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AMENDED
MOSEL BAY MUNICIPALITY
BY-LAW RELATING TO OUTDOOR ADVERTISING AND SIGNAGE

Adopted by Resolution E259-11/2019 of the Municipal Council of Mossel Bay

The Municipality of Mossel Bay hereby publishes the amended Mossel Bay Municipality By-Law Relating to Outdoor Advertising and Signage as set out below in terms of section 156 of the Constitution of the Republic of South Africa, 1996, the Mossel Bay Municipality, enacts as follows:—

The Afrikaans and Xhosa version of this By-Law will be available upon request. In the event of an inconsistency between the English, Afrikaans or Xhosa text, the English text shall prevail.

Aangeneem deur Resolusie E259-11/2019 van die Munisipale Raad van Mosselbaai

Die Munisipaliteit van Mosselbaai, publiseer hiermee die gewysigde Mosselbaai Munisipaliteit Verordening insake Buitereklame en Advertensietekens uiteengesit hieronder in terme van artikel 156 van die Grondwet van die Republiek van Suid-Afrika, 1996, die Munisipaliteit van Mosselbaai, bepaal soos volg:—

Die Afrikaanse en Xhosa-weergawe van hierdie Verordening sal beskikbaar wees op aanvraag. In die geval van 'n teenstrydigheid tussen die Engels, Afrikaans en Xhosa teks sal die Engelse teks aanvaar word.

NgokweSigqibo esathatyathwa phantsi kweSigqibo E259-11/2019 seBhunga likaMasipala wase Mossel Bhayi

UMasipala wase Mossel Bhayi ngokwenjenje, upapasha uMthetho kaMasipala wase Mossel Bhayi oye waguqulwa omalunga noPapasho lwangaPhandle kwakunye noTYikityo njengoko kucacisiwe kwicandelo 156 loMgaqo-Siseko woMzantsi Afrika, 1996, uMasipala wase Mossel Bhayi wenza isimiselo ngolu hlobo lulandelayo:—

Iinguqulelo zesiBhulu kunye nezesiXhosa zalo Mthetho ziyafumaneka ngesicelo. Kwiimeko apho kukho khona ukungaqiniseki phakathi kwenguqulelo yesiNgesi, isiBHulu nesiXhosa, inguqulelo yesiNgesi iyakuthabatha indima ephambili.

AMENDED**MOSSEL BAY MUNICIPALITY****BY-LAW RELATING TO OUTDOOR ADVERTISING AND SIGNAGE**

Under the provisions of section 156(2) of the Constitution of the Republic of South-Africa, 1996, the Mossel Bay Municipality enacts as follows:

1. DEFINITIONS/INTERPRETATIONS

- (1) In this By-Law words that indicate the male gender also include the female gender, singular words include the plural and vice versa, the English text is valid in the case of a contradiction and unless it appears otherwise in the context, means:

“act / law” any act, proclamation, ordinance, Act of Parliament or Provincial Legislator, or any other enactment that has legal power;

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

“advertisement” any visible representation of a word, logo, name, letter, figure, object mark, symbol, abbreviation, light or any combination thereof with the object of transferring information which is visible from any street or public place, but excludes a road traffic sign and frames or fixtures within which an advertisement is displayed;

“advertiser” the person or organisation, whose product or service is being advertised, or whose name or image is mentioned or promoted in the advertisement;

“advertising” means the act or process of notifying, warning, informing, making known or any other act or transferring information or attracting attention in a visible or audible manner:

“advertising impact assessment” (AIA) a report requested by the Municipality from the applicant wherein the impact of the advertising sign is discussed. The report should address aspects but is not limited to environmental impact, visual impact, illumination of the advertisement, and road safety impact of an advertising sign;

“advertising sign” any advertising structure built or erected to display an advertisement, together with an advertisement displayed on the structure and includes all advertising signs erected and displayed out-of-doors for the purpose of providing information but excludes any road traffic signs provided or erected in terms of any other legislation;

“advertisement for sale of goods or livestock” an advertisement announcing such a sale on land or premises not normally used for commercial purposes and may include an advertisement announcing auctions of household goods on residential properties, or livestock or game on farms. This class will also include the display of an advertisement announcing the proposed sale of property or land by means of a public auction to be advertised within the road reserve

“advertising structure” means any freestanding screen, fence, wall or other physical structure or object erected to display an advertisement or which is in itself an advertisement or used to display an advertisement;

“aerial sign” a sign displayed or executed in the air, including but not limited to balloons and airships that can be seen from the jurisdiction of the Municipality;

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

“affix” to firmly secure and includes to “painting onto” and to “affix” shall have a corresponding meaning;

“animation” a process whereby an advertisement’s visibility or message is enhanced by means of moving units or pictures, flashing lights or similar devices, or an advertisement containing a variable message;

“approved” means an advertisement sign which is acknowledged as approved without the specific approval from the Municipality;

“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 unrestricted access;

“area of advertisement” the total area of that which constitutes the advertisement;

“area of control” refers to the degree of advertising control to be applied in a specific area, i.e. maximum, partial or minimum control as determined by the Municipality from time to time;

“area of jurisdiction” the area under the control of the Municipality according to the legally determined and declared boundaries of the Municipality;

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

“authorised official” an employee of the Municipality or another person who is appointed or authorised to execute any action, function or task related to the matters contained in this Regulation, or to execute any authorisation in terms of this Regulation; and **“official”** has a corresponding meaning;

“backlight unit” or **“backlit”** advertising structures or devices which house illumination in a box to throw light through translucent printed on plastic or heavy-duty paper for higher visibility and extended night viewing;

“balcony” 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;

“banner” any material upon which an advertisement is displayed in such a manner as to be fully legible in windless conditions, attached to one or more ropes, poles or flagstaff projecting vertically, horizontally or at an angle, or attached to buildings or to specific structures, but excludes banners carried as part of a procession. A flag displayed on a non-approved flagstaff, is deemed as a banner for the purposes of this Regulation;

“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” any screen or board larger than 9m², supported by a free standing structure which is used or intended to be used for the purpose of posting, display or exhibiting of an advertisement.

“blind” 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 control officer” means any person who has been appointed by a Municipality in terms of the National Building regulations and Building Standards, Act 103 of 1977, and his delegated officials;

“bus shelter displays” posters positioned as an integral part of a covered structure at a bus stop or mini taxi rank or lay-bye;

“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 the building or anchored otherwise than by columns or posts.

“centre point of intersection” means the point of contact between the centre lines of two roads;

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

“city border line” a prior determined point-to-point border line as determined by the Municipality, with the purpose to limit urban development;

“class 2 roads” roads which provide the primary network for the urban areas as a whole and are characterised by high volumes, limited access and reasonable high speed;

“class 3 roads” roads which distribute traffic between the principal residential-industrial and business areas of the town and which form the link between the primary network (class 2 roads) and the roads within the residential areas;

“clear height” means the minimum vertical distance from the ground, road or surface level, as the case may be, to the bottom of the advertisement or to the advertisement sign;

“combination sign” means an advertisement comprising a number of smaller, individual advertisements, usually displaying different products or services, placed next to each other / on top of each other, on a single free standing advertising structure specially designed to accommodate more than one advertisement presented on suitable premises.

“commercial advertising” means any words, letters, objects, marks, logos, figures, symbols, pictures relating to the name of a business, a trade, a partnership or an individual or any information, recommendation or exhortation in respect of any particular goods manufactured or sold or any particular services rendered or offered, or any occasion for trade or entertainment, including sport meetings.

“commercial sponsored sign” a sign which advertises goods or services, but of which the erection serves a second purpose, namely to promote or contribute towards some recognised public or community goal or function.

“communal / common border façade” any facade of a building which is built to the border of the rear or side border of an erf and which facade is blind, namely that it has no architectural characteristics, including windows;

“consultant” a suitably qualified independent person or company that acts on the behalf of or as agent of an applicant to acquire approval for a sign in terms of this Regulation;

“continuous transgression” a transgression in terms of this Regulation that continues after the expiration of the notice period that was delivered in terms of this Regulation;

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

“council” means the Council of the Mossel Bay Municipality and its Committees, or political office bearer, acting by virtue of any powers vested in the Council in connection with this by-law;

“custom made” the design of any sign with special effects such as specialist character cut-outs or figures or three dimensional images or moving parts or a combination thereof, and which is uniquely designed for erection on a specific place or building;

“cut-outs” means letters, packages, figures or mechanical devices attached to the face of an outdoor advertising 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.

“degree of landscape sensitivity” means a refinement of basics landscape sensitivity, which may include, apart from a refined visual sensitivity, traffic safety conditions as a criterion for sensitivity rating. Degree of landscape sensitivity is expressed in terms of area of control, i.e. areas of minimum, partial and maximum control, which are superimposes onto the three.

“density of residential area” refers to both population density (number of people per hectare) and intensity of land use or visual density (number of units per hectare and the nature of the units, e.g. high-rise, low-rise or detached, as well as to the presence of non-residential functions;

“department” the Department in the Provincial Government: Western Cape responsible for road traffic regulation;

“development advertisement” means an advertisement which could describe the type of development being carried out on a construction site, including a pictorial representation, and containing the contact details of the developer or his agent;

“directional sign” 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 to reach their destination;

“display” the display of a sign and includes the erection of any poster board, sign or structure that is meant exclusively for the support of a sign or poster board, and includes the display of a sign of a business, commercial partnership or individual that has relation with the content of the sign or the sign itself and

“display” has a corresponding meaning;

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

“eco-blending” means adapting advertising structures to blend in with the (natural) environment;

“election” means National Government, Provincial Government or Municipal elections and by-elections inclusive of the registration process and referendums held from time to time;

“electronic advertising sign” means an advertising sign which has an electronically controlled, illuminated display surface, which allows all or a portion of the advertisement to be changed, animated or illuminated in different ways;

“engineer” means an engineer registered in terms of the Engineering Profession of South Africa, Act No. 114 of 1990;

“entertainment area” means an area of which the main purpose is to be used as a park, sports field, barbeque area or for other recreational purposes;

“environmental impact assessment (EIA)” a review which is undertaken in terms of the guidelines of the Municipality for outdoor advertising;

“erf” means an erf, building site, stand, lot, plot, agricultural holding or similar land entity registered in a deeds registry;

“essence” means the acknowledgement for the essence of the natural or humanly fabricated area wherein advertising can take place;

“existing sign” any sign which has been previously approved by the Municipality;

“Facade” means the principal front or fronts of a building;

“Fee/ charge” means the appropriate monetary charge, tariff or fee determined by the Municipality, or as enacted or promulgated;

“flag” means a material upon which an advertisement is displayed and which is attached to a single rope, pole or flagstaff projecting vertically, horizontally or at an angle from a building or property;

“flashing sign” means a sign in which a symbol, figure, message or illustration intermittently appears and/or disappears and/or illuminated with varying colour or intensity;

“flat sign” means any advertisement affixed to any external wall of a building used for commercial, office, industrial or entertainment purposes, but excluding a parapet wall, balustrade or railing or a veranda or balcony;

“fly poster” means any poster, which is pasted by means of an adhesive directly onto a surface;

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

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

“freestanding sign” any immobile sign or group of signs which is not attached to any building or any other structure or object not intended to be used for the primary purpose of advertising;

“freeway” means a road or section of a road designated as a freeway by the MEC by an appropriate road traffic sign in terms of section 11 (6) of the Act or deemed to be a freeway under section 11(7) thereof, but excludes a National Road as determined by the National Roads Act No 7 of 1998;

“front page poster” a temporary poster which advertises the contents of a newspaper or weekly newspaper;

“functional public advertisement” means an advertisement displayed only for announcement or direction of the functions of municipalities or parastatal bodies that cannot be displayed under any other class of advertisement;

“gantry” means a structure that spans over the entire width of road surface, erected onto a surface.

“gateway” the sole function of this sign type is to display the names of towns and cities at the entrances of such town and cities. It may also present the traveller with messages of courtesy or goodwill on entering the town or city or departing from it and may contain a short slogan describing the town or city or announcing a specific event of importance.

“gore” the area immediately beyond the divergence or before the merge of two roadways, bounded by the edges of those roadways;

“government institution”—

- (a) any government department or administration in the national, provincial or local sphere of governance;
- (b) any other functionary or institution—
 - (i) which exercises competency or executes a function in terms of legislation or a provincial legislation; or
 - (ii) in terms of any other legislation exercises a public competency or executes a public function;

“graphics” includes any component that contributes to the visual appearance or aesthetics of a sign, including the background thereof, but is not limited thereto;

“ground sign” means any sign detached from a building, other than an aerial sign, billboard or advertising structure;

“headline poster” means a temporary poster advertising the contents of a daily or weekly newspaper;

“height of an advertising sign / advertisement board” means the maximum vertical distance from the ground, road surface or surface level, as the case may be, to the top of the advertisement and / or the advertising sign or structure;

“heritage impact assessment” (EIB) a visual assessment of the impact that any proposed sign can have on the cultural heritage, whether building or acknowledged at the place where the proposed sign will be displayed;

“hidden display (shelter display)” means posters positioned as an integral part of a covered structure.

“human living environment” refers to all human settlements such as villages, towns or cities, which may consist of various components such as residential, employment and recreation areas and which require environmental management to provide services such as water, public spaces and waste removal and to protect the quality of the environment;

“illegal sign” means any sign or poster, painted, affixed, displayed, exhibited, posted or erected without approval by the Municipality but excludes any sign which was legally approved prior to the commencement of these by-laws by any other regulatory authority that had the authority to approve such sign;

“illuminated” means, in relation to an advertisement, the installation of electrical equipment or other power for the purpose of illuminating the copy message at night, either continuously or intermittently;

“Illuminated advertising sign” means an advertising sign which has been installed with electrical or other power for the purpose of external or internal illumination, either continuously or intermittently or the advertisement displayed on such a sign.

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

“information sign” means any sign or structure inter alia containing information relevant to the municipal area;

“internal illuminated sign” a sign or structure which is used to display a sign supplied with electrical or other power and has an artificial light source included fully or partially in the structure or sign and which light is intended to illuminate the sign or a portion thereof;

“landscape sensitivity” refers to the visual or aesthetic sensitivity of the landscape with regard to outdoor advertising and signs, is expressed in terms of basic landscape sensitivity and degree of landscape sensitivity and may also take traffic safety conditions into account;

“large billboard” means any billboard between, and including, 18m² and 36m² in area / total surface of advertisement;

“level of landscape sensitivity” means a refined basic landscaping sensitivity, which apart from refined visual sensitivity can include traffic safety conditions as a measure for sensitivity estimation. The level of the landscape sensitivity is expressed in terms of the area of control, which are areas of minimum, partial and maximum control that are superimposed on these three;

“light not intended for illumination: means a flashing, flickering or continuous light source, a 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;

“limited use area” an area 50 meters 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;

“local identity icon” means the identity icon the Municipality chooses to use for purposes of branding the district;

“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, sold or provided on that premises or site or inside that building;

“loose portable sign” a free standing location bound notice or advertisement structure placed or erected in a road reserve or public place;

“m” means a meter in distance;

“main road” in the opinion of the road traffic authority functions and carries most of the traffic in an urban area;

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

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

“maximum height” means the distance from ground, road or surface level to the utmost top point of the advertisement and / or the advertising sign;

“medium bill board” means an advertisement board smaller than 18m² in total surface of the advertisement;

“mm” means millimetre;

“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;

“movable temporary sign” means a sign not permanently fixed and not intended to remain fixed in one position, but does not include any moving part in a fixed permanent sign;

“Municipality” means Mossel Bay Municipality and includes a political structure, political office bearer, duly authorised agent thereof, or a service provider fulfilling a responsibility under this by-law assigned to it in terms of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000) or any other law, as the case may be, or an employee thereof acting in connection with this by-law by virtue of a power vested in the municipality and delegated, to such political structure, political office bearer, agent or employee.

“municipal land” means any portion of land including road, street, thoroughfare, bridge, subway, footpath, sidewalk, land, square, open space, garden, park or enclosed place, erf, site, etc, vested in or owned by the Municipality;

“Municipal Manager” means a person appointed as such by the Municipality in terms of Section 54 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

“National Road Traffic Act” means the National Road Traffic Act, Act 1996 (Act No. 93 of 1996);

“natural area” means an area of the rural or non-urban environment 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;

“natural landscape” means relatively unspoilt areas outside urban areas such as national parks, game reserves, marine reserves, wilderness areas, extensive agriculture, scenic corridors nature reserves and scenic landscapes;

“non-profit body” a body established to promote a social goal without the personal financial gain of any individual or profit making commercial organisation involved and which submits adequate proof to the satisfaction of the Municipality of its non-profit status;

“on-premises business advertisement / advertising sign means an advertisement aimed at identifying and locating business enterprises and industries, and excludes a residential or community advertisement;

“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;

“owner” means with reference to

- (a) **Property:** the person registered as the owner or holder thereof, including the curator of an insolvent estate, the liquidator of the company or closed corporation who is the owner and the executor of the late estate, or the representative acknowledged by law of any owner who is a minor or insane person or otherwise under disability if such trustee, liquidator, executor or legal representative acts within the authorisation granted thereto by law; and
- (b) **Advertisement sign or advertisement:** the person who owns the advertisement sign or advertisement and any person who has the right, or a share in the ownership of such advertisement sign or advertisement;

“owner of the advertisement” means the person who owns the sign or advertisement which is displayed on the advertising sign, or any person who has a right to or a share in the ownership of the advertisement;

“owner of the advertisement structure” means the person that 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;

“owner of the land” means the person who owns the land on which the advertising sign is, or will be erected, or any person who has a right to or share in the ownership of the land;

“perimeter of a crossing” the perimeter of the area included with the extension of the road reserve lines of two or more public roads that connect at any corner, whether such road crosses a public road or not;

“permanent sign” means signs erected for a period of more than 30 days;

“person” is a natural person and also includes—

- (a) Any government institution;
- (b) Any company which is registered as such and incorporated or registered in terms of any law; and
- (c) Any body of persons, whether incorporated or not, which functions as a single entity for whatsoever purpose;

“Person” means a both natural and juristic person.

“Perpendicular” means with a 90° angle to the existing building or road at the position of the advertisement.

“portion of information” refers to the basic unit that measures the length of the displayed message, including letters, numbers, symbols, abbreviations or graphics of any nature;

“poster” any temporary advertisement that can be attached to the electrical light poles of the Municipality or on fixed structures to advertise meetings or campaigns, including elections or referendums of limited duration, but not signs that advertise markets, exhibitions or meetings that take place on a regular basis;

“prohibited sign” means a sign, which does not conform to this by-law and can thus not be approved, unless such sign, due to advances in technology, will not detract from the principles contained in this by-law.

“primary right advertising” means any advertising displayed which is appropriate to business being conducted on or in the property on which the sign is to be erected or to which the sign is to be affixed;

“product replicas and three-dimensional advertisements” means a replica or a device used for advertising that may be free-standing or attached to a structure and includes an inflatable object that is not an aerial advertisement;

“project board” means an advertisement displaying information with regard to the relevant contractor(s) and/ or consultant(s), involved in the construction project and displayed on the construction site;

“projected sign” means any sign, projected by a laser projector, video projector or other apparatus;

“projecting sign” a sign attached to the wall of a building and at one or other point projected more than 250mm before the surface of such wall;

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

“Property practitioner’s board” means an advertising board that is temporarily displayed to advertise;

“public place” any road, street, thoroughfare, bridge, subway, foot pavement, footpath, sidewalk, lane, square, open space, garden, park or enclosed space vested in the Municipality, or indicated as such on the records of the Surveyor-General, or used by the public zoned as such in terms of applicable zoning scheme;

“public road” means a road, street or thoroughfare or any other place (whether a thoroughfare or not) usually used by the public or any section thereof or to which the public or a section thereof has the right of access and

- (a) Verge of any such road, street or thoroughfare
- (b) Any bridge, ferry or drift traversed by such road, street or thoroughfare
- (c) Any other work or object forming part or connected with or belonging to such road, street or thoroughfare

“public façade” any facade of a building that has architectural articulations and that are visible to the public;

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

“residential purposes” means the use of a building as a dwelling house, two or more dwelling units, a hostel, a boarding house and a residential club;

“roadside service area” means an area with direct access from a municipal, provincial or national road in which facilities and services such as petrol and diesel sales, restaurants, fast food outlets, toilets, playgrounds and picnic spots may be provided for motorists;

“road island” means an area demarcated on a roadway by means of painted lines, stones, kerbs or by other means with the intention of preventing vehicles from standing or being operated in that area;

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

“road” means a public road which includes the shoulder, the land of which the road consists or over which the road extends, and anything on that land forming part of, connected with, or belonging to the road;

“road reserve” the area as described in the National Road Traffic Act 1996 (Act 93 of 1996) and includes the air space above such driving levels, shoulders and pavements and all the other areas in such road reserve;

“road reserve border” means the proclaimed border which forms the outside kerb of the road reserve;

“road traffic sign” means any road traffic sign as defined in the Road Traffic Act, 1989 (Act no. 29 van 1989);

“roadway” that portion of a road, street or thoroughfare improved, constructed or intended for vehicular traffic as defined in the National Road Traffic Act, 1996 (Act 93 of 1996);

“roof sign” a sign on the main roof of a building lower than fifteen floors and which building is used or partly used for commercial, office industrial or entertainment purposes;

“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 lights moving steadily along such strip.

