

# **MANGAUNG METRO MUNICIPALITY**

## **MANGAUNG OUTDOOR ADVERTISING BY-LAWS**

as promulgated by Local Government Notice

No 77 of 21 November 2008

And amended by:

the Mangaung Outdoor Advertising Amendment By-law, promulgated

by Local Government Notice No. 101 of 09 October 2015

### **Preamble**

**WHEREAS** the Constitution established local government as a distinctive sphere of government, interdependent, and interrelated with the national and provincial spheres of government; and

**WHEREAS** the Constitution authorizes and empowers municipalities to administer the local government matters listed in Part B of Schedules 4 and 5, which include Billboards and the display of advertisements in public places and any other matter assigned to it by national or provincial legislation, by making and administering by-laws for the effective administration of these matters; and

**WHEREAS** the National Road Traffic Act of 1996, as amended, and the Regulations thereto, aim to promote traffic safety, the by-laws is also aimed at contributing towards an advertising environment which does not increase traffic risks or endanger the lives of pedestrians and motorists;

**BE IT THEREFORE ENACTED** by the Municipal Council of the Mangaung Metropolitan Municipality as follows:-

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## CHAPTER 1 INTERPRETATION AND APPLICATION

### 1. Interpretation

In these By-laws, unless the context otherwise indicates -

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

**“advertisement”** means any visible representation of a word, name, letter, figure, object, mark or symbol or of an abbreviation of a word or name, or of any combination of such elements with the object of conveying information;

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

**“advertising structure”** means any physical structure built or erected to display an advertisement and where mentioned in these by-laws, the maximum allowable size thereof includes the display as part of the total size ;

**“aerial sign”** means any sign which is affixed to or produced by any form of aircraft and which is displayed in the air;

**“affix”** includes to paint onto and “affixed” has a corresponding meaning;

**“animation”** means a process whereby an advertisement’s visibility or message is enhanced by means of moving units, flashing lights, digital or electronic enhancement or similar devices;

**“area of control”** means an area in which a degree of control is applied in accordance with the visual sensitivity of the area, the degree of landscape sensitivity of the area, and traffic safety conditions within the area;

**“balcony”** means a platform projecting from a wall, enclosed by a railing, balustrade or similar structure, supported by columns or cantilevered out and accessible from an upper-floor door or window;

**“basic landscape sensitivity”** indicates the visual or aesthetic sensitivity of each of the different landscapes with regard to outdoor advertisements and signs, each of which landscapes falling within a specific area of control;

**“billboard”**, means any screen or board larger than 4,5m<sup>2</sup>, supported by a free-standing structure, which is to be used or intended to be used for the purpose of posting, displaying or exhibiting an advertisement and which is also commonly known as an advertising

hoarding, and of which the main function is to advertise non-locality bound products, activities or services;

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

**“blind”** means a vertical screen attached to a shop-window or veranda in order to keep sun and rain from a shopfront or sidewalk and which may be rolled up when not in use;

**“building”** means any structure whatsoever with or without walls, with a roof or canopy and a means of ingress and egress underneath such roof or canopy;

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

**“centre of economic activity”** means an urban area of high economic activity, and includes all business districts, regional and neighbourhood shopping centres;

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

**“combination sign”** means a single, free-standing advertising structure for displaying information on various enterprises and services at locations approved by the municipality;

**“council”** means the municipal council of the Mangaung Metropolitan Municipality in which the executive and legislative authority of the municipality is vested, and which is the decision making body of the municipality, and includes any of its delegates;

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

**“deemed consent”** means approval by section 9 for the display of a sign, and for the display of which the municipality does not require specific consent;

**“degree of landscape sensitivity”** means a refinement of basic landscape sensitivity which may include, apart from a refined visual sensitivity, traffic safety conditions as a criterion for sensitivity rating, and it is expressed in terms of area of control;

**“device”** means any physical device which is used to display an advertisement or which is in itself an advertisement;

**“direction sign”** means a guidance sign provided under the Southern African Development Community Road Traffic Signs Manual as stipulated in the National Road Traffic Regulations,

2000 and used to indicate to road users the direction to be taken in order that they may reach their intended destination;

**“displaying”** includes exhibiting, affixing or attaching of an advertisement or sign and the erecting of any structure if such structure is intended solely or primarily for the support of such advertisement or sign and an attempt to do any of aforesaid, and the word ‘display’ carries a similar meaning;

**“educational facility sign”** means signs erected at primary schools, secondary schools, tertiary institutions, crèches and nurseries. Advertisements at day care centers are not allowed.

**“engineer”** means a person who is registered as a professional in terms of section 46 of the Engineering Profession Act, 2000 (Act No. 46 of 2000), as a certified engineer, engineering technician, professional engineer or professional technologist (engineering);

**“entertainment districts”** means the areas including, but not limited to, in and known as Mimosa Mall, Loch Logan island, Waterfront Mall and the whole of Second Avenue, Bloemfontein, and can be any areas within the jurisdiction of the municipality, as may be recognised or determined by the municipality from time to time.

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

**“flashing sign”** means a sign in which the visibility of the contents is enhanced by the intermittently appearing and disappearing of the advertisement displayed, or the advertisement being illuminated with varying intensity or colours, either manually, mechanically, electronically or digitally;

**“flat sign”** means a sign which is affixed to an external wall but not to a parapet wall, balustrade or railing of a veranda or balcony of a building used for commercial, office, industrial or entertainment purposes and which at no point projects more than 600mm from the surface of such a wall and which may consist of a panel or sheet or of individual numbers, letters or symbols;

**“forecourt”** means an outdoor area which forms a functional part of a building housing an enterprise, and may include the area at a filling station where the pumps are situated, a terrace in front of a restaurant or café, a sidewalk café, or a similar enterprise, and any enclosing fence, wall, screen or similar structure forms part of a forecourt, but does not include a sidewalk area, which is intended for pedestrian circulation, in front of a business premises;

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

**“freeway”** means a road designated as a freeway by means of a road traffic sign;

**“gantry”** means a structure usually erected over a street or road with a horizontal beam on which signs are placed:

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

**“height”** means the vertical distance between the uppermost edge of the sign and the level of the ground, footway or roadway immediately below such sign;

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

**“illuminated”** with reference to an advertising structure means that the advertising structure has been installed with electrical or other power for the purpose of illumination of the message displayed on the structure;

**“illuminated sign”** means a sign the continuous or intermittent functioning of which depends upon it being illuminated;

**“inflatable”** means a plastic, rubber or other object which is inflated with the purpose of drawing attention to itself and on which an advertisement is or is not displayed;

**“landscape sensitivity”** means the visual or aesthetic sensitivity of the landscape, and may include traffic safety conditions, with regard to outdoor advertisements and signs, and is expressed in terms of “basic landscape sensitivity” or “degree of landscape sensitivity”;

**“locality bound sign”** means a sign displayed on a specific site, premises or building and which refers to an activity, product, service or attraction located, rendered or provided on that premises or site or inside that building;

**“location sign”** means a guidance sign provided under the Southern African Development Community Road Traffic Signs Manual as stipulated in the National Road Traffic Regulations, 2000 and used to identify places or locations which either provide reassurance during a journey, or identify destinations such as towns, suburbs or streets near the end of a journey;

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

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

**“mobile sign”** means an advertisement attached to or displayed on a vehicle, vessel or craft on land, on water or in the air;

**“municipality”** means the Mangaung Metropolitan Municipality, and when referred to as –

- (a) an entity, means Mangaung Metropolitan Municipality as described in section 2 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000); and
- (b) a geographic area, means the municipal area of the Mangaung Metropolitan Municipality as determined in terms of the Local Government : Municipal Demarcation Act, 1998 (Act No 27 of 1998);
- (c) a person, means any political structure, political office bearer, councillor, duly authorised agent thereof or any employee thereof acting in connection with this by-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;

**“non-locality bound sign”** means a sign displayed on a site, premises or building and which refers to an activity, product, service or attraction which is not located, rendered or provided on that premises or site or inside that building;

**“outdoor advertising”** means the act or process of notifying, warning, informing, making known or any other act of conveying information in a visible manner and which takes place out of doors;

**“person who displays a sign”** includes:

- (a) the owner of the sign;
- (b) the owner or occupier of the land or structure on which the sign is displayed;
- (c) the person to whose goods, trade, business or other concerns publicity is given by the sign;
- (d) the person who causes the sign to be displayed or who undertakes to maintain the sign; and
- (e) a body corporate;

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

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



**“public place”** includes any public road, sanitary passage, square or open space shown on a general plan of a township or settlement, filed in any deeds' registry or surveyor-general's office, and all land (other than erven shown on the general plan) the control whereof is vested, to the entire exclusion of the owner, in the municipality or to which the owners of erven in the township have a common right, and all property belonging to an organ of state;

**“road reserve”** means the land, either zoned as “street” within an established township, a right of way servitude registered over private property or a provincial or national road proclaimed over private property, which land includes the actual roadway, traffic islands and sidewalk/shoulders between the road reserve boundaries on either side of the road.

**“road traffic sign”** means a road traffic sign as defined in the National Road Traffic Act, 1996 (Act No. 93 of 1996);

**“roof sign”** means a sign on the main roof of a building which has fifteen or less floors, which building is used or partly used for commercial, office, industrial or entertainment purposes;

**“rural landscape”** refers to areas of transition between developed urban areas and relatively unspoiled natural areas outside the Municipal area, such as peri-urban small-holdings of a rural nature with a low population density, and natural areas;

**“site”** means a plot of land prepared for or underlying a structure or development and also refers to the location of a property

**“sign”** means -

- (a) an advertisement;
- (b) an object, structure or device which is in itself an advertisement or which is used to display an advertisement; or
- (c) an object, structure or device which is not in itself an advertisement or which is not necessarily or solely used to display an advertisement;

**“sky sign”** means a sign, which may form an important landmark, between 75 square meters and 300 square meters in size on top of a high-rise building in the municipal area;

**“specific consent”** means the written approval by the municipality ~~under~~ in terms of section 10 to display a sign;

**“spectacular”** means a custom-made billboard which incorporates special effects such as internal illumination, cut-outs, three-dimensional, electronic or digital representations;

**“street furniture”** means public facilities and structures which are not intended primarily for advertising, but which are provided for pedestrians and commuters, and includes seating benches, planters, pavement litter bins, pole-mounted bins, bus shelters, pavement clocks, telephone booths, traffic signal control boxes, and drinking fountains;

**“swinging sign”** means a sign that is not rigidly and permanently fixed or signs suspended by means of chains or cables;

**“teardrop flag”** means a sign in the shape of a feather or inverted teardrop which consists of a light-weight, flexible or rigid frame covered with material, and which is normally planted into the ground or placed on movable footing;

**“temporary sign”** means a sign not permanently fixed and not intended to remain fixed in one position;

**“third-party advertising”** means the advertising of goods which are not manufactured, produced, sold or delivered from a property on which the sign of those goods or services is displayed;

**“trailer advertisement”** means a sign which is temporarily or permanently attached to and positioned on a trailer or caravan or any other similar kind of vehicle which is used for the sole purpose of advertising;

**“unauthorised sign”** means a sign, the display of which is subject to specific consent and which is displayed without such consent;

**“urban area”** means a built-up area within the Municipality;

**“urban landscape”** means an urban area or any part of an urban area;

**“vehicular advertising”** means advertising on a self-driven vehicle which is normally driven on land or water and which is normally moving;

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

**“visual zone”** means a zone visible from an urban freeway, but does not include visually isolated spaces behind buildings, structures or landscape features which cannot be seen from such a freeway;

**“walking poster”** means a poster or posters which is suspended from a person’s shoulders or attached to a person;

**“window sign”** means a sign which is permanently painted on or attached to the window-pane of a building.

## **2. Purpose of By-laws**

The Mangaung Metropolitan Municipality must exercise its powers under these By-laws in the interests of amenity, public safety and business interests, and must take into account the considerations that -

- (a) signs or advertisements may not constitute a danger or nuisance to members of the general public, whether by way of obstruction, interference with traffic signals or with the visibility of the signals, light nuisance or otherwise;
- (b) signs or advertising that are displayed in its human living environment must be aesthetically pleasing, appropriate and placed at appropriate sites with an uncluttered effect, as the cluttering of signs at any one particular site is unacceptable;
- (c) material changes in circumstances are likely to occur, which may affect the municipality's decisions regarding consent which it has granted for the display of a sign, and regarding zoning;
- (d) no sign may -
  - (i) be detrimental to the environment or to the amenity of a human living environment by reason of size, shape, colour, texture, intensity of illumination, quality of design or materials or for any other reason;
  - (ii) be in its content objectionable, indecent or suggestive of indecency or prejudicial to the public morals;
  - (iii) unreasonably obscure, partially or wholly, any sign owned by another person previously erected and legally displayed; and
  - (iv) block views across vistas from prominent public places, or in gateways of urban areas: and
- (e) the Municipality aims to minimise the negative impact of outdoor advertising whilst maximising the positive effects thereof.

## **3. Application**

Subject to section 15, these By-laws apply to the display of any sign on any site in any of the areas of control in the Municipality, including both public property as well as private property on which a sign is displayed which is visible from any public place.

#### **4. Policy framework**

The policy underlying these By-laws is the South African Manual for Outdoor Advertising Control issued by the Department of Environmental Affairs and Tourism and the relevant policy approved by the Council from time to time and dealing with matters of advertising.

