

LOCAL AUTHORITY NOTICE .....

## **CITY OF TSHWANE**

### **BY-LAW FOR THE CONTROL OF OUTDOOR ADVERTISING**

In terms of sections 5 and 6 of the Local Government: Municipal Property Rates Act, 2004 (Act 6 of 2004), read with section 7 of the Gauteng Rationalisation of Local Government Affairs Act, 1998 (Act 10 of 1998), section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) and section 162 of the Constitution of the Republic of South Africa, 1996, the City Manager of the City of Tshwane Metropolitan Municipality hereby publishes the City of Tshwane's By-law for the Control of Outdoor Advertising, as contemplated hereunder and approved by its Council on **(date)**.

The by-law will come into operation on the date of its promulgation in the *Provincial Gazette*.

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**CITY MANAGER**

(Notice No **(number)** of 2022)  
**(date)**

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## **CITY OF TSHWANE**

### **BY-LAW FOR THE CONTROL OF OUTDOOR ADVERTISING**

This by-law is applicable to and regulates all outdoor advertising in the City of Tshwane's area of jurisdiction.

The by-law will –

- strike a balance between outdoor advertising opportunities and economic development on the one hand and the conservation of visual, tourist, traffic safety, environmental and heritage characteristics on the other hand; and
- set out the legal requirements for aspects such as application procedures, safety, amenity and decency, the design and construction of signs, offences and penalties, as well as the types of signs and the regulation of their display.

## **PREAMBLE**

**WHEREAS** section 156(1) of the Constitution of the Republic of South Africa, 1996 confers on municipalities the right to administer local government matters listed in Part B of Schedules 4 and 5; and

**WHEREAS** section 156(2) of the Constitution empowers municipalities to make and administer by-laws for the effective administration of the matters they have the right to administer; and

**WHEREAS** Building Regulations and Municipal Planning fall within the ambit of the powers vested in Local Government in terms of Part B Schedule 4 of the Constitution read with Section 155(6)(a) and (7) thereof;

**WHEREAS** as the Spatial Planning and Land Use Management Act, Act 16 of 2013 (“SPLUMA”) was enacted on 1 July 2015 as framework legislation for purposes of setting a uniform and comprehensive system of Spatial Planning and Land Use Management;

**WHEREAS** section 4(b) of SPLUMA allows for a spatial planning system with development principles, norms and standards that must guide spatial planning, land use management and land development;

**WHEREAS** these by-laws are not intended to act or replace a land use scheme contemplated in Section 4(c) and Chapter 5 of SPLUMA, nor is it intended to replace or act as Building Regulations contemplated in Part B of Schedule 4 of the Constitution;

**WHEREAS** these by-laws are specifically intended to deal with, set principles and regulate Advertising Signs as part of Municipal Planning and Local Government matters, related to the urban design, safety impact, streetscape and visual impact such signs as part of development and the urban fabric read with Section 63 and Section 79(49) of the Local Government Ordinance, 17 of 1939;

**WHEREAS** the control of advertising signs falls within the ambit of the powers vested in a Municipality as indicated above; and

**WHEREAS** the City of Tshwane Municipality has resolved to promulgate the by-law as set out below in terms of section 12 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

**WHEREAS** the erection of a sign in terms of this By-law is read with the provisions of the Town Planning- Land Use Scheme in operation in the City of Tshwane;

**WHEREAS** the City of Tshwane Municipality in terms of the Local Government Property Rates Act, 2004 may determine the categories of rating in terms of section 8 of the said Act, where signs have been erected without the express written permission of the City;

**WHEREAS** in the control and management of advertising the property may only be “permitted to be used” for advertising, if such advertising falls within the provisions of this by-law, and is approved in terms of this By-law otherwise it shall be regarded as a “non-permitted use”;

**WHEREAS** the City of Tshwane Municipality is desirous to manage signs erected on land where it is not permitted herein;

**BE IT THEREFORE ENACTED** by the City of Tshwane Municipality as follows:

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## CHAPTER 1

### 1. DEFINITIONS

In this by-law, a meaning that has been assigned to a word or expression in the by-law bears that meaning as follows, unless the context indicates otherwise:

“Address” means for the purpose of this bylaw the residential, business, postal or e-mail information contained in correspondence or application forms between the applicant, sign owner or property owner;

“Advertiser” means any person, body or legal entity whose product or service is being advertised or whose name or image is mentioned or promoted on a sign;

“Advertisement” means any visual representation that is used in advertising and/or any method of displaying writing, letters, numbers, figures, objects, marks, photographs, symbols, graffiti, public art or illustrations, including a word, picture, product, name or abbreviation of a word or name or any combination of such elements with the object of transferring information, or that may be determined as being an advertisement by the Municipality for the purposes of this by-law, and it excludes road traffic signs as defined in the National Road Traffic Act, 1996 (Act 93 of 1996) and as indicated in the South African Road Traffic Signs Manual as amended from time to time;

“Advertising” means the act or process, of notifying, persuading, promoting, warning, informing, making known or any other act of transferring information in a visual manner, and it includes, but is not limited to, any advertisement, any visual representation or reference to any message which is intended to promote the sale, lease or use of any goods or services, or which appeals for or promotes the support of any cause;

“Advertising display material” means the physical material that is used to display, paint, print or screen an advertisement onto a structure or surface;

“Advertising sign scoping report” means a report that sets out the environmental, and an overview of the traffic and social impact of an advertising sign and/or sign area, the scope and content of which will be determined by the Municipality and will be drafted by an independent person and submitted to the Municipality;

“Advertising sign” means any sign that is erected or hoisted to display an advertisement on which advertising is done, and “advertising structure” or “sign” has the same meaning in this context;

“Aerial sign” means a sign and/or advertisement that is painted on, printed on, attached to or produced by an aircraft, including a captive balloon, kite, unmanned free balloon, moored airship, parasailing craft, hang-glider, model or radio-controlled aircraft, an aircraft being towed behind a vehicle or sailing vessel for the purpose of flight, and an aircraft that tows banners or produces smoke signals;

“Airport signs” means signs erected on the Wonderboom Airport property;

“Agricultural holding” means an agricultural holding as defined in the Agricultural Holdings (Transvaal) Registration Act, 1919 (Act 22 of 1919);

“Animated” means the sign area of sign which contains a variable message or is enhanced by means of moving units, flashing lights or similar devices, as may be determined by the Municipality from time to time;

“Applicant” means the owner of a sign or the person who is duly authorised by the owner of a property and/or sign owner to apply for the display of an advertising sign and includes and an organ of state under who’s control and management the property falls;

“Area of control” means at the point of location of an existing or proposed site to be developed in an area of minimum, maximum or partial control of outdoor advertising as may be determined by the Municipality in terms of this by-law from time to time;

“Area of maximum control” means an area that is subject to stringent control of advertising signs due to its sensitivity to visual disturbance or other factors, as may be determined by the Municipality from time to time, including the following areas:

- Conservation and natural areas

Natural open spaces and urban conservation areas, scenic areas, interfaces in the natural landscape in the form of natural edges such as bodies of water, rivers, mountains, crests, hills, ridges, forests and built fabric, as may be determined by any legislation related thereto;

- Recreational areas

Other than in a CBD, areas for active and passive recreation, including parks, golf courses and non-commercialised squares, as defined in the relevant town planning/ land use scheme that is in operation within the jurisdiction of the Municipality and its amendments;

- Architectural and historical areas

National or local heritage premises or buildings, special tourist areas, historical or contextual streetscapes, and areas or facilities of strong architectural context or historical scale, as determined by the Municipality from time to time;

- Residential areas

All residential properties that have a residential purpose as defined in town planning/land use scheme as amended from time to time which and in the opinion of the Municipality, are used for residential purposes, including a property development as defined herein, single residences, group housing, medium- and high-density residential areas and agricultural holdings;

- Gateways

Any vehicular, transport or pedestrian routes which in the opinion of the Municipality has high visibility into and out of the city, as determined by the Municipality from time to time;

- Skylines

The outlines of buildings, trees, hills, etcetera seen against the sky, as may be determined by the Municipality from time to time;



- Other areas of control

These include embassies and green belts and as determined by the Municipality from time to time;

“Area of minimum control” means an area that is subject to minimal control of advertising signs due to its concentrated economic activity, the dominant concern and motivation being to conduct business and to sell products and services, as may be determined by the Municipality from time to time, including the following areas:

- Commercial areas

Commercial districts, central business districts, business districts, office precincts, commercial enclaves, open spaces and residential buildings inside a commercial central business district and shopping centres, as and defined in the town planning or land use scheme; determined by the Municipality from time to time;

- Industrial areas

Areas that may be determined as industrial areas or industrial parks in terms of the Municipality’s town planning or land use scheme or other policies of the Municipality, as determined from time to time;

- Entertainment areas

Entertainment districts or complexes as determined by the Municipality from time to time;

- Transportation nodes

Prominent public transport nodes such as railway stations, large bus stations and taxi ranks, and airports, as determined by the Municipality from time to time;

- Institutional areas

Government, municipal and educational premises or buildings;

“Area of partial control” means that portion of an area of minimum control of advertising signs that are located within 50 m of an area of maximum control and as determined by the Municipality from time to time;

“Area surrounding the advertising sign” means an area with a radius of no less than 5 m that immediately surrounds the footing of the sign or as determined by the Municipality from time to time;

“Arterial road” means a road determined by the Municipality from time to time as a specific class of road;

“Authorised agent” means any person, firm or entity duly appointed by the Municipality to act on its behalf in the application, enforcement or administration of this by-law;

“Authorised official” means a municipal employee who is authorised by the Municipality to exercise any law enforcement power, function or duty in terms of this by-law or such further

duties that are delegated in terms of section 59 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) that may be assigned to him/her;

“Balcony, veranda, canopy and under-awning sign” means a sign or advertisement that is affixed or painted –

- (a) on a parapet wall, balustrade or railing of a building or structure; and/or
- (b) on a fascia of a building or structure; and/or
- (c) on the fascia of a roof structure without walls; and/or
- (d) on a pillar, column or post that supports a roof structure without walls;

“Banner” means a sign on a piece of cloth or other flexible material, as may be determined by the Municipality, upon which an advertisement is displayed in such a manner as to be fully legible, and that is attached to poles or flagstaffs that project vertically, horizontally or at an angle by means of ropes or brackets, or that are attached to buildings or special structures, which in the opinion of the Municipality can be regarded as a banner, but it excludes banners that are carried as part of a procession;

“Billboard” means a sign with a sign area that is equal to or larger than 18m<sup>2</sup>, that has a clear height of at least 2,4m or 5,5m as the case may be and is supported by a free-standing structure or as determined by the Municipality;

“Bit” means the basic unit for measuring the length of an advertisement, and for the purposes of this by-law, bit values are calculated as follows:

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

“Bridge sign” means a sign that is affixed to a bridge, or to a bridge constructed for pedestrian movement, or to a bridge constructed for other purposes, as may be determined by the Municipality;

“Boundary wall sign” means a sign that is affixed onto a wall or fence that is intended as a boundary wall or structure within 2 m of a boundary of a property;

“Building Control Officer”, for the purposes of this by-law, means the person who is appointed by the Municipality as its Building Control Officer for the purposes of the National Building Regulations and Standards Act, 1977 (Act 103 of 1977), with specific reference to Section 6 thereof;

“Building wrap sign” means a sign made of vinyl mesh or a similar material and that is displayed on a building, as may be determined by the Municipality from time to time;

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

“Central business district (CBD)” means a geographical area or areas within the jurisdiction of the Municipality that are determined as the central business district or districts by the

Municipality, which determination may be based on the major commercial activity and employment destination (activity node) in a town or city and may include more than one such central business district within the Municipality;

“Centre of economic activity” means a geographical area or areas that may be determined by the Municipality from time to time to be used for an enterprise or a group of enterprises, and includes service facilities, food services, industries and cottage industries, as well as shops and other commercial facilities;

“Class of road” means the category into which roads are classified or defined in the road hierarchy by the Municipality in terms of the applicable legislation;

“Class of sign” means the categorization of signs as described under Chapter 4 of this bylaw and related policy and “sign class” shall have a corresponding meaning;

“Clear height” means the minimum vertical distance as measured from the natural ground level or the road surface, as the case may be, to the underside of the sign display area;

“Combination sign” means a sign that consists of a number of smaller, individual panels, usually displaying different products or services, that are placed adjacent to each other on a single structure that is specially designed to accommodate more than one advertisement;

“Commercial advertising” means advertisements to promote goods or services;

“Commercial event” means an event that takes place on a property for the purposes of promoting the sale of a product or service;

“Community institution and facility sign” means a sign that advertises community services;

“Community newspaper” means a newspaper that contains community news and that is circulated free of charge in a specific geographical area;

“Comprehensive Integrated Transport Plan (CITP)” means a report that constitutes the Comprehensive Integrated Transport Plan for the Municipality for a specified period and that addresses all the chapters specified by the Department of Transport as minimum requirements for integrated transport plans; The CITP is a statutory plan required by the National Land Transport Act, 2009 (Act 5 of 2009) and the Gauteng Transport Framework Revision Act, 2002 (Act 8 of 2002) (as amended from time to time) to guide transport development and operations in the municipal area;

“Conditions of approval” means condition(s) imposed by the Municipality in the approval of an application to display a sign, including any conditions contained in the annexure(s) and/or plans and/or attachment(s) that form part of the approval and/or are referred to in the approval of the application to display a sign and approval conditions shall have a corresponding meaning;

“Consent” means the written approval of the Municipality to display a sign in an area of control in terms of this by-law and, the deemed consent where no formal application process is required as determined by the Municipality, and “approval” has the same meaning as consent;

“Conservation area” means an area subject to strict control and shall include conservation of heritage and cultural sites, natural areas, including but not limited to fauna and flora;

“Construction site sign” means a sign that is affixed against, in front or behind a fence or wall of a construction site with the intention of securing or concealing the activities on the site;

“Cultural event” means an event that promotes the fine arts or other human intellectual achievement and its purpose is not primarily of a commercial nature;

“Custom-made billboard” means a billboard sign with not less than 18m<sup>2</sup> and not exceeding 81m<sup>2</sup> in sign area, which features special effects such as internal illumination, special character cut-outs or three-dimensional representations as well as rotating or scrolling panels that provide a number of different messages in succession;

“Development sign” means a sign that describes the type of development to be carried out or is being carried out on a construction site;

“Display” means a sign or advertisement which is distributed, erected, evinced, exhibited, manifested, indicated, demonstrated, hoisted, parked, installed, built, painted or affixed or such similar activity to attract the attention of a road user;

“Dispose of” means the destruction, demolition, overturning (or capsizing), auctioning, selling or recycling of any sign by the Municipality, and this includes advertising structures, trailers, advertisements, solar power kits and electricity meters that are attached to or part of a sign, including foundations and underground connections or any materials used for or in connection with the display of a sign;

“Electronic billboard sign” means a billboard sign with a sign area equal or larger than 18m<sup>2</sup> which may be animated and that has an electronically controlled illuminated display surface;

“Electronic sign” means a sign that is animated with an electronically controlled illuminated display surface;

“Engineer” means a structural engineer registered with the Engineering Council of South Africa (ECSA) or similar recognised body in terms of the relevant legislation;

“Erection of signs” and “display” have the same meaning;

“Etched” means to produce a sign on hard material such as a building façade by engraving or carving into the surface of the material;

“Event” means an organised occasion or gathering as may be determined by the Municipality;

“Executive Mayor” means the Executive Mayor of the Municipality or his/her nominee;

“Flag” means a piece of cloth (or similar material) upon which an advertisement is displayed;

“Flat sign” means a sign that is affixed to an external wall that forms part of a building;

“Forecourt” means an outdoor area that forms a legal and functional part of the property of a business enterprise, and it includes the area of a filling station where the fuel pumps are situated, or a terrace in front of a restaurant, including enclosing fences, walls, screens or similar structures, and it excludes sidewalk areas that are intended for pedestrian circulation;

“Forecourt sign” means a sign in the forecourt of business premises;

“Freeway” means a road that has been designated as a freeway in terms of the National Road Traffic Act, 1996 (Act 93 of 1996) and that may be indicated by an appropriate road traffic sign;

“Free-standing sign” means a sign that is supported by a pole or similar structure, base or foundation and that does not rely on any building or structure other than that which is used for the erection of that advertising sign;

“Free-standing sign at educational facilities and institutions” means a free-standing sign that may indicate the name and nature of the institution and the name of a sponsor and that may also display commercial advertisements;

“Full video” means an advertisement displayed as a video and that contains variable messages;

“Functional classification” means the classification of roads and streets according to their primary function, in other words, mobility/movement or access/activity, subdivided into classes according to the type of service they are intended to render, and this meaning must be read together with “class of road”;

“Functional sign by a public body” means a sign that is erected solely for displaying, announcing, directing or providing information related to the exercise of the functions of an organ of state or parastatal body and its operations;

“Gantry billboard” means a billboard sign that spans or partially spans a road or roadway;

“Head of Spatial Planning” means the departmental head responsible for development planning as part of municipal planning function of the Municipality appointed to administer development planning powers, functions and duties, at any time, within the Municipality as may be approved by the Council;

“Hand-held sign (or signs)” means a sign or a device or any materials that are carried by a person or persons to promote a sale, product or service, and this includes the promotion of hairstyles and/or similar services and procedures;

“Height of sign” means the maximum vertical distance measured from the natural ground level or road surface to the top of the sign, and “total height” has the same meaning;

“High-impact sign” means a sign displayed in an area of minimum -or partial control that is regarded, in the opinion of the Municipality, as a high-impact sign that inter alia affects road safety or aesthetics or that has an environmental impact on the surrounding area, and it includes a billboard, electronic sign, product replica or three-dimensional sign or any other sign equal or larger than 18 m<sup>2</sup> in sign area;

“Home enterprise” means the practice of an activity, business, hobby or occupation in a dwelling unit, excluding a commune, guest house, block of tenements, boarding house, hostel and hotel, with the aim of deriving an income therefrom, subject to Schedule 9 in terms of the relevant town planning or land use scheme as amended from time to time;

“Illegal sign” means a sign that has been erected without the consent of the municipality having been obtained in terms of this bylaw;

“Illuminated sign” means a sign that has continuous or intermittent illumination;

“Intersection” means the at-grade junction where two or more roads either meet or cross each other;