“rural area / landscape” refers to transfer areas between developed urban areas and relatively pure natural areas and includes intensive agriculture, subsistence agriculture, rural small holdings, unproclaimed town areas and areas outside the urban edge, as determined by the Spatial Development Framework;

“scenic drive” a road which is appointed in an approved zoning scheme or from where landscapes or characteristics of aesthetic or cultural meanings can be seen or viewed, as pointed out by the Municipality;

“scroller sign” means a sign which panels can scroll intermittently to display a new advertisement;

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

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

“shop” a building which is used for small trade or commercial services;

“shoulder” is the outer portion of the roadway which, whether surfaced or not, does not normally constitute part of the travelled way;

“sidewalk” means that portion of a verge intended for the exclusive use of pedestrians;

“sign” any object, product, replica, advertisement structure, wall painting, appliance or board that is used to display a sign in public or what is a sign itself, and includes a poster, poster board, includes a sign that is included in the architectural design of a building or structure;

“signalled traffic crossing” a crossing controlled by traffic signals;

“sign alley” is a section of road where advertising structures have been permitted at less than prescribed distances but in such a manner that no advertising structure shall obstruct another in any way;

“skyscraper” means a building which exceeds 10 storeys;

“sky sign” means an advertising sign between 75m² to 300m² on top of a skyscraper in a metropolitan area, free standing, individual, cut-out, silhouetted letters, symbols or emblems which may form an important landmark.

“span tower” means any sign albeit immovable or displayed on an integral part of a span tower or mast or other similar structure except on a building;

“specific consent” means the written approval of the Municipality after reviewing of the by-law for outdoor advertising.

“spectacular” or “super - sign” means a custom-made billboard larger than 40m² which can incorporate illumination and special effects such as cut-outs and three-dimensional representations;

“sponsored sign” a sign of which the primary purpose is not the advertising of goods or services but which displays a graphic or content that promotes community or public awareness of an acknowledged public or community goal;

“static billboard” means a billboard displaying a fixed advertisement face, where the face is not changeable within seconds or minutes, but where a change of face has to be re-erected and affixed to the structure;

“storey” means the space within a building, which is situated between one floor level and the next floor level next above, or if there are no clearly defined storeys, the height of a storey shall be taken as 4,5m;

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

“street furniture” means public facilities and structures which are not intended primarily for advertising and includes seating benches, planters, sidewalk litter bins, pole-mounted bins, bus shelters, sidewalk clocks and drinking fountains, but excludes road signs traffic lights, street lights or any other road-related structures;

“street furniture advertisement” means an advertisement on public facilities and structures which are not intended primarily for advertising and includes seating benches, planters, sidewalk litter bins, pole-mounted bins, bus shelters, sidewalk clocks and drinking fountains, but excludes road traffic signs, traffic lights, street lights or any other road related structures, metering kiosk and mini substations;

“street name sign” means a pole-mounted, double-sided, internally illuminated advertisement displayed in combination with an illuminated street name sign; non-illuminated signs combined with directional signs bearing advertising and street names, non-illuminated street names with advertising; non-illuminated stacked advertising signs with street names; combo utility units with street names or small street names with advertising;

“suburban advertisement” means a pole-mounted advertisement 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 billboard with a total area from 37 m² up to 81 m²;

“sustainable development” means development that delivers basic environmental, economic and social services to all without threatening the viability of natural built and social systems upon which such services depend;

“temporary advertisement / advertisement sign” means an advertisement / advertising sign displayed for a maximum period of 30 days or less as determined by the Municipality;

“temporary window sign” means a sign which is temporarily painted or attached to the window-glass of a building used for commercial, entertainment, office or industrial purposes or any temporary sign which is displayed within two metres of any window or other external opening through which it can be seen from the outside;

“third party advertisement” means any advertisement / advertising sign displayed by an advertiser not being in physical occupation of the property on which the advertisement / advertising sign is to be erected or to which the sign is to be affixed;

“three-dimensional sign” means a sign that contains more than 2 dimensions including product replicas;

“total height”, with reference to a sign, means the vertical distance between the top ridge of the sign and the finished level of the ground, walking path or driveway immediately below the centre point of the sign;

“tourism sign” means a road traffic sign being mostly trapezoidal shaped, white on brown colour, the main objective being to inform and guide tourists in the final stages of their journeys;

“tourism attraction” means any natural or cultural element, object, site or area that may be of interest to tourism and visitors;

“tower advertising sign” means a structure used for non-locality bound advertising in a parking area of a shopping centre and at an important transport node such as an airport, railway station or bus or taxi station with a total advertisement area which will not exceed 18m²;

“tower, bridge and pylon advertisement” means a billboard advertisement affixed to or painted on a tower, bridge or pylon that is not erected or used primarily for advertising purposes;

“township” means an area divided into even or plots, whether with or without public open spaces, and into streets bounded by the erf, plot or open spaces, and established or recognised as a township under any law;

“traffic signal” a road traffic signal as determined in the National Road Traffic Act, 1996 (Act 93 of 1996);

“traffic impact assessment (TIA)” a study undertaken by a registered professional engineer with conclusive experience in the area of traffic engineering and which indicates the impact of a proposed sign on vehicle, pedestrian, cycle safety and traffic trade, which study recommends any mitigating measures that might be required as a result of that impact;

“traffic sign” a road traffic sign as determined in the National Road Traffic Act 1998 (Act 29 of 1998);

“trailer advertising” means a sign affixed or mounted on a trailer, bicycle or vehicle, which is stationary with the sole purpose of advertising.

“transito advertising” means advertising by means of a movable sign that can be transported by road or together with a motorised vehicle, including trailers that are used mainly for 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.

“under awning sign” means a sign suspended below the roof of a veranda or balcony;

“urban area / landscape” means proclaimed township area, but excludes land in that area which is commonage land, or which is used or destined to be used mainly for farming or horticulture or the keeping of animals, or which consists of another open space which has not been developed or reserved for public purposes and included all areas in the Spatial Development Framework earmarked for future development;

“urban area of maximum control” means an area deemed sensitive to visual disturbance and include, but is not limited to natural open spaces in urban areas, urban conservation areas, interface of natural landscape with built-up areas, urban conservation areas, interface of natural landscape with built-up areas, gateways, residential areas, bodies of water and rivers, ridges, forests, open recreational area, architectural and historical sites, characteristic vistas, heritage sites, special tourist areas and skylines;

“urban area of minimum control” includes, but is not limited to areas seen as centres, areas and nodes of concentrated economic activity where the dominant concern and motivation is to conduct business and to sell products and services, such as areas of concentrated economic activity, commercial districts, shopping centres, office precincts, commercial enclaves and shopping centres in industrial areas and industrial parks, entertainment districts, and prominent transport nodes;

“urban area of partial control” means areas that can be characterised by a greater degree of integration and complexity of land use, includes but is not limited to a 50m strip between an area of minimum control and an area of maximum control, which will be measured from the edge of the area of maximum control into the area of minimum control, commercial enclaves in residential areas, suburban shopping centres and office parks, ribbon development, educational institutions, institutional premises, sports fields or stadiums, commercialised squares, government enclaves, smallholdings of an urban nature;

“vehicle terminuses” means any area which is appointed by the Municipality as such, where the formal exchange of public transport takes place by the public, including but not limited to the appointed railway stations, official taxi and bus terminuses;

“vehicular advertising” means advertising on self-driven vehicles which are usually moving on land or water, including taxi’s buses, trains and delivery vehicles, but exclude aircraft;

“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;

“visual zone” refers to the road reserve of a public road and any area that is visible from any spot on such a road reserve, but does not include an area situated at a distance of more than 250m from the road reserve boundary of a road in an urban area;

“width” with reference to a protruding sign, means the width of such sign measured parallel with the level of the main wall on which such sign is affixed;

“window signs” means signs, which are permanently painted on or attached to the window-glass of a building;

“zone” a land use zone as detailed in the applicable zoning scheme or scheme regulations as amended from time to time and applicable on any erf on which a sign is advertised or most probably will be displayed and **“zoning”** has corresponding meaning

2. ADMINISTRATION AND ENFORCEMENT

- (1) The Director: Planning and Economic Development is responsible for the administration and enforcement of this Regulation.
- (2) The Director can delegate an authority or duty in writing to a competent official in his/her Directorate that was granted to him in terms of this Regulation.
- (3) A Municipal Manager can delegate in writing any authority granted to him/her in terms of this Regulation.

3. PURPOSE OF THE BY-LAW

The purpose of this By-Law:

- (1) To provide for the management and regulation of all forms outdoor advertisement that falls under the jurisdiction of the Municipality.
- (2) To provide for minimum standards and requirements that can be applied to all outdoor advertisement applications submitted to the Municipality.
- (3) To establish a legal framework for outdoor advertising which is cognisant of the uniqueness of Mossel Bay and its nature, buildings and cultural environment as well as constitutional rights.
- (4) To align a legal framework with existing and nationally accepted norms and guidelines, governing outdoor advertising in South Africa.
- (5) To protect the constitutional rights of all interested parties and to promote / stimulate the economic development in such a manner wherein the outdoor advertising can be evaluated, managed and controlled.
- (6) The By-Laws attempt to find a balance between opportunities for outdoor advertisement and economic development on the one side, and the conservation of visual, tourist, environmental and heritage characteristics as well as traffic and public safety on the other side.
- (7) To ensure that advertising does not visually degrade streetscape character or cause visual clutter and information overload.
- (8) To ensure that traffic safety is not compromised by advertisements.
- (9) To ensure public and occupational health and safety.

- (10) A further purpose of the By-Law is to ensure that outdoor advertising respects the integrity of any site where it is displayed, and complement the character of the property where it is displayed. Signs must be seen as architectural elements of the building and must compliment the architectural design of the premises.
- (11) To positively ensure the cultural sensitivity of the people of Mossel Bay.

CHAPTER 1

4. Administrative and Control Measures

- (1) The Municipality is responsible for the management and control of Outdoor Advertising which shall include the assessment and approval of applications submitted in terms of this By-Law, as well as the management and enforcement of the provisions of the By-Law.
- (2) The provisions of the By-Law shall be administered effectively and consistently by the Municipality, which duties shall include scheduled inspections of signage as well as the fining / prosecution of any person who contravenes this By-Law.

5. Submission of applications

- (1) Except for the signs referred to in section 20(3) to 20(17) below, no person shall display or erect any advertising sign, or use any sign or structure or device as a sign without the prior written approval of the Municipality in terms of this By-Law or any other applicable legislation.
- (2) No sign displayed with the approval of Municipality shall in any way be altered, moved, re-erect, nor shall any alteration be made to the electrical wiring of such sign, without prior approval from the Municipality.
- (3) If only the content of an already approved sign is changed, no approval is required with the condition that the business or institution which initially obtained approval is the same business or institution which changes only the content. The content may not be offensive or indecent or in conflict with the guidelines and standards as contained in this By-Law.
- (4) Any person intending to display a new sign or alter or add to an existing approved sign must apply in writing. The Municipality shall make the following documents available to the applicant with regards to the applications:
 - (a) Application forms for advertising signs.
 - (b) Information related to: Rates and tariffs (Fees charged)

- (5) Application for the following type of signs must be submitted with a drawing: That present sufficient details to enable the Municipality to consider the appearance of the sign and all the relevant construction details, including a description of the material of which the sign is to be constructed, the colours which will be used, whether the sign will be illuminated or not; in last mentioned case the plan must indicate if the sign is electronic or not, and if so, full details must be supplied; or The Municipality may require that the drawing referred to above complies with the requirements of the National Building Regulations and standards.
- (a) Schedule 1-3: Billboards.
 - (b) Schedule 4: Product Replicas and three-dimensional Signs.
 - (c) Schedule 6: Commercial signs at Educational Facilities.
 - (d) Schedule 7: Specialised signs for parking areas.
 - (e) Schedule 8: Advertisements on Street Furniture.
 - (f) Schedule 9: Banners and Flags.
 - (g) Schedule 10: Construction Site Signs.
 - (h) Schedule 11: Project Boards and Development Boards.
 - (i) Schedule 18: Street name Advertisements.
 - (j) Schedule 20: Sky Signs.
 - (k) Schedule 21: Roof Signs.
 - (l) Schedule 22: Wall signs.
 - (m) Schedule 24: Advertisements on towers, bridges and Pylons.
 - (n) Schedule 25: On Premises Business Signs.
 - (o) Schedule 26: Projecting Signs.
 - (p) Schedule 27: Veranda, Balcony and canopy and under awning signs.
 - (q) Schedule 29: Advertisements on Forecourts of Business Premises.
 - (r) Schedule 31: Signs incorporated in the fabric of the building.
 - (s) Schedule 32: Service facility signs.
 - (t) Schedule 33: Sponsored Road Traffic Project Signs.

- (u) Schedule 34: Tourism direction signs.
 - (v) Schedule 35: Tourism information signs.
 - (w) Schedule 36: Gateway Signs.
 - (x) Schedule 37: Trailer Advertisements.
- (6) Application for the following type of signs must be submitted with a site plan:
- (a) Schedule 1-3: Billboards.
 - (b) Schedule 4: Product Replicas and three-dimensional Signs.
 - (c) Schedule 5: Street Pole Advertisements and Signage Poles.
 - (d) Schedule 6: Commercial signs at Educational Facilities.
 - (e) Schedule 7: Specialised signs for parking areas.
 - (f) Schedule 8: Advertisements on Street Furniture.
 - (g) Schedule 9: Banners and Flags.
 - (h) Schedule 10: Construction Site Signs.
 - (i) Schedule 11: Project Boards and Development Boards.
 - (j) Schedule 12: Signs for sport and other meetings, festivals, exhibitions and holiday seasons (Site plan when required).
 - (k) Schedule 18: Street name Advertisements.
 - (l) Schedule 19: Neighbourhood watch, security and farm watch signs.
 - (m) Schedule 20: Sky Signs.
 - (n) Schedule 22: Wall signs.
 - (o) Schedule 24: Advertisements on towers, bridges and Pylons.
 - (p) Schedule 25: On Premises Business Signs.
 - (q) Schedule 26: Projecting Signs.
 - (r) Schedule 27: Veranda, Balcony and canopy and under awning signs.
 - (s) Schedule 29: Advertisements on Forecourts of Business Premises.

- (t) Schedule 30: Miscellaneous signs for residential oriented land use and community services.
 - (u) Schedule 32: Service facility signs.
 - (v) Schedule 33: Sponsored Road Traffic Project Signs.
 - (w) Schedule 34: Tourism direction signs.
 - (x) Schedule 35: Tourism information signs.
 - (y) Schedule 36: Gateway Signs
 - (z) Schedule 37: Trailer Advertisements.
- (7) Application for the following type of signs must be submitted with the relevant SANS 10400 documentation, and the structural design of an advertising structure shall be certified by a profession structural engineer.
- (a) Schedule 1-3: Billboards.
 - (b) Schedule 4: Product Replicas and three-dimensional Signs: > 1.5m².
 - (c) Schedule 6: Commercial signs at Educational Facilities.
 - (d) Schedule 7: Specialised signs for parking areas: > 1.5m².
 - (e) Schedule 10: Construction Site Signs: > 1.5m².
 - (f) Schedule 11: Project Boards and Development Boards: > 1.5m².
 - (g) Schedule 20: Sky Signs.
 - (h) Schedule 21: Roof Signs.
 - (i) Schedule 22: Wall Signs > 4m².
 - (j) Schedule 24: Advertisements on towers, bridges and Pylons.
 - (k) Schedule 25: On Premises Business Signs: > 1.5m².
 - (l) Schedule 26: Projecting Signs.
 - (m) Schedule 27: Veranda, Balcony and canopy and under awning signs > 1.5m m².
All suspended / hanging signs in above shall be certified by a professional structural engineer

- (n) Schedule 32: Service facility signs: Free standing structures > 1.5m².
 - (o) Schedule 35: Tourism Information's Signs > 1.5m².
 - (p) Schedule 36: Gateway Signs: Free standing structures > 1.5m².
- (8) Application for all signs excluding Property Practitioner "Show house" signs and Auction Signs must be submitted with artist, photographic or photo or computer-generated impression with details of the proposed sign or and content.
- (9) Application must be accompanied with the following information in duplicate:
- (a) Site plan, drawn to a suitable scale selected from one of the following scales: 1:1 000, 1: 500, 1:250, 1:200 or 1: 100—
 - (i) Erf nr, site on which the sign will be erected or displayed;
 - (ii) The position of the sign and the building, if any to which it will be affixed;
 - (iii) Every building and existing signs on the premises;
 - (iv) Present and proposed site lay-out, traffic signals and road signs; and
 - (v) The position/ location with dimensions measurements of the sign in relation with the boundaries of the site and the location of the streets abutting to the site, together with existing approved zoning conditions;
 - (b) A drawing that present sufficient details to enable the Municipality to consider the appearance of the sign and all the relevant construction details, including a description of the material of which the sign is to be constructed, the colours which will be used, whether the sign will be illuminated or not; in last mentioned case, the plan must indicate if the sign is electronic or not, and if so, full details must be supplied;
 - (c) The Municipality may require that the drawing referred to above complies with the requirements of the National Building Regulations and Standards.
- (10) The drawing must include detailed drawings of such sign to a scale of not less than 1:20 and a site plan which indicates the position of the sign on the site, drawn to a suitable scale selected from one of the following scales: 1:1 000, 1: 500, 1:250, 1:200 or 1: 100

- (11) If a sign is to be attached, or to be displayed against a wall or facade of a building, the Municipality may require than an additional drawing, drawn on a scale of not less than 1:100 to be submitted, which indicates the following—
 - (a) An elevation of the building in colour;
 - (b) The details and position of the proposed sign; and
 - (c) The details and position of every existing sign on the building; alternatively, the Municipality may require a colour copy or an artist, photographic or computer generated impression with details of the proposed sign, buildings, superimposed on such graphics and drawn as close as practically possible on the same scale as that of the graphics.
- (12) If the applicant is not the registered owner of the property on which the sign is erected or to be erected, the applicant must obtain consent from the registered owner of the land or building on which the sign is erected or to be erected, indicating the persons knowledge of the application.
- (13) The Municipality can require that any or all of the following studies or assessments be submitted:
 - (a) An Environmental Impact Study (or the 1st stage thereof; being the completion of an Environmental Overview List, or in its entirety);
 - (b) A Heritage Study; and
 - (c) A Traffic Impact Study;
 - (d) AIA (Advertisement Impact Assessment).
- (14) If a community or portion thereof, or a person will be affected by the proposed sign, it may require a public participation process prior to the consideration of approval.
- (15) The Municipality may require an advertising master plan in respect of any development where the erection of various signs is proposed or where the rationalisation of previously approved signs as to allow it to consider a consistent design master plan prior to the assessment of any individual sign considered.
- (16) The Municipality must notify the applicant of any additional requirements within 30 working from the date that the original application was submitted and the application fees were paid or permitted approval for the application.
- (17) The Municipality may in consideration of the information provided for the purposes of evaluating an application submitted in terms of this By-law either approves or refuse said application

- (18) If the Municipality considers and approves an application, it may lay down additional conditions which it may deem fit.
- (19) The Municipality may decide to control the erection of signs by means of a public tender and / or policy.

6. Charges and general factors with consideration for approval, amendments, and conditions of approval

- (1) Everyone who applies to the Municipality for approval in terms of this By-Law must on making application pay to the Municipality and prescribed an approved fee as determined by the Municipality and no sign may be erected before the application fees are paid in full.
- (2) In considering an application for the display of an advertisement or the erection of a sign or an amendment of an approval or condition that was attaching or to be attached to and approval, the Municipality may take the following factors into consideration-
 - (a) the area of control in which the proposed sign will be erected or displayed as detailed in Section 34, with the understanding that if such a sign falls under the control of more than one area, or if a proposed sign site, is situated in more than one area of control can have an impact on an adjacent area of control, the Municipality will have the right to determine the area of control pertaining that application;
 - (b) locality or landscape and the advertisement opportunities pertaining to that area of control;
 - (c) Number of signs that are already displayed on the erf and displayed or to be displayed in the surrounding area of the concerned erf;
 - (d) The findings of any Traffic Impact Study, Environmental Impact or Heritage Impact Study, AIV, and public participation process where applicable;
 - (e) Locality bound signs must relate with the lawful use of a property provided that no such sign may be affixed or placed on residential premises or portions thereof except as permitted by or for home industries and legal temporary uses; and that no sign or advertisement is designed or displayed in such a manner that—
 - (i) It constitute a danger for any person or property;

- (ii) It displays any material or graphics that does not comply with the requirements of the Advertisement Standards Authorities of South Africa;
 - (iii) It will be detrimental for the environment or enmity of the neighbourhood due to size, intensity, frequency, illumination, quality of the design, material, proposed graphics or location;
 - (iv) It will obscure any other signs that are approved in terms of this By-Law or its predecessor, and
 - (v) It will be detrimental or otherwise have a negative impact on the area, whether artificial or natural.
- (3) Subject to the conditions any new signs or advertisement structures approved in terms of this By-Law or any following By-Law may be displayed for as long as it complies with the requirements of this By-Law or any other applicable legislation.