### **CHAPTER 2 AREAS OF CONTROL, SIGNS, AND REQUIREMENTS AND CONDITIONS THAT RELATE TO EACH SIGN**

#### **5. Areas of control, and exemptions**

- (1) The areas of control set out in this section, may be re-classified by resolution of the municipality from time to time.
- (2) For the purposes of these By-laws the following areas of control exist:
  - (a) Rural and urban areas of maximum control, which means and includes, for purposes of these by-laws, a low density residential area, a road reserve, an agricultural area, a cemetery, and a public open space, such as, but not limited to, a park, a national monument, a heritage site, a gateway and an urban freeway are all classified as areas of maximum control. Only signs conveying an essential message may be displayed in an area of maximum control;
  - (b) Urban areas of partial control which means and includes, for purposes of these by-laws, a medium density residential area in transition, a residential area where office and commercial encroachment is evident, a residential area with high-rise apartment blocks interspersed with shops and offices, a small commercial enclave in a suburban street, a suburban shopping centre and office park, a ribbon commercial development along a main street, an educational institution, a sports field stadium, and a commercialised square are all classified as urban areas of partial control ;
  - (c) Urban areas of minimum control which means and includes, for purposes of these by-laws, a business, industrial, commercial, amusement and transport area such as, but not limited to, a commercial district, a shopping centre, a central office precinct, an entertainment district and complex, an industrial area, and industrial park, and a prominent public transport node such as a railway station, a large bus station, a taxi rank, and an airport are areas classified as urban areas of minimum control; and
  - (d) Areas of maximum control in which advertising is prohibited:

- (i) No sign may be displayed in the section of Kolbe Avenue and Curie Avenue road reserves, between Roth Avenue and the Megapark traffic signal;
  - (ii) Advertising of any product, service or event or any goods of a commercial nature is prohibited in President Brand Street;
  - (iii) A natural open space, critical open spaces including a ridge, a natural watercourse, a nature reserve, an urban conservation zone for example Seven Dams Conservancy, Naval Hill and Quaggafontein;
  - (iv) The following road curves, where no advertising is allowed within 100 meters on either side of the following road elements:
    - The sharp road curves in Gen. Dan Pienaar Drive
    - The sharp road curve in De Bruyn Street
    - The sharp road curves in Wynand Mouton Drive
    - The sharp road curves in De la Rey Avenue
    - The sharp road curves in Walter Sisulu Road
    - The sharp road curve in Benade Drive (At Le Clus Street)
    - The sharp road curves in Pres. Boshof Street in the vicinity of St George Street
    - The sharp road curves in Curie Avenue between Victoria Road and Roth Avenue
    - The sharp road curve in Kenneth Kaunda Road
    - The sharp road curves in Raymond Mhlaba Street
    - The sharp road curves in Pres. Paul Kruger Avenue
  - v) The following portions of roads:
    - The extension of Albrecht Street to Arboretum Street
    - The roadway over all road/road and railway/road bridges
- (e) Advertising on the ground or onto lampposts and trees is prohibited on the following middle islands and traffic circles due to the aesthetical sensitivity of these areas :
- (i) Nelson Mandela Avenue (Furstenburg Road to Donald Murray)
  - (ii) Kenneth Kaunda Road Traffic Circle
  - (iii) Aliwal street middle islands ( at the intersection with Harry Smith Street and Union Avenue)
  - (iv) Raymond Mhlaba Street middle islands and traffic circle
  - (v) Maselspoort Road middle island

- (vi) Church Street (aa) buffer island , Francken Street to Falk Street and (bb) from fly-over to Vooruitsig Street
  - (vii) Monument Road (Church Street to De la Ray Avenue
  - (viii) Kolbe avenue (fly-over Roth Avenue)
  - (ix) Curie Avenue ( fly-over to Sannaspos Road
  - (x) Walter Sisulu Road (Van Schalkwyk Street to Stals Road)
  - (xi) Pres. Paul Kruger Avenue traffic circle
  - (xii) George Lubbe Street traffic circle
- (3) A person who intends to display a sign must verify that the sign may be displayed in a particular area of control as identified in the Schedules.
- (4) Extraordinary circumstances prevailing in a certain area in the municipality may require the municipality to declare the area exempt from the provisions of these by-laws, and in determining whether extraordinary circumstances exist which justify exemption, one or more of the following may be taken into consideration:
  - (a) whether an urban renewal program is in place which warrants a unique approach to outdoor advertising within its focus area;
  - (b) whether exemption from these by-laws will contribute to the success of the urban renewal program;
  - (c) whether the organisers of an international sports, arts or cultural festival require exemption from these by-laws to contribute to the success of the said festival;
  - (d) the nature and function of the defined area;
  - (e) the enhancement of the defined area, which can be achieved by means of exemption;
  - (f) the financial benefit to either or both the municipality or the urban renewal program accruing from such an exemption;
  - (g) the nature and extent of outdoor advertising, which will be permitted in terms of the proposed exemption; and
  - (h) whether the exemption granted will be in the public's general interests.
- (5) In the event of a special event, the municipality may, on application and payment of the fee determined by the municipality, grant, subject to any conditions it may deem necessary, an exemption from specific terms of these by-laws in respect of the sign types or areas of control, having regard to –
  - (a) the zoning of the area or erf in or on which the event is to be held;

- (b) the area of control where it is proposed to display the sign;
  - (c) the nature of the event;
  - (d) the duration of the erection or display of the sign;
  - (e) the size of the proposed sign;
  - (f) any traffic, safety, environmental or heritage impact assessment as may be required by the municipality; and
  - (g) the outcome of any public participation process, if so required by the municipality.
- (6) Where any contradiction, ambiguity or vagueness in the by-laws may occur, the interpretation of the Head: Planning is final and binding.

## **6. Signs, requirements and conditions**

The schedules in section 7 have effect and -

- (a) identify the different kind of signs provide a general description of the characteristics and functions of each of the different kinds of signs; and
- (b) lay down the specific conditions relating to the display of each of the different kinds of signs.

## **7. Schedules**

- (1) The Schedules that relate to each of the signs, are as follows:
- (a) Billboards and other high-impact free-standing signs, comprising -
    - (i) Schedule 1, super billboards;
    - (ii) Schedule 2, custom-made billboards;
    - (iii) Schedule 3, large billboards;
    - (iv) Schedule 4, electronic signs,
    - (v) Schedule 5, gantry billboards,
    - (vi) Schedule 6, small billboards and tower structures;

- (b) Posters and general signs, comprising –
  - (i) Schedule 7, street furniture;
  - (ii) Schedule 8, banners, flags and inflatables;
  - (iii) Schedule 9, estate agents' boards;
  - (iv) Schedule 10, auctioneering signs; sale of goods or livestock signs;
  - (v) Schedule 11, lampposts, pavement posters and notices;
  - (vi) Schedule 12, handbills, leaflets, pamphlets and community newspapers;
  - (vii) Schedule 13, project boards;
  - (viii) Schedule 14, window signs;
  - (ix) Schedule 15, security signs,
  - (x) Schedule 16, project replica's and three dimensional signs;
- (c) Signs on building, structures and premises
  - (i) Schedule 17, sky signs;
  - (ii) Schedule 18, roof signs;
  - (iii) Schedule 19, flat signs;
  - (iv) Schedule 20, projecting signs;
  - (v) Schedule 21, veranda, balcony, canopy, and under-awning signs;
  - (vi) Schedule 22, signs incorporated in fabric of building ;
  - (ix) Schedule 23, signs at educational facilities
  - (x) Schedule 24, signs on forecourts of business premises;
  - (xi) Schedule 25, signs for residential-oriented land use and community services;
  - (xii) Schedule 26, on-premises business signs;



- (xiii) Schedule 27, signs on towers, bridges and pylons, and
  - (xiv) Schedule 28, building wraps and signs on construction site boundary walls and fences;
  - (xv) Schedule 29, sponsorship signs at public open spaces and parks;
- (d) Signs for tourists and travellers, comprising -
  - (i) Schedule 30, sponsored road traffic projects signs;
  - (ii) Schedule 31, service facility signs;
  - (iii) Schedule 32, tourism signs,
  - (iv) Schedule 33, functional advertising signs by public bodies;
- (e) Mobile signs, comprising –
  - (i) Schedule 34, aerial signs;
  - (ii) Schedule 35, vehicular advertising;
  - (v) Schedule 36, trailer advertising; and
- (2) The figures which illustrate the restrictions on advertising opportunities inside and adjacent to road reserves at traffic intersections are contained in Schedule 3.

### **CHAPTER 3**

#### **CONSENT AND WITHDRAWAL OR AMENDMENT OF CONSENT**

#### **8. Consent, and contracts**

- (1) A sign may not be displayed without consent that was granted by the municipality -
  - (a) by section 9 (referred to in these By-laws as “deemed consent”); or
  - (b) by section 10 (referred to in these By-laws as “specific consent”).
- (2) Consent for the display of a sign includes consent for the use of the site for the purposes of the display, whether by the erection of structures or otherwise, however consent granted for the erection of an advertising structure cannot be construed as consent to use the structure for advertising purposes.

- (3) A person who displays a sign on Municipal land is a tenant at will, as set out in the lease agreement with the municipality, if applicable.
- (4) Since new types of signs are continuously being developed, and since the use of existing signs may become undesirable, it is provided that –
  - (a) a person who intends to display a sign –
    - (i) for which no provision is made in these By-laws;
    - (ii) which does not fall within any of the categories of signs provided for in these By-laws; or
    - (iii) the display of which is of such nature that it does not fall within the ambit of what is understood as ‘display’ in these By-laws, must:
      - (aa) apply for approval by completing the necessary application form and comply with all the other requirements and conditions which are specified in the application form;
      - (bb) provide any additional information required by the Municipality such as drawings, calculations, impact studies or any other information required to evaluate the application.
    - (iv) must obtain the written approval from the municipality before such a sign is displayed, subject to the prescribed special conditions for the display of the sign;
  - (b) the municipality may in writing notify a person who is displaying a sign, the display of which is found by it to be undesirable, to remove or cease the display of the sign.
- (5) A lease of land within the jurisdiction of the municipality does not confer the right to use the land solely for the purpose of advertising.
- (6) A person who intends to display a sign, is required –
  - (a) to enter into a contract, such as, but not limited to, an agreement, with the municipality where the sign is to be attached to a municipal asset, or to be erected on municipal land or land vested in the municipality, and the municipality will determine the duration of the contract and the fees to be paid by the person to the municipality; and
  - (b) where the municipality so requires, to sign an indemnity form in favour of the municipality and the municipality’s service providers.

## **9. Deemed consent**

- (1) Deemed consent is hereby granted for the display of those particular classes and types of signs as specified in the Schedules, in the areas of control contemplated for each such class or type of sign, and persons displaying those particular classes and types of signs do not need to apply for consent, subject to subsection(2) .
- (2) The said deemed consent to display a sign is not absolute.
- (3) A person who intends to display a sign on private or municipal land and has deemed consent is exempt from the provisions of section 10, but must comply with sections 18, 19, 20, 21 and 22.
- (4) The municipality has the right to determine areas of control and control measures related to certain types of signs to which deemed consent is applicable.

## **10. Specific consent, application, factors which municipality may consider, and renewal**

- (1) A person who intends to display a permanent or temporary sign on private or municipal land and who needs to obtain the specific consent of the municipality as specified in the Schedule that relates to the sign, must –
  - (a) complete the necessary application form and comply with all the other requirements and conditions which are specified in the application form;
  - (b) lodge two copies of the application form with the municipality;
  - (c) obtain the consent of the municipality before he or she may display or alter the sign;
  - (d) comply with all the other provisions of these By-laws; and
  - (e) upon lodging of the form contemplated in paragraph (b) pay all the prescribed fees and charges as determined by the municipality from time to time.
- (2) The municipality, when it considers the application, may have, in addition to other relevant factors, due regard to the following:
  - (a) That no sign should be so designed or displayed that it will -
    - (i) be detrimental to the environment or to the amenity of the neighbourhood because of size, intensity of illumination, quality of design or materials, or for another reason;

- (ii) constitute a danger to any person or property;
    - (iii) obliterate other signs;
    - (iv) be unsightly or impact detrimentally upon an architectural design;
    - (v) impair the visibility of a road traffic sign; or
    - (vi) affect the safety of motorists or pedestrians;
  - (b) the size and location of the proposed sign and its alignment in relation to an existing sign on the same building or erf and its compatibility with the visual character of the area surrounding it;
  - (c) the fact that the proposed sign is to be located directly on or in the vicinity of trees, rocks, hill sides, other natural features and areas of civic and historic interest;
  - (d) the number of signs which is displayed or to be displayed on the erf or building concerned, and its legibility in the circumstances in which it is seen; and
  - (e) the merits of the sign if the sign is not appropriate to the type of activity on or zoning of the erf or site to which it pertains.
- (3) The municipality may require that additional drawings, calculations and other information be submitted on application and may require a certificate by an engineer. The certificate must give sufficient details –
- (a) to enable the municipality to establish if the proposed means of securing, fixing or supporting of a sign is sufficient to resist all loads and forces to which it may be exposed; and
  - (b) regarding the sufficiency of the margin of safety against failure, in compliance with the provisions of Regulation B1 of the National Building Regulations and Building Standards Act, 1977 (Act No.103 of 1977).
- (4) The municipality may grant consent subject to any condition it may deem expedient, or may refuse consent.
- (5) The municipality must, within 30 working days after the application form has been lodged, send an acknowledgment of receipt of the application.
- (6) The municipality must, within 60 working days notify the applicant in writing if consent has been refused or granted only if all the relevant documentation were

provided. The municipality has an additional 30 working days to evaluate an application if the application had to be circulated internally for comments.

- (7) If consent is granted, the municipality must forward a notice of approval and specify in the notice of approval, the conditions and the duration of the term of the consent.
- (8) A sign must be displayed within 12 months after the date on which the municipality granted consent, otherwise the consent expires.
- (9) The municipality must keep a register which is open to public inspection at all reasonable hours and which contains particulars of –
  - (a) the application which was made to the municipality for specific consent for the display of a sign;
  - (b) the name and address of the applicant;
  - (c) the date of the application;
  - (d) the type of sign concerned; and
  - (e) any conditions relating to the display of the sign.
- (10) When a time period, which was specified in the approval expires, an application for renewal must, at least 60 days, prior to the expiry, be submitted for consideration of approval should a person who displays a sign elect to continue the display of the sign, and should the municipality refuse consent to display the sign, the person who displays the sign must forthwith cease to display the sign.
- (11) A person who must cease to display a sign must remove all structures or supports on which the sign was erected and rehabilitate the site on which the structures were erected.
- (12) The Municipality may, after at least 14 days written notice to the advertiser, at any time, withdraw an approval granted by it or its predecessor, or amend any condition or impose a further condition in respect of consent granted, if a sign or sign structure –
  - (a) is in a state of disrepair;
  - (b) stands empty for more than 60 consecutive days;
  - (c) no longer complies with any provision of these by-laws; or
  - (d) is substantially altered in any way from the original sign or structure that was approved.

- (11) All approved signs or advertisements should display an official sticker, number or other identifiable mark, developed and issued by municipality that can be used to determine the details of the sign. Signs without such identifying stickers, numbers or marks will be regarded as illegal and will be removed without any notice to the advertiser, nor the need for a Court order;
- (12) No person may in any manner whatsoever destroy, harm, damage or disfigure or deface the front or frontage of any municipal property, land, rock, tree or other natural feature or the front or frontage or roof of any building or structure during construction of or by the display or use of a sign or during the writing or painting of any sign.

#### **11. Withdrawal or amendment of consent**

- (1) If a sign or its display –
  - (a) does not comply with any one or more of the provisions of these By-laws;
  - (b) is in a state of disrepair;
  - (c) constitutes a danger to members of the public;
  - (d) is erected on municipal property, which property is required for municipal purposes after approval was given; or
  - (e) is undesirable in terms of section 8(4)(b),
  - (f) needs to be removed or relocated to prevent competition with essential new road traffic signage or traffic control measures as a result of road or traffic control improvements;
  - (g) had been approved as a result of a misrepresentation by an applicant;

the municipality may at any time, and if necessary to do so to remedy a substantial injury to the amenity of the locality, decide to take any one or more of the following actions:

- (i) to withdraw its consent for the display of a sign;
- (ii) to amend any condition relating to the display of a sign;
- (iii) to impose a further condition to the display of a sign; or
- (iv) to order that the display of the sign be discontinued.

- (2) In extraordinary circumstances, such as required by the organizers of an international sports, arts or cultural event, the municipality may require from advertisers in certain areas of the municipality, to remove, cover up or cease to display all signs indicated by the municipality for a specific period of time, as required by the organizers of the event to contribute to the success of such an event, and –
- (a) the municipality shall not be liable to pay any compensation to the advertisers of these signs for the determined period;
  - (b) the municipality shall inform such advertisers by way of notices as prescribed in subsection (3);
  - (c) the municipality shall extend the approval period or lease agreement of an advertiser referred to in this subsection, whichever is applicable, with the same period as the advertiser was required to cover up or remove his sign in terms of this subsection; and
  - (d) the municipality shall be entitled to remove such signs, cease to display or cover up such signs if an advertiser fails to comply with the said notice.
- (3) The municipality must serve a notice of its decision on the person who displays the sign, and the notice must –
- (a) specify a period within which the sign is to be removed, or within which the use of the site is to be discontinued, and contain a full statement of the reasons why the display of the sign must be terminated; or
  - (b) specify any amendment to a condition relating to the display of the sign, and if applicable, a time period relating to the amendment; or
  - (c) specify any further condition which is imposed, such as, but not limited to, the remediation of the site on which the sign was displayed to its original condition, and if applicable a time period relating to the further condition; or
  - (d) if consent for the display of the sign is withdrawn, inform the person who displays the sign to remove the sign immediately, and
  - (e) specify the sign or the site to which it relates.
- (4) Where an advertisement is approved along a provincial or national road by another responsible road authority, the permission of the municipality must also be obtained if the advertisement will be located in the jurisdiction of the municipality, or where the signs will be visible from any municipal roads. Similarly, where the municipality approves a sign that will be focused on a provincial or national road, the permission

of the relevant road authority also needs to be obtained before a sign may be displayed;

- (5) Merchandise may not be displayed for purposes of advertisement in an area that has not been approved by the Council for the display of merchandise.

