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Plaaslike Owerheid

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SWELLENDAM MUNICIPALITY

BY-LAW RELATING TO OUTDOOR ADVERTISING AND SIGNAGE

To control, manage and regulate outdoor advertising and signage and to provide mechanisms and guidelines for the control, regulating and management thereof and for matters connected therewith.

PREAMBLE

WHEREAS section 156(2) and (5) of the Constitution provides that a municipality may make and administer by-laws for the effective administration of the matters which it has the right to administer, and to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

AND WHEREAS Part B of Schedule 5 to the Constitution lists Billboards and the display of advertisements in public places as local government matters to the extent set out in section 155(6) (a) and (7);

AND WHEREAS the Swellendam Municipality seeks to manage, control and regulate outdoor advertising and signage and any matters connected therewith;

BE IT ENACTED by the Council of the Swellendam Municipality, as follows: —

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1. Definitions

In this By-Law, words used in the text prevails in the event of an inconsistency between the different texts and unless the context otherwise indicates—

''advertisement'' means any representation of a word, name, letter, figure or object or an abbreviation of a word or name, or any symbol, or any light which is not intended solely for illumination or as a warning against any dangers and **''advertising''** has a similar meaning;

''advertising structure'' means any physical structure built to display a sign;

''aerial sign'' means a sign that is displayed or performed in the air, including but not limited to balloons and blimps that can be viewed from within the Municipality's area of jurisdiction;

''approval'' means approval by the Municipality and ''approve'' has a corresponding meaning;

''areas of control'' means those areas set out in Schedule 1 of this By-Law; and which may be modified or amended from time to time, which amendments and modifications will be graphically depicted by way of maps as prepared by the Municipality;

''authorized official'' an employee of the Municipality or any other person who is appointed or authorized thereto to perform any act, function or duly related to the provisions of this By-Law, or exercise any power in terms of this By-Law; and **''official''** has a corresponding meaning;

''banner'' means any material upon which a sign is displayed in such a manner as to be fully legible in windless conditions, attached to one or more ropes, poles or flagstaff's projecting vertically, horizontally or at an angle, or attached to buildings or special structures, but excludes banners carried as part of a procession. A flag which is not displayed on an approved flag pole shall for the purposes of this By-Law be deemed to be a banner;

''billboard'' means any screen or board which stands free and is larger than 4.5m² in total area; which is supported by, or consists of, a structure used, for the purpose of posting, displaying or exhibiting a sign;

''Central Business District (CBD)'' means an area in the build environment demarcated as such on the Spatial Development Framework for a town;

''class 2 roads'' means the roads which form the primary network for the urban areas as a whole and which are characterized by high volumes, restricted access and fairly high speeds;

''class 3 roads'' means roads that distribute traffic between the principal residential, industrial and business districts of the town and which form the link between the primary network (class 2 roads) and the roads within residential areas;

''clear height'', in relation to a sign, means the vertical distance between the lowest edge of the sign and the natural level of the surrounding ground, footway or roadway immediately below the sign;

''commercial advertising'' means any words, letters, logos, figures, symbols, pictures relating to the name of a business, trade, partnership, 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 event for commerce or entertainment, including sporting events;

''commercially sponsored sign'' means a sign which advertises goods or services, but the erection of which has a secondary purpose, which is to promote or contribute to some recognized public or community goal or function;

''common boundary facade'' means any façade of a building which is built abutting a rear or side boundary of an erf and which façade is blank, that is, having no architectural features, which includes windows;

''composite sign'' means a single freestanding advertising structure for the display of more than one sign;

''consultant'' means a suitably qualified independent person or company that acts on behalf of, or as an agent of, an applicant for approval of a sign in terms of this By-Law;

''continuing offence'' means an offence in terms of this By-Law, which offence continues to exist after the expiry of the notice period referred to in a notice served in terms of this By-Law;

''custom made design'' means the design of any sign, which features special effects such as specialist character cut outs or shapes or three-dimensional presentations or moving parts or a combination thereof, and which is uniquely designed or constructed for erection in a particular location;

''development board'' means a sign displayed at premises upon which building operations are currently in progress and relating to any services being provided, work being done or goods being supplied in connection with such building operations, but excludes contract boards for building and civil engineering projects as required in terms of the National Building Regulations and Control Act, 1977 (Act 103 of 1977);

''display'' means the display of a sign and includes the erection of any billboard, sign or structure intended solely or primarily for the support of a sign or billboard, and includes the display of a sign of a business, trade partnership or individual connected with the contents of the sign or sign, and ''displayed'' has a corresponding meaning;
''electronic sign'' means a sign which has an electronically controlled, illuminated display surface which allows all, or a portion, of the sign to be changed or illuminated in different ways;
''Environmental Impact Assessment'' (EIA) means an assessment carried out in accordance with the Municipality's guidelines for outdoor advertising;
''estate agency'' means a person who markets, sells or leases properties with or without buildings erected thereon and **''estate agent''** has a corresponding meaning;
''existing sign'' means any sign previously approved by the Municipality;
''flat sign'' means a sign which is affixed to, or painted directly onto a wall of a building but not onto or over windows or doors or architectural articulations and which at no point projects more than 250mm in front of the surface of such wall;
''freestanding sign'' means any sign or group of signs contained or displayed on one freestanding structure which is not attached to a building or to any structure or object not intended to be used for the primary purpose of advertising;
''gateway route'' means a prominent route with an entrance to or exit from a specific part of the Municipality's jurisdiction, consisting of man-made or natural features and creating a strong sense of arrival or departure and which is consistent with city planning or development framework plans or By-Law, and which may be geographically depicted by way of maps or listed by the Municipality;
''graphic'' includes but is not limited to any component which contributes to the visual appearance or aesthetics of a sign, including its background;
''headline poster'' means a temporary poster advertising the contents of a daily or weekly newspaper;
''height of a sign'' is calculated by measuring the vertical distance between the uppermost and lowest parts of the advertising panel;
''Heritage Impact Assessment'' (HIA) means a visual and contextual assessment of the impact that any proposed sign may have on the cultural heritage, whether built or recognized at the locality where the proposed sign will be displayed;
''internally illuminated sign'' means an advertisement or structure used to display an advertisement which has been installed with electrical or other power and an artificial light source which is fully or partially enclosed within the structure or sign and which light is intended to illuminate the advertisement or a portion thereof;
''law'' means any law, proclamation, ordinance, Act of Parliament or Provincial Legislature, or any other enactment having the force of law;
''locality bound advertising'' means any sign displayed on a specific erf, premises or building and may include such a sign on municipal owned land, adjacent to, abutting on or within 5 meters of the aforementioned erf, premises or building, which sign refers to an activity, product, service or attraction, located, rendered or provided on or from that erf or those premises;
''loose portable sign'' means a freestanding locality bound notice or advertising board placed or erected in the road reserve or in a public place;
''movable sign'' means a sign not permanently fixed and not intended to remain fixed in one position, but does not include any moving part on a fixed permanent sign;
''Municipality'' means the Municipality of Swellendam established in terms of section 12 of the Municipal Structures Act, 117 of 1998, and includes duly authorized agent, service provider or any employee thereof acting in connection with this By-Law by virtue of a power vested in the Municipality and delegated or sub-delegated to such agent service provider or employee;
''new sign'' means any sign first displayed after the promulgation of this By-Law;
''non-profit body'' means a body established primarily to promote a community goal or benefit without direct or personal financial gain, and may include educational, sporting, medical, municipal departments, bodies as well as charities or community organizations;
''organ of state'' means—
(a) any department of state or administration in the national, provincial or local sphere of government;
(b) any other functionary or institution—
(i) exercising a power or performing a function in terms of the Constitution or a provincial constitution; or
(ii) exercising a public power or performing a public function in terms of any other Legislation;

''overall height'', in relation to a sign, means the vertical distance between the uppermost edge of the sign and the finished level of the ground, footway or roadway immediately below the centre point of the sign;

''perimeter of an intersection'' means the perimeter of the area embraced within the prolongation of the road reserve lines of two or more public roads that join one another at any angle, whether or not one such public road crosses the other;

''person'' includes—

(a) any organ of state;
(b) any company incorporated or registered as such under any law; and
(c) any body of persons, whether incorporated or not, functioning as a single entity for whatever purpose;

''poster'' means temporary signs capable of being attached to the Municipal electrical light standards or pasted to fixed structures to advertise events or campaigns, including elections or referenda of limited duration and excluding signs advertising markets, exhibitions or events which are held on a regular basis;

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

''projecting sign'' means a sign which is affixed to a wall of a building and which at some point projects more than 250mm in front of the surface of such wall;

''public façade'' means any façade of a building that has architectural articulations and which is visible to the public;

''public place'' means any public road, public street, thoroughfare, bridge, subway, footway, foot pavement, footpath, sidewalk, (or similar pedestrian portion of a road reserve), lane, square, open space, garden, park or enclosed place vested in the Municipality, or other state authority or indicated as such on the Surveyor General's records, or utilized by the public or zoned as such in terms of the applicable zoning scheme;

''public road'' means public road as defined in the National Road Traffic Act, 1996 (Act 93 of 1996);

''road reserve'' means the area contained within the statutory width of a road, and includes roadways, shoulders and sidewalks and the airspace above such roadways, shoulders and sidewalks and all other areas within the road reserve boundary;

''roadway'' means that portion of a road, street or thoroughfare improved, constructed or intended for vehicular traffic as defined in the National Road Traffic Act, 1989 (Act 29 of 1989);

''roof sign'' means a sign affixed to a roof of a building where the top edge of any point of that sign does not exceed the height of the roof plane to which it is affixed;

''Rural Area'' means an area outside the urban edge excluding natural areas as described in schedule 1;

''scenic drive'' means a road designated as such on an approved zoning scheme or from which landscapes or features of aesthetic or cultural significance can be seen or viewed as designated by the Municipality;

''security sign'' means an outdoor sign for neighbourhood watch and similar schemes, and a sign containing the name, logo, address and telephone number of a security company contracted to protect, or security system installed to protect, the premises on which the sign is displayed;

''service station facility sign'' means freestanding signs at petrol filling stations, roadside rest and service areas and includes service station pylon signs;

''shop'' means a building used for retail trade or services;

''sign'' means any object, product, replica, advertising structure, mural, device or board which is used to publicly display a sign or which is in itself a sign and includes a poster, billboard and an advertisement which is included in the architectural design of a building or structure;

''signalized traffic intersection'' means an intersection controlled by traffic signals;

''sky sign'' means a sign where the top edge of any point of that sign exceeds the height of the roof plane to which it is affixed;

''sponsored sign'' means a sign, the primary purpose of which is not to advertise goods or services but which displays a graphic or content which promotes community or public awareness of a recognized public or community goal;

''street name signs'' means pole-mounted, double-sided, internally illuminated or un-illuminated signs displayed in combination with names of streets, not exceeding $1m^2$;

''street furniture'' means public facilities and structures which are not intended primarily for advertising and includes but is not limited to seating benches, planters, bins, pole mounted bins, bus shelters, sidewalk clocks, drinking fountains, Telkom boxes, traffic signal controllers, electricity boxes, post boxes and telephone booths, but excludes road traffic signs, traffic signals, street lights or any other road-related structures;

''teardrop banner'' means any material in a teardrop shape with or without a printed sign which is fully legible in windless conditions and held taught by a spring tension and supported by a single flexible pole;
''temporary signs'' means signs which are displayed for a maximum period of 14 days, or such other period as may be approved by the Municipality;
''thickness'', in relation to a projecting sign, means the width of such sign measured parallel to the plane of the main wall to which such sign is affixed;
''third-party advertising'' means the advertising of goods or services that are not made, procured, sold or delivered from the property on which the sign or sign advertising those goods or services is fixed or placed, and includes advertising which is not locality bound;
''three-dimensional sign'' means a sign containing more than 2 dimensions, including product replicas;
''Traffic Impact Assessment'' (TIA) means a study carried out by a registered professional engineer with demonstrable experience in the field of traffic engineering that investigates the impact a proposed sign may have on vehicle, pedestrian, or cyclist safety and traffic operation, which study should recommend any mitigating measures that may be required as a result of that impact;
''traffic sign'' means a road traffic sign as prescribed in the National Road Traffic Act, 1996 (Act 93 of 1996);
''traffic signal'' means a road traffic signal as prescribed in the National Road Traffic Act, 1996 (Act 93 of 1996);
''transit advertising'' means advertising by means of a movable sign which is capable of being transported by road either on or in conjunction with a motorized vehicle, including trailers primarily used for advertising;
''transportation terminals'' means any area designated by the Municipality as such, where the formal interchange of modes of public transport takes place by the public, including, but not limited to designated railway stations, official taxi terminals and bus terminals;
''Urban conservation area'' means an area in the build environment demarcated as such on the Spatial Development Framework for a town;
''Urban Edge'' means an area in the build environment demarcated as such on the Spatial Development Framework for a town;
''urban edge line'' means a predetermined point to point boundary line as determined by the Municipality, which has as its purpose, the containment of urban development;
''Urban Areas'' means an area within the urban edge of a town;
''veranda'' includes a cantilever canopy and sunblind;
''window signs'' means signs which are temporarily or permanently painted on, or attached to the window-glass of a building;
''zone'' means a land use zone as set out in the relevant zoning schemes or Town Planning Regulations as amended from time to time and applicable to any erf on which a sign is displayed or intended to be displayed and **''zoning''** has a corresponding meaning.

2. Principles and objectives

The object of this By-Law is to regulate outdoor advertising in the jurisdiction of the Swellendam Municipality in a manner that is sensitive to the environmental quality of different parts of Swellendam Municipality. It seeks to strike a balance between outdoor advertising opportunities and economic development on the one hand, and the conservation of visual-, tourist-, environmental- and heritage characteristics and traffic safety on the other hand. It further needs to ensure that outdoor advertising respects the integrity of any site on which it is displayed, and complements the character of the locality in which it is displayed; this By-law thus aims to provide a set of regulations governing the use of land and buildings for outdoor advertising and signage and for matters incidental thereto.

Finally, this By-Law sets out the procedures to be followed and the criteria used when obtaining approval for a sign applicable to outdoor advertising in the Swellendam Municipal area. In doing so, it recognises that there is an extensive amount of technical detail applicable to specific sign types and their effect in specific localities.

CHAPTER 1

3. Submission of applications

(1) Other than those signs referred to in section 13(3) to 13(10) of this By-Law, no person may display any advertisement or erect or use any sign for advertising purposes without the Municipality's approval in terms of this By-Law and any other applicable legislation.

(2) Every person intending to display a new sign or to alter or to add to an existing approved sign or submit a signage plan in terms of a Site Development Plan proposal, must apply in writing to the Municipality which application must be accompanied by the following information in duplicate:

(a) a site plan, drawn to a scale of not less than 1:200, showing the following—

(i) the site on which it is proposed that the sign is to be erected or displayed;

(ii) the position of the sign and the building, if any, to which it is to be attached;

(iii) every building and the existing signs on the site;

(iv) existing and proposed landscaping, traffic signals and road traffic signs; and

(v) the positions, with dimensions, of the sign in relation to the boundaries of the site and the location of the streets abutting the site, together with its existing approved zoning conditions;

(b) a drawing, which complies with the requirements of the National Building and Regulations Standards Act, 1977 (Act 103 of 1977), and is in sufficient detail to enable the Municipality to consider the appearance of the sign and all relevant construction detail, including a description of the materials of which the sign is to be constructed, the colours to be used, and whether or not the sign is to be illuminated;

in the latter event, the plan must indicate whether or not the sign is an electronic sign and, if so, full details must be furnished;

(3) The drawing referred to in sub-section (2)(b) must have detailed drawings of such sign to a scale of not less than 1:20 and a site plan indicating the position of the sign on the site to a scale of not less than 1:50;

(4) If a sign is to be attached to or displayed on the wall or façade of a building, the Municipality may require the submission of an additional drawing, drawn to a scale of not less than 1:100, showing—

(i) an elevation of the building in colour;

(ii) the details and position of the proposed sign; and

(iii) the details and the position of every existing sign on the building; alternatively, the Municipality may require a coloured print of or an artist's photographic- or computer-generated impression of the building with the details of the proposed sign superimposed on such graphic and drawn as nearly as is practicable to the same scale as that of the graphic;

(5) If the applicant is not the registered owner of the property on which the sign will be erected, he or she must obtain the consent of the registered owner of the land or building on which the sign is erected, indicating that person's knowledge of the application.

(6) The Municipality may require the submission of any or all of the following studies or assessments—

(a) an Environmental Impact Assessment (either the 1st stage thereof; being the completion of an Environmental Checklist or in its entirety);

(b) a Heritage Impact Assessment; and

(c) a Traffic Impact Assessment.

(7) 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 considering the approval.

(8) The Municipality may require a signage master plan in respect of any development where the erection of numerous signs is proposed or the rationalization of previously approved signs is required so as to allow it to consider a consistent design master plan prior to assessment of any individual sign.

(9) The Municipality must notify the applicant of any additional requirements it has within 21 working days of the date of submission of the original application and payment of the application fee.

(10) The Municipality must retain a copy of each document that formed part of an application.

(11) The Municipality may require a written notice from the applicant or person to confirm that an approved sign was erected.

4. Fees and general factors in considering approval of applications, amendments and conditions

(1) Every person who applies to the Municipality for approval in terms of this By-Law must, on making application, pay to the Municipality an application fee as determined by the Municipality and no sign may be erected until such time as the application fees have been paid in full.

(2) In considering an application for the display of an advertisement or the erection of a sign in terms of this By-Law, or an amendment or condition attaching or to be attached to an approval, the Municipality may have regard to the following factors:

(a) The area of control in which the proposed sign is to be erected or displayed as set out in Schedule 1 of this By-Law; provided that if a sign falls into more than one area of control or if a proposed site in one area of control may impact on an adjacent area of control, the Municipality shall be entitled to determine the area of control pertaining to that application;

(b) the locality or landscape and the advertising opportunities pertaining to that area of control; the number of signs already displayed or proposed to be displayed on the erf and in the area surrounding the erf concerned;

(c) the findings of any Traffic Impact Assessment, Environmental or Heritage

(d) Impact Assessment and public participation processes where applicable

(e) locality bound signs must relate to the lawful use of a property provided that no such sign must be affixed to or placed on residential premises or portions thereof other than is permitted by or for home industries and legal temporary uses; uses; and

(f) that no sign or advertisement may be designed or displayed that—

i. will constitute a danger to any person or property;

ii. will display any material or graphic which does not comply with the requirements of the Advertising Standards Authority of South Africa.

iii. will be detrimental to the environment or amenity of the neighbourhood by reason of either its size, intensity, frequency, illumination, quality of design, material, proposed graphic or locality.

iv. will obscure any other signs approved in terms of this By-Law or its predecessor; and

v. will be detrimental or otherwise negatively impact on the environment, whether artificial or natural.

(3) Subject to any conditions in Schedule 16, all new signs or advertising structures approved under this By-law and any successive By-Law, may remain on display uninterrupted until such time as they do not comply with the provisions of this By-Law or any other applicable legislation.

5. Factors relating to specific signs, areas of control, and commercial sponsored signs

(1) The Municipality may, in addition to the factors set out in section 4 of this By-Law, apply certain minimum standards to certain specific sign types and proposed localities when an application for approval is made in respect thereof and will apply certain specific criteria to applications for the erection of signs by non-profit bodies.

(2) The specific standards and criteria are set out in schedules 1 to 23 of this By-Law. The Schedules are part of the By-Law and are not any less important than the content of the By-Law itself.

(3) Schedule 1 of this By-law indicates the areas of control in which certain specific sign types may be permitted, subject always to approval in terms of this By-law and furthermore subject to any additional requirement pertaining to a specific sign type as set out in the remaining schedules.

(4) The description of areas or routes in Schedule 1 should be read with the definitions as contained in the Municipality's Zoning Scheme Regulations.

(5) The Municipality may grant an exemption from the terms of this By-Law in respect of sign types or areas of control set out in Schedules 10, 11 and 12 of this By-Law having regard to—
- (a) the area of control where it is proposed to display the signs;
- (b) nature of the event;
- (c) duration of the erection or display of the sign;
- (d) size of the proposed sign;
- (e) any traffic, safety, environmental or heritage impact assessment; and
- (f) the outcome of any public participation process.

CHAPTER 2

6. Standard conditions for approval

(1) All signs and advertising structures must be properly erected and constructed of the requisite strength and must be secure and must comply with the requirements pertaining thereto of the National Building Regulations and Standards Act, 1977 (Act 103 of 1977).

(2) The applicant to whom approval has been granted and the owner of the property or building to which it is attached shall be jointly and severally liable for the maintenance thereof and must undertake at least one inspection per year thereof with a view to satisfying themselves as to the safety thereof.

(3) Where any sign or advertising structure is vandalised or becomes torn or damaged or otherwise falls into a state of disrepair, and/or dilapidation the applicant to whom the approval has been granted and the owner of the fixture or property which or to which a sign is attached must within 7 working days of a notice in writing to do so, repair it.

(4) All signs and their support structures must be constructed of incombustible, durable materials suited to the function, nature and permanence of the sign.

(5) All glass used in a sign, other than glass used in illumination, must be safety glass of at least 3mm thick.

(6) Glass panels used in a sign must not exceed 0.9m² in area, each panel being securely fixed in the body of the sign, structure or device independently of all other panels.

(7) Every sign and its support structure must be kept in a state of good repair.

(8) No sign may obstruct the opening and closing of any window or opening provided for ventilation of a building or obstruct any stairway or doorway or other means of exit from the building or prevent movement of people from one part of a roof to another.

(9) No advertising structure may be closer to overhead electrical equipment than the minimum distance as prescribed in the Occupational Health and Safety Act, Act 85 of 1993.

7. Electrical requirements

(1) All signs needing an electrical connection must preferably be supplied from the existing electrical supply on the erf where it is to be erected. If this is not possible, application for a metered electricity supply must be made to the relevant authority.

(2) Every sign in connection with which electricity is used, must be provided with suitable capacitors to prevent interference with radio and television reception.

(3) Each power cable and conduit containing electrical conductors in respect of a sign must be so positioned and fixed so that it is safe, unseen, inaccessible and child tamper proof and animal proof.

(4) Each interior high-voltage installation that runs unattended (such as a window display) and each exterior high-voltage installation must have an acceptable type of fireman's switch in accordance with the requirements as stipulated in sections 6.7.2 and 7.5 of SANS 0142 1993 promulgated in terms of the Occupational Health and Safety Act.

8. Illumination requirements

(1) The Municipality may approve an illuminated sign, provided that the provisions of this By-Law are complied with and that such illumination does not constitute a road safety hazard or cause undue light spillage.

(2) Signs may not be illuminated if no sign content is displayed.

(3) Requirement for internal illumination or electronic signs—

(a) internally illuminated and electronic signs may only be displayed in areas of partial and minimum control and must be less than 2.1m².
This size condition may be waived, up to a maximum size of 4.5m² in any such area upon receipt of an Environmental and Heritage Impact Assessment showing no detrimental impact will be caused by the proposed display, or to any larger size specified by the Municipality in an area designated by the Municipality as a district in which illuminated or electronic signs are to be encouraged;

(b) electronic signs may not have subliminal flashes; and

(c) prior to erection, the Municipality may require a Traffic Impact Assessment, Environmental and Heritage Impact Assessment to be conducted, the results of which must indicate that no detrimental impact on traffic is envisaged. In addition, the Municipality may require subsequent traffic monitoring of any internally illuminated or electronic sign.

