, including the supporting structure of 9m<sup>2</sup> is permitted, provided that the actual sign panel or lettering may not occupy more than 50% of the total sign area and a maximum height of 6m shall apply;
- (6) Where a sign is incorporated in a combination sign, a maximum area of 3m<sup>2</sup> per advertising panel shall apply.

### **Class 3g     Projecting signs**



Projecting signs shall have a maximum size and dimension of 1,2m<sup>2</sup>, with a maximum horizontal dimension of 1,0m and a maximum vertical dimension of 1,5m and only one such sign shall be allowed per enterprise façade.

### Class 3h Veranda, balcony, canopy and under awning signs



- (1) Signs on balconies shall not be displayed above the lower edge of any visible second-floor window;
- (2) Canopy advertisements shall, in the opinion of the Municipality, form an integral part of the canopy or blind without dominating the canopy structure or blind;
- (3) Signs on veranda railings, supporting columns, pillars or posts shall not be permitted.

### Class 3i Window signs



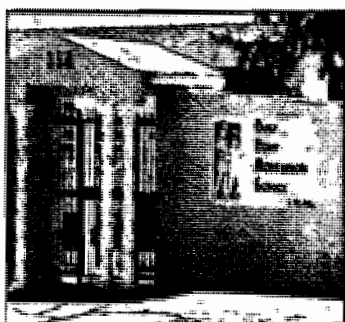
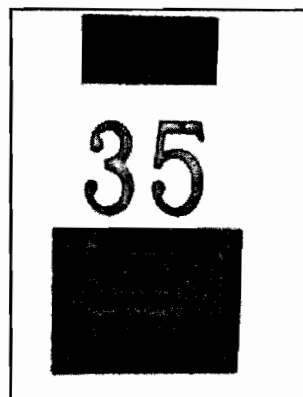
The size of a permanent window sign is limited to 25% of the total ground floor window area. All electronic signs larger than 1m<sup>2</sup> shall be subjected to SEA.

### **Class 3j      Advertisements on forecourts of business premises**



The total permitted area for all free-standing forecourt advertisements shall not exceed 5m<sup>2</sup> on each forecourt frontage to the premises, i.e. a building with two forecourt frontages shall have advertisements not exceeding 10m<sup>2</sup> in all, provided that those on each frontage shall not exceed 5m<sup>2</sup>.

### **Class 3k      Miscellaneous signs for urban residential oriented land use and community services**



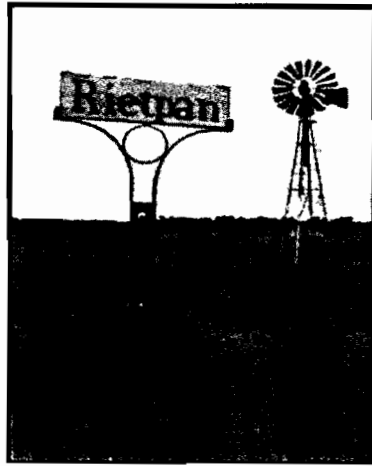
These signs may be used in urban residential areas, at community services and on smallholdings, and such signs relate to:

- (1) Identification, direction and warning with regard to place of residence, (e.g. street numbers and names of houses, flat complexes, farms and smallholdings, and notices or signs such as "Beware of the dog" and "No entrance" and such signs may not exceed a total area of 0,25m<sup>2</sup> per premises with a maximum letter size of 350mm

provided that if there is more than one entrance to the property (i.e. one each on different road frontages), a total sign area of 0,5m<sup>2</sup> may be displayed (with not more than 0,25m<sup>2</sup> per frontage);