#### **CHAPTER 4**

#### **DISPLAY OF UNAUTHORISED SIGN, ALTERATION OF EXISTING SIGN, DEPARTURE FROM APPROVED FORM OR PLAN, EXEMPT SIGNS, PROHIBITED SIGNS, AND TEMPORARY SIGNS**

##### **12. Display of unauthorised sign**

- (1) No person may display an unauthorised sign on private or municipal land.
- (2) A person who displays an unauthorised sign on private or municipal land must, after service on him or her of a notice of compliance in terms of section 25(2) to that effect, immediately cease to display the sign by removing it and the structures on which the sign is affixed.
- (3) If, before the date specified in the notice, the person satisfies the municipality that he or she has complied with the provisions of these By-laws, the municipality may withdraw the notice.

##### **13. Alteration of existing sign**

- (1) No person may, without the prior approval of the municipality, alter an existing sign on private or municipal land in instances where the display of the sign is subject to specific consent.
- (2) A person who alters such a sign displayed on private or Municipal land must, after service on him or her of a notice of compliance in terms of section 25(2) to that effect, immediately cease or cause to cease any alteration to the existing sign and must restore it to the to the state or display which had been approved by the municipality.

##### **14. Departure from approved form or plan**

- (1) No person, having obtained specific consent for the display of a sign on private or municipal land, may do anything in relation to the sign which is a departure from any form or plan approved by the municipality.
- (2) A person must, after the service upon him or her of a notice of compliance in terms of section 25(2) to that effect, immediately discontinue or cause to be discontinued such departure.



## **15. Exempt signs**

- (1) Advertisers wishing to display signs which are exempted from the provisions of these by-laws, must apply for their display or not, depending on the requirements of this section, and no application fees are payable for signs that are exempted signs.
- (2) Exempted signs that are not displayed towards public places may not be aesthetically unpleasing if visible from any public place.
- (3) Display of the following signs is exempt from the provisions of these by-laws and an application need not be submitted to the municipality:
  - (a) any price ticket which is smaller than 0,01 square meters on an item that is displayed in a shop-window;
  - (b) a road traffic sign which is displayed in terms of an Act of Parliament, Provincial legislation, or By-law;
  - (c) a sign which is displayed as required in terms of an Act of Parliament, Provincial legislation, or By-law;
  - (d) a national flag, which is hoisted on a suitable flagpole, with nothing attached to the flag and with no advertising material attached to the flagpole.
- (4) The following signs may be exempted from the stipulations of these by-laws, but an application for approval of the display of these signs in terms of the by-laws must be submitted to the municipality :
  - (a) A sign which is displayed in an arcade or in a private parking area and which is not displayed towards any public place outside of the arcade or private parking area;
  - (b) A sign which is displayed inside a building at a distance of more than two meters from any window or external opening through which it may be seen from outside the building and which is not aimed primarily at attracting the attention of road users ;
  - (c) a banner or flag that is carried through the streets as part of a procession;
  - (d) on Municipal land, a sign which is owned by the municipality and displayed on the initiation of the municipality;
  - (e) a sign displayed inside a sports stadium, sports club, school or other institute of learning, and which is not visible from outside the stadium, sports club, school or institute of learning.

## **16. Prohibited signs**

- (1) The following signs may not be displayed or caused to be displayed:
  - (a) a walking poster;
  - (b) a swinging sign, except with the express written permission of the Municipality;
  - (c) a sign painted on, attached to, or fixed between the columns or posts of a veranda;
  - (d) an animated or flashing sign, the frequency or the animation's or flashes or other intermittent alterations of which disturbs the residents or occupants of any building or is a source of nuisance to the public;
  - (e) a sign displayed on land not in accordance with the relevant zoning or consent use as per the applicable Town-planning Scheme;
  - (f) aesthetically unpleasing signs painted on a boundary wall or fence in an urban area of maximum control and a rural area of maximum control;
  - (g) an advertising sign, which is suggestive of anything indecent or which may prejudice the public morals by giving offence or display nudity;
  - (h) a poster pasted onto supporting columns, walls, pillars or any poster pasted otherwise than on a hoarding legally erected for the purpose of accommodating such poster;
  - (i) a permanent sign of which the maximum display period has expired; and
  - (j) unless written approval has been obtained, an advertisement or any distribution of pamphlets or promotional material, inside a road reserve.
- (2) No vehicle to which is attached or on which is displayed an advertisement, may be parked in any area of control with the sole purpose of drawing the public's attention to the advertisement attached to or displayed on the vehicle.
- (3) No sign may be displayed in any prohibited areas.
- (4) No person or business may without the written consent of the municipality, display a sign of any nature or in any manner directed at the public and with or without the object of informing the public of any -

- (a) opinion, event or phenomenon of whatever nature, be it factual or fictional, be it past, present or future; or
  - (b) product, commodity, or merchandise, be it in existence or not, disseminate to any person or attach to any object a leaflet, brochure, handbill or any similar article in any public place or area within the municipality's jurisdiction.
- (5) A person who intends undertaking an activity specified in subsection (4) must complete and submit the necessary application form, and the municipality may –
- (a) reject the application, in which case the dissemination or attachment of the leaflet, handbill or article is prohibited; or
  - (b) approve the application on such conditions as the municipality deems fit.
- (6) Merchandise may not be displayed for purposes of advertisement in an area that has not been approved by the Municipality for the display of merchandise.

## **17. Temporary signs**

The display, at a special event such as a sporting event and a festival, of a temporary sign containing the name of the sponsor is subject to specific consent, and the sign –

- (a) may be displayed as set out in the Schedules to these by-laws;
- (b) must be dismantled within three days after the conclusion of the event;
- (c) may, subject to the provisions of section 5(3), be displayed in all areas of control; and
- (d) must be located within the boundaries of the demarcated area in which the event takes place.

## **CHAPTER 5**

### **SAFETY, DESIGN AND CONSTRUCTION, MAINTENANCE, POSITION, AND ILLUMINATION OF SIGNS**

## **18. Amenity, safety and decency of signs**

- (1) No sign may –
- (a) be detrimental to the environment or to the amenity of a human living environment by reason of size, shape, colour, texture intensity of illumination, quality of design or materials or for any other reason; or
  - (b) unreasonably obscure, partially or wholly, any sign owned by another person previously erected and legally displayed.

(2) No advertisement or advertising structure –

- (a) may constitute a danger to any person or property;
- (b) may be so placed or contain an element as to distract the attention of a driver of a motor vehicle in a manner likely to lead to unsafe driving conditions;
- (c) that may be illuminated in terms of these by-laws, may be illuminated to the extent that it causes discomfort to or inhibits the vision of an approaching pedestrian or driver of a motor vehicle, or disturbs the residents or occupants of any building, or is a source of nuisance to the public;
- (d) may obscure a pedestrian's or motor vehicle driver's view of a pedestrian, a road or rail vehicle or a feature of the road, railway or pavement such as a junction, bend and a change in width;
- (e) may project over a pedestrian route, unless the clear height of such sign exceeds 2,4 meters or in the case of a cycle circulation route the clear height exceeds 3,0 meters ;
- (f) may obstruct any fire-escape or the means of egress to a fire-escape, or obstruct or interfere with any window or opening required for ventilation purposes of a building, or obstruct any stairway or doorway or other means of exit from a building, or prevent the movement of persons from one part of a roof to another part thereof;
- (g) may exceed the minimum clearance with regard to overhead power lines as prescribed in regulation 15 of the Electrical Machinery Regulations, No R1593 in GG. 11458, 12 August 1988, with the further provision that permission must be obtained from the relevant supply authority before any advertising structure may be erected in a power line servitude;
- (h) may resemble a formal road traffic sign in colour, shape or general appearance, or be of such nature that is could be mistaken for, or cause confusion with or interfere with the functioning of a road traffic sign or signal;
- (i) if located within the road reserve, may be closer than 25m from a formal road traffic sign;
- (j) may obscure a road traffic sign or signal;
- (k) may create a road safety hazard; or
- (l) may, if located within a road reserve, contain retro-reflective material, unless such material is required in terms of the specifications of the South African Development Community Road Traffic Signs Manual.

- (3) A sign or advertisement positioned along a road and specifically targeting the road user must be concise and legible and must comply with the following requirements:
- (a) No sign displaying a single advertisement or message may exceed 15 “bits” of information, and no combination sign or any other sign displaying more than one advertisement or message may contain more than six “bits” of information per enterprise, service or property, or per individual advertisement or message displayed on the combination sign, and “bit” values must be calculated as follows:
    - (i) A word of up to eight letters inclusive has a bit value of 1;
    - (ii) a number of up to four digits inclusive have a bit value of 0,5;
    - (i) a number consisting of five to eight digits have a bit value of 1;
    - and
    - (iv) a symbol, logo or abbreviation has a bit value of 0,5.
  - (b) A letter or digit must have a minimum size of 50 millimeters and must increase in size by 25 millimeters for every 15 meters distance away from the road reserve boundary of the adjacent road.<sup>a</sup>
  - (c) Street numbers attached to the perimeter boundary or wall of a property indicating specific premises must have a minimum size of 150 mm and a maximum size of 350 mm;
  - (d) The minimum letter size to be used on an advertising sign inside a road reserve is 80mm.
  - (f) No message may be spread across more than one sign or sign panel.
- (4) High impact signs displayed along roads must be spaced at the following minimum distances:

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<sup>a</sup> Example:

- (i) A letter or digit on a sign which is normally not more than 15 metres away from the road reserve boundary, may not be smaller than 50; millimetres;
- (ii) a letter or digit on a sign which is normally between 16 and 30 metres away from the road reserve boundary, may not be smaller than 75; millimetres;
- (iii) a letters or digit on a sign which is normally between 31 and 45 metres away from the road reserve boundary, may not be smaller than 100 millimetres;
- (iv) a letter or digit on a sign which is normally between 46 and 60 metres away from the road reserve boundary, may not be smaller than 125 millimetres, and so forth.

- (a) on a road with a speed limit of 81 kilometers per hour and higher, there must be a minimum distance of 250 meters between signs;
- (b) on a road with a speed limit between 61 kilometers per hour and 80 Kilometers per hour, there must be a minimum distance of 200 meters between signs; and
- (c) on a road with a maximum speed limit of 60 kilometers per hour , when the signs are in view of each other, there must be a minimum distance of 120 meters between signs.

## **19. Design and construction of sign**

### **(1) A sign -**

- (a) must be constructed and executed and finished in a workmanlike manner, and structural details should be in accordance with existing generally accepted and tested designs, or designed by an engineer;
- (b) may not be detrimental to or have a negative aesthetic impact on the urban design, streetscape or the character of the surrounding area by way of the design of the structure or device;
- (c) must have a neat appearance and must consist of durable materials in accordance with the function, nature and permanence of the advertisement, sign or structure, and materials such as cloth, canvas, cardboard, paper or synthetic cardboard should be used only when essential to the nature and function of a particular sign;
- (d) must have a neat appearance in terms of advertisement content and signwriting and an untidy handwritten message should be avoided as far as possible;
- (e) may not with an electrical services provision and any other accessory deface a building facade;
- (f) must be rigidly and securely attached, supported or anchored in a safe manner so that unwanted movement in any direction is prevented;
- (g) must be capable of effectively securing, supporting and maintaining not less than twice its mass with the addition of any force to which the sign may be subjected, including wind pressure;

- (h) wherever necessary in accordance with the nature of the sign and when attached to brickwork, masonry or concrete, must be securely and effectively attached thereto by means of bolts securely embedded in such brickwork, masonry or concrete or passing through the same and secured on the opposite side; and
  - (i) when attached to a conservation-worthy building, must be attached with the necessary expert advice in order to prevent damage to the building.
- (2) An advertiser or contractor -
  - (a) may not use water-soluble adhesive, adhesive tape or similar material to display or secure any sign or advertisement;
  - (b) may not display or secure any sign or advertisement elsewhere than on a billboard, board or any structure provided for this purpose;
  - (c) must have all exposed metalwork of any sign painted or otherwise treated to prevent corrosion, and all timber treated to prevent decay, which painting and treatment must be done in such manner that no pollution occurs or damage is done to the surrounding area; and
  - (d) must have measures taken to prevent the entry of water into and the accumulation of water or moisture on or in any sign or any part of its supporting framework, brackets or other members.
- (3)
  - (a) All glass used in signs, other than glass tubing used in neon and similar signs must be safety glass at least eight millimeters thick.
  - (b) Glass panels used in signs may not exceed 0,9 square meters in an area and must be securely fixed in the body of the sign, structure or device independently of all other panels.
- (4) Every illuminated sign and every sign in which electricity is used -
  - (a) must have a power cable and conduit containing an electrical conductor positioned and fixed so that it is not unsightly;
  - (b) must be constructed of material which is not combustible;
  - (c) must be provided with an external switch in an accessible position whereby the electricity supply to the sign may be switched off; and
  - (d) must be wired and constructed in accordance with and subject to the provisions of the Mangaung Electricity by-laws.

- (5) (a) No person may, in the course of displaying or removing any sign, advertisement structure or device, cause damage to any tree, electrical standard or service or other public installation or property.
- (b) Signage, or its brackets, on lamp posts may not cover or damage any markings such as codes or symbols on the poles.
- (c) Protective sleeves must protect the paintwork on electric lamp posts against possible damage which may be caused by brackets securing advertising signs against such poles, and the design of these brackets and the signage must be approved by the person in charge of Electricity provision for the municipality for each type of sign and lamp post to be used.