(4) Requirements for external illumination:

(a) the light source emanating from floodlights must not be visible to traffic traveling in either direction;

(b) floodlights must not be positioned so as to create any undue light spillage beyond the surface area of the sign; and

(c) approved way leaves must be obtained from the Director: Infrastructural Services or his/ her nominee prior to any excavations for the installation of signs. This also applies for signs to be erected in the vicinity of overhead power lines.

9. Road traffic safety requirements

(1) 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 guidelines laid down in the S.A. Road Traffic Signs Manual.

(2) Electronic signs may not be permitted if they are visible from class 2 or 3 roads, gateway route or a scenic drive unless expressly approved in writing by the Municipality.

(3) Advertising on bridges, towers, telecommunication masts, pylons or street poles shall not be permitted.

(4) The graphic content of signs 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 device used on a road traffic sign;

(c) use of combinations of colours specified for road traffic signs, in a manner likely to lead to confusion; and

(d) any reflector paint or material.

(5) Signs may not be erected in an area where the traffic volume, the average following headway, or accident history requires a higher degree of awareness from drivers.

(6) Signs may not be attached to or obscure a road traffic sign or traffic signal specifically provided for in the South African Road Traffic Signs Manual or the South African Development Community Road Traffic Signs Manual.

(7) Signs may not be erected within the road reserve of any public road unless expressly approved by the Municipality.

(8) When located at signalized 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.

(9) Electronic signs shall not be permitted within 80 meters of the perimeter of a signalised traffic intersection.

(10) Flashing or running messages or variable transition messages that have a message change interval of greater than 0, 3 seconds or have transition effects between message changes shall not be permitted if viewable from a public road.

(11) 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.

(12) All signs larger than 4.5m² erected adjacent to a public road or in a railway reserve intended to advertise to persons using class 2 and 3 roads must be spaced a minimum specified distance from any other sign or road traffic sign, such distance measured parallel to the centre line of the roadway, in accordance with the measurements set out in Table 1 below:

TABLE 1: LINEAR SPACING BETWEEN SIGNS

Case	Spacing required when visible for traffic on a road with a speed of:		
	≤ 60 km/h	61 – 80 km/h	81 – 120 km/h
Where a sign follows a road sign	120 m	200 m	300 m
Where a sign follows a sign	250 m	250 m	300 m
Where a sign precedes a road sign	40 m	70 m	100m

(13) The abovementioned minimum distances specified in Table 1 above may be decreased by the Municipality if the sign falls within an area of minimum control, or in other areas of control on submission of a Traffic Impact Assessment motivating a reduction of this spacing to the satisfaction of the Municipality. The Municipality may prepare a list or map of designated areas in which the abovementioned spacing requirements shall not be applicable.

10. Legal requirements

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

11. Approval

(1) The Municipality may refuse any application or grant its approval subject to conditions relating to the erection or use of the sign and including a condition that the owner of any sign or billboard on the land or building on which it is erected or displayed, or both such owners or the person whose product or services are advertised, indemnify the Municipality against any consequences flowing 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 By-Law or 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 a state of disrepair and/or dilapidation;
(b) remains unused for more than 90 consecutive days;
(c) becomes redundant or obsolete;
(d) no longer complies with any provision of this By-Law; or
(e) is substantially altered from the original approved application by way of either structure or graphic content.

(3) Should an approved sign not be erected within 12 months from the date of approval or within such other time as is specified in the approval, such approval shall lapse, 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 supporting structure may be erected or re-erected without the Municipality's approval.

(5) All decisions made by the Municipality in terms of this ordinance with regard applications must be in writing and within 60 calendar days after a completed application was received, or within 60 calendar days after receipt of additional information as required by the Municipality.

(6) In notifying an applicant of the outcome of the application the Municipality must inform such applicant or an objector of his right to appeal in terms of section 12.

CHAPTER 3: GENERAL PROVISIONS

12. Appeal

A person whose rights are affected by a decision in terms of a delegated power may appeal against that decision by giving written notice of the appeal and the reasons therefore in terms of section 62 of the Local Government: Municipal Systems Act, Act 32 of 2000 to the Municipal Manager within 21 days of the date of the notification of the decision.

13. Signs for which Municipality's approval not required

(1) Should any sign not comply with the conditions relative to each sign type listed below an application in terms of section 3 will be required.

(2) Subject to compliance with the conditions relative to each sign provided for in sub-sections (3) to 11), 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 the signs provided for in sub-sections (3) to (11).

(3) *Subject to the payment of the prescribed annual fee as per the Municipality`s approved list of Tariffs, Fees and Charges, Real Estate agents* to Let-/For Sale- and Sold Signs as specified in Category 1 and Category 2 as intended in Schedule 12 to the By-law at existing premises or at properties upon which a new building is being erected and relating to accommodation being offered to rent or purchase in the building; and on condition that any such sign must be removed within 2 weeks from date of issue of the occupation certificate or conclusion of a contract.

(4) On Premises Business Signs
These include any sign not illuminated, not projecting over a public road and not exceeding 0.2m² in total area notifying only the types of trade, business, industry or profession lawfully conducted by any occupant or permanent resident of the premises to which it is attached, the name of such occupant, the type of activity, the address and telephone number of such premises and the hours of attendance (if any); provided that only one such sign per occupant may be displayed.

(5) Window Signs
These include any locality bound signs which are temporarily or permanently painted on or attached to the window glass of a building used for commercial, office, industrial or entertainment purposes, or any other temporary or permanent sign which is displayed within 2 meters of any window or external opening through which it can be seen from the outside such a building, on condition that no window sign may exceed 4.5m² in an area of maximum control.

(6) Signs incorporated in the face of a building
Any sign forming an integral part of the fabric of a building (but excluding a painted sign or a sign affixed in any manner onto the building), on condition that no such sign may exceed 0.2m² in total area.

(7) Signs on Sports Fields
Except when visible from scenic drives, any sign erected around the perimeter of a sports field, to a maximum size of 2 x 1 meter each, provided further that larger signs which face inwards onto the field and are not visible from any other public place, may also be permitted.

(8) Security Signs
Any security sign not projecting over a public road and not exceeding 0.2m² in total area indicating either that a security watch scheme is in operation or that a security company has been contracted to protect the premises on which the sign is displayed, on condition that—

(a) only one such sign is displayed on any public road or each street frontage of such premises; and

(b) the said sign displays only the name, logo, address and telephone number of a security company contracted to protect the premises on which the sign is displayed.

(9) Sponsored, Commercially sponsored and Non-Profit Body Signs: less than 4.5m².

(a) Any such sign whether erected by or in connection with a non-profit body or not; not exceeding 4.5m² in total area on condition that no more than 5% of the total surface area of the sign is used for third party advertising; and the sign is not illuminated, and furthermore provided that only one such sign may be permitted per erf.

(b) Signs which comply with provisions of sub-section (a) may, when erected on municipal land, only be erected once agreement has been concluded with the Municipality, wherein the extent of the community or public benefit and the terms of the erection of the sign has been agreed.

(c) All other sponsored signs are dealt with in Schedule 16 and 17.

(10) Advertising on Vehicles
Signs painted or affixed directly onto the body of a motorised vehicle.

14. Disfigurement

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

15. Damage to municipal property

No person may, in the course of erecting or removing any sign, or banner, cause damage to any tree, electric standard or service or other municipal installation or property and street furniture.

16. Entry and inspections

The Municipality shall be entitled, through its authorized officers, to enter into and upon any premises, at a reasonable time for the purpose of carrying out any inspection necessary for the proper administration and enforcement of the provisions of this By-Law.

17. Offences and Penalties

(1) A person who contravenes any provision or fails to comply with any provision of this By-law, or fails to comply with a notice issued in terms of this By-law, commits an offence and shall on conviction be liable to—

(a) a fine or imprisonment, or either such fine or imprisonment or to both such fine and such imprisonment; and

(b) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued; and

(c) a further amount equal to any costs and expenses found by the court to have been incurred by the Municipality as result of such contravention or failure.

(2) Additional to the fines as specified in sub-clause (1) above, a person who fails to make prompt payment of any application or other fee or tariff as specified in this By-Law, will also be fined an amount equal to the applicable prescribed application or other fee or tariff.

(3) A person commits an offence if he or she—

(a) threatens, resists, hinders, obstructs or otherwise interferes with, or who uses foul or abusive language towards or at an employee or contractor of the Municipality in the exercise of any powers or performance of any duty or function in terms of this By-law; or

(b) impersonates an employee or contractor of the Municipality.

18. Presumptions

Any person charged with an offence in terms of this By-law who is—

(a) alone or jointly with any other person responsible for organising, or in control of any meeting, function or event, to which a sign or poster relates, shall be deemed, until the contrary is proved, to have knowingly displayed every unlawful sign or poster displayed in connection with such meeting, function or event or to have caused or allowed it to be so displayed;

(b) the person whose name appears on an unlawful sign or whose product or services are advertised on such sign, shall be deemed, until the contrary is proved, to have displayed such sign, or to have caused or allowed it to be displayed;

(c) the owner of any land or building on which any unlawful sign was or is displayed, shall be deemed, until the contrary is proved, to have knowingly displayed such sign, or caused or allowed it to be displayed.

19. Enforcement and removal of signs

(1) If any sign displayed is in contravention of 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 or occupant on whose land the sign is erected or displayed, or person whose product or services are advertised, calling upon such person to remove such sign or carry out such alteration thereto or do such work as may be specified in such request or notice, within a time frame specified therein.

(2) A notice served in terms of sub-section (1) may be withdrawn or varied by the Municipality, by agreement with the person so served, or failing such agreement, by the service of a further notice.

(3) Should the Municipality's directives, as set out in the notice, not be carried out within the time period specified therein, the Municipality may, without further notice to the person upon whom the notice was served, remove or alter the sign or do such work as may be specified in such notice.

(4) Any costs incurred by the Municipality in removing signs, or in doing alterations or other works required in terms of a notice, may be recovered from the person on whom the notice was served.

(5) Notwithstanding any other clause in this By-law, if a sign is, or is reasonably considered to be an imminent danger to life or property, the Municipality itself may, after a minimum of six (6) hours prior notice carry out or arrange for the removal of such sign in event of the noncompliance with such notice.

(6) Any costs incurred by the Municipality in carrying out or arranging for the removal of any sign may be recovered from the owner or lessee of the sign, or the landowner on whose land the sign was erected, or the person whose product or services were advertised, jointly and severally.

(7) Unlawful or dangerous signs removed by the Municipality may be reclaimed from the Municipality on payment in full to it of any costs incurred by the Municipality in the removal of the said sign, as well as payment of the costs incurred in the storage of such sign.

(8) Any unlawful signs removed by the Municipality and not reclaimed within two months of the date of removal may be disposed of or be sold by the Municipality to defray its removal or storage costs.

20. Service of notices

(1) A notice, order or any other document issued by the Municipality in terms of this By-law is deemed to be duly issued if an official of the Municipality signed it.

(2) Any notice or other document that is served on a person in terms of this By-law is regarded as having been duly served—

(a) when it has been delivered to that person personally;

(b) when it has been left at that person's place of residence or business in the Republic with a person apparently over the age of 16 years;

(c) when it has been posted by registered or certified mail to that person's known residential or business address in the Republic, and an acknowledgment of the posting thereof from the postal service is obtained;

(d) if that person's address in the Republic is unknown, when it has been served on that person's agent or representative in the Republic in the manner provided by paragraphs (a), (b) or (c); or

(e) if that person's address and agent or representative in the Republic is unknown, when it has been posted in a conspicuous place on the land or business premises to which it relates;

(f) in the event of a body corporate, when it has been delivered at the registered office of the business premises of the body corporate; or

(g) when it has been delivered, at the request of that person, to his or her e-mail address.

(3) Service of a copy is deemed to be service of the original.

(4) When any notice or other document is served on the owner, occupier, or holder of any property, or right in any property, it is sufficient if that person is described in the notice or other document as the owner, occupier, holder of the property or right in question, and it is not necessary to name that person.

21. Liaison forums in community

(1) The Municipality may establish liaison forums in the community for the purposes to—

(a) ensure the local community participation in the implementation and execution of this By-Law; and

(b) promoting local economic development and the conservation of visual, tourist, environmental and heritage characteristics of the Swellendam Municipal area;

(2) A forum as contemplated in sub-section (1) may consist of-

(a) a person or persons of an interested party or an affected person or community;

(b) designated official or officials of the Municipality and

(c) a council member of the relevant council committee

(3) The Municipality may request-

(a) a forum to give their input or

(b) make use of a forum's special knowledge or capacity

(4) A forum of persons or a person as defined in sub clause (2) may give input on their own accord to the Municipality for its consideration.

22. Conflict with other legislation

(1) In the event of any conflict between any provision of this By-law and National and Provincial legislation, standards, policies or guidelines, the National and Provincial legislation, standards, policies or guidelines shall prevail subject to section 151(3) and 156(4) of the Constitution.

(2) In the event of an inconsistency between the different texts the Afrikaans text shall prevail.

23. Exemptions

Notwithstanding the provisions of this By-Law, the Municipality may, on written application, exempt any person or class of persons from any or all of the requirements of this By-Law in considering such exemption it may impose any conditions or requirements it deems appropriate.

24. Repeal of By-Law

The stipulations of any by-law previously passed by the municipality are herewith repealed as far as they relate to matters provided for in this By-Law and insofar as it has been made applicable to the municipality by the authorization for the execution of powers and functions covered in Section 84(3) of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998).

25. Transitional arrangements

(1) Anything done before the promulgation of this By-Law, which was not done in terms of a provision repealed in this By-law and was unlawful, shall in the event of such act or sign still not complying with the provisions of this By-law, be unlawful and the Municipality in such case may take the necessary action in terms of section 19 hereof.

(2) All legal signs that exist at the date of publication of this By-Law, must in all respects comply with the regulations within a period of grace of 12 months from the date of publication. Any sign that fail to comply after the grace period of 12 months will be removed.

(3) The municipality could instruct an owner of a sign to remove it should the sign fail to comply to the regulations of this By-Law. Should the owner neglect to remove the sign and/or within the grace period of 12 months then the Municipality reserves the right to remove such sign at the expense of the owner.

(4) When a sign as a result of the change of ownership or occupation or a change in the nature of a business, industry, trade or profession performed on the premises or due to the installation of new traffic signs or a change in the level or location of any road, foot path or kerbstone or due to any other factor what so ever, no longer comply with the regulations of this By-Law then the person responsible for the sign must immediately remove, erase or change the sign to comply to this By-Law.

26. Short title and commencement

This By-Law shall be known as the Outdoor Advertising and Signage By-Law and commences on the date of publication thereof in the Provincial Gazette.

SCHEDULE 1: AREAS OF CONTROL

MAXIMUM	MAXIMUM	MAXIMUM	PARTIAL	MINIMUM
Natural Area	**Rural Area**	**Urban Area**	**Urban Area**	**Urban Area**
Proclaimed, declared or zoned nature reserve and conservation areas. Protected natural environment. Forestry areas. River corridors. 1:100 Year flood plains. Wetlands. Game reserves.	Agricultural areas/zones. Horticultural areas. Rural small holdings. Large private open spaces (e.g. golf courses). Scenic drives. Scenic landscapes. Scenic features. Municipal parks. Urban edge zones as defined in the Urban Edge Policy. Agricultural and horticultural areas and adjacent road and rail reserves. Specific areas or sites designated as maximum rural by way of a map prepared by the Municipality.	Urban conservation areas except central business district. Declared Heritage sites (rural and natural). Graded buildings and places. Residential zones and adjacent road and rail reserves. Pedestrian malls and pedestrian squares. Private Open Spaces e.g. Golf courses. River corridors. Specific areas or sites designated as maximum urban by way of a map prepared by the Municipality.	Central business districts except areas and buildings of heritage significance. Mixed use commercial and residential areas. Commercial ribbon development and activity corridors. Commercial and business districts and adjacent streets and rail reserves. Entertainment district or complexes with commercial zones. Sports fields and stadiums. Undetermined zones (including railway reserves, transport use zones). Specific areas or sites designated as partial control by way of a map prepared by the Municipality.	Designated transportation terminals. Designated areas within undetermined zones. Specific areas or sites designated as minimum control by way of a map prepared by the Municipality. Industrial zones.

SCHEDULE 2: BILLBOARDS

(1) Subject to approval in terms of this By-Law, the erection or display of Billboards, whether custom made or of standard design, is permitted only in areas of minimum and partial control. In addition:

(a) If the proposed erf where the billboards are to be erected borders on class 2 and 3 roads the billboard may not be placed less than 5 meters from the property's boundary line. If the proposed site of erection of a billboard has been designated as a gateway then no billboards will be permitted within such gateway;

(b) Billboards must comply with the standard conditions of approval set out in this By-Law;

(c) Billboards must not encroach over the boundary line of the property on which it is erected, whether such encroachment is aerial or on ground level;

(d) Billboards must have a minimum clear height of 2.4m and a sign structure which does not exceed a maximum height of 7.5m above natural ground level;

(e) Billboards must not exceed a maximum total size of 6 x 3m ($18m^2$) provided that on any V-shaped structure, two such panels may be permitted;

(f) Billboards must be displayed between the angles of 90° and 60° to the direction of oncoming traffic;

(g) Billboards must be spaced a minimum distance apart as specified in section 9 of this By-Law;

(h) If located at signalized traffic intersections, Billboards may not be erected or displayed within 50 meters of the perimeter of the intersection if un-illuminated; and within 80 meters of the perimeter of the intersection if illuminated;

(i) If erected along the right-hand side of a section of road, such that its graphics are visible to a driver traveling on the left-hand side of the road, shall be deemed to have replaced the advertising opportunity that existed on the left-hand side of the road;

(j) Billboards must have a minimum letter or number height of 285mm.

SCHEDULE 3: LOCALITY BOUND FREESTANDING AND COMPOSITE SIGNS

(1) Subject to approval in terms of this By-Law and subsection 5, the erection or display of locality Bound freestanding and composite signs are permitted only in urban areas of maximum, partial and minimum control. In addition:

(a) Locality bound freestanding signs may only be permitted in the following instances:

(i) where business premises are set back 15 meters or more from the boundary of the road reserve; or

(ii) where it is not reasonably possible to affix appropriate signs to a building; or

(iii) where such a sign is necessary to allow the public to locate the entrance to business premises; or

(iv) where the existence of a freestanding composite sign may prevent the proliferation of signs.

(2) Locality bound freestanding composite signs may not exceed 4,5 meters in height and in addition may not exceed 4.5m² in total area. This provision may be waived to a maximum height of 7,5 meters and a maximum total area of 10m² per side, having regard to the following factors:

(a) if such increase reduces the number of individual signs facing any one street boundary of the site, thereby minimising the visual impact on the surrounding environment;

(b) if more than two significant roads approach the site in question;

(c) the number of businesses which will be advertising on such sign;

(d) the number of approach or exit routes to the site in question;

(e) the applicable zoning of the area surrounding the site in question.

(3) Service Station freestanding signs must be locality bound and may only be erected or displayed at service stations adjacent to and directly accessible from the public road at which such a sign is directed and only one Service Station freestanding facility sign per street boundary may be permitted.

(4) Service station freestanding signs may not exceed 7,5 meters in height and may not consist of more than eight advertising panels of 4.5m² each in total area. The provisions of this section may be waived to a maximum height of 16 meters and eight advertising panels not exceeding 6m² each in total area having regard to the factors mentioned in item 2 above. In areas of maximum control, the maximum height is 4,5 meters and an area of 7.0m² on each side.

(5) In conservation areas and single residential zones only standard locality bound, free standing and composite signs shall be allowed as prescribed in Schedule 18.

SCHEDULE 4: SIGNS ATTACHED TO WALLS OF BUILDINGS: FLAT AND PROJECTING SIGNS

Subject to approval in terms of this By-Law, the erection or display of flat and projecting signs are permitted in all areas of maximum, partial or minimum control. In addition, flat and projecting signs may:

(1) not be allowed within 0,6 meters of the edge of a roadway nor may it extend to within 0.6 meters of the edge of a roadway;

(2) not project in front of a wall more than 1,5 meters in the case of a sign which has a clear height of more than 7,5 meters or more than 1 meter in the case of any lesser clear height;

(3) not project more than 250mm over a footway unless such sign has more than 2.4 meters clear height;

(4) not obstruct the view from any window or any other external opening of any building and no portion of any such sign may obstruct the opening or closing of any window, door or any other openings

(5) not exceed 54m² in total area and may not exceed 20% (in areas of maximum control), 30% (in areas of minimum and partial control) or one-quarter of the overall area of the surface to which they are affixed or painted whichever is the lesser. This size restriction may be waived on condition that:

(a) an Environmental Impact Assessment be submitted to the Municipality indicating no detrimental environmental impact is envisaged;

(b) or in a conservation area, a Heritage Impact Assessment be submitted to the Municipality indicating no detrimental heritage impact is envisaged; and

(c) only graphics designed and created by a suitably qualified consultant be displayed on such sign;

(6) be considered for approval on blank common boundary facades of non-residential buildings.

(7) if the sign appears on public facades of any building—

(a) be so designed as to become an integral part of the building design; and

(b) when a third-party sign, only be permitted if custom-made and subject to the requirements of 5(a) to (c) above.

SCHEDULE 5: SKY SIGNS

(1) Subject to approval in terms of this By-Law, the erection or display of sky signs whether custom made or of standard design, is permitted in areas of minimum control only. In addition, sky signs must:

(a) be limited to a maximum total size of 4.5m², provided that this size requirement may be waived up to a maximum of 18m² upon receipt of an Environmental Impact Assessment indicating no detrimental environmental impact is envisaged; and

(b) not obstruct the view from any other building.

(2) Sky signs along the top edge of the roof of cultural, historic or architecturally significant buildings will only be permitted if they are locality bound, un-illuminated and consist of individual cut-out letters or logos.

SCHEDULE 6: ROOF SIGNS

(1) Subject to approval in terms of this By-Law, the erection or display of roof signs is permitted in all urban areas of control except areas zoned for residential purposes in areas of maximum control. In addition:

(a) The total area of any roof sign affixed flush onto or painted onto a roof of a building may not exceed one-quarter of the overall area of the roof to which it is affixed or painted.

(b) When attached to the bottom edge of a roof or vertically midway on the roof of a building, such sign may not exceed 1 meter in height and its total area may not exceed 25% of the roof area to which it is affixed.

(2) It shall be permissible to affix a roof sign along the edge of a roof of a building, if such sign is composed of a single line of individual, cut-out letters, without visible bracing or support but may not be erected along more than two edges of such roof and may not exceed 3.6m² in total area (6 x 0,6m); with a maximum height of 1metre.

SCHEDULE 7: SIGNS ON A VERANDAH, BALCONY, CANOPY, SUPPORTING COLUMNS, PILLARS AND POSTS

Subject to approval in terms of this By-Law and subsection 11, the erection or display of signs on a veranda, balcony, canopy, supporting columns, pillars and posts may be permitted in all areas of control on condition that they also comply with the following:

(1) No such signs will be allowed on or over architectural features of buildings.

(2) Such signs may be affixed flat onto or painted on a parapet wall, balustrade or railing of a veranda or balcony, and beam or fascia of a veranda or balcony.