7. Factors with reference to specific signs, areas of control and commercially sponsored signs

The Municipality may in addition to the factors set out, apply certain minimum standards on certain specific sign types and proposed locations when an application for approval is made in respect thereof and will apply certain criteria to applications for the erection of signs by non-profit bodies.

8. Classification of Signs

(1) Class 1: Bill Boards

- (a) Large Bill Boards.
- (b) Medium Bill Boards.
- (c) Small Bill Boards.

(2) Class 2: General Signs

- (a) Product replicas and three-dimensional signs.
- (b) Street Pole Advertisements and Signage Poles.
- (c) Commercial signs at educational facilities.
- (d) Specialised signs for parking areas.

- (e) Advertisements on Street Furniture.
 - (f) Banners and flags.
 - (g) Temporary Signs—
 - (i) Construction Site Signs;
 - (ii) Project Boards and development boards;
 - (iii) Signs for Sport Events, Festivals, Exhibitions and Holiday season;
 - (iv) Property Practitioner signs and show signs;
 - (v) Auction Signs;
 - (vi) Posters and notices;
 - (vii) Flyers and pamphlets;
 - (viii) Temporary window signs;
 - (h) Street name Advertisements.
 - (i) Neighbourhood Watch, Security and Farm Watch signs.
- (3) Class 3: Signs on buildings, structures and premises**
- (a) Sky Signs.
 - (b) Roof Signs.
 - (c) Wall signs.
 - (d) Signs painted on walls and roofs of buildings.
 - (e) Advertisement signs on towers, bridges and pylons.
 - (f) On- Premises Business Signs.
 - (g) Projecting Signs.
 - (h) Veranda, balcony, canopy and under awning signs.
 - (i) Permanent Window signs.
 - (j) Advertisements on forecourts of business premises.

(k) Miscellaneous signs for urban residential oriented land use and community services.

(l) Signs incorporated in the fabric of the building.

(4) Class 4: Signs for Tourism and Travellers

(a) Service Facility signs.

(b) Sponsored Road Traffic project signs.

(c) Tourism direction Signs.

(d) Tourism information signs.

(e) Gateway Signs

(5) Class 5: Mobile Signs

(a) Trailer Advertisement Signs.

(b) Aerial Signs.

(6) Schedules:

(a) Schedule 1: Large Billboards.

(b) Schedule 2: Medium Billboards.

(c) Schedule 3: Small Billboards.

(d) Schedule 4: Product Replicas and three-dimensional Signs.

(e) Schedule 5: Street poles advertisements. and Signage Poles.

(f) Schedule 6: Commercial signs at Educational Facilities.

(g) Schedule 7: Specialised signs for parking areas.

(h) Schedule 8: Advertisements on Street Furniture.

(i) Schedule 9: Banners and Flags.

(j) Schedule 10: Construction Site Signs.

(k) Schedule 11: Project Boards and Development Boards.

- (l) Schedule 12: Signs for Sport Events, Festivals, Exhibitions and Holiday Season.
- (m) Schedule 13: Property Practitioner signs and Show signs.
- (n) Schedule 14: Auction signs.
- (o) Schedule 15: Posters and notices.
- (p) Schedule 16: Flyers and Pamphlets.
- (q) Schedule 17: Temporary Window signs.
- (r) Schedule 18: Street name Advertisements.
- (s) Schedule 19: Neighbourhood-, Security- and Farm Watch signs.
- (t) Schedule 20: Sky Signs.
- (u) Schedule 21: Roof Signs.
- (v) Schedule 22: Wall signs.
- (w) Schedule 23: Signs painted on walls and roofs of buildings.
- (x) Schedule 24: Advertisements on towers, bridges and Pylons.
- (y) Schedule 25: On Premises Business Signs
- (z) Schedule 26: Projecting Signs.
- (aa) Schedule 27: Veranda, Balcony and canopy and under awning signs.
- (bb) Schedule 28: Permanent Window Signs.
- (cc) Schedule 29: Advertisements on Forecourts of Business Premises.
- (dd) Schedule 30: Miscellaneous signs for residential oriented land use and community services.
- (ee) Schedule 31: Signs incorporated in the fabric of the building.
- (ff) Schedule 32: Service facility signs.
- (gg) Schedule 33: Sponsored Road Traffic Project Signs.
- (hh) Schedule 34: Tourism direction signs.
- (ii) Schedule 35: Tourism information signs.

- (jj) Schedule 36: Gateway Signs
- (kk) Schedule 37: Trailer Advertisements
- (ll) Schedule 38: Aerial Signs.

CHAPTER 2

GENERAL CONDITIONS

9. General requirements

- (1) No sign or advertisement structure may:
 - (a) Constitute a danger to any person or property;
 - (b) Be erected without the approval, where such approval is required by any Act or Regulation or any other law;
 - (c) Display material or graphics that do not comply with the requirements of the Advertising Standards Authority of South Africa.
 - (d) Be detrimental or be prejudiced to the property, the character or surrounding area. Design of sign must compliment architectural styles and lines of heritage sites as well as other premises.
 - (e) Be detrimental to the area or ambience of the neighbourhood due to size, shape, colour, texture, intensity, and frequency, and illumination, quality of design, material, proposed graphics or location or for any other reason.
 - (f) Obscure any other sign that is approved in terms of this By-Law or its predecessor; and
 - (g) Emits a sound, smoke or odour.
- (2) If an approved advertisement structure does not display an advertisement or message for a period of more than 6 months or as previously agreed otherwise by the Municipality, the Municipality may serve a notice on the owner to remove the structure at his own cost, or to display an advertisement message within a specific period.
- (3) Unwanted practices such as paste of advertisements on surfaces in such a manner that makes the removal of such a sign physically impossible, are prohibited.
- (4) The Municipality may decrease or increase the minimum spacing between advertisements or place further restriction, on the position, size and content of an advertisement as it may deem necessary, in the interest of road safety or impact on the area.

10. Design, Constructions and Position

- (1) Any sign and or structure:
 - (a) Must be neatly and properly erected and constructed of the requisite strength and must be secure in accordance to the National Building Regulations and Building Standards Act 103 of 197, and if required designed by an Engineer.
 - (b) May 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) May not have a negative impact on the area, town or character of surrounding area.
 - (d) Shall have a neat appearance and comply with advertisement standards. Untidy hand-written signs are not permitted.
 - (e) 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:
 - (f) Signs should be regarded as architectural elements of the building. Designs of sign must compliment building respective lines and architectural styles.
 - (g) Shall when attached to conservation-worthy buildings be attached with the necessary expert advice in such a manner to prevent damage to such buildings.
 - (h) In the opinion of the Municipality, must not deface building facades with electrical service provisions and other accessories.
 - (i) According to the Municipality, must have a neat appearance and shall consist out of a durable material in agreement with the function, nature and permanency of the advertisement, sign or structure, and material such as cloth, cardboard, paper or synthetic cardboard should be used only when essential to the nature and function of particular sign.
 - (j) Shall be in the opinion of the Municipality, be rigidly and securely attached, supported or anchored in a safe manner, to prevent unwanted movement in any direction.
 - (k) May not cause any damages to a tree, any electrical installation, lamp poles, equipment or any property during the display or during the removal of any sign or structure.

- (2) If an advertising sign contains glass, it should adhere to the following:
 - (a) all glass used in advertising signs (other than glass tubing in neon and similar advertising signs) shall be safety glass at least 3mm thick.
 - (b) Glass panels used in advertising signs may not exceed 0.9m² in surface, panel securely fixed into the body of the advertisement sign, structure or device independently of all other panels.
- (3) Any advertiser or contractor:
 - (a) May not use of water-soluble adhesive, tape or similar material to display or secure a sign or advertisement, elsewhere than an advertisement provided for this purpose.
 - (b) Shall have all exposed metal work of any sign painted or otherwise treated to prevent corrosion and all timber treated to prevent decay / rot and shall have measure taken to prevent infiltration and or accumulation of water or moisture on or in an advertisement sign or any part of its supporting framework, hooks or other parts;
- (4) Before any advertisement structure is erected, it must be considered by the Municipality whether the advertisement is suitably positioned and oriented.
- (5) No advertisement may:
 - (a) Be erected within or on a road reserve, road island or road median, unless permissible and comply with a specific schedule of this By-Law and approved by the Municipality.
 - (b) Obstruct any window or opening provided for ventilation of a building, or obstruct any stairway or doorway or other means of exit of the building, or prevent to the movement of person from one part to another part, or a fire escape, or exit to fire escape.
 - (c) Be closer than the minimum safe distance that is prescribed with reference to overhead power lines as prescribed in the regulations of the Act on Occupational Health and Safety, Act 85 of 1993. (Permission must be obtained from the concerned authority before any advertisement structure may be erected in power line servitude).
 - (d) May not obscure any other signs that are approved in terms of this By-Law or its predecessor.
 - (e) Painted on a fence or boundary wall in an area of maximum or partial control.

- (6) If the Municipality so requires:
- (a) Structural design of an advertisement structure shall be certified by a professional structural Engineer with relevant experience.
- (7) No sign shall be detrimental to the environment by reason of shape, size, colour, intensity, illumination, quality of design or materials.

11. Content, amenity and decency

- (1) Advertisements positioned along roads and with specifically targeting the road user, shall be concise and legible and shall comply with the following requirements:

- (a) **Bit values per element of an advertisement, will be calculated as follows**

Words up to and with eight letters, including	1,0 bit
Words more than eight letters	2,0 bit
Words such as a, the, than, and an	0,25 bits
▪ Numbers up to and with four digits	0.5 bit
▪ Numbers from five to ten digits	1,5 bits
▪ Logos, symbols and graphics < 9 m ²	0,5 bit
▪ Logos, symbols and graphics between 9 m ² and 18 m ²	1,0 bit
▪ Logos, symbols and graphics between 18 m ² and 27 m ²	1,5bit
▪ Logos, symbols and graphics > 27 m ²	2,0bit

- (b) Class 1 (Billboards) as well as any other sign where the same criteria as for advertisement boards e.g. tower, bridge and pylon signs, must comply to the following requirements related to bits and size.

Speed km/h	Bits permitted	Minimum size and height of letters
0-60	15	150 mm
61-80	12	250 mm
>80	10	350 mm

- (2) For all other types of advertisement signs, the text and size must be a minimum of 50mm in height and should be considered by the Municipality for readability before it can be approved. It excludes “legal notices” that are displayed on certain signs, such as financial institutions etc. These notices will not form part of the bit restriction.
- (3) No advertisement may:
 - (a) Contain an element that will distract the attention of drivers in a manner, likely to lead to unsafe driving conditions.
 - (b) In the opinion of the Municipality has content that is offensive, indecent or suggestive, or prejudicial to public morals, or be in conflict with the guidelines and standards as laid down from time to time by the Advertisement Standards Authority (ASA) or any similar body representative to the trade and is acknowledged.
 - (c) Where there is a dispute pertaining to the content of an advert, the matter to be referred to Council for final decision.

12. Electrical requirements

- (1) Advertising signs that requires electrical connection must preferably be supplied from the existing electrical supply on the erf where it will be erected. If it is not possible, application for a metered electricity supply must be done at the relevant authority.
- (2) Each sign related to electricity consumption, must be provided with suitable capacitors to prevent interference with radio and television reception.
- (3) Every illuminated sign or sign in which electricity is used shall have power cables and conduit containing electrical conductors, positioned and fixed in such a manner they are safe, inaccessible and child tamper and animal proof.
- (4) Each internal high voltage installation that runs unattended (like a window display) and each exterior high voltage installation shall have an acceptable type of fire man’s switch in accordance with the requirements as stipulated in section 6.7.2 and 7.5 of SANS 0142 1993, declared in terms of the Act on Occupational Health and Safety.
- (5) All signs and their support structures shall be constructed of material which is not combustible.
- (6) Every illuminated signs shall be provided with an external switch in an accessible position and if needed as indicated by the Director: Technical Services, and at a height of at least three meters from the ground whereby which the electricity supplies can be switched off.

- (7) Every illuminated sign or signs in which electricity is used shall be wired and constructed in accordance with and subject to the provisions of the Municipality's By-Law or policy.
- (8) No advertisement sign (including sun panels) shall be connected to any supply of electricity supply without prior written permission from the concerned authority for electricity supply. It will be in accordance with the determinations of the "Standard Regulations for wiring of Premises". Such proof of permission must be submitted, if so requested.
- (9) The Municipality must be provided with a certificate of compliance of electricity after sign was erected.

13. Illumination Requirements

- (1) The Municipality may permit an illuminated sign, provided that the provisions of this By-Law are complied with, and such illumination does not constitute a road safety danger or may cause excessive light spillage.
- (2) Signs may not be illuminated if no sign content is displayed.
- (3) Signs if illuminated shall be erected in such a way that it may not be detrimental to the comfort of residential zoned erf, or according to the opinion of the Municipality be detrimental to the character of the neighbourhood.
- (4) The light source from flood lights must not be visible for traffic travelling in either direction.
- (5) No sign may be illuminated in such way that it leads to any unsafe conditions for a driver, or causes discomfort and obstruct the view of oncoming pedestrians or drivers.
- (6) No detrimental effect on the surrounding area.
- (7) Flood lights shall be positioned to ensure effective distribution and to minimize light wastage or "spillage".
- (8) The following maximum luminance levels per square meter are applicable for all classes of advertisements (as determined by the International Commission of Illumination):

Less than 0,5 m ²	1000 candela per m ²
0,5 to < 2,0 m ²	800 candela per m ²
2,0 to < 10 m ²	600 candela per m ²
10 m ² or more.	400 candela per m ²

- (9) The condition in respect of the size and luminance level can be relinquished if it is a standard size determined by a Franchise Group that maintains the same standard countrywide, or by notice in a local newspaper with no objections from the public and traffic department, and or with receipt of an Environmental and Heritage Impact Study which indicates that no detrimental impact will be caused by the proposed exhibition, or to any other size that will be specified by the Municipality.
- (10) Electronic signs may not have subliminal flashes.
- (11) Before erection, the Municipality may require that a Traffic Impact Study, Environmental Impact Study and Heritage Impact Study is undertaken which results must indicate that no detrimental impact is expected on traffic. The Municipality can also require later traffic monitoring from any internal illuminated or electronic sign.
- (12) The Municipality may at any time withdraw the approval granted in terms of this By-Law or predecessor or amend illumination requirements/ conditions or lay down further illumination requirements in respect of such approval if the Municipality receives complaints that the illumination or the sign is a hindernis or causes excessive light wastage.
- (13) No light beam can be moved or directed in such a manner as to distract the attention of motorist from the driving task.
- (14) No light source, or beam of light not ment for illumination, may be positioned or aimed so as to shine directly onto, or at a public road.
- (15) Illumination of class 1 advertisements is only permissible if the area surrounding the road is illuminated for the distance that the sign is visible.

14. Traffic Safety Requirements

- (1) No advertisement or advertising structure shall constitute a danger to any person or property.
- (2) No sign my obscure a pedestrians or drivers view.
- (3) Signs may not be erected in an area where they are an unacceptable distraction for drivers which acceptability may be determined in terms of the guide-lines laid down in the S.A. Road Traffic Sing Manual.
- (4) Electronic signs shall not be allowed where it is visible from class 2 or 3 roads, a gateway route or scenic roads unless it is approved in writing by the Municipality.
- (5) The graphic content of a sign must not have the potential to be visually interpreted as a road traffic sign due to any factor, including but not limited to the following-

- (a) Any stylised or pictorial presentation of a road traffic sign or traffic signal;
 - (b) Any word, symbol, logo or other appliance that is used on a road traffic sign;
 - (c) Use of a combination of colours specified for road traffic signs, in a manner likely to lead to confusion; and
 - (d) Any refractories paint or material;
- (6) Signs may not be erected to the discretion of the Chief: Community and Safety, in an area where the traffic volume, the average following distance or accident history requires a higher degree of awareness from drivers.
- (7) Signs may not be attached to or obscure a road traffic sign or traffic signal specifically provided for in the South African Road Traffic Sign Manual or the South African Development Community's Road Traffic Sign Manual.
- (8) Signs may not be erected within the road reserve of any public road unless it is approved by the Municipality.
- (9) When located at signalized traffic intersections, signs may not have the colours red or yellow or green as the main colour and may not obscure or interfere with any road traffic sign or traffic signal.
- (10) Electronic signs shall not be permitted within 80 m of the perimeter of a signalised traffic intersection.
- (11) Flashing or moving messages or variable transition messages that have a message change interval of greater than 0, 3 seconds or have transition effects between messages changes shall not be permitted if viewable from a public road.
- (12) Static display, simple transition signs must display a complete frame for an information cycle length of not less than 60 seconds when visible from a signalised traffic intersection and 30 seconds at other locations.

15. Maintenance

- (1) Any sign:
- (a) shall be serviced on a regular basis;
 - (b) shall be maintained in a good repair and safe condition according to the highest standards as regards to quality of the structures, posting and sign.

- (2) The owner of any land or building on which an advertisement sign is displayed or erected or to which is a sign is attached, and the owner of any such sign shall be separately and jointly responsible for the maintenance of the advertising sign in a safe and proper condition, and the cleaning and repainting of any such sign. The owners must undertake at least one annual inspection of the advertisement to be satisfied with the safety thereof.
- (3) If, in the opinion of the Municipality a sign or structure is in a dangerous or unsafe condition, or has 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 the owner of the advertisement sign and the owner of the land on which the sign is situated, requiring him or her to remove the sign at his/her own cost or do the work specified in the notice, within the mentioned period in the notice. The Municipality will not pay any compensation to any person as a result of such removal.
- (4) Instead of the serving of a notice, the Municipality may carry out or arrange for the removal of an advertisement / advertising sign or advertising structure or do which it may deem necessary and may recover the cost thereof from the owner, if in the opinion of the Municipality an emergency or unsafe condition exists.
- (5) All signs shall be secured in a manner so as to not constitute a danger to the public. The private or Institutional land owner of the property on which such sign is located; take full responsibility and liability, indemnifying the Municipality against any claims that may arise relating to such sign. The sign owner must take the responsibility and satisfy the Municipality that the necessary third-party insurance policy is in place.
- (6) Any sign that displays advertising giving information regarding the name of the occupier of premises or nature of the business conducted on such premises shall be removed immediately if the owner of the structure and or sign does not occupy the premises any longer.

16. Indemnity

Notwithstanding any approval by the municipality, the owner/s of the property/sign indemnify and to keep the Municipality indemnified against all actions, steps, claims and collections, costs, damage, compensation and expenses occurred or may occur against the Municipality, or what the Municipality may pay, incur or enter into as a result of the erection or display or mere presence of such advertising such and or structure.

17. Legal Requirements

All signs to be erected or displayed within the area of jurisdiction of the Municipality, must in addition to complying with the requirements of this By-Law, comply with all other applicable legislation, including any applicable Zoning Scheme Regulations or approval condition or any departure from the applicable zoning scheme regulation.

18. Approval

- (1) The Municipality may refuse any application or grant its approval subject to the conditions relating to the erection and/or use of the sign and including a condition that the owner of any sign or billboard of the land or building on which it is erected or displayed, or both of such owners and/or the person whose product and /or services are advertised, indemnify the Municipality against any consequences that may arise from the erection, display or mere presence of such sign.
- (2) The Municipality may at any time withdraw an approval granted in terms of this or a previous By-Law, its predecessor or amend any condition or impose a further condition in respect of such approval, if a sign or advertising structure-
 - (a) Is in state of disrepair and / or dilapidation;
 - (b) Remains unused for more than 90 consecutive days;
 - (c) Becomes redundant or obsolete;
 - (d) No longer comply with any provisions of this By-Law; or
 - (e) Is substantially altered from the original approved application by way of either structure or the graphic content.
- (3) Should approved sign is not be erected within 3 months from the date of approval or within such other time as specified in the approval, the approval shall lapse / expires unless that period is extended in writing by the Municipality prior to such lapse.
- (4) In the event that the structure supporting such sign is intentionally demolished before the expiry of the approval period, the approval shall lapse and no further sign or support structure may be erected or re-erected without the prior written approval of the Municipality.
- (5) If approval is subject to determined conditions and applicant does not adhere to the conditions according to specific approval conditions within given period, the approval shall lapse.

CHAPTER 3

GENERAL DETERMINATIONS

19. Appeal

Anyone whose rights are affected by a decision, taken in terms of delegated authority, may appeal in terms of section 62 of the Act on Local Government: Municipal Systems, Act 32 of 2000, against such decision by giving written notice of the appeal and reasons therefore to the Municipal Manager within 21 days from the date of the notice of the decision.