## **20. Maintenance of sign**

- (1) Maintenance of signs and their structures on Municipal land is the responsibility of the person who displays the sign, excluding the municipality, and should the municipality carry out any maintenance work as result of poorly maintained signs being attached, the municipality may claim the cost of such repairs from the person who displays the sign.
- (2) A sign must –
  - (a) where possible, be located at a height that discourages vandalism;
  - (b) be serviced, cleaned and repainted on a regular basis; and
  - (c) be maintained in good repair and in a safe and proper condition according to the highest standards as regards quality of structures, posting and sign-writing.
- (3) All signs contemplated in section 7(1)(a), being signs in class 1 (billboards and other high-impact free-standing signs) signs must be serviced, cleaned and painted in the manner and in accordance with the timeframes set out in the Schedules to these By-laws or in the contract between the municipality and the advertiser , whichever is applicable

## **21. Position of sign**

- (1) A sign –
  - (a) may not be displayed on a road island or road median;
  - (b) may not be suspended across a road, with the exception of –



- (i) a sign contemplated in section 7(1) (b)(iii) being a sign in Schedule 9, gantry billboards; 7(1)(c)(i), being a sign in the class 3(a) (sky signs); and
  - (ii) a sign contemplated in section 7(1)(c)(xii), being a sign on a bridge suspended across an urban road other than a freeway and as part of a streetscaping project;
- (c) may not be displayed within or suspended above a road reserve or within a distance of 50 meters outside the road reserve boundary of a freeway, with the following exceptions and provided that these exceptions, subject to subsection (1)(a), do not allow for the display of a sign on a road island or road median but only for the display of a sign on the side of a road reserve:
  - (i) project boards that concern road construction
  - (ii) sponsored road traffic projects signs
  - (iii) tourism signs
  - (iv) street name advertisement signs may be displayed within a road reserve of a proclaimed main road other than a freeway
  - (v) project boards that does not concern road construction may be displayed within a road reserve other than a freeway, but only next to the actual development site and only if sufficient space is not available on such a site.
  - (vi) signs on street furniture
  - (vii) street furniture
  - (viii) lamp posts , pavement posters and notices
  - (ix) neighbourhood watch signs and signs relating to similar schemes
  - (x) projecting signs
  - (xi) veranda, balcony, canopy and under-awning signs
  - (xii) functional advertising signs by public bodies may be displayed within an urban road reserve other than a freeway
  - (xiii) signs on towers, bridges and pylons may be displayed within an urban road reserve other than a freeway but only in an area of partial control and an area of minimum control
  - (xiv) gantries
- (d) may not be displayed within the specified distances of on-ramps and off-ramps and overhead traffic signs on freeways as illustrated in figure 1 in schedule 39, except where an enterprise is situated within such a prohibited area and it is not possible to indicate that particular enterprise by means of an appropriate sign outside the prohibited area; and
- (e) may not be displayed within a restricted area at an urban street corner as illustrated in figure 2 and 3 in schedule 39, with the exception of the following signs:

- a. window signs;
- b. street name advertisement signs;
- c. locality bound flat signs;
- d. projecting sign;
- e. veranda, balcony, canopy and under-awning signs;
- f. signs incorporated in fabric of building),

Provided furthermore that a sign displayed within a restricted area at a signalised street corner as illustrated in figure 3 in schedule 39 must have a clear height of at least six meters if such sign contains the colours red, green or amber.

- (2) No advertising signage may be affixed to a lamp post except, a sign designated lamp post, pavement posters and notices;

## **22. Illumination of sign and electronic sign**

- (1) The following maximum luminance levels per square meter are applicable to a sign, except for the daylight illumination of a Super Billboard:
  - (a) In the instance where the illuminated area is less than 0,5 square meter, the maximum luminance level is 1000 candela per square meter;
  - (b) in the instance where the illuminated area is between 0,5 square meter and 2 square meters, the maximum luminance level is 800 candela per square meter;
  - (c) in the instance where the illuminated area is between 2 square meters and 10 square meters, the maximum luminance level is 600 candela per square meter; and
  - (d) in the instance where the illuminated area is 10 square meters or more, the maximum luminance level is 400 candela per square meter.
- (2) The light source emanating from a floodlight may not be visible to traffic traveling in either direction.
- (3) Floodlighting must be positioned to ensure effective distribution and minimize light wastage or 'spill'.
- (4) The municipality may require traffic monitoring of any internally illuminated sign.
- (5) An electronic sign containing third-party advertising -
  - (a) may only be displayed in an area of partial and minimum control;

- (b) must be less than 2,1m<sup>2</sup>, which size may be waived up to a maximum size of 18m<sup>2</sup> in any such area that is not visible from a public road, upon receipt of an approved Environmental, traffic and Heritage Impact Assessment showing that no detrimental impact will be caused by the proposed display; and
  - (c) may not have subliminal flashes or video images.
- (6) In respect of urban freeways, irrespective of the area of control, the undermentioned signs may not be illuminated in any way unless overhead lighting lights the freeway over the full distance within which the advertising signs are placed:
  - (a) A super billboard;
  - (b) a custom-made billboard;
  - (c) a large billboard;
  - (d) a small billboard;
  - (e) a tower structure;
  - (f) street furniture advertisement;
  - (g) a temporary advertisement;
  - (h) a product replica;
  - (i) a three-dimensional sign;
  - (j) a flat sign;
  - (k) a roof sign;
  - (l) gantry billboards
  - (m) a sign painted on a wall or roof;
  - (n) a sign incorporated in the fabric of a building;
  - (o) a sign on a tower, bridge or pylon;
  - (p) an advertisement on a construction site boundary wall and fence; and
  - (q) an aerial sign.

- (7) The municipality may require a Traffic Impact Assessment to be conducted on any electronic sign, the results of which must indicate that no detrimental impact on traffic is envisaged, and the municipality may require subsequent traffic monitoring of any electronic sign.
- (8) Electronic signs may not be placed in such a manner that it is visible from any unlit urban freeway.

## **CHAPTER 6**

### **MISCELLANEOUS PROVISIONS**

#### **23. Public tenders**

- (1) The municipality must comply with its Supply Chain Management policy, the Municipal Finance Management Act, (Act No. 56 of 2003) and the provisions of the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) and the Regulations to the Act, in the awarding of tenders relating to the erection or display of advertisements or advertising space, products or any other messages on municipal or on private land.
- (2) The successful tenderer, known as the contractor is responsible for the display of an advertising sign in terms of the provisions of these By-laws and in terms of conditions agreed on in his or her contract with the municipality.
- (3) Should a contractor fail to comply with the provisions of subsection (2) or with the contract conditions, the municipality must serve a final notice on the contractor to rectify compliance with the provisions or contract conditions, and should the contractor not comply within two months after final notice has been served –
  - (a) the municipality has the right to terminate the contract with the contractor, after which –
    - (i) the contractor has no right to a sign agreed upon in his / her contract; and
    - (ii) the municipality may deal with the sign in accordance with sections 25(4), (6), (7), (8), (9) and (10); and
  - (b) the municipality may re-advertise the relevant contract for public competition in terms of the municipality's Supply Chain Management policy, and subject to the provisions of the Municipal Finance Management Act, (Act No. 56 of 2003) and the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) and the Regulations to the Act.
- (4) The municipality may refuse permission for an applicant to display or erect a sign on municipal or public land in terms of these by-laws if the specific class of signs was the

subject of an agreement in which the municipality awarded the sole right to display certain signs on municipal or public land to a contract party.

## **24. Authentication and service of notices and other documents**

- (1) A notice or other document requiring authentication by the municipality must be signed by the municipal manager or by a duly authorised officer of the municipality, and when issued by the municipality in terms of these By-laws is deemed to be duly issued if it is signed by an officer authorised by the municipality.
- (2) Any notice or other document that is served on a person in terms of these By-laws is regarded as having been served –
  - (a) when it has been delivered to that person personally;
  - (b) when it has been left at that person's place of residence or business in the Republic with a person apparently over the age of 16 years;
  - (c) when it has been posted by registered or certified mail to that person's last known residential or business address in the Republic and an acknowledgment of the posting thereof from the postal service is obtained;
  - (d) if that person's address in the Republic is unknown, when it has been served on that person's agent or representative in the Republic in the manner provided by paragraphs (a), (b) or (c);
  - (e) if that person's address and agent or representative in the Republic is unknown, when it has been posted in a conspicuous place on the property or premises, if any, to which it relates;
  - (f) in the event of a body corporate, when it has been delivered at the registered office of the business premises of such body corporate; or
  - (g) when it has been delivered, at the request of that person, to his or her e-mail address.
- (3) Service of a copy is deemed to be service of the original.
- (4) When any notice or other document must be authorised or served on the owner, occupier or holder of any property or right in any property, it is sufficient if that person is described in the notice or other document as the owner, occupier or holder of the property or right in question, and it is not necessary to name that person.

- (5) Any legal process is effectively and sufficiently served on the municipality when it is delivered to the municipal manager or a person in attendance at the municipal manager's office.

**25. Notice of compliance, removal, confiscation, destruction of signs, and related matters**

- (1) (a) Where the display of a sign does not comply with section 18, 19, 20, 21 or 22, the person who displays the sign must alter the sign so that it complies with section 18,19,20, 21or 22, and where –
- (i) traffic signal lights are erected in a place where previously there had been no traffic signal lights, but where there is currently being displayed a sign; or
  - (ii) there is an alteration in the level or position of a street, footway or kerb;
- (b) The person who displays a locality bound sign must immediately remove the sign where a sign is displayed on a site where there is a change in the nature of the business, industry, trade or profession which is conducted on the premises.
- (c) Where a sign is displayed on a site where, there is a change of ownership or occupancy of the premises on which the sign is displayed, the owners or occupiers of the site should inform the municipality of this change within 30 days from becoming owners or occupiers, or the change in the nature of the business.
- (2) The municipality may serve a notice of compliance on the owner of a sign to remove a sign within a specified time, or to carry out, within a specified time, such alteration to it or to do such work as may be specified in the notice or cover or cause the sign to be covered completely so as to conceal its contents, if the sign which is displayed is unauthorised, or does not conform to a provision of section 18, 19, 20, 21 or 22, or does not comply with a condition imposed in the Schedule that relates to the sign.
- (3) The notice of compliance must –
- (a) specify, at the time when the notice is issued, the name and residential or postal address, if either or both of these be known, of the person on whom the notice is served;
  - (b) state the particulars of the contravention;

- (c) where applicable, specify the time within which a sign is to be removed, or an alteration is to be carried out, or such work as specified is to be done or such sign is to be covered;
  - (d) subject to section 26, specify the fine payable as penalty in respect of that contravention and the place where the fine may be paid; and
  - (e) inform the person on whom the notice was served that he or she may, within 28 calendar days of the date of service of the notice –
    - (i) pay the fine; or
    - (ii) inform the municipality in writing that he or she elects to be tried in court on a charge of having committed an offence under section 26(1)(c).
- (4) If a person fails to comply with a notice served by the municipality on him or her, the municipality may enter upon the land upon which the sign to which the notice relates, is being displayed and remove, confiscate, and destroy the sign. For purposes of enforcement of this sub-section, the Municipality is entitled to enter upon its own property or private property to remove a sign, without a court order authorising it to do so.
- (5) The municipality may, without prior notice and without a Court order, remove, confiscate, and destroy any sign if the sign constitutes a danger to life or property, or causes an obstruction of visibility to traffic or to a road traffic sign on or adjacent to any public road.
- (6) The municipality, when it removes and confiscates or destroys the sign, is not required to compensate a person in respect of the sign in any way for loss or damage which results from its action.
- (7) Costs that are incurred by the municipality when it removes, confiscates or destroys a sign, rehabilitates land or does alterations or other works may be recovered from the person on whom the notice was served, or if a deposit has been paid in respect of the sign the costs may be deducted from the deposit, unless the person to whom a notice was given proves –
  - (a) that he or she did not, at the time when he or she received the notice, nor at any time thereafter, display the sign; or
  - (b) that he or she did not take any active part in displaying the sign and did not grant any person permission to display it and did not receive any valuable consideration in connection with the displaying of the sign, and that he or she

does not manufacture an article, or own, control or manage a business or undertaking to which the sign relates.

- (8) The penalty costs when the municipality removes a sign are determined by the Council from time to time by way of resolution and forms part of the Municipality's official tariffs and is included in the municipality's list of tariffs.
- (9) The Municipality may, in addition to other fines, charge a fine, as determined by Council from time to time, per day per square meter of signage for every unpermitted sign displayed.
- (10) Should the municipality decide not to destroy a sign, the original owner may repurchase a sign, which has been removed and confiscated. The repurchasing prices, which would include storage costs are according to the tariff determined by the Council from time to time.
- (11) The municipality may dispose of a sign which is not repurchased within two weeks.

## **26. Offences**

- (1) A person commits an offence if he or she –
  - (a) fails to comply with –
    - (i) any requirement which is set out in a notice of compliance in terms of section 25(2) that was served on him or her;
    - (ii) a condition that was imposed on him or her;
    - (iii) any requirement set out in a notice in terms of sections 8(4)b), 9(4) or 11(2);
  - (b) knowingly makes a false statement to a municipal officer, or in respect of an application;
  - (c) displays a sign that does not comply with any one or more of the provisions of sections 18, 19, 20, 21 or 22 or conditions imposed in the Schedule that relates to the sign;
  - (d) displays an unauthorised sign; or
  - (e) displays a sign in contravention of sections 8(4)(a), 10(8), 16(1) to (4) or (6) or 17, 22(1).



- (2) Upon conviction of a first offence, the person is liable to a fine, and should the person not pay the fine, he or she may be imprisoned for a period not exceeding two months.
- (3) Upon conviction of a second or subsequent offence, the person is liable to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment;
- (4) Upon conviction of a continuing offence the person is liable to a fine or a period of imprisonment or to such additional imprisonment without the option of a fine for every day during which the offence continued.
- (5) Upon conviction for the display of an unauthorised sign, the person is liable to a fine per sign displayed, and in addition to a fine per day per square meter of signage displayed for an unpermitted sign.
- (7) The Municipality may, hold back the processing of any application in terms of these By-laws, of a person continuing to display an unpermitted sign , or continuing a transgression contemplated in these By-laws of an provision thereof, until such transgression and, or display is ceased.

## **27. Right of appeal**

- (1) A person who is of the opinion that his or her rights are affected by a decision of a Head: Planning or his/her delegated official may appeal against that decision by submitting a written notice of the appeal and reasons to the Municipal Manager within 21 days of the date of the notification of the decision.
- (2) When the appeal is against a decision taken by –
  - (a) Head: Planning or his/her delegated official, the appeal authority is the Municipal Manager whose decision will be final and binding.
- (3) The Municipal Manager must consider the appeal and confirm, vary or revoke the decision, but no such variation or revocation of a decision may detract from any rights that may have occurred as a result of the decision.
- (4) The Municipal Manager must commence with an appeal within four weeks and decide the appeal within two weeks, after the receipt of the lodging of the appeal.
- (5) The lodging of an appeal in terms of subsection (1) does not confer a right on a person to display a sign in contravention of these by-laws or in contravention of a notice given in terms of these by-laws to have it removed, pending the finalization of the appeal.

## **28. Billing of advertising**

- (1) All advertising will be billed from the time that the sign was erected until the time the sign is removed or the application is cancelled (whichever is earlier).
- (2) All advertising will be billed in accordance with the municipality's published schedule of tariffs and charges as approved by the municipal council from time to time.
- (3) Application by each estate agency (as noted under section 7(1)(b)(iii)) on an annual basis must be made to the municipality for permission to display estate agent signs and approval is subject to payment of an annual fee in accordance with the municipality's published schedule of tariffs and charges.
- (4) The municipality will continue to bill the applicant as noted under section 28(3) annually until the application has been cancelled by the applicant.
- (5) In order for the applicant to cancel their application, proof that all advertising has been removed has to be provided, by the applicant, at the time of the cancellation.
- (6) Lack of the servicing of the debt by the applicant will be dealt with in accordance with the approved credit policy which the municipal council reviews on an annual basis.

## **29. Transitional provision**

- (1) The person who displays a sign, for which sign he or she had received written approval to display the sign prior to the commencement of these by-laws, must, within three months after the commencement of these By-laws, ensure that the sign complies in all respects with the provisions of these By-laws, and the municipality reserves the right to remove the sign immediately if the sign does not comply with these provisions after three months.
- (2) The person who displays a sign, the display of which is prohibited in terms of section 16 or for which sign he or she does not have any written permission from the municipality to display the sign, must remove the sign within seven days after the commencement of these By-laws.

## **30. Impact Assessments**

- (1) Environmental Impact Assessments as determined in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), must be conducted for all advertisements contemplated in the relevant Provincial or National legislation dealing with such requirements, and required by the said relevant department of Provincial or National Government.