(3) The sign may not exceed 1m in height or project above or below or beyond either end of the surface to which it is affixed, or project more than 250mm in front of the surface to which it is affixed or project over a roadway or within 0,6 meters of the edge of the roadway.

(4) Such signs may be affixed flat onto or painted on supporting columns, pillars and posts. In this regard, no sign may project more than 50mm in front of the surface to which it is affixed and may not extend beyond any of the extremities of such column, pillar or post. Signs affixed flat onto non-rectangular supporting structures must be curved to fit the form of such structure.

(5) Only one sign per column, pillar or post will be allowed.

(6) Such signs suspended below the roof of a veranda, canopy or the floor of a balcony may not exceed 1,8 meters in length or 600mm in height.
(7) Every such sign must be at right angles to the building line.
(8) No signs suspended under a canopy may extend beyond the external edge of the canopy or veranda to which it is attached.
(9) All suspended signs must have a clear height of at least 2,4 meters.
(10) Such signs on the roof of a veranda, canopy or balcony, excluding the main roof of a building, must be composed of a single line of freestanding individual, cut- out silhouette letters without visible bracing or other visible means of support and may not be erected along more than two edges of such roof of a veranda or balcony.
(11) No such sign shall be allowed in a conservation area within a single residential zone unless a Heritage Impact Assessment was submitted which found that no negative impact would be made on the heritage resources.

SCHEDULE 8: SIGNS ON BOUNDARY WALLS AND FENCES AND ON CONSTRUCTION SITE HOARDINGS

Subject to approval in terms of this By-Law, the erection or display of signs on boundary walls and fences is permitted only for locality bound signs in urban areas of maximum, minimum or partial control and in addition:
(1) In urban areas of maximum and partial control, the Municipality may approve an application to affix a locality bound sign against a boundary wall only if the sign is indented into the wall or composed of individual, un-illuminated cut-out letters or symbols fixed flat on such wall not projecting more than 50mm from the face of such wall.
(2) In areas of minimum control, the Municipality may approve—
 (a) an application to affix a locality bound sign flat onto a boundary wall only if it does not project more than 50mm from the face of such wall; and
 (b) an application to affix a locality bound flat sign with a maximum size of 0.5m² onto the permanent fence of an erf.
(3) Third party and locality bound advertising on construction site hoardings and fences must comply with the following conditions:
 (a) any one sign may not exceed a vertical dimension of 3 meters and total area of 18m² and in the case of construction site cladding, the graphic must comply with the requirements of the Advertising standards Association of South Africa.
 (b) any such sign may not project more than 100mm in front of the hoarding or fence to which it is affixed;
 (c) it may not be illuminated in areas of maximum and partial control; and
 (d) advertising will not be allowed on construction site hoardings and fences within the cone of vision of motorists at signalised traffic intersections.

SCHEDULE 9: HEADLINE POSTERS

Subject to approval in terms of this By-Law, the erection or display of headline posters is permitted in all areas except natural and rural areas of maximum control. In addition:
(1) Headline posters may not exceed 0.9m x 0.6m in area.
(2) The commercial content of the poster may not exceed 20% of the area of the poster nor may such commercial lettering be larger than the main lettering in the remainder of the poster.
(3) The posters may be attached to Municipal electrical light poles only where approved by the Municipality for the express purposes of these posters.
(4) Posters may not be affixed to traffic signal poles, or other poles which carry road traffic signs, or poles erected for any other purpose, or any other street furniture, walls, fences, trees, rocks or other natural features.
(5) Headline posters may not be pasted on municipal electric light poles but are to be mounted on board and affixed securely with stout string or plastic ties unless a permanent frame has been approved for this purpose.
(6) Only one headline poster per pole, regardless of which newspaper group it is, will be permitted, and must be at a uniform height of approximately 2 meters.
(7) The number of posters as well as the designated areas for the display of headline posters as approved by the Municipality must be strictly adhered to.
(8) All ''special events'' posters are to comply with the following:

(a) the name of the newspaper group, the ''special event'' and the date of the''special event'' must appear on the posters in letters not less than 50mm in height;

(b) the special event posters may not be displayed more than 7 days before the date of the event and they must be removed within 24 hours after the date of the event shown on the poster.

(9) Headline posters and fastenings are to be removed on a daily basis failing which the posters will be removed, at the newspaper group's expense, in accordance with the standard charges for removal of posters.

(10) The Municipality may recover the costs of the removal of unauthorised posters, and the reinstatement of the surface from which such posters were removed, from the person responsible for the display of such posters or the newspaper group concerned.

(11) The Municipality may remove any poster displayed in contravention of the abovementioned conditions.

(12) Any poster not removed on a daily basis or a poster relating to a ''special event by due date referred to in item 8(b) may be removed by the Municipality.

(13) The display of unauthorised posters is illegal and the Municipality may also remove such posters.

(14) The Municipality may determine the costs involved for the removal of unauthorised posters.

(15) Application must be made on an annual basis by each newspaper group for permission to display such posters subject to an annual fee per newspaper group.

(16) A deposit per newspaper group who wishes to display posters must be paid annually against which a charge for the removal of any poster which contravenes the By-Law will be levied. In the event of the above deposit being exhausted, permission to display such poster may be withdrawn until a further deposit is submitted to the Municipality.

SCHEDULE 10: POSTERS, BANNERS, TEAR-DROP BANNERS, FLAGS AND BALLOONS

Subject to approval in terms of this By-Law, the erection or display of posters, banners, tear-drop banners and flags other than those referred to in Schedule 11, or balloons, is permitted in all areas, except areas of maximum control. In addition:

(1) The display of posters, banners, tear-drop banners, flags and balloons is prohibited on any bridge or across any public road, and along any road designated by the Municipality, unless consent has been obtained from the Municipality.

(2) Posters, banners, tear-drop banners, flags and balloons may not be attached so as to interfere with or constitute a danger to passing pedestrians or vehicular traffic.

(3) No banner, or flag-type banner may be larger than 5m², and no flag may be larger than 2m²; provided further that no flagpole may exceed a relevant height restriction of the zoning of the premises, up to a maximum of 8m above natural ground level, measured directly below the pole;

(4) No poster, banner, tear-drop banner, flag, or balloon may be displayed within 30 meters of any road traffic sign or traffic signal.

(5) Posters, banners, flags, or balloons may not be affixed to trees, traffic signal poles, electrical or service authority distribution boxes, or other poles which carry road traffic signs, rock, other natural features, street furniture or other Municipal property.

(6) Posters, banners, tear-drop banners, flags, or balloons may not be affixed in such a way that they unfairly prejudice other businesses or organisations or obscure any approved existing signs.

(7) Only one banner per premises will be permitted unless the Municipality's written permission is obtained for more than one.

(8) (i) A maximum of five flagpoles bearing national flags may be erected on the premises of an accommodation facility on a single residential erf;

(ii) Subject to the conditions laid down in paragraph 4, a maximum of three tear-drop banners or flags displaying the name, corporate symbol or nature of the business on the premises on which it is displayed, may be allowed.

(9) Posters, banners, tear-drop banners, flags and balloons not kept in a good condition may not be displayed and must be removed after notification by the Municipality.

SCHEDULE 11: TEMPORARY POSTERS, TEAR-DROP BANNERS, BANNERS AND FLAGS ON PUBLIC ROADS AND PUBLIC PLACES

Subject to approval in terms of this By-Law, the erection or display of posters, banners, tear-drop banners and flags in public roads or public places, for the purpose of advertising specific events, is permitted in all areas of control except natural and rural areas of maximum control. In addition—

(1) Approval for third party advertising on posters, banners, tear-drop banners, flags and balloons may only be granted for a function or event conducted for religious, educational, social welfare, animal welfare, sporting, civic or cultural purposes or for a function or event relating to a Municipal, Provincial or Parliamentary election or referendum.

(2) The name of the host organisation, the date and venue must appear on the material in letters not less than 50mm in height.

(3) Posters, banners tear-drop banners and flags may only be erected to advertise the event and the name or emblem of a sponsor may not cover more than 20% of the surface of the material.

(4) The Municipality may levy a tariff to cover the cost for the removal of material which has been erected without the approval of the Municipality given under the hand of an authorized official.

(5) Posters, banners, tear-drop banners and flags may be displayed for a maximum period of fourteen days prior to the event and must be removed within 2 days from the date of the event or the last day thereof as applicable.

(6) Posters with a maximum measurement of 80 cm x 50 cm must be mounted on a board and affixed securely with stout string or plastic fastening without damage caused to the poles. No securing material with a metal content is permitted.

(7) Posters, banners, tear-drop banners and flags, excluding election posters and flags, may only be erected in the roads, or places as indicated by the Municipality and may not be erected in residential areas or on bridges. No political banners will be allowed.

(8) Only one poster or flag per organisation may be erected on every second streetlight pole.

(9) Posters and flags must be erected at a uniform height of approximately 2 meters.

(10) No posters, banners, tear-drop banners or flags may be affixed to trees, traffic signs, traffic signals, central ridges, existing advertising signs or any municipal buildings or over hydrant identification signs.

(11) No posters, banners, tear-drop banners and flags may be displayed within 30 meters of any road traffic sign or traffic signal.

(12) All materials used to affix the posters must be removed together with the posters.

(13) The Municipality may remove any indecent or torn posters, banners, tear-drop banners or flags, or any posters, banners or flags which create a traffic hazard in the opinion of the Municipality

(14) The Municipality is exempted from claims that may be instituted against the Municipality as a result of the display of posters, banners, tear-drop banners and flags.

(15) The display of posters, banners, tear-drop banners and flags purely for commercial advertising is not permitted, provided that any poster, banner or flag which relates to a sport, the arts, or a cultural event may be permitted, despite such posters, banners, tear-drop banners or flags containing commercial elements. The commercial element may not exceed 20% of the extent of the poster, banner, tear-drop banner or flag.

(16) Organisations or persons who obtained approval to display posters or flags must pay a deposit as determined by the Municipality, which shall entitle that person to display the said poster or flag for a maximum period of 14 days, or such time as stipulated by the Municipality. No poster or flag may be displayed without such deposit having been paid.

(17) The Municipality may remove or request the applicant to remove all posters, banners, tear-drop banners or flags should any of the above conditions not be complied with.

(18) Posters, banners, tear-drop banners or flags that are not removed by the due date may be removed by the Municipality in which case the deposit paid in terms of item 15 will be forfeited to the Municipality.

(19) Banners will be erected or removed by the Municipality at a rate as approved from time to time and the banner must comply with the specifications as laid down by the Municipality.

SCHEDULE 12: REAL ESTATE ADVERTISING SIGNS

Subject to approval in terms of this By-Law, the erection or display of estate agent signs is permitted in all areas except natural areas of maximum control. Only estate agents registered with the Estate Agents Board will be allowed to erect show houses signs. Proof of registration must accompany the application.

The following advertising sign categories in respect of real estate will be applicable with fees payable as determined by Council:

i. Category 1 – 0.29m² (450×650) - Residential properties – House for sale/to let signs, (max of 2 per property per agency);

ii. Category 2 – up to 0.96m² (800×1200) - residential properties – house for sale/to let sign, (max of 1 per property per agency);

iii. Category 3 (1) Development board – single residential board, up to 1.92m² (1200 × 1600) from inception to completion (1 per property) – may include agency board (or a separate agency board at a further fee).

iv. Category 3 (2) Development board – cluster/townhouse development boards from up to 2.88m² (1200x2400) per development from inception to completion (2 per property) may include agency board.

v. Category 3 (3) Application for exemption with special non-standard dimensions.

vi. Category 4 (1) Industrial and commercial area (inside urban edge) – marketing and sales board of up to 2.88m² (1200x2400) per development opportunity – from inception to completion.

vii. Category 4 (2) Industrial, Rural, Agricultural (outside urban edge) – marketing, sales and development boards up to 8.64m² (2400x3600) per opportunity – from inception to completion.

viii. Category 4 (3) Commercial and Retail – inside urban edge – marketing, sales and development boards up to 2.88m² (1200x2400).

ix. Category 4 (4) Application for exemption with special non-standard dimensions.

x. Category 5 – Billboards – special proposals/applications – outside urban edge, not exceeding 23.04m² (2400x9600).

IN ADDITION:

(1) Estate Agencies must apply annually for permission to display signs and approval may be subject to payment of an annual fee in accordance with the Municipality’s by-law and policy on tariffs.

(2) A deposit may be required by the Municipality against which a charge for the removal of any sign which contravenes this By-law will be levied. In the event of the above deposit being exhausted, permission to display such signage may be withdrawn until a further deposit is paid to the Municipality.

(3) Any Estate Agent sign unlawfully erected, or in contravention of the provisions of this Schedule, will be subject to a charge by the Municipality; in the event of the said sign not being removed, photographic evidence of the unlawful sign may be obtained by the Municipality prior to levying the said charge.

(4) “For sale”, “Sold” and “To let” signs shall be fixed flat to the surface of the boundary fence or wall of the property.

(5) “Sold” signs may be displayed, fixed flat to the surface of the boundary fence or wall of the property, for a maximum period of two weeks.

(6) No sign may be erected in such a way that any part of it is closer than 1.5m from a road verge.
(7) No sign may be erected on centre islands.
(8) No sign may obscure a road traffic sign.
(9) No signs may be erected on any tarred area of pavements.
(10) "Show House'' signs may be displayed only from 12h00 on Fridays to 20h00 on Sundays.
(11) Show house signs may not be affixed to trees, traffic signals, street poles or other poles which carry road traffic signs, walls, fences, rocks, other natural features or landscaped areas, street furniture, or other Municipal property, unless such other display is authorised by the Municipality in writing.
(12) On each sign, the wording ''On Show'', ''Show House'', ''Show Flat'' or ''Show Plot'' with the Agency's name and directional arrow must be displayed as well as the date.
(13) Show house signs may be displayed on stakes making use of a design approved by the Municipality. Estate Agent signs may not be displayed on concrete, tarred or paved surfaces. It is not permissible for stakes to penetrate the ground deeper than 15cm.
(14) Not more than six estate agent directional signs will be permitted in total per show house, show plot or block of flats in which a show flat is on display. The definition of one sign will include the display of two signboards only when such boards are sandwiched back to back around an electric light pole.
(15) Show houses signs may not be displayed along Scenic Drives or on any bridge, public park or public open space.
(16) Directional signs may be displayed along main routes only, being the shortest route from a main road to the property.
(17) Only one directional sign per show house/flat/plot may be displayed along class 2 or 3 roads, excluding roads referred to in item 7 above.
(18) Development Boards
   (a) Development boards shall be removed forthwith when the building operations are complete or if the building operations are discontinued, or when the provisions of the services, the doing of the work, or the supply of the goods to which the sign relates has ceased.
   (b) The Municipality may order the removal of any such sign if the building operations have been substantially completed or discontinued or an Occupancy Certificate has been issued by the Municipality, or the provision of the services, the doing of the work or the supply of the goods to which it relates, has for all practical purposes ceased, and such signs may thereupon be forthwith removed but no later than 5 days after the date of the order for removal thereof.
   (c) If the premises on which building operations are in progress, are to be used wholly for residential purposes, only one development board may be displayed and such development board may not exceed $3m^2$ in total area.
   (d) If the premises are not to be used wholly for residential purposes, no more than two development boards may be displayed and the aggregate area of both development boards may not exceed $5m^2$ in total area;
   (e) If the signage, whether on freestanding boards, or flexible building covering material, include any other form of third-party advertising, such sign must then comply with the provisions of Schedule 8 hereto and approval for the display thereof must first be obtained in terms of this By-Law.

SCHEDULE 13: LOOSE PORTABLE SIGNS

Subject to approval in terms of this By-Law, the erection or display of loose portable signs is permitted in areas of minimum and partial control as well as designated areas within urban areas of maximum control. In addition:

(1) Loose portable signs may not be placed in a road reserve or in public open spaces without the written permission of the Municipality.
(2) The Municipality may remove and impound loose portable signs placed without permission in a road reserve or on Municipal property. Owners can recover their signs on payment of the prescribed fee as determined the Municipality which will be used to defray the cost of removal, storage and transportation.

(3) The following criteria will apply in respect of an application in terms of item 1:
- (a) that it does not pose a hazard in terms of safety to the public;
- (b) that it does not obstruct or cause inconvenience to the public either by its physical size or location;
- (c) that it does not unfairly prejudice other traders;
- (d) that the loose portable sign or proposed number thereof does not detract from the amenity of the local streetscape or local environment;
- (e) that it is intended solely to advertise the name of the business, goods or services for sale from the advertiser's premises;
- (f) that the maximum dimensions of the proposed loose portable sign must be 1.2m (height) x 0.6m (width).
- (g) that it may be placed directly in front of the advertiser's premises, provided that the above criteria are met; and
- (h) that a minimum clear footway width of 1,8 meters must remain clear and 2,5 meters in the central business district and sidewalks with high pedestrian volumes.

(4) The Municipality may demarcate areas within the road reserve or on municipal property where, during normal trading hours, applicants may then place the approved loose portable signs. The said signs must be removed outside normal trading hours and stored away from public view.

(5) The Municipality may levy tariffs for displaying the loose portable signs, which tariffs shall be payable in advance for a maximum period of six months.

(6) Applicants will be required to indemnify the Municipality against any claims from third parties that may arise, due to the placement of loose portable signs within the road reserve or on municipal property.

(7) Notwithstanding the above, the Municipality may cause the removal or impoundment of the sign or signs should the applicant contravene any of the above conditions.

SCHEDULE 14: AERIAL SIGNS

Subject to approval in terms of this By-Law, the erection display of aerial signs is permitted only in urban areas of minimum control. In addition:

(1) No aerial signs affixed to any building or structure may be flown at a height of more than 45 meters from the surface measured from ground level.

(2) Aerial signs may not be flown above a public road.

SCHEDULE 15: TRANSIT ADVERTISING

Subject to approval in terms of this By-Law, the erection or display of transit signs is permitted only in urban areas or minimum control.
In addition:

(1) The parking of a transit sign which is visible from a public road or a public place for the purpose of third-party advertising is prohibited, except if it is displayed on a designated display site approved in terms of this By-Law.

(2) Transit signs parked on private property for the purpose of storage must be positioned in such a manner as not to be visible from a street or public place.

(3) The advertising panel or portion of the vehicle used for transit advertising may not exceed a cumulative total of $18m^2$ in areas of partial control, which size may be increased to a maximum size of $36m^2$ in areas of minimum control.

(4) The Municipality may designate sites in areas of partial and minimum control for transit advertising and may publish notices indicating such sites.

(5) Notwithstanding any provisions of this By-Law, the Municipality may, without prior notice remove any unauthorised transit signs from municipal property, and, in the case of unauthorised transit advertising on private property, the Municipality may serve a notice ordering the removal thereof in terms of this By-Law.

(6) Transit signs must be properly fixed to the ground at the parking location.

SCHEDULE 16: SIGNS ON MUNICIPAL LAND OR BUILDINGS

(1) No sign may be displayed or erected on municipal land or buildings without the written permission of the Municipality.

(2) The following specific conditions and criteria will apply to the signs mentioned in items (a) to (c) below:

(a) Commercially sponsored signs other than those in section13 (10).

Notwithstanding the area of control within which it is proposed to erect a commercially sponsored sign on municipal land or buildings, and subject to compliance with all other provisions of this By-Law, the Municipality may consider a commercially sponsored sign for approval, subject to the following:

(i) Public or community needs or goals must be identified or adopted by the Municipality and if such needs can be addressed either entirely or in part by the granting of concessions to particular persons for the erection of commercially sponsored signs, the Municipality may call for public input on such public or community needs or goals and the related advertising opportunity.

(ii) In order to identify such public or community needs or goals, the Municipality and other interested authorities must consult prior to proposals being invited, so as to establish conditions, criteria and constraints in respect of such advertising.

(iii) The Municipality's Supply Chain Management Policy will apply.

(iv) that any proposal be evaluated on the following factors:

(aa) the adherence to the principles of this By-law;

(bb) the design contribution;

(cc) the best community benefit offered;

(dd) the creativity and public safety;

(ee) the permanence of the contribution to the community goals or needs; and

(ff) the recovery cost over the period of the erection of the sign as opposed to the largest advertising opportunity or financial gain.

(v) When contributions in kind are to be recovered by the Municipality, a conversion thereof to a monetary contribution to the Municipality's income base will be assessed.

(vi) the Municipality, as landowner, reserves the right not to proceed with any proposal prior to final approval thereof and the call for invitations for proposals in any respect shall not be regarded decision by the Municipality to proceed with the erection of a sign in respect of a specific site.

(vii) Once accepted, any sign to be erected in terms of this schedule must be the subject matter of a written agreement between the Municipality as landowner and the person responsible for the erection of the sign.

(b) Sponsored signs

Notwithstanding the area of control within which it is proposed to erect such a sign on Municipal owned land or buildings and subject to compliance with all other provisions of this By-Law, the Municipality may consider a sponsored sign for approval on condition that:

(i) written detail will be provided which clearly indicates the recognised community goals which will be promoted by the erection or display of the proposed sign;

(ii) signs with a political content will not be permitted;

(iii) no more than 5% of the total surface of the sign is used for third party advertising.

(iv) the maximum size of any such sign will be 6m x 3m; provided in the event of a V-shaped sign where the size may not exceed two panels of 6m x 3m each.

(v) applications for billboards to be erected in terms of this section comply with the requirements as set out in Schedule 2.

(vi) no sign erected in terms of this clause be located within 5 meters of a property's boundary line.

(c) Non-profit body signs
Notwithstanding the area of control within which it is proposed to erect a sign, and subject to compliance with all other provisions of this By-Law, the Municipality may consider the erection of a sign by or for the benefit of a non-profit body subject to compliance with the requirements set out in Schedule 17.

SCHEDULE 17: SIGNS ERECTED BY OR FOR THE BENEFIT OF NON-PROFIT ORGANISATION

(1) Notwithstanding the area of control within which it is proposed to erect a sign by or for the benefit of a non-profit organisation, and subject to compliance with all other provisions of this By-Law, the Municipality may consider such a sign for approval subject to the following:
- (a) written details from the host non-profit organisation regarding the nature and extent of the support to be received from the erection or display of the sign must be delivered to the Municipality together with the other information set out in section 3 of this By-Law;
- (b) the extent of involvement of previously disadvantaged communities, small businesses, job creation and empowerment will be considered in any proposal;
- (c) any proposal will be evaluated on the following factors;
  - (i) the adherence to the principles or provisions of this By-Law;
  - (ii) the design contribution;
  - (iii) the best community benefit offered;
  - (iv) the creativity and public safety; and
  - (v) the permanence of the contribution to the community goals or needs as opposed to the largest advertising opportunity or financial gain.
- (d) in the event of it being proposed that the said sign will be erected on municipal property:
  - (i) the Municipality must evaluate the proposal;
  - (ii) the Municipality as landowner reserves the right not to proceed with any proposal prior to final approval thereof; and
  - (iii) if accepted, a written agreement between the Municipality, the person responsible for the erection of the sign and the non-profit body must be entered into.
- (e) In addition, the following conditions will apply:
  - (i) signs with a political content will not be permitted;
  - (ii) the maximum size of any such sign is 6m x 3m; provided in the event of a V-shaped sign being proposed, its maximum size will not exceed two panels of 6m x 3m each;
  - (iii) applications for billboards to be erected in terms of this section must comply with the requirements as set out in Schedule 2;
  - (iv) no sign erected in terms of this clause may be located within 5 meters of a property's boundary line;
  - (v) the name of the non-profit body must be displayed on the sign with a maximum 300mm lettering height;
  - (vi) all parties that may be affected by the erection or display of such sign must be given opportunity for their input;
  - (vii) the Municipality may require submission of impact assessment studies; and
  - (viii) no more than two individual signs of 6m x 3m each may be permitted, or alternatively one V-shaped sign with a maximum of two panels of 6m x 3m each on any one property. In addition, only one sign per street frontage will be permitted.