“Institution”, for the purposes of this by-law, means land and buildings, whether public or private, that are designed or used as a charitable institution, national government institution, provincial institution, municipal institution, hospital, nursing home or clinic for the care or treatment of people;

“Kerb” means the edge where a raised pavement or sidewalk, road median or road shoulder meets an unraised street or other roadway;

“Large billboard” means a billboard sign with a sign area of not less than 18 m<sup>2</sup> and not more than 40 m<sup>2</sup>;

“Large poster” means a sign that is attached to or used in combination with street furniture;

“Legal sign” means a sign that has been approved to be displayed with the consent of the municipality in terms of this bylaw and “legally displayed” shall have the same meaning;

“Light not intended for illumination” means a flashing, flickering or continuous light source, a beam of light or a number of such sources or beams, that are aimed or moved in such a manner that they attract attention, without being primarily for the purpose of illuminating an area or object, as may be determined by the Municipality from time to time;

“Locality-bound sign” means a sign displayed on specific property that refers to an activity, product, service or attraction that is located, rendered or provided on that property;

“Lower-order road” means a road that has been determined by the Municipality to carry lower traffic volumes than an arterial road;

“Municipality” means the City of Tshwane Metropolitan Municipality or its successor in title as envisaged in section 155(1) of the Constitution and established by Notice 1866 of 2010 in terms of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) and, for the purposes of this by-law, includes the head of the Spatial Planning department, outdoor advertising committee or official or group of officials duly delegated in terms of section 59 of the Local Government: Municipal Systems Act (Act 32 of 2000) to perform any duties assigned to them in terms of this by-law, the Municipal Planning Tribunal or the authorised official, where the context so requires;

“Municipal manager” means the person appointed as the municipal manager for the City of Tshwane in terms of section 82 of the Local Government: Municipal Structures Act, 1998

(Act 117 of 1998), and it includes any person acting in that position or to whom authority has been delegated;

“National Building Regulations and Standards Act (NBRSA)” means the National Building Regulations and Standards Act, 1977 (Act 103 of 1977) as amended from time to time; NBRSA

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

“Natural area” means an area that is in an unspoilt natural state or is of high scenic value, and it includes, but is not limited to, a national park, game reserve, nature reserve, marine reserve, wilderness area, area of extensive agriculture, scenic area or area that is determined by applicable legislation to form part of a natural area;

“Newspaper” means a publication that is issued daily or weekly, usually consisting of folded unstapled sheets and that contains news, articles and advertisements;

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

“Non-motorised transport (NMT)” means human- and animal-powered transportation that includes activities such as walking, cycling, rickshawing, skating/rollerblading, as well as transportation such as shopping trolleys, manual wheelchairs and animal-drawn carts;

“Non-permitted use” means the display of any sign without the necessary consent having been obtained in terms of this by-law and for purposes of the provisions of the Local Government Property Rates Act, 2004 read with the City of Tshwane Rates By-law, shall include the use of a property for the display of an advertising sign without consent in terms of this by-law; And in addition to the definition as defined in the City of Tshwane Rates bylaw and policy, shall also include the use of the property for the display of a sign without the consent of the Municipality;

“Notice” means a written notice and “notify” means to give notice in writing which notice may include it being sent by electronic means or where the context requires a notice served or published in terms of this By-law in the Provincial Gazette or other media;

“On-premises business sign” means a sign on a property that identifies the specific business enterprise (or enterprises) or industry, but it excludes a residential or community sign, and for the purposes of identifying whether a sign functions as a high-impact on-premises business sign, the following must be included for the purposes of consideration:

- (a) The sign is related to rental income for the landowner; and/or
- (b) The sign consists principally of brand name or trade name advertising, and the product or service advertised is only incidental to the principal activity; and/or
- (c) The sign is considered part of the business of the commercial advertising industry and does not function as an on-premises business sign; and/or
- (d) The sign advertises activities that are conducted on the property, but it also advertises, in a prominent manner, activities that are not conducted on the property;

“Organ of state” means an organ of state as defined in section 239 of the Constitution of the Republic of South Africa, 1996;

“Outdoor advertising” means the act or process of notifying, warning, informing or making know or any other act of transferring information in a visual manner, primarily to attract the attention of road users;

“Owner” means any person or body registered in a deeds registry as contemplated in section 1, 2 and 102 of the Deeds Registries Act, 1937 (Act 47 of 1937), as the owner of land or beneficial owner in law and includes an organ of state as an owner or where properties have been vested and is under the control and management of the Municipality in terms of section 63 of the Local Government Ordinance, 1939 (Ord; 17 of 1939), as may be amended from time to time;

“Permanent sign” means a sign that may be displayed for a period of longer than 21 days;

“Person” means a natural or juristic person, including an organ of state;

“Policy” means a procedure or principle of action that is adopted by the Municipality;

“Poster or notice” means a temporary advertising sign that displays a charitable event, auction, function, occasion, meeting or campaign of a religious, educational, cultural, political, social, sporting or recreational nature, and it includes a poster displayed for an election or referendum campaign and a newspaper headline poster;

“Product replica” or “three-dimensional sign” means a device that replicates a product or service, or it refers to the content of an advertisement in a three-dimensional way, or it is used for advertising that may be free-standing or attached to a structure, and it includes an inflatable object that is not an aerial sign;

“Project sign” means a sign that displays the professional team or involvement of contractors and/or consultants in a construction project;

“Projecting sign” means a sign that is affixed to a wall, structure or building at right angles to the street line;

“Promote” means a method to inform or persuade a recipient of a message about the relative merits of a product, service, brand or issue;

“Property” means any portion of land, an erf, a lot, a plot, a stand, premises or a portion or part of a farm or agricultural holdings that is registered in the deeds registry as such and/or a public space, and for the purposes of this by-law, it includes any registered limited real right or right in land;

“Property development” means in the context of this bylaw, a group of houses or apartment buildings, often of similar design, that is constructed as a unified community outside a central business district;

“Provisions” for the purpose of this bylaw includes any criteria, stipulations or proviso as determined by the Municipality from time to time;



“Public art” means any non-commercial art that is visible from a public space, regardless of whether it is situated on public or private property or whether it has been commissioned, purchased, installed by and organ of state of private owner;

“Public space” means any land, property or area that is owned by or under the control and/or management of the Municipality or other organ of state to which the public have a common or general right of access, through proper authority, and it includes all roads, roadways, road reserves, roads that function as public roads, municipal buildings, public streets, thoroughfares, squares, bridges, transit facilities, sport stadiums, sport and recreational facilities, public amenities such as parks, nature trails and golf courses, public open spaces, air space and registered servitudes or *ex lege* servitudes for any similar purposes in favour of the general public as well as land or properties and/or premises that are accessible to the general public and, without derogating from the generality of the aforementioned, including the places referred to in section 63 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) or subsequent legislation;

“Public street” means a road, street, thoroughfare or other right of way to which the public has a right of access or that is commonly used by the public for vehicular or pedestrian access, and it includes any portion of a public street between the edge of the roadway and the boundary of the land reserved for such a public street, including a median, island, edge and sidewalk, and it includes provincial and national roads;

“Pylon sign” means a sign that consists of a number of smaller, individual panels, usually used for displaying the identification of different commercial businesses, placed adjacent to each other on a single structure that is specifically designed to accommodate more than one advertisement;

“Real estate agent” means any person as defined in the Estate Agency Affairs Act, 1976 (Act 112 of 1976) as amended from time to time;

“Real estate agent’s sign” means a sign that advertises the fact that property, a development or other form of immovable property or interest or real right in property is for sale, sold, on show or to let, or it means a sign that displays directional information to a development or other form of immovable property or interest or real right in property is for sale, sold, on show or to let, and “real estate agency sign” has the same meaning;

“Reject”, in the context of this by-law, means to decline or to not approve an application that has been submitted for evaluation in terms of this by-law and “refuse” in this context shall have a corresponding meaning;

“Residential information sign” means a sign that identifies, gives direction or provides a warning with regard to a place of residence;

“Residential or community sign” means a sign that is displayed on property that are used for residential and community services;

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

“Road class” means public roads and paths that are identified and classified into one of six functional classes as determined by the Municipality from time to time and that are numbered for ease of reference;

“Road edge” means the edge of a paved or unpaved road;

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

“Road median” means the area that separates opposing traffic lanes on a roadway;

“Road reserve” means the full width of a road, and it includes roadways, shoulders and sidewalks, the airspace above such roadways, shoulders and sidewalks as well as all other areas within the road reserve boundary;

“Road reserve boundary” means the boundary that forms the outer edge of the road reserve;

“Road traffic sign” means a road traffic sign and temporary road sign as defined in the National Road Traffic Act, 1996 (Act 93 of 1996) as amended from time to time;

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

“Roof sign” means a sign that is fixed to the roof of a building equal or less than 30 meters in height;

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

“Security sign” means a sign for community-related security activities, including a neighbourhood watch, farm watch or similar scheme;

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

“Sign” means any structure or material of a temporary or permanent nature that is used to display an advertisement, including a non-physical sign projected on a building or any other structure or in the air with the aid of modern technology (eg laser beams), which device, article or non-physical sign is built, erected, distributed, hoisted, maintained or displayed in any way whatsoever for the purpose of advertising, decorating, entertaining, providing information or attracting the public to any place, public display, article or merchandise for sale; The surface or structure of such device, article or non-physical sign is attached to or forms part of a building or structure, or is fixed to the ground or to a pole, tree, screen or hoarding, person, vehicle or other movable object, or is displayed, projected or distributed in any other way;

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

“Sign for sale of goods or livestock” means a sign that announces a sale of movable goods that is located on land or property that is not normally associated or used for commercial purposes;

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

“Sign incorporated into the fabric of a building” means an on-premises business sign that is etched into and forms an integral part of a building façade;

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

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

“Site” means that portion of the property or public space approved by the municipality to erect or display a sign;

“Sky sign” means a sign of not less than 75 m<sup>2</sup> in sign area on top of a building higher than 10 meters, and it also includes any sign that consists of a single line of free-standing, individual, cut-out, silhouetted letters, symbols or emblems;

“Small billboard” means a sign that does not exceed 2 m<sup>2</sup> in sign area for general and non-locality-bound advertisements of products, activities and services;

“Small electronic signs” means a sign that is animated with an electronically controlled illuminated display surface and a sign area not exceeding 2,5m<sup>2</sup>;

“Spectacular billboard signs” means a billboard sign with a sign area that exceeds 81 m<sup>2</sup>;

“Stack sign” means a combination sign in an area zoned for industrial and/or commercial use that identifies the products and businesses within such an area;

“Street furniture sign” means a sign on public facilities and structures that are not intended primarily for advertising, including seating, planters, suburb name sign advertisements, street name signs, litter bins, transport shelters, sidewalk clocks, drinking fountains, kiosks, street lamp poles, camera structures, communication and similar infrastructure, as determined by the Municipality from time to time, but excluding road traffic signs and traffic lights;

“Street name sign” means a pole-mounted sign, which may be illuminated and is displayed in combination with a street name sign panel;

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

“Suburb name sign” means a pole-mounted location sign at the entrance to a town, township or suburb that carries a sign beneath the road traffic sign that bears the name of the town, township or suburb;

“Super billboard” means a billboard sign that is larger than 40 m<sup>2</sup> and up to 81 m<sup>2</sup> in sign area;

“Temporary sign” means a sign that may be displayed for 21 days only;

“Third-party advertisement” means an advertisement that is displayed or distributed on a property and which is unrelated to the business carried out on the property;

“this by-law” means any Section, Schedule, and/or Form to this By-law;

“Tourism sign” means a road traffic sign in accordance with the South African Roads Traffic Signs Manual, as amended from time to time;

“Tower sign” means a free-standing structure consisting of a concrete base specifically designed in terms of for a single integrated advertising display on all sides of the structure that can be contained within a notational vertical (cylindrical, triangular or rectangular) figure having a maximum diameter of 4m and a height of 12m erected in near proximity or sequence to another;

“Traffic Impact Assessment” means a report that sets out the traffic impact, the scope and content of which will be determined by the Municipality and will be drafted by an independent person and submitted to the Municipality;

“Trailer sign” means a sign that is affixed to a trailer which is not self-propelled and which is designed or adapted to be drawn by a motor vehicle, for the sole purpose of advertising;

“Vehicle” means “vehicle” as defined within the National Road Traffic Act, 1996 (Act 93 of 1996) as amended from time to time and shall include, but not be limited to, motor vehicle, motorcycle, bicycle, cart and trailer;

“Vehicular advertising” means advertising on any vehicle, including a self-driven vehicle, that may be driven on land or water and which may be either stationary or moving;

“Wayleave” means an application as determined in the Municipality’s Work in the public road reserve bylaw, as amended from time to time;

“Window sign” means a sign displaying merchandise for sale and that is painted on or attached to the window glass of a building, or any other permanent sign that is displayed inside a building or other external opening through which it can be seen from outside such a building;

## **2. SCOPE OF THIS BY-LAW**

- (1) This by-law shall apply to any sign proposed to be displayed or already displayed within the jurisdiction of the City of Tshwane Municipality which is visible from a public space, whether such sign is erected or displayed from: -

- (a) Any private property;
  - (b) Any Municipal building;
  - (c) Any Municipal property;
  - (d) Any property owned or falling under the control of any organ of state; or
  - (e) Any property controlled or owned by provincial or national government including roads.
- (2) This by-law shall apply to any person who is a sign owner or deemed to be a sign owner or an advertiser whose sign is erected or displayed within the jurisdiction of the Municipality, including but not limited to:
- (a) Any landlord;
  - (b) Organ of state; and
  - (c) The Municipality
  - (d) Any person acting on behalf of the sign owner.
- (3) This by-law shall apply irrespective of any zoning of the property whereon the sign is displayed or other permission granted by another department of the Municipality, provincial or national governments for the use of property in terms of any other by-law, legislation or any agreement that may have been entered into by any owner, occupant or user of any property.
- (4) The Municipality may approve a sign on application that has proved to comply with a relevant and applicable act, ordinance, by-law or regulation, and approval thereof must be obtained in the manner prescribed in such relevant act, ordinance, by-law or regulation.
- (5) Any application for a sign or structure requiring compliance with a provision of any legislation in terms of these by-laws as part of a requirement for information and evaluation thereof, shall not be approved by virtue of the fact that an application for compliance with the requisite provisions of that legislation has been lodged.
- (6) With the exception of street furniture signs, no person may erect, distribute, maintain or display a third party advertisement, except where the property or public space is in an area of partial or minimum control and only after the Municipality has specifically consented to this.
- (7) No person may build, erect, distribute, hoist, maintain or display a sign or allow any other person to do so in a place or on a building or structure that it is visible from a public space without the express written consent of the Municipality.
- (8) Notwithstanding the area of control, the Municipality may designate roads or portions of a road as a protected area where free-standing -and or street furniture signs shall not be permitted.

### **3. APPLICATION FOR THE DISPLAY OF SIGNS**

#### **Application procedure**

- (1) An applicant who wishes to apply for the display of an advertising sign and/or advertisement, read with Schedule 3 hereto;

- (a) may apply in writing to the Municipality in such manner as prescribed in either Schedule 1 or Schedule 2 to this by-law, as may be amended from time to time; and
- (b) shall at the same time pay such fees as may be prescribed by the Municipality; and
- (c) the application shall be signed by the owner of the property on which the application is brought and in the case of the property being owned or vested with an organ of state, shall be signed by a person duly authorized by such organ of state to bring application on its property or a property which is under its control and management; and

the applicant warrants that any information received for the purpose of an application in terms of this Section is correct and the Municipality shall not be held liable or responsible for any consequences resulting from incorrect information supplied by the applicant.

#### **Administrative Phase - Screening of the application for completeness**

- (2) The Municipality shall within 7 (seven) days of the submission of an application contemplated in subsection 1(a) determine whether the application is in accordance with standard documentation requirements as indicated in Schedule 1 and/or Schedule 2 of this By-law, provided that:
  - (a) if the application has been found to be incomplete, the Municipality may reject such application;
  - (b) Nothing in this Section shall:
    - (i) oblige the Municipality to consider an application which, in its discretion, is incomplete or at any stage prior to the consideration is incomplete for purposes of considering the application and the application may be rejected by the Municipality, and
    - (ii) prevent the Municipality from requiring any additional information to be submitted by the applicant as may be determined by the Municipality;
    - (iii) In the event of the applicant correcting the defect and/or providing complete documentation and/or additional information as requested and required by the Municipality any time prior to it being considered, the application may be accepted by the Municipality.

#### **Circulation to organ of state and other parties or departments**

- (3) The Municipality may require that the application be referred to any organ of state which in the opinion of the Municipality may be interested or affected by the application in terms of legislation or based on practical considerations their comment as may be determined by the Municipality, provided that:
  - (a) when the applicant refers the application to an organ of state, the applicant shall provide proof to the satisfaction of the Municipality that it has provided

a copy to the organ of state, and in providing the said copy, shall indicate that the comments of the organ of state should be provided within a period of 90 days, failing which the Municipality may consider the application in terms of the provisions of this By-law.

- (b) nothing contained herein shall prevent the Municipality from engaging with the relevant organ of state with regard to the consideration of an application for the display of a sign.
- (4) The Municipality may forward a copy of the application or instruct the applicant to forward a copy of the application to:
- (a) any internal department of the Municipality which in the opinion of the Municipality, may have an interest in the application; and/or
  - (b) every person or body to whom a notice of the application has been delivered in terms of this Section may, within a period of 30 days from the date on which the copy was forwarded to him/her or it, or such further period as the Municipality may allow, comment in writing thereon;

provided that;

- (i) where no comments were received within the prescribed period in terms of this Section it may be deemed by the Municipality that the persons or body have no comments to offer;
- (ii) where, in the opinion of the Municipality, it cannot consider the application without the said comments, the Municipality may require that the comments be obtained by the applicant or the Municipality prior to the consideration of the application; and
- (iii) where an applicant has on behalf of the Municipality delivered a notice of the application to any person or body contemplated in this Section he/she shall submit proof to the satisfaction of the Municipality that he/she has done so; and
- (iv) the Municipality may determine that an application shall be circulated to Ward Councillor(s) for comment; and
- (v) such Ward Councillor shall within a period of 30 days from the date on which the application has been forwarded comment on the application; and
- (vi) if no comments are received within the prescribed period contemplated in terms of this Section it shall be deemed that the Ward Councillor have no comments on the application.

#### **Administrative Phase - Evaluation**

- (5) After the provisions of aforementioned have been complied with, the application shall be evaluated by the Municipality.