20. Exempted Signs (for which the approval of the Municipality is not needed)

- (1) Should any sign not comply with the conditions relative to each sign type listed here below, an application in terms of section 5 is required.
- (2) Subject to compliance with the conditions relative to each sign provided for in sub-sections (3) to (15), and any other applicable legislation, or condition imposed by the Municipality, no application for approval is required in terms of this By-Law in respect of signs provided in sub-sections (3) to (15).
- (3) To Let/For Sale/Sold - signs
 - (a) The owner of a property may display maximum four “For Sale” or “To Let” signs within the boundaries of the property. Maximum one such “For Sale” sign per property practitioners firm may be displayed on the property.
 - (b) “For Sale” or “Sold” or “To Let” signs by property practitioners may not be displayed unless written approval has been obtained from the owner of the property on which such signs are erected.
 - (c) In case of group housing, estate complexes and or any similar gated developments, a maximum of six “For Sale” or “to Let” signs may be displayed within the boundaries of the property or flat against the boundary wall or fence of the complex.
 - (d) It must comply with the Complex management requirements. It must be affixed in such a manner that it is safe and neat.
 - (e) The “For Sale” or “To Let” sign may only be attached flat against the boundary wall or fence of the property, if it is not possible to be erected within the boundaries of the property. It must be affixed in such a manner that it is safe and neat.

- (f) A sign may consist of a single board, or two duplicate boards, when such two boards are affixed back to back.
- (g) Signs may only be displayed for the primary purpose to sell or lease property.
- (h) A sign displayed on residential property may not exceed 0.3m² in total area and 1m in height.
- (i) A sign displayed on commercial property or in an agricultural area may not exceed 2m² in total area and 3 m in height.
- (j) A “For Sale” sign may be displayed on condition that sign is removed within 7 days after all the suspended conditions of the purchase agreement has been conformed.
- (k) Maximum one “Sold” sign may be displayed within the boundaries of the property with the name and details of the property practice, from date of sale to registration of property, with condition that “For Sale” sign(s) has been removed. “Sold” signs may only be displayed for a period of fifteen days after the sale has been concluded and fulfilment of all suspensive conditions within the sale agreement.
- (l) Sign(s) may only be displayed at the property that is “For Sale”, “To Let” or “Sold”.
- (m) Must be displayed at or affixed against the applicable building.
- (n) Must be displayed within the boundaries of such premises.
- (o) Sign may not be displayed in a road reserve or any portions of pavement or road islands.
- (p) No signs may obscure a road traffic sign, or impose any danger.

(4) Identification, and warning signs on Residential, Agricultural or Institutional Zoned Properties

On residential, Agricultural or Institutional zoned properties, identification and warning signs about place of residence (e.g. name of houses, flat, complexes, farms and smallholdings) and notices/signs such as “Beware of dog” and “No entrances” etc, may be displayed within the boundaries of the property, not exceeding a total area of 0.25m² per premises with one street frontage. If there are more than one street frontages, total sign area of 0.5 m² may be displayed (with not more than 0.25m² per frontage).

(5) Business signs on the premises

This sign includes any un illuminated sign, not projecting over a public road, not exceeding 0,75 m² in total area on business, commercial, industrial or community zoned properties and 0.2 m² on residential zoned properties. Only the type of business, industry or profession that lawfully conducted by any occupant or permanent resident of the premises to which it is affixed, the name of such occupant, type of activity, address, telephone number of such business, and service hours (if any); with the understanding that only one such sign per business may be displayed within the boundaries of premises concerned.

(6) Window Signs

These signs include any locality bound signs that are temporarily or permanently painted or affixed to the window glass of a building used for commercial, offices, entertainment or any other temporary or permanent sign which is displayed within 2 meters of any window or external opening from where it is visible from the outside of such building, on condition that no window sign may exceed 4.5m² in an area of maximum control.

(7) Signs Incorporated in the building

Any sign that forms an integral part of the material of a building (with exclusion of a painted sign or a sign which is affixed to the building in any manner), on condition that no such sign may exceed 0,2 m² in total surface.

(8) Project board or development board

- (a) Max one Project board or development board, not exceeding 1m², may be displayed within the boundaries of the property. Describing the development, project, health and safety information, work or activity being carried out on the premises, during the duration of the project, providing the names of the contractors or consultants concerned with such work or activity.
- (b) Development Boards may only be erected after approval for development or building plans has been obtained, and will commence within the following 14 (fourteen) days.
- (c) May only be displayed within the boundaries of the property of the actual development or project, and not in the road reserve.
- (d) Board shall be removed within 7 (seven) days after issue of the occupation certificate or when the provision of services has ceased.

(9) Signs on sports fields

Any sign displayed inside a sports stadium which is not visible from the outside of the stadium, not exceeding 2 m² each.

(10) Security signs

Any security sign not projecting over a public road, not exceeding 0,2 m² in total area, which indicates that a security guard scheme is in operation, or that a security company that is contracted to protect premises on which the sign is displayed, on condition that—

- (a) Maximum two unilluminated signs per premises will be allowed, affixed against the building, boundary wall or gate within the boundaries of such premises

Such signs may only display the name, logo, address and telephone number of a security company that is contracted to protect the premises on which the sign is displayed.

- (b) In case of group housing, complexes and gated complexes a maximum of four “Security” signs may be displayed within the boundaries of the property or flat against the boundary wall or fence of the complex in in such a manner that it is safe and neat.

(11) Commercially sponsored signs and signs of non-profit bodies, less than 4, 5 m²

- (a) Any unilluminated commercially sponsored sign or sign of a non-profit body, not exceeding 4.5 m² in total area, on condition that it does not use more than 5% of the total area of the sign for third party advertising, provided that maximum one such will be allowed per erf/ premises.

- (b) Advertisements that comply with the provisions of sub-section (a), may only be erected once an agreement is entered into, with the Municipality wherein agreement is reached regarding the extent of the community or public benefit thereof, and the terms and conditions of erection of the sign have been agreed upon.

(12) Advertisements on vehicles

- (a) Advertisements must be painted or affixed directly on the body of a motorised vehicle.
- (b) Sign may not protrude above the sides of the vehicle or protrude at the top side of the vehicle.

- (c) The primary purpose of the vehicle may not be advertising.
- (d) Vehicle may not be parked for third party advertising.

(13) National flags.

Maximum of three flags per residential property and six flags per commercial property may be displayed for which approval by the Municipality is not required, provided nothing is added to the design of the flag and no advertisement material is added. Flags may only be displayed within the boundaries of premises concerned, not in a road reserve or pavement.

(14) Teardrops

Maximum of six Teardrops may be displayed for which approval by the Municipality is not required. Teardrops may only be displayed within the boundaries of the premises not inside a road reserve or pavement

(15) Advertisements in arcade

Any sign that is displayed in an arcade not aimed at road users, which are not visible from a public street.

(16) Sign which is displayed by the Municipality.

Any sign displayed by the Municipality.

(17) Signs that are part of a procession.

Any sign carried through the streets as part of a procession.

21. Disfigurement

No person may destroy, harm, damage, disfigure or deface any street, road traffic sign, wall, fence, land, rock, tree or other natural feature, façade or frontage of any roof of any building or structure in any manner whatsoever during construction or by the display or use of a sign or the writing or painting of any sign, symbol, letters or numbers. Apart from that, no person may disfigure any sign displayed legally in terms of this By-Law.

22. Damage to municipal property

No person may with the erection or removal of any sign, advertisement structure, poster or banner, cause damage to any tree, electrical pole or service or other municipal installation or property and street equipment.

23. Access and inspections

The Municipality shall be entitled, through its authorised officials, to enter any premises at a reasonable time with the purpose to execute any inspection that may be necessary for the proper management and enforcing of the provisions of this By-Law.

24. Misconduct / Transgressions

Anyone who—

- (a) Contravenes or fails to comply with any provisions of this By-Law;
- (b) Contravenes or fails to comply with any notice served in terms of this By-Law;
- (c) Purposely makes a false statement in respect of any application in terms of this By-Law or supply false, unjust or misleading information;
- (d) Shall be guilty of an offence and shall on conviction be liable to:
 - (i) a fine or imprisonment, or both such fine and imprisonment;
 - (ii) in the case of a continuous offence, an additional fine, or an additional period of imprisonment, or such additional fine or such additional imprisonment, or both such additional fine and imprisonment, for each day that the offence continues; and
 - (iii) a further amount equal to any costs and expenses incurred by the Municipality as a result of the offence or failure.

25. Responsible Person

Any person who is charge of an offence e in terms of this By-Law and—

- (a) Solely or jointly with another person for the organising of any meeting, function or meeting related with a sign or poster, shall be deemed until the contrary is proven, to have knowingly displayed every unlawful sign or poster related with such meeting, function or meeting is or have cause or allow to be displayed;
- (b) The person whose name appears on an illegal sign or whose product or services are advertised on such sign, or have displayed such sign, shall be deemed until the contrary is proven;
- (c) Is the owner of any land or building on which any illegal sign is or was displayed, shall be deemed until the contrary is proven have knowingly displayed such sign be displayed, or caused or allow it to be displayed.

26. Enforcement and removal of signs

- (1) If any sign is displayed or erected in contravention with this By-Law, the Municipality may, without prejudice to or in addition to the right to take legal steps or prosecute serve a notice on the owner or lessee of the sign, or the land owner on whose land the sign is erected or displayed, or the person whose product or services are advertised, to remove such sign within a specified time framework or to carry out such alteration thereto, or to do such work as specified in such request or notice.
- (2) A notice served in terms of sub-section (1) may be withdrawn or changed by the Municipality by agreement with the person whom it was served upon, or at failure of such agreement by the service of a further notice.
- (3) In the event of non-compliance with the served notice in the specified period, the Municipality can, without further notice, remove the sign or alter the sign or do such work as specified in such notice.
- (4) Any costs incurred by the Municipality with the removal of signs, or doing alterations or other work as required in terms of a notice, may be recovered from the person on whom the notice was served.
- (5) Notwithstanding any other clause of this By-Law, if a sign:
 - (a) is considered to constitute a danger to life or property; or
 - (b) is erected or situated closer to 1m from the street kerb; or
 - (c) is erected or situated closer than 50m from the centre of an intersection; or
 - (d) obscures any other approved sign, or road signs;the Municipality may remove such sign immediately without prior notice being served.
- (6) Any costs incurred by the Municipality for the removal or arrangements for the removal of any sign, can be recovered from the owner or lessee of the sign, or the land owner on whose land the sign is erected, or the person whose services are advertised, jointly and separately.
- (7) Illegal or dangerous signs that are removed by the Municipality can be claimed from the Municipality at full payment of any costs incurred by the Municipality with the removal of the mentioned sign, as well as payment of any accumulated charges for the storage of such sign.

- (8) Any signs that are removed by the Municipality and not claimed within three months of removal, may be sold by the Municipality to defray storage costs, or can be done away with.
- (9) In the event where it is impossible to locate the owner or lessee of the sign, or the land owner or person whose product or service is advertised, the Municipality may, after taking all reasonable steps to locate same for the purpose of serving a notice, remove such sign.

27. Service of Notice

- (1) A notice, summons or other document in terms of this By-Law is deemed to be issued if signed by an official of the Municipality.
- (2) Where any notice or other document must be served on any person in terms of this By-Law, it is deemed as duly served if—
 - (a) it is served on him or her personally;
 - (b) it was left at his or her residential or business address in the RSA, with any person deemed to be above the age of 16 years;
 - (c) it was posted per registered or certified post to the known residential or business address of any such person, and proof of such postage was received from the Postal Service;
 - (d) if the address of such person in the RSA is unknown, it is served to his representative or agent in the RSA in the intended manners in sub-sections (a), (b) or (c);
 - (e) if the address of such person or that of his or her agent or representative in the RSA is unknown, by placing it at a visible place on the ground or premises to which it is applicable;
 - (f) such person is a closed corporation, it is delivered at the registered business address thereof; or
 - (g) was sent to his or her chosen e-mail address and a read receipt was obtained from the e-mail server.
- (3) Service of a copy is deemed service of the original.
- (4) When a notice or other document is served on the owner, occupant, or holder of any right on the property, it is sufficient if the person described in the notice or document is cited as the owner, occupant or holder of any right in property and does not have to be cited in name.

28. Liaison forums in communities

- (1) The Municipality may establish link forums in a community for the purpose to:
 - (a) Ensure the community in the implementation and execution of the provisions of this By-Law; and
 - (b) Promote economic development, and the conservation of the visual-tourism-, environmental and heritage properties of the Mossel Bay Municipal area.
- (2) A Forum, or any person or persons may submit input from own movement to the Municipality for consideration.

29. Jurisdiction of Magistrates Court

A Magistrates Court or Municipal Court shall have jurisdiction on the application by the Municipality, make a judgement for the enforcement of the provisions of this By-Law, or of any approval, refusal or condition that was granted or applicable in terms thereof.

30. Exemptions

Notwithstanding the provisions of this by-Law, the Municipality may, on written request, exempt any person or class of persons from any or all of the requirements of this By-Law and during consideration of such exemption it may impose any conditions or requirements it deems appropriate.

31. Repeal of By-Laws

This By-Law relinquishes the By-Law listed below:

Proclamation Number Date Name

7195/2013

6688/2010

593/1958

847/1968

512/1977

562/1985

518/1992

26/09/1958

15/11/1968

15/04/1977

26/09/1986

09/10/1992

Standard Regulations regarding advertisement signs

Amendment

Distribution of Pamphlets

Amendment

32. Transitional Arrangements

- (1) Anything sign approved in terms of any provisions repealed by this By-Law shall remain lawful and the repeal in section 31 shall not affect the validity of such sign.
- (2) Any sign or structure not complying with the provisions of this By-Law, but which was erected prior to the date of promulgation of this By-Law shall be deemed to be legal for a period of five years after the date of promulgation of this By-Law. Any replacement for whatsoever reason of such signs during the foresaid five year period will be deemed to be a new sign which must comply with the provisions of this By-Law.
- (3) The above section 32(2) will not be applicable to the following:
 - (a) Schedule 1-3; Small Billboards.
 - (b) Schedule 9: Banners & Flags.
 - (c) Schedule 10: Construction signs.
 - (d) Schedule 11: Project boards and development boards.
 - (e) Schedule 30: Miscellaneous signs for residential oriented land use and community services.
 - (f) Schedule 35: Tourism information Boards.
 - (g) Any signs that are erected within a road reserve, road, island or road median/centre line.
 - (h) Any sign on municipal property.
 - (i) Any third-party advertisement signs
 - (j) Any sign that is or may be in the opinion of the municipality be dangerous to life or property.

33. Short title and affect

This By-Law is named the By-Law regarding Outdoor Advertising and Advertisement Signs and takes effect on the date of publication thereof in the Provincial Gazette.

34. AREAS OF CONTROL

- (1) The following types land uses can be classified under the areas of control, as listed here below:

(A) MAXIMUM CONTROL

(i) Natural area

• National Parks	• Wilderness Area
• Game Reserves	• Extensive Agriculture
• Nature Reserves	• Scenic corridor
• Marine Reserves	• Scenic landscapes
• Bird Parks	• Forest areas
• Greening of city network	

(ii) Rural Areas

• Intensive agriculture	• Un-proclaimed town area
• Rural small holdings	• Areas outside the urban edge, as determined by the applicable town planning documents
• Subsistence agriculture	• Scenery
• Scenic Drives Roads	• Landscape characteristics
• Municipal Parks	

(iii) Urban Areas

• Urban Conservation areas and natural features, rivers, forests, etc.	• All residential areas
• Passive recreation areas	• Plots and urban small holdings (which are proclaimed)
• Scenic features and areas	• Gateways
• Inland areas of special meaning	
• Open Spaces for recreation such as parks, camping sites, golf courses etc	• Scenic Drives
	• Transportation: Visual zones along urban freeways, High Speed, high volume arterials.
• Residential zones and adjacent road- and railway reserves	• Historical and architectural features and area

<ul style="list-style-type: none"> • Institutional ‘government enclaves, including diplomatic amenities. • Civic amenities such as museums and theatres • Other institutions 	<ul style="list-style-type: none"> • National and local heritage sites
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(B) Partial Control:

(i) Urban Areas

<ul style="list-style-type: none"> • Commercial enclaves or centres in residential areas 	<ul style="list-style-type: none"> • Sports fields and stadiums
<ul style="list-style-type: none"> • Ribbon development along main streets. 	<ul style="list-style-type: none"> • Commercial squares
<ul style="list-style-type: none"> • Schools / Educational Institutions 	<ul style="list-style-type: none"> • Small Holdings
<ul style="list-style-type: none"> • Residential areas with high rise apartment blocks, shops and offices. 	

- (ii) Partial Control Area shall also include a minimum band of 25m in width between the areas of Maximum and Minimum Control. This band will be measured from the edge of the area of Maximum Control into the area of Minimum Control. This is additional to the Areas of Partial Control as defined.

(C) Minimum Control

(i) Urban Area

<ul style="list-style-type: none"> • Central commercial districts 	<ul style="list-style-type: none"> • Entertainment districts or complexes
<ul style="list-style-type: none"> • Commercial enclaves and Shopping centres 	<ul style="list-style-type: none"> • Transport network • Public transport nodes such as railway stations, bus stations, taxi ranks, airports, harbours, excluding nodes of exceptional historical value or nodes with unique sense of place.
<ul style="list-style-type: none"> • Industrial areas or industrial parks 	

35. Application requirement per zone and Adjudication of Applications

- (1) Adjudication shall be based on the criteria as specified in a tender request, or where an application is not the result of a tender request, the requirements and standards as set out in this By-Law, read in conjunction with the Advertisement Impact Assessment (AID) specifications as set out below for different control areas.
- (2) The following AID specifications for the different control areas are applicable:
 - (a) Minimum Control:
 - (i) Compliance of the By-Laws of the Municipality.
 - (ii) Compliance of Road Safety Regulations.
 - (iii) Compliance to SAMOAC guidelines.
 - (iv) Compliance of the Act on National Environmental Management Act (NEMA).
 - (b) Partial Control
 - (i) Compliance to above, plus:
 - (ii) A visual impact audit.
 - (ii) A social impact audit.
 - (iii) An ecological impact audit.
 - (iv) A traffic impact audit.
 - (v) An engineer's impact audit.
 - (c) Maximum Control
 - (j) All the abovementioned plus specific municipal approval.

36. CLASS 1: BILLBOARDS AND OTHER HIGH IMPACT FREE STANDING SIGNS

- (1) The following criteria on areas and roads, where it should be located, size and height will be applicable for Class 1 advertisements as included in Table 1:

TABLE1: Class 1: Advertisements, Location, Size and Height

	Large Bill Boards	Medium Bill Boards	Small Bill Boards
Area of Control	Urban areas of Minimum / Partial Control Third-Party Billboards will only be permitted in Industrial areas of minimum control areas.	Urban areas of Minimum / Partial Control Third-Party Billboards will only be permitted in Industrial areas of minimum control areas.	Urban areas of Minimum / Partial Control Third-Party Billboards will only be permitted in Industrial areas of minimum control areas.
Size	41 – 81 m ²	19 – 40 m ²	9 - <18 m ²
Speed (where permitted)	Any speed	Only on roads with speed limits of ≤80 km/ph.	Only on roads with speed limits of ≤ 80 km/ph.
Total height	12 m	10 m	5.5 m
Free height	2,3m	2,3 m	2,3m

- (2) The following criteria on the position and spacing (visible per direction of travel) will apply for Class 1 advertisements as included in Table 2:

TABLE 2: Class 1 Advertisements: Position and Spacing

Speed	To other Class Signs	To Road Signs	To centre Intersection / Point where lanes merge or diverge
0 ≤ 60	250 m	50 m	100 m (50)
61 - 80	250 m	100 m	100 m
> 80	250 m	200 m	200 m
<ul style="list-style-type: none"> - Large billboards should be spaced at least 2.5km from any other Large Bill Board. - Electronic Billboards (>18 m²) should be spaced at least 1.5km apart, on any road. - Electronic Boards of 18 m² or smaller should be spaced at least 500m apart on any road. 			

SCHEDULE 1

CLASS 1a: LARGE BILLBOARDS

1. Description

“Large billboards” This class consists of bill boards between 41m² up to 81m².

2. Approval

- (1) Subject to approval in terms of these By-Laws the erection or display of Large Billboards, custom made or standard, will be only permitted in urban areas of Minimum and Partial Control.
- (2) An AIA and or an environmental impact study will be required to be submitted to the Municipality.
- (3) Approval for the display shall not be granted for an indefinite period. Approval will be granted for an initial maximum period of five (5) years, with an option to renew for a further five (5) years, subject to a revised AIA which shall take all changed circumstances into consideration. The advertising structure shall be erected within three (3) months after approval. Further extension of the three (3) months may be granted, if obtained from the Municipality in writing.
- (4) Third party billboards will only be permitted in Industrial areas of minimum control areas.

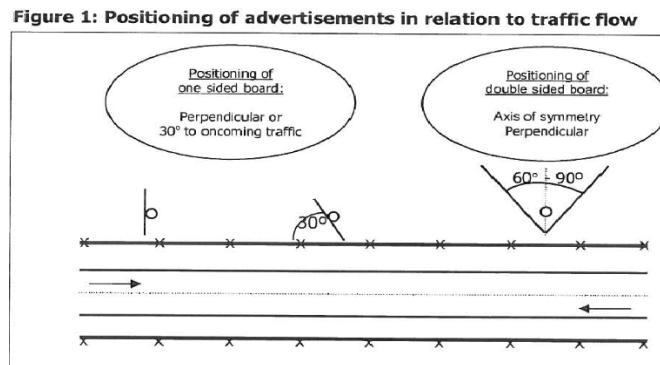
3. Shape, size and Height

- (1) Size: 41 – 81m²
- (2) Maximum height: 12m
- (3) Where the Large Bill Board might interfere with the movement of pedestrians or Cyclist, the clear height of such a structure shall not be less than 2.3m.