SCHEDULE 18: STANDARD FREE STANDING AND COMPOSITE SIGNS FOR THE CONSERVATION AREA

(1) Subject to approval and in accordance to this By-Law, the erection and display of standard free standing and composite signs will be the primary way of advertising in conservation areas and in areas of single residential zoning.
In addition:
- (a) Only one standard advertising structure, designed according to Municipal requirements, will be allowed on a property.
- (b) A composite sign of maximum two advertising signs and size 900 mm x 300 mm per advertising structure showing only the name of the business and its main product will be allowed.
- (c) In the case of a business centre, more than one advertising sign per advertising structure will be allowed in which case the centre's name and the names of the businesses in the centre may be displayed.

(2) The signs and advertising structures shall:
Comply to the design standards and requirements of the Municipality.
- (a) Not be displayed in the road reserve.
- (b) Be displayed parallel to the road edge.

SWELLENDAM MUNISIPALITEIT

VERORDENING INSAKE BUITEREKLAME EN ADVERTENSIETEKENS

Om buitereklame en advertensietekens te bestuur, te beheer en te reguleer en om meganismes en riglyne vir die beheer, bestuur en regulering van daarvan te verskaf en om voorsiening te maak vir aangeleenthede wat daarmee verband hou.

AANHEF

AANGESIEN artikel 156 (2) en (5) van die Grondwet bepaal dat 'n munisipaliteit verordeninge mag uitvaardig en administreer vir die doeltreffende administrasie van die aangeleenthede wat hy die reg het om te administreer, en enige bevoegdheid uit te oefen met betrekking tot 'n aangeleentheid wat redelikerwys nodig is vir, of verband hou met die doeltreffende verrigting van sy funksies;

EN NADEMAAL Deel B van Skedule 5 van die Grondwet Reklameborde en die vertoon van advertensies op openbare plekke lys as 'n plaaslike regeringsaangeleentheid in die mate soos uiteengesit in artikel 155 (6) (a) en (7);

EN NADEMAAL die Swellendam Munisipaliteit poog om buitereklame en advertensietekens en enige aktiwiteite wat daarmee verband hou, te bestuur, te beheer en te reguleer;

VERORDEN die Swellendam Munisipale Raad soos volg:—

INHOUDSOPGAWE

1. Woordomskrywings
2. Beginsels en doelwitte

HOOFSTUK 1:

3. Indiening van aansoeke
4. Fooie en algemene faktore met die oorweging en goedkeuring van aansoeke, wysigings en voorwaardes
5. Faktore met betrekking tot spesifieke tekens en gebiede van beheer en kommersieel geborgde tekens

HOOFSTUK 2:

6. Standaard voorwaardes vir goedkeuring
7. Elektriese vereistes
8. Verligtingsvereistes
9. Verkeersveiligheidvereistes
10. Regsvereistes
11. Goedkeuring

HOOFSTUK 3: ALGEMENE BEPALINGS

12. Appèl
13. Tekens waarvoor die Munisipaliteit se goedkeuring nie vereis word nie
14. Ontsiering
15. Skade aan munisipale eiendom
16. Toegang en inspeksies
17. Misdrywe en strawwe
18. Aannames
19. Afdwinging en verwydering van tekens
20. Betekening van kennisgewings
21. Skakelforums in gemeenskappe
22. Teenstrydighede met ander wetgewing
23. Vrystellings
24. Herroeping van Verordeninge
25. Oorgangsbepalings ten opsigte van bestaande tekens
26. Kort titel en inwerkingtrede

SKEDULES

Skedule 1: Gebiede van beheer
Skedule 2: Reklameborde
Skedule 3: Terreingebonde losstaande en samegestelde tekens
Skedule 4: Advertensies wat op mure van geboue aangebring word (plat- en uitsteektekens)
Skedule 5: Kimtekens
Skedule 6: Daktekens
Skedule 7: Tekens op ‘n veranda, balkon, sondak, steun kolomme, pilare en pale
Skedule 8: Tekens op grensmure, heinings of bouterreine
Skedule 9: Plakkate met koerantopskrifte
Skedule 10: Plakkate, baniere, traanvormbaniere, vlae en ballonne
Skedule 11: Tydelike plakkate, baniere en vlae op openbare paaie en in openbare plekke
Skedule 12: Vaste Eiendomsadvertensietekens
Skedule 13: Los draagbare tekens
Skedule 14: Lugtekens
Skedule 15: Transito-reklame
Skedule 16: Tekens op munisipale grond of geboue
Skedule 17: Tekens deur of vir nie-winsgewende liggame
Skedule 18: Standaard losstaande en saamgestelde tekens vir die bewaringsgebied

1. **Woordomskrywings**

In hierdie Verordening, tensy uit die samehang anders blyk, beteken:

"**advertensie"** enige verteenwoordiging van 'n woord, naam, letter, syfer of voorwerp of 'n afkorting van 'n woord of naam, of enige simbool: of enige lig wat nie uitsluitlik vir verligting of as 'n waarskuwing teen enige gevare bedoel is nie en **"reklame"** het 'n soortgelyke betekenis.

"**advertensie struktuur"** enige fisiese struktuur wat ontwerp is vir 'n advertensieteken, enige losstaande skerm of bord wat groter as 4.5 m in totale omvang is; wat ondersteun word deur of uit 'n struktuur bestaan wat gebruik word vir die aanplak, vertoon of wys van 'n teken.

"banier" enige materiaal waarop 'n teken op so 'n wyse vertoon word dat dit in windstil toestande ten volle leesbaar is, vasgeheg aan een of meer toue, pale of vlagpale wat vertikaal, horisontaal of teen 'n hoek uitsteek, of aan geboue of spesiale strukture bevestig is, maar sluit nie baniere in wat as deel van 'n optog gedra word nie. 'n Vlag wat nie op 'n goedgekeurde vlagpaal vertoon word nie, word vir die doeleindes van hierdie Verordening, 'n banier geag te wees.

"**bestaande teken"** enige teken wat voorheen deur die Munisipaliteit goedgekeur is.

"**beweegbare teken"** 'n teken wat nie permanent vasgemaak is nie en nie bedoel is om in een posisie geheg te bly nie, maar sluit nie enige bewegende deel op 'n permanente vasgemaakte teken in nie.

"**dakteken"** 'n teken wat op die dak van 'n gebou aangebring is waar die boonste rand van enige punt van daardie teken nie die hoogte van die dakvlak waarop dit aangebring is, oorskry nie.

"**derdeparty reklame"** die reklame van goedere of dienste wat nie vervaardig, verkry, verkoop of afgelewer word vanaf die eiendom waarop die teken of teken wat daardie goedere of dienste adverteer, aangebring of geplaas is nie, en sluit reklame in wat nie terreingebonde is nie.

"diensstasie fasiliteit teken" losstaande tekens by petrol vulstasies, rus- en diensplekke langs die pad en sluit diensstasie-ingangtekens in.

"dikte" met betrekking tot 'n uitsteekteken, die wydte van sodanige teken parallel gemeet met die vlak van die hoofmuur waarop sodanige teken aangebring is.

"doelgemaakte ontwerp" die ontwerp van enige teken met spesiale effekte soos spesialis karakteruitsnedes of figure of driedimensionele voorstellings of bewegende dele of 'n kombinasie daarvan, en wat spesiaal vir oprigting op 'n spesifieke plek ontwerp of gebou word.

"driedimensionele teken" 'n teken wat meer as 2 dimensies bevat, insluitend replikas van produkte.

"eiendomsagentskap" 'n persoon wat eiendomme bemark, verkoop of verhuur met of sonder geboue wat daarop opgerig is en "**eiendomsagent"** het 'n ooreenstemmende betekenis.

"elektroniese teken" 'n teken met 'n elektronies beheerde, verligte vertoon oppervlak wat toelaat dat die hele teken of 'n gedeelte daarvan verander of op verskillende maniere verlig kan word.

"erfenisimpakbeoordeling" (EIB) 'n visuele en kontekstuele beoordeling van die impak wat enige voorgestelde teken op die kulturele erfenis kan hê, hetsy dit 'n gebou of 'n plek is waar die voorgestelde teken vertoon sal word.

"gebiede van beheer" daardie gebiede wat in Skedule 1 van die Verordening uiteengesit word; en wat van tyd tot tyd verander of gewysig kan word, welke veranderinge en wysigings grafies uitgebeeld moet word by wyse van kaarte wat deur die Munisipaliteit saamgestel sal word.

"geborgde teken" 'n teken waarvan die primêre doel nie die advertering van goedere of dienste is nie, maar wat 'n grafika of inhoud vertoon wat gemeenskaps- of openbare bewustheid van 'n erkende openbare- of gemeenskapsdoelwit bevorder.

"gemagtigde beampte" 'n werknemer van die Munisipaliteit of enige ander aangestelde persoon daar toe gemagtig om op te tree, funksies uit te voer of pligte na te kom in terme van die bepalinge van hierdie Verordening en **"beampte"** het 'n ooreenstemmende betekenis.

"gemeenskaplike grensfasade" enige fasade van 'n gebou wat aangrensend aan die agterkant of sygrens van 'n erf gebou word en welke fasade blind is, naamlik dat dit geen argitektoniese kenmerke, insluitend vensters, het nie.

"geprojekteerde teken" enige teken wat deur 'n laserprojektor, videoprojektor of ander apparaat geprojekteer word.

"goedkeuring" goedkeuring deur die Munisipaliteit en "**goedgekeur"** het 'n ooreenstemmende betekenis.

"grafika" sluit enige komponent in maar is nie daartoe beperk nie wat tot die visuele voorkoms of estetika van 'n teken bydra, insluitende die agtergrond daarvan.

"handelsreklame" enige woorde, letters, logo's, syfers, simbole, prentjies wat met die naam van 'n besigheid, bedryf, vennootskap of individu verband hou, of enige inligting, aanbeveling of

waarskuwing ten opsigte van enige bepaalde goedere wat vervaardig of verkoop word, of enige bepaalde dienste wat gelewer of aangebied word, of enige gebeurtenis vir handel of vermaak, insluitend sportbyeenkomste.

“hoofopskrif plakkaat” ‘n tydelike plakkaat wat die inhoud van ‘n dagblad of weeklikse koerant adverteer.

“hoogte van ‘n teken” word bereken deur die vertikale afstand tussen die boonste en laagste gedeeltes van die reklame paneel te meet.

“intern verligte teken” ‘n teken of struktuur wat gebruik word om ‘n teken te vertoon wat van elektriese of ander krag voorsien is en ‘n kunsmatige ligbron het wat ten volle of gedeeltelik in die struktuur of teken ingesluit is en welke lig bedoel is om die teken of ‘n gedeelte daarvan te verlig.

“kimteken” ‘n teken waarvan die boonste rand van enige punt daarvan die hoogte van die dakvlak waarop dit aangebring is, oorskry.

“klas 2 paaie” paaie wat die primêre netwerk vir die stedelike gebiede as geheel verskaf en wat gekenmerk word deur hoë volumes, beperkte toegang en redelike hoë spoed.

“klas 3 paaie” paaie wat verkeer versprei tussen die primêre residensiële, industriële en sakegebiede van die dorp en wat die skakel vorm tussen die primêre netwerk (klas 2 paaie) en die paaie binne residensiële gebiede.

“kommersieel geborgde teken” ‘n teken wat goedere of dienste adverteer, maar waarvan die oprigting ‘n tweede doel dien, naamlik om een of ander erkende openbare of gemeenskapsdoelwit- of funksie te bevorder of daartoe by te dra.

“konsultant” ‘n paslik gekwalifiseerde onafhanklike persoon of maatskappy wat namens of as agent optree van ‘n aansoeker om goedkeuring van ‘n teken ingevolge hierdie Verordening.

“los draagbare teken” ‘n losstaande terreingebonde kennisgewing of reklamestruktuur wat in ‘n padreserwe of openbare oop ruimte geplaas of opgerig is.

“losstaande teken” enige teken of groep tekens wat op een losstaande struktuur vertoon word of daarin vervat is, wat nie vas is aan ‘n gebou of enige struktuur of voorwerp wat nie vir die primêre doel van reklame beoog is nie;

‘’Landelike Area’’ 'n gebied buite die stedelike rand uitgesluit natuurlike gebiede soos beskryf in skedule 1;

“lugteken” ‘n teken wat in die lug vertoon of uitgevoer word, insluitend, maar nie beperk tot ballonne en ballonskepe wat vanuit die Munisipaliteit se regsgebied gesien kan word.

“Munisipaliteit ” die Munisipaliteit van Swellendam gestig ingevolge Artikel 12 van die Munisipale Strukturewet, 117 van 1998, en dit sluit in enige behoorlik gevolmagtigde agent daarvan, diensverskaffer of enige werknemer daarvan wat ingevolge hierdie Verordening optree uit hoofde van die mag wat berus by die Munisipaliteit en, wat gedelegeer of gesubdelegeer is aan so ‘n agent, diensverskaffer of werknemer.

“nie-winsgewende liggaam” ‘n liggaam wat hoofsaaklik daargestel is om ‘n gemeenskapsdoelwit of voordeel sonder direkte of persoonlike finansiële wins te bevorder en dit kan opvoedkundige, sport-, mediese en munisipale departemente, liggame sowel as liefdadigheids- of gemeenskapsorganisasies insluit.

“nuwe teken” enige teken wat vir die eerste keer ná die afkondiging van hierdie Verordening vertoon word.

“omgewingsimpakbeoordeling” (OIB) ‘n beoordeling wat ingevolge die Munisipaliteit se riglyne vir buitereklame onderneem word.

“ontwikkelingsbord” ‘n teken wat op ‘n perseel vertoon word waar boubedrywighede aan die gang is en wat betrekking het op enige dienste verskaf, werk wat verrig word of goedere wat in verband met sodanige boubedrywighede voorsien word, maar sluit nie kontrakborde vir bou- en siviele ingenieursprojekte in nie soos vereis ingevolge die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977).

“openbare fasade” enige fasade van ‘n gebou wat argitektoniese artikulasies het en wat sigbaar is vir die publiek.

"openbare pad" 'n openbare pad soos omskryf in die Nasionale Padverkeerswet 1996 (Wet 93 van 1996).

"openbare plek" enige openbare pad, openbare straat, deurgang, brug, duikweg, looppad, sypaadjie, voetpad, voetgang (of soortgelyke voetgangergedeelte van 'n padreserwe), laan, plein, oopruimte, tuin, park of ingeslote plek wat in die Munisipaliteit of ander staatsowerheid gevestig is, of as sodanig op die Landmeter-Generaal se rekords aangedui word, of deur die publiek gebruik word of as sodanig ingevolge die toepaslike soneringskema gesoneer is.

"padreserwe" die gebied wat binne die statutêre breedte van 'n pad geleë is, en sluit ryvlakke, skouers en sypaadjies in en die lugruimte bokant sodanige ryvlakke, skouers en sypaadjies en alle ander gebiede binne die padreserwe grens.

"perimeter van 'n kruising" die perimeter van die gebied wat ingesluit word by die verlenging van die padreserwelyne van twee of meer openbare paaie wat teen enige hoek by mekaar aansluit, of so 'n openbare pad die ander een kruis of nie.

"persoon" sluit in:

(a) enige staatsinstelling;
(b) enige maatskappy wat as sodanig ingevolge enige wet ingelyf of geregistreer is; en
(c) enige liggaam van persone, hetsy ingelyf al dan nie, wat as 'n enkelentiteit vir watter doel ook al funksioneer.

"plakkaat" tydelike tekens wat aan die Munisipaliteit se elektriese ligpale geheg kan word of op vaste strukture opgeplak word om byeenkomste of veldtogte te adverteer, insluitende verkiesings of referendums van beperkte duur, maar nie tekens wat markte, uitstallings of byeenkomste adverteer wat op 'n gereelde grondslag gehou word nie.

"plat teken" 'n teken wat aan 'n muur van 'n gebou vasgemaak is of direk daarop geverf is, maar nie op of oor vensters of deure of argitektoniese artikulasies nie, en wat nêrens meer as 250 mm voor die oppervlak van sodanige muur uitsteek nie.

"poortroete" 'n prominente roete met 'n ingang tot of uitgang van 'n spesifieke gedeelte van die Munisipaliteit se jurisdiksie, bestaande uit kunsmatige of natuurlike kenmerke wat 'n sterk gevoel van aankoms of vertrek skep en in ooreenstemming met stadsbeplannings- of ontwikkelingsraamwerkplanne of Verordening is en wat geografies uitgebeeld kan word by wyse van kaarte of deur die Munisipaliteit gelys word.

'reklamestruktuur" enige fisiese struktuur wat ontwerp is om 'n teken te vertoon.

"ryvlak" daardie gedeelte van 'n pad, straat of deurgang wat verbeter gebou of vir voertuig verkeer bedoel is soos omskryf in die Nasionale Padverkeerswet, 1996 (Wet 93 van 1996).

"samegestelde teken" 'n enkel losstaande reklamestruktuur vir die vertoon van meer as een teken.

"sekuriteitsteken" 'n teken vir buurtwag- en soortgelyke skemas, en 'n teken wat die naam, logo, adres en telefoonnommer van 'n sekuriteitsmaatskappy bevat wat gekontrakteer is, of 'n sekuriteitstelsel wat geïnstalleer is, om die perseel waarop die teken vertoon word, te beskerm.

''Sentrale sakegebied (CBD)'' 'n gebied in die beboude omgewing afgebaken as sodanig op die Ruimtelike Ontwikkelingsraamwerk vir daardie dorp.

"sone" 'n grondgebruiksone soos uiteengesit in die toepaslike soneringskema of skemaregulasies soos van tyd tot tyd gewysig en wat van toepassing is op enige erf waarop 'n teken vertoon word of beplan word om vertoon te word en **"sonering"** het 'n ooreenstemmende betekenis.

"staatsinstelling"

(a) enige staatsdepartement of administrasie in die nasionale, provinsiale of plaaslike sfeer van regering;

(b) enige ander funksionaris of instelling –
- (i) wat ingevolge die Grondwet of ‘n provinsiale grondwet ‘n mag uitoefen of ‘n funksie verrig; of
- (ii) wat ingevolge enige ander wetgewing ‘n openbare mag uitoefen of ‘n openbare funksie verrig.

“stadsgrenslyn” ‘n vooraf bepaalde punt-tot-punt grenslyn soos deur die Munisipaliteit bepaal, met die doel om stedelike ontwikkeling te beperk.

‘’Stedelike bewaringsgebied’’ 'n gebied in die beboude omgewing afgebaken as sodanig op die Ruimtelike Ontwikkelingsraamwerk vir daardie dorp.

‘’Stedelike gebied’’ 'n gebied binne die stedelike rand van 'n dorp;

‘’Stedelike rand’’ 'n gebied in die beboude omgewing afgebaken as sodanig op die Ruimtelike Ontwikkelingsraamwerk van daardie dorp;

“straatnaamtekens” tekens wat op ‘n paal gemonteer en dubbelsydig is, wat intern verlig of onverligte tekens is wat saam met straatname vertoon word, en wat nie 1 m² oorskry nie.

“straat-toerusting” openbare fasiliteite en strukture wat nie hoofsaaklik vir reklame bedoel is nie en sluit in, maar is nie beperk tot sitbanke, planthouers, blikke, blikke wat aan ‘n paal gemonteer is, bus-skuilings, sypaadjiehorlosies, drinkspuite, Telkom-kaste, verkeersbeheerders, elektrisiteitskaste, posbusse en telefoonhokkies, maar sluit nie padverkeerstekens, verkeerseine, straatligte of enige ander padverwante strukture in nie.

“teken” enige voorwerp, produk, replika, reklamestruktuur, muurskildering, toestel of bord wat gebruik word om ‘n teken in die openbaar te vertoon of wat op sigself ‘n reklame-teken is en sluit ‘n plakkaat, reklamebord asook ‘n advertensie in wat in die argitektoniese ontwerp van ‘n gebou of struktuur ingevoeg is.

“terreingebonde reklame” enige teken wat op ‘n spesifieke erf, perseel of gebou vertoon word en kan ‘n teken op grond in munisipale besit insluit wat naby, of aangrensend aan, of binne 5 meter vanaf die voorgenoemde erf, perseel of gebou is, welke teken na ‘n aktiwiteit, produk, diens of attraksie verwys wat op of van daardie erf of daardie perseel verskaf of voorsien word.

“totale hoogte” met betrekking tot ‘n teken, die vertikale afstand tussen die boonste rand van die teken en die afgewerkte vlak van die grond, looppad of rypad onmiddellik onder die middelpunt van die teken.

“traanvormbanier” enige materiaal in ‘n traanvorm fatsoen, met of sonder drukwerk daarop, wat in windstil toestande leesbaar en aan ‘n enkele buigbare en soms veerbelaaide paal vasgeheg is.

“transito-reklame” reklame deur middel van ‘n beweegbare teken wat padlangs op of tesame met ‘n motorvoertuig vervoer kan word, insluitende sleepwaens wat hoofsaaklik vir reklame gebruik word.

“tydelike tekens” tekens wat vir ‘n maksimum tydperk van 14 dae vertoon word, of ‘n ander tydperk wat deur die Munisipaliteit goedgekeur mag word.

“uitsigpad” ‘n pad wat as sodanig in ‘n goedgekeurde soneringskema aangewys is of waarvandaan landskappe of voorwerpe van estetiese of kulturele betekenis gesien of besigtig kan word, soos deur die Munisipaliteit aangewys.

“uitsteekteken” ‘n teken wat aan ‘n muur van ‘n gebou vasgemaak word en wat by sekere plekke meer as 250 mm voor die oppervlak van sodanige muur uitsteek.

“vensterreklame” advertensies wat tydelik of permanent op die vensterglas van ‘n gebou geverf of daaraan vasgemaak is.

“veranda” sluit ‘n kantelsondak en sonblinding in.

“verkeersein” ‘n padverkeersein soos bepaal in die Nasionale Padverkeerswet, 1996 (Wet 93 van 1996).

“verkeersimpakbeoordeling” (VIB) ‘n studie wat deur ‘n geregistreerde professionele ingenieur met bewysbare ondervinding op die gebied van verkeersingenieurswese onderneem is en wat die impak wat ‘n voorgestelde teken op voertuig-, voetganger-, fietsryersveiligheid en

verkeerswerkinge kan hê ondersoek, welke studie enige maatreëls behoort aan te beveel om sodanige impak te verlig.

“verkeerskruising met waarskuwingstekens” ‘n kruising wat deur verkeerseine beheer word.

“verkeersteken” ‘n padverkeersteken soos bepaal in die Nasionale Padverkeerswet 1996 (Wet 93 van 1996).

“vertoon” die vertoon van ‘n teken en sluit die oprigting van enige reklamebord, teken of struktuur in wat uitsluitlik of hoofsaaklik vir die ondersteuning van ‘n teken of aanplakbord bedoel is, en sluit die vertoon van ‘n teken van ‘n besigheid, handelsvennootskap of individu in wat met die inhoud van die teken of die teken self verband hou en “**vertoning”** het ‘n ooreenstemmende betekenis.