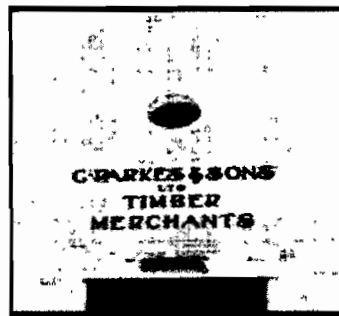
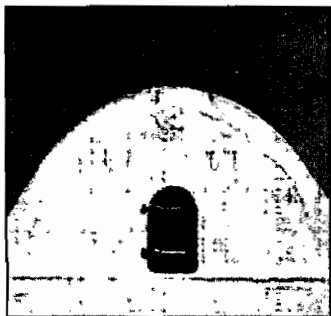
- (2) Small businesses, enterprises and practices on urban residential properties (including small holdings) or in buildings that were originally constructed and used for residential purposes or for community services (i.e. residential area where office and commercial encroachment has taken place), and small-scale urban and rural accommodation facilities with a residential and neighbourhood character such as guest houses, B&B establishments, boarding houses and smaller hotels:
  - 2.1 Signs containing the name and nature of the business, practice or enterprise and/or the name(s) of the owner, practitioner or partners are permitted;
  - 2.2 One sign with a maximum area of 0,75m<sup>2</sup> per premises is permitted;
  - 2.3 If there are more than one entrance to the property (i.e. one each on different road frontages), two advertisements with a maximum area of 0,75m<sup>2</sup> each may be displayed (each on a different frontage);
  - 2.4 Where a more elaborate and solid supporting structure is provided the maximum area per sign, including the supporting structure, may be increased to 1,5m<sup>2</sup> on the condition that the sign panel or lettering shall not occupy more than 50% of the total sign area;
- 3 Community services and institutions such as religious, educational, cultural, recreational and certain medical and similar institutions:
  - 3.1 Such signs may contain the name and nature of the institution, the name(s) of
    - (a) practitioner(s) and the nature and extent of service, opening times, and such
    - (b) other information as may be determined by the Municipality.
  - 3.2 Subject to the volume of information to be displayed, a sign not exceeding 3m<sup>2</sup> in area may be permitted per property;
  - 3.3 If there are more than one entrance to the property on different frontages (i.e. one each per road frontage), two signs with a maximum area of 3m<sup>2</sup> each may be displayed, each on a different frontage;
  - 3.4 Where a more elaborate and solid supporting structure forms part of the sign, the total sign area may be enlarged to 6m<sup>2</sup>, on the condition that the actual sign panel or lettering shall not occupy more than 50% of the total sign area;
  - 3.5 In cases where more than one institution or community facility shares the same property, a combination sign or collective board shall be provided which will allow for not more than 2m<sup>2</sup> per institution or community facility.

### **Class 3l Signs for agricultural and related land use in rural and natural areas**



- (1) These signs must be displayed next to the entrance of the access road to the homestead or must be affixed to the gate at the entrance of such access road;
- (2) In the case of more than one farm/small holding sharing an unnumbered or private access road, a collective advertisement board or combination sign may be placed at the entrance to the access road or, where appropriate, a smaller sign indicating the property numbers in question only may be displayed;
- (3) If any official traffic sign bearing a destination or route number is displayed at the entrance to such access road, no farm or smallholding name signs shall be allowed;
- (4) A standard name sign for specific smallholdings may be prescribed by the Municipality.
- (5) In cases where more than one farm or smallholding share the same unnumbered or private access route, or more than one enterprise shares the same property, a combination sign or collective board shall be provided which will allow for not more than 0,5m<sup>2</sup> per farm, small-holding or enterprise.
- (6) The maximum size of these signs shall not exceed 9m<sup>2</sup>.

### **Class 3m Signs incorporated in the fabric of a building**



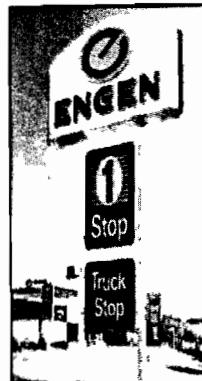
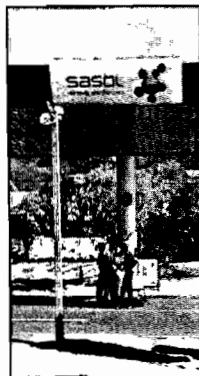
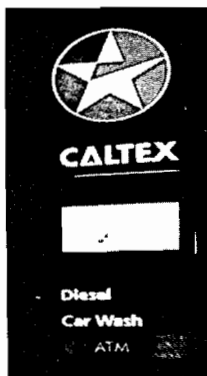
These signs are to be treated as wall or roof signs.

**General: A variety of signs, which differ in appearance and character, may be used in this class**

- (1) Free-standing signs shall be allowed only when it is not practical or visually acceptable to attach a sign to a building, boundary wall, boundary fence, gate or gate structure, and the highest point of any single freestanding sign shall not exceed 4m above natural ground level measured directly below any portion of the sign;
- (2) All signs in this class may be permitted only on the property to which they specifically refer or on the boundary wall or fence or gate of such premises;
- (3) The Municipality may, at the expense of the owner, impound or confiscate any vehicle, trailer or other craft or object which is not an authorized signage structure and which in the opinion of the Municipality, is being parked, positioned or otherwise used for the primary purpose of advertising (Class 5), unless otherwise approved by the Municipality, and the Municipality may prescribe conditions, including a fee, for the release of such unauthorised vehicle, trailer or other craft or object;
- (4) Any sign of a type not provided for in this by-law is subject to the submission of an application for a departure in terms of Section 4.3.