4. Position

- (1) Two Billboards joined flat against each other shall be displayed perpendicular to the direction of oncoming traffic, as indicated in Fig 1.

Figure 1: Positioning of advertisements related with traffic flow



- (2) In case of two boards joined together at an angle it shall be displayed between the angles of 60 and 90° (with the axis of symmetry perpendicular to the direction of oncoming traffic as indicated in Fig 1.
- (3) Minimum distance of 2,5km from any other Billboards.
- (4) Signs must comply with minimum distances apart as indicated in Table 2.
- (5) No sign may be erected within the radius of 200 m from the centre of an intersection on arterial (main) roads, or 100m from intersection of lower order.
- (6) Maximum: One Billboard will be permitted per premises.

5. Illumination

- (1) Illumination is only allowed if the area surrounding the location of the Super Billboard is illuminated.
- (2) Illumination will only be permitted if it does not constitute any danger, cause any unsafe condition or cause any undue disturbance, unless it is deemed that the illumination of the sign will have no negative impact or discomfort and road safety.
- (3) May not have any negative impact on the surrounding area.

6. Design and Erection of sign

- (1) Must comply with to General conditions.
- (2) Bill Board Structure shall be certified by a structural engineer.

7. Special Conditions

- (1) An approved structure shall be display an advertisement or message within six (6) months after erection.

SCHEDULE 2

CLASS 1C MEDIUM BILLBOARDS

1. Description.

“Medium billboard” This class consists of bill boards between 19m² and 40m².

2. Approval

- (1) Subject to approval in terms of this By-Law the erection or display of Large Billboards, whether custom made or standard will only be permitted in urban areas of minimum or partial control.
- (2) At the discretion of the Director: Planning and Economic Development an AIA and or an environmental impact study may be required to be submitted to the Municipality.
- (3) Approval for the display shall not be granted for an indefinite period. Approval will be granted for a maximum period of five (5) years, with an option to renew for a further five (5) years, subject to a revised AIA which shall take all changed circumstances into consideration. The advertising structure shall be erected within three (3) months after approval. Further extension of the three (3) months may be granted, if obtained from the Municipality in writing.
- (4) Third party billboards will only be permitted in Industrial areas of minimum control areas

3. Form, Size, and Height

- (1) Size: 19 – 40m².
- (2) Maximum height: 10 m.
- (3) Where the Large Bill Board might interfere with the movement of pedestrians or cyclist the clear height of such a structure shall not be less than 2.3m.

4. Position

- (1) Two Billboards joined flat against each other shall be displayed perpendicular to the direction of oncoming traffic or to an angle of 30° to the direction of oncoming traffic, as indicated in Fig 1.

- (2) In the case of two boards joined together at an angle, it shall be displayed between the angle of 60 and 90° with the axis of symmetry perpendicular to the direction of oncoming traffic as indicated in Fig 1.
- (3) Minimum distance of 750 m of any other Billboards.
- (4) Signs must comply with the minimum distances between another as indicated in Table 2.
- (5) No sign may be erected within the radius of 125 m from centre of intersection of arterial (main) roads, or 65 m of intersections of lower order roads.
- (6) Maximum: 2 (two) billboards will be permitted per premises.

5. Illumination

- (1) Illumination is only allowed if the area surrounding the location of the Billboard is illuminated.
- (2) Illumination will only be permitted if it does not constitute any danger, cause any unsafe condition or cause any undue disturbance, unless it is deemed that the illumination of the sign will have no negative impact or discomfort and road safety.
- (3) May not have any negative impact on the surrounding area.

6. Design and Erection of sign

- (1) Must comply with General conditions.
- (2) Bill Board Structure shall be certified by a structural engineer.

7. Special Conditions

- (1) An approved structure shall display an advertisement or message within six (6) months after erection.

SCHEDULE 3

CLASS 1D SMALL BILLBOARD

1. Description

- (1) **“Small billboard”** This class consists of bill boards between 9m²and 18m².

2. Approval

- (1) Subject to approval the erection or display is only allowed in urban areas of minimum and partial control.
- (2) To the discretion of the Director: Planning and Economic Development an AIA and or an environmental impact study may be required to be submitted to the Municipality.
- (3) Approval for the display shall not be granted for an indefinite period. Approval will be granted for maximum period of five (5) years, with an option to renew for a further five (5) years, subject to a revised AIA which shall take all changed circumstances into consideration. The advertising structure shall be erected within three (3) months after approval. Further extension of the three (3) months may be granted, if obtained from the Municipality in writing.
- (4) Third party billboards will only be allowed in Industrial areas in minimum control areas.

3. Shape, Size, and Height

- (1) Size: 9 - 18m².
- (2) Maximum height: 5,5m.
- (3) Where the Bill Board might interfere with the movement of pedestrians or cyclist, the clear height of such a structure shall not be less than 2.3m

4. Position

- (1) Two Billboards joined flat against each other shall be displayed perpendicular to the direction of oncoming traffic or to an angle of 30° to the direction of oncoming traffic, as indicated in Fig 1.

- (2) In the case of two boards joined together at an angle, it shall be displayed perpendicular to the direction of oncoming traffic between the angle of 60 and 90° with the axis of symmetry perpendicular to the direction of oncoming traffic as indicated in Fig 1.
- (3) Minimum distance of 300 m of any other Billboards.
- (4) Signs must comply with the minimum distances between another as indicated in Table 2.
- (5) No sign may be erected within the radius of 100m from centre of intersection of main roads, or 50m of intersections of lower order roads.
- (6) Maximum: 4 (four) billboards will be permitted per premises.

4. Illumination

- (1) Illumination is only allowed if the area surrounding the location of the Billboard is illuminated.
- (2) Illumination will only be permitted if it does not constitute any danger, cause any unsafe condition or cause any undue disturbance, unless it is deemed that the illumination of the sign will have no negative impact or discomfort and road safety.
- (3) May not have any negative impact on the surrounding area.

6. Design and Erection of sign

- (1) Sign must comply with General requirements.
- (2) Bill Board Structure shall be certified by a structural engineer.

7. Special Conditions

- (1) An approved shall display an advertisement of message within six (6) months after erection.

CLASS 2: GENERAL SIGNS

CLASS 2A: PRODUCT REPLICAS AND THREE-DIMENSIONAL SIGNS

SCHEDULE 4

1. Description

“Product replica and three-dimensional advertisements” means a replica or a device used for advertising that may be free-standing or attached to a structure and includes an inflatable object which is not an aerial advertisement.

2. Approval

(1) Subject to approval, the erection or display will only be permitted in urban areas of Minimum and Partial control, only for commercial, entertainment and industrial land use.

3. Shape, Size, and Height

(1) Maximum size: Partial control: 4 m²

(2) Maximum size: Minimum control: 8 m²

(3) Signs attached to buildings or free standing shall be limited to two signs per enterprise.

(4) The maximum height of any free standing sign may not exceed 10 m.

4. Position

(1) May not be placed in front of, or obstructs the view from any window or any other external opening of a building, and not obstructs the opening or closing of any window, door or other opening.

(2) Signs aimed at the road user must be complying with the following minimum distances between each other, when in view of each other and on the same side of the road.

SPEED	DISTANCES BETWEEN SIGNS
>80 and >	250 m
61-80 km/h	200 m
<60 km/h	120 m

5. Illumination

- (1) Illumination will only be permitted if the road is illuminated.
- (2) No animation may be allowed.

6. Design and Erection of sign

- (1) The Sign must comply with the General Conditions.
- (2) Product replica signs shall not dominate prominent architectural features of any building.

SCHEDULE 5

CLASS 2B STREET POLE ADVERTISEMENTS AND SIGNAGE POLES

1. Approval

- (1) Subject to approval the erection or display will only be permitted in urban areas of partial and minimum control.
- (2) Contents of advertisements are limited to:
 - (a) Product logo.
 - (b) Enterprise logo.
 - (c) Product image with limited text.
 - (d) Community services message or
 - (e) Enterprise image with limited text.
- (3) To the discretion of the Director: Planning and Economic Development, the Municipality may conduct a SEA Strategic Environmental Assessment to identify the streets wherein the advertisement signs may be allowed and to determine the maximum number and spacing of signs. The “SEA” must also consider total impact of other sign types to prevent that area is overloaded with information and or signs. The display of election and or political posters and municipal notices must be taken into consideration.
- (4) No more than one double sided street pole advertisement per lamp pole may be erected regardless if it is a street pole advertisement, or any other type of poster.
- (5) The display of permanent street pole advertisements and temporary posters are limited to one advertisement against every third street pole.

2. Form Size, and Height

- (1) Max size: 1, 2 m² or A0.
- (2) Posters must be erected uniform with a clear height of 2, 4 m.
- (3) The writing on the poster displayed may not be less than 70 mm in height.

3. Position

- (1) Signs may not be erected in such a manner to cover any municipal markings or painted stripes on lampposts.
- (2) Signs may not be displayed along a road on which the speed limit of more than 80 km /h applies.
- (3) The display of street pole advertisements will also be permitted in main access roads in residential areas.

4. Colour

- (1) When located in the vicinity of signalised traffic intersections, signs may not have the colours red or yellow or green as main colours and may not obscure or interfere with any road traffic sign or traffic signal.

5. Illumination

- (1) No illumination is allowed.

6. Design and Erection of sign

- (1) Sign must comply with general conditions.
- (2) The frame/ structure of a sign must be manufactured of sturdy material and affixed in such a manner to ensure that the sign is safe and sturdy, and not constitute any danger for any person.
- (3) A frame structure must be used with suitable material or similar material to prevent a sign becoming untidy due to the effects of wind or rain.

SCHEDULE 6

CLASS 2C: COMMERCIAL SIGNS AT EDUCATIONAL FACILITIES

1. Approval

- (1) Subject to approval the erection or display is permitted in all areas except in Natural Areas of maximum control.
- (2) Signs may only indicate the following:
 - (a) Name, nature, logo of institution.
 - (b) Name, nature, logo of sponsor.
 - (c) Product or image of the product.
- (3) Only 2 (two) signs may be displayed per street front.
- (4) A total maximum of 3 (three) signs will be allowed per premises.

2. Shape, Size and Height

- (1) The structure of any sign may not exceed a height of 7,5m.
- (2) The structure may not exceed a maximum total size of 12m².
- (3) A maximum of 4 panels are permitted per supporting structure.

3. Position

- (1) Signs may not be displayed within a road reserve.

4. Illumination

- (1) Signs may not be illuminated.

5. Design and Erection of sign

- (1) Signs must comply with general conditions.

SCHEDULE 7

CLASS 2D: SPECIALISED SIGNS FOR PARKING AREAS

1. Approval

- (1) Subject to approval the erection or display is permitted in urban areas of minimum and partial control.
- (2) To the discretion of the Director: Planning and Economic Development, the Municipality may require that an AIA or environmental impact study is undertaken and submitted
- (3) The sign must be designed to harmonise with the design and landscape of the business centre.
- (4) Approval will not be granted for the display of a sign for an indefinite period. Approval will be granted for a maximum period of five years.
- (5) A maximum of 4 signs per hectare will be allowed.

2. Shape, Size and Height

- (1) A billboard may not exceed a maximum size of 8 m².
- (2) Maximum height: 8 m
- (3) Minimum clear height: 2, 4 m
- (4) Tower structure: maximum size: 4, 5 m²

3. Illumination

- (1) Illumination is permitted.

4. Design and Erection of sign

- (1) Signs must comply with general conditions.
- (2) A tower structure in a pedestrian area larger than 100m², may be used as a focal point, and must be of a high visual standard and must harmonise with surrounding buildings. The Signs type is used for general and non-locality bound advertisements in parking areas of shopping centres, transport nodes such as railway stations, bus stations and airports.

SCHEDULE 8

CLASS 2E: STREET FURNITURE

1. Description

“**street furniture**” are public facilities and structures which are not intended primarily for advertising and includes benches, planters, sidewalk litter bins, pole-mounted bins, bus shelters, sidewalk clocks and drinking fountains, but excludes road signs, traffic lights, street lights or any other road-related structures, metering kiosk and mini substations.

2. Approval

- (1) Subject to approval the erection or display is permitted in urban areas of maximum, minimum and partial control.
- (2) To the discretion of the Director: Planning and Economic Development, the Municipality may conduct a SEA (Strategic Environmental Assessment) to identify the streets and areas wherein the advertisement signs are allowed, to determine the maximum number and spacing of signs. The SEA must also consider the total impact of other types of signs to prevent that an area is overloaded with information and or signs.
- (3) A litter bin sign may not be displayed in a residential area.
- (4) Signs may only be displayed outside in sidewalks, open spaces, parks, picnic sites, parking areas of business centres, taxi terminals and other public transport terminals.
- (5) This class consists of advertisements on public facilities and structures which are not intended primarily for advertising, but which are primarily displayed in pedestrian environment and tourists and may include:

Bus shelters, drinking fountains, information’s kiosks, newsstands, internet points, seating benches, planters, litter bins, bicycle sheds.
- (6) Approval will be valid for a maximum period of three (3) years.

3. Shape, Size and Height

- (1) Maximum size: 4,5m²
- (2) Maximum height: 4m
- (3) Clear height if applicable: 2,3m.

4. Position

- (1) Sign must comply with Safety Requirements.
- (2) Sign may not obscure a road traffic sign or signal.
- (3) The following conditions with regard to the signs are applicable:
 - (a) May be displayed within road reserves of urban areas, other than road reserves of freeways.
 - (b) May not be less than 1m from a road kerb and 0.6m from cycle path, sidewalk, or pavement.
 - (c) Minimum of 120m apart between signs, except sidewalk litter bins.
 - (d) May not be placed in such way to obstruct the movement of any pedestrians, or in any way obstruct the view of a driver.
 - (e) Not to be used primarily for advertising.

5. Colour

- (1) When located in the vicinity of signalised intersections, the colours red, amber or green may not be used as main colour, not obscure or interfere with any road traffic sign or traffic signal, or constitute any danger for road users.

5. Illumination

- (1) Illumination is permitted only in urban areas of partial and minimum control, only if the street or road is illuminated and may not be animated.

7. Design and Erection of Sign

- (1) Sign must comply with general conditions.
- (2) Sign must comply with advertising standards, and must be visually acceptable and make a positive contribution to the street landscape.

SCHEDULE 9

CLASS 2F: BANNERS AND FLAGS

1. Description

- (1) **“banner”** means any material upon which an advertisement is displayed in such a manner as to be fully legible in windless conditions, attached to one of more ropes, poles or flagstaff projecting vertically, horizontally or at an angle, or attached to buildings or to specific structures, but excludes banners carried as part of a procession. A flag displayed on a non-approved flagstaff, is deemed as a banner for the purposes of this Regulation.
- (2) **“Flag”** means a material upon which an advertisement is displayed and which is attached to a single rope, pole or flagstaff projecting vertically, horizontally or at an angle from a building or property.

2. Approval

- (1) Subject to approval the erection or display is permitted in all areas except in natural areas of maximum control.
- (2) Banners and flags that are carried through streets as part of a procession are excluded in this class.

3. Shape, Size and Height

A Banners

- (1) Maximum control: Urban and Rural Areas:
 - (a) Maximum: 2 (two) banners may be displayed per event or function.
 - (b) Maximum size: 5m².
- (2) Partial and minimum control in urban areas:
 - (a) Maximum: 4 (four) banners may be displayed per event or function. A maximum of 8 (eight) banners may be displayed per shopping centre, of which the total floor area, excluding the parking area, is 2000m² or larger.
 - (b) Maximum size: 5m²

B Flags(1) Maximum control: Urban and Rural Areas:

- (a) Maximum: 2 (two) flags per event, function or enterprise.
- (b) Maximum size: 5m².

(2) Partial and Minimum control in urban areas:

- (a) Maximum: 8 (eight) flags may be displayed per event, function or enterprise. Maximum of 16 (sixteen) flags may be displayed per shopping centre of which the total floor area excluding the parking area is 2000m² or larger.
- (b) Maximum size: 5m².

4. Position

- (1) Must comply with general conditions.
- (2) This class consists of advertisements in the form of banners and flags.
- (3) Banners may only be displayed within the road reserve in positions as determined by the Municipality.
- (4) Banners and flags may not be attached in such a manner to interfere with, or constitute a danger to passing vehicles or pedestrian traffic.
- (5) Banners advertising functions or events conducted for religious, educational, social, welfare, animal welfare, sport, civic or cultural purposes, or functions or events relating to municipal, provincial or parliamentary elections or referendums may be displayed against a wall, boundary wall or fence following approval by the Municipality.
- (6) Banners and flags may not be affixed to trees or traffic signal poles, electrical or service authority distribution boxes, or other poles that carry traffic signs, rocks, other natural features, street equipment or other Municipal property.
- (7) Banners are permitted in urban road reserves other than freeways but may only be suspended across a road or street as part of an urban streetscaping project, as determined by the Municipality.

5. Illumination

No illumination is allowed.

6. Design and Structure

- (1) Must comply with general conditions.

6. Conditions

- (1) Banners will be used solely for the following purposes:
 - (a) Advertising, functions, events and occasions conducted for religious, educational, social, welfare, animal welfare, sport, civic and cultural purposes, municipal, Provincial or Parliamentary elections or referendums.
 - (b) Displaying of corporate symbol, names and nature of enterprise.
 - (c) Streetscaping urban areas such as pedestrian malls, gateways and pre-defined positions within the road reserve, as determined by the municipality.
- (2) Only a locality bound banner or flag may be used for advertising functions or events except when it is incorporated with a street awning project.
- (3) Banners may not be used for the purpose of advertising sales promotions, commercial products or events.
- (4) The Municipality may levy a tariff to cover the costs for the removal of material which has been erected without the approval of the municipality.
- (5) Banners may only be displayed in positions within a road reserve, as determined by the Municipality.
- (6) Banners may not be displayed for more than 30 (thirty) days before the date of function / event and must be removed within 2 (two) days after the conclusion of such function or event.
- (7) The Municipality may remove any indecent or torn banners or flags, or which in the opinion of the Municipality may cause a traffic hazard.
- (8) The Municipality is indemnified against any claims that may be instituted as a result of the display of banners or flags.

- (9) Organisations or persons who obtained approval for the display of flags or banners must pay an approval fee as determined by the Municipality, which gives the person the right to display the banners for a maximum of 14 (fourteen) days or such other period to be determined by the Municipality. No poster or flag may be displayed without the payment of the approval amount.
- (10) The Municipality may remove all posters, banners and flags or request the applicant to remove it if no permission was received from the municipality or / conditions were not complied with.
- (11) Banners or flags that are not removed on the expiry date may be removed by the Municipality with forfeiture of the deposit. Any cost incurred by the Municipality or arrangements for the removal thereof, can be recovered from the owner or lessee of the signs, or land owner on whose premises the signs are advertised, separately or jointly.
- (12) If any costs were incurred by the Municipality, or arrangements made for the removal thereof, it can be recovered from the owner or lessee of the signs, or land owner on whose premises the signs are advertised, or the person whose services are advertised, separately or jointly.
- (13) Banners will be erected and removed by the Municipality at the payment of tariffs as approved from time to time, and the banner must comply with the specifications as prescribed by the Municipality.
- (14) A national flag may not display any advertising material on the flag or flag pole.
- (15) A banner or flag carried through the streets during a process is excluded from the conditions as detailed in this Annexure.
- (16) A banner or flag on display at an urban gateway may not display commercial or corporate emblems, names or symbols.
- (17) A banner or flag displayed next to a road of which the speed limit is more than 60km/h, may not contain written information.

SCHEDULE 10

CLASS 2(g)(i): CONSTRUCTION SITE SIGNS (ADVERTISEMENTS AGAINST BUILDINGS, AGAINST CONSTRUCTION SITE BORDER WALLS AND FENCES)

1. Approval

- (1) Subject to approval the erection or display is not allowed in natural areas of maximum control. The display in areas apart from that of natural areas of maximum control is subject to the following conditions:
 - (a) The sign must conceal / hide an unsightly condition of the construction site.
 - (b) The sign must make a positive contribution to the visual area.
- (2) Construction signs are temporary and approval will only be granted for the period during which construction work takes place. The period of approval may not exceed 24 months.

2. Form, Size and Height

- (1) The size of the sign may not exceed a total area of 18m².
- (2) Maximum height: 3 m.

3. Position

- (1) Signs may not project more than 100 mm in front of the wall or fence to which it is affixed.
- (2) Signs may only be erected within the boundaries of the construction site.
- (3) Signs may not be placed on top of a fence or wall.

4. Illumination

- (1) No illumination is allowed.

5. Design and Structure

- (1) Signs must comply with general conditions.
- (2) Where ever possible project signs (Schedule 11) should be incorporated in construction site signs.

- (3) Signs must comply with advertising standards, must be visually acceptable and make a positive contribution towards the street landscape and area.