- (2) The consultation processes of assessments required in terms of subsection (1) may be determined by the Council by resolution from time to time.
- (3) Besides classes of advertisements for which Traffic Impact studies is required in terms of these by-laws and Schedules, the municipality may require a traffic impact study for any other class of advertisements if such advertisement might have a detrimental impact on traffic .
- (4) Any other assessments that the municipality may require to approve the display of a sign in terms of these by-laws may be required from prospective advertisers.

### **31. Saving provisions**

Nothing which is contained in these By-laws is to be construed as to affect in any way rights that belong to, or duties which are imposed on the municipality as the body in whom ownership is lawfully vested of or who has control over any street or other place or thing within its area of jurisdiction.

### **32. Presumptions**

Any person charged with a contravention in terms of these by-laws, who is -

- (a) alone or jointly with any other person, responsible for organizing or in control of any meeting, function or event, to which a sign or advertisement relates, shall be deemed, until the contrary is proved, to have knowingly displayed every unlawful sign or advertisement in connection with such meeting, function or event or to have caused or allowed it to be so displayed;
- (b) the person whose name appears on an unlawful sign or whose product or services are advertised on such sign shall be deemed, until the contrary is proved, to have displayed such sign , or to have caused or allowed it to be displayed;
- (c) the owner of any land or building on which any unlawful sign was or is displayed , shall be deemed , until the contrary is proved, to have knowingly displayed such sign or caused or allowed it to be so displayed; and
- (d) the owner of a sign or the person who erected, constructed or displayed the sign which is unlawfully displayed in terms of these by-laws, shall be deemed , until the contrary is proved, to have knowingly erected, constructed or displayed such sign.

### 33. Amendments

- (1) The Outdoor Advertising By-laws of the Mangaung Local Municipality, promulgated on the 21<sup>st</sup> November 2008 under Local Government Notice No.77 of 2008, are hereby amended by the amendment by-law promulgated during September 2015.
- (2) Anything done under or in terms of any provision amended by subsection (1) above is deemed to have been done under the corresponding provisions of these By-laws and such amendment does not affect the validity of anything done under the By-laws so amended, so far as they are not inconsistent with the provisions of these By-laws.
- (3) Any application lodged in terms of the provisions amended in terms of subsection (1) above, and pending before the municipality at the commencement of amended provisions By-laws, shall be dealt with in terms of the provisions of these amended By-laws.

### 34. Short title and Commencement

These By-laws are called the ***Mangaung, Outdoor Advertising By-laws***, comes into operation on the date of publication thereof in the Provincial Gazette.

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## SCHEDULES

### SCHEDULE 1 Super billboards

1. A sign may be displayed in an urban area of minimum control only.
2. Display of a sign is subject to specific consent.
3. A sign may be displayed only after an environmental impact assessment (comprehensive impact assessment report), which includes visual, social and traffic safety aspects, has been undertaken and has been submitted by the applicant to the municipality and which has been approved by the municipality and the relevant authority in accordance with the stipulations of Section 29(1) of these By-laws.
4. Any billboard containing animation and larger than 20 square meters is regarded as a Super Billboard and must comply with the requirements of this Schedule.
5. A sign, (excluding signs with animation) may be larger than 40 square meters but may not exceed a maximum size of 81 square meters per face.
6. The clear height of the advertising structure may not be less than 2,4 meters and the top of the display may not exceed 25 meters in height.

7. The height limitation of super billboards is measured from the normal ground level to the top of the advertising sign, including the height of the supporting structure below the sign.
8. A sign must be displayed perpendicular to the direction of oncoming traffic.
9. A minimum distance of 5 kilometers between signs displayed on the same side of the road and signs visible in the same direction of travel must be maintained.
10. (a) No sign may be erected within a radius of 200 meters from the centre of an intersection on an arterial road, or within a radius of 100 meters from the centre of an intersection on any lower order road in such a manner as to be oriented towards such an intersection.  
  
(b) The distances represented in Figure 1, Schedule 39 must be increased by 25 percent.
11. Subject to the provisions of section 18, 19(4), 21(1)(e) and 22, illumination and animation of a sign is allowed a sign is allowed, subject to the maximum sizes allowed for animated signs.
12. A sign must be placed on a base, which has been designed and erected in accordance with conditions, which the municipality may impose in terms of section 10(4).
13. The municipality may approve for the display of a sign for a period ranging from one to five years, and shall not grant approval for an indefinite period.
14. Road safety principles will be taken into consideration when determining letter sizes and the length of messages.
15. Signs in this class may not be located within any road reserve.
16. Maintenance should be done on a continuing basis and a maintenance report should be submitted to the municipality once a year on a date prior to the anniversary of the date on which approval was given for the display of the sign.

## **SCHEDULE 2**

### **Custom-made billboards**

1. A sign may be displayed in an urban area of minimum control only.
2. Display of a sign is subject to specific consent.

3. A sign may be displayed only after an environmental impact assessment (comprehensive impact assessment report), which includes visual, social and traffic safety aspects, has been undertaken and has been submitted by the applicant to the municipality and which has been approved by the municipality.
4. A custom-made billboard may not exceed a maximum size of 54 square meters per face, and may feature special effects such as internal illumination, special character cutouts and three-dimensional representations.
5. The clear height of the advertising structure may not be less than 2,4 meters, and the top of the display may not exceed 13 meters in height .
6. The height of a custom-made billboard is measured from the normal ground level to the top of the display, including the height of the supporting structure below the sign.
7. The provisions of sections 21(1)(a)–(c), and the following conditions apply to the position of a sign:
  - (a) No more than one sign may be displayed on a site;
  - (b) a sign consisting of a single board must be displayed perpendicular to or at an angle of up to 30 degrees to the direction of oncoming traffic;
  - (c) where two boards are joined together, the sign must be displayed with the axis of symmetry perpendicular to the direction of oncoming traffic;
  - (d) a maximum of two signs may be displayed in the vicinity of a road intersection;
  - (e) the display of a billboard is not permitted within a radius of 100 meters from the centre of an intersection on a arterial road and within a radius of 50 meters from the centre of an intersection on any lower-order road; and
  - (f) Spacing requirements must be in accordance with section 18 regarding high impact signs.
8. Signs located in the vicinity of a traffic intersection in a radius of 25 meters from the centre of the intersection may not contain the colours red, amber or green if such colours will constitute a traffic hazard.
9. Internal and external illumination is allowed in accordance to sections 18, 19(4), 21(1)(e) and 22.
10. No animation is allowed.

11. A sign must be placed on a base, which has been designed and erected in accordance with conditions which the municipality may impose in terms of section 10(4).
12. Signs in this schedule may not be located within any road reserve.
13. The municipality may grant approval for the display of a sign for a period ranging from one to five years, but may not grant approval for an indefinite period.
14. Maintenance should be done on a continuing basis and a maintenance report should be submitted to the municipality once a year on a date prior to the anniversary of the date on which approval was given for the display of the sign.

### **SCHEDULE 3** **Large billboards**

1. A sign may be displayed in an urban area of minimum control only.
2. Display of a sign is subject to specific consent.
3. A sign may be displayed only after an environmental impact assessment (comprehensive impact assessment report), which includes visual, social and traffic safety aspects, has been undertaken and has been submitted by the applicant to the municipality and which has been approved by the municipality.
4. A large billboard may not exceed a maximum size of 40 square meters per face.
5. The clear height of the advertising structure may not be less than 2,4 meters and the top of the display may not exceed more than 8, 5 meters in height.
6. The height of a large billboard the advertising structure is measured from the normal ground level to the top of the display, including the height of the supporting structure below the sign.
7. The provisions of section 22(1)(a) – 22(1)(d), and the following conditions apply to the position of a sign:
  - (a) No more than one sign may be displayed per site;
  - (b) an advertisement consisting of a single board must be displayed perpendicular to or at an angle of up to 30 degrees to the direction of oncoming traffic;

- (c) where two billboards are joined together, the sign must be displayed with the axis of symmetry perpendicular with the direction of oncoming traffic;
  - (d) Spacing requirements must be in accordance with section 18 regarding high impact signs.
  - (e) a maximum of two billboards may be displayed in the vicinity of a road intersection;
  - (f) No billboard may be displayed within a radius of 100 meters from the centre of an intersection on an arterial road and within 50 meters from the centre of an intersection on any lower-order road.
- 8. Internal and external illumination is allowed in accordance to section 18, 19(4), 21(1)(e) and 22.
  - 9. No animation of a sign in this class is allowed.
  - 10. Signs in this class may not be located within any road reserve.
  - 11. Signs located in the vicinity of a signalised traffic intersection may not contain the colours red, amber or green if such colours will constitute a traffic hazard.
  - 12. A sign must be placed on a base, which has been designed and erected in accordance with conditions which the municipality may impose in terms of section 10(4).
  - 13. The municipality may grant approval for the display of a sign for a period ranging from one to five years, but may not grant approval for an indefinite period.
  - 14. Maintenance should be done on a continuing basis and a maintenance report should be submitted to the municipality once a year on a date prior to the anniversary of the date on which approval was given for the display of the sign.

#### **Schedule 4**

#### **ELECTRONIC SIGN**

- 1. A sign may be displayed in an urban area of partial and minimum control only.
- 2. Display of a sign is subject to specific consent.
- 3. A sign may be displayed only after an environmental impact assessment (comprehensive impact assessment report), which includes visual, social and traffic safety aspects, has been undertaken and has been submitted by the applicant to the



municipality and which has been approved by the municipality or the relevant authority as determined in Section 29(1) of these By-laws.

4. An electronic sign may not exceed a maximum size of 18 square meters.
5. The clear height of the advertising structure may not be less than 2,4 meters, and may not exceed 8,5 meters in height .
6. The height of the advertising structure is measured from the normal ground level to the bottom edge of the advertising sign, including the height of the supporting structure below the sign.
7. The provisions of sections 21(1)(a)–(c), and the following conditions apply to the position of a sign:
  - (a) No more than one sign may be displayed on a site;
  - (b) a sign consisting of a single board must be displayed perpendicular to or at an angle of up to 30 degrees to the direction of oncoming traffic;
  - (c) where two boards are joined together, the sign must be displayed with the axis of symmetry perpendicular to the direction of oncoming traffic;
  - (d) a maximum of two signs may be displayed in the vicinity of a road intersection; when the signs are located on different sides of the road;
  - (e) the display of a billboard is not permitted within a radius of 100 meters from the centre of an intersection on an arterial road and within a radius of 50 meters from the centre of an intersection on any lower-order road; and
8. A sign must comply with the stipulations of sections 18 and 19.
9. A sign may not have animation or displays which change more than once every 6 hours or contain any subliminal flashes.
10. A sign must be placed on a base, which has been designed and erected in accordance with conditions which the municipality may impose in terms of section 10(4).
11. Signs in this class may not be located within any road reserve.
12. The municipality may grant approval for the display of a sign for a period ranging from one to five years, but may not grant approval for an indefinite period.

13. Maintenance should be done on a continuing basis and a maintenance report should be submitted to the municipality once a year on a date prior to the anniversary of the date on which approval was given for the display of the sign.

#### **Schedule 5**

#### **GANTRY BILLBOARDS**

1. A sign may be displayed in an urban area of partial and minimum control only.
2. Display of a sign is subject to specific consent.
3. A sign may be displayed only after an environmental impact assessment (comprehensive impact assessment report), which includes visual, social and traffic safety aspects, has been undertaken and has been submitted by the applicant to the municipality and which has been approved by the municipality or the relevant authority as determined in Section 29(1) of these By-laws.
4. Gantries must have a minimum height of 6m above the level of the street below. The gantry advertising sign may not exceed 3 meters in height.
5. The vertical supporting structures of gantries may not be used for advertising.
6. The supporting structures and beams of gantries must be designed in such a way that it forms an aesthetically pleasing component of the gantry itself, which design must be approved by the Municipality.
7. No commercial product or service may be advertised on gantries.
8. Vacant advertising space may not be advertised on a gantry.
9. No animation, 3D- replicas or cut-out silhouettes are allowed on gantries.
10. No more than one advertisement may be displayed per direction on a gantry and the minimum height of letters on the sign may not be less than 200 millimeter.
11. Lighting units and their supports may not be located lower than the lower edge of a gantry and must be in accordance to the requirements in section 18, 19, 21 and 22.
12. Gantries are not allowed within 300 meters of signalized traffic intersections where overhead traffic lights had been installed.
13. Gantries may not be closer than 200 meters from a traffic intersection along an arterial road and closer than 150 meters from a traffic intersection on a lower order road.

14. Gantries may not be located closer than 2 kilometers along the same street, , except for gantries which form part of official streetscaping projects, which may be located closer together.
15. A sign must be placed on a base, which has been designed and erected in accordance with conditions which the municipality may impose in terms of section 10(4) as well as the National Building Regulations.
16. The municipality may grant approval for the display of a sign for a period ranging from one to five years, but may not grant approval for an indefinite period.
17. Maintenance should be done on a continuous basis and a maintenance report should be submitted to the municipality once a year on a date prior to the anniversary of the date on which approval was given for the display of the sign.

#### **SCHEDULE 6**

##### **Small billboards and tower structures**

1. A sign may be displayed in an urban area of partial control and an urban area of minimum control only.
2. Display of a sign is subject to specific consent.
3. Display of a sign that forms part of the parking layout of a business centre and is not visible from a passing road is not subject to specific consent.
4. Subject to the approval to display signs in terms of these by-laws, these signs may be displayed on sport's fields and grounds of sport clubs, subject to the following conditions:
  - (a) a maximum of two signs per street frontage are allowed, signs must be 100 meters apart;
  - (b) the sign may not be erected closer to 15 meters from any intersection;
  - (c) at least 35% of the sign-artwork should display the name of the sport's club and events to be presented at the club;
  - (d) a sign may not exceed a maximum size of 12 square meters, and a maximum height of 3,5 meters.
5. A panel or board on a tower structure may not exceed a maximum size of 5 square meters. The clear height of a tower structure may not be less than 2,4 meters, and the maximum height of such a structure may not be more than 5 meters.

6. A tower structure provided in a larger pedestrian area may be used only as a focal point, and must be of a high visual standard and must harmonise with the surrounding buildings and streetscape.
7. A billboard may not exceed a maximum size of 6 square meters, and a maximum height of 3,5 meters.
8. The illumination and animation of a sign is permitted, except in residential areas, and is subject to the provisions of sections 18(1), 19(4), 21(1)(e), 22, and the additional provision that such illumination or animation does not constitute a road safety hazard or cause undue disturbance.
9. A sign must be placed on a base, which has been designed and erected in accordance with conditions which the municipality may impose in terms of section 10(4).
10. The municipality may grant approval for the display of a sign for a period ranging from one to five years, but may not grant approval for an indefinite period.
11. A sign may not identify the location of specific enterprises or contain any directional signage.
12. A sign may not be displayed on property zoned for residential or residential orientated use.
13. Signs in this class may not be located within any road reserve.

#### **SCHEDULE 7** **Street furniture**

1. A sign, except a litter bin, may be displayed in all areas of control.
2. Display of a sign is subject to specific consent.
3. Advertising of products, companies or services are allowed.
4. Advertising signs may not be attached to street furniture where it may obstruct sight distance from a nearby intersection or from a motor car driveway.
5. Except for litter bins and bus shelters erected by the municipality, advertisements in this class which is erected within a road reserve, may not be located closer than 120m to formal road traffic signage displayed in terms of the Road Traffic Act, No 93 of 1996, facing the same traffic direction.