- (6) For purposes of evaluating the application, the Municipality may require the applicant to provide additional information, which shall be requested, from the applicant in writing at his/her last known address, proof of which must be held by the Municipality; provided that:
- (a) the Municipality shall indicate the type of information required which may include professional and or technical reports;
  - (b) the Municipality shall determine a date on which the applicant must provide the information, which may not be more than 30 days from such notification;
  - (c) the applicant may request in writing that the date contemplated in this Section be extended by the Municipality, which extension may be granted or refused for an additional period not exceeding 30 (thirty) days or may be granted subject to any conditions it deems expedient; and
  - (d) if the applicant fails to provide the additional information to the satisfaction of the Municipality within the prescribed or extended period, whatever the case may be, the application shall be deemed to be refused;
- (7) The Municipality shall evaluate the application with due regard to the content of this By-law, approved Municipal Policies and other legislation, including but not limited to the following:
- (a) the consideration of areas of control, environmental-, safety-, traffic safety-, non-motorised transport-, aesthetic -and architectural aspects; and/or
  - (b) notwithstanding the area of control, in relation to areas of minimum and partial control as defined in this bylaw, the Municipality will consider the impact of a sign and will determine where it is feasible to erect high impact signs; and/or
  - (c) the Municipality shall have due regard to any restrictive or other conditions specified in a title deed of the property on which the application is brought, the town planning scheme in operation, the conditions of establishment of a township, building line, height and servitude conditions; and/or
  - (d) the number of signs with regard to the consideration of more than one class of sign, and more than one sign in each such class, which may be considered on a property or public space;
  - (e) consider the type of sign applied for which may include types of signs in the public road reserve such as billboards, small billboards, electronic signs, street furniture signs, direction signs to show houses, posters, large posters, functional signs by public bodies, street name signs, security signs at the entrances to suburbs or gated communities, stack signs, signs on bridges, signs for sponsored road traffic projects and any other signs deemed appropriate by the Municipality for the property on which the sign is to be located.
  - (f) the Municipality may require from the applicant any other supporting documentation to substantiate an application received.



### **Consideration and decision phase**

- (8) After the provisions of this Section have been complied with, the Municipality shall:
  - (a) in the case of comments having been received in terms of this by-law, consider all comments received;
  - (b) the Municipality shall consider the application with due regard to the content of the application, all approved policies of the Municipality, site specific circumstances, specifically the sign class criteria and provisions contained in this bylaw and may postpone, approve or reject the application;
- (9) In approving an application as contemplated in this Section, the Municipality may impose any condition it deems expedient and the conditions applicable to all signs as per the provisions of this by-law shall apply.
- (10) The Municipality may determine in the approval conditions a time period in which the conditions shall be complied with by the applicant, owner or advertiser failing which the approval shall lapse.

### **Approval to be held in safe custody by the owner or successor in title**

- (11) The owner of property on which a sign is displayed in terms of an approval obtained under this by-law or the owner's legal agent or representative must retain copies of all documents related to the application and approval issued by the Municipality and/or any renewal of these for as long as the sign is legally displayed and must present it to any person authorised by the Municipality on request. The owner of the sign, if not the owner of the land, must provide the owner of the land with copies of all relevant documents.

### **Amendment of conditions of approval**

- (12) The Municipality may grant its consent to amend the conditions of approval, upon written application by the applicant;
  - (a) provided that this amendment of conditions does not materially or substantially change the application or conditions approved; and
  - (b) provided that there were no negative comments or objections to the initial application.

## **4. COMPLIANCE WITH CONDITIONS OF APPROVAL**

- (1) The applicant, owner or advertiser shall be jointly and severally responsible for compliance with the conditions of any approval granted in terms of this by-law prior to the display of any sign.
- (2) The approval shall be effective and allow the advertising sign to be displayed or used until and unless the applicant, owner or advertiser contemplated in subsection 4(1) have complied with the conditions of approval, including any conditions applicable to all signs in terms of this by-law, with specific reference to Chapter 2 and 4 herein.

- (3) The approval shall lapse, in any event, regardless of any time periods set, if the conditions imposed and the requirements of the Municipality have not been complied with within a period of 6 months from date of notification of such approval or transgression, whatever the case may be.
- (4) For purposes of law enforcement, the approval is regarded as null and void if the notice of non-compliance as referred to in 4(3) above have not been complied with.

## **5. ADDITIONAL POWERS OF THE MUNICIPALITY**

- (1) The Municipality may at its discretion and by public notice invite applications for advertising signs to erect non-locality-bound signs and the provisions of this by-law shall apply to any application received.

## **6. RENEWAL, CANCELLATION AND WITHDRAWAL OF APPLICATIONS**

- (1) Approvals granted in terms of Schedule 4 to this by-law may be considered for renewal at the discretion of the Municipality after receipt of an application for such renewal, by-
  - (a) making application for such renewal to the Municipality in the prescribed manner within a period of 6 months prior to the expiration date; and
  - (b) should an application not be received by the Municipality at the end of the initial approval period, such approval will automatically lapse upon its expiry date and the Municipality shall issue a notice of removal of the sign(s) to the sign owner;
  - (c) lodging a new application in terms of this by-law;
- (3) The applicant may request the cancellation of an approval subject to any agreement that may have been entered into between the Municipality and the applicant on behalf of the owner or advertiser.
- (4) The Municipality may at any time withdraw an approval, where the sign is not erected or displayed in accordance with the conditions of approval determined by the Municipality.
- (5) After the expiry of an approval period as determined by the Municipality, the applicant's right to display an outdoor advertising on the property or public space shall cease to exist and no action on the part of the Municipality will be construed as a tacit extension of the initial approval period.

## **CHAPTER 2**

### **PROVISIONS APPLICABLE TO ALL SIGNS**

For purposes of the approval of any sign in terms of this by-law the conditions contained in this Chapter shall apply *mutatis mutandis* to all approvals and the applicant, owner of property, owner of the sign or advertiser as the case may be shall observe and comply with these conditions either as conditions to be complied with prior to the display of the sign or as conditions that shall be complied with for the duration of the approval.

The general principles set out in this Chapter apply to all applications and all aspects of advertising signs within the jurisdiction of the Municipality and the Municipality shall in the consideration of any application in terms of this by-law consider and apply the principles contained herein.

## **7. COMPLIANCE PRINCIPLES**

- (1) In the case of signs erected on any road reserves or municipal property, the head of the Spatial planning department shall sign an outdoor advertising agreement with the relevant sign owner prior to the sign being erected on the property.
- (2) Where in terms of the National Building Regulations and Standards Act, Act 103 of 1977 a building plan in terms of section 4 and 7 is required for the erection of any sign contemplated in terms of this By-law, the person erecting the sign shall comply with the provisions of the Act, in so far as it relates to the structure.
- (3) An application to display a sign requiring approval of a building plan in terms of Sections 4 and 5 of the National Building Regulations and Standards Act, Act 103 of 1977, shall not be considered in accordance with the provisions of this By-law until such plan has been approved in accordance with the relevant provisions of the National Building Regulations and Standards Act, Act 103.
- (4) The approval of a building plan as contemplated herein shall not supersede the approval to display a sign in terms of this by-law.
- (5) Should the Municipality instruct the owner of the sign or owner of property to remove the sign after the approval period or in the case of non-compliance with the conditions of approval, the Municipality shall be at liberty to instruct the sign owner or owner of property to remove the sign within a period of 90 days from such notification.
- (6) Should the sign owner or owner of property fail to comply with such notice of removal, the Municipality shall be at liberty to remove the sign at the cost of the sign owner or owner of property and the Municipality shall not be held liable for any damages or cost arising from such removal and the Municipality may dispose of the sign within a period 5 (five days) after having notified the sign owner or owner of property that it has removed the sign.
- (7) Should it be necessary to remove the sign as a result of roadworks of whatever nature, and/or the relocation or upgrading of services or whatever other reason deemed necessary by the Municipality, the Municipality may direct the sign owner to remove it or relocate it to a position determined by the Municipality in accordance with the provisions of this bylaw: Provided that, should an acceptable relocation position on the same road not be found, the sign shall immediately be removed by the sign owners and the Municipality shall not be liable for any damages or cost of any nature arising from such actions.
- (8) All changes to the content of an advertisement (graphic) are subject to specific consent in all categories of signs in terms of this by-law and, when specified, it shall be subject to payment of an amount, as determined by the Municipality from time to time.

- (9) The owner of the sign will be held responsible for any damage or loss caused by the structure and/or due to the display of the sign.
- (10) The owner of any sign or the owner of the property or building on which such sign is to be erected, or both such owners, indemnify the Municipality to its satisfaction against any, claims, litigation, foreseen or unforeseen consequences or similar actions, that may result from the display or mere presence of such sign.
- (11) Save for street furniture signs which may be approved for a period of 9 years, 11 months or such longer period as the Municipality may deem appropriate, or such period as specified under a sign class, the approval period of signs may not exceed a period of five (5) years from the date of approval.
- (12) If an advertising sign approved in accordance with this bylaw, is not erected within six (6) months from the date of notification of such approval or within a time specified in such approval, the approval lapses.
- (13) In the case of signs approved within a road reserve, such approval lapses within 2 months calculated from date of the Municipality having issued a wayleave approval. No automatic renewal of any approval shall be granted.
- (14) All approved high impact signs shall display:
  - (a) the application reference number (as indicated by the Municipality) on the bottom right-hand side of the frame of the structure in letter size not less than 100mm identifying the sign as having been approved by the Municipality; and
  - (b) The name and or logo of the owner on the advertising structure in font size not less than 100mm identifying ownership of the structure; and
  - (c) The owner of the sign shall be responsible to provide and display the information at its own cost referred to in this section.
- (15) No person may to any degree or in any manner, way or form deviate from the conditions of approval of the Municipality, and any deviation will be dealt with in terms of Section 28 (Withdrawal of an approval) herein.
- (16) With the exception of temporary signs, the Municipality shall charge an annual consent fee (as determined in the Municipality's fee/tariff structure as amended from time to time) for third-party signs displayed on a property.

## **8. SAFETY CRITERIA APPLICABLE TO ALL SIGNS**

- (1) Notwithstanding the other provisions of this by-law, no advertising sign shall –
  - (a) constitute a danger to life or property or cause an obstruction to persons or premises;
  - (b) be attached to traffic signs or signals or combined with traffic signs unless otherwise allowed by the South African Road Traffic Safety Manual;

- (c) obscure traffic signs or signals, or create confusion with traffic signs, interfere with the functioning of traffic signs or create road safety hazards, as determined by the Municipality;
- (d) be placed on traffic islands, traffic signs or be attached to power masts, trees, pillars, fencing, electrical substations or any other similar structures;
- (e) obstruct fire escapes or passages to fire escapes;
- (f) be placed closer to overhead power lines than the minimum clearance prescribed by any law;
- (g) be erected without approval of the Municipality.

Non-compliance to any of the above shall constitute an offence in terms of Section 21 herein. The Municipality shall be at liberty to seize, impound and dispose of any equipment and part of a sign in contravention of this bylaw and the Municipality's Work in the public road reserve bylaw.

Furthermore, no advertising sign shall –

- (h) be so placed as to distract, or contain an element which distracts, the attention of drivers of vehicles in a manner likely to lead to unsafe driving conditions;
  - (i) be illuminated to the extent that it causes discomfort to adjacent residents or inhibits the vision of approaching pedestrians or drivers of vehicles;
- (2) When considering applications for approval of signs and advertisements that will face any public space, the Municipality must evaluate, according to road traffic sign standards published under applicable road traffic legislation, prevailing traffic conditions and the roadside environment, whether –
- (a) the advertising sign, together with any other signs in the area, if any, will affect the visibility of road traffic signs due to potential visual clutter;
  - (b) the size of the advertising sign, or any portion thereof in terms of its colour, letter size, symbols, logo, graphics or illumination will have the effect of distracting the attention of drivers of vehicles from the task of driving and lead to unsafe driving conditions;
  - (c) the number of road traffic signs and other advertising signs in the area constitute a driving hazard by distracting the attention of drivers of vehicles from the task of driving and leading to unsafe driving conditions;
  - (d) the colour, or combination of colours, contained in the advertising sign correspond to the colours or combinations of colours specified for road traffic signs;
  - (e) the colours red, amber or green in the content of an advertisement erected in the vicinity of a signalised intersection will constitute a road safety hazard;

- (f) the portrayal of a road traffic sign in the content of an advertisement will constitute a road safety hazard;
  - (g) the speed limit and the extent to which traffic adheres to the speed limit, the traffic volume, the average following distance and the accident history of the road demand more stringent control of the display of advertising signs;
  - (h) the amount of information contained in the advertising sign, measured in bits, is within prescribed limits;
  - (i) the advertising sign is suitably positioned and orientated;
  - (j) the position of the advertising sign will negatively affect the visibility of, sight distance to or effectiveness of any road traffic sign or series of such signs;
  - (k) the advertising sign could be mistaken to represent a road traffic sign;
  - (l) the illumination of advertising signs or the light source of such illumination is likely to distract drivers' attention from road traffic signs that are not illuminated;
  - (m) the position of advertising signs would disrupt the sequence of information on road traffic signs for drivers who encounter a series of road traffic signs intended for traffic regulation, warning or guidance, in cases where the applicable speed limit on the road exceeds 60 km per hour;
  - (n) the position of any advertising sign would potentially distract drivers' attention at places where traffic turns, negotiates curves, merges or diverges, or in the vicinity of intersections or interchanges, or where the drivers' uninterrupted attention to driving is important for road safety;
  - (o) the distance of any advertising sign before any road traffic sign, an advertising sign's position in between road traffic signs or an advertising sign's distance behind any road traffic sign is of such a nature as to distract a driver's attention from any road traffic sign; and
  - (p) the advertising signs will impede the operation of non-motorised traffic.
- (3) The Municipality may increase the minimum spacing between advertising signs, intersections or place further restrictions on the position, size and content of any sign, if it considers this necessary in the interests of road safety.
- (4) No advertising sign that emits a noise, sound, smoke, smell or similar sensory stimulus will be allowed.
- (5) No-one may cause damage to or in any way cut, prune, paint, attach anything to, remove any tree, electrical pole, traffic signage, building, service infrastructure, installation or municipal property, as the case may be, without having obtained prior written approval thereto from the Municipality. Failure to comply herewith shall, without derogating from the generality of section 21 of this By-law, constitute a criminal offence.

- (6) The owner of the advertising sign must ensure that the advertising structure and the procedures followed to maintain the structure or change the content of an advertisement are safe and do not pose a safety risk of any nature.
- (7) Where specified in the conditions of approval of an advertising sign to be displayed, such advertising sign shall comply with the City of Tshwane's by-laws and related policies with regard to wayleave approval processes as amended from time to time and any failure to comply herewith shall, without derogating from the generality of Section 21 of this bylaw, constitute a criminal offense.

## **9. AMENITY AND DECENCY**

- (1) No advertising sign may be displayed in places or in such a manner that it could, in the opinion of the Municipality, be detrimental to the character or amenity of the neighbourhood or disfigure the surroundings.
- (2) No wall or similar structure shall be built to display advertisements within or visible from a road or in such a manner that it could, in the opinion of the Municipality, be detrimental to the character or amenity of the neighbourhood or disfigure the surroundings.
- (3) No person shall paint or spray paint advertising messages on a sidewalk unless otherwise approved by the Municipality.
- (4) No illuminated advertising sign may be erected in such a way that, in the opinion of the Municipality, it may have a detrimental effect on the amenity of a residential building, or could be detrimental to the character or amenity of the neighborhood.
- (5) An advertising structure or advertisement may not be detrimental to or have a negative aesthetic impact on the streetscape or character of the surrounding area due to design.
- (6) The Municipality may order that an advertising sign be painted, repainted, replaced, upgraded or relocated to a different position at the cost of the sign owner.
- (7) Notwithstanding any other provisions of this by-law, no advertising sign may –
  - (a) be detrimental to the environment due to size, colour, texture, intensity of illumination, quality of design or materials or for any other reason;
  - (b) display content that is objectionable, indecent (including graphics), offensive or suggestive of indecency or prejudicial to public morals; or
  - (c) obscure, partially or wholly, an advertising sign owned by another person that has earlier been legally erected and displayed.
- (8) The Municipality may increase the minimum spacing between signs, or place further restrictions on the position, size and content of any sign, if it considers this necessary in the interests of protecting the aesthetic environment.
- (9) The Municipality may designate in its outdoor advertising policy, a commercial or industrial node as an area where high-impact signs including illumination may be

freely considered for approval. The spacing requirements in relation to various sign types may be relaxed in this regard in the outdoor advertising policy.

## **10. ADVERTISING CONTENT CRITERIA APPLICABLE TO ALL SIGNS**

As demographic and psychographic viewership profiles are unmanageable due to the general display of outdoor advertising content, the following general rules shall apply to advertising content:

- (1) A sign positioned on or next to and visible from a road must be concise and legible and comply with the following requirements:
  - (a) Any single message displayed on a sign or poster may not contain more than fifteen bits of information unless otherwise permitted in terms of this by-law.
  - (b) The sign content and signwriting of a sign must be neat and must not contain untidy handwritten messages.
- (2) Advertising content may not be suggestive or contain any sexual derogatory messaging to the virtue of either gender.
- (3) No signs advertising an alcohol beverage brand or product will be placed within 500 meters of schools, community centres and churches.
- (4) Alcohol advertisements shall contain a statement that such products are not for sale to a specific segment of the population as determined in the relevant national legislation as amended from time to time.