“vervoerterminusse” enige area wat deur die Munisipaliteit as sodanig aangewys is, waar die formele verwisseling van openbare vervoermiddele deur die publiek plaasvind, insluitend maar nie slegs aangewese spoorwegstasies, amptelike taxi- en busterminusse.

“voortdurende misdryf” ‘n misdryf ingevolge hierdie Verordening wat voortduur na die verstryking van die kennistydperk, waarna in ‘n waarskuwing verwys wat ingevolge hierdie Verordening beteken is.

“vryhoogte” met betrekking tot ‘n teken, die vertikale afstand tussen die laagste rand van die teken en die natuurlike vlak van die omliggende grond, looppad of rypad onmiddellik onder die teken.

“wet” enige wet, proklamasie, ordonnansie, Wet van Parlement of Provinsiale Wetgewer, of enige ander wetsvoorskrif wat regskrag het.

“winkel” ‘n gebou wat vir kleinhandel of –dienste gebruik word.

2. Beginsels en doelwitte

Die doel van hierdie Verordening is om buitereklame in die regsgebied van Swellendam Munisipaliteit te reguleer op ‘n wyse wat vir die omgewingsgehalte van die verskillende dele van Swellendam Munisipaliteit sensitief is. Die Verordening poog om ‘n ewewig te vind tussen geleenthede vir buitereklame en ekonomiese ontwikkeling aan die een kant, en die bewaring van visuele, toeriste-, omgewings- en erfeniskenmerke asook verkeersveiligheid aan die ander kant. ‘n Verdere doel van die Verordening is om te verseker dat buitereklame die integriteit van enige terrein waarop dit vertoon word, respekteer, en die karakter van die plek waar dit vertoon word, aanvul. Die Verordening beoog dus om ‘n stel regulasies daar te stel vir die regulering van die gebruik van grond en geboue vir buitereklame en tekens en vir aangeleenthede wat daarmee verband hou.

Ten slotte, hierdie Verordening sit die prosedures uiteen en bepaal die kriteria wat gebruik word wanneer goedkeuring vir 'n buitereklame of advertensietekens in die Swellendam Munisipale gebied verkry moet word. In die proses word erkenning verleen aan die aansienlike hoeveelheid tegniese besonderhede wat van toepassing is op spesifieke soorte tekens en hul effek op spesifieke plekke.

HOOFSTUK 1

3. Indiening van aansoeke

(1) Behalwe vir die tekens waarna verwys word in artikel 13(3) tot (10) hieronder, mag niemand enige advertensie vertoon of enige teken vir advertensiedoeleindes oprig of gebruik sonder die Munisipaliteit se goedkeuring ingevolge hierdie Verordening en enige ander toepaslike wetgewing nie.

(2) Elkeen wat van voornemens is om ‘n nuwe teken te vertoon of ‘n bestaande goedgekeurde teken te verander of iets daartoe by te voeg of ‘n plan vir tekens ingevolge ‘n terreinontwikkelingsplan indien, moet skriftelik by die Munisipaliteit aansoek doen, welke aansoek van die volgende inligting in tweevoud vergesel moet word –

(a) ‘n terreinplan geteken op ‘n skaal van nie kleiner as 1:200, wat aantoon –

(i) die terrein waarop die teken opgerig of vertoon gaan word;

(ii) die posisie van die teken en die gebou, indien enige, waaraan dit vasgemaak gaan word;

(iii) elke gebou en bestaande tekens op die perseel;

(iv) huidige en voorgestelde terreinuitleg, verkeerseine en verkeerstekens; en

(v) die ligging, met afmetings van die teken in verhouding tot die grense van die terrein en die ligging van die strate aangrensend aan die terrein, tesame met bestaande goedgekeurde soneringsvoorwaardes;

(b) ’n tekening wat aan die vereistes van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977) voldoen en voldoende besonderhede toon om die Munisipaliteit in staat te stel om die voorkoms van die teken en al die betrokke konstruksiebesonderhede te oorweeg, insluitend ‘n beskrywing van die materiaal waaruit die teken gemaak gaan word, die kleure wat gebruik gaan word, en of die teken verlig gaan word al dan nie; in laasgenoemde geval moet die plan aandui of die teken ‘n elektroniese teken is of nie, en indien wel, moet volledige besonderhede verstrek word;

(3) Die tekening waarna verwys word in subartikel 2(b), moet gedetailleerde tekeninge van sodanige teken insluit op ‘n skaal van nie kleiner as 1:20 nie en ‘n terreinplan wat die posisie van die teken op die terrein aandui op ‘n skaal van nie kleiner as 1:50 nie;

(4) Indien ‘n teken aan die muur of fasade van ‘n gebou vasgemaak of vertoon gaan word, kan die Munisipaliteit vereis dat ‘n addisionele tekening, geteken op ‘n skaal van nie kleiner as 1:100 nie en ingedien word wat die volgende aantoon:

(i) ‘n aansig van die gebou in kleur;

(ii) die besonderhede en posisie van die voorgestelde teken; en

(iii) die besonderhede en posisie van elke bestaande teken op die gebou; alternatiewelik kan die Munisipaliteit ‘n kleur-afdruk of ‘n kunstenaar se fotografiese of rekenaargegenereerde afdruk van die gebou vereis met die besonderhede van die voorgestelde teken wat op sodanige grafika gesuperponeer word en wat so na as wat prakties moontlik is op dieselfde skaal as dié van die grafika geteken is.

(5) Indien die aansoeker nie die geregistreerde eienaar is van die eiendom waarop die teken opgerig staan te word nie, moet die aansoeker die skriftelike toestemming verkry van die geregistreerde eienaar van die grond of gebou waarop die teken opgerig staan te word en bevestiging van daardie persoon se kennis van die aansoek.

(6) Die Munisipaliteit kan vereis dat enige of die volgende ondersoeke of beoordelings ingedien word:

(a) ‘n Omgewingimpakbeoordeling (of die 1ste stadium daarvan, synde die voltooiing van ‘n Omgewingsoorsiglys, of in sy geheel),

(b) ‘n Erfenisimpakbeoordeling; en

(c) ‘n Verkeersimpakbeoordeling.

(7) Indien ‘n gemeenskap of gedeelte daarvan, of ‘n persoon deur die voorgestelde teken geraak gaan word, kan ‘n openbare deelnameproses voor die oorweging van goedkeuring vereis word.
(8) Die Munisipaliteit mag ‘n reklame meesterplan vereis ten opsigte van enige ontwikkeling waar die oprigting van verskeie tekens beoog word of waar die rasionalisering van voorheen goedgekeurde tekens vereis word om hom in staat te stel om ‘n konsekwente ontwerp meesterplan voor die beoordeling van enige afsonderlike teken te oorweeg.
(9) Die Munisipaliteit moet die aansoeker binne 21 werksdae vanaf die datum waarop die oorspronklike aansoek ingedien en die aansoekgelde betaal is, in kennis stel van enige addisionele vereistes.
(10) Die Munisipaliteit moet ‘n afskrif van elke dokument wat aan hom as deel van ‘n aansoek voorsien word, behou.
(11) Die Munisipaliteit kan skriftelike kennisgewing vereis van die aansoeker of persoon wat ‘n goedgekeurde teken oprig, dat sodanige teken opgerig is.

4. Fooie en algemene faktore met die oorweging en goedkeuring van aansoeke, wysigings en voorwaardes.

(1) Elkeen wat by die Munisipaliteit aansoek doen om goedkeuring ingevolge hierdie Verordening, moet by die indiening van die aansoek die aansoekfooi betaal soos deur die Munisipaliteit bepaal en geen teken mag opgerig word alvorens die voorgeskrewe gelde ten volle betaal is nie.
(2) Wanneer ‘n aansoek vir die vertoon van ‘n advertensie of die oprigting van ‘n teken, of die wysiging van ‘n goedkeuring of voorwaarde wat by ‘n goedkeuring voorgeskryf is oorweeg word, kan die Munisipaliteit die volgende faktore in ag neem:
(a) Die gebied van beheer waarin die voorgestelde teken opgerig of vertoon gaan word soos uiteengesit in Skedule 1; met dien verstande dat indien ‘n teken in meer as een gebied van beheer val of indien ‘n beoogde terrein wat in een gebied van beheer geleë is ‘n impak op ‘n aanliggende gebied van beheer kan hê, die Munisipaliteit die reg sal hê om die gebied van beheer wat op daardie aansoek betrekking het, te bepaal;
(b) Die ligging of landskap en die reklamegeleenthede wat op daardie gebied van beheer betrekking het;
(c) Die aantal tekens wat reeds op die erf en in die omliggende gebied van die betrokke erf vertoon word of vertoon gaan word;
(d) Die bevindings van enige Verkeersimpakbeoordeling, Omgewingsimpak- of Erfenisimpakbeoordeling en openbare deelnameprosesse waar van toepassing;
(e) Terreingebonde tekens moet verband hou met die wettige gebruik van ‘n eiendom met dien verstande dat geen sodanige teken op woonpersele of gedeeltes daarvan aangebring of daarop geplaas mag word nie behalwe soos deur of vir tuisnywerhede en wettige tydelike gebruike toegelaat word; en
(f) dat geen teken of reklame so ontwerp of vertoon word dat-
(i) dit ‘n gevaar vir enige persoon of eiendom inhou;
(ii) dit enige materiaal of grafika sal vertoon wat nie voldoen aan die vereistes van die Reklamestandaarde Owerheid van Suid-Afrika nie;
(iii) dit nadelig is vir die omgewing of aantreklikheid van die buurt vanweë grootte, intensiteit, frekwensie, beligting, gehalte van die ontwerp, materiaal, voorgestelde grafika of ligging nie;
(iv) dit enige ander tekens wat ingevolge hierdie Verordening of sy voorganger goedgekeur is, sal belemmer nie; en
(v) dit nadelig sal wees of andersins ‘n negatiewe impak op die omgewing sal hê, hetsy kunsmatig of natuurlik.

(3) Onderhewig aan die voorwaardes vervat in Skedule 16, mag enige nuwe tekens of reklamestrukture, goedgekeur ingevolge hierdie Verordening of enige daaropvolgende Verordening, ononderbroke vertoon word vir solank dit voldoen aan die vereistes van hierdie Verordening of enige ander toepaslike wetgewing.

5. Faktore met betrekking tot spesifieke tekens, gebiede van beheer en kommersieel geborgde tekens

(1) Die Munisipaliteit kan, benewens die faktore wat in artikel 1 hierbo uiteengesit is, sekere spesifieke minimum standaarde tekentipes en beoogde liggings toepas wanneer 'n aansoek om goedkeuring ten opsigte daarvan gedoen word en sal sekere spesifieke kriteria op aansoeke vir die oprigting van tekens deur nie-winsgewende liggame toepas.

(2) Die spesifieke standaarde en kriteria word in Skedules 1 tot 23 van hierdie Verordening uiteengesit. Die skedules is deel van die Verordening en is nie minder belangrik as die inhoud van die Verordening self nie.

(3) Skedule 1 van hierdie Verordening dui die gebiede van beheer aan waarin spesifieke tekentipes toegelaat kan word, maar altyd onderhewig aan goedkeuring ingevolge hierdie Verordening en verder onderhewig aan enige addisionele vereiste wat betrekking het op 'n spesifieke tekentipe soos in die skedules van die Verordening uiteengesit.

(4) Die beskrywing van gebiede of roetes in Skedule 1 moet saamgelees word met die definisies soos vervat in die Munisipaliteit se soneringskema regulasies.

(5) Die Munisipaliteit kan 'n vrystelling van die voorwaardes van hierdie Verordening toestaan ten opsigte van die soorte tekens of gebiede van beheer soos uiteengesit in Skedules 10, 11 en 12 hiervan met betrekking tot –

(a) die gebied van beheer waar die teken(s) vertoon gaan word;
(b) die aard van die byeenkoms;
(c) die duur van die oprigting of vertoon van die teken;
(d) die grootte van die voorgestelde teken;
(e) enige verkeers-, veiligheids-, omgewings- of erfenisimpakbeoordeling; en
(f) die uitkom van enige openbare deelnameproses.

HOOFSTUK 2

6. Standaardvoorwaardes vir goedkeuring

(1) Alle tekens en reklamestrukture moet behoorlik opgerig en gebou word en van die vereiste sterkte wees, veilig wees en aan die vereistes van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977) wat daarop betrekking het, voldoen.

(2) Die aansoeker aan wie goedkeuring verleen is en die eienaar van die eiendom of die gebou waarop dit aangebring word, is gesamentlik en afsonderlik aanspreeklik vir die instandhouding daarvan en moet minstens een inspeksie daarvan per jaar onderneem met die oog daarop om hulle van die veiligheid daarvan te vergewis.

(3) Waar enige teken of reklamestruktuur geskend word of skeur of beskadig raak of andersins vervalle word, moet die aansoeker aan wie goedkeuring verleen is en die eienaar van die toebehoorsel of eiendom waaraan of waarop 'n teken aangebring is, dit regmaak binne 7 werksdae vanaf 'n skriftelike kennisgewing om dit te doen.

(4) Alle tekens en hulle steunstrukture moet uit vuurvaste, duursame materiaal wat vir die funksie, aard en permanensie van die teken geskik is, gebou word.

(5) Alle glas wat vir 'n teken gebruik word, behalwe glas wat vir verligting gebruik word, moet veiligheidsglas wees wat minstens 3 mm dik is.

(6) Glaspanele wat vir ‘n teken gebruik word mag nie 0.9 m² in oppervlakte oorskry nie, en elke paneel moet stewig aan die romp van die teken, struktuur of toestel vasgemaak word, los van al die ander panele.
(7) Elke teken en sy steunstruktuur moet in ‘n goeie toestand gehou word.
(8) Geen teken mag so geplaas word dat dit die oop- of toemaak van enige venster of opening wat vir ventilasie van ‘n gebou voorsien word, belemmer nie, of enige trap of deur of ander uitgang van die gebou belemmer nie, of die beweging van mense van een deel van ‘n dak na ‘n ander verhoed nie.
(9) Geen reklamestruktuur mag nader aan oorhoofse elektriese toerusting wees as die minimum afstand wat voorgeskryf word deur die Wet op Beroepsveiligheid en Gesondheid, Wet 85 van 1993.

7. Elektriese vereistes

(1) Alle tekens wat ‘n elektriese aansluiting benodig moet verkieslik vanaf die bestaande elektriese toevoer op die erf waarop dit opgerig gaan word, voorsien word. Indien dit nie moontlik is nie, moet daar by die betrokke owerheid om elektrisiteitstoevoer wat met ‘n meter gemeet word, aansoek gedoen word.
(2) Elke teken in verband waarmee elektrisiteit gebruik word, moet van gepaste kondensators voorsien word om steuring met radio- en televisie-ontvangs te voorkom.
(3) Elke kragkabel en leipyp wat elektriese geleiers ten opsigte van ‘n teken bevat, moet so geplaas word en so vasgemaak word dat dit veilig, onsigbaar, ontoeganklik en kinders en diere bestand is.
(4) Elke interne hoëspanningsinstallasie wat sonder toesig werk (soos ‘n vensteruitstalling) en elke eksterne hoëspanningsinstallasie moet ‘n aanvaarbare tipe brandweer skakelaar hê in ooreenstemming met die vereistes soos bepaal in artikel 6.7.2 en 7.5 van SANS 0142 1993, uitgevaardig ingevolge die Wet op Beroepsgesondheid en Veiligheid.

8. Verligtingsvereistes

(1) Die Munisipaliteit kan ‘n verligte teken goedkeur, met dien verstande dat daar aan die bepalings van hierdie Verordening voldoen word en dat sodanige verligting nie ‘n padveiligheidsgevaar of oormatige ligverspilling veroorsaak nie.
(2) Tekens mag nie verlig word as geen tekeninhoud vertoon word nie.
(3) Vereistes vir interne verligting of elektroniese tekens:
   (a) Interne verligte en elektroniese tekens mag slegs in gebiede van gedeeltelike en minimum beheer vertoon word en moet minder as 2.1 m² wees. Daar kan van die voorwaarde ten opsigte van die grootte tot ‘n maksimum grootte van 4.5 m² in enige sodanige gebied afgesien word by ontvangs van ‘n Omgewings- en Erfenisimpakbeoordeling wat aandui dat geen nadelige impak deur die voorgestelde vertoning veroorsaak sal word nie, of tot enige ander grootte wat deur die Munisipaliteit gespesifiseer word in ‘n gebied wat deur die Munisipaliteit as ‘n gebied aangewys word waarin verligte of elektroniese tekens aangemoedig word.
   (b) Elektroniese tekens mag nie subliminale flitse hê nie.

(c) Die Munisipaliteit kan voor die oprigting vereis dat ‘n Verkeersimpakbeoordeling, Omgewingsimpakbeoordeling en Erfenisimpakbeoordeling onderneem word, welke resultate moet aandui dat geen nadelige impak op verkeer verwag word nie. Daarbenewens kan die Munisipaliteit daaropvolgende verkeersmonitering van enige intern verligte of elektroniese teken vereis.

(4) Vereistes vir eksterne verligting:

(a) Die ligbron wat van spreiligte afkomstig is mag nie vir verkeer in beide rigtings sigbaar wees nie;

(b) Spreiligte mag nie so geplaas word dat dit enige oormatige ligverspilling verby die oppervlakte area van die teken veroorsaak nie; en

(c) Gebruiksregte moet deur die Direkteur Infrastruktuurdienste of sy/ haar gevolmagtigde goedgekeur word alvorens enige uitgrawings vir die installering van tekens gedoen word. Dit is ook van toepassing op tekens wat in die omgewing van oorhoofse kragpale opgerig word.

9. Verkeersveiligheidvereistes

(1) Tekens mag nie in ‘n gebied opgerig word waar hulle ‘n onaanvaarbare afleiding vir bestuurders is nie welke aanvaarbaarheid beoordeel mag word ingevolge die riglyne soos neergelê in die S A Handleiding vir Padverkeerstekens.

(2) Elektroniese tekens word nie toegelaat waar hulle vanaf klas 2 of 3 paaie, ‘n poortroete of uitsigpad sigbaar is nie tensy dit skriftelik deur die Munisipaliteit goedgekeur word nie.

(3) Reklame op brûe, torings, telekommunikasiemaste, kragmaste of straatpale sal nie toegelaat word nie.

(4) Die grafiese inhoud van ‘n teken mag nie die potensiaal hê om visueel as ‘n padverkeersteken vertolk te word, vanweë enige van die volgende faktore nie, maar nie slegs die volgende faktore nie:

(a) enige gestileerde of prentuitbeelding van ‘n padverkeersteken of verkeersein;

(b) enige woord, simbool, logo of ander toestel wat op ‘n padverkeersteken gebruik word;

(c) die gebruik van kombinasies van kleure wat vir padverkeerstekens gespesifiseer is, op ‘n manier wat tot verwarring kan lei; en

(d) enige weerkaatsende verf of materiaal;

(5) Tekens mag nie in ‘n gebied opgerig word waar die verkeersvolume, die gemiddelde volgafstand of ongeluksrekords ‘n hoër versigtigheidsgraad van bestuurders vereis nie.

(6) Tekens mag nie aan ‘n padverkeersteken of verkeersein waarvoor daar spesifiek in die Suid-Afrikaanse Padverkeerstekenhandleiding of die Suid-Afrikaanse Ontwikkelingsgemeenskap se Padverkeerstekenhandleiding voorsiening gemaak word, aangebring word of dit belemmer nie,

(7) Tekens mag nie binne die padreserwe van enige openbare pad opgerig word tensy dit deur die Munisipaliteit goedgekeur is nie.

(8) Waar tekens by gesinjaleerde kruisings geplaas word, mag daar nie van die kleure rooi of geel of groen as die hoofkleure gebruik gemaak word nie en mag die tekens nie enige padverkeersteken of verkeersein belemmer nie.

(9) Elektroniese tekens word nie binne 80 m van die buiterand van ‘n gesinjaleerde verkeerskruising toegelaat nie.

(10) Flitsende of bewegende of veranderlike oorgangsboodskappe met ‘n boodskapsveranderingstussenpose van meer as 0.3 sekondes of wat oorgangseffekte tussen die verandering van boodskappe het, sal nie toegelaat word indien dit van ‘n openbare pad sigbaar is nie.

(11) Eenvoudige oorgangtekens met statiese vertonings moet ‘n volledige raamwerk vir ‘n inligting sikluslengte van nie minder nie as 60 sekondes vertoon wanneer dit van ‘n gesinjaleerde verkeerskruising sigbaar is en 30 sekondes by ander liggings.

(12) Alle tekens wat groter is as 4.5 m² en langs ‘n openbare pad of in ‘n spoorwegreserwe opgerig word met die doel om te adverteer vir persone wat klas 2 en 3 paaie gebruik, moet ‘n minimum gespesifiseerde afstand van enige ander teken of padverkeersteken gespasieer word, welke afstand parallel met die middellyn van die ryvlak, in ooreenstemming met Tabel 1 hieronder, gemeet moet word:

TABEL 1: LINIêRE RUIMTE TUSSEN TEKENS

Geval	Vereiste ruimte wanneer sigbaar vir verkeer op ‘n pad met ‘n spoed van:		
	≤ 60 km/h	**61 – 80 km/h**	**81 – 120 km/h**
Waar ‘n teken ‘n padteken volg	120 m	200 m	300 m
Waar ‘n teken ‘n teken volg	250 m	250 m	300 m
Waar ‘n teken ‘n padteken voorafgaan	40 m	70 m	100m

(13) Die minimum afstande wat in Tabel 1 hierbo gespesifiseer word, kan deur die Munisipaliteit verminder word indien die teken binne ‘n gebied van minimum beheer val, of in ander gebiede van beheer by indiening van ‘n verkeersimpakbeoordeling wat ’n vermindering van hierdie spasiëring motiveer tot bevrediging van die Munisipaliteit. Die Munisipaliteit mag ’n lys of kaart van aangewese gebiede voorberei waarin bogenoemde spasiëringsvereistes nie van toepassing is nie.

10. Regsvereistes

Alle tekens wat opgerig of binne die regsgebied van die Munisipaliteit vertoon word moet benewens hierdie Verordening, aan alle ander toepaslike wetgewing voldoen, insluitende enige toepaslike soneringskemaregulasies of goedkeuringsvoorwaarde van enige afwyking van die toepaslike soneringskemaregulasies.

11. Goedkeuring

(1) Die Munisipaliteit kan enige aansoek weier of goedkeur onderhewig aan die voorwaardes wat met die oprigting of gebruik van die teken verband hou en insluitende ‘n voorwaarde dat die eienaar van enige teken of reklamebord op die grond of gebou waarop dit opgerig of vertoon word, of beide sodanige eienaars of die persoon wie se produk of dienste geadverteer word, die Munisipaliteit teen enige gevolge wat uit die oprigting, vertoning of blote teenwoordigheid van sodanige teken ontstaan, vrywaar.

(2) Die Munisipaliteit kan te eniger tyd die goedkeuring wat ingevolge hierdie of ‘n vorige Verordening verleen is, terugtrek of enige voorwaarde wysig of ‘n verdere voorwaarde ten opsigte van sodanige goedkeuring oplê, indien ‘n teken of reklamestruktuur:

(a) bouvallig is;
(b) vir meer as 90 opeenvolgende dae nie gebruik word nie;
(c) oorbodig of uitgedien raak;
(d) nie meer aan enige bepaling van hierdie Verordening voldoen nie; of
(e) aansienlik van die oorspronklike goedgekeurde aansoek afwyk wat die struktuur of die grafiese inhoud daarvan betref.