6. The following specifications are applicable to litterbins inside road reserves, on municipal property and on other public open spaces:
  - (a) litterbins may only be placed in such locations as approved in writing by the municipality;
  - (b) litterbins may only be placed on a suitably prepared concrete or paved footing and must be adequately secured to prevent it from being blown over by winds with speed of up to 60 kilometers per second.
  - (c) litterbins may not be placed on traffic islands.
  - (c) litterbins may not be located closer than 1 meter from the edge of a public road.
  - (d) Only litterbins with a vertical height of 900mm or less may be located closer than 50m to a traffic intersection or a high volume vehicle access.
  - (e) An advertisement on a litter bin should be aimed at pedestrians and not motorists.
  - (f) Approval of a litterbin site does not grant the applicant an indefinite right to advertise on the particular site.
  - (g) Advertising periods are as determined by the Municipality from time to time, and the applicant must ensure that he or she ascertains such periods from the Municipality.
7. A sign on street furniture may not exceed 2,2 square meters in area, provided that where a sign is double sided and faces in more than one direction, the total area may not exceed 4,4 square meters.
8. Street furniture carrying an advertisement may not exceed a maximum height of 3 meters.
9. The provisions of sections 18, 19(4), 21(1)(a) – 21(1)(c), 21(1)(e), and the following conditions apply to the position of a sign:
  - (a) An advertising sign on street furniture may be displayed within an urban road reserve other than a freeway and may not contain retro-reflective material;
  - (b) a sign in this class may not be closer than 300 millimeters to the vertical line of the edge- of a cycle path or footpath;
  - (c) street furniture may not be used or positioned for the primary or sole purpose of advertising;

- (d) street furniture may not be placed in such a way as to obstruct any pedestrian movement; and
  - (e) signs in this class may not be less than 120 meters apart if they are on the same side of the street.
10. A sign displayed in the vicinity of signalised intersections may not contain the colours red, amber or green if such colours will constitute a road safety hazard.
  11. Illumination and animation in or on these signs are not allowed.
  12. Street furniture must make a positive contribution to streetscaping.
  13. Street furniture higher than 3 meters may be used only as focal points.

#### **SCHEDULE 8**

##### **Banners, flags and inflatables**

1. A banner, flag, teardrop flag or inflatable may be displayed in all areas of control.
2. Display of a banner, flag, teardrop flag or inflatable is subject to specific consent.
3. No portion of any sign in this schedule may be displayed inside or above a road reserve.
4. No illumination or animation for a sign in this schedule is allowed.
5. Display of a banner , flag, teardrop flag or inflatable is subject to the safety requirements as provided for in section 18, and the condition that a banner, flag, teardrop flag or inflatable may not be attached in a manner so as to interfere with or constitute a danger to passing vehicular or pedestrian traffic.
6. A banner or flag must be attached to or suspended between poles or other supports on the site, or against the building where the function or event is to be held or where the enterprise is located or on such other site as the municipality may permit.
7. Banners and flags carried through the streets as part of a procession are excluded from the requirement of this schedule.
8. No banner, flag, teardrop flag or inflatable may be displayed along streets with a speed limit of more than 60 km/h.
9. The following restrictions apply to flags:

- (a) subject to item 21, the display of a national flag of any country is excluded from conditions stipulated in this schedule. A national flag may not carry on the flag or flag-staff any advertisement or subject matter additional to the design of the flag;
- (b) a flag may be used for commercial advertising and may only display the name or logo of the enterprise on the premises;
- (c) a maximum of 4 flags per road frontage may be displayed;
- (d) a flag may not exceed a maximum sign area of 2 square meter;
- (e) a flag must be higher than 2.5 meters from the ground;
- (f) a flag must be attached to a single flag-staff projecting vertically from a premises or projecting vertically, horizontally or at an angle from a building.

10. The following restrictions apply to banners:

- (a) A banner may only be used for locality bound advertising of functions or events conducted for religious, educational, social, welfare, animal welfare, sporting, civic or cultural purposes or functions or events relating to municipal, provincial or parliamentary elections or referenda, and for decoration of the streetscape in urban areas such as pedestrian malls.
- (b) A banner shall not be used for commercial advertising.
- (c) A banner must be attached to or supported between poles or other supports on the premises or against the building, wall or fence where the function or event is to be held, or be attached to a structure specifically designed for this purpose. A banner shall not be attached in such a manner as to compromise the structural stability of the structure to which it is attached.
- (d) A sponsors' name or logo may occupy no more than 20% of the advertising area on a banner.
- (e) Banners may not be suspended across a road or between street lamp poles or traffic signs or be affixed to a bridge spanning over a road.
- (f) Only one banner per event per premises may be displayed.
- (g) A banner may not be larger than 6 square meters in size.

11. The following restrictions apply to teardrops

- (a) a teardrop flag may not be larger than 2,2 square meters.

- (b) a maximum of two teardrops may be displayed per premises.
  - (c) no sign may be displayed within the road reserve.
  - (d) a sign may not obstruct the view of a motorist or pedestrian.
  - (e) only the name or logo of the enterprise or functions and events conducted for religious, educational, social welfare, animal welfare, sporting, civic or cultural purposes, or functions or events relating to municipal, provincial or parliamentary elections or referenda.
  - (f) a sign may be used for commercial advertising but only the name or logo of the enterprise or product may be displayed on the sign. Functions and events conducted for religious, educational, social welfare, animal welfare, sporting, civic or cultural purposes, or functions or events relating to municipal, provincial or parliamentary elections or referenda may be displayed on the sign.
12. The following restrictions apply with regards to the size of inflatables, where D represents the distance in meters of the sign from the nearest road reserve boundary and H represents the height:
- (a) **In areas of partial control:** The maximum allowable height can be calculated with the following formulae:  $H = 1.5 + D * 0.15$ , to a maximum height of 7.5m. The horizontal circumference may not exceed 6.5m and the maximum projected area of any side may not exceed 8m<sup>2</sup>
  - (b) **In areas of minimum control:** The maximum allowable height can be calculated with the following formulae:  $H = 2 + D * 0.15$ , to a maximum height of 10m. The horizontal circumference may not exceed 8.5m and the maximum projected area of any side may not exceed 11m<sup>2</sup>
  - (c) The height restriction specified for inflatables is the distance from the ground level to the top of the sign, irrespective of whether the sign is located on the ground or will be elevated on a structure.
  - (d) An inflatable in excess of 3m in height may not be located closer than 100m to an intersection along an arterial road, or closer than 50m to other traffic intersections.
  - (e) Signs closer than 30meters to a road reserve boundary shall be spaced at the following minimum distances when in view of one another and on the same side of the road:

SPEED LIMIT	SPACING
Faster than 80km/h	250m



60 – 80km/h	200m
Less than 60 km/h	120m

- (f) One inflatable may be displayed per event, enterprise or function in an urban area of partial control and an urban area of minimum control.
- (g) No sign shall exceed a height of 10 meters taking in consideration that the height of the signs shall be of such a nature as to limit its display to spectators and visitors to a specific event, festival or exhibition.
- (h) A sign shall not be aimed at passing motorized traffic.
- (i) An inflatable shall not be positioned in such a way that it prevents the utilization or accessibility of any parking bay that had been provided on the site in terms of an approved building plan.

#### **SCHEDULE 9** **Estate agents' boards**

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to deemed consent.
3. The maximum size of a sign is as follows:
  - (a) In a residential area in an area of maximum and partial control, a total area of 0,55 square meter for a single board, or a total area of 0,65 square meter for two joined boards;
  - (b) in agricultural area a total area of 2 square meters for a single board.
  - (c) in an area of minimum control, a total area of 2,8 square meters for a single board.
4. Only one sign per estate agent may be displayed per premises.
5. A single "Sold" sign may be displayed flush against the fence or wall of the property for a maximum period of 30 days only.
6. Not more than three estate agents may display their signs simultaneously on the same premises.

7. At a townhouse complex only one estate agent sign per estate agency may be displayed at the entrance gate of the complex, with a maximum of 6 signs permitted that the signs are not a hazard to pedestrians or traffic.
8. The sign may be –
  - (a) placed at or fixed to the building concerned only;
  - (b) attached to the boundary fence of the premises or erected within 500 mm of the boundary fence concerned only; or
  - (c) displayed within the boundaries of such premises only;
9. No sign affixed to the boundary wall of a property may at any point project more than 0,5 meter from the wall of the building or structure to which it is affixed.
10. A sign may not be displayed on the centre median of a road or on any traffic island.
11. No specific limitations are imposed as to the colour or texture of a sign.
12. Illumination or animation of a sign is not permitted.
13. Application by each estate agency on an annual basis must be made to the municipality for permission to display estate agent signs and approval is subject to payment of an annual fee in accordance with the municipality's schedule of tariffs and charges as resolved upon by the municipality from time to time.
14. Any estate agent sign unlawfully erected, or in contravention of the provisions of this Schedule, is subject to a contravention-charge by the municipality, calculated in accordance with the published schedule of tariffs and charges irrespective of whether such sign is removed by the Municipality or not.
15. Estate agent signs may not pose a threat for possible injury to pedestrians, or obstruct pedestrian movement along a sidewalk.
16. Display of a sign is subject to the design and construction requirements as provided for in section 18, 19 and 21.
17. A sign may only contain the name, logo, address and telephone number of the selling or letting agent, and the words 'For Sale' , 'To Let' , 'Sold' or 'On Show'.  
The wording "Sole Mandate" may only be used on "For Sale" boards.
18. No boards containing photographs of estate agents or the wording "Area specialist" will be allowed.

19. No balloon or any other object which aim is to draw attention of a person to the sign may be displayed.
20. A sign may not be used for commercial advertising.
21. The following are allowed only for show houses, from 12 am on Friday until 20:00 pm on Sunday:
  - (a) 1 estate agent "on show" board per property, which sign must be located on the erf boundary or within the property concerned;
  - (a) 1 teardrop flags per property located on the erf boundary of the property concerned;
  - (b) A maximum of 4 Teardrop flags may be utilized if these are located within the erf boundary
22. Township development signs may be erected on the vacant land to be developed, subject to specific consent of the municipality, with the following maximum sizes:
  - (a) 8 square meters where the land to be developed is bigger than 3 000 square meters;
  - (b) 12 square meters where the land to be developed is bigger than 5 000 square meters;
  - (c) 15 square meters where the land to be developed is bigger than 10 000 square meters.

**SCHEDULE 10**  
**Auctioneer signs; Sale of goods or livestock signs**

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to deemed consent.
3. Only one sign per sale may be displayed.
4. The maximum size of a sign is as follows:
  - (a) In an urban area of maximum or partial control, 2 square meters; and
  - (b) in an urban area of minimum control, 2,8 square meters.

5. No part of a sign may be higher than 3 meters above the ground.
6. Subject to the provisions of section 21(1)(e), a sign may be displayed on the premises or property where the advertised sale is to be held, or may be attached to the boundary fence of such property or premises only.
7. No specific limitations are imposed on the colour or texture of a sign.
8. Illumination or animation of this sign type is not permitted.
9. The provisions of section 18(1) and 19(5) apply to the design and construction of a sign.
10. A sign may be displayed 10 days prior to the auction or sale and must be removed no later than 2 days after the auction or sale.
11. The following information may be allowed on a sign in this class:
  - (a) The name of the auctioneering firm/ company;
  - (b) The date of the auction;
  - (c) The nature of the auction/ sale;
  - (d) The address where the auction/ sale will be held;
  - (e) Relevant contact details.

**SCHEDULE 11**  
**Lampposts, Pavement posters and notices**

1. A sign may be displayed in all urban area of control.
2. Display of a sign is subject to specific consent.
3. A poster may not exceed 0,55 square meter in size.
4. No commercial advertising of goods or services will be allowed on lampposts.
5. Only community based advertising and posters for national or local elections will be allowed on certain designated lampposts situated within the Municipality.
  - (a) Applications for the display of temporary advertisements on lampposts must be lodged with the municipality at least 14 days prior to commencement of advertising and must be accompanied by the prescribed fees for periods not longer than 14 days;
  - (b) Applications for the display of advertisements on lampposts for periods of between 15 days and 5 years must be lodged with the municipality at least 14

days prior to commencement of advertising and must be accompanied by the prescribed fees;

(c) The municipality will designate lampposts in areas of minimum and partial control on advertising will be allowed;

- i. No person may erect any hoarding, poster or signs on any lamppost which hoarding, poster or sign was not approved by the municipality, or on a lamppost that was not approved by the municipality;
- ii. The municipality will issue a unique identification number or mark for each individual advertisement, which number or mark must be incorporated in the display of the advertisement;
- iii. No lamppost advertising will be allowed in the prohibited areas, natural or rural areas or in such areas that the municipality may deem it to be aesthetically displeasing;

(d) All lamppost advertisements must be mounted in hoardings, except for political posters, the following apply to the hoardings:

- i. All hoardings must be made from material prescribed and approved by the municipality;
- ii. The outer dimensions of the hoardings must be 1135mm x 1478mm;
- iii. The formal advertising space may not exceed 1118mm x 900mm;
- iv. No part of a sign or hoarding may be erected closer than 2 meters from any light fixture;
- v. A clear height of 2,4 meters above ground level must be maintained;
- vi. The sign, hoarding or brackets may not cover any municipal markings or cover plates on electric light standards;

(e) No signs may be erected on any median island or traffic island bordered by more than one road or street;

(f) Signs may not be attached to more than two consecutive lampposts;

- (g) No sign may be erected closer than 20 meters to any priority controlled intersection, measured from the nearest reserve boundary;
- (h) No sign may be erected closer than 50 meters from any signalized traffic intersection;
- (i) No advertisement may be erected on any structure or pole containing any road traffic signage;
- (j) The display of road traffic signage takes precedence over that of advertisements and should it become necessary for the municipality to erect any road traffic sign at a position where subparagraph(g) will be contravened, the advertiser will be responsible to remove the sign within 7 days after being instructed to do so;
- (k) The contents of the advertisements shall comply with the following:
  - i. Only legible fonts with a minimum letter size of 80 millimeter will be allowed within road reserves;
  - ii. The display may not include any graphics , message or suggestions of an indecent or immoral nature;
  - iii. No advertisement may resemble any road traffic sign as far as layout or colours are concerned;
- (l) No illumination of the signs are allowed;
- (m) No form of retro-reflective material may be used;
- (n) The total number of signs allowed will be determined by the municipality from time to time;
- (o) Only one hoarding is allowed per pole or electric standard per traffic direction;

6. The provisions of section 21(1)(a), 21(1)(e), and the following conditions apply to the position of a sign:

- (a) A poster for a political campaign may be displayed on electric light standards only;
- (b) a poster may not be displayed on power line standards, road traffic signs and signals, walls, columns and posts of verandas and balconies, electricity boxes, trees or bridges; and

- (c) a poster may not cover any municipal markings or painted stripes on lamp posts.
- 7. A poster of a political nature displayed on an electric light standard must be fixed to the standard by means of a suitable cord, and no metal clamps or wire may be used.
- 8. No steel or aluminum ladders may, in the process of attaching the poster to a standard, be placed against the standard on which the poster is to be erected.
- 9. The number of posters that may be displayed is as follows:
  - (a) Except in the case of posters for local or national government elections, a maximum of 500 posters are allowable per event;
  - (b) in the case of government elections, only one poster may be displayed per pole per party or candidate, with a maximum of four posters per pole;
  - (c) except in the case of government elections, the same poster may not be displayed on any two consecutive poles; and
- 10. The name of the organisation, the date of the function and the venue must appear on the poster in letters not smaller than 50 millimeters in height, and posters displayed when advertising a specific event which is broadly cultural, of public interest, including entertainment events, exhibitions, and trade fairs, or sporting or religious in nature must have a sticker or marking signifying the approval of the Municipality.
- 11. A poster advertising a specific event which is broadly cultural, of public interest, including entertainment events, exhibitions, and trade fairs, or sporting or religious in nature, may be displayed only 10 days prior to the event, and must be removed within three days of the passing of the event
- 12. A poster relating to a parliamentary or municipal election or referendum may be displayed from the date of proclamation in the Government Gazette of an upcoming referendum or election to the end of the fourteenth day after the date of the election or referendum, at which date the poster, its backing boards and cord or string must be removed.
- 13. Newspaper publishers may apply for exemption from certain stipulations of these by-laws to advertise the headline stories.
- 14. No poster sign or advertisement in this schedule may be displayed unless the prescribed deposit or tariff fees have been paid and approval has been granted by the municipality.