## **11. DESIGN AND CONSTRUCTION**

- (1) Any advertising structure or advertisement must, to the satisfaction of the Municipality –
  - (a) be neatly and properly constructed according to generally accepted design and construction standards;
  - (b) be painted in a colour as specified by the Municipality;
  - (c) have a neat appearance and be made of durable materials suited to the function, nature and permanence of the sign;
  - (d) not deface building facades with electrical conduits and other accessories;
  - (e) be rigidly secured or anchored and supported in a safe manner to prevent unwanted movement in any direction;
  - (f) be able to effectively support and maintain twice its mass or more, in case it is subjected to any additional force such as wind pressure;
  - (g) in accordance with the nature of the advertising sign, when attached to brickwork, masonry or concrete, be secured by means of bolts embedded



in, or passing through such brickwork, masonry or concrete and secured on the other side;

- (h) not be secured to the structure by water soluble adhesive, adhesive tape or similar material;
  - (i) have all exposed metalwork painted or otherwise treated to prevent corrosion, and all timber treated to prevent decay; and
  - (j) have measures taken to prevent entry of water into, and the accumulation of water or moisture on or in the advertising sign or any part of its supporting framework, brackets or other members.
- (2) In the case of high impact signs and when required by the Municipality the design of an advertising sign must be certified by a qualified engineer as contemplated in the relevant provisions of the National Building Regulations and Standards Act, Act 103 of 1977.
  - (3) The designs and material used in the construction of an advertising sign, including the base of the sign must be done in accordance with the provisions of the National Building Regulations and Standards Act, Act 103 of 1977.
  - (4) In the case of the construction of any high impact sign or any other class of sign as determined by the Municipality, must be overseen and certified by a qualified structural engineer and as contemplated in accordance with the National Building Regulations and Standards Act, Act 103 of 1977.
  - (5) No advertising sign may:
    - (a) obstruct any window or opening provided for the ventilation of a building, or any stairway or doorway or other means of exit from a building, or the movement of persons from one part of a roof to another part without the written consent of the Municipality;
    - (b) be painted on any fence or boundary wall, except in an industrial area;
    - (c) be higher than 8,5 m if freestanding on a property, unless otherwise approved by the Municipality;
    - (d) be higher than 8,5 m within a road reserve, unless otherwise approved by the Municipality;
    - (e) encroach on the building restriction area otherwise approved by the Municipality;
    - (f) cover or impede access to any maintenance or inspection points on street lamp poles or other equipment that the Municipality maintains;
    - (g) be constructed or erected in such a way that a street tree or similar planting must be removed or relocated to accommodate the sign; and
    - (h) be placed, wrapped, erected, hoisted on -or suspended between trees.

- (6) Save for gantry billboard signs, no high impact sign shall be displayed on a road median.
- (7) The Municipality shall withdraw an approval to display a sign where an applicant constructs a sign without having obtained the requisite wayleave approval where specified and the Municipality shall be at liberty to seize, impound and dispose of any equipment and part of a sign in contravention of this bylaw and the Municipality's Work in the public road reserve bylaw.

## **12. GLASS USED IN THE DISPLAY OF SIGNS**

- (1) All glass used in a sign, other than glass tubing used in a neon or similar sign, must be safety glass at least 6 mm thick.
- (2) Glass panels used in a sign must be securely fixed in the body of the advertising structure.

## **13. ELECTRICAL**

Every illuminated advertising sign and every other advertising sign in which electricity is used, must:

- (1) have power cables and conduits containing electrical conductors positioned and fixed in such a manner that they are not unsightly;
- (2) be designed in such a manner that the advertising sign does not pose any fire risk;
- (3) be provided with an external switch in an accessible position and at a height of at least 3 m from the ground by means of which the electricity supply to the advertising sign may be switched off;
- (4) be wired and constructed in accordance with and subject to the provisions of all applicable laws and regulations.

## **14. MAINTENANCE OF SIGNS**

- 1. An advertising sign must:
  - (a) be located at a height that discourages vandalism;
  - (b) be serviced on a regular basis at the discretion of the Municipality;
  - (c) be maintained or repaired and in a safe and clear condition.
- 2. The owner of any sign will be responsible for the maintenance in a safe, tidy and proper condition of the sign and the surrounding area.

## 15. ILLUMINATION AND ELECTRONIC ADVERTISING SIGNS

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

<b>Illuminated area</b>	<b>Maximum luminance</b>
Less than 0,5 m <sup>2</sup>	1 000 candela per m <sup>2</sup>
0,5 to 2,0 m <sup>2</sup>	800 candela per m <sup>2</sup>
2,0 to 10 m <sup>2</sup>	600 candela per m <sup>2</sup>
10 m <sup>2</sup> or more in visual zones	350 candela per m <sup>2</sup>
10 m <sup>2</sup> or more in other areas	400 candela per m <sup>2</sup>

- (3) A variable or animated message must not exceed the following frame update limits:

Speed limit 60 km per hour or less	Frames that change continuously
Speed limit more than 60 km per hour	One single complete frame that changes at least every 15 seconds or longer
Pedestrian -and slow moving traffic	Full video

- (4) An electronic advertising sign must not obstruct the view of a driver or pedestrian or be in the direct line of sight of a traffic light.
- (5) An electronic advertising sign must not have subliminal flashes.
- (6) Any advertising sign that could interfere with radio or television reception must be equipped with suppressors that eliminate all forms of interference, and electrical wiring must comply with the provisions of the Municipality's Electricity by-law, any other legislation applicable to electric signs, and be approved by the Municipality's Electricity Department.

## 16. SPACING OF HIGH IMPACT ADVERTISING SIGNS

- (1) Read with Sections 8(3) and 9(8) herein, the spacing of all high-impact signs must be as follows, unless specifically stated otherwise:

On a road where a speed limit of more than 80 km/hour has been imposed	At least 250 m apart on the same side of the road
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On a road where a speed limit of more than 60 and less than or equal to 80 km/hour has been imposed	At least 200 m apart on the same side of the road
On a road where a speed limit of 60 km/hour or less has been imposed	At least 120 m apart on the same side of the road

- (2) Save for gantry billboards, high-impact advertising signs may not be permitted within a radius of 100 m from the centre of the intersection of arterial roads; and on a lower-order road may not be permitted within a radius of 50 m from the centre of the intersection of an arterial road and any lower-order road; and on an arterial road may not be permitted within a radius of 50m from the intersection of a lower order road with an arterial road; or on a lower-order road between two lower-order roads.
- (3) All gantry billboard signs shall be spaced at least 100m from or to any intersection.
- (4) Where traffic lanes merge or diverge, the Municipality may increase the requirements for distance from an intersection.
- (5) High impact signs may not be erected parallel to another sign on the opposite side of the road.
- (6) Notwithstanding the subsection 16(1), the Municipality may designate roads or portions of a road where high impact signs shall not be permitted.
- (7) The spacing of any advertising sign in relation to street furniture signs shall be determined by the Municipality from time to time in accordance with its policy.
- (8) Should it be necessary to:
  - (a) remove the sign as a result of roadworks of whatever nature; and/or
  - (b) the relocation or upgrading of services or whatever other reason deemed necessary by the Municipality,

the Municipality may direct the sign owner to remove it or relocate it to a position determined by the Municipality in accordance with the provisions of this bylaw: Provided that, should an acceptable relocation position on the same road not be found, the sign shall immediately be removed by the sign owner and the Municipality shall not be liable for any damages of any nature arising from such actions.

## CHAPTER 3

### GENERAL PROVISIONS

#### 17. TRANSITIONAL PROVISIONS

- (1) Any approved site(s) not in the process of development or developed within three months from the date of promulgation of this bylaw will be invalid and the Municipality may accept new applications for the erection of an advertising sign(s) on the site and or immediate vicinity.
- (2) Any advertising sign which was erected or displayed prior to the date of promulgation of this bylaw but which is prohibited by this bylaw must be removed at the expiration of the approval period. If proof of approval by any former local authority can be furnished, the advertising sign may remain until the original approval period expires. If no approval period was specified, an approval period not exceeding three years from promulgation of this bylaw shall be valid whereafter the advertising sign must be removed within 30 days of the latter approval period having lapsed.
- (3) The owner of the advertising sign(s) erected or displayed on the date of promulgation of this bylaw but which in terms of this bylaw may not be so erected or displayed without the approval of the Municipality and/or another authority, must submit an application for consideration by the Municipality within ninety (90) days of the date of promulgation of this bylaw. If proof of approval by any former local authority can be furnished, the advertising sign may remain until the original approval period expires. If no such period was approved, an approval period not exceeding three (3) years shall be valid.
- (4) If approval for an advertising sign has been refused, the advertising sign must be removed by the owner within twenty-one (21) days of receipt of notification of such refusal by the Municipality. Where such a notification has been addressed to the owner of the sign or property, the owner will be deemed to have received it eight calendar days after being sent.
- (5) The Municipality may, after the expiry of an agreement signed prior to the commencement of this bylaw, decide whether such agreement may be renewed and determine the period of such renewal. No automatic renewal of any agreement shall be granted.

## **18. SIGNS NOT DESCRIBED IN THIS BY-LAW**

The Municipality may approve an application to display an advertising sign that is not referred to in this by-law, after having considered the application in terms of the Municipality's Outdoor Advertising Policy as amended from time to time.

## **19. CONTRADICTIONS**

Where any contradiction, ambiguity or vagueness in the by-law may occur, the interpretation of the Municipality will be binding.

## **20. SIGNS FOR NATIONAL, PROVINCIAL, MUNICIPAL AND SIMILAR CAMPAIGNS**

In the case of campaigns for parliamentary, provincial, or municipal elections (including by- elections) and referendums, as well as campaigns by state and parastatal institutions to promote democracy, good governance and/or similar principles, or the promotion of any national, provincial or municipal imbizo or similar event, the written consent of the Municipality must first be obtained.

## 21. OFFENCES AND PENALTIES

- (1) Any person who:
- (a) contravenes or fails to comply with any provision of this by-law or the conditions of approval of an application for a sign;
  - (b) contravenes or fails to comply with any requirement set out in a notice issued and served on him/her in terms of this by-law;
  - (c) cut, prune, damage or remove a tree for the purpose of displaying an advertisement without the specific consent of the Municipality;
  - (d) knowingly makes a false statement in respect of any application in terms of this by-law;
  - (e) without complying with any provisions of any other law as a requirement for the exercising of any application for approval in terms of this By-law;

will be guilty of an offence and will, on conviction, be liable for a payment of R60 000,00 or 6 months' imprisonment.

- (2) Any sign or advertisement that is displayed on any public space without the specific consent of the Municipality or in contravention of this by-law may be demolished, removed, and disposed of by the Municipality within seven (7) calendar days of such removal without notice, at the cost of the responsible person who displayed or caused or allowed the sign or advertisement to be displayed.
- (3) Any person who is found to be in contravention of any part of this bylaw shall be guilty of an offense and shall be held accountable in terms of this bylaw.
- (4) Nothing contained herein shall prohibit the Municipality from taking any law enforcement actions against the owner of property with regard to the land use rights being exercised on the property where a sign has been erected in contravention of the land use rights or any provision of this bylaw.
- (5) Nothing contained herein shall prevent the Municipality from imposing, in addition to the civil and criminal options available, a rate penalty as per the Municipality's approved Rates Policy against an owner of a property who is in contravention of any provision of this bylaw.

## 22. SIGNS ACROSS BOUNDARIES OF PREMISES

The Municipality may at any time direct the owner of a sign that wholly or partially projects over or encroaches on any boundary of premises, or the owner of the building to which such sign is attached, to remove part of or the whole portion that is projecting over or encroaching on the premises boundary, within 21 days of the date of notification, irrespective of whether the Municipality has approved the sign. Failure to comply with the notice will constitute an offence.

## **23. ACCESS TO PREMISES**

Authorised officials of the Municipality shall have the right to enter into and upon any property at any reasonable time for the purpose of any inspection which the Municipality may deem necessary or desirable for the purposes of this By-law. No person shall in any way obstruct such official in the execution of his/her duties.

## **24. REMOVAL OR CONFISCATION OF SIGNS**

- (1) If any sign is so erected, distributed, hoisted, or displayed that, in the opinion of the Municipality, it is detrimental to the environment, or to the amenity of the neighbourhood, or is otherwise in contravention of this by-law:
  - (a) the Municipality or its authorised agent may dispose of such sign;
  - (b) may serve a notice on the responsible person to remove such sign;
  - (c) or carry out such alteration thereto or do such other work as may be specified in such notice within a time specified in the notice.
- (2) The Municipality will, in removing or disposing of a sign contemplated in subsection (1) above, not be required to compensate any person in any way for loss or damage resulting from its removal.
- (3) If a sign constitutes a danger to life or property in any manner or is obscene, in the opinion of the Municipality, the Municipality may, without serving any notice, carry out the removal of such sign and dispose of within seven (7) days and the Municipality shall not be required to compensate any person in any way for loss or damage resulting from its removal or disposal.
- (4) If an advertisement is displayed or distributed without the specific consent of the Municipality, the Municipality may, without serving any notice, carry out the removal of such advertisement and dispose of it within seven (7) days and the Municipality shall not be required to compensate any person in any way for loss or damage resulting from its removal or disposal.
- (5) Any costs incurred by the Municipality in removing, storing, disposing or undertaking alterations to a sign will be recoverable from the responsible person.
- (6) The responsible person may within three (3) working days of the date of the removal or confiscation of the sign or advertisement apply in writing to the Municipality to have the sign or advertisement returned and if the application is approved, such person must pay the total cost incurred by the Municipality as well as any penalty that may have been imposed.
- (7) Should the responsible person omit to collect the sign within seven (7) days of the approval referred to in six (6) above, the sign may be disposed of by the Municipality in terms of the provisions of this bylaw as amended from time to time.
- (8) Should an application envisaged in six (6) above not be received by the Municipality within the prescribed period, the sign may be disposed of within seven (7) days of the date of removal or confiscation.

- (9) The Municipality is not liable for damages of whatever nature arising from the confiscation, removal or disposal of an advertisement or sign.

## **25. SERVING OF NOTICES**

- (1) Any contravention or any legal notice or document that this by-law requires to be served on any responsible person will be deemed to have been properly served if served personally on him or her agent, proxy or on any member of his or her household apparently over the age of 16 years or at his or her place of residence or on any person employed by him or her at his or her place of business or residential premises, or is sent by registered post to such persons' residential or business address or, if such person is a company, if served on an officer or any other official ostensibly in a managerial position of that company or sent by registered mail to such office.
- (2) When any notice or other document must be authorised or served on the owner, occupier, or holder of any property, it is sufficient if that person is described in the notice or other document as the owner, occupier or holder of the property or right in question, and it is not necessary to name that person.

## **26. RESPONSIBLE PERSONS**

- (1) For the purpose of sections 21, 24 and 25, the responsible person will be deemed to be:
- (a) the person who displayed a sign or advertisement, or caused or allowed it to be displayed;
  - (b) sign owner;
  - (c) the registered owner of any property on which any sign was displayed;
  - (d) any person who was either individually or jointly with any other person responsible for organising, or was in control of, any meeting, function or event to which a sign relates;
  - (e) the advertiser, any person or group of persons whose name(s) appears on a sign, unless the contrary is proved.

## **27. APPEAL PROCEDURE**

- (1) Any person aggrieved by a decision of the Municipality to refuse or approve an application in terms of this by-law, may appeal against such decision of the Municipality by following the procedure set out below:
- (a) The appellant must give written notice with the payment of the requisite fee of the appeal and grounds for such appeal to the City Manager within 21 days of the date of notification of the decision of the Municipality.
  - (b) The City Manager must promptly submit the appeal to the Municipal Appeals Tribunal, a Tribunal duly constituted in terms of the Spatial Planning and Land Use Management Act, 16 of 2013 for purposes of considering land



development applications as the appeal authority as prescribed by section 62(4) of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), as amended.

- (c) The appeal authority must commence with an appeal within twelve weeks of receipt of the written notice in (a) above and decide on the appeal within a reasonable period.
- (d) The City Manager or his duly authorised representative must inform the appellant in writing of the decision of the appeal authority within a reasonable period.

## **28. WITHDRAWAL OF AN APPROVAL**

- (1) Any consent in terms of this by-law may be withdrawn by the Municipality if –
  - (a) the conditions of approval have not been adhered to; or
  - (b) the sign has been erected without first having obtained wayleave approval; or
  - (c) the sign is not erected within 6 months after the date of approval or commencement of an agreement with the Municipality; or
  - (d) the period of approval has expired; or
  - (e) the sign has not been erected on the position approved by the Municipality; or
  - (f) it is necessary to remove the sign because of roadworks of whatever nature or the relocation or upgrading of services or whatever other reason deemed necessary by the Municipality; or
  - (g) the sign constitutes, or has become a danger to any person or premises; or
  - (h) the sign has become prohibited in terms of this bylaw or any other law; or
  - (i) the sign obscures any other advertising sign, natural feature, architectural feature or visual line of civic, architectural, historical or heritage significance.

## **29. FEES/TARIFFS**

The Municipality may determine fees/tariffs of charges dealing with any aspect, conduct or action in terms of this bylaw and such charges will be published (in the prescribed manner) and amended from time to time.

## **CHAPTER 4**

### **CONDITIONS APPLICABLE TO CLASS OF SIGNS AND CONTROL MEASURES**

## **30. CUSTOM-MADE BILLBOARDS**

- (1) The sign area of a custom-made billboard must be 18 m<sup>2</sup> but not more than 81 m<sup>2</sup> in size, and may feature special effects such as internal illumination, special

character cut-outs and three-dimensional representations as well as rotating or scrolling panels that provide several different messages in succession.

- (2) A sign under this class requires the specific consent of the Municipality.
- (3) A sign under this class may only be erected in an area of minimum control, except for signs under this class that does not exceed 18m<sup>2</sup> in sign area, which may be permitted in areas of partial control.
- (4) A sign under this class must not be taller than 8,5 m unless the specific consent of the Municipality has been obtained.
- (5) The clear height of a sign under this class must not be less than 2,4 m unless the specific consent of the Municipality has been obtained.
- (6) A sign under this class must be placed on a base that has been designed in accordance with the NBRSA.
- (7) Spacing requirements for a sign under this class must be in accordance with the spacing of high-impact signs stipulated in Section 16 herein.
- (8) An applicant shall submit an advertising scoping report to motivate an application submitted under this sign class.
- (9) Illumination may be permitted subject to the stipulations of Section 15 herein.
- (10) A custom-made billboard may not be animated.

### **31. ELECTRONIC BILLBOARD SIGN**

- (1) An electronic billboard sign shall have a sign area of at least 18m<sup>2</sup> or such larger sign area as determined by the Municipality.
- (2) The level and speed of animation and variable messages shall be to the satisfaction of the Municipality.
- (3) A sign under this class requires the specific consent of the Municipality.
- (4) A sign under this class may only be erected in an area of minimum control.
- (5) A sign under this class must not be taller than 8,5 m unless the specific consent of the Municipality has been obtained.
- (6) The clear height of a sign under this class must not be less than 2,4 m unless the specific consent of the Municipality has been obtained.
- (7) A sign under this class must be placed on a base in accordance with the NBRSA.
- (8) Spacing requirements for a sign under this class must be in accordance with the spacing of high-impact signs stipulated in Section 16 herein.