(3) Indien ‘n teken nie binne 12 maande vanaf die datum van goedkeuring of binne sodanige ander tyd soos wat in die goedkeuring voorgeskryf word, opgerig word nie, verval die goedkeuring tensy daardie tydperk voor verstryking skriftelik deur die Munisipaliteit verleng word.

(4) Indien die struktuur wat sodanige teken ondersteun, voor die verstryking van die goedkeuringstydperk afgebreek word, verval die goedkeuring en geen verdere teken of ondersteuningstruktuur mag opgerig word of heropgerig word sonder die Munisipaliteit se goedkeuring nie.

(5) Alle besluite deur die Munisipaliteit ingevolge hierdie Verordening rakende aansoeke, moet skriftelik wees en binne 60 kalenderdae vanaf die datum waarop ‘n voltooide aansoek ontvang of binne 60 kalenderdae na die ontvangs van enige addisionele inligting soos deur die Munisipaliteit versoek.

(6) Wanneer ‘n applikant van ‘n besluit ingevolge subartikel (5) in kennis gestel word, moet die Munisipaliteit die applikant, asook enige beswaarmaker teen die toestaan van sodanige aansoek, in kennis stel van sy of haar reg tot appèl ingevolge artikel 12.

HOOFSTUK 3: ALGEMENE BEPALINGS

12. Appèl

Enige persoon wie se regte, deur ‘n besluit van die Munisipaliteit, geraak word, kan ingevolge artikel 62 van die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000, teen sodanige besluit appelleer deur binne 21 dae van die datum van die kennisgewing van die besluit skriftelike kennis van die appèl en redes aan die Munisipale Bestuurder te gee.

13. Tekens waarvoor die Munisipaliteit se goedkeuring nie benodig word nie

(1) Indien enige teken nie aan die voorwaardes met betrekking tot elke tekentipe wat hieronder gelys word voldoen nie, word ‘n aansoek ingevolge artikel 3 vereis.

(2) Onderhewig aan die voldoening van die voorwaardes met betrekking tot elke tipe teken wat in subartikels (3) tot (11) gelys word, en enige ander toepaslike wetgewing of voorwaarde wat deur die Munisipaliteit opgelê word, word geen aansoek om goedkeuring ingevolge hierdie Verordening ten opsigte van die tekens genoem in subartikels (3) tot (11) benodig nie.

(3) Eiendomsagente tekens vir die verkoop of verhuur van vaste eiendom soos uiteengesit in Kategorie 1 en 2 van Bylae 12 van die Verordening op bestaande persele of by eiendomme waarop 'n nuwe gebou opgerig word en wat verband hou met die akkommodasie wat aangebied word om te huur of te koop in die gebou, is vrygestel van `n aansoek onderhewig aan die betaling van die voorgeskrewe jaarlikse fooi volgens die munisipaliteit se goedgekeurde lys van tariewe, fooie en heffings, en op voorwaarde dat so 'n teken binne twee weke vanaf die uitreiking van die okkupasiesertifikaat of die sluiting van 'n kontrak verwyder moet word.

(4) *Saketekens op die perseel*

Hierdie tekens sluit enige onverligte teken in wat nie oor ‘n openbare pad uitsteek nie en nie 0.2 m² in totale oppervlakte oorskry nie en wat slegs die tipe handel, besigheid, nywerheid of beroep wat wettig bedryf word deur enige bewoner of permanente inwoner van die perseel waarop dit aangebring is, die naam van sodanige bewoner, die tipe aktiwiteit, die adres en telefoonnommer van sodanige perseel en die diensure (indien

enige) bekend maak; met dien verstande dat slegs een sodanige teken per bewoner vertoon mag word.

(5) Venstertekens

Hierdie tekens sluit enige terreingebonde tekens in wat tydelik of permanent op die vensterglas van 'n gebou wat vir kommersiële, kantoor-, nywerheids- of vermaaklikheid-doeleindes gebruik word, geverf of vasgemaak is, of enige ander tydelike of permanente teken wat binne 2 meter van enige venster of eksterne opening vertoon word waardeur dit van die buitekant van sodanige gebou sigbaar is, op voorwaarde dat geen vensterteken groter as 4.5 m^2 in 'n gebied van maksimum beheer mag wees nie.

(6) Tekens wat deel vorm van die voorkant van 'n gebou

Enige teken wat 'n integrale deel van die materiaal van 'n gebou vorm (met uitsluiting van 'n geverfde teken of 'n teken wat op enige manier aan die gebou vasgemaak is), op voorwaarde dat geen sodanige teken groter as .2 m^2 in totale oppervlakte mag wees nie.

(7) Tekens op sportvelde

Behalwe wanneer dit vanaf uitsigpaaie sigbaar is, sal enige teken wat om die buiterand van 'n sportveld opgerig word, tot 'n maksimum grootte van 2 x 1 meter elk, toegelaat word, met dien verstande dat groter tekens waarvan die voorkant op die veld uitkyk, en wat nie van enige ander openbare plek sigbaar is nie, ook toegelaat word.

(8) Sekuriteitstekens

Enige sekuriteitsteken wat nie oor 'n openbare pad uitsteek nie en wat nie 0.2 m^2 in totale oppervlakte oorskry nie en wat aandui dat 'n sekuriteitswagskema in werking is of dat 'n sekuriteitsmaatskappy gekontrakteer is om die perseel waarop die teken vertoon word, te beskerm, op voorwaarde dat –

(a) slegs een sodanige teken op enige openbare pad of elke straatfront van sodanige perseel vertoon word; en

(b) die genoemde tekens slegs die naam, logo, adres en telefoonnommer van 'n sekuriteitsmaatskappy vertoon wat gekontrakteer is om die perseel waarop die teken vertoon word te beskerm.

(9) Geborgde, Kommersieel geborgde tekens en tekens van nie-winsgewende liggame, minder as 4.5 m^2;

(a) Enige sodanige teken, hetsy dit deur of in verband met 'n nie-winsgewende liggaam opgerig word al dan nie, wat nie 4.5 m^2 in totale oppervlakte oorskry nie, op voorwaarde dat nie meer as 5% van die totale oppervlakte van die teken vir derdepartyreklame gebruik word nie, en die teken nie verlig is nie en verder op voorwaarde dat slegs een sodanige teken per erf toegelaat word.

(b) Advertensies wat aan die bepalings van subartikel (a) voldoen, kan wanneer dit op munisipale grond opgerig word, eers opgerig word wanneer 'n ooreenkoms met die Munisipaliteit aangegaan is waarin daar met die Munisipaliteit ooreengestem is oor die omvang van die gemeenskaps- of openbare voordeel daarvan.

(c) Alle ander geborgde tekens word in Skedules 16 en 17 behandel.

(10) Advertensies op voertuie

Advertensies wat regstreeks op die bak van 'n motorvoertuig geverf of vasgemaak is.

14. Ontsiering

Niemand mag die voorkant of front van enige straat, padverkeersteken, muur, heining, grond, rots, boom of ander natuurlike voorwerp, of die voorkant of front of dak van enige gebou of struktuur op enige wyse hoegenaamd vernietig, skade aandoen, beskadig, skend of ontsier nie, gedurende konstruksie of deur die vertoon of gebruik van 'n teken of die skryf of verf van enige teken, simbool, letters of syfers.

Voorts mag niemand enige teken wat wettiglik ingevolge hierdie Verordening vertoon word, ontsier nie.

15. Skade aan munisipale eiendom

Niemand mag met die oprigting of verwydering van enige teken of banier, skade aan enige boom, elektriese paal of diens of ander munisipale installasie of eiendom en straattoerusting veroorsaak nie.

16. Toegang en inspeksies

Die Munisipaliteit het die reg, deur sy behoorlik gemagtigde beamptes, om enige perseel op ‘n redelike tyd te betree met die doel om enige inspeksie uit te voer wat vir die behoorlike bestuur en toepassing van die bepalings van hierdie Verordening nodig mag wees.

17. Misdrywe en strafbepaling

(1) ‘n Persoon wat enige bepaling van hierdie Verordening oortree of versuim om daaraan te voldoen of versuim om te voldoen aan ’n kennisgewing uitgereik ingevolge hierdie Verordening, pleeg ‘n misdryf en kan by skuldigbevinding—

(a) ‘n boete of gevangenisstraf opgelê word, of sodanige boete of gevangenisstraf, of beide sodanige boete en sodanige gevangenisstraf; en

(b) in die geval van ‘n voortgesette misdryf, ‘n bykomende boete of ‘n bykomende tydperk van gevangenisstraf of sodanige bykomende gevangenisstraf sonder die opsie van ‘n boete of beide sodanige bykomende boete en gevangenisstraf vir elke dag waarop sodanige misdryf voortduur; en

(c) ‘n verdere bedrag gelyk aan enige koste en uitgawes wat die hof bevind deur die Munisipaliteit aangegaan is weens sodanige oortreding of versuim.

(2) Aanvullend tot die boetes gelys in sub klousule (1) hierbo, sal `n persoon wat nie die voorgeskrewe aansoek of ander fooie of tariewe, in terme van die Verordening stiptelik betaal het nie, ook beboet word met `n bedrag gelykstaande aan die toepaslike aansoek- of ander voorgeskrewe fooi of tarief.

(3) ‘n Persoon pleeg ‘n misdryf indien hy of sy—

(a) ‘n werknemer of kontrakteur van die Munisipaliteit in die uitvoering van enige magte of die verrigting van enige funksie of plig ingevolge hierdie verordening dreig, teenstaan, hinder, belemmer of hom of haar andersins pla of vuil taal of skeltaal teenoor hom of haar gebruik; of

(b) hom of haar as ‘n werknemer of kontrakteur van die Munisipaliteit voordoen.

18. Aannames

Enigiemand wat ingevolge hierdie Verordening van ‘n misdryf beskuldig word en wat –

(a) alleen of gesamentlik met enige ander persoon verantwoordelik vir die organisering van of in beheer is van enige vergadering, funksie of byeenkoms waarmee ‘n teken of plakkaat verband hou, sal totdat die teendeel bewys word, verantwoordbaar gehou word vir die vertoon van teken of plakkaat wat in verband met sodanige vergadering, funksie of byeenkoms vertoon word, of dat so ‘n persoon/persone veroorsaak het of toegelaat het dat dit vertoon word;

(b) die persoon is wie se naam op ‘n onwettige teken verskyn of wie se produk of dienste op sodanige teken geadverteer word, sal totdat die teendeel bewys word, verantwoordbaar gehou word vir die vertoon van sodanige teken, of dat so ‘n persoon/persone veroorsaak het of toegelaat het dat dit vertoon word tensy die teendeel bewys word.

(c) die eienaar is van enige grond of gebou waarop enige onwettige teken vertoon is of vertoon word, sal totdat die teendeel bewys word, geag word sodanige teken te vertoon, of veroorsaak of toelaat dat dit vertoon word.

19. Afdwinging en verwydering van tekens

(1) Indien enige teken wat vertoon word strydig is met hierdie Verordening, kan die Munisipaliteit sonder om afstand te doen van die reg of aansluitend by die reg om wetlike stappe te neem of vervolg, ‘n kennisgewing aan die eienaar of huurder van die teken, of die grondeienaar of bewoner op wie se grond die teken opgerig is of vertoon word, of die persoon wie se produk of dienste geadverteer word, beteken om binne ‘n gespesifiseerde tydraamwerk sodanige teken te verwyder of sodanige verandering daaraan aan te bring, of sodanige werk te doen wat in sodanige versoek of kennisgewing gespesifiseer word.

(2) ‘n kennisgewing beteken ingevolge subartikel (1) kan deur die Munisipaliteit teruggetrek of verander word met toestemming van die persoon aan wie dit beteken is, of by versuim van sodanige toestemming, met die betekening van ‘n verdere kennisgewing.

(3) Indien die eise van die Munisipaliteit soos in die kennisgewing uiteengesit, nie binne die gespesifiseerde tydperk uitgevoer word nie, kan die Munisipaliteit sonder verdere kennis aan die betrokke persoon die teken verwyder of verander of sodanige werk doen wat in sodanige kennisgewing gespesifiseer is.

(4) Enige koste wat deur die Munisipaliteit aangegaan is met die verwydering van tekens, of deur veranderinge of ander werk te doen wat ingevolge ‘n kennisgewing vereis word, kan van die persoon aan wie die kennisgewing beteken is, verhaal word.

(5) Ongeag enige bepalings van hierdie Verordening, indien ‘n teken ‘n dreigende gevaar vir lewe of eiendom is, of redelik beskou kan word om dit te wees, kan die Munisipaliteit self, na ‘n periode van ses (6) uur vooraf kennis, die verwydering van sodanige teken onderneem of reëlings daarvoor tref.

(6) Enige koste wat deur die Munisipaliteit vir die verwydering of reëlings vir die verwydering van sodanige teken aangegaan word, kan van die eienaar of huurder van die teken, of die grondeienaar op wie se grond die teken opgerig is, of die persoon wie se produk of dienste geadverteer is, gesamentlik of afsonderlik verhaal word.

(7) Onwettige of gevaarlike tekens wat deur die Munisipaliteit verwyder word, kan van die Munisipaliteit teruggeëis word by volle betaling van enige koste wat deur die Munisipaliteit met die verwydering van die genoemde teken aangegaan is, asook betaling van enige gelde wat vir die bewaring van sodanige teken opgeloop het.

(8) Enige onwettige tekens wat deur die Munisipaliteit verwyder word en nie binne twee maande van die datum van verwydering teruggeëis word nie, kan deur die Munisipaliteit weggemaak of verkoop word om die verwyderings- of bewaringskoste te bestry.

20.Betekening van kennisgewings

(1) ‘n Kennisgewing opdrag of enige dokument wat ingevalle hierdie Verordening deur die Munisipaliteit uitgereik word, word as behoorlik uitgereik beskou indien dit deur ‘n amptenaar van die Munisipaliteit onderteken is.

(2) Waar enige kennisgewing of ander dokument ingevolge hierdie Verordening aan enige persoon beteken moet word, word dit geag behoorlik beteken te wees indien –

(a) dit persoonlik aan hom of haar beteken is;

(b) dit by die persoon se woonadres of sake-adres in die RSA, aan enige persoon klaarblyklik bo die eiendom van 16 jaar, gelaat is;

(c) dit met geregistreerde of gesertifiseerde pos aan sodanige persoon se bekende woon- of sake-adres gepos is en bewys van sodanige versending van die Poswese ontvang is;

(d) sodanige persoon se adres in die RSA onbekend is, dit beteken is aan sy verteenwoordiger of agent in die RSA op die manier beskryf in subartikels (a), (b) of (c);

(e) sodanige persoon se adres of dié van sy agent of verteenwoordiger in die RSA onbekend is, die kennisgewing op ‘n opsigtelike plek op die grond of perseel waarop dit van toepassing is, geplaas is;

(f) dit ‘n beslote korporasie is, dit afgelewer is by die geregistreerde sake-adres, daarvan; of

(g) dit op versoek van daardie persoon gestuur is aan sy of haar e-pos adres.

(3) Betekening van ‘n afskrif word beskou as betekening van die oorspronklike.

(4) Wanneer ‘n kennisgewing of ander dokument op die eienaar, huurder, of houer van eiendom of die reg in enige eiendom beteken word, is dit voldoende indien sodanige persoon in die kennisgewing of dokument beskryf word as die eienaar, huurder of houer van die eiendom of reg in eiendom en hoef hy of sy nie by name genoem te word nie.

21. Skakelforums in gemeenskappe

(1) Die Munisipaliteit mag skakelforums in die gemeenskap stig vir die volgende doeleindes:

(a) aanmoediging van die plaaslike gemeenskap om deel te neem aan die implementering, ontwikkeling en toepassing van hierdie Verordening; en

(b) bevordering van plaaslike ekonomiese ontwikkeling, en die bewaring van die visuele-, toerisme-, omgewings- en erfenis-eienskappe van die Swellendam munisipale gebied.

(2) Die forums soos beskryf in subartikel (1) mag bestaan uit-

(a) ‘n lid of lede van ‘n belangegroep of ‘n geaffekteerde persoon of gemeenskap;

(b) ‘n aangewese amptenaar of amptenare van die Munisipaliteit ; en

(c) ‘n raadslid van die toepaslike raadskomitee.

(3) Die Munisipaliteit mag:

(a) ‘n forum versoek om insette te lewer;

(b) gebruik maak van enige kundigheid of kapasiteit wat binne sodanige forum mag bestaan;

(4) ‘n Forum van persone of ‘n persoon soos gedefinieer in subartikel (2) mag uit eie beweging insette aan die Munisipaliteit voorlê vir oorweging.

22. Teenstrydigheid met ander wetgewing

(1) In die geval van teenstrydigheid tussen enige bepaling van hierdie Verordening en Nasionale- en Provinsiale wetgewing, standaarde, beleid of riglyne, sal sodanige Nasionale- en Provinsiale wetgewing, standaarde, beleid of riglyne voorrang geniet onderhewig aan artikels 151(3) en 156(4) van die Grondwet.

(2) In die geval van enige teenstrydigheid tussen verskillende vertalings geld die Afrikaans teks.

23. Vrystellings

Nieteenstaande die bepalings van hierdie Verordening mag die Munisipaliteit, op skriftelike aansoek, enige persoon of klas persone vrystel van enige of al die bepalings van hierdie Verordening en tydens oorweging van sodanige aansoek om vrystelling kan enige voorwaardes of vereistes wat nodig geag word, opgelê word.

24. Herroeping van Verordeninge

Die bepalings van enige verordeninge wat voorheen deur die Munisipaliteit goedgekeur was, word hiermee herroep insoverre hulle betrekking het op sake waarvoor daar in hierdie Verordening voorsiening gemaak word en insoverre dit op die Munisipaliteit van toepassing gemaak is deur die magtiging vir die uitvoering van magte en funksies ingevolge Artikel 84(3) van die Wet op Plaaslike Regering: Munisipale Strukture, Wet 117 van 1998.

25. Oorgangsbepalings ten opsigte van bestaande tekens

(1) Enigiets wat voor die afkondiging van hierdie Verordening gedoen is, wat nie ingevolge ‘n bepaling gedoen is wat in hierdie Verordening herroep is nie, en onwettig was, sal in die geval waar sodanige daad of teken nie aan die bepalings van hierdie Verordening voldoen nie, onwettig wees en sal die Munisipaliteit geregtig wees om ingevolge die bepalings van artikel 19 hiervan op te tree.

(2) Elke wettige teken wat op die datum van afkondiging van hierdie Verordening bestaan, moet in alle opsigte daarmee in ooreenstemming gebring word binne ‘n tydperk van een jaar van die datum van sodanige afkondiging. Waar enige teken na voornoemde tydperk van een jaar nie aldus daaraan voldoen nie, moet dit onverwyld verwyder word.

(3) Waar ‘n teken wat nie aan die bepalings van hierdie Verordening voldoen nie, nie binne bovermelde tydperk van een jaar daarmee in ooreenstemming gebring is nie, of waar ‘n teken opgerig is wat nie daarmee in ooreenstemming is nie, kan die Munisipaliteit die eienaar daarvan gelas om sodanige teken te verwyder. By versuim om aan gemelde lasgewing te voldoen kan die Munisipaliteit self die teken verwyder en die koste daaraan verbonde van die persoon wat dit opgerig of laat oprig het, verhaal.

(4) Wanneer ’n teken weens verandering van eienaarskap of verandering in die aard van die besigheid, nywerheid, bedryf of beroep wat op ‘n perseel uitgeoefen word of weens die oprigting van nuwe verkeerseinligte of weens ‘n verandering in die hoogte of posisie van enige straat, voetpad of randsteen, of weens enige ander rede hoegenaamd, nie meer aan die bepalings van hierdie Verordening voldoen nie, moet sodanige teken onmiddellik deur die persoon wat daarvoor verantwoordelik is, verwyder, uitgewis of verander word om aan hierdie Verordening te voldoen.

26. Kort titel en inwerkingtrede

Hierdie Verordening heet die Verordening insake Buitereklame en Advertensietekens en tree in werking op die datum van publikasie daarvan in die Provinsiale Koerant.

SKEDULE 1: GEBIEDE VAN BEHEER

MAKSIMUM	MAKSIMUM	MAKSIMUM	GEDEELTELIK	MINIMUM
Natuurlike gebied	**Landelike gebied**	**Stedelike Gebied**	**Stedelike Gebied**	**Stedelike Gebied**
Geproklameerde natuur-reservaat Beskermde natuurlike omgewings Bosbougebiede Rivierkorridors 1:100 Jaar vloedvlaktes Vleilande Privaat wildreservate	Landbou gebiede/sones Tuinboukundige gebiede Landelike kleinhoewes Uitsigpaaie Stedelike randsones of soos omskryf in die Stedelike Randgebied	Stedelike bewarings-gebiede behalwe sentrale sakedistrik Verklaarde Erfenis-terreine Gegradeerde geboue en plekke Residensiële sones Groot privaat oop ruimte (bv. gholfbane) Ontspanningsareas Voetganger deurlope en voetgangerpleine Rivierkorridor Spesifieke gebiede of terreine wat as maksimum beheer aangewys is by wyse van 'n kaart deur die Munisipaliteit voorberei.	Sentrale Sakedistrikte, uitgesluit gebiede en geboue van besondere betekenis Gemengde gebruik handels- en residensiële gebiede Aktiwiteitskorridors Opvoedkundige instellings Sportvelde en stadions Onbepaalde sones (Insluitende spoorweg-reserwes, vervoer gebruik- sones) Spesifieke gebiede of terreine aangewys as gedeeltelike beheer deur middel van 'n kaart wat deur die Munisipaliteit voorberei is.	Nywerheidsones Aangewese vervoerterminusse Aangewese gebiede binne onbepaalde sones Spesifieke gebiede of terreine aangewys as minimum beheer by wyse van 'n kaart wat deur die Munisipaliteit voorberei is

SKEDULE 2: REKLAMEBORDE

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting of vertoon van reklameborde, hetsy doelgemaak of van 'n standaard ontwerp, slegs in gebiede van minimum en gedeeltelike beheer toegelaat. Daarbenewens moet reklameborde aan die volgende vereistes voldoen:

(a) Indien die voorgestelde erf waar die reklamebord opgerig gaan word aan 'n klas 2 of 3 pad grens, mag die reklamebord nie nader as 5 meter van die erf se grenslyn geplaas word nie. Indien die voorgestelde terrein waarop 'n reklamebord opgerig gaan word as 'n ingang is, word geen reklameborde binne die ingang toegelaat nie.

(b) Dit moet aan die standaardvoorwaardes vir goedkeuring wat in hierdie Verordening uiteengesit word, voldoen.

(c) Dit moet nie die grenslyn van die eiendom waarop dit opgerig is, oorskry nie, hetsy sodanige oorskrydings in die lug of op grondvlak is.

(d) Dit moet 'n minimum vryhoogte van 2.4 m en 'n struktuur hê wat nie 'n maksimum hoogte van 7.5 m bokant die natuurlike grondvlak oorskry nie.

(e) Dit mag nie 'n maksimum totale grootte van 6 m x 3 m (18m^2) oorskry nie, met dien verstande dat twee sodanige panele op enige V-vormige enkelstruktuur toegelaat word.