6. Conditions

- (1) Signs may only be displayed for the duration of the construction work, and may not exceed the period of 24 (twenty four) months.
- (2) Signs may only be erected as soon as construction activities commence and must be removed within 7 (seven) days after construction activities have ceased or ended.

SCHEDULE 11

CLASS 2(g)(ii): PROJECT BOARDS & DEVELOPMENT BOARDS

1. Description

- (1) **“Project board”** means an advertisement displaying information with regard to the relevant contractor(s) and/ or consultant(s) involved in the construction project and displayed on the construction site.
- (2) **“development board/advertisement”** means an advertisement which contains the type of development executed on a building site and may include a presentation and the contact details of the developer or his/her agent.
- (3) This class consists of signs displaying:
 - (a) The name of the developer and his agent and nature of a development, restoration, maintenance or upgrading a project.
 - (b) Contractors and consultants in projects.

2. Approval

- (1) Subject to approval the erection or display is permitted in all areas of control.
- (2) Project boards and development boards are both temporary signs.

3. Shape, Size and Height

A: Project Boards:

- | | |
|-----------------------------------|----------------------------------|
| (i) Maximum size: | 1,5m ² per consultant |
| (ii) Total Maximum combined size: | 13,5m ² |
| (iii) Maximum height: | 4,5m |

B: Development Boards:

- | | |
|---|------------------|
| (i) Maximum size in maximum control area: | 6m ² |
| (ii) Maximum size in partial and minimum control area: | 18m ² |
| (iii) Maximum size for single residential property:
(building project) | 2m ² |
| (iii) Maximum height: | 7m |

4. Position

A: Project boards:

- (1) Only one advertisement per project may be displayed per street frontage of a site.
- (2) Project boards must be displayed within property boundaries. No project boards shall be erected within any road reserve, except project boards representing construction activities within such road reserve.

B: Development Boards

- (1) Max 4 (four) Development boards per premises may be displayed with a minimum of 150m between signs.

5. Illumination

- (1) Illumination or animation is not permitted.

6. Design and Structure

- (1) Must comply with general conditions.

7. Conditions

A: Project Boards

- (1) Project boards shall be displayed only during the period when the construction works are actually taking place on site, and must be removed after construction activities have ceased or ended. Not later than 7 days after completion of the project and retention period expired.
- (2) Project boards shall describe the building or structure that is erected or other work or activity being carried out during the duration of the project and provide the names of the contractors or consultants concerned with such work or activity. The branches of industry or the professions of the contractors or consultants may be listed.

B: Development Boards

- (1) Development boards may describe the type of development being carried out on site and giving details such as the type of accommodation, floor space, name, address and telephone number of the developer or his/her agent may be displayed on this sign.

- (2) Development Boards may only be erected after approval for development has been obtained and if development will commence within the following 6 (six) months.
- (3) Development boards may only be displayed within the boundaries of the property of the actual development and not in the road reserve.
- (4) In instances where a proposed development is not adjacent to, or visible from a public road, the sign may be placed at an alternative location closest to the development at the nearest entrance of the private access to the public road.
- (5) Development boards shall be removed within 7 (seven) days after issue of the occupation certificate or when the provision of services has ceased or as soon as 80% of the properties are sold, excluding resale of properties. Signs may be displayed a maximum period of 2 years.

SCHEDULE 12

CLASS 2G (iii): SIGNS FOR SPORT AND OTHER MEETINGS, FESTIVALS, EXHIBITIONS AND HOLIDAY SEASON

1. Approval

- (1) Subject to approval the erection or display is allowed in all areas of control especially at festivals, exhibitions, holiday / festival exhibitions or sporting events or similar events that are temporary events.

2. Shape, Size and Height

- (1) Maximum size: 15m².
- (2) Maximum height: 12m.
- (3) This type of sign includes a variety of signs which may include ground-based inflatable signs, airborne captive balloons, product replicas and banners.

3. Position

- (1) Signs may not be placed in such a way to obstruct the movement of any pedestrians, or in any way obstruct the view of a driver.
- (2) All signs along any public road where such a road has been closed for presenting a sporting event, festival or exhibition shall be removed before such a road are opened for motorised traffic again.

4. Illumination

- (1) The sign may not be illuminated.

5. Design and Structure

- (1) The sign must comply with general conditions.
- (2) The sign must be anchored securely to the ground, against a building or structure, in a secure manner.
- (3) For captive balloons see schedule 38 Aerial Signs.

6. Special Conditions

- (1) The signs may be displayed only for the duration for a specific event, festival, or exhibition.
- (2) The Municipality may remove or request the applicant to remove all signs which do not comply with all provisions of this By-Law or other applicable legislation or condition imposed by the Municipality.

SCHEDULE 13

CLASS 2G(iv): PROPERTY PRACTITIONER SIGNS AND SHOW SIGNS

1. Approval

- (1) Subject to approval in terms of this By-Law, the erection or display of show signs will be permitted in all areas.
- (2) Only Property Practitioners registered with the Property Practitioners Regulatory Authority (PPRA) will be allowed to erect show house signs. Proof of registration must accompany the annual application.
- (3) Property Practitioners Firms must apply annually for permission to display show house signs and approval is subject to proof of registration at the Property Practitioners Regulatory Authority the PPRA (FFC Certificate) and payment of an annually prescribed and approved fee in accordance with the Municipality's Schedule of Tariffs.
- (4) Any Property Practitioner sign which is in contravention of the provisions of this Schedule will be subject to a fine laid down by the Municipality.

2. Form, Size, Height

- (1) The following is applicable on show signs.
 - (a) A sign may consist of single board, or two duplicate boards, joined back to back.
 - (b) Show signs may not exceed 0,3 m² in total area, and 1m in height.
 - (c) Show house signs shall only be displayed over weekends from 12h00 Friday to 20h00 Sunday; Show house signs may also be displayed on Public Holidays from 12h00 the day before the first Public Holiday and must be removed not later than 20h00 the last day of the Public Holiday.
 - (d) Show House Signs may also be displayed during the National School Holidays from 12h00, and must be removed not later than 20h00 of the last day of the national school holidays.
 - (e) On each sign the wording "On Show" with the name of the Property Practitioners Firm, the name of the Property Practitioner and contact details, with direction arrow must be displayed.

- (f) Not more than ten Property Practitioners directional signs will be permitted per show property with a minimum distance of 100m between signs. The definition of one sign will include the display of two sign boards only when such boards are affixed back to back.
- (g) Extra marketing material within the boundaries of the show property may be allowed.
- (h) The required municipal sticker shall be affixed to every sign / directional sign to indicate the legality and validity of the show sign /directional sign. These stickers will be obtainable form the Directorate: Planning and Economic Development.

3. Position

- (1) The following is applicable to show signs.
 - (a) The signs may not be affixed to trees, traffic signals, street poles or other poles that carry road traffic signs, walls, fences, rocks, other natural features or landscape areas, street furniture or other municipal property unless such other display is authorised in writing by the Municipality.
 - (b) No Property Practitioners Firm may display more than one sign between consecutive intersections.
 - (c) Single Residential properties:

A maximum of two “on show” signs may be displayed at a property, of which only one “On Show” sign per Property Practitioners Firm may be displayed.
 - (d) Commercial, Agricultural property, group housing, complexes and gated complexes: Maximum of six property practitioner boards may be displayed at a property, including for sale and “on Show signs, of which only one “On Show” sign per Property Practitioners Firm may be displayed
 - (e) On show signs may not be displayed within 50 m from the centre of an Intersection.
 - (f) Show signs may be displayed on stakes making use of a design approved by the Municipality. Show house signs may not be displayed on concrete, premixed or paved surfaces. It is not permissible for stakes to penetrate the ground deeper than 15cm.
 - (g) The signs may not be displayed along a designated scenic drive or on any bridge, public park or public open space.
 - (h) Show house signs may not obscure a road traffic sign.

- (i) Show house signs may not be displayed on centre islands.
- (j) Show house signs may not be erected in such a way that any part of it is closer than 1m of a street kerb.
- (k) Directional signs may only be displayed along main routes, being the shortest route of a main route to the property.
- (l) A Property Practitioners Firm may display only one sign per intersection.
- (m) A maximum of four signs per intersection and maximum of three signs per T- junction may be displayed.
- (n) No Property Practitioner signs may be displayed on any tarred or paving surface.

SCHEDULE 14

CLASS 2(g)(v): AUCTION SIGNS

1. Approval

- (1) Subject to approval the erection or display will be permitted in all areas.
- (2) Three types of signs may be displayed which include:
 - (a) Maximum: One on-premise auction sign.
 - (b) Maximum: Ten directional signs.
 - (c) Maximum: Ten Auction street pole advertisements.

2. Shape, Size and Height

A: On-premises auction sign:

- (1) Maximum: One sign within auction property's boundaries.
- (2) Maximum Size: 2.4 m².
- (3) Maximum height: 2 m.

B: Directional signs

- (1) A sign may exist out of single board, or two duplicate boards, joined back to back.
- (2) Maximum: 0.3m²
- (3) Maximum: 10 per auction.

C. Auction signs against street poles

- (1) Size: One direction: $\geq 0.5 \text{ m}^2$ (A1)
Two directions: Maximum 1m²
- (2) Maximum: 10 per auction
- (3) Shall be attached / displayed in such a way, to ensure that the sign is safe and not impose any danger for any person. May not cover any municipal markings / stripes on lamppost and does not damage the poles on which it is attached.
- (4) Posters must be of uniform height of no less than 2.3m from the ground.

- (5) Posters may be displayed against lamp poles or any other structure which can be utilised for posters.

3. Position

A: Auction Sign on Premises:

- (1) Sign may only be erected on the premises / property or attached to boundary wall of property where auction will take place.
- (2) Auction sign may not be displayed within the road reserve.
- (3) Sign may not be positioned or affixed in such a way that it imposes any danger for pedestrians, cyclists or drivers.

B: Direction Signs

- (1) May not be affixed to trees, traffic signal poles, street poles, or other poles that carry traffic signs, walls, fences, rocks and other features, street furniture or other municipal property unless such other display is authorised in writing by the Municipality.
- (2) Each sign shall display the wording "Auction" with the auctioneer's name, direction arrow, date, time and address of auction.
- (3) Auction signs may not be displayed on concrete, premix, or paving surfaces.
- (4) It is not permissible for stakes to penetrate the ground deeper than 15cm.
- (5) Signs may not exceed 0.3 m² in total area.
- (6) No more than 10 (ten) signs are allowed per property. The definition of one sign includes the display of two sign boards only if such boards are affixed back to back.
- (7) Signs may not be displayed next to scenic drives, or any bridge, in a public park or public open space.
- (8) Signs may not obscure any road traffic sign.
- (9) Signs may not be displayed on centre islands.
- (10) No auction direction signs may be erected in such a manner that any part of it is closer than 1m from a street kerb.

- (11) Signs may only be displayed next to main routes which are the shortest route from a highway to the property.
- (12) Signs may not be erected on any tarred portions of pavements.
- (13) Any auction sign that is erected unlawfully or in contravention with the provisions of this By-Law is subject to a fine laid down by the Municipality.
- (14) Each sign or poster must be provided with a sticker which indicates the legality and validity of a poster / board. These stickers shall be obtainable at the office of Directorate: Planning and Economic Development when providing proof of approval and receipt.
- (15) The Municipality retains the right to reposition any sign and to remove illegal signs.

C. Auction Signs against Street Poles

- (1) No poster, banner or flag may be displayed within 50m of any road traffic signs or traffic signal.
- (2) Signs may not conceal any municipal markings on lamp posts.
- (3) Signs may not be displayed along a road where the speed limit is more than 80 km/h.
- (4) Signs may not be affixed to an electricity pole, electricity box, on trees, centre islands, traffic signs, traffic signals, and existing advertisements or against any other municipal property or fire hazard indicators.
- (5) Posters may only be affixed in the streets or places as indicated by the Municipality, and may not be affixed in residential areas and on bridges.
- (6) Only one poster per organisation may be affixed to third street light pole.
- (7) The name of the organisation, date and place of the auction must appear on the material, and not less than 50mm in height.
- (8) All fixture material must be removed with the poster.
- (9) The Municipality may remove any indecent or frayed poster, banners or flags that cause traffic dangers in the opinion of the municipality.
- (10) The Municipality will be indemnified against any claims that may be instituted as a result of the display of posters.

- (11) Each sign or poster must be provided with a sticker which indicates the legality and validity of a poster / board. These stickers shall be obtainable at the office of Directorate: Planning and Economic Development when providing proof of approval and receipt.

4. Illumination

No illumination is allowed.

5. Design and Structure

- (1) Signs must comply with general conditions.

6. Special Conditions

- (1) Auction signs may only be displayed 7 (seven) days prior to the event/ auction and removed within 2 (two) days after the auction.
- (2) The Municipality may remove auction signs or request the applicant to remove such if the abovementioned conditions are not complied with.
- (3) Each sign or poster must be provided with a sticker which indicates the legality and validity of a poster / board. These stickers shall be obtainable at the office of Planning and Economic Development Department when providing proof of approval and receipt. Copy and
- (4) The Municipality retains the right to reposition any placed sign and to remove any illegal signs.
- (5) Auction signs that are not removed within (2) two days after the auction date, may be removed by the Municipality with forfeiture of the deposit. Any cost incurred by the Municipality or arrangements for the removal thereof, can be recovered from the auctioneer.

SCHEDULE 15

CLASS 2(g)(vi): POSTERS AND NOTICES

1. Description

- (1) “**poster**” means any temporary advertisement that can be attached to the electrical light poles of the Municipality or on fixed structures to advertise meetings or campaigns, including elections or referendums of limited duration, but not signs that advertise markets, exhibitions or meetings that take place on a regular basis;
- (2) This class includes temporary signs affixed to street poles with electrical light standards within the road reserve to advertise within the road reserve, to advertise charitable events, functions, occasions, meeting or campaigns of religious, educational, cultural, political, social, sporting or recreational nature.

2. Approval

- (1) Posters and notices shall be permitted in in urban areas of maximum, partial and minimum control.

3. Form, Size and Height

- (1) Size: One direction: $\geq 0,5 \text{ m}^2$ (A1) with maximum size $1,2 \text{ m}^2$ (A0) size.
Two Ways: Maximum $2,4 \text{ m}^2$.
- (2) Must affixed by means of suitable cord or plastic binding pieces and affixed in such a manner that it will not damage the poles to which it is attached. No binding material with metal content is allowed.
- (3) Poster must be of uniform height of not less than 2.3m from the ground.
- (4) Posters shall be displayed against every 3rd electrical light poles.

4. Position

- (1) May not be displayed within a distance of 15m from any intersection.
- (2) Signs may not be displayed along to a road where the speed limit is more than 80 km/h.
- (3) Signs may not be affixed to an electrical distribution box, trees, centre islands, traffic signs or existing advertising signs or against any other municipal property or on top of fire hazard indicators.

- (4) Signs may only be affixed in the streets or places as indicated by the Municipality, and may not be affixed in residential areas and on bridges.
- (5) Only one poster per organisation may be erected against every third street pole.

The maximum number of posters affixed to any street pole shall be limited to two posters.
- (6) Signs may not display any letters smaller than 50 mm in height.
- (7) Posters may only be erected to advertise the meeting and the name or emblem of the sponsor may not comprise more than 20% of the surface of the material.
- (8) All adhesive material must be removed with the poster.
- (9) The Municipality may remove any indecent or frayed posters and which in the opinion of the Municipality impose traffic dangers.
- (10) The Municipality shall be indemnified against any claims which may be instituted as a result of the display of posters.

5. Colour

- (1) In signs where the colours green, amber or red are used as main colour; the sign may not be closer than 50m from any intersection.

6. Illumination

No external or internal illumination will be allowed.

7. Design and Erection of sign

- (1) Signs must comply with general conditions.
- (2) Signs shall be attached / displayed in such a way, to ensure that the sign is safe and not impose any danger for any person.

8. Special conditions

- (1) The Municipality may charge a tariff to cover the costs for the removal of material that was issued without the approval of the Municipality
- (2) Posters shall except for political or municipal election campaign posters, only be erected 7 (seven) days prior to the date of the event will be removed within 2 (two) days after the last day of the function.

- (3) Posters relating to a parliamentary-, municipal-, by-elections or referendum may be displayed for longer than the period in (2) above, 6 (six) weeks before the election and shall be removed not later than seven days after the day of such election or referendum.
- (4) Posters relating to the registration for a parliamentary-, municipal-, by-elections or referendum may be displayed 21 (twenty one) days prior to the date of any registration period for the election or referendum and shall be removed 7 (seven) days after the last day of registration period.
- (5) Organisations or persons who obtained approval to display posters must pay a deposit as determined by the Municipality, which shall entitle the person to display the posters for a maximum of 14 days or such other period as determined by the Municipality. No poster may be displayed without payment of such deposit.
- (6) The Municipality will have the right, without the serving of a notice, to remove or destroy posters, as well as advertisements that are displayed without the approval by the Municipality.
- (7) The Municipality will have the right to recover costs for the removal of these signs.
- (8) The Municipality may remove all posters, or request the applicant to remove it if the conditions are not complied with.
- (9) Posters that are not removed by the expiry date may be removed by the Municipality with forfeiture of the paid deposit.
- (10) Every poster and notice for which permission is granted, except for election campaign posters, shall be stamped with the Municipality's stamp or marked with a municipal sticker and only signs so stamped or marked shall be displayed.

SCHEDULE 16**CLASS 2(g)(vii): FLYERS AND PAMPHLETS**

- (1) This class included hand distributed advertising notices in the form of handbills, leaflets and pamphlets.
- (2) Flyers and pamphlets, which are regarded as temporary signs, are subject to the following provisions
 - (a) Flyers and pamphlets may only be placed in a post box or similar on premises facilities.
 - (b) In order to avoid any nuisance, litter and or environmental pollution, handing out of Flyers and pamphlets at road intersections and in any pedestrian environment shall not be allowed, since it generates litter and creates a traffic hazard at intersections.

SCHEDULE 17

CLASS 2(g)(viii): TEMPORARY WINDOW SIGNS

1. Description

- (1) “**temporary window signs**” means an advertisement sign which is temporarily painted on the window glass of a building or attached thereto for commercial, entertainment, office or industrial purposes, and must be displayed within 2m of any window or other outdoor openings, from where it can be seen from the outside.

2. Approval

- (1) Subject to approval the erection or display is permitted in all areas of control.

3. Form, Size and Height

- (1) Size of signs that may be painted or affixed temporarily on the window glass of a business as follows:
 - (a) Natural and urban areas of maximum control:
 - (i) Sign may not exceed 10% of total window area.
 - (b) Rural areas of Maximum control and urban areas of partial control:
 - (i) Sign may not exceed 25% of total window area.
 - (c) Urban areas of Minimum control:
 - (i) Sign may not exceed 50% of total window area.

4. Position

- (1) This class consists of signs which are painted temporarily on or attached to the window glass of a building which is used for commercial, office, industrial or entertainment purposes or any temporary sign displayed within two meters of a window or external opening, through which it can be seen from outside a building.
- (2) Signs are used mainly for sales promotions and advertisements which are aimed at attracting the attention of both road users and pedestrians.
- (3) Price tags on items inside such buildings that are smaller than 0.01m² will be excluded from this class.

- (4) Non-locality bound products, activities and services may also be included.
- (5) Temporary window signs shall not be displayed for a period exceeding one month.

5. Illumination

- (1) Signs may be illuminated.

SCHEDULE 18

CLASS 2(h): STREET NAME ADVERTISEMENT SIGNS

1. Description

- (1) “**street name sign**” means pole-mounted, double-sided, internally illuminated advertisements which are displayed in combination with illuminated street name sign, signs combined with direction boards of advertisements and street names, un illuminated street names with advertising, un illuminated stacked advertisement signs with street names, combined usage units with street names or small street names with advertisements.

2. Approval

- (1) Subject to approval the erection or display is only allowed in urban areas of maximum, partial and minimum control.
- (2) This class sign consists mainly of pole-mounted double sided internal illuminated advertisements displayed in combination with street name boards in the urban areas.
- (3) To the discretion of the Director: Planning and Economic Development, the Municipality may execute a “SEA” Strategic Environmental Assessment to identify the streets wherein the advertisement signs will be allowed, to determine the maximum number and spacing between signs. Subject to availability of electricity. The “SEA” must also consider total impact of other type signs to prevent that area is overloaded with information and or signs. The display of elections and or political posters and municipal notices must be taken into consideration.
- (4) Approval will be granted for a maximum of 5 years.

3. Form, Size and Height

- (1) Maximum size: 2m².
- (2) Height: Clear of 2.3m (height to the street name).

4. Position and Spacing

- (1) A maximum of two illuminated signs are allowed per intersection.
- (2) The signs must comply with general conditions and requirements and National Road regulations.

5. Illumination

- (1) Signs may be illuminated..
- (2) The signs may not flash or be animated.

6. Design and Structure

- (1) The sign must comply with general conditions.
- (2) Street names shall be in black letters with a white background.
- (3) The lay-out of the advertisement panel must be of such a nature that there may not be any confusion with the street name.