- (9) An advertising sign scoping report that includes visual, social and traffic safety aspects shall be required for electronic billboard signs.
- (10) Full video signs shall only be considered in pedestrian nodes.

## **32. LARGE BILLBOARDS**

- (1) The sign area of a large billboard must not be less than 18 m<sup>2</sup> or greater than 40 m<sup>2</sup> and requires the specific consent of the Municipality.
- (2) A sign under this class requires the specific consent of the Municipality.
- (3) A sign under this class may only be erected in an area of minimum control and partial control except for signs under this class that does not exceed 18m<sup>2</sup> in sign area, which may be permitted in areas of partial control.
- (4) A sign under this class must not be taller than 8,5 m unless the specific consent of the Municipality has been obtained.
- (5) The clear height of a sign under this class must not be less than 2,4 m unless the specific consent of the Municipality has been obtained.
- (6) A sign under this class must be placed on a single base that has been designed in accordance with NBRSA.
- (7) Spacing requirements for a sign under this class must be in accordance with the spacing of high-impact signs stipulated in Section 16 herein.
- (8) An applicant shall submit an advertising scoping report to motivate an application submitted under this sign class.
- (9) External illumination may be permitted, subject to the stipulations of Section 15 herein.
- (10) A large billboard may not be animated.

## **33. SUPER BILLBOARDS**

- (1) The sign area of a super billboard must be larger than 40 m<sup>2</sup> but not more than 81 m<sup>2</sup> in size.
- (2) A super billboard will only be permitted in areas of minimum control and requires the specific consent of the Municipality.
- (3) A sign under this class must not be taller than 8,5 m unless the specific consent of the Municipality has been obtained.
- (4) The clear height of a sign under this class must not be less than 2,4 m unless the specific consent of the Municipality has been obtained.
- (5) A sign under this class must be placed on a base that has been designed in accordance with the NBRSA.

- (6) Spacing requirements for a sign under this class must be in accordance with the spacing of high-impact signs stipulated in Section 16 herein.
- (7) An applicant shall submit an advertising scoping report to motivate an application submitted under this sign class.
- (8) External illumination may be permitted, subject to the stipulations of Section 15 herein.
- (9) A large billboard may not be animated.

#### **34. SPECTACULAR BILLBOARD SIGNS**

- (1) The sign area of a spectacular billboard sign shall not be less than 81m<sup>2</sup> in sign area.
- (2) A spectacular billboard signs shall be subject to the specific consent of the Municipality.
- (3) A spectacular billboard sign shall only be permitted in areas of minimum control.
- (4) The clear height of a sign under this class must not be less than 2,4 m unless the specific consent of the Municipality has been obtained.
- (5) Free-standing spectacular billboard signs shall be spaced at least one kilometer apart and at least 250m from any other billboard and high impact sign.
- (6) Free-standing spectacular billboard signs must be placed on a base that has been designed in accordance with the NBRSA.
- (7) Spectacular billboard signs shall not be permitted within any road reserve.
- (8) A sign under this class may contain animation and may feature special effects such as internal illumination, special character cut-outs and three-dimensional representations as well as rotating or scrolling panels that provide several different messages in succession.
- (9) An advertising sign scoping report that includes visual, social and traffic safety aspects shall be required for a free-standing spectacular sign.

#### **35. PRODUCT REPLICAS AND THREE-DIMENSIONAL SIGNS**

- (1) A product replica or three-dimensional sign will only be permitted in an area of partial or minimum control and requires the specific consent of the Municipality.
- (2) A sign under this class must not be taller than 8,5 m unless the specific consent of the Municipality has been obtained.
- (3) The clear height of a sign under this class must not be less than 2,4 m unless the specific consent of the Municipality has been obtained.

- (4) A sign under this class must be placed on a base that has been designed in terms of the NBRSA.
- (5) Spacing requirements for a sign under this class must be in accordance with the spacing of high-impact signs stipulated in Section 16 herein.
- (6) An applicant shall submit an advertising scoping report to motivate an application submitted under this sign class.
- (7) Inflatable signs shall not be permitted within a road reserve.

### **36. GANTRY BILLBOARDS**

- (1) The sign area of a gantry billboard must not be less than 18 m<sup>2</sup> per direction of traffic flow, fixed to an overhead one- to six-footed structure (gantry), spanning, or partially spanning across the road.
- (2) A sign under this class may only be erected in an area of minimum control.
- (3) A sign under this class must not be taller than 10,5 m unless the specific consent of the Municipality has been obtained.
- (4) The clear height of a sign under this class must not be less than 5,5m.
- (5) A sign under this class must be placed on a base(s) that has been designed in terms of the NBRSA.
- (6) Spacing requirements for a sign under this class must be in accordance with the spacing of high-impact signs stipulated in Section 16 herein.
- (7) An applicant shall submit an advertising scoping report to motivate an application submitted under this sign class.
- (8) A gantry billboard must have a catwalk so that changes to the face of the advertisement can be effected from the catwalk and not from the road surface.
- (9) Illumination may be permitted, subject to the stipulations of clause 15.
- (10) A sign under this class may contain animation and may feature special effects such as internal illumination, special character cut-outs and three-dimensional representations as well as rotating or scrolling panels that provide several different messages in succession.

### **37. SMALL BILLBOARDS**

- (1) Small billboards may only be permitted on lower-order roads around shopping centres, schools, stadiums, taxi ranks, parking areas and transport nodes such as railway stations, bus stations and airports or other areas determined and approved by the Municipality.
- (2) Small billboards may be permitted in areas of minimum and partial control and will be subject to the specific consent of the Municipality.

- (3) Small billboards may be internally illuminated with the specific consent of the Municipality.
- (4) Small billboards shall not be erected less than 1 m from the kerbstone of a road.
- (5) A small billboard may be double-sided.
- (6) The sign area of a small billboard shall not exceed 2m<sup>2</sup> in sign area or be larger than 2 m in height and 1 m in width.
- (7) A small billboard shall not be erected less than 50m from the kerb of an intersection between an arterial road and a lower order road and not less than 80 m from a transport shelter on any side of the road.
- (8) No more than two small billboards may be erected per street block on either side of the road.
- (9) The Municipality may impose additional requirements regarding distance from any other signs.
- (10) A small billboard must not be taller than 2,5 m.
- (11) A small billboard must be placed on a base that has been designed and constructed to the satisfaction of the Municipality in terms of the NBRSA.

### **38. SMALL ELECTRONIC SIGNS**

- (1) Small electronic signs shall have sign area not exceeding 2,5m<sup>2</sup> in sign area.
- (2) The clear height of a sign under this class must not be less than 2,4 m unless the specific consent of the Municipality has been obtained.
- (3) Small electronic signs shall be subject to the specific consent of the municipality.
- (4) Small electronic signs shall only be considered in nodes of areas of minimum control as specified in an outdoor advertising policy approved by the Municipality.
- (5) Small electronic signs may contain animation and may feature special effects such as internal illumination, special character cut-outs and three-dimensional representations as well as rotating or scrolling panels that provide several different messages in succession.
- (6) Small electronic signs shall not be spaced less than 50m from the kerb of an intersection between an arterial road and a lower order road and not less than 80 m from a transport shelter on any side of the road.
- (7) Small electronic signs may be placed three in succession of one another and spaced no less than 20m apart.
- (8) The Municipality may impose additional requirements regarding distance from any other signs.

- (9) Small electronic signs may be permitted on roads where the speed limit does not exceed 60kmph and as determined by the Municipality.
- (10) The design and base of the structure shall be designed to the satisfaction of the municipality in terms of the NBRSA.
- (11) Small electronic signs shall not be permitted on traffic medians.
- (12) Small electronic signs shall be placed in a manner as to not compete with the placement of street furniture signs.

### **39. STREET FURNITURE SIGNS**

- (1) Street furniture signs must not be placed in a way that it obstructs pedestrian movement.
- (2) The specific consent of the Municipality is required for the display of street furniture signs.
- (3) Street furniture signs may be illuminated.
- (4) The Municipality shall determine which type of street furniture may contain animation and may feature special effects such as internal illumination, special character cut-outs and three-dimensional representations as well as rotating or scrolling panels that provide several different messages in succession
- (5) The spacing between a street furniture sign and other street furniture signs and sign types will be subject to the approval of the Municipality.
- (6) Street furniture signs may be used for commercial advertising.
- (7) The period of approval of the display of street furniture shall be determined by the Municipality.
- (8) Where relevant, the design and base of the structure shall be designed to the satisfaction of the municipality in terms of the NBRSA.

### **40. FLAGS AND BANNERS**

#### **40.1 Flags**

- (1) Flags require the specific consent of the Municipality.
- (2) A flag may display the name, corporate symbol, and nature of an enterprise.
- (3) A flag must be attached to or supported by poles or other supports on the property, or against the building where the function or the enterprise is located.
- (4) A flag may not be attached in a manner that interferes with or constitutes a danger to passing pedestrians or motor traffic or compromise the stability of the structure to which it is attached.

- (5) A flag may be displayed and or attached to a single rope, pole or flagstaff projecting vertically, horizontally or at an angle. Flags for the purpose of this bylaw exclude –
  - (a) international, national, provincial, or municipal flags that do not carry any advertisement in addition to the design of the flag; and
  - (b) flags carried as part of a procession.

## **40.2 Banners**

- (1) A banner may only be used for:
  - (a) advertising of functions or events conducted for religious, educational, social, welfare, animal welfare, sporting, civic or cultural purposes, or functions or events relating to municipal, provincial or parliamentary elections or referendums;
  - (b) displaying of the name, corporate symbol and nature of an enterprise;
  - (c) decoration of the streetscape in urban areas such as pedestrian malls and gateways;
  - (d) displaying a campaign of an organ of state on streetlamp poles.
- (2) The display of a banner requires the specific consent of the Municipality.
- (3) A banner must be attached to or supported between poles or other supports on the premises where the enterprise is located, or it must be attached to a structure specifically designed for this purpose.
- (4) A banner may not be attached in a manner that interferes with or constitutes a danger to passing pedestrians or motor traffic or compromise the stability of the structure to which it is attached.
- (5) Banners may not be suspended across a road or between streetlamp poles or traffic signs or be affixed to a bridge spanning a road.

## **41. SUBURB NAME SIGN ADVERTISEMENTS**

- (1) A suburb name sign advertisement may be permitted in any area of control; but shall not be permitted on or next to a freeway.
- (2) A suburb name sign advertisement may be permitted at entrances or exits in all areas of control.
- (3) The specific consent of the Municipality is required for the display of a suburb name sign advertisement.
- (4) A suburb name sign advertisement must be rectangular, and the content thereon may be reflective.



- (5) The clear height of a suburb name sign advertisement must not be less than 2,4m.
- (6) A suburb name sign advertisement may not bear colours or any other element that will cause confusion with road traffic signs.
- (7) A suburb name sign advertisement may be illuminated or animated.

## **42. REAL ESTATE AGENT SIGNS**

- (1) In the case of a residential property, a real estate agent's sign may not contain information other than the words "for sale", "to let" or "sold", the name, photo, website, registration number and telephone number of the selling or letting agent and the logo of the real estate agency; and is subject to the specific consent of the Municipality.
- (2) In the case of a property development, agricultural and or commercial property, a real estate agent sign may not contain information other than the words "for sale", "to let", or "sold", the name, photo, website, registration number and telephone number of the selling or letting agent and the logo of the real estate agency; and is subject to the specific consent of the Municipality. Additional information regarding the specific property may be added.
- (3) The sign area of a real estate agent sign may not be larger than 460 mm X 600 mm inside or on the boundary wall of residential premises and if free-standing, may not exceed a maximum height of 3m measured from the ground.
- (4) The sign area of a real estate agent sign may not exceed 6m<sup>2</sup> in sign area inside or on the boundary wall or wall of a building of a property development in a CBD area or commercial property and if free-standing, may not exceed a maximum height of 6m measured from the ground.
- (5) The sign area of a real estate agent sign may not exceed 6m<sup>2</sup> in sign area inside or on the boundary wall of an agricultural premises and if free-standing, may not exceed a maximum height of 6m measured from the ground.
- (6) A maximum of one sign per agency and a total of three signs may be permitted on a residential property.
- (7) Only one sign per real estate agency and a maximum of ten signs in total may be permitted at a residential complex.
- (8) A maximum of one sign per agency and a total of three signs may be permitted on a commercial and or agricultural property.
- (9) A real estate agent sign may not be displayed on a residential property for longer than 3 months and must be removed within 14 days after conclusion of a contract of sale or lease of the property in question.

- (10) A real estate agent sign may not be displayed on a commercial or agricultural property for longer than 12 months and must be removed within 14 days after conclusion of a contract of sale or lease of the property in question.
- (11) Notwithstanding sub-section 42 (3) above, a real estate agency sign may not be erected more than 15 cm from the boundary wall of a residential complex.
- (12) Real estate agent signs may be permitted in all areas of control.
- (13) In the case of a property "on show", signs and bunting may be erected only on the property concerned. Information on the property on show may only be displayed for the duration of the day and must be removed by the end of the day.
- (14) Direction signs indicating the location of the show house of a residential property or property development are permitted subject to the following conditions:
  - (a) Over weekends, the signs may be displayed only from 12:00 on Friday afternoon until 12:00 on Monday afternoon; on public holidays, from 12:00 on the day before such public holiday until 12:00 on the next day. Should the public holiday be on a Monday, from 12:00 on the previous Friday; should the public holiday be on a Friday, until 12:00 on the following Monday.
  - (b) The sign area on the face of each sign must not be larger than 460 mm X 600 mm.
  - (c) The selling or letting agent may not display more than eight signs per show house or property, irrespective of the number of routes to the show house or property. Such signs may be double-sided.
  - (d) Direction signs may not be displayed on a provincial or national road.
  - (e) Each selling or letting agent may erect only one sign per intersection.
  - (f) A selling or letting agent may not display more than one sign between consecutive intersections.
  - (g) Direction signs may not be placed on streetlamp poles traffic circles or traffic islands, traffic lights, road traffic signs, power masts, trees, pillars, fencing, electrical substations, bridges or any similar structures.
  - (h) Stakes or poles to which signs are affixed may not be driven deeper than 120 mm into the ground.
  - (i) No more than 2 stakes per sign is allowed.
  - (j) Signs may not be erected on tarred or paved surfaces.
  - (k) Signs must not be higher than 1 m and must not obstruct the view of motorists at intersections and/or exits on public roads or pose a danger to pedestrian or other traffic.

- (l) Only the estate agent's name and/or logo, the words "on show", telephone number, website registration number and an arrow indicating the direction to the relevant property may appear on the signs.
- (15) Each selling or letting agent must register with the Municipality or the authorised agent of the Municipality before erecting signs in the municipal area. A property developer who intends displaying signs in terms of subsection 42(14) above shall also register with the Municipality or the authorized agent of the Municipality before erecting signs in the municipal area.
- (16) A registration fee as prescribed from time to time by the Municipality is payable annually per calendar year.
- (17) A selling or letting agent who disregards any of the foregoing stipulations forfeits the registration fee and the agent, his or her principal and/or agency will be considered unregistered and may not advertise in the municipal area until he or she has reregistered.
- (18) Real estate agent signs may not be displayed on road reserves or on the road reserve boundaries of freeways.
- (19) Illumination or animation of real estate agent signs or the use of reflective materials on such signs is not allowed.

#### **43. SIGNS FOR SALE OF GOODS OR LIVESTOCK**

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

#### **44. AUCTION POSTERS**

- (1) An auction poster may only be 841 mm x 594 mm in size.

- (2) An auction poster requires the specific consent of the Municipality.
- (3) An auction poster may only be displayed for 14 days before the date of the auction and must be removed three days after the auction has taken place.
- (4) An auction poster may also be displayed in terms of Section 45 (posters and notices) of this by-law, subject to the conditions regarding “Category one” of Section 45(1)(a).
- (5) An auction poster shall not display more than one date per auction event.
- (6) Only 2 auction posters per street block may be permitted.
- (7) Not more than one hundred (100) posters per auction may be displayed unless otherwise approved by the Municipality.
- (6) An auction poster may not be displayed on provincial or national roads.
- (7) Stakes or posts to which auction posters are affixed may not be driven more than 120 mm into the ground.
- (8) An auction poster may not be erected on tarred or paved surfaces.
- (9) An auction poster may not be higher than 1 m and may not cause an obstruction or pose a danger to pedestrians or traffic.
- (10) An auction poster may use only an arrow to indicate the direction of the auction.
- (11) The auctioneer’s name, the word “auction” and details of the auction must appear on the signs.
- (12) All information on the poster must have a minimum letter size of 50 mm (including lower-case letters).
- (13) Auction posters may not be placed on traffic circles, traffic islands, traffic lights, road traffic signs, power masts, trees, pillars, fencing, electrical substations, bridges, or any similar structure.

#### **45. POSTERS**

- (1) Only posters in the following four categories may be displayed:
  - (a) Category one:
 

Posters intended mainly for advertising a religious, sporting, educational, cultural, charity or similar event of a non-commercial nature
  - (b) Category two:
 

Newspaper headline posters of the day of a daily, weekly or weekend newspaper

## (c) Category three:

Posters for parliamentary, provincial, or municipal elections (including by-elections) and referendums as well as campaigns by state and parastatal institutions to promote democracy, good governance, or similar principles, or any national, provincial, or municipal imbizos, or similar event

## (d) Category four:

Posters for public awareness campaigns and notices of a public meeting

- (2) A poster or notice may be permitted in all areas of control and requires the specific consent of the Municipality.
- (3) A poster or notice may be displayed only on streetlamp poles or other structures provided for the express purpose of displaying a poster.
- (4) A poster may not cover municipal markings or the cover plates on streetlamp poles.
- (5) A poster or notice may not be illuminated or animated unless authorised by the Municipality.
- (6) A poster or notice must be fixed to a streetlamp pole or any other structure in a manner acceptable to the Municipality.
- (7) The top of a poster must be at least 2 m below any light fixture. The bottom of such poster or notice must be at least 2,1 m above ground level with, the exception of category two posters, which must be at least 1,5 m above ground level.
- (8) All posters in each category in a particular street must be mounted at the same height above ground level.
- (9) Posters may not be displayed on the road reserve boundaries of freeways.
- (10) No posters may be placed on or attached to traffic circles or traffic islands, power masts, road traffic signs, traffic lights, trees, walls, pillars, walls of buildings, flag poles, banner poles, fencing, electrical substations, bridges, or any similar structure.
- (11) Posters in category one, category three and category four must be 841 mm x 594 mm (A1 size) and may only be displayed in portrait format.
- (12) Posters in category two may not be larger than 600 mm x 450 mm and may only be displayed in portrait format.
- (13) The content of a poster displaying a single message may not exceed 15 “bits” of information.