**SCHEDULE 12**  
**Handbills, leaflets, pamphlets and community newspapers**

1. Handbills, leaflets, pamphlets, community newspapers and similar promotional material shall only be distributed from door to door, post boxes or from within shops and privately controlled areas. Distribution of these materials is not allowed within any road reserve.
2. Election material and pamphlets regarding important local, national and international events are excluded from the provisions of this schedule as these material can be distributed in public places.

**SCHEDULE 13**  
**Project boards**

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to specific consent.
3. Display of a sign is subject to deemed consent for road construction projects only.
4. A project board may not exceed 1,5 square meter per consultant or contractor, when displayed as part of a combined project board.
5. A combined project board may not exceed 9 square meters in total.
6. An individual or single board may be displayed only if no other consultants or contractors are involved.
7. A sign describing the type of development may not exceed 3 meters in height and may not exceed 6 square meters in size.
8. The provisions of section 21(1)(a), (c)(i) and (iii), and the following conditions apply to the position of a sign:
  - (a) only one sign describing the type of development may be displayed per premises;
  - (b) a project board must be positioned within property boundaries only; and
  - (c) a project board concerning road construction may be positioned in any road reserve, including a freeway.
9. Subject to section 18(2)(h) no specific limitations are imposed on the colour or texture of a sign.



10. Illumination or animation of a sign is not permitted.
11. A sign may describe the building or structure being erected, or other work or activity being carried out while the project is in progress only, and the names of the contractors or consultants concerned in such work or activity, and the branches of the industry or the professions of the contractors or consultants may be listed.
12. Where a sign describes the type of development being carried out on a site, details concerning the type of accommodation being provided, the floor space available and the name, address and telephone number of the developer or his agent may be contained in the sign, up to a maximum of 6 bits of information.
13. A sign may not be used for commercial advertising.
14. A sign in this class must be removed within 7 days after completion of the project

#### **SCHEDULE 14** **Window signs**

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to deemed consent.
3. The total area of all temporary and permanent signs, which are painted on or attached to the windows of a specific enterprise may not exceed –
  - (a) 10 percent of the total ground-floor window area of such enterprise in an urban area of maximum control;
  - (b) 25 percent of the total ground-floor window area of such enterprise in an urban area of partial control; and
  - (c) 50 percent of the total ground-floor window area of such enterprise in an urban area of minimum control.
4. Display of a sign is limited to ground-floor windows.
5. In an urban area of maximum control colours must be in harmony with the rest of the building and the general streetscape. No specific limitations are imposed in other areas of control.
6. Subject to the provisions of sections 18(1), 19(4), 21(e) and 22, no internally illuminated signs displayed inside a building in an urban area of maximum control may be visible from outside the building.

7. Display of a sign is subject to the safety requirements as provided for in sections 18(1) and 18(2).

#### **SCHEDULE 15**

##### **Security signs**

1. Subject to the provisions of section 5(4), a sign may be displayed in all areas of control.
2. A security sign shall refer only to the existence and operation of a commercial security service, burglar alarm system, neighbourhood watch, farm watch or similar system or scheme.
3. Display of a sign is subject to deemed consent.
4. A sign may not exceed 0.5 square meter in area.
5. The clear height of a sign may not exceed 3 meters, with the lower edge at least 2,4 meters above the ground level below the sign.
6. In urban areas only one sign may be displayed per street boundary of a stand or subdivision, and the sign must be firmly affixed to the building, boundary wall, fence or gate on the street frontage, or must be displayed within the boundaries of the stand.
7. A neighbourhood watch sign may be displayed within a road reserve other than a freeway at the point of entry to the watch area, but a sign may not be positioned on a road island, road median, or inside a restricted area at street corners as represented in Figures 2 and 3 of Schedule 39.
8. No specific limitations are imposed on the colour or texture of a sign.
9. Illumination or animation of a sign is not permitted.

#### **SCHEDULE 16**

##### **Product replicas and three-dimensional signs**

1. A sign may be displayed in an urban area of partial control and an urban area of minimum control only.

2. Display of a sign is subject to specific consent.
3. A sign may not be displayed within a road reserve.
4. The highest point of any free-standing sign may not be more than 3 meters above ground level.
5. Individual signs may not exceed a vertical dimension of 1,5 meters and a diameter of more than 1 meter .
6. Only one sign per enterprise may be attached to buildings or displayed on individual premises, and a sign may not exceed a total sign area of 3 cubic meters in an urban area of partial control, and a total sign area of 6 cubic meters in an urban area of minimum control.
7. A sign attached to a building may not be displayed above the bottom edge of the second-floor window, and may not extend above the level of the underside of the eaves or gutter of the building.
8. A sign may not be placed in front of, or obstruct the view from any window or any other external opening of a building.
9. Items 6 and 7 do not apply to entertainment districts.
10. Spacing requirements shall be in accordance with section 18 regarding high impact signs.
11. Subject to section 18(2)(h) no specific limitations are imposed on the colour or texture of a sign.
12. Subject to the provisions of section 18(1), 19(4) and 22, illumination or animation of a sign is allowed.
13. A product replica may not dominate prominent architectural features of a building, with the exception of buildings in entertainment districts.

## **SCHEDULE 17**

### **Sky signs**

1. A sign may be displayed in an urban area of partial control and an urban area of minimum control only and is subject to specific consent.

2. A sign may be displayed only after an environmental impact assessment (basic impact assessment report), which includes visual, social and traffic safety aspects, has been undertaken and has been submitted by the applicant to the municipality and which has been approved by the municipality.
3. A sign may not exceed a maximum size of 150 square meters, unless the municipality, after being requested therefore in writing, grants an exemption for a sign up to a maximum size of 300 square meters.
4. A maximum of only one sign per skyscraper may be displayed.
5. The municipality, having regard to the outcome of an impact assessment, and having taken into consideration factors such as the size and character of the business centre and surrounding area, the lifestyle of the local community, and the nature of host skyscraper, shall specify the size of a sign and the number of signs which may be displayed, and a person who intends to display a sign may not display a sign in contravention of the municipality's specifications.
6. A sign may not project in front of a main wall of a host building so as to extend in any direction beyond the roof of such a building.
7. A sign may not obstruct the view from any other building or a prominent viewpoint in the City.
8. In the instance where cluttering of signs occurs, the municipality may by written notice in terms of section 11 require the person who displays a sign to remove the sign within a specified period.
9. No specific limitations are imposed on the colour or texture of a sign.
10. Subject to the provisions of sections 18(1), 19(4) and 22, illumination of a sign is allowed.
11. A sign must be designed by a structural engineer.
12. The municipality may approve the display of a sign for a period not exceeding five years.
13. The advertisement contents of an approved sign may not be changed without approval from the municipality, who may require the submission of an updated impact assessment if the proposed changes have the potential to increase the impact of the sign.

**SCHEDULE 18**  
**Roof signs**

1. A sign may be displayed in an urban area of partial control and an urban area of minimum control only.
2. Display of a sign is subject to specific consent.
3. A sign may not be so affixed that the bottom of the sign is more than 1,2 meter above the nearest portion of the roof beneath it.
4. A sign must be constructed in a straight line, except in the case of a V-construction, where the two sides forming the sides of the V must be of equal length, and the distance between the sides at the open end furthestmost from the apex of the V may not exceed the length of the sides.
5. A sign may not exceed in size the following areas:

Height of sign above the ground	Maximum sign area
Less than 6 m	2 m <sup>2</sup>
6 m and higher but less than 9 m	4 m <sup>2</sup>
9 m and higher but less than 12 m	8 m <sup>2</sup>
12 m and higher but less than 18 m	12 m <sup>2</sup>
18 m and higher	18 m <sup>2</sup>

6. In the case of a V-construction sign the above areas apply separately to the two vertical faces of the sides forming the V.
7. A sign may not exceed 300 millimeters in thickness, except in the case of a V-construction sign.
8. Only one sign may be displayed per building.
9. A sign may not project in front of a main wall of a building so as to extend in any direction beyond the roof of such building.
10. In an urban area of partial control, a sign must be placed well below the ridge of a pitched roof so as not to form part of the skyline of such building.
11. No specific limitations are imposed on the colour or texture of a sign.
12. Subject to the provisions of section 18(1), 19(4) and 22, illumination of a sign is allowed.
13. No advertising in this class will be allowed on residential buildings.

## **SCHEDULE 19**

### **Flat signs**

1. A sign be displayed in an urban area of partial control and an urban area of minimum control only and is subject to specific consent. Only a locality-bound sign may be displayed in a maximum control area.
2. Display of a sign is limited to buildings utilized for commercial, office, industrial or entertainment purposes, and larger accommodation facilities, which consists of more than 200 dwellings/ apartments.
3. A sign in excess of 36 square meters in size may be displayed only after an assessment, which can include environmental, visual, traffic or social aspects, has been undertaken and has been submitted to and approved by the municipality.
4. In an urban area of partial control and an urban area of minimum control, flat signs may be displayed at ground or first-floor level in accordance with the commercial, industrial or entertainment character of such zones, but the aesthetic control of the signs will be determined by the municipality from time to time.
5. A non-locality bound sign may not be displayed on a building used mainly for residential purposes or for community services or a community institution, a small enterprise and a practice on residential premises, or a small-scale residential-orientated accommodation.
6. The maximum size for a sign is as follows:
  - (a) In the case of a locality-bound sign, the total sign area for an enterprise may not exceed 30 percent of a specific ground-floor facade of the enterprise;
  - (b) in the instance of a shopping centre, wall units on which flat signs are displayed may not exceed 30 percent of a specific facade of the shopping centre; and
  - (c) in the case of a non-locality-bound sign, the sign may not exceed 72 square meters, and the actual size of the sign will depend on the size of the specific side wall and on factors such as the character of the building and the streetscape as a whole.
6. The maximum projection of any part of a sign over a footway or ground level is 75 millimeters where the sign is less than 2,4 meters above the sidewalk or ground level immediately below the sign, and 600 millimeters where the sign is more than 2,4 meters above such footway or ground level, subject to the payment of encroachment fees, where applicable.

7. No more than one sign per enterprise may be displayed in an area of maximum control and no more than two flat signs per enterprise may be displayed in an area of partial control and an area of minimum control.
8. A sign may consist of a panel or sheet or of individual numbers, letters or symbols.
9. A sign may not cover a window or any other external opening of a building, or obstruct the view from such opening.
10. A sign may not extend above the top or beyond either end of a wall.
11. A sign may be attached to a flat wall surface only.
12. A non-locality-bound sign may be attached to the side wall of a building only.
13. A locality-bound sign may not be displayed above the lower edge of a visible second-floor window in a specific building façade, but a locality-bound sign for the following enterprises or function is excluded from this condition:
  - (a) A bank and a financial institution;
  - (b) a larger apartment store;
  - (c) a larger hotel;
  - (d) a larger industry;
  - (e) a government institution;
  - (f) a shopping centre; and
  - (g) a building's name.
14. A sign may at no point project more than 300 square millimeters from the surface of the main wall.
15. No limitations are imposed on the colour or texture of a sign.
16. Subject to the provisions of section 18(1), 19(4) and 22, illumination of a sign is allowed.
17. A wall unit designed to display a flat sign at a shopping centre must be designed in such a way as to form a structural and architectural whole with the building of the shopping centre.

## **SCHEDULE 20**

## **Projecting signs**

1. A sign may be displayed, subject to specific consent, in all urban area of control, and at centres of economic activity in a rural area of maximum control.
2. Display of a projecting sign is limited to a building utilised for commercial, office, industrial or entertainment purposes and to a larger accommodation facility, which consists of more than 200 dwellings/ apartments.
3. Only a locality-bound sign may be displayed.
4. A projecting sign may not be affixed at a clear height of less than 2,4 meters.
5. A projecting sign may not exceed 300 millimeters in thickness.
6. The maximum size and dimension of a sign displayed is as follows:
  - (a) Where the clear height of the sign is below six meters, the maximum size of the sign may not exceed 2,4 square meters, the maximum horizontal width may not exceed 1,5 meters, and the maximum vertical length may not exceed three meters; and
  - (b) where the clear height of the sign is above six meters, the maximum size of the sign may not exceed eight square meters, the maximum horizontal width may not exceed two meters, and the maximum vertical length may not exceed five meters.
  - (c) A sign may not project at any point more than 800 millimeters from the surface of the main wall to which it is affixed, or more than one half of the width of the sidewalk immediately below such sign, whichever is the smaller dimension.
7. Only one sign may be displayed per enterprise facade.
8. In an urban area of partial control and an urban area of minimum control, a projecting sign may be displayed below the lower edge of a visible second-floor window in accordance with the commercial, industrial or entertainment character of such area, and the aesthetic control of the sign will be determined by the municipality from time to time.
9. The maximum sizes and dimensions of signs displayed in an urban area of maximum control are as follows:



- (a) Where the clear height of the sign is below six meters, the maximum size of the sign may not exceed 1,2 square meters, the maximum horizontal width may not exceed one meter, and the maximum vertical length may not exceed 1.5 meter; and
  - (b) where the clear height of the sign is above six meters, the maximum size of the sign may not exceed four square meters, the maximum horizontal width may not exceed 1,5 meter, and the maximum vertical length may not exceed three meter.
- 10. The display of a projecting sign above the lower edge of a visible second-floor window is limited to the following enterprises or function:
  - (a) A bank and a financial institution;
  - (b) a larger apartment store;
  - (c) a larger hotel;
  - (d) a larger industry;
  - (e) a government institution;
  - (f) a shopping centre; and
  - (g) a building's name.
- 11. A sign may not be affixed otherwise than at right angles to the street line.
- 12. A sign may not extend beyond the top of the main wall to which it is affixed or above the level of the top of any parapet wall, or above the level of the underside of the eaves or gutter of a building from which the sign projects.
- 13. A sign may be suspended above a sidewalk and thus above an urban road reserve.
- 14. A sign may not be affixed in any way other than the top and the bottom of the sign being in the same vertical plane.
- 15. Subject to section 18(h)(2) no specific limitations are imposed on the colour or texture of a sign.
- 16. Subject to the provisions of sections 18(1), 19(4) and 22, illumination of a sign is allowed.
- 17. The provisions of section 21 apply with regard to an illuminated sign within a

restricted area on a street corner.

18. The supports of a sign must be neatly constructed as an integral part of the design of the sign, or else must be concealed from view.