SCHEDULE 19

CLASS 2(I) NEIGHBOURHOOD WATCH, SECURITY AND FARM WATCH SIGNS

1. Description

This class signs consists of outdoor signs for security schemes such as neighbourhood watch, security villages, , farm watch signs that indicate that such a scheme is operating in the area and responsible for the specific site.

2. Approval

(1) Subject to approval, the erection or display of these signs are permitted in all areas.

3. Form, Size and Height

(1) Size and height as follows:

- (a) Neighbourhood signs:
Maximum: 1.5m²
- (b) Farm watch signs:
Maximum 1.5m²
- (c) Security Villages:
Maximum size: 0.5m²

(2) Maximum height: 2.5m

4. Position

(a) Farm watch signs

- (i) Max one sign will be permitted at each entrance of a farm.
- (ii) Farm watch signs may be displayed at the junction or intersection of a public road and private access road or at the entrance of an individual farm.

(b) Neighbourhood watch and security villages:

- (i) Neighbourhood watch signs may be displayed within the road reserve except road reserves of national roads, provincial roads or any freeways, at the point where the watch area is entered.

- (ii) Signs at security villages, where entrances to security schemes are controlled or defined by means of structures such as gates, guardhouses or booms within the road reserve, scheme sign shall be displayed on such entrance structures.

5. Illumination

- (1) The signs may not be illuminated or animated.

6. Design and Structure

- (1). The signs must comply with general conditions.
- (2) Signs may make provision for the name, address and telephone number of the scheme that is operating in the area and responsible for the specific site. Only the name or logo of the security company sponsoring the scheme shall be allowed with the words "supported by". Such information shall not exceed more than 15% of any sign.
- (3) Message should be short, long slogans for the main purpose of advertising service providers involved will not be allowed.

CLASS 3 SIGNS ON BUILDINGS, STRUCTURES AND PREMISES

SCHEDULE 20

CLASS 3A: SKY SIGNS

1. Description

- (1) **“Sky sign” This class consists of large signs on top of skyscrapers.**

2. Approval

- (1) Subject to approval the display of these signs is only permitted in urban areas of partial and minimum control.
- (2) Sign may only be displayed after an Advertising Impact Assessment (AIA) was done.
- (3) Approval will be granted for a maximum initial period of five (5) years. The advertisement structure must be erected within three (3) months after approval.

3. Form, Size and Height

- (1) Maximum size shall be determined for each sky signs, considering the visual and safety impact after an AIA was done.
- (2) Size will be determined by the outcome of the impact study and will depend on factors such as the size and character and surrounding area, lifestyle of the local communities and nature.
- (3) No sign shall dominate the host skyscraper visually, and shall not be higher than 10% of the total height of the sky scraper.
- (4) Maximum of one sign per skyscraper.

4. Position

- (1) Sign may not project in front of a main wall of host building, so as to extend beyond the roof of such a building in any direction.
- (2) Sign may not obstruct the view of any other building, or of a prominent view point in the town.

5. Illumination

- (1) Signs may be illuminated but not animated.

6. Design and Structure

- (1) All signs shall be certified by a structural engineer.

7. Conditions

- (1) The advertisement content of an approved sign may not be changed without approval by the municipality, based on an additional impact assessment submitted to and approved by the Municipality.

SCHEDULE 21

CLASS 3B: ROOF SIGNS

1. Description

- (1) **“roof sign”** This class consists of signs which are fixed to the main roof of buildings up to ten floors in height and of which the building is used or partially used for commercial, office, industrial or entertainment purposes or larger accommodation facilities”.

2. Approval

- (1) Subject to approval the display of these signs shall be permitted in all urban areas except areas that are zoned for residential purposes only.
- (2) Only Locality bound signs may be displayed.

3. Form, Size and Height

- (1) Maximum size of signs as follows:
- | | | |
|-----|--------------------------------|------------------|
| (a) | <6m above ground level | 4m ² |
| (b) | 6m - <9 m above ground level | 6m ² |
| (c) | 9m - <12 m above ground level | 8m ² |
| (d) | 12m – and < above ground level | 12m ² |
- (e) Distance between the bottom of sign and nearest part of the roof shall not be more than 120 mm.
- (2) A sign shall be affixed in a straight line, except in the case of a v-construction. The distance between the two sides at the open end of the v may not exceed the length of the sides.
- (3) A roof sign may also include any sign consisting of a single line of free standing, individual, cut-out letters, symbols, or emblems.
- (4) Signs fixed to roofs of verandas and balconies shall not be included in this class.

4. Position

- (1) Only locality bound roof signs may be displayed.
- (2) Only one sign per business will be allowed, with a total maximum of three per building.

5. Illumination

- (1) Illumination will be allowed.
- (2) No animation will be allowed.

6. Design and Structure

- (1) Must comply with general conditions.

SCHEDULE 22

CLASS 3(c): WALLS SIGNS (FLAT)

1. Description

- (1) **“Wall sign”** This class consists of signs which 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 building.

2. Approval

- (1) Subject to approval the display of these signs is only allowed in
- (a) Urban areas of maximum, partial and minimum control
 - (b) Natural and rural areas are limited to buildings utilised for economic activities, commercial office, industrial or entertainment buildings as well as larger accommodation facilities.

3. Form, Size and Height

- (1) Maximum size as follows:
- (a) **Locality Bound signs**
 - (i) Maximum control areas: <20% of ground floor facade
 - (ii) Partial & Minimum Control areas: <50% of ground floor facade
 - (iii) Shopping centres: <30% of specific facade
 - (b) **Non-Location Bound Sign**
 - (i) Limited to Partial and minimum control not exceeding 50% of wall area.
- (2) Signs may not project more than 75 mm over a foot way or sidewalks, where such sign is less than 2.4 m above the foot way or ground level, and 200 mm where a sign is more than 2.4 m above the ground level below the sign.
- (3) Maximum number of signs permitted:
- (a) **Maximum control**
 - (i) Two signs per enterprise.

b) Partial and minimum control:

- (i) Maximum three signs per enterprise, with the understanding that the maximum number of signs per enterprise may be increased to four if it is a business centre.
- (4) To the discretion of the Director: Planning and Economic Development an advertising impact assessment (AIA) may be required by the municipality for any sign exceeding 18 m².

4. Position

- (1) **Locality Bound:** Sign may be attached against front wall of building or any other wall of building.
- (2) **Non-Location Bound:** Sign may only be attached to the side and back walls of the building with a maximum of two signs per wall.
- (3) Wall sign shall only be attached “flat” against a main wall surface of a building and shall not be displayed on the boundary walls.
- (4) Projection of signs:

Maximum projection of any part of a wall sign over a foot way or sidewalk ground level will be 75 mm where such sign is less than 2,3m above the ground level immediately below such sign and 200 mm where such a sign is more than 2.3m above such a foot way.

- (5) Sign may not obstruct the view out of any window or any other external opening of any building and part of any such sign may obscure the opening or closing of any window, door or other opening.
- (6) Locality bound flat signs will not be displayed above the lower edge of visible second floor window in a specific building facade. Locality bound flat signs for the following functions can be excluded from this condition:
 - (iv) Banks and financial institutions
 - (v) Large apartment stores
 - (vi) Large hotels
 - (vii) Large industries
 - (viii) Government institutions

- (ix) The name of the building
- (x) Shopping centres

5. Illumination

- (1) Illumination may be permitted

6. Design and Structure

- (1) Must comply with general conditions.

SCHEDULE 23

CLASS 3(d): SIGNS PAINTED ON WALLS AND ROOFS OF BUILDINGS

1. Description

This class consists of signs painted directly onto the main walls or roof of a building used for commercial, office, industrial, entertainment purposes or larger accommodation facilities.

2. Approval

- (1) Subject to approval the display of these signs will be permitted in urban areas of partial and minimum control.

3. Form, Size and Height

- (1) Sign may not exceed 20% of the ground floor facade of enterprise.
- (2) An advertising impact assessment (AIA) shall be required by the municipality for all painted sign exceeding 18m².
- (3) Sign may not exceed 20% of roof area on which it will be painted.

4. Position

Locality bound signs:

One signs per enterprise will be allowed against a façade walls, side and back walls, and roof.

(2) Non-location bound signs:

One sign per wall
Only against side or back wall.

- (3) Application for the display of an advertising sign on a heritage site must be submitted to the Heritage Committee for recommendation. Signs must be deemed as architectural elements of the building. The design of the sign must compliment architectural styles and lines of site.

5. Illumination

- (1) No illumination is allowed.

6. Design and Structure

- (1) No sign may have a negative impact or a negative influence on the area or the town. It must harmonise with the area, streets etc., and render a positive contribution.
- (2) All signs must appear neat and comply with advertising standards.

SCHEDULE 24

CLASS 3E: ADVERTISING SIGNS ON TOWERS, BRIDGES AND PYLONS

1. Description

- (1) **“Pylon”** means any sign whether stationery or in service displayed on an integral part of a pylon or mast or other similar structure except on a building.

2. Approval

- (1) Subject to approval this class is allowed in urban areas of partial and minimum control.
- (2) The class consists of signs affixed to or painted on towers and bridges that are not used mainly for advertising purposes. Included are signs on cellular basis stations, towers, water towers, radio towers, silos, pylons and similar structures. Also included in this class signs are signs that are erected for the sole purpose of advertising.
- (3) To the discretion of the Director: Planning and Economic Development an Advertisement Impact Assessment (AIA) may be requested, to be submitted to municipality, taking into consideration the sensitivity of the environment, the visual and safety and relevant factors. Approval of signs on bridges is subject to approval by the Council.
- (4) Approval for Pylons and Towers: Maximum period of five years.
- (5) Approval for signs on bridges: Maximum period of one year.

3. Form Size, Height

- (1) Size: Maximum total area: 40 m² per structure
- (2) Height: 12m
Clear height: 2.4m (if sign protruding from pylon)
Clear height: Bridge sign: 5.2m

4. Position

- (1) No sign in this class with a size between 19m² and 40m² shall be erected within a radius of:
 - (a) 750m of any other of this class signs between 19m² and 40m² or any Bill Board

- (b) 125m from the centre of an intersection on an arterial road.
 - (c) 65m from the centre of an intersection on any lower order road.
- 2) No sign in this class with a size between 9m² and 18m² shall be erected within a radius of:
- (a) 300m of any other of this class signs between 9m² and 18m² or any Bill Board
 - (b) 100m from the centre of an intersection on an arterial road.
 - (c) 50m from the centre of an intersection on any lower order road.
- (3) Signs may not be erected or displayed over a provincial road.
- (4) Signs may not be longer than the top of the tower, above, or under or outside the structure of the bridge.
- (5) A maximum of two signs shall be permitted per tower, bridge, and pylon.
- (6) Also included are cellular base stations, water towers, radio towers, silos, pylons, masts.
- (7) Signs are not permitted inside road reserve.
- (8) Signs may not project more than 0.3m from the main wall of the tower / bridge.
- (9) Signs may not extend beyond the top of the tower, or above, below or beyond extremities of bridge.

5. Design and Structure

- (1) Any sign permitted in this class, will be affixed to a tower, pylon or bridge which has been designed in a manner and erected to the satisfaction of the Municipality.
- (2) Every pylon shall be secured independently and properly, and for this purpose, to an adequate foundation in the ground, and be entirely self-supporting without the aid of guys, stays, brackets or other restraining devices.

6. Illumination

- (1) Signs can be illuminated as follows:
 - (a) Along urban freeways, only if the freeway is illuminated.

- (b) If visible from a National or Provincial road, only if the road is illuminated.
 - (c) Partial control: Illumination and animation are allowed.
 - (d) Minimum control: Illumination and animation are not allowed.
- (2) Illumination and animation will only be allowed if it is not a safety hazard, will not cause unnecessary disturbances and if the source of illumination is concealed from oncoming traffic.

SCHEDULE 25

CLASS 3(f): ON PREMISES BUSINESS SIGNS

1. Description

- (1) “**On site business advertisement / advertisement sign**” means an advertisement that is aimed at the identification and tracking of business undertakings and industries, and includes residential or community advertisement.

2. Approval

- (1) This class consists of locality bound signs which are aimed at the identifying and locating:

Businesses and enterprises;
Industries;
Urban Small holdings including farms stalls;
Shopping Centres;
Industrial Parks;
Office Parks.

- (2) Subject to approval the display of these signs will be permitted in all relevant areas of control.
- (3) Signs will be allowed with limited information namely, name and nature of business / enterprise, brand names of items for sale, nature of services provided, name of owner.

3. Form, Size and Height

- (1) Maximum size allowed:
- (a) Free standing panel:
- (i) Maximum control: Maximum total area: 6m².
- (ii) Partial / Minimum control: Maximum size 12m².
- (b) Signs on boundary walls: maximum 2m².
- (c) Signs on entrance gates: maximum 2m²
- (2) Maximum height 7,5m.

4. Position

- (1) Only locality bound signs are allowed.
- (2) Multi-enterprise centre, complex:
 - (a) Free standing panel: Total maximum of two signs per street front, including any combination sign structures,
 - (b) Combination Sign Structure: Maximum two signs per street front, including any free standing panels.
 - (c) Sign Panels per Combination sign structure: Maximum two per enterprise
 - (d) Against boundary Wall: Maximum one sign per street front.
 - (e) This type of signs will not be permitted against palisades, fiacres walls or fencing.
- (3) Single Enterprise Site
 - (a) Freestanding panel: Max one per street front
 - (b) Against Boundary Wall: maximum one sign per street front
 - (c) Against entrance gate: Maximum two signs
 - (d) Will not be permitted against palisades, fiacres walls or fencing.
- (4) This sign type shall include the following:
 - (a) Individual free standing signs on business premises.
 - (b) Signs on appropriate structures on specific premises such as boundary walls, gates and gate structures.
 - (c) Combination signs which indicate several business or enterprises and which are provided at shopping centres, industrial areas and parking areas shared by several enterprises.
 - (d) No sign shall extend above or beyond any of the extremities of a structure to which it is affixed.
- (5) To prevent the multiplication of signs at business centres or at other premises individual free standing signs must be incorporated with combination signs.

- (6) Where a business or enterprise such as a stall or guest house is situated on a large property, the sign shall be placed in such a manner that it is in the immediate vicinity of the enterprise, where such enterprise is adjacent or visible from the public road. If the enterprise is not adjacent to or visible from a public road, the sign may be placed at the entrance of the private access to the public road.
- (7) No sign shall obscure the view of an adjacent building.
- (8) Combination signs at shopping centres and industrial premises which contain large information must be designed in such a manner that it does not create a traffic safety hazard resulting from information overloaded.

5. Illumination

- (1) Internal and external illumination may be allowed in areas of minimum and partial control.
- (2) Internal illumination of both panels / sections of the sign are allowed with condition that the illumination level / intensity of illumination is the same for both panels.
- (3) Only external illumination will be allowed in areas of maximum control.

6. Design and Structure

- (1) To prevent the multiplication of signs at business centres or at other premises individual free standing signs must be incorporated with combination signs.
- (2) The signs must comply with general conditions.

SCHEDULE 26

CLASS 3(g) PROJECTING SIGNS

1. Description

- (1) **“projecting sign”** means a sign affixed to a wall of a building and which projects at some or other point by more than 250 mm in front from the surface of such wall;

2. Approval

- (1) Subject to approval the erection or display of signs are only allowed in the following areas:
- (a) Urban areas of maximum, partial and minimum control.
 - (b) Natural and rural Areas, only centres of economic activities, buildings utilised for commercial purposes, offices, and industrial or reception entertainment as well as accommodation facilities.
- (2) The class consists of signs which are affixed to an external wall of a building used for commercial, office, industrial or entertainment purposes and larger accommodation facilities, which projects more than 250 mm from the surface of the wall which is affixed at right angles to the street line.

3. Form, Size and Height

- (1) Minimum clear height 2,3m and maximum thickness of 300mm.
- (2) Only one sign will be allowed per enterprise facade.
- (3) Maximum size as follows:

(a) Areas of Maximum Control		
	Clear height of sign below 6 m	Clear height of sign above 6m
Maximum size	0,9 m ²	4,0 m ²
Maximum horizontal dimension	1,0 m	1,5 m
Maximum vertical dimension	1,5 m	3,0 m

(b) Areas of Partial and Minimum Control		
	Clear height below 6 m	Clear height above 6 m
Maximum size	2 m ²	5,0 m ²
Maximum horizontal dimension	1,25 m	2,0 m
Maximum vertical dimension	2,5 m	3,5 m

4. Position

- (1) No projecting sign shall be displayed in front of a window or any other opening.
- (2) A sign may not be extended beyond the top of a wall to which it is affixed, or above the level of the underside of the eaves or gutter.
- (3) Only locality-bound signs may be displayed.

5. Illumination

- (1) Internal and external illumination may be allowed subject to determinations of electrical and illumination safety requirements.

6. Design and Structure

- (1) Structural drawings must be submitted for all projecting signs.
- (2) Projecting signs may be suspended above sidewalls, subject to conditions.
- (3) The signs must comply with general conditions.

SCHEDULE 27

CLASS 3(h) VERANDA, BALCONY, CANOPY AND UNDERAWING SIGNS

1. Description

- (1) **“veranda”** includes a free standing sun roof and blind;
- (2) **“balcony”** means a platform attached to a wall, surrounded with lattice work, balustrades or similar structures, supported by columns or freestanding beams and which is accessible from the top storey window;

2. Approval

- (1) Subject to approval in terms of this By-Law, the erection and or display of these signs will be allowed in:
 - (a) All urban areas of control.
 - (b) Rural and natural areas (only at centres of economic activities).
- (2) Signs affixed flat or painted on-
 - (a) A parapet wall, balustrade or railing of veranda or balcony.
 - (b) The fascia of a veranda
 - (c) Beam over veranda columns.
 - (d) Facia of roof structure without walls.
 - (e) Sign suspended from the front of veranda or balcony parallel to the street line.
 - (f) Suspended below the roof of a veranda or balcony (under awning)
 - (g) Signs on top of a roof of a veranda.
 - (h) Signs affixed to or painted on pillars, columns or post supporting a veranda, balcony or roof structure without walls.
 - (i) On the fabric of a canopy or blind

3. Shape, size, height and position of sign

- (1) The following will be applicable on signs affixed or painted on parapet wall of a veranda or balcony; a fascia of a veranda; or a beam over veranda columns; or fascia of roof structure without walls:
 - (a) Maximum vertical dimension: 750mm (0, 75 m).
 - (b) Maximum horizontal dimension: 2400 mm (2, 4 m) (horizontal dimension of signs on fascia of roof structure without walls may exceed 2.4m subject to approval by Municipality).
 - (c) Maximum size: 1.5m²
 - (d) Maximum Qty:
 - (i) Maximum control area: Two signs per enterprise façade.
 - (ii) Partial and minimum control: Three signs per enterprise façade.
 - (e) For an enterprise with a façade exceeding 20m in length more may be allowed with a spaced at minimum of 6m intervals and with a total sign length (horizontal dim) of 4m per enterprise façade.
 - (f) May not project more than 100mm form the surface to which it is attached.
- (2) Sign suspended from the front of veranda or balcony parallel to the street line
 - (a) Maximum size: 1.5m².
 - (b) Maximum vertical dimension: 750mm.
 - (c) Maximum horizontal dimension: no condition.
 - (d) Clear height 2.3m.
- (3) The following will be applicable on signs suspended below the roof of a veranda or balcony (under awning signs)
 - (a) Minimum clear height of 2,3m.
 - (b) Maximum horizontal dimension of 2m.
 - (c) Maximum sign area: 1 m² per face / side.

- (d) Maximum total area (includes both sides) sides: 2m².
 - (e) Maximum Qty: One sign per enterprise façade.
 - (f) For an enterprise with a façade exceeding 20m in length more than one may be allowed with a spaced at minimum of 6m intervals and with a total sign length (horizontal dim) of 4m per enterprise façade.
- (4) The following will be applicable on signs on top of veranda roofs
- (a) Sign may not cover /obstruct the view of any window or any other external opening of a building and no part of any such sign may obscure the opening or closing of any window, door or other opening.
 - (b) Only one sign per enterprise.
 - (c) Maximum total area: 1 m²
- (5) The following will be applicable on signs affixed or painted on pillars column or post supporting a veranda, balcony or roof structure without walls:
- (a) Maximum size: Not more than 30% of surface area of the pillar, post or column.
 - (b) Maximum: one sign per pillar, post or column.
 - (c) Maximum: two signs per enterprise façade.
- (6) The following will be applicable to signs painted on a canopy or blind:
- (a) Max size: Not more than 30% of surface of area of the canopy or blind.
 - (b) Maximum: one sign per canopy or blind.
 - (c) Maximum: two signs per enterprise façade.

4. Position

- (1) The signs may only be displayed on premises that are used for commercial, office, industrial or reception / entertainment purposes.
- (2) No such signs are allowed on or over architectural characteristics of buildings.
- (3) The sign may not stand against any extremity of the wall, balustrade, railing, beam, facade post or column.

- (4) Signs must be deemed as architectural elements of the building. The design of signs must complement architectural styles and lines of premises.
- (5) Balcony signs may not be below the lower edge of the 2nd floor window.
- (6) No sign shall project above or below or beyond any of the extremities of a parapet wall, beam or fascia.
- (7) All hanging signs must have a clear height of 2,3 meters.
- (8) A sign must comply with general conditions.
- (9) A sign may be suspended above sidewalks, subject to conditions.