(f) Dit moet tussen die hoeke van 90° en 60° tot die rigting van aankomende verkeer vertoon word.

(g) Dit moet ‘n minimum afstand van mekaar gespasieer word soos vereis in artikel 9 van hierdie Verordening.
(h) Indien dit by gesinjaleerde verkeerskruisings geplaas word, mag dit nie binne 50m van die perimeter van die kruising opgerig of vertoon word indien onverlig is; en nie binne 80 m van die perimeter van die kruising indien dit verlig is nie.
(i) Enige reklamebord wat aan die regterkant van ‘n gedeelte van ‘n pad opgerig word sodat sy grafika van ‘n bestuurder wat aan die linkerkant van die pad ry, sigbaar is, sal geag word die reklamegeleentheid wat aan die linkerkant van die pad bestaan het, te vervang.
(j) Dit moet ‘n minimum letter- of nommerhoogte van 285 mm hê.

SKEDULE 3: TERREINGEBONDE LOSSTAANDE EN SAMEGESTELDE TEKENS

1. Onderhewig aan goedkeuring ingevolge hierdie Verordening , word die oprigting of vertoon van terreingebonde losstaande tekens slegs in stedelike gebiede van maksimum, gedeeltelike en minimum beheer toegelaat, Daarbenewens word terreingebonde losstaande tekens slegs in die volgende gevalle toegelaat:
   (i) Waar sakepersele 15 meter of meer van die grens van ‘n padreserwe begin;
   (ii) Waar dit nie redelikerwys moontlik is om gepaste tekens aan ‘n gebou aan te bring nie;
   (iii) Waar sodanige teken nodig is dat die publiek die ingang tot sakepersele kan vind; en
   (iv) Waar die bestaan van ‘n losstaande samegestelde teken die vermenigvuldiging van tekens sal verhinder.
2. Terreingebonde losstaande samegestelde tekens mag nie 4.5 meter in hoogte oorskry nie en mag daarbenewens nie 4.5 m² in totale oppervlakte oorskry nie. Hierdie beperking kan verslap word tot ‘n maksimum hoogte van 7.5 meter en ‘n maksimum totale oppervlakte van 10 m² per kant met inagneming van die volgende faktore:
   (i) indien sodanige verhoging die aantal afsonderlike tekens wat na enige straatgrens van die terrein uitkyk, verminder, om sodoende die visuele impak op die omliggende omgewing te minimaliseer;
   (ii) indien meer as twee belangrike paaie die betrokke terrein nader;
   (iii) die aantal besighede wat op sodanige teken gaan adverteer;
   (iv) die aantal toegangs- of uitgangsroetes tot die betrokke terrein;
   (v) die toepaslike sonering van die gebied rondom die betrokke terrein;
3. Losstaande tekens by diensstasies moet terreingebonde wees en mag slegs opgerig of vertoon word by diensstasies aangrensend aan en wat regstreeks van die openbare pad waar sodanige teken opgerig word, toeganklik is, en slegs een losstaande fasiliteitteken per straatgrens sal toegelaat word;
4. Losstaande tekens by diensstasies mag nie 7.5 meter in hoogte oorskry nie en mag nie uit meer as agt advertensie panele van 4.5 m² elk in totale oppervlakte bestaan nie. Hierdie beperking kan verslap word tot ‘n maksimum hoogte van 16m en agt advertensie panele wat elk nie 6 m² in totale oppervlakte oorskry nie met inagneming van die faktore genoem in item 2 hierbo. In areas van maksimum beheer is die maksimum hoogte van 4.5 meter van toepassing en ‘n oppervlakte van 7.0 m² aan weerskante.

5. In bewaringsareas asook in enkel residensiële sones sal slegs standaard terreingebonde, losstaande en samegestelde tekens toegelaat word in die formaat soos vervat in Skedule 18.

SKEDULE 4: ADVERTENSIES WAT AAN MURE VAN GEBOUE VASGEMAAK WORD: PLAT EN UITSTEEKTEKENS

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting of vertoon van plat en uitsteektekens in alle gebiede van maksimum, gedeeltelike of minimum beheer toegelaat. Daarbenewens, plat en uitsteektekens:

1. word nie binne 0.6 meter van die rand van ‘n pad toegelaat nie en mag ook nie tot binne 0.6 m van die rand van ‘n pad uitsteek nie.
2. mag nie meer as 1.5 meter voor ‘n muur uitsteek nie in die geval van ‘n teken met ‘n vryhoogte van meer as 7.5 meter of meer as 1 m in die geval van enige vryhoogte wat minder is nie.
3. mag nie meer as 250 mm oor ‘n voetpad uitsteek nie tensy sodanige teken ‘n vryhoogte van meer as 2.4 meter het nie.
4. mag nie die uitsig uit enige venster of enige ander eksterne opening van enige gebou belemmer nie en geen gedeelte van enige sodanige teken mag die oop- of toemaak van enige venster, deur of ander opening belemmer nie.
5. mag nie 54m² in totale oppervlakte oorskry nie en nie 20% (in gebiede van maksimum beheer) en 30% (in gebiede van minimum en gedeeltelike beheer) of een kwart van die fasade waarop hulle aangebring of geverf is, oorskry nie, watter een ook al die minste is. Daar kan van hierdie beperking afgesien word op voorwaarde dat –
   (a) ‘n omgewingsimpakbeoordeling aan die Munisipaliteit voorgelê word wat aandui dat geen nadelige omgewingsimpak verwag word nie;
   (b) in ‘n bewaringsgebied slegs toegelaat mag word indien ‘n erfenisimpakbeoordeling ingedien is wat aandui dat geen nadelige impak ten opsigte van erfenis hulpbronne verwag word nie.
   (c) sodanige teken slegs grafika sal vertoon wat deur ‘n paslik gekwalifiseerde konsultant ontwerp en geskep is.
6. mag op gemeenskaplike grensfasades van nie-residensiële geboue vir goedkeuring oorweeg sal word.
7. mag, indien die teken op openbare fasades van enige gebou verskyn –
   (a) so ontwerp word dat dit ‘n integrale deel van die ontwerp van die gebou word; en
   (b) mag indien dit ‘n derdepartyteken is, slegs toegelaat word indien dit doelgemaak is en onderhewig aan die vereistes van 5(a) tot (c) hierbo.
8. word nie op die sykante van geboue toegelaat om die gebiede van maksimum en gedeeltelike beheer nie.

SKEDULE 5: KIMTEKENS

1. Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting of vertoon van kimtekens, hetsy doelgemaak of van ‘n standaard ontwerp, slegs in gebiede van minimum beheer toegelaat. Daarbenewens moet kimtekens:
   (a) tot ‘n maksimum totale grootte van 4.5 m² beperk word, met dien verstande dat daar van hierdie vereiste tot ‘n maksimum van 18m² afgesien kan word by ontvangs van ‘n Omgewingsimpakbeoordeling wat aandui dat geen nadelige omgewingsimpak verwag word nie; en
   (b) nie uitsig van enige ander gebou belemmer nie.
2. Kimtekens langs die boonste rand van die dak van geboue van kulturele, historiese of argitektoniese belang sal slegs toegelaat indien dit terreingebonde, onverligte tekens is en uit afsonderlik uitgesnyde letters of logo’s bestaan.

SKEDULE 6: DAKTEKENS

1. Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting of vertoon van daktekens in alle stedelike gebiede van beheer, behalwe binne residensiële sones binne maksimum beheer, toegelaat.
   Daarbenewens:
   (a) moet die totale oppervlakte van enige dakteken wat gelykvlakkig op ‘n dak van ‘n gebou aangebring of daarop geverf is, nie een kwart van die algehele oppervlakte van die dak waarop dit aangebring of geverf is, oorskry nie.
   (b) wanneer dit aan die onderrand van ‘n dak of vertikaal halfpad op die dak van ‘n gebou vasgemaak word, mag sodanige teken nie 1 meter in hoogte oorskry nie en sy totale oppervlakte mag nie 25% van die dakoppervlakte waaraan dit vasgemaak is, oorskry nie.

2. Dakteken mag langs die rand van ‘n dak van ‘n gebou vasgemaak word indien sodanige teken uit ‘n enkel lyn van afsonderlik, uitgesnyde letters bestaan, sonder sigbare verstewiging of ondersteuning maar dit mag nie langs meer as twee rande van sodanige dak opgerig word nie en mag nie 3.6 m² in totale oppervlakte (6 x 0.6m) oorskry nie; met ‘n maksimum hoogte van 1 meter.

SKEDULE 7: TEKENS OP ‘n VERANDA, BALKON, SONDAK, STEUNKOLOMME, PILARE EN PALE

Onderhewig aan goedkeuring ingevolge hierdie Verordening , word die oprigting of vertoon van tekens op ‘n veranda, balkon, sondak, steunkolomme, pilare en pale in alle gebiede van beheer toegelaat op voorwaarde dat hulle ook aan die volgende voorwaardes voldoen:

1. Geen sodanige teken word op of oor argitektoniese gedeeltes van geboue toegelaat nie.
2. Sodanige tekens kan plat op ‘n borsweringsmuur, balustrade of reling van ‘n veranda of balkon, balk of fassie van ‘n veranda of balkon aangebring of geverf word.
3. Die teken mag nie 1 meter in hoogte oorskry nie of bokant of onder of buite enige end van die oppervlakte waarop dit aangebring is, uitsteek nie, of meer as 250 mm voor die oppervlakte waarop dit aangebring is of oor ‘n pad of binne 0.6 m van die rand van ‘n pad uitsteek nie.
4. Sodanige teken kan plat op steunkolomme, pilare en pale aangebring of geverf word. In hierdie verband mag geen teken meer as 50 mm voor die oppervlakte waarop dit aangebring is, uitsteek nie en mag ook nie verby enige van die eindpunte van sodanige kolom, pilaar of paal uitsteek nie. Tekens wat plat op nie-reghoekige steunstrukture aangebring word, moet gerond wees om by die vorm van sodanige struktuur te pas.
5. Slegs een teken per kolom, pilaar of paal sal toegelaat word.
6. Sodanige teken wat onder die dak van ‘n veranda, sondak of die vloer van ‘n balkon opgehang word, mag nie 1.8 meter in lengte of 600 mm in hoogte oorskry nie.
7. Elke sodanige teken moet reghoekig tot die boulyn wees.
8. Geen tekens wat onder ‘n sondak opgehang word mag verby die eksterne rand van die sondak of veranda waaraan dit vasgemaak is, uitsteek nie.
9. Alle hangtekens moet ‘n onbelemmerde hoogte van ten minste 2.4 meter hê.
10. Tekens op die dak van ‘n veranda, sondak of balkon, met uitsondering van die hoofdak van ‘n gebou, moet uit ‘n enkellyn van losstaande, afsonderlik verstewiging uitgesnyde silhoeëtletters bestaan sonder sigbare of enige ander sigbare ondersteuningsmiddels en mag nie langs meer as twee rande van sodanige dak van ‘n veranda of balkon opgerig word nie.
11. Geen sodanige teken sal in die bewaringsgebied wat binne ‘n enkel residensiële sone geleë is, toegelaat word nie tensy ‘n Erfenis impakbeoordeling ingedien word wat aandui dat geen negatiewe impak ten opsigte van erfenishulpbronne verwag word nie.

SKEDULE 8: TEKENS OP GRENSMURE EN HEININGS EN OP BOUTERREIN-OMHEININGS

Onderhewig aan goedkeuring ingevolge hierdie Verordening , word die oprigting of vertoon van tekens op grensmure en heinings slegs vir terreingebonde tekens in stedelike gebiede van maksimum, minimum of gedeeltelike beheer toegelaat en daarbenewens –

1. in stedelike gebiede van maksimum en gedeeltelike beheer, kan die Munisipaliteit ‘n aansoek om ‘n terreingebonde teken teen ‘n grensmuur aan te bring, slegs goedkeur indien die teken in die muur ingekeep word of uit afsonderlike, onverligte, uitgesnyde letters of simbole bestaan wat plat op sodanige muur aangebring word en nie meer as 50 mm van die voorkant van sodanige muur uitsteek nie.
2. in gebiede van minimum beheer, kan die Munisipaliteit die volgende goedkeur:
   (a) ‘n aansoek om ‘n terreingebonde teken plat op ‘n grensmuur aan te bring slegs indien dit nie meer as 50 mm van die voorkant van sodanige muur uitsteek nie; en
   (b) ‘n aansoek om ‘n terreingebonde plat teken met ‘n maksimum grootte van 0.5 m² op die permanente heining van ‘n erf aan te bring
3. moet derdeparty- en liggingsgebonde reklame op bouterreinomheinings aan die volgende voorwaardes voldoen:
   (a) enige afsonderlike teken mag nie ‘n vertikale afmeting van 3 meter en ‘n totale oppervlakte van 18 m² oorskry nie en in die geval van konstruksieterrein-bedekking moet die grafika voldoen aan die vereistes van die Reklamestandaarde Vereniging van Suid-Afrika.
   (b) enige sodanige teken mag nie meer as 100mm voor die omheining waarop dit aangebring word, uitsteek nie;
   (c) dit mag nie in gebiede van maksimum en gedeeltelike beheer verlig word nie; en
   (d) geen reklame mag op bouterreinomheinings binne die gesigsveld van motoriste by gesinjaleerde kruisings, opgerig word nie.

SKEDULE 9: PLAKKATE MET HOOFOPSKRIFTE

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting of vertoon van plakkate met hoofopskrifte in alle gebiede behalwe natuurlike en landelike gebiede van maksimum beheer toegelaat. Daarbenewens:

1. mag plakkate met hoofopskrifte nie 0.9 m x 0.6 m in oppervlakte oorskry nie.
2. mag die kommersiële inhoud van die plakkaat nie 20% van die oppervlakte van die plakkaat oorskry nie en die kommersiële letters mag nie groter as die hoof letterwerk in die res van die plakkaat wees nie.
3. mag die plakkate aan munisipale elektriese ligpale vasgemaak word slegs op die plekke wat deur die Munisipaliteit vir hierdie plakkate goedgekeur is.
4. mag plakkate nie aan verkeerseinpale, of ander pale waarop verkeerstekens aangebring is of wat vir enige ander doel opgerig is of enige ander straattoerusting, mure, heinings, bome, rotse of ander natuurlike voorwerpe vasgemaak word nie.
5. mag plakkate met hoofopskrifte nie op munisipale elektriese ligpale geplak word nie, maar moet op ‘n bord gemonteer word en met sterk tou of plastiese bindbande stewig vasgemaak word tensy ‘n permanente raam vir hierdie doel goedgekeur is.
6. word slegs een plakkaat met hoofopskrifte per paal toegelaat, ongeag watter koerantgroep dit is en moet op ‘n hoogte van ongeveer 2m wees.
7. moet daar streng aan die aantal plakkate asook die aangewese gebiede vir die vertoon van plakkate met hoofopskrifte soos deur die Munisipaliteit goedgekeur, voldoen word.

8. moet alle "spesiale gebeurtenis"-plakkate aan die volgende voldoen:
   (a) Die naam van die koerantgroep, die "spesiale gebeurtenis" en die datum van die "spesiale gebeurtenis" moet op die plakkate in letters wat nie minder as 50 mm in hoogte is nie, verskyn.
   (b) Die plakkate vir spesiale gebeurtenisse mag nie meer as 7 dae voor die datum van die gebeurtenis vertoon word nie en moet binne 24 uur van die datum van die gebeurtenis wat op die plakkaat verskyn, verwyder word.
9. moet plakkate met hoofopskrifte en hulle hegstukke op ‘n daaglikse grondslag verwyder word, by versuim waarvan die plakkate op die koerantgroep se koste, in ooreenstemming met die standaard koste vir die verwydering van plakkate, verwyder sal word.
10. kan die Munisipaliteit die koste vir die verwydering van ongemagtigde plakkate en die herstel van die oppervlakte waarvan sodanige plakkate verwyder is, verhaal van die persoon of persone wat vir die vertoon van sodanige plakkate verantwoordelik is, of van die betrokke koerantgroep.
11. mag die Munisipaliteit enige plakkaat wat strydig met bogenoemde voorwaardes vertoon word, verwyder.
12. mag enige plakkaat wat nie op ‘n daaglikse grondslag verwyder word nie of ‘n plakkaat wat verband hou met ‘n "spesiale gebeurtenis" met ‘n vervaldatum soos in item 8(b) beskryf, deur die Munisipaliteit verwyder word.
13. is die vertoon van ongemagtigde plakkate onwettig en die Munisipaliteit mag sodanige plakkate verwyder.
14. mag die Munisipaliteit die koste bepaal vir die verwydering van ongemagtigde plakkate.
15. moet aansoek om toestemming jaarliks deur elke koerantgroep gedoen word om sodanige plakkate te vertoon, onderhewig aan ‘n jaarlikse bedrag per koerantgroep.
16. moet elke koerantgroep wat plakkate wil vertoon, jaarliks ‘n deposito betaal waarteen die koste vir die verwydering van enige plakkaat wat strydig met die verordening is, gehef sal word. In geval die deposito verbruik is, kan toestemming om sodanige plakkaat te vertoon, teruggetrek word totdat ‘n verdere deposito by die Munisipaliteit ingedien is.

SKEDULE 10: PLAKKATE, BANIERE, TRAANVORMBANIERE, VLAE EN BALLONNE

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting of vertoon van plakkate, baniere en vlae buiten dié genoem in Skedule 11, of ballonne in alle gebiede toegelaat behalwe in gebiede van maksimum beheer. Daarbenewens:

1. word die vertoon van plakkate, baniere, traanvormbaniere, vlae en ballonne op enige brug of oor enige openbare pad verbied, en langs enige pad wat deur die Munisipaliteit aangewys word, tensy toestemming van die Munisipaliteit verkry is.
2. mag plakkate, baniere, traanvormbaniere, vlae en ballonne nie so vasgemaak word dat dit verbygaande voetgangers of voertuigverkeer belemmer of ‘n gevaar vir hulle inhou nie.
3. mag geen banier, of vlag-tipe banier groter as 5m² wees nie en mag geen vlag groter wees as 2 m² nie, verder mag geen vlagpaal die toepaslike hoogtebeperking van die sonering van die perseel oorskry nie tot ‘n maksimum hoogte van 8 meter bo die natuurlike grondvlak, gemeet direk onder die vlagpaal nie.
4. mag geen plakkaat, banier, traanvormbanier, vlag of ballon binne 30 meter van enige padverkeersteken of verkeersein vertoon word nie.
5. mag plakkate, baniere, vlae en ballonne nie vasgemaak word aan bome, verkeerseinpale, elektriese of diensowerheidsdistribusiekaste, of ander pale wat verkeerstekens dra, rotse, ander voorwerpe, straattoerusting of ander Munisipale eiendom nie.
6. mag plakkate, baniere, traanvornbanier, vlae en ballonne nie op so ‘n wyse vasgemaak word dat dit ander besighede of organisasies op ‘n onregverdige wyse sal benadeel of enige goedgekeurde bestaande advertensies sal verberg nie.

7. slegs een banier per perseel toegelaat word tensy die Munisipaliteit se skriftelike toestemming vir meer as een banier verkry word.
8. (i) mag ‘n maksimum van 5 vlagpale met nasionale vlae opgerig word op die perseel van `n verblyfonderneming op ‘n enkel residensiële perseel;
   (ii) mag, onderhewig aan die bepalings van paragraaf 4 ‘n maksimum van drie traanvormbaniere of vlae vertoon word waarop die naam, korporatiewe simbool of die aard van die besigheid op die perseel waarop dit vertoon word, aangedui word.
9. mag, plakkate, baniere, traanvormbaniere, vlae en ballonne wat in ‘n toestand van verval is nie vertoon word nie en moet op kennisgewing van die Munisipaliteit verwyder word.

SKEDULE 11: TYDELIKE PLAKKATE, BANIERE, TRAANVORMBANIERE EN VLAE OP OPENBARE PAAIE EN OPENBARE PLEKKE

Onderhewig aan goedkeuring ingevolge hierdie Verordening word die oprigting of vertoon van plakkate, baniere of vlae op openbare paaie en openbare plekke met die doel om spesifieke gebeurtenisse te adverteer in alle gebiede van beheer toegelaat behalwe natuurlike en landelike gebiede van maksimum beheer.

Daarbenewens:

1. sal goedkeuring vir derdeparty reklame op plakkate, baniere, traanvormbaniere, vlae en ballonne slegs verleen word vir ‘n funksie of byeenkoms vir godsdienstige, opvoedkundige, maatskaplike welsyns, dierewelsyns-, sport-, burgerlike of kulturele doeleindes, of vir ‘n funksie of byeenkoms wat met ‘n Munisipale, Provinsiale of Parlementêre verkiesing of referendum verband hou.
2. moet die naam van die gasheer-organisasie, die datum en plek van die funksie in letters van nie minder as 50 mm in hoogte op die materiaal verskyn.
3. mag plakkate, baniere, traanvormbaniere en vlae slegs opgerig word om die byeenkoms te adverteer en die naam of embleem van die borg mag nie meer as 20% van die oppervlakte van die materiaal beslaan nie.
4. kan die Munisipaliteit ‘n tarief hef om die koste te dek vir die verwydering van materiaal wat sonder die goedkeuring van die Munisipaliteit deur ‘n gemagtigde amptenaar uitgereik is.
5. mag plakkate, baniere en vlae nie meer as 14 dae voor die datum van die funksie/byeenkoms vertoon word nie en moet dit binne 2 dae vanaf die datum van die funksie of die laaste dag daarvan, soos van toepassing, verwyder word.
6. moet plakkate met ‘n maksimum afmeting van 80 cm x 50 cm op ‘n bord gemonteer word en met sterk tou of plastiese bindstukke stewig vasgemaak word op so ‘n wyse dat dit nie die pale waaraan dit geheg word beskadig nie. Geen bindmateriaal met ‘n metaal inhoud word toegelaat nie.
7. mag plakkate, baniere, traanvormbaniere en vlae, uitgesonderd verkiesingsplakkate en vlae, slegs in die strate of plekke soos deur die Munisipaliteit aangedui, aangebring word en mag nie in residensiële gebiede en op brûe aangebring word nie. Geen politieke baniere word toegelaat nie.
8. mag slegs een plakkaat of vlag per organisasie teen elke tweede straatligpaal opgerig word.
9. moet plakkate en vlae op ‘n eenvormige hoogte van ongeveer 2 m opgerig word.
10. mag geen plakkate, baniere, traanvormbaniere of vlae op bome, middelmannetjies, verkeertekens, verkeerseine, bestaande advertensietekens of teen enige ander munisipale eiendom of oor tekens van brandkraan-aanduidings aangebring word nie.
11. mag geen plakkaat, banier, traanvormbanier en vlae binne 30 meter van enige padverkeers-tekens of verkeersein vertoon word nie.
12. moet alle hegmateriaal saam met die plakkaat verwyder word.
13. mag die Munisipaliteit enige aanstootlike of stukkende plakkate, baniere, traanvormbaniere of vlae of wat volgens die Munisipaliteit ‘n verkeersgevaar veroorsaak, verwyder.