#### **SCHEDULE 21**

##### **Veranda, balcony, canopy and under-awning signs**

1. A sign may be displayed, subject to specific consent, in all urban area of control, and at centres of economic activity in a rural area of maximum control.
2. If a sign is affixed flat onto:
  - (a) a parapet wall;
  - (b) balustrade;
  - (c) railing of a veranda;
  - (d) railing of a balcony;
  - (e) the fascia of a veranda;
  - (f) a beam over veranda columns; or
  - (g) a fascia of a roof structure without walls,such sign may not:
  - (i) project at any point more than 100 millimeters from the surface to which it is affixed;
  - (ii) exceed a depth of 750 millimeters and a length of 2,4 meters; and
  - (iii) extend above or below or beyond any of the extremities of the parapet wall, balustrade, railing, beam or fascia, as the case may be.
3. Not more than one of the signs contemplated in item 2(a) – (g) may be displayed per enterprise facade, except in the case of an enterprise with a facade exceeding 20 meters in length, in which case –
  - (a) more than one sign may be displayed;
  - (b) the signs must be spaced at a minimum of six meters intervals; and

- (c) the total sign length per enterprise facade is limited to four square meters.
- 5. A sign on a balcony may not be displayed above the lower edge of any visible second-floor window.
- 6. An under-awning sign -
  - (a) must be aimed at pedestrians;
  - (b) must be fixed at right angles to the street line;
  - (c) must have a minimum clear height of 2,4 meters;
  - (d) may not exceed a maximum sign area of 1 square meters.
- 7. No more than one under-awning sign may be displayed per enterprise facade, except in the case of an enterprise façade which exceeds 20 meters in length, in which case more than one sign may be displayed, and the signs must be spaced at a minimum of six meters intervals.
- 8. A sign on top of a veranda roof –
  - (a) may be placed on top of a veranda roof only where such a veranda does not have an appropriate parapet wall, balustrade, railing, fascia or beam on which a sign may be affixed;
  - (b) must be set parallel to the end of the veranda that faces the street or as near thereto as the configuration of the veranda roof will permit;
  - (c) may not extend beyond the extremities of the veranda roof, nor project beyond the rear of any veranda roof gutter;
  - (d) may not cover any window or obstruct the view from any such window; and
  - (e) may not exceed a maximum area of one square meter.
- 9. Signs on top of veranda roofs on adjacent buildings must be aligned with each other in order to form a straight line.
- 10. Only one sign may be displayed on top of a veranda roof per enterprise facade.
- 11. The following conditions apply to a sign painted on or affixed to a supporting column, pillar or post, as the case may be:

- (a) A sign must be painted on or affixed flat onto the supporting column, pillar or post;
  - (b) a projecting sign may be affixed to a column, pillar or post supporting a roof over fuel pumps at a filling station or roadside service area only, and may not exceed one square meter per sign face or two square meters per total sign area;
  - (c) a sign affixed flat onto a supporting column, pillar or post may not project more than 50 millimeters from the surface to which it is affixed;
  - (d) a sign affixed flat onto a supporting column, pillar or post may not extend beyond any of the extremities of such a column, pillar or post;
  - (e) a sign affixed flat onto a non-rectangular supporting structure must be curved to fit the form of such structure;
  - (f) only one sign may be displayed per pillar, post or column, and this applies also to a sign projecting from a pillar, post or column supporting a roof at fuel pumps; and
  - (g) no posters or placards may be pasted onto a supporting column, pillar or post.
12. A canopy sign must form an integral part of the canopy or blind without dominating the canopy structure or blind.
  13. A sign may be suspended above a sidewalk and therefore above an urban road reserve, but may not be displayed on a freeway.
  14. Subject to section 18(2)(h), no specific limitations are imposed on the colour or texture of a sign.
  15. Subject to the provisions of sections 18(1), 19(4) and 21(1)(e), no illuminated sign or sign designed to reflect light may be attached to or displayed at a street intersection on any splayed or rounded corner of a veranda, canopy or balcony, unless the clear height of the sign is six meters.
  16. This Schedule applies to the display of a sign on a roof structure covering fuel pumps, and the display of a sign attached to a roof structure pillar at a filling station and roadside service area.

**SCHEDULE 22**  
**Signs incorporated in fabric of building**

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to specific consent.
3. No specific limitations are set on the shape, size and height of a sign, however the building, or structure, or any external face of the building or structure may not be used principally for the display of signs.
4. No sign displayed may distract the attention of a driver in a manner likely to lead to unsafe driving conditions.
5. A sign must be in balance with the scale of the building and must be visually and architecturally integrated into the building or structure.
6. A sign must be maintained properly.
7. No sign may be displayed in such a manner as to be detrimental to or have a negative aesthetic impact on the urban design, streetscape or character of the environment.

### **SCHEDULE 23**

#### **Signs at Educational Facilities**

1. A sign may be displayed at an educational facility in all areas of control.
2. Display of a sign with only the educational facility name on it, without any sponsors or commercial name other than the facility's name is subject to deemed consent.
3. The display of any other signs displayed at an educational facility is subject to specific consent.
4. The sign and supporting structure must harmonise with the building and other structures on the premises as far as material, colour, texture, form, style and character is concerned.
5. The sign may only indicate the name and the nature of the institution and the name and logo of the sponsor, or product or an image of the product.
6. Only one advertising structure per street front is allowed.
7. Sign structures may not be higher than 2,1 meter.
8. A maximum total area of 12 square meters is allowed per sign structure, provided that this area is divided into panels of equal size, form and construction. A maximum of 4 panels are permitted per supporting structure. No panel shall be smaller than 1.5

square meters and all advertising messages must be legible to passers-by outside the premises.

9. The sign may not be erected closer to 15 meters from any intersection.
10. Signs in this schedule may not be located within any road reserve.
11. Signs may only be erected on the premises of the educational institute within the erf boundaries adjacent to streets with a speed limit of 60km/h or less, no traffic circle or sharp road curvature may be within 20 meters from the sign.
12. A maximum of one large billboard can be allowed on the premises of an educational facility only if such a billboard complies fully with the specifications of Schedule 3 of these by-laws. Small billboards that are internally orientated can be allowed if it complies with the specification listed in these Schedules.
13. Signs other than these mentioned above, must comply with the specific requirements of these Schedules, if they resolve under a previous Schedule.

#### **SCHEDULE 24** **Signs on forecourts of business premises**

1. A sign may be displayed in all urban area of control, and on forecourts in centres of economic activity in a rural area of maximum control.
2. Display of a sign is subject to deemed consent.
3. An individual free-standing forecourt sign may not –
  - (a) exceed 1,64 square meters in size if it is a single-sided sign; and
  - (b) exceed 3,28 square meters in size if it is a double-sided sign.
4. Free-standing forecourt advertisements displayed may not exceed 2 signs per forecourt frontage per premises.
5. Free-standing forecourt advertisements displayed on the forecourts at filling stations and roadside service areas may not exceed 4 signs per forecourt frontage.
6. The provisions of section 21(1)(e), and the following conditions apply to the position of a sign:
  - (a) A notice, sign or advertisement must be free-standing with the exception of an additional sign area attached to a fuel pump and similar non-advertising

structure at a filling station and roadside service, which may not exceed 0.15 m<sup>2</sup> in size;

- (b) display of a sign is not permitted inside a formal road reserve;
  - (c) a forecourt sign may not be positioned in such a way as to interfere with pedestrian circulation; and
  - (d) a sign must be aimed at passing pedestrians and the users of the forecourt space concerned and may not be aimed at passing motorists.
7. No limitations are imposed on the colour or texture of a sign.
  8. Subject to sections 18(1), 19(4), and 22, illumination of a sign is allowed.
  9. No animation of a sign is allowed.
  10. A hand-written message is allowed on a board provided for writing messages on.

#### **SCHEDULE 25** **Signs for residential-oriented land use and community services**

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to specific consent.
3. The following conditions apply to the display of direction and warning signs and notices such as "Beware of the dog", and "Burglar Alarm":
  - (a) A sign may not exceed a total area of 0,08 square meter per premises; and
  - (b) if there is more than one entrance to the premises on different road frontages, a total sign area of 0.16 square meter may be displayed, with not more than 0,08 square meter per frontage.
4. The following conditions apply to the display of a sign indicating the name and the nature of an accommodation facility, including a bed-and-breakfast establishment, a crèche or any other pre-school caring centre, within an area with a residential character:
  - (a) One sign with a maximum area of one square meter per premises may be displayed;

- (b) if there are more than one entrance to the premises on different road frontages, two signs may be displayed per frontage;
  - (c) where a solid supporting structure is provided, the maximum area per sign, including the supporting structure, may not exceed three square meters;
  - (d) where more than one smallholding or farm share the same unnumbered or private access route a combination sign or collective board must be provided, which will allow for 0.5 square meter per farm or smallholding; and
  - (e) where more than one enterprise share the same premises, a combination sign or collective board must be provided which allows for 0.5 square meter per enterprise.
  - (f) if name of the enterprise is incorporated into the fabric of the building the requirements in Schedule 24 must be adhered to.
5. Where a sign indicates the name and nature of home occupation from a place of residence, an accommodation facility, or the name of a proprietor, partner or practitioner, one sign with a maximum area of 1 square meter may be displayed per premises.
6. The following conditions apply to a sign indicating the name and nature of an institution or other community facility:
- (a) A sign with a maximum area of three square meters may be displayed per premises;
  - (b) if there are more than one entrance to the premises on different road frontages, two signs with a maximum area of three square meters each may be displayed, with each on a different frontage;
  - (c) where a solid supporting structure forms part of the sign, the total sign area may be enlarged to six square meters, and the actual sign panel or lettering may not occupy more than 50 percent of the total sign area; and
  - (d) where more than one institution or community facility share the same premises, a combination sign or collective board may be displayed which allows for 1 square meters per institution or community facility.
  - (e) a name or logo of a sponsor may not exceed 40% of the sign area.
7. The highest point of any single free-standing sign may not extend three meters above ground level, and the highest point of any combination sign may not extend four meters above ground level.



8. A sign may be displayed on the premises to which it specifically refers, or on the boundary wall or fence or gate of such premises only.
9. A farm or smallholding name sign may be displayed next to the entrance of the access road to the homestead, or alternatively may be affixed to the gate at the entrance of such access road.
10. Where several smallholdings share the same unnumbered or private access road –
  - (a) no smallholding name sign may be displayed if any official traffic sign bearing a destination or route number is displayed at the entrance to such access road; or
  - (b) a combination sign or collective board may be provided which will allow for 0.5 square meter per farm or smallholding.
11. Where several smallholdings share an access road, a sign indicating the property numbers, names and owners may be displayed in a combination sign.
12. The display of a sign in this class is allowed inside such a restricted area only if there is no other appropriate way of displaying the sign, however the sign may not be displayed inside a road reserve.
13. The colour or texture of a sign must, wherever possible, harmonise with the building on the premises.
14. No animation of a sign is permitted.
15. No illumination of a sign is permitted in a rural area of maximum control.
16. The illumination of signs in urban areas of control must comply with the provisions of sections 18(1), 19(4) and 22.
17. The design and construction of a sign, a sign, and a supporting structure must harmonise, wherever possible, with the buildings and other structures on the premises as regards materials, colour, texture, form, style and character.
18. A free-standing sign may only be displayed when it is not practical or visually acceptable to attach a sign to a building, boundary wall, boundary fence, gate or gate structure.

**SCHEDULE 26**  
**On-premises business signs**

1. Subject to the provisions of section 5(4), a sign may be displayed in all areas of control.
2. Display of a sign is subject to specific consent.
3. A sign may only be displayed in the following instances:
  - (a) Where the building housing an enterprise is situated relatively far back from the road or street onto which it faces, and a passing motorist or pedestrian may have difficulty in noticing a sign affixed to such building;
  - (b) where it is not structurally possible or visually feasible to display an appropriate sign on a building such as a flat sign, projecting signs or veranda, balcony, canopy, and under-awning.
  - (c) where a sign is needed to locate the entrance to business premises or the private access road to a business; or
  - (d) where a free-standing combination sign may prevent a proliferation of signs.
4. Only one sign per enterprise may be displayed on a combination sign.
5. If there is more than one entrance to premises on different road frontages, two signs or advertising panels may be displayed per enterprise, each on a different road frontage.
6. Display of a sign at a farm stall or an access road to a farm or smallholding in an area of maximum control is subject to the following conditions:
  - (a) A maximum sign area of two square meters is permitted, provided that where a sign is affixed to a non-advertising structure such as a boundary wall, gate or gate structure, the sign may not occupy more than 50 percent of the structure to which it is affixed;
  - (b) a sign may not extend above or beyond any of the extremities of the structure to which it is affixed;
  - (c) where a solid advertising structure is used, the maximum area per sign, including the supporting structure, may not exceed four square meters, and the sign panel or lettering may not occupy more than 50 percent of the total sign area; and
  - (d) where a sign is incorporated in a combination sign displayed at an access road, the maximum sign panel area may not exceed 1,5 square meter.

7. Display of a sign, excluding a sign displayed in terms of item 4(c) above, in an urban area of maximum control is subject to the following conditions:
  - (a) A maximum sign area of 4,5 square meters is permitted, provided that where a sign is affixed to a non-advertising structure such as a boundary wall or gate structure, it may not occupy more than 50 percent of the structure to which it is affixed;
  - (b) a sign may not extend above or beyond any of the extremities of the structure to which it is affixed;
  - (c) where a solid advertising structure is used, the maximum area per sign, including the supporting structure, may not exceed nine square meters, but the actual sign panel or lettering may not occupy more than 50 percent of the total sign area; and
  - (d) where a sign is incorporated in a combination sign, the maximum sign panel area per sign panel may not exceed three square meters.
8. Display of a sign in an urban area of partial control and an urban area of minimum control is subject to the following conditions:
  - (a) For a combination stacked sign, a maximum size of 14 square meters and these signs shall have a clear height of not less than 2,1 meters . No panel of a stacked structure(s) shall exceed a maximum size of 4,5 m<sup>2</sup> and the clear height of a stacked structure shall not be less than 2,1 meter.
  - (b) Stacked structures should harmonize aesthetically with buildings and streetscapes.
  - (c) A maximum sign area of 4, 5 square meters for other signs that are not combination stacked signs is permitted with provided that where a sign is affixed to a non-advertising structure such as a boundary wall or gate structure it may not occupy more than 50 percent of the structure to which it is affixed;
  - (d) a sign may not extend above or beyond any of the extremities of the structure to which it is affixed;
  - (e) where a solid advertising structure is used, the maximum area per sign, including the supporting structure, may not exceed 12 square meters, but the actual sign panel or lettering may not occupy more than 50 percent of the total sign area; and

9. The following conditions apply to the height of a sign:
- (a) The highest point of a single-freestanding sign at a farm stall and a farm access road in an urban area of maximum control may not exceed a height of three meters above ground level, and that of any other sign may not exceed four meters;
  - (b) the highest point of a combination sign at a farm stall and a farm access road in an urban area of maximum control may not exceed a height of four meters above ground level, and that of any other combination sign may not exceed seven meters;
  - (c) the highest point of a single-freestanding sign in an urban area of partial control and an urban area of minimum control may not exceed a height of four meters above ground level; and
  - (d) the highest point of a combination sign in an urban area of partial control and an urban area of minimum control may not exceed a height of 10 meters above ground level.
10. The name or logo, or both the name and logo of the sponsor of an on-premises business sign may not occupy more than one-third of the total area of a sign, and it must refer to products and services available on those specific premises or at that specific enterprise.
11. A sign displayed may not serve as an advance sign and may be displayed only on the premises where the business is conducted.
12. Where a business or enterprise, such as a stall or guest-house is situated on a large property such as a large smallholding, the sign must be placed in the immediate vicinity of the enterprise if such enterprise is adjacent to or visible from a public road, but if the enterprise is not adjacent to or visible from a public road, the sign must be placed at the entrance of the