5. Illumination

- (1) No illumination will be allowed.

SCHEDULE 28

CLASS 3(i): PERMANENT WINDOW SIGNS

1. Description

- (1) “**window sign**” means a sign which is permanently painted or affixed to the window glass of a building;
- (2) This class consists of signs that are permanently painted on or attached to the window glass of a building which is used for commercial, entertainment, office or industry purposes or any other permanent sign which is displayed within two meters of a window or external opening through which it can be seen from outside of such building including contra vision signs.

2. Approval

- (1) Subject to approval in terms of this By-Law, the erection and or display of these signs are allowed in:
 - (a) All urban areas of control.
 - (b) Rural and natural areas (only at centres of economic activities).

3. Shape, Size and Height

- (1) The total area of all signs painted or affixed on the window glass of a business must comply with the following requirements:
 - (a) Maximum control:
 - (i) May not exceed 10% of total window surface.
 - (b) Urban areas of partial control:
 - (i) May not exceed 25% of total window surface.
 - (c) Urban areas of minimum control:
 - (i) May not exceed 50% of total window surface.
 - (d) Contravention (see threwo) window signs may cover 100% of the window of which a maximum of 50% may be utilised for the advertising.

5. Illumination

- (1) Internal illuminated signs inside the building may not be visible from outside a building in urban areas and natural areas of maximum control.
- (2) Illuminated signs are subject to illumination and electrical requirements.

6. Design and Structure

- (1) Subject to general conditions.

SCHEDULE 29

CLASS 3J: ADVERTISEMENTS ON FORECOURTS OF BUSINESS PREMISES

1. Description

- (1) “**Forecourt advertisement**” means an advertisement on the forecourt of business premises which displays the advertisement in such a manner to place the attention on the commercial service, goods for sale or other services available at the premises, but does not include a combination advertisement at a filling station or road.

2. Approval

- (1) Subject to approval in terms of this By-Law, the erection and or display of these signs are allowed in:
 - (a) Urban areas, maximum partially and minimum control.
 - (b) Rural areas (centres of economic activities only).
- (2) A forecourt is an outdoor area which forms a functional part of a building which accommodates an enterprise that may include a filling station where the pumps are situated, a terrace in the front of a restaurant or cafe, a sidewalk cafe, etc.
- (3) This class is primarily aimed at pedestrians and consists of notices, signs and advertisements displayed in forecourts of businesses excluding filling stations to draw attention to any commercial service, goods for sale, or other services available at the premises.

3. Form, Size and Height

- (1) Individual free-standing signs may not exceed the following size:
 - (a) Single sides: Maximum: 1, 5 m².
 - (b) Double side: Maximum: 3 m² (includes both sides).
 - (c) Maximum: 3 m² per forecourt frontage/ premises
 - (d) Filling station and road service area: Maximum: 8 m² per forecourt front/ premises.
- (2) Forecourt signs will be aimed at passing pedestrians and users of the forecourt space and shall not be aimed at passing motorists.

- (3) A forecourt includes any enclosing fence, wall, screen or other structure, but does not include the pavement area in front of a business / enterprise.
- (4) A maximum 2 (two) signs allowed per premises.

4. Position

- (1) Signs must be displayed in forecourt (outdoor area as a functional part of the building) of business.
- (2) Forecourt Sign can be allowed inside a road reserve where such a forecourt is located within a road reserve and permission has been obtained from the relevant road authority for using the relevant space as a forecourt.
- (3) No sign shall be positioned such a way that it interferes with the movement of pedestrians, or is unsafe.
- (4) Signs may not be displayed in a road reserve.
- (5) Only locality bound signs will be allowed.

5. Illumination

- (1) Signs may be illuminated.

6. Design and Structure

- (1) Must comply with general conditions.

SCHEDULE 30

CLASS 3K: MISCELLANEOUS SIGNS FOR RESIDENTIAL ORIENTED LAND USE AND COMMUNITY SERVICES AND AGRICULTURAL & RELATED LAND USE

1. Approval

- (1) Subject to approval in terms of this By-Law, the erection and or display of these signs will be permitted in all areas of control, for home enterprises and community institutions.
- (2) This class consists of a variety of smaller notices and signs to be displayed mainly on buildings or premises that are utilised for residential purposes and community services, but can also be considered for places of residence in natural and rural environments such as farms and smallholdings and community services such as farm schools and signs for Agricultural & Related Land Use.
- (3) All signs shall be locality bound and limited to the following:
 - (a) Names of houses, flats and urban small holdings.
 - (b) Notices.
 - (c) Name and nature of the business, practice or enterprise.
 - (d) Small scale accommodation facilities such as guest houses, bed and breakfast, self-catering accommodation and smaller hotels.
 - (e) Community services and institutions such as religious, educational, cultural and recreational institutions and medical and health practices.

2. Shape, Size and Height

- (1) Direction / Warnings / signs:
 - (a) Maximum area: 1 m².
 - (b) If there is more than one entrance to the premises: Two signs may be permitted (one per street front): 0,5m² per frontage, with a maximum total area of 1 m² per premises.
- (2) Name and nature of enterprise / practice / accommodation facility and place of residence as well as name of proprietor, partnership or practitioner-
 - (a) This also includes bed and breakfast / guest house, pre-primary school or pre-school centres in the residential area.

- (b) One sign is allowed per premises.
 - (c) Maximum total area of 1,5m² per business per street front, except if there are more than one entrance to the premises, in different street frontages, then two signs may be displayed (one per street frontage).
- (3) Name of institution and community facilities
- (a) One sign with a maximum total area of 3,5m² per enterprise may be displayed, except if there is more than one entrance to the premises, in different street frontages, when two signs may be displayed (one per street front).
 - (b) If more than one institution or community facilitate uses the same premises, a combined sign with total area of 2m² per institution / community facility is allowed.
 - (c) Community services and institutions such as religious, educational, cultural, recreational, medical, and similar institutions shall carry the name, nature, contact details and opening times, etc.
- (4) Signs for Agricultural & Related Land Use in Rural & Natural Area
- (a) Sign may display information on:
 - (i) Ownership, proprietary, occupancy, partnership. Or practice.
 - (ii) Name and nature of enterprise, attraction or facilities.
 - (iii) Name and nature of goods sold, service provided or activities undertaken.
 - (b) Information may be relevant to:
 - (i) Farms and farming enterprises
 - (ii) Protected areas and conservation projects
 - (iii) Agricultural products
 - (iv) Farms stalls, etc.
 - (v) Accommodation and conference facilities.
 - (vi) Tourism and recreational resources.
 - (vii) Community facilities such churches.

- (c) Maximum size: 2.5m².
 - (d) Maximum height: 2.5m.
 - (e) Maximum: 2 signs per farm.
- (5) Maximum height 3m.

3. Position

- (1) Only locality bound signs are allowed. May only be displayed on the premises, boundary walls, or gates, within the boundaries of the property.
- (2) Signs for Agricultural & Related Land Use:
 - (a) At the entrance of an access road of the farm.
 - (b) The immediate vicinity (within 30m) of an enterprise, facility, activity or attraction to which the sign is refer to.
- (3) Where more than one small holding shares an access road, a combined sign may be displayed at the entrance road.
- (4) If any official traffic sign is displayed at the entrance of such an access road no farm / small holding name boards shall be allowed.
- (5) Free-standing signs may only be displayed when it is not possible to affix a sign to a building / wall of border fence or wall.
- (6) The signs may not be displayed in a road reserve.
- (7) One sign per enterprise, practice, residence, institution or accommodation facility per street front is allowed.
- (8) Home Enterprises;
 - (a) Signs may not be painted on boundary walls.
- (9) Communal Institutions / Facilities
 - (a) No product or sales advertisements may be displayed.
 - (b) Signs may not be painted on boundary walls.

4. Illumination

- (1) No illumination is allowed in natural areas.

5. Design and Structure

- (1) Signs must comply with general conditions.

SCHEDULE 31

CLASS 3M: SIGNS INCORPORATED IN THE FABRIC OF A BUILDING

1. Approval

- (1) Subject to approval signs will be permitted in all areas of control.
- (2) Class consists of advertisements incorporated in and forming an integral part of the fabric of the building.

2. Form, Size, Height and position

- (1) Maximum size: 18m².

3. Design and structure

- (1) Mostly applicable on historical buildings, but may also apply to other buildings and structures such as farm gates.
- (2) Advertisements attached or painted are not part of this class.
- (3) Signs shall be in balance with the scale of the buildings and shall be visually and architectonically integrated with the buildings or structure.
- (4) The building, structure / external facade of the building must not be used mainly for the display of signs.
- (5) Must comply with general conditions.

CLASS 4: SIGNS FOR TOURISTS

SCHEDULE 32

CLASS 4(a): SERVICE STATION SIGNS

1. Description

- (1) **“service station facility advertisement sign”** means an advertisement at a filling station or rest place next to the road and service area, which refers to the nature of the services that are rendered at such a facility.
- (2) This class consists of a variety of signs displayed at filling stations and road side service areas to provide information on a variety services such as fuel pumps, rest rooms, car washes, convenience stores, fast food outlets and ATM’s.
- (3) Service Facility Signs consists of two types:
 - (a) **Primary signs:** Signs attracting and directing passing vehicles to service station, including:

Combination or stack sigs indication all service provided;
Facia signs;
Wall signs.
 - (b) **Secondary Signs,** providing more detail information on products and services once visitors have arrived at the service station, including:
 - (i) Freestanding signs.
 - (ii) Pump signs attached to fuel pumps.
 - (iii) Pillar signs attached to the pillars at a fuel pump canopies.
 - (iv) Walls signs attached to the walls of structures.

2. Approval

- (1) Subject to approval in terms of this By-Law, the erection and or display of these signs are allowed in all areas of control:

3. Form, Size and Height

(1) The following maximum sizes and height are allowed:

SIGN TYPE	MAX WIDTH/ SIZE	OTHER SIZE CRITERIA	MAX HEIGHT
Primary Signs			
Combination signs panels along freeways	Max width: 4m.	None	10m
Combination sign panels along other roads and streets	Max width: 3m	None	6m
Facia signs		No sign shall extend above or below or beyond any of the extremities of a facia	
Wall signs	Max size: 2 m ²	No sign shall extend above or below or beyond any of the extremities of a wall	
Secondary Signs			
Freestanding signs	Maximum width: 2 m	None	2.5m
Pump signs	-	No signs shall dominate a fuel pump or extend above or below or beyond any of the extremities of such a fuel pump	
Pillar signs	Max size: 2 m ²	None	
Walls signs	Max size: 1 m ²	No sign shall extend above or below or beyond any of the extremities of a wall	

(2) Maximum number per filling station allowed:

(a) Primary Signs

- (i) Combination signs structures: 1 per street frontage'
- (ii) Combination sign panels:

Name & logo of petroleum company: 2
Other Services: 1

(iii) Facia signs: Max 2 per road of street frontage.

(iv) Wall Signs: 2 per business.

(b) Secondary Signs

(i) Free standing signs: Max 2 per premises

4. Position

- (1) The signs must be located according to the requirements of the roads authority.
- (2) Signs in this class shall be limited to service facilities adjacent to and which are directly accessible to the road where the sign is.
- (3) The sign may not be displayed inside the road reserve, road median or island.
- (4) Only locality bound signs may be displayed.

5. Illumination

- (1) Illumination will be allowed.

6. Design and Structure

- (1) The sign must comply with general requirements.

7. Supplementary conditions

- (1) Provision was made for additional non-free-standing signs at filling stations and service stations related to vending machines and similar non-advertising structures of a maximum size of 0, 15 m² per sign.

SCHEDULE 33

CLASS 4(b): SPONSORED ROAD TRAFFIC PROJECT SIGNS

1. Approval

- (1) Subject to approval in terms of this By-Law, the erection and or display of these signs are permitted in all areas of control:
- (2) Approval may not be granted for a period longer than one year.
- (3) The Municipality may require that an environmental impact study be submitted.

2. Form, Size and Height

- (1) Signs may not exceed total surface of 4, 5 m².
- (2) Maximum height: 3 m
- (3) Signs in this class may contain the following information:

Name of project, name and logo of sponsor, name and logo of institution responsible for project and short message on the goal and nature of the project.
- (4) Name / logo of the sponsor: < 1/3 of total sign area.
- (5) In the case of advertisements on SOS dialling boxes, double advertisements can be attached to each side of the call box. A maximum: 0, 04 m² is permitted on each side of the call box.

3. Position

- (1) The sign may not be combined with or attached to road traffic signs or other advertisement signs.
- (2) The sign may be displayed in the road reserves but not on a road island or median.
- (3) The minimum distance between the road traffic project signs on same side of road is 1 km.

4. Illumination

- (1) No illumination may be allowed.

5. Design and Structure

- (1) Must comply with general conditions.

SCHEDULE 34

CLASS 4C: TOURISM DIRECTION SIGNS

1. Description

- (1) **“Tourism sign”** means a road traffic sign which is mostly trapeze shaped, white on brown colour, with the main purpose to inform tourists and to lead with the final stage of their journey.

2. Approval

- (1) Subject to approval in terms of this By-Law, the erection and or display of these signs are permitted in all areas of control
- (2) Signs may be displayed within a road reserve.

3. Shape Size and Height, colour, design and structure

- (1) The sign must comply with conditions of “SADC RTSM – SA Hand Guide for Road Traffic Signs

4. Position

- (1) The sign must comply with requirements of “SADC RTSB – SA Hand Guide for Road Traffic Signs.

5. Safety

- (1) The sign must comply with general conditions.

SCHEDULE 35

CLASS 4E: TOURISM INFORMATION SIGNS

1. Description

“**tourism attraction**” means any unique, natural or cultural element, object, site or area that may be of interest to tourism and visitors.

2. Approval

Subject to approval in terms of this By-Law, the erection and or display of these signs are permitted in all areas of control:

3. Shape, Size and Height

- (1) Identification sign: maximum size: 1, 5 m²
- (2) Information panel: maximum 3 m².
- (3) Maximum height: 2 m.

4. Position

- (1) Signs may only be displayed at the actual attraction for tourism and or may be displayed at an alternative location at the closest road / street intersection.
- (2) The sign may not be erected within a road reserve.

5. Illumination

- (1) External illumination may be permitted in all areas of maximum control.
- (3) Internal and external illumination may be permitted in urban areas of partial and minimum control.
- (3) Signs may not be animated.

6. Design and Structure

- (1) Sign must comply with general conditions.

SCHEDULE 36

Class 4F: GATEWAY SIGNS

1. Description

“**Gateway**” the sole function of this sign type is to display the names of towns and cities at the entrances of such town and cities. It may also present the traveller with messages of courtesy or goodwill on entering the town or city or departing from it and may contain a short slogan describing the town of city or announcing a specific event of importance.

2. Approval

(1) Subject to approval in terms of this By-Law, the erection or display of signs is permitted in all areas of control.

3. Form, Size and Height

- (1) Max size: 9m².
- (2) Max overall height: 3.5m.
- (3) Maximum: 2 signs per Gateway.

4. Position

- (1) Signs must be placed at the gateways or entrances to towns or cities
- (2) No sign shall be located before the urban edge is reached. It should be placed not more than 300m in advance of the urban edge or any other feature that defines the entrance to a town of city.
- (3) Gateway signs should preferably be placed behind and not in front of GL3 road signs and road signs indicating a reduced speed limit upon entering a town or city.
- (4) Gateway signs may be permitted in road reserves other than road reserves of freeways.
- (5) Solid sign structures should be located at least 4m from the road’s edge.
- (6) May not interfere with any road sign or signals.

5. Illumination

- (1) Only external illumination shall be allowed.

CLASS 5A: MOBILE ADVERTISEMENTS

SCHEDULE 37: TRAILER ADVERTISING

1. Description

- (1) **“Trailer advertising”** means a sign which is mounted on a trailer, bicycle or a vehicle, which is immobile with the exclusive purpose of displaying the advertisement.

2. Approval

- (1) Subject to approval the erection or display of signs is permitted in urban areas of partial and minimum control, only if it is mobile, unless it is parked on private property.
- (2) Any stationary trailer visible from a public road must be attached to the towing vehicle at all times.
- (3) This class consists purpose built trailers a self-propelled vehicle which are used for the sole purpose of advertising.

3. Form, Size and Height

- (1) Maximum vertical dimensions: 3 m.
- (2) Maximum horizontal dimensions: 6 m.
- (3) There are two types, namely:
 - (a) Type A: Trailers of a relative light construction and carrying double-sided advertising panels, which are used for the sole purpose of advertising.
 - (b) Type B: Heavier trailers that are used for the primary purpose of the transportation of goods. Transport trailers are not primarily used for the purpose of advertising.

4. Position

- (1) Signs that are parked on private property for storage purposes must be placed in such a manner that they are not visible from a street or public road.
- (2) The signs may only be towed between 06h00 and 18h00.
- (3) The signs may not be towed on any freeway.
- (4) The signs may not be parked inside any national or provincial road reserves.

- (5) An advertisement trailer may be parked on private owned property in an urban area of partial or minimum control for the purpose of public display, provided that if it is visible from any public road and does not interfere with pedestrian movement it is attached to a manned towing vehicle.
- (6) All advertising trailers and shall be limited to pedestrian environments for advertising.
- (7) Despite any determinations of this By-Law, the Municipality can without prior notice remove any unauthorised trailer sign from municipal property or a public open space and serve a notice for in terms of this By-Law for the removal in case of an unauthorised trailer on private property.
- (8) Approval for the display shall be granted for a maximum period of (7) seven days.

5. Illumination

- (1) These signs may be illuminated, but are limited to retroflected signs (red at the back, yellow to the side and white to the front).
- (2) No animation is allowed.

6. Design and Structure

- (1) There are two types, namely:
 - (a) Advertisement trailers that are of relative light construction and carrying double-sided advertisements and are used for the sole purpose of advertising.
 - (b) Heavier transport trailers.
- (2) Advertisements displayed on a display trailer shall be painted or attached to the sides in a permanent manner.
- (3) Design and construction of both advertisement trailers and transport trailers must comply with the relevant sections of the Road Traffic Act, 1996 (Act No. 93 of 1996) and SABS standards for trailers.
- (4) No person shall tow an advertising trailer on a public road if, in the opinion of the roads authority such trailer hinders or obscures the traffic or is likely to do so.
- (5) The name and telephone number of the operator together with a disk issued by the Municipality shall be displayed on all advertisement trailers.
- (6) The signs must comply with general conditions.
- (7) The trailers must be roadworthy.

SCHEDULE 38

Class 5B: AERIAL SIGNS

1. Description

- (1) “**aerial sign**” means a sign which is displayed in the air, including, but not limited to balloons and airships that can be seen from the legal area of the Municipality;

2. Approval

- (1) Subject to approval in terms of this By-Law, the erection or display of air signs is permitted in urban areas of partial and minimum control.
- (2) This class consists of air signs painted on, attached to or produced by an aircraft such as a balloon, a flyer, a captive balloons, captive balloons, inflatables and kites, unmanned free balloons, manned free balloons airships, an airplane (banner towing or smoke signals), a craft for parasailing. manned kites towed behind vehicles, manned free kites, a hand glider, a model or radio-controlled aircraft and an aircraft towed behind a vehicle or vessel for the flight.

3. Form, Size and Height

- (1) No form or size limits apply.
- (2) Height: $\leq 45\text{m}$ (except if it is approved by the Commissioner of Civil Aviation).
- (3) Captive or line-controlled balloons and kites, Manned kites towed behind vehicles or vessels, Radio controlled aircraft, kites used for towing, moored airships must comply with Civil Aviation Regulations.

4. Position

- (1) Aerial signs may not be displayed above a public road (except if it is towed behind a vehicle).
- (2) Signs may not be closer than five nautical miles from the reference point of the airfield.
- (3) Advertisements on a captive balloon or other captive craft may not be displayed within visual zone along a freeway.
- (4) The display period may not exceed two weeks.
- (5) Except for moored airships signs will only be displayed during daylight.

- (6) Except with written permission from the Commissioner of Civil Aviation, no captive balloon, craft for parasailing, kite, hand glider, model or radio-controlled aeroplane or aircraft towed behind a vehicle or vessel for flight may be flown:
 - (a) Closer than the distance of the airfield reference point of an airfield as specified by the Commissioner of Civil Aviation.
 - (b) Above a public road in the case of an aeroplane towed behind a vehicle or vessel. Such an aeroplane may also not land or take off from a public road.
- (7) No parked or unmanned free balloon shall be flown without the special written permission of the Commissioner of Civil Aviation.
- (8) Approval for the flying of a captive balloon will be considered by the Commissioner only after permission is granted by the Municipality with approval of the department of safety and security.
- (9) Manned free balloons shall comply with certain conditions before they may be flown in a controlled airspace.
- (10) Aeroplanes and airships shall be flown at a certain minimum height, as stipulated by aviation regulations, without special permission.

5. Illumination

- (1) Signs cannot be illuminated or animated.

6. Conditions

- (1) The signs may only be displayed during daylight.
- (2) The signs may not be displayed for a period exceeding four weeks.