- (14) Sponsors' names or logos may occupy no more than 20% of the area of the poster.
- (15) All posters, backing boards and cord or string must be removed within three days after the event has taken place.
- (16) All posters under this class shall not be used to advertise a commercial event, product, or service.
- (17) Category two posters must be displayed in approved receptacles on the first two streetlamp poles from a road intersection on routes approved by the Municipality.
- (18) Only one poster each in category one and two may be displayed facing oncoming traffic on any streetlamp pole except where the streetlamp pole is in a two-way street, in which case two posters of each category may be displayed back-to-back.
- (19) Category two posters may be displayed for 24 hours only.
- (20) The content of category one and category four posters is subject to the approval of the Municipality. The name of the relevant responsible organisation, and the date and place of the occasion or event must be clearly displayed on the poster in letters of not less than 50 mm in height.
- (21) Not more than one thousand (1 000) posters from category one and category four may be displayed for any single occasion, meeting, or campaign, unless otherwise approved by the Municipality.
- (22) Posters in category three may be displayed on streetlamp poles in all areas of control.
- (23) In the absence of legislative prescriptions, the Municipality will determine the number and display format of posters in category three.
- (24) The head of the Spatial Planning department in consultation with the Executive Mayor of the Municipality, shall in the absence of legislative prescriptions, determine the number and display format of posters in category three.
- (25) A parliamentary, provincial, or municipal election or referendum poster may not be erected before the date on which the notice or proclamation regarding the election or referendum is published in the *Government Gazette* or *Provincial Gazette* and must be removed not later than 21 (twenty-one) days after the date of such election or referendum.

#### **46. LARGE POSTERS**

- (1) A large poster may not exceed 3,5m<sup>2</sup> in sign area and may only be displayed in portrait format.
- (2) A large poster may be permitted in areas of partial and minimum control.
- (3) A large poster requires the specific consent of the Municipality.

- (4) A large poster may be reflective, contain animation and may feature special effects such as internal illumination, special character cut-outs and three-dimensional representations as well as rotating or scrolling panels that provide several different messages in succession.
- (5) A large poster is not allowed in a natural area.
- (6) A large poster may be used for commercial advertising.
- (7) A large poster may not cover municipal markings or the cover plates on streetlamp poles.
- (8) A large poster may not be displayed on the road reserve boundaries of freeways.
- (9) The top of a large poster must be at least 2 m below any light fixture, and the bottom of such poster not less than 2,1 m above ground level.
- (10) Only one large poster may be displayed facing oncoming traffic on any streetlamp pole, except where the streetlamp pole is in a two-way street, in which case two posters may be displayed back-to-back.
- (11) A large poster may not be displayed on a streetlamp pole together with posters in categories one and four.
- (12) A large poster must be affixed in a manner acceptable to the Municipality.

#### **47. HANDBILLS, LEAFLETS, PAMPHLETS, PROMOTIONAL MATERIAL, HAND-HELD SIGNS OR COMMUNITY NEWSPAPERS**

- (1) Handbills, leaflets, pamphlets, and similar promotional material may only be distributed from door to door, in post boxes or from within shops and privately controlled areas with the requisite consent of the relevant property owner, unless otherwise approved by the municipality.
- (2) Community newspapers may be distributed door to door in all areas of control.
- (3) Hand-held signs may only be displayed from within private property with the express written permission of a property owner.

#### **48. FUNCTIONAL SIGNS BY PUBLIC BODIES**

- (1) A functional sign by a public body may not exceed 6 m<sup>2</sup> in sign area, except with the specific consent of the Municipality if justified by circumstances.
- (2) The letter size of all information on the sign may not be less than 20 mm in height.
- (3) Illumination may be provided if so required.
- (4) A functional sign by a public body may not be used for the purpose of commercial and/or competitive advertising.

- (5) A functional sign by a public body is permitted in all areas of control.
- (6) A functional sign by a public body may not be of a temporary nature and specifically excludes banners and posters.

#### **49. PROJECT SIGNS**

- (1) A project sign may display only –
  - (a) a description of the building or structure being erected, or other work or activities being carried out;
  - (b) the names and the company symbols or logos of the contractors or consultants;
  - (c) the branches of their industry or profession; and
  - (d) where relevant, details of the type of accommodation being provided, floor space available and the name, address and telephone number of the developer or the agent of the developer.
- (2) A project sign requires the specific consent of the Municipality.
- (3) Only one project sign is allowed per street front of a site.
- (4) A project sign may not exceed a total sign area of 18 m<sup>2</sup>, unless otherwise approved by the Municipality.
- (5) A project sign may not be internally illuminated or animated.
- (6) A project sign may be displayed only for the duration of the relevant works on the site.

#### **50. STREET NAME SIGNS**

- (1) A street name sign may be permitted in all areas of control on a road other than a freeway.
- (2) A street name sign requires the specific consent of the Municipality.
- (3) The street name section must be below the advertising section and at a height of at least 2,1 m above ground level.
- (4) The advertising section of the sign may not exceed 1,64 m<sup>2</sup> in the sign area.
- (5) Where the sign is illuminated, the illuminated portion must be above the level of standard pole-mounted traffic lights and may not extend over the road surface.
- (6) A street name sign may only be erected at a street intersection and may be erected on a road reserve, road median or road island.



- (7) Illumination of a street name sign must be static, and the luminance level of the advertising section may equal, but may not exceed, the luminance level of the street name section.
- (8) The sign may not be animated.
- (9) The colour of the street name sign and background is to be determined by the Municipality.
- (10) Any street name on the advertising space of a street name sign must be smaller and less conspicuous than the actual street name on the street name panel and must not lead to confusion with the street name on the street name panel.
- (11) No more than four street name signs will be permitted per intersection.
- (12) The street name sign may not contain more than 15 “bits” of information and the primary colours or shapes may not be that of traffic signs.

## **51. SECURITY SIGNS**

- (1) A security sign shall refer only to the existence and operation of a neighbourhood watch, farm watch or similar system or scheme and contain relevant contact information.
- (2) There shall be no reference to any commercial or sponsoring reference on any security sign.
- (3) The display of a security sign shall be subject to the specific consent of the Municipality.
- (4) A security sign of 1 m x 2 m containing security information is permitted at the entrance to a closed neighbourhood or a gated community or at the entrances to areas subject to specific security arrangements such as a neighbourhood watch.
- (5) A security sign containing security information may not exceed a total height of 3,5 m above ground level and, if sited inside a road reserve, must have a minimum clear height of 2,4 m.
- (6) Farm watch signs containing security information may not exceed 2 m<sup>2</sup> in sign area.
- (7) A security sign on residential, business and industrial property may not exceed 0,35 m<sup>2</sup> in sign area.
- (8) Only one security sign per 10 m length of street boundary of the property may be erected and must be firmly affixed to the building, boundary wall, fence or gate on the street front or within the boundaries of the property.
- (9) A security sign may be illuminated with the consent of the Municipality but may not be animated.

## **52. BALCONY, VERANDA, CANOPY AND UNDER-AWNING SIGNS**

- (1) A balcony, veranda, canopy, or under-awning sign may be erected only on premises used for commercial, office, industrial or entertainment purposes and requires the specific consent of the Municipality.
- (2) Signs in this class may not interfere with any safety issues determined by the Municipality from time to time.
- (3) An under-awning sign may be suspended above a sidewalk.
- (4) The following is applicable to signs on veranda roofs:
  - (a) Signs on adjacent buildings must be aligned with each other to form a straight line.
  - (b) A sign must as far as possible be parallel to the street face of the veranda.
  - (c) A sign may not extend beyond the veranda roof.
- (5) Signs under this class may not cover any window or obstruct the view from any window.

## **53. FORECOURT SIGNS**

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

## **54. RESIDENTIAL OR COMMUNITY SIGNS**

### **54.1 Signs at a home enterprise**

- (1) The dimensions of the sign may not exceed 1 200 mm x 900 mm.

- (2) The advertising structure may not be higher than 3 m.
- (3) The specific consent of the Municipality is required for signs displayed under this class.
- (4) The sign must form an integral part of the architecture of the boundary wall or fence on the street frontage of the property in accordance with the NBRSA.
- (5) Where there is no street boundary wall, the sign must form an integral part of a substantial architectural element and be designed and placed on the property in accordance with the NBRSA.
- (6) The sign may not, at the discretion of the Municipality, in any way detrimentally affect the residential character or amenity of the neighbourhood or the surroundings.
- (7) The dominant content of the sign is to be the name of the enterprise.
- (8) No product advertising or advertising for sales of any kind is allowed on the sign.
- (9) No sign, except for street numbers, may be painted on boundary walls.
- (10) Only one sign is permitted per street front on the premises.
- (11) A sign at a home enterprise may be illuminated with the consent of the Municipality but may not be animated.

#### 54.2 Signs at community institutions and facilities

- (1) The sign area of community institutions and facility signs may not exceed 6 m<sup>2</sup>.
- (2) The advertising structure may not be higher than 3 m unless otherwise approved by the Municipality.
- (3) The specific consent of the Municipality is required for the display of all signs under this class.
- (4) Only one sign is permitted per street front per institution or facility.
- (5) If a sign structure is orientated at right angles to the street, a double-sided face is permitted but the sign area on each face may not exceed 6 m<sup>2</sup>.
- (6) The name and logo of a sponsor may not take up more than 20% of the sign area.
- (7) In cases where more than one community institution or facility share the same premises, a combination sign that does not exceed 12 m<sup>2</sup> in sign area may be permitted.
- (8) The sign must form an aesthetic and integral part of the architecture of the boundary wall on the street front of the property in accordance with the NBRSA.

(9) Where there is no street boundary wall, the sign must form an integral part of a substantial architectural element and be designed and placed in accordance with NBRSA.

(10) The sign(s) may be illuminated with the consent of the Municipality but may not be animated.

#### 54.3 Community project signs

(1) Community project signs are subject to the approval of the Municipality.

(2) The size, position and scope of these signs shall be determined by the Municipality.

(3) Community project signs shall not conflict with any other sign class contained in this bylaw or policy of the Municipality.

(4) The approval period of signs under this class shall be determined by the Municipality.

### 55. ON-PREMISES BUSINESS SIGNS

(1) An on-premises business sign must be locality bound and may only provide information on the name and nature of the enterprise, the brand name(s) and the nature of goods sold or produced and/or the nature of services provided and the name of the proprietor(s) or practitioner(s).

(2) An on-premises business sign may be a combination sign for a variety of businesses on the same property and may also be free standing.

(3) An on-premises business sign requires the specific consent of the Municipality.

(4) In the case of a combination sign –

(b) the design of the structure must harmonise with the architecture of the particular building or other adjacent buildings or structures;

(c) messages on individual signs must be concise and legible;

(d) the content of individual panels of such a sign must be harmonious in terms of form, letter types and colour;

(e) each side of the sign may be a maximum of 12 m<sup>2</sup> in sign area in an area of partial control; and

(f) the maximum height of the sign may not exceed 7,5 m. A height increase to 10 m can be considered subject to an application for a height restriction relaxation in terms of the relevant town-planning scheme as amended from time to time.

- (5) The maximum area of a sign per enterprise per frontage may not exceed 2 m<sup>2</sup> in an area of partial control. Where there is more than one enterprise, each sign must have the same dimensions.
- (6) Only one on-premises business sign in an area of partial control is allowed per enterprise, unless there is more than one entrance on different street fronts, in which case one will be allowed per street front.
- (7) An on-premises business sign may be placed closer to the road reserve boundary than the formal building line, subject to the approval of an application for a building line relaxation in terms of the relevant town-planning scheme as amended from time to time.
- (8) An on-premises business sign may be illuminated.
- (9) Electronic on-premises business signs may be animated except in areas of maximum control.
- (10) The size and shape of an electronic on-premises business sign shall be to the satisfaction of the municipality.
- (11) The base of an on-premises business sign shall be designed in accordance with the NBRSA.
- (12) The level and speed of animation and variable messages in the case of an electronic on-premises business signs shall be to the satisfaction of the Municipality.
- (13) An advertising sign scoping report shall be required for electronic on-premises business signs.

## **56. BRIDGE SIGNS**

- (1) A bridge shall be subject to the specific consent of the Municipality.
- (2) A bridge sign may not be constructed on a freeway.
- (3) Signs affixed to bridges may be permitted in areas of partial and minimum control.
- (4) Signs affixed to bridges must form an integral part of the design of the structure.
- (5) Signs affixed to bridges shall not extend beyond the top, below or beyond any extremities of the design of a bridge.
- (6) Signs affixed to bridges may not project more than 300mm from the wall of a bridge.
- (7) The clear height of a bridge sign may not be less than 5,5 m.
- (8) Illumination may be permitted subject to the stipulations of clause 15.

## **57. CONSTRUCTION SITE SIGNS**

- (1) A construction site sign is permitted in all areas of control.
- (2) A construction site sign requires the specific consent of the Municipality.
- (3) A construction site sign shall form part of the boundary of construction site to conceal construction and/or an unsightly condition in the opinion of the Municipality, arising from the use of the property.
- (4) A construction site sign may be erected only for a period of one year, after which the approval can be renewed subject to a renewal application submitted and such additional conditions as the Municipality deems fit, on payment of the requisite fees.
- (5) The size and height of a construction premises sign may be limited by the Municipality.
- (6) A construction site sign may be illuminated.
- (7) A construction site sign may not project more than 100 mm from the surface to which it is affixed.

## **58. BUILDING WRAP SIGNS**

- (1) A building wrap sign is only permitted in areas of minimum and partial control and requires the specific consent of the Municipality.
- (2) The shape, dimensions and area of the sign will be as determined by the Municipality.
- (3) External illumination of a building wrap sign may be permitted at the discretion of the Municipality.
- (4) A building wrap sign may be considered for approval for a period of one year, after which the approval may be renewed subject to a renewal application submitted and such additional conditions as the Municipality deems fit, on payment of the requisite fees.

## **59. SIGNS FOR A SPONSORED ROAD TRAFFIC PROJECT**

- (1) A sign for a sponsored road traffic project may contain the name and the details of the project and the name(s), logo(s) and message(s) of the sponsor(s).
- (2) A sign for a sponsored road traffic project requires the specific consent of the Municipality.
- (3) A sign for a sponsored road traffic project may not exceed 4,5 m<sup>2</sup> in sign area and the total height of the sign may not be more than 3m above ground level.

- (4) No sign for a sponsored road traffic project may be combined with or be attached to a road traffic sign.
- (5) No road traffic sign or symbol used in any road traffic sign may be used in a sign for a sponsored road traffic project.
- (6) A sign for a sponsored road traffic project may be displayed in a road reserve.
- (7) A sign for a sponsored road traffic project may not be animated.

## **60. SERVICE FACILITY SIGNS**

- (1) A service facility sign refers only to the types of services provided at such a facility.
- (2) A service facility sign must be locality bound and erected or displayed only in service facilities adjacent to and directly accessible from a road at which the sign is directed.
- (3) Only one such sign per direction of traffic flow will be allowed.
- (4) No more than two service facility signs are allowed on the property of a filling station or roadside service area.
- (5) Service facility signs may be permitted in all areas of control.
- (6) A service facility sign requires the specific consent of the Municipality.
- (7) A service facility sign may be a maximum of 8,5 m in height.
- (8) A maximum of eight advertising panels is permitted per service facility sign and only one business or service is permitted per advertising panel.

## **61. DEVELOPMENT SIGNS**

- (1) A development sign requires the specific consent of the Municipality.
- (2) A development sign may display only –
  - (a) a visual representation or description of the building or structure being erected, or other work or activity being carried out;
  - (b) a visual representation or description of the development being carried out; and
  - (c) where relevant, details of the type of accommodation being provided, floor space available and the name, address and telephone number of the developer or the agent of the developer.
- (3) A development sign may not exceed a sign area of 18m<sup>2</sup>.
- (4) Only one development sign per road frontage is allowed per site.

- (5) The clear height of a development sign may not be less than 2,4 m.
- (6) A development sign may be illuminated but not animated.
- (7) A development sign may be considered for approval for a period of 12 months, after which the approval may be renewed subject to a renewal application submitted and such additional conditions as the Municipality deems fit, on payment of the requisite fees.

## **62. AERIAL SIGNS**

- (1) An aerial sign is not permitted in natural areas and areas of maximum control.
- (2) An aerial sign requires the specific consent of the Municipality.
- (3) An aerial sign may not be illuminated or animated, except for moored airships, which may be illuminated.
- (4) Except for a moored airship, an aerial sign may be displayed only during daylight hours.
- (5) No aerial sign may be displayed for a period exceeding 60 days in any calendar year.
- (6) No captive or unmanned free balloon may be flown without the written permission of the Commissioner of Civil Aviation after the permission of the Municipality has been granted.
- (7) Only the name of the business and/or product and one commercial article may be displayed on the sign.
- (8) A public liability policy to a value determined by the Municipality from time to time and proof of submission of the application to the Commissioner of Civil Aviation must accompany an application.
- (9) An aerial sign may not be flown at a height of more than 45 m above the surface (measured from ground level or from the surface on which a towing vehicle or vessel is travelling, to the top of the craft or object displaying the sign).

## **63. ROOF SIGNS**

- (1) A roof sign may only be permitted in areas of partial and minimum control.
- (2) A roof sign requires the specific consent of the Municipality.
- (3) The Municipality may require a scoping report for the display of a roof sign.
- (4) Only locality-bound roof signs are permitted in areas of partial control.
- (5) The bottom of the roof sign may not be more than 120 mm above the closest portion of the roof beneath it.



- (6) The main axis of a roof sign must be horizontal.
- (7) A roof sign in any other shape or form is subject to the specific consent of the Municipality.
- (8) A roof sign may not exceed 300 mm in thickness.
- (9) Roof signs must be placed so as not to form part of the skyline of buildings.

#### **64. SKY SIGNS**

- (1) Sky signs are permitted only in areas of minimum control.
- (2) Sky signs require the specific consent of the Municipality and an EIA, which must include the visual content of the advertisement envisaged.
- (3) The number of sky signs to be permitted in the central business district or other commercial node will be decided based on the EIA.
- (4) A sky sign may not obstruct the view from any other building.