14. word die Munisipaliteit gevrywaar teen enige eise wat as gevolg van die vertoon van plakkate, baniere, traanvormbaniere of vlae ingestel mag word.
15. word die vertoon van plakkate, baniere, traanvormbaniere en vlae uitsluitlik vir kommersiële reklame nie toegelaat nie, met dien verstande dat plakkate, baniere, traanvormbaniere en vlae wat met 'n sport, die kunste of 'n kulturele gebeurtenis verband hou, toegelaat kan word ten spyte daarvan dat dit kommersiële elemente bevat. Die kommersiële element mag nie 20% van die oppervlakte van die plakkate, baniere, traanvormbaniere of vlae oorskry nie.
16. moet organisasies of persone wat goedkeuring verkry het om plakkate of vlae op te rig 'n deposito betaal soos deur die Munisipaliteit bepaal, wat die persoon die reg gee om die plakkate of vlae vir 'n maksimum van 14 dae of sodanige ander tydperk wat deur die Munisipaliteit bepaal word, te vertoon. Geen plakkaat of vlag mag sonder dat sodanige deposito betaal is, vertoon word nie.
17. mag die Munisipaliteit alle plakkate, baniere, traanvormbaniere en vlae verwyder of die aansoeker versoek om dit te verwyder indien daar nie aan bogenoemde voorwaardes voldoen word nie.
18. mag plakkate, baniere, traanvormbaniere of vlae wat nie teen die vervaldatum verwyder is nie, deur die Munisipaliteit verwyder word met verbeuring van die deposito wat betaal is.
19. sal baniere deur die Munisipaliteit opgerig en verwyder word teen betaling van tariewe soos van tyd tot tyd goedgekeur, en die banier moet aan die spesifikasies voldoen soos deur die Munisipaliteit voorgeskryf.

SKEDULE 12: VASTE EIENDOMSADVERTENSIETEKENS

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting of vertoon van eiendomsagent-tekens in alle gebiede behalwe natuurlike gebiede van maksimum beheer toegelaat. Slegs eiendomsagente wat geregistreer is by die Raad vir Eiendomsagente mag tekens vir skouhuise oprig. Bewys van registrasie moet die aansoeke vergesel.

Die volgende kategorieë van advertensietekens ten opsigte van vaste eiendom sal van toepassing wees met fooie betaalbaar soos deur die Raad bepaal:

i. Kategorie 1 – 0.29m² (450×650) - Residensiële eiendomme – Huis te koop/te huur tekens, (maksimum van 2 per eiendom per agentskap);

ii. Kategorie 2 – tot 0.96m² (800×1200) - residensiële eiendomme – huis te koop/te huur teken, (maksimum van 1 per eiendom per agentskap);

iii. Kategorie 3 (1) Ontwikkelingsteken – enkelresidensiële teken, tot 1.92m² (1200 × 1600) vanaf aanvang tot voltooiing (1 per eiendom) – mag agentskap teken insluit (of 'n aparte agentskap teken teen 'n verdere fooi).

iv. Kategorie 3 (2) Ontwikkelingsteken – groep/dorpshuis ontwikkelingsborde tot 2.88m² (1200x2400) per ontwikkeling vanaf aanvang tot voltooiing (2 per eiendom) mag agentskap teken insluit.

v. Kategorie 3 (3)Aansoek om vrystelling vir spesiale, nie-standaard groottes.

vi. Kategorie 4 (1) Industriële en kommersiële area (binne stedelike grens) – bemarking- en verkoopstekens van tot 2.88m² (1200x2400) per ontwikkelingsgeleentheid – vanaf aanvang tot voltooiing.

vii. Kategorie 4 (2) Industriële, landelike, landbou (buite stedelike grens) – bemarkings-, verkoops- en ontwikkelingstekens tot 8.64m² (2400x3600) per geleentheid – vanaf aanvang tot voltooiing.

viii. Kategorie 4 (3) Kommersiële en handel – binne stedelike grens – bemarkings-, verkoops- en ontwikkelingstekens tot 2.88m² (1200x2400).

ix. Kategorie 4 (4) Aansoek om vrystelling vir spesiale, nie-standaard groottes.

x. Kategorie 5 – Reklameborde – spesiale voorstelle /aansoeke – buite stedelike grens, wat nie 23.04m² (2400x9600) oorskry nie.

DAARBENEWENS:

1. moet elke eiendomsagentskap op ‘n jaarlikse grondslag aansoek doen om toestemming om eiendomsagent-tekens te vertoon en goedkeuring is onderhewig aan betaling van ‘n jaarlikse bedrag ooreenkomstig die Munisipaliteit se verordening op tariewe en tariefbeleid.
2. mag die Munisipaliteit ‘n deposito vereis waarteen die koste vir die verwydering van enige teken wat strydig met die Verordening is, gehef sal word. In geval die deposito verbruik is sal toestemming om sodanige teken te vertoon, teruggetrek word totdat ‘n verdere deposito aan die Munisipaliteit betaal is.
3. is enige eiendomsagent-teken wat onwettig of in stryd met die bepalings van hierdie Skedule opgerig word, en nie verwyder word nie, onderhewig aan die betaling van ‘n boete aan die Munisipaliteit. In geval die teken nie deur die Munisipaliteit verwyder word nie, mag fotografiese bewys van die onwettige teken deur die Munisipaliteit verkry word alvorens die genoemde bedrag gehef word.
4. moet ”Te Koop” / “Verkoop” / “Te Huur” – tekens gelykvlakkig teen die heining of muur van die eiendom opgerig word.
5. kan “Verkoop” tekens gelykvlakkig teen die heining of muur van ‘n eiendom vir ‘n maksimum tydperk van twee weke vertoon word.
6. mag geen eiendomsagent-tekens op enige geteerde gedeelte van sypaadjies opgerig word nie.
7. mag geen eiendomsagent-teken ‘n padverkeersteken verberg nie.
8. mag geen eiendomsagent-teken op middeleilande vertoon word nie.
9. mag geen eiendomsagent-teken op so ‘n wyse opgerig word dat enige gedeelte daarvan nader as 1.5 m van ‘n straatrand is nie.
10. mag eiendomsagent-tekens nie vasgemaak word aan bome, verkeerseinpale, straatpale of ander pale wat verkeerstekens dra, mure, heinings, rotse, ander natuurlike voorwerpe of verfraaide gebiede, straattoerusting of ander munisipale eiendom nie tensy skriftelik deur die Munisipaliteit gemagtig word.
11. kan tekens op straatpenne vertoon word deur ‘n ontwerp te gebruik wat deur die Munisipaliteit goedgekeur is. Eiendomsagent-tekens mag nie op beton-, teer- of geplaveide oppervlaktes vertoon word nie. Die penne mag nie dieper as 15 cm in die grond ingedryf word nie.
12. mag “skouhuistekens” slegs van 12:00 op Vrydag tot 20:00 op Sondag vertoon word.
13. moet die bewoording “Skouhuis”, “Skouwoonstel” of “Skou-erf” met die agentskap se naam en rigtingpyltjie op elke teken vertoon word.
14. word nie meer as ses eiendomsagent rigtingaanwysers per Skouhuis, Skou-erf of woonstelblok waarin ‘n Skouwoonstel vertoon word, toegelaat nie. Die definisie van een teken sluit die vertoon van twee advertensieborde in slegs as sodanige borde met hulle rugkante teen mekaar rondom ‘n elektriese paal vasgemaak is.
15. mag Skouhuistekens nie langs uitsigpaaie of enige brug, in ‘n openbare park of openbare oop ruimte vertoon word nie.
16. mag slegs een rigtingsteken per Skouhuis/-woonstel/-erf langs klas 2 of 3 paaie vertoon word, met uitsluiting van paaie verwys na item 7 hierbo.
17. moet rigtingaanwysers slegs langs hoofroetes vertoon word wat die kortste roete van ‘n hoofweg na die eiendom is.
18. Ontwikkelingsborde

(a) Ontwikkelingsborde moet onmiddellik verwyder word wanneer boubedrywighede voltooi is of as boubedrywighede beëindig word, of wanneer die verskaffing van die dienste, die werkery of die voorsiening van die goedere waarop die teken betrekking het, opgehou het;
(b) Die Munisipaliteit kan die verwydering van enige sodanige teken gelas indien die boubedrywighede feitlik voltooi of beëindig is of ‘n bewoningsertifikaat deur die Munisipaliteit uitgereik is, of die verskaffing van die dienste, werkery of die voorsiening van die goedere waarop dit betrekking het, vir alle praktiese doeleindes opgehou het, en sodanige tekens moet dan onmiddellik verwyder word, maar nie later nie as 5 dae na die datum van die opdrag om dit te verwyder.
(c) Indien die perseel waarop boubedrywighede aan die gang is, heeltemal vir woondoeleindes gebruik gaan word, mag slegs een ontwikkelingsbord vertoon word en sodanige ontwikkelingsbord mag nie 3 m² in totale oppervlakte oorskry nie;
(d) Indien die perseel nie heeltemal vir woondoeleindes gebruik gaan word nie, mag hoogstens twee ontwikkelingsborde opgerig word wat nie 5 m² in totale oppervlakte oorskry nie;

Indien die teken, hetsy op losstaande borde of buigsame bou- bedekkingsmateriaal, enige ander vorm van derdepartyreklame insluit, moet sodanige teken aan die bepalings van Skedule 8 voldoen en goedkeuring vir die vertoon daarvan moet eers ingevolge hierdie Verordening verkry word

SKEDULE 13: LOS DRAAGBARE TEKENS

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting of vertoon van los draagbare tekens in gebiede van minimum en gedeeltelike beheer asook aangewese gebiede binne stedelike gebiede van maksimum beheer toegelaat, Daarbenewens:

1. mag los draagbare tekens nie in ‘n padreserwe of in openbare oop ruimtes sonder die skriftelike toestemming van die Munisipaliteit geplaas word nie.
2. kan die Munisipaliteit los draagbare tekens wat sonder die Munisipaliteit se goedkeuring in ‘n padreserwe of op eiendom in die Munisipaliteit se besit geplaas word, verwyder en daarop beslag lê. Eienaars kan hulle tekens by betaling van die voorgeskrewe fooi soos deur die Munisipaliteit bepaal, terugkry, welke bedrag gebruik sal word om die koste van verwydering, bewaring en vervoer te dek.
3. sal die volgende kriteria sal toepassing wees ten opsigte van ‘n aansoek ingevolge item 1:
   (a) dat dit nie ‘n gevaar ten opsigte van veiligheid vir die publiek inhou nie;
   (b) dat dit nie die publiek vanweë die fisiese grootte of die ligging van die teken, belemmer of verontrief nie;
   (c) dat dit nie ander handelaars onregverdig benadeel nie;
   (d) dat dit, of die voorgestelde aantal daarvan, nie aan die aantreklikheid van die plaaslike straatlandskap op plaaslike omgewing afbreuk doen nie;
   (e) dat dit alleenlik gebruik word om die naam van die besigheid, goedere of dienste wat te koop is vanaf die adverteerder se perseel, te adverteer.
   (f) dat die maksimum afmetings daarvan 1.2 m (hoog) x 0.6 m (wyd) is;
   (g) dat dit direk voor die adverteerder se perseel geplaas moet word, met dien verstande dat daar aan die bogenoemde kriteria voldoen word; en
   (h) dat ‘n minimum onbelemmerde looppad wydte van 1.8 meter op sypaadjies, 2.5 meter in die sentrale sakekern en 2.5 meter op sypaadjies met hoë voetganger volume oop gehou word.

4. kan die Munisipaliteit gebiede in die padreserwe of op munisipale eiendom aanwys vir los draagbare tekens, waar aansoekers dan die goedgekeurde los draagbare teken gedurende gewone handelsure kan plaas. Die teken moet buite die gewone handelsure verwyder word en bewaar word waar dit nie deur die publiek gesien kan word nie.
5. kan die Munisipaliteit tariewe hef vir die vertoon van los draagbare tekens, welke tariewe vooruit betaalbaar sal wees vir ‘n maksimum tydperk van ses maande.
6. moet aansoekers die Munisipaliteit vrywaar teen enige eise vir derde partye wat weens die plasing van los draagbare tekens in die padreserwe of op munisipale eiendom mag ontstaan.
7. kan die Munisipaliteit nieteenstaande bogenoemde, los draagbare teken(s) verwyder of daarop beslag lê indien die aansoeker enige van bogenoemde voorwaardes oortree.

SKEDULE 14: LUGTEKENS

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting of vertoon van lugtekens slegs in stedelike gebiede van gedeeltelike minimum beheer toegelaat. Daarbenewens:

1. mag geen lugtekens wat aan enige gebou of struktuur vasgemaak is teen ‘n hoogte van meer as 45 m van die oppervlakte wat vanaf die grondvlak gemeet word, vertoon word nie.
2. mag lugtekens nie bokant ‘n openbare pad vertoon word nie.

SKEDULE 15: TRANSITO – REKLAME

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting of vertoon van transito reklame slegs in stedelike gebiede van of minimum beheer toegelaat.
Daarbenewens:

1. word die parkering van ‘n transito-teken verbied wat van ‘n openbare pad of ‘n openbare plek vir die doel van derdeparty reklame sigbaar is, behalwe indien dit op ‘n aangewese reklameterrein vertoon word wat ingevolge hierdie Verordening goedgekeur is.
2. moet transito-tekens wat op private eiendom vir stoordoeleindes geparkeer word, so geplaas word dat dit nie van ‘n straat of openbare plek sigbaar is nie.
3. mag die advertensiepaneel of gedeelte van die voertuig wat vir transito-reklame gebruik word nie ‘n kumulatiewe totaal van 18m² oorskry in gebiede van gedeeltelike beheer nie, welke grootte tot ‘n maksimum grootte van 36 m² in gebiede van minimum beheer verhoog kan word.
4. kan die Munisipaliteit terreine in gebiede van gedeeltelike en minimum beheer vir transito reklame aanwys en sodanige terreine adverteer.
5. Kan die Munisipaliteit ongeag enige bepalings van hierdie Verordening sonder vooraf kennisgewing enige ongemagtigde transitoteken van munisipale eiendom verwyder, en in die geval van ongemagtigde transitoreklame op private eiendom, ingevolge hierdie Verordening, ‘n kennisgewing vir die verwydering beteken.
6. moet transitotekens op die grond by die plek waar dit geparkeer word, behoorlik vasgemaak word.

SKEDULE 16: TEKENS OP MUNISIPALE GROND OF GEBOUE

1. Geen teken mag op grond of geboue in munisipale besit, opgerig of vertoon word sonder die toestemming van die Munisipaliteit nie.
2. Die volgende spesifieke voorwaardes en kriteria sal geld ten opsigte van tekens soos vermeld in (a) tot (c) hieronder:
   (a) Kommersieel geborgde tekens, behalwe dié beskryf in artikel 13(10)

Nieteenstaande die gebied van beheer waarin daar beoog word om 'n kommersieel geborgde teken op munisipale grond of geboue op te rig, en onderhewig aan die nakoming van al die ander bepalings van hierdie Verordening, kan die Munisipaliteit 'n kommersieel geborgde teken vir goedkeuring oorweeg onderhewig aan die volgende –

(i) openbare of gemeenskapsbehoeftes of doelwitte moet deur die Munisipaliteit geïdentifiseer of aanvaar word en indien sodanige behoeftes geheel en al of gedeeltelik aangespreek kan word deur vergunnings aan spesifieke persone vir die oprigting van kommersieel geborgde tekens toe te staan, kan die Munisipaliteit publieke insette vir sodanige openbare of gemeenskapsbehoeftes of doelwitte en die reklamegeleentheid wat daarmee verband hou, aanvra.

(ii) Ten einde sodanige openbare of gemeenskapsbehoeftes of doelwitte te identifiseer, sal die Munisipaliteit en ander belangstellende owerhede vergader voordat voorstelle aangevra word, ten einde voorwaardes, kriteria en beperkings ten opsigte van sodanige reklame te bepaal.

(iii) Die Munisipaliteit se verkrygingsbeleid sal toegepas word.

(iv) Enige voorstel sal op die volgende basis beoordeel word –

(aa) voldoening aan die beginsels van hierdie Verordening;

(bb) die ontwerpbydrae;

(cc) die beste gemeenskapsvoordeel wat dit bied;

(dd) die kreatiwiteit en openbare veiligheid;

(ee) die permanensie van die bydrae tot die gemeenskapsdoel-witte of behoeftes; en

(ff) die verhalingskoste oor die oprigtingstydperk van die teken in teenstelling met die grootste reklamegeleentheid of finansiële voordeel.

(v) Wanneer bydraes in goedere deur die Munisipaliteit verhaal moet word, sal 'n omrekening daarvan tot 'n geldelike bydrae tot die Munisipaliteit se inkomstebasis bepaal word.

(vi) Die Munisipaliteit as grondeienaar, behou die reg om nie met enige voorstel voor die finale goedkeuring daarvan voort te gaan nie en die uitnodiging vir voorstelle, in enige opsig, sal nie as 'n besluit deur die Munisipaliteit beskou word om met die oprigting van 'n teken ten opsigte van 'n spesifieke terrein voort te gaan nie.

(vii) Wanneer dit aanvaar is, moet enige teken wat ingevolge hierdie Skedule opgerig gaan word, die onderwerp wees van 'n skriftelike ooreenkoms tussen die Munisipaliteit as grondeienaar en die persoon wat vir die oprigting van die teken verantwoordelik is.

(b) Geborgde tekens

Nieteenstaande die gebied van beheer waarin sodanige teken op grond of geboue in munisipale besit opgerig gaan word en onderhewig aan voldoening aan al die ander bepalings van die Verordening, kan die munisipaliteit 'n geborgde teken vir goedkeuring oorweeg op voorwaarde dat:

(i) skriftelike besonderhede verstrek word wat die erkende gemeenskapsdoelwit wat deur die oprigting of vertoon van die voorgestelde teken bevorder sal word, duidelik aandui;

(ii) tekens met 'n politieke inhoud nie toegelaat sal word nie;

(iii) nie meer as 5% van die totale oppervlakte van die teken vir derdepartyreklame gebruik word nie;

(iii) die maksimum grootte van enige sodanige teken 6 m x 3 m is, met dien verstande dat waar 'n V-vormige teken voorgestel word sy maksimum grootte nie twee panele van 6m x 3 m elk sal oorskry nie;

(iv) aansoeke vir die oprigting van reklameborde ingevolge hierdie item aan die vereistes soos in Skedule 2 uiteengesit, voldoen;

(v) geen teken wat ingevolge hierdie item opgerig word binne 5 meter van ‘n eiendom se grenslyn geleë is nie.

(c) Nie-winsgewende tekens

Nieteenstaande die gebied van beheer waarin ‘n teken opgerig gaan word en onderhewig aan voldoening aan al die ander bepalings van hierdie Verordening, kan die Munisipaliteit die oprigting oorweeg van ‘n teken deur of ten bate van ‘n nie-winsgewende liggaam onderhewig aan nakoming van die vereistes wat in Skedule 17 hiervan uiteengesit word.

SKEDULE 17: TEKENS WAT DEUR OF TEN BATE VAN NIE-WINSGEWENDE LIGGAME OPGERIG WORD

1. Nieteenstaande die gebied van beheer waarin ‘n teken deur of ten bate van ‘n nie-winsgewende liggaam opgerig gaan word, en onderhewig aan voldoening aan al die ander bepalings van hierdie Verordening, kan die Munisipaliteit sodanige teken vir goedkeuring oorweeg onderhewig aan die volgende:

(a) Skriftelike besonderhede van die gasheer nie-winsgewende liggaam wat betref die aard en omvang van die ondersteuning wat as gevolg van die oprigting of vertoon van die teken ontvang sal word, aan die Munisipaliteit verstrek word tesame met die ander inligting wat in gemelde artikel 3 van die Verordening uiteengesit word;

(b) Die omvang van betrokkenheid van voorheen benadeelde gemeenskappe, klein sake, werkskepping en bemagtiging sal by enige voorstel in ag geneem word;

(c) Enige voorstel sal op die volgende basis beoordeel word –

(i) voldoening aan die beginsels van hierdie Verordening;

(ii) die ontwerpbydrae;

(iii) die beste gemeenskapsvoordeel wat dit bied;

(iv) die kreatiwiteit en openbare veiligheid; en

(v) die permanensie van die bydrae tot die gemeenskapsdoelwitte of behoeftes in teenstelling met die grootste reklamegeleentheid of finansiële voordeel.

(d) Indien daar voorgestel word dat die genoemde teken op munisipale grond opgerig moet word;

(i) moet die Munisipaliteit die voorstel oorweeg;

(ii) die Munisipaliteit as grondeienaar behou die reg om nie met enige voorstel voor die finale goedkeuring daarvan voort te gaan nie;

(iii) indien dit aanvaar is, moet ‘n skriftelike ooreenkoms tussen die Munisipaliteit, die persoon wat vir die oprigting van die teken verantwoordelik is en die nie-winsgewende liggaam aangegaan word:

(e) Daarbenewens is die volgende voorwaardes van toepassing –

(i) tekens met ‘n politieke inhoud sal nie toegelaat word nie;

(ii) die maksimum grootte van enige sodanige teken is 6 m x 3 m, met dien verstande dat waar ‘n V-vormige teken voorgestel word sy maksimum grootte nie twee panele van 6 m x 3m elk oorskry nie;

(iii) aansoeke vir die oprigting van reklameborde ingevolge hierdie item moet aan die vereistes soos moet aan die vereistes soos uiteengesit in Skedule 2 voldoen;

(iv) geen teken wat ingevolge hierdie item opgerig word mag binne 5 meter van ‘n eiendom se grenslyne geleë wees nie;

(v) die naam van die nie-winsgewende liggaam moet op die teken met ‘n maksimum letterhoogte van 300mm vertoon word;

(vi) al die partye wat deur die oprigting of vertoon van sodanige teken geraak word, moet geleentheid gegee word om insette te lewer;

(vii) die Munisipaliteit kan vereis dat 'n impakbeoordelings, ingedien moet word; en

(viii) nie meer as twee afsonderlike tekens van 6m x 3m elk sal toegelaat word nie, of anders, een V-vormige teken met 'n maksimum grootte van twee panele van 6m x 3m elk op enige spesifieke eiendom. Daarbenewens sal slegs een teken per straat voorkant toegelaat word.

SKEDULE 18: STANDAARD LOSSTAANDE EN SAAMGESTELDE TEKENS VIR DIE BEWARINGSGEBIED

1. Onderhewig aan goedkeuring en ingevolge hierdie Verordening, is die oprigting of vertoon van standaard losstaande en saamgestelde tekens die primêre reklame medium in bewaringsareas asook in gebiede wat 'n enkel residensiële sonering het. Daarbenewens:
   (a) sal hoogstens een standaard reklame struktuur, wat ontwerp is volgens munisipale voorskrifte, per eiendom toegelaat word.
   (b) sal 'n saamgestelde teken bestaande uit hoogstens twee reklametekens met 'n grootte van 900 mm x 300 mm per reklamestruktuur toegelaat word wat slegs die naam van die sake-onderneming en hoofproduk aandui.
   (c) kan, in die geval van 'n sakesentrum, meer as een advertensieteken per reklame-struktuur toegelaat word in welke geval slegs die sentrum se naam aangedui kan word met die name van die sake-ondernemings wat in die sentrum gehuisves word.
2. Sodanige tekens en reklamestrukture moet:
   (a) Voldoen aan die ontwerpstandaarde en vereistes van die Munisipaliteit ;
   (b) Mag nie binne die straatreserwe vertoon word nie;
   (c) Mag slegs parallel met die straatgrens vertoon word.