**Class 4 Signs for the tourist and traveller**

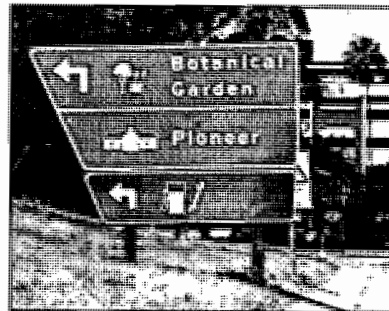
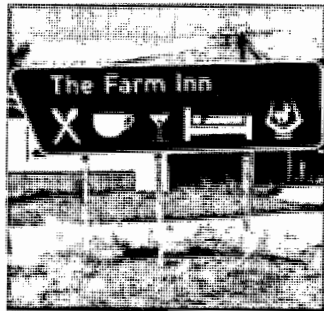
**Class 4a Service facility signs**



- (1) These signs may not exceed 7,5m in height and 2,0m in width, and a maximum of eight advertising panels may be permitted per combination sign, with only one enterprise or service allowed per panel;
- (2) An advertising panel may not exceed 4,5m<sup>2</sup> in area and only one combination sign may be permitted on the premises of a filling station or roadside service are;
- (3) Illumination may be permitted only if the business provides a 24-hour service;
- (4) Facilities with limited after-hours services may be permitted to illuminate advertisements during business hours only.

**Class 4b Sponsored road traffic projects**

Special application required.

**Class 4c Tourism direction signs**

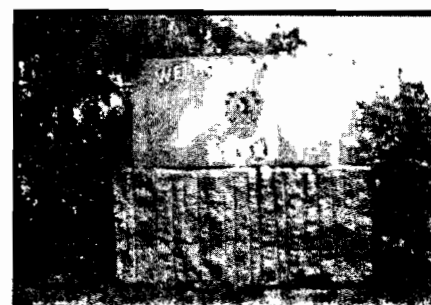
- (1) Tourism signs which form part of the South African Road Traffic Sign System and which are provided supplementary to direction signs, must comply with the provisions of the SA Road Transport Signage Manual;
- (2) Signs must comply with SADC-RTSM as amended from time to time.

**Class 4d Signs for utility companies and similar service providers**

Application required at the sole discretion by Municipality, and may require an EIA/SED if the signs have a detrimental impact on the environment.

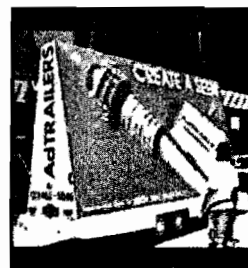
**Class 4e On-site tourism signs**

Special applications may be considered.

**Class 4f Gateway signs**

Gateway areas as specified in the Spatial Development Framework.

(1) On-site tourism signs will be included.

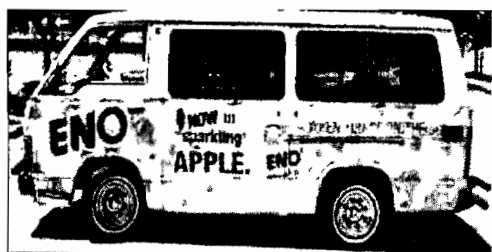
**Class 5 Mobile signs****Class 5a Advertising trailers and self propelled advertising vehicles**

Limited to special events approved by the Municipality.



**Class 5b Aerial signs**

Limited to special events approved by the Municipality

**Class 5c Vehicular advertising**

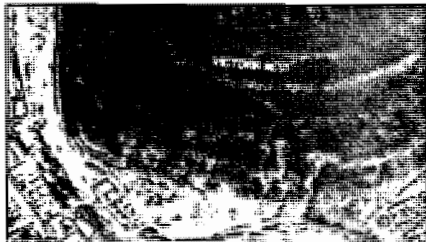
The use of vehicles for the sole purpose of advertising is not allowed.

**Class 5d Walking sandwich boards and other portable notices**

- (1) Only allowed in shopping centres, and events and exhibitions.
- (2) Not allowed on municipal pavements, except where local tourism is promoted.

**Class 6 Unique sign types****Class 6a Beam advertising and advertising using similar sources of illumination**

EIA and SEA required.

**Class 6b Painted stone signs on hillsides**

EIA and SEA required.