#### **65. FLAT SIGNS**

- (1) A flat sign requires the specific consent of the Municipality.
- (2) An applicant shall submit an advertising scoping report to motivate an application submitted under this sign class for a flat sign more than 36 m<sup>2</sup>.
- (3) The maximum projection of any part of a flat sign over a sidewalk or ground level must be 75 mm where such sign is less than 2,4 m above the sidewalk or ground level immediately below such sign, and 300 mm where such sign is more than 2,4 m above such sidewalk or ground level.
- (4) No flat sign may cover a window or any other external opening of a building or obstruct the view from such an opening.
- (5) A flat sign may not extend above the top or beyond either end of the wall to which it is affixed.
- (6) A flat sign may consist of a panel, sheet or individual numbers, letters, or symbols.
- (7) A flat sign can be attached to any wall of a building.
- (8) A locality-bound flat sign is permitted in all areas of control.
- (9) A non-locality-bound flat sign is only allowed in areas of partial and minimum control.
- (10) Illumination is subject to specific consent in accordance with the prescribed luminance levels.

- (11) A flat sign may be electronic and or animated in areas of partial and minimum control.

## **66. SIGNS PAINTED ON WALLS AND ROOFS OF A BUILDING**

- (1) Signs painted on walls and roofs require the specific consent of the Municipality.
- (2) Signs painted on walls and roofs are permitted only in areas of minimum control.
- (3) Signs under this class are allowed on any wall of a building.

## **67. WINDOW SIGNS**

- (1) Window signs are subject to deemed consent.
- (2) Window signs are permitted in all areas of control.
- (3) The total area of all permanent signs painted on or attached to the windows of a specific enterprise may not exceed 50% of the total ground floor window area of such an enterprise.
- (4) In areas of maximum control, colours, in the opinion of the Municipality, will be in harmony with the rest of the building and the general streetscape.

## **68. SIGNS INCORPORATED INTO THE FABRIC OF A BUILDING**

- (1) Signs incorporated into the fabric of a building require the specific consent of the Municipality.
- (2) Signs incorporated into the fabric of a building are permitted in all areas of control.
- (3) Signs incorporated into the fabric of a building will, in the opinion of the Municipality, be visually integrated with the building.
- (4) Signs incorporated into the fabric of a building may not be painted, animated, or affixed in any way.

## **69. FREE-STANDING SIGNS AT EDUCATIONAL FACILITIES AND INSTITUTIONS**

- (1) Free-standing signs at educational facilities and institutions require the specific consent of the Municipality.
- (2) Free-standing signs at educational facilities and institutions may indicate the name and nature of the facility or institution and the name of a sponsor.
- (3) The top of free-standing signs at educational facilities and institutions may not be higher than 8,5 m, unless otherwise approved by the Municipality.
- (4) Signs at educational facilities and institutions must be divided into signs of equal size, height, form, and construction.

- (5) No more than one high-impact sign per street front facing an area of partial control and no more than two high impact signs facing, and area of minimum control may be considered (subject to the spacing of high impact signs herein) on an educational facility premises and is subject to the approval of the Municipality.
- (6) Signs at educational facilities and institutions and supporting structures must either form an aesthetic and integral part of a substantial architectural element or harmonise with buildings, boundary walls or nearby and other structures on the premises as far as materials, colour, texture, form, style and character are concerned and be placed near the street frontage boundary, to the satisfaction of the Municipality.
- (7) Free-standing signs at educational facilities and institutions will not, at the discretion of the Municipality, in any way detrimentally affect the character, illumination and amenity of the neighbourhood or any other amenities of the area and/or surroundings.

## **70. BOUNDARY WALL SIGNS**

- (1) A boundary wall sign requires the specific consent of the Municipality.
- (2) A boundary wall sign may be permitted in all areas of control.
- (3) Only one sign is allowed per street frontage.
- (4) The sign must form an integral part of the wall on the street frontage of the premises.
- (5) The sign may not, at the discretion of the Municipality, in any way detrimentally affect the character and amenity of the neighbourhood or any other amenities of the area and/or surroundings.

## **71. STACK SIGNS**

- (1) A stack sign is only permitted in areas of minimum control zoned for industrial use in terms of the relevant town-planning scheme and requires the specific consent of the Municipality.
- (2) The maximum height of a stack sign may not exceed 8,5 m.
- (3) A stack sign may only be permitted on lower-order roads.
- (4) The minimum clear height of a stack sign is 2,1 m.
- (5) The width of a stack sign may not be less than 2,1 m and not more than 3,0 m.
- (6) The vertical dimension of individual panels may not be less than 1 m, and no more than 5 panels are permitted per side of the sign.
- (7) No more than two stack signs are permitted close to any intersection.
- (8) A stack sign may be double-sided.

- (9) A stack sign may be animated.

## **72. TOURISM SIGNS**

- (1) Tourism signs are permitted in all areas of control.
- (2) Tourism signs are subject to the specific consent of the Municipality.
- (3) Tourism signs defined in the South African Road Signs Traffic manual (as amended from time to time) may be displayed within road reserves.

## **73. TRAILER SIGNS**

- (1) Trailer signs may not be stationary.
- (2) A trailer sign may not be parked on a road reserve or any place where the sign will be visible from a road.
- (3) A trailer sign must always comply with traffic safety regulations and may not have a detrimental effect on traffic flow.

## **74. VEHICULAR ADVERTISING**

- (1) Vehicular advertising is permitted in all areas of control.
- (2) No transportation vehicle may stand or be parked in any road reserve or portion of a road reserve if the vehicle is being used for the primary purpose of advertising or sales.

## **75. PROJECTING SIGNS**

- (1) A locality-bound projecting sign is allowed in all areas of control.
- (2) A non-locality-bound projecting is allowed only in areas of minimum and partial control.
- (3) A projecting sign requires the specific consent of the Municipality.
- (4) A locality-bound projecting sign is limited only to buildings used for commercial, office, industrial or entertainment purposes and larger accommodation facilities.
- (5) A projecting sign must be mounted in a way that provides a minimum clear height of 2,4 m.
- (6) A projecting sign may not exceed 300 mm in thickness.
- (7) A projecting sign may not project more than 1,0 m over the building line.
- (8) A projecting sign must be at least 4,5 m from any other vertical sign.
- (9) A projecting sign may not project above the parapet or edge of a roof.

- (10) A projecting sign must be fixed at right angles to the street line.

## **76. PYLON SIGNS**

- (1) A pylon sign refers only to the types of services provided at such a facility.
- (2) A pylon sign must be locality bound and may be erected or displayed in facilities adjacent to and directly accessible from a road at which the sign is directed.
- (3) Pylon signs are permitted in areas of minimum and partial control.
- (4) A pylon sign requires the specific consent of the Municipality.
- (5) A pylon sign may be a maximum of 8,5 m in height. A height increase may be considered subject to specific consent.
- (6) A pylon sign may be illuminated.
- (7) Advertisements on a pylon sign refer only to the name and logo of the business providing the service and the type of service provided.
- (8) The design of the structure must harmonise with the architecture of the particular building or other adjacent buildings or structures and built in accordance with the NBRSA.
- (9) Messages on individual signs must be concise and legible.
- (10) The content of individual panels of such a sign must be harmonious in terms of form, letter types and colour.

## **77. TOWER SIGNS**

- (1) Tower signs are permitted only in areas of minimum control and requires the specific consent of the Municipality.
- (2) Tower signs may be animated.
- (3) Tower signs may be externally and/or internally illuminated.
- (4) The height of a tower sign shall not exceed 12m or as otherwise determined by the Municipality.
- (5) Tower signs may be placed three in succession of one another and spaced no less than 20m apart.
- (6) Tower signs shall not be permitted within a road reserve.

## **78. PUBLIC ART**

- (1) Public art is permitted in all areas of control and requires the specific consent of the Municipality.

- (2) Public art shall not display any commercial message.
- (3) Public art may be externally and/or internally illuminated.

## **79. AIRPORT SIGNS**

- (1) All signs under this class are subject to specific consent.

## **80. ACTIVATION BRANDING**

- (1) Activation branding is permitted in all areas of control.
- (2) Activation branding within a road reserve is subject to the specific consent of the municipality.
- (3) Activation branding may not be permanent in nature.
- (4) Activation branding material may only be displayed on a specific day of the campaign taking place and may not be left overnight.
- (5) The municipality shall determine the brand activation period intervals per event.
- (6) Activation branding may not interfere with pedestrian or vehicular movement.
- (7) Activation branding shall not smell or sound.
- (8) Activation branding shall not be sexually suggestive or be offensive in nature.

## **CHAPTER 5**

### **MISCELLANEOUS**

## **81. REPEAL OF BY-LAWS**

The following by-laws are hereby repealed:

- (a) City of Tshwane Metropolitan Municipality: Control of Outdoor Advertising By-law, 2006
- (b) All by-laws in respect of outdoor advertising in the former Metsweding District Municipality, the former Kungwini Local Municipality and the former Nokeng tsa Taemane Local Municipality

The By-law for the Control of Outdoor Advertising presented in this document will prevail unless repealed or amended by the Council and will supersede all other by-laws within the municipal area in as much as they may conflict with it.

## **82. SHORT TITLE AND COMMENCEMENT**

This by-law is called the City of Tshwane Metropolitan Municipality: By-law for the Control of Outdoor Advertising and takes effect on the date of its promulgation in the Provincial Gazette.

**83. SIGNS EXEMPTED FROM THIS BYLAW**

Signs approved by the Municipality deemed to be of local, provincial, or national interest.

## SCHEDULE 1

### Applying to display a sign within a public space

The written consent must be obtained before any high impact sign is erected in the jurisdiction of the Municipality.

All outdoor advertising signs such as billboards must comply with the provisions of the City of Tshwane's By-law for the Control of Outdoor Advertising and the associated policy.

It is the responsibility of applicants to ensure that their applications comply with the by-law and related policy, as well as with the provisions of other relevant legislation. The approval of a sign in terms of the Municipality's By-law for the Control of Outdoor Advertising should not be construed as approval in terms of any other legislation. Applications on a site are adjudicated on a first-come first-served basis.

For applying for a high impact sign on a private property, the same procedure described under Schedule 1 shall apply.

#### 1. Preparatory work before applying

Before submitting an application, applicants are advised to consult the following:

- 1.1 The Municipality's Outdoor Advertising Management Section to find out about –
  - 1.1.1 the zoning of the area in terms of the City's By-law for the Control of Outdoor Advertising (maximum, partial or minimum control area);
  - 1.1.2 the type of sign permitted by the By-law for the Control of Outdoor Advertising;
  - 1.1.3 the location of other signs and sign approvals in the vicinity; and
  - 1.1.4 the chances of success of the application.
- 1.2 A register (as per Schedule 3 hereto) must be completed in full by the relevant municipal official and signed by an applicant who wishes to apply for the display of a sign.
- 1.3 On expiration of this consultation document, the first full subsequent application received on the same site, or immediate vicinity, will be accepted.
- 1.4 An application will only be considered complete when the full application fees are paid upon submission of all standard documentation.
- 1.5 The applicant's attention is drawn to the fact that the first come, first served principle applies in respect of his/her/its application.
- 1.6 A discussion and the completion of the register as per Schedule 4 hereto in this regard constitutes a consultation only in the case of a prospective applicant having a site plan (indicating the position of the proposed sign relative to the nearest intersections and indicating distance to existing signs), a zoning plan (or certificate in the case of a private property), a superimposed picture of the proposed sign on the proposed site and an aerial map indicating the position of the sign.
- 1.7 An applicant will be granted a period of 2 (two) business days to submit a complete application after consultation of the proposed site with the Outdoor Advertising Management Office which will commence the day following the day of initial discussion, which period will expire on close of business (ie 16:00) on



the second business day. The applicant's right to the proposed site will automatically lapse after the aforementioned two-day period has expired.

- 1.8 Should there be any pending application(s) in respect of the subject application, then such application(s) will be considered first, and the applicant's application can only be considered, if any, once the pending application is finalised.

## 2. Submitting an application (standard documentation requirements)

### 2.1 Applications must be handed in duplicate form at the offices of Outdoor Advertising Management and must consist of the following:

- 2.1.1 The application form, completed correctly and in full;
- 2.1.2 A motivating memorandum;
- 2.1.3 An approved SG diagram of the property;
- 2.1.4 Engineer's drawings;
- 2.1.5 Engineer's appointment/completion certificate (in terms of SANS10400 as amended from time to time);
- 2.1.6 The town-planning scheme zoning certificate and zoning plan;
- 2.1.7 Owner of property permission to apply on his/her/its property;
- 2.1.8 Title deed (and in the case of property belonging to an organ of state, a deed indicating ownership of such organ of state);
- 2.1.9 Confirmation of road ownership;
- 2.1.10 A locality plan to a scale of 1:5 000;
- 2.1.11 A site plan drawn to scale and with dimensions, indicating the position of the sign on the property in relation to road intersections, traffic signs, street furniture (such as bus shelters), street trees and other advertising signs in the vicinity;
- 2.1.12 The survey coordinates or GPS reading of the proposed site;
- 2.1.13 A detailed sketch of the proposed sign, with all dimensions, clear height and total height above ground level;
- 2.1.14 An artist's impression or photo montage of the proposed sign in relation to the surrounding environment;
- 2.1.15 The application fees.

### 2.2 The Municipality may require additional information for the evaluation of the application which may include:

- 2.2.1 The comment of the applicable ward committee/ward councilor;
- 2.2.2 Building plan or site development plan approval;
- 2.2.3 Advertising scoping report;
- 2.2.4 Environmental Impact Assessment report;
- 2.2.5 Geological on similar report;
- 2.2.6 Traffic impact assessment report;
- 2.2.7 Other

### 2.3 An application that is incomplete or that does not meet the required standards of clarity will be rejected.

### 2.4 The Municipality is not liable for any repercussions resulting from incorrect information supplied by the applicant.

- 2.5 If it transpires, after the submission of an application, that there is conflict regarding applications, the application fees may be refunded if the applicant consulted the offices of Outdoor Advertising Management before submitting the application and was not informed of the potential conflict at that stage.

### 3. Evaluation of applications

- 3.1 Applications are evaluated against the following criteria:
- 3.1.1 The provisions of the By-law for the Control of Outdoor Advertising;
  - 3.1.2 Where indicated, compliance with the National Building Regulations and Standards Act, Act 103 of 1977;
  - 3.1.3 The zoning of the site in terms of the City's By-law for the Control of Outdoor Advertising (maximum, partial or minimum control area);
  - 3.1.4 Surrounding land-use zonings and land uses;
  - 3.1.5 The Municipality's policies and by-laws, as amended from time to time;
  - 3.1.6 Any relevant legislation;
  - 3.1.7 Traffic safety considerations, including the possible distraction of motorists or the visual obstruction of or conflict with road traffic signs;
  - 3.1.8 Comment received from internal departments;
  - 3.1.9 Comment received from organs of state;
  - 3.1.10 The visual impact of the proposed sign on its environment, including the scale of the structure in relation to its surroundings, its effect on important or attractive vistas and the number of signs previously approved in the vicinity;
  - 3.1.11 The design of the structure in terms of the design guidelines formulated by the City;
  - 3.1.12 If the sign is to be illuminated or animated, the impact of the illumination or animation on nearby land uses;
  - 3.1.13 The social impact of the sign on occupants of property in the immediate vicinity, as well as on the broader community;
  - 3.1.14 The impact of the proposed sign on other interested and affected parties in the vicinity, which could include other outdoor advertising companies;
  - 3.1.15 The site inspection report;
  - 3.1.16 Any assessment studies or related studies forming part of the application;
  - 3.1.17 Any other information that the Municipality deems relevant to reach and outcome on an application.
- 3.2 The evaluation of building plans, building line -and height relaxation applications shall be in accordance with the procedure and fees prescribed for the submission of such plans as determined by the Municipality from time to time.
- 3.3 During the evaluation process an applicant could be advised to change his or her application by, for example, adjusting the position of the proposed sign, or to consider alternative locations. An alternative location, whether in the same street or not, would mean a new application, new application fees and a new evaluation process.
- 3.4 The Municipality shall determine compliance with the National Building Regulations and Standards Act, Act 103 of 1977.
- 3.5 An application undergoes the following process:

- 3.5.1 The Outdoor Advertising Committee, chaired by the head of the Spatial Planning department considers the application. This committee consists of representatives of Outdoor Advertising Management, Legal Services, Spatial Planning and Transport Department. In certain circumstances, other divisions of the Municipality such as Environmental Management and Group Legal Services may be requested to comment on an application. A representative from the City's Building Control office may from part of the Outdoor Advertising Committee to assist on the adjudication of a building plan if so required.
- 3.5.2 The Outdoor Advertising Management Section compiles a report containing a recommendation that the application be approved, approved with special conditions, or rejected.
- 3.5.3 The Outdoor Advertising Committee approves or rejects the application.
- 3.5.4 The applicant is informed in a letter of the Committee's approval or rejection of the application.
- 3.5.5 Regardless of zoning or land-use, the Outdoor Advertising Committee may declare roads, land or certain portions of roads as areas of maximum control provided that such record of decision is documented and forms part of the Outdoor Advertising Committee resolution.
- 3.5.6 The Outdoor Advertising Committee may consider and adjudicate on proposals for signs not defined in the bylaw for the control of outdoor advertising.
- 3.5.7 If an advertising sign approved in accordance with this bylaw, is not erected within the prescribed period from the date of notification of such approval or within a time specified in such approval, the approval lapses.

#### 4. Letter of approval

- 4.1 After receiving a letter of approval, an applicant must enter into an agreement with the Municipality.

#### 5. Signing of an agreement and submission of proof of progress

- 5.1 The approval by the Outdoor Advertising Committee remains valid only if the wayleave approval is obtained by the applicant within a period not exceeding 6 (six) months from notification of outdoor advertising sign approval in accordance with this by-law.
- 5.2 If the applicant does not sign the agreement or does not provide proof of wayleave approval, the outdoor advertising approval shall be withdrawn.

#### 6. Applying for wayleave approval of an electricity connection

- 6.1 Wayleave approval is required to determine that underground and above-ground services in the roadway are not damaged. It is possible that, due to the position of these services, the final position of the sign will differ slightly from the position originally applied for.
- 6.2 Applications for wayleave approval must be submitted and obtained in accordance with Municipality's Work in the public road reserve bylaw, as amended from time to time.

- 6.3 In the case of an illuminated -or electronic/animated sign an application must be submitted and approval obtained in accordance with Municipality's Electricity bylaw and/or procedure.
- 6.4 The final position of the sign may not contravene the provisions of the Municipality's by-law and associated policy.
- 6.5 The survey coordinates of the final sign position must be supplied to the Outdoor Advertising Management Section.

## 7. Engineer completion certificate

- 7.1 When the structure has been completed, a completion certificate certified by a structural engineer must be submitted to the Transport and Roads Department, the Building Control Office and the Outdoor Advertising Management Section.

## 8. Content of advertisements

- 8.1 In terms of its By-law for the Control of Outdoor Advertising, the Municipality is required to approve the content of all advertisements displayed on signs. Applications for approval must be submitted to the offices of the Outdoor Advertising Management Section and must be accompanied by –

- 8.1.1 a document indicating the location of the sign;
- 8.1.2 an example of the proposed artwork; and
- 8.1.3 application fees.

## 9. Evaluation of content

- 9.1 Outdoor Advertising Management evaluates the content of an advertisement in terms of the following:
  - 9.1.1 Whether the amount of information contained in the advert is more than 15 bits (a "bit" is the basic unit for measuring the length of advertising messages and may consist of letters, digits, symbols, logos or abbreviations);
  - 9.1.2 Whether the content is objectionable, indecent or suggestive of indecency;
  - 9.1.3 Whether the colours used may lead to confusion with road traffic signals;
  - 9.1.4 Whether the content includes elements that could be confused with road traffic signs.

## 10. Deviation from conditions

- 10.1 No deviation from the conditions for approval imposed by the Municipality is permitted. Any deviation will constitute an offence and will consequently nullify the approval.

## SCHEDULE 2

### Applying to erect a sign on private property

The written consent of the Municipality must be obtained before any sign is erected on private property.

All outdoor advertising signs must comply with the provisions of the City of Tshwane's By-law for the Control of Outdoor Advertising and the associated policy.

It is the responsibility of applicants to ensure that their applications comply with the by-law and policy, as well as with the provisions of other relevant legislation. The approval of a sign in terms of the Municipality's By-law for the Control of Outdoor Advertising should not be construed as approval in terms of any other legislation.

#### 1. Consultation before submitting an application

1.1 Before submitting an application, applicants are advised to consult the following:

- 1.1.1 The Municipality's Outdoor Advertising Management Section to find out about –
- 1.1.2 the zoning of the area in terms of the City's By-law for the Control of Outdoor Advertising;
- 1.1.3 the type of sign permitted by the By-law for the Control of Outdoor Advertising;
- 1.1.4 the location of other signs and sign approvals in the vicinity; and
- 1.1.5 the chances of success of the application.

#### 2. Submitting an application

2.1 Applications must be handed in duplicate form at the offices of Outdoor Advertising Management and must consist of the following:

- 2.1.1 The application form, completed correctly and in full;
- 2.1.2 A letter of consent from the owner of the property giving the applicant permission to apply for the erection of the sign (if the applicant is not the owner);
- 2.1.3 Engineer's appointment/completion certificate (in terms of SANS10400 as amended from time to time);
- 2.1.4 Written confirmation from the landowner that all other existing signs on the property have been approved by the Municipality or applications for them are pending;
- 2.1.5 The surface area schedule for any existing signs on the property;
- 2.1.6 An approved SG diagram of the property
- 2.1.7 A town-planning scheme zoning certificate and an Annexure B, where applicable;
- 2.1.8 A locality plan (scale of 1:5 000);
- 2.1.9 A site plan drawn to scale with dimensions, indicating the position of the proposed sign in relation to on the property;
- 2.1.10 A detailed sketch of the proposed sign, illustrating the design of the structure with all dimensions, clear height and total height above ground level;
- 2.1.11 An artist's impression or photo montage of the proposed sign in relation to the surrounding environment;

- 2.1.12 An application will only be considered complete when the full application fees are paid upon submission of all original documentation.
- 2.2 The Municipality may require additional information to consider and (or) adjudicate the application.
- 2.3 An application that is incomplete or that does not meet the required standards of clarity will be rejected.
- 2.4 The Municipality is not liable for any repercussions resulting from incorrect information supplied by the applicant.
- 3. Evaluation of applications
  - 3.1 The applications are evaluated in terms of the following criteria:
    - 3.1.1 The provisions of the By-law for the Control of Outdoor Advertising;
    - 3.1.2 The zoning of the areas in terms of the City's By-law for the Control of Outdoor Advertising (maximum, partial or minimum control area);
    - 3.1.3 The town-planning scheme requirements, including surrounding land-use zonings and land uses;
    - 3.1.4 The Municipality's policy with regard to outdoor advertising;
    - 3.1.5 Traffic safety considerations, including the possible distraction of motorists or the visual obstruction of or conflict with road traffic signs;
    - 3.1.6 The visual impact of the proposed sign on its environment, including the design and scale of the structure in relation to its surroundings, its effect on important or attractive vistas and the number of signs previously approved in the vicinity;
    - 3.1.7 The design of the structure in terms of prescribed design guidelines;
    - 3.1.8 If the sign is to be illuminated or animated, the impact of the illumination or animation on nearby land uses;
    - 3.1.9 The social impact of the sign on occupants of property in the immediate vicinity, as well as on the broader community;
    - 3.1.10 The impact of the proposed sign on other interested and affected parties in the vicinity;
    - 3.1.11 The site inspection report.
  - 3.2 During the evaluation process an applicant could be advised to change his or her application by, for example, adjusting the position of the proposed structure, or to consider alternative locations.
  - 3.3 The evaluation of building plans, building line -and height relaxation applications shall be in accordance with the procedure and fees prescribed for the submission of such plans as determined by the Municipality from time to time.
  - 3.4 The Municipality shall determine compliance with the National Building Regulations and Standards Act, Act 103 of 1977.

4. Approval of applications

- 4.1 An application will be approved, approved with special conditions or not approved.
- 4.2 The applicant will be notified in writing of the outcome of the application.

5. Deviation from conditions

- 5.1 No deviation from the conditions for approval imposed by the Municipality is permitted. Any deviation will constitute an offence and will consequently nullify the approval.

**SCHEDULE 3****CONSULTATION REGISTER**

1. This register must be completed in full and signed by an applicant who wishes to submit an application for the display of a sign.
2. On expiration of this consultation document, the first full subsequent application on the same site or immediate vicinity received may be accepted.
3. The applicant's attention is drawn to the fact that the "first come, first serve" principle applies in respect of his/her/its application.
4. A discussion in this regard constitutes a consultation only in the case of a prospective applicant having the following:
  - 4.1 site plan (indicating the position of the proposed sign relative to the nearest intersections and indicating distance to existing signs);
  - 4.2 zoning plan (or certificate in the case of a private property);
  - 4.3 superimposed picture of the proposed sign on the proposed site; and
  - 4.5 aerial map indicating the position of the sign.
5. An applicant will be granted a period of 2 (two) business days to submit a complete application after consultation of the proposed site with the Outdoor Advertising Management Office which will commence the day following the day of initial discussion, which period will expire on close of business (i.e. 16:00) on the second business day.
6. The applicant's right to the proposed site will automatically lapse after the aforementioned two-day period has expired.
7. Should there be any pending application(s) in respect of the proposed site, then such application(s) will be considered first and the applicant's proposal can only be considered, if any, once the pending application is finalized.



Application form number:	
Applicant:	
Contact details:	Telephone number:
	E-mail address:
	Mobile number:
Date of consultation:	
Time of consultation:	
Expiration date:	Date of application submission:
Consultant (municipal official)	

Site description:

Comment:

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SIGNATURE OF APPLICANT

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SIGNATURE OF OFFICIAL

## **SCHEDULE 4**

### **Applying to renew an existing sign approval**

The written consent must be obtained before any sign is erected in the jurisdiction of the Municipality.

All outdoor advertising signs must comply with the provisions of the City of Tshwane's By-law for the Control of Outdoor Advertising and the associated policy.

It is the responsibility of applicants to ensure that their applications comply with the by-law and relevant policy, as well as with the provisions of other relevant legislation. The approval of a sign in terms of the Municipality's By-law for the Control of Outdoor Advertising should not be construed as approval in terms of any other legislation. Applications on a site are adjudicated on a first-come first-served basis.

#### **1. Preparatory work in the case of a high impact sign before applying**

1.1 Before submitting an application in terms of Section 6 of the by-law, applicants are advised to consult the following:

- 1.1.1 The Municipality's Outdoor Advertising Management Section to find out about –
- 1.1.2 whether the zoning of the area in terms of the City's By-law for the Control of Outdoor Advertising is still the same (maximum, partial or minimum control area);
- 1.1.3 whether the type of sign is still permitted by the By-law for the Control of Outdoor Advertising;
- 1.1.4 whether the location of the existing sign still complies with the distance requirements from other signs and sign approvals in the vicinity; and
- 1.1.5 in the case of an agreement between an applicant and the Municipality, that all stipulations and payments and or payment arrangements have been complied with and in accordance with relevant the finance and contact procedures as approved and amended by the Municipality from time to time.
- 1.1.6 Should the abovementioned criteria be met, an application will only be considered complete when the full application fees are paid upon submission of all standard documentation.

#### **2. Submitting an application (standard documentation requirements for all sign types)**

2.1 Applications must be handed in duplicate form at the offices of Outdoor Advertising Management and must consist of the following:

- 2.1.1 The application form, completed correctly and in full;
- 2.1.2 Power of attorney (if acting on behalf of another person)
- 2.1.3 An approved SG diagram of the property;
- 2.1.4 Engineer's drawings;
- 2.1.5 Engineer's completion certificate (in terms of SANS10400 as amended from time to time);
- 2.1.6 The town-planning scheme zoning certificate and zoning plan;
- 2.1.7 Owner of property permission to apply on his/her/its property (if not the property owner);

- 2.1.8 Tile deed (and in the case of property belonging to an organ of state, a deed indicating ownership of such organ of state);
  - 2.1.9 A locality plan to a scale of 1:5 000 (in the case of a high impact sign);
  - 2.1.10 A site plan drawn to scale and with dimensions, and in the case of a high impact sign, indicating the position of the sign on the property in relation to road intersections, traffic signs, street furniture (such as bus shelters), street trees and other advertising signs in the vicinity;
  - 2.1.11 The survey coordinates or GPS reading of the site (in the case of a high impact sign);
  - 2.1.13 An actual picture of the sign;
  - 2.1.14 The application fees.
- 2.2 An application that is incomplete or that does not meet the required standards of clarity will be rejected.
- 2.3 The Municipality is not liable for any repercussions resulting from incorrect information supplied by the applicant.
- 2.4 If it transpires, after the submission of an application, that there is conflict regarding applications, the application fees may be refunded if the applicant consulted the offices of Outdoor Advertising Management before submitting the application and was not informed of the potential conflict at that stage.
3. Evaluation of applications
- 3.1 Applications are evaluated against the following criteria:
- 3.1.1 The provisions of the By-law for the Control of Outdoor Advertising;
  - 3.1.2 Where indicated, compliance with the National Building Regulations and Standards Act, Act 103 of 1977;
  - 3.1.3 The zoning of the site in terms of the City's By-law for the Control of Outdoor Advertising (maximum, partial or minimum control area);
  - 3.1.4 Surrounding land-use zonings and land uses;
  - 3.1.5 The Municipality's policies and by-laws, as amended from time to time;
  - 3.1.6 Any relevant legislation;
  - 3.1.7 Traffic safety considerations, including the possible distraction of motorists or the visual obstruction of or conflict with road traffic signs;
  - 3.1.8 Comment received from internal departments;
  - 3.1.9 Comment received from organs of state;
  - 3.1.10 The visual impact of the proposed sign on its environment, including the scale of the structure in relation to its surroundings, its effect on important or attractive vistas and the number of signs previously approved in the vicinity;
  - 3.1.11 The design of the structure in terms of the design guidelines formulated by the City;
  - 3.1.12 If the sign is to be illuminated or animated, the impact of the illumination or animation on nearby land uses;
  - 3.1.13 The social impact of the sign on occupants of property in the immediate vicinity, as well as on the broader community;
  - 3.1.14 The impact of the proposed sign on other interested and affected parties in the vicinity, which could include other outdoor advertising companies;
  - 3.1.15 The site inspection report;
  - 3.1.16 Any assessment studies or related studies forming part of the application;

3.1.17 Any other information that the Municipality deems relevant to reach and outcome on an application.

- 3.2 If no building plan was previously approved on an existing sign but is so required to comply in terms of the National Building Regulations and Standards Act, the evaluation of building plans, building line -and height relaxation applications shall be in accordance with the procedure and fees prescribed for the submission of such plans as determined by the Municipality from time to time.
- 3.3 In the case of a high impact sign, the Outdoor Advertising Committee, chaired by the head of the Spatial Planning department considers the application. This committee consists of representatives of Outdoor Advertising Management, Legal Services, Spatial Planning and Transport Department. In certain circumstances, other divisions of the Municipality such as Environmental Management and Group Legal Services may be requested to comment on an application. A representative from the City's Building Control office may from part of the Outdoor Advertising Committee to assist on the adjudication of a building plan if so required.
- 3.4 The Outdoor Advertising Management Section compiles a report containing a recommendation that the application be approved, approved with special conditions, or rejected.
- 3.5 The Outdoor Advertising Committee approves or rejects the application.
- 3.6 The applicant is informed in a letter of the Committee's approval or rejection of the application.

#### 4. Letter of approval

- 4.1 After receiving a letter of approval, an applicant must enter into an agreement with the Municipality

#### 5. Content of advertisements

- 5.1 In terms of its By-law for the Control of Outdoor Advertising, the Municipality is required to approve the content of all advertisements displayed on signs. Applications for approval must be submitted to the offices of the Outdoor Advertising Management Section and must be accompanied by –
  - 5.1.1 a document indicating the location of the sign;
  - 5.1.2 an example of the proposed artwork; and
  - 5.1.3 application fees.

#### 6. Evaluation of content

- 6.1 Outdoor Advertising Management evaluates the content of an advertisement in terms of the following:
  - 6.1.1 Whether the amount of information contained in the advert is more than 15 bits (a "bit" is the basic unit for measuring the length of advertising messages and may consist of letters, digits, symbols, logos or abbreviations);

- 6.1.2 Whether the content is objectionable, indecent or suggestive of indecency;
- 6.1.3 Whether the colours used may lead to confusion with road traffic signals;
- 6.1.4 Whether the content includes elements that could be confused with road traffic signs.

7. Deviation from conditions

- 7.1 No deviation from the conditions for approval imposed by the Municipality is permitted. Any deviation will constitute an offence and will consequently nullify the approval.

### EXAMPLE OF A POWER OF ATTORNEY

I/We, [John Citizen]

.....

ID number: ..... the undersigned, hereby nominate, constitute and appoint – .....

(Include the company name and registration number of the company) and .....

ID number: ..... (name and ID number of person from the company who in turn is granted authority by the said company) with the power of substitution to be my/our legal attorney(s) and agent(s) in my/our name, place and stead to apply for – ..... (type of application and property description)at..... the City of

Tshwane Metropolitan Municipality and in general to do everything to effect the application and to do whatever I/we would do if I/we were present in person and acting in the matter. I/we hereby ratify, allow and confirm, and promise and agree to ratify, allow and confirm everything and anything my/our attorney(s) and agent(s) may do or may permit to be done legally in terms of this power of attorney.

Signed at ..... on this ..... day of.....20.....  
in the presence of the undersigned witnesses.

AS WITNESSES:

1.....

2.....

[John Citizen].....

Registered Owner

**EXAMPLE OF AFFIDAVIT / AFFIRMATION**

TO WHOM IT MAY CONCERN:

I, the undersigned,

..... (*full name and surname*), hereby \*make oath/affirm that the placard notice(s) as prescribed in terms of City of Tshwane: By-law for the control of Outdoor Advertising was displayed and maintained in a conspicuous place, clearly visible to the public on/at.....

.....(*site/property description*), for a period of 14 days from the first day the advertisements were advertised in ..... and.....local newspapers, viz from ..... to ....., both dates inclusive.

SIGNED ..... (signature of applicant)

on ..... at.....

I hereby certify that the deponent acknowledges that \*he/she was conversant with the contents of this statement and understood it, and that the deponent uttered the following words: "I swear that the contents of this statement are the truth and nothing but the truth, so help me God".

COMMISSIONER OF OATHS .....

DATE : .....

\*Delete whichever is not applicable.

## NOTICE OF APPEAL

### Details of applicant

Title							
Initial							
First Name(s)							
Surname							
ID Number							
Physical Address (Work)							
Address Line 1 (street no)							
Address Line 2 (street name)							
Township							
Postal Code							
Specify City							
Physical Address (Home)							
Address Line 1 (street no)							
Address Line 2 (street name)							
Township							
Postal Code							
Specify City							
Postal Address of the Appellant							
Postal Type	PO Box	<input type="checkbox"/>	Physical Address (Home)	<input type="checkbox"/>			
	Private Bag	<input type="checkbox"/>	Physical Address (Work)	<input type="checkbox"/>			
Postal Number							
Township							
Postal Code							
Specify City							
APPEAL DETAILS							
Sign class description							
Relevant by-law section							
Application reference number							
Indicate the decision maker	Outdoor Advertising Committee		Official				
Date of decision							
DESCRIPTION OF THE SITE WHERE THE PROPOSED SIGN WAS APPLIED FOR							
Township/Agricultural Holding/Farm							
Erf / Lot / Plot / Farm no							
Site description							



CONCISE AND SUCCINCT GROUNDS OF APPEAL	
LIST OF DOCUMENTS ATTACHED	
RELIEF SOUGHT BY THE APPELLANT FROM THE APPEAL AUTHORITY	
PROOF OF PAYMENT MUST BE SUBMITTED WITH APPEAL SUBMISSION (tariffs are indicated on the tariff schedule approved and published annually by the Municipality as amended from time to time)	

Declaration:

I/We ..... (full names) hereby submit an appeal to the Appeals Authority in terms of section 27 of the City of Tshwane: By-law for the control of Outdoor Advertising. I declare that I shall be bound by all the provisions of this By-law. I solemnly declare that, to the best of my knowledge and belief, all the information contained herein is true and correct.

Signed: ..... Date: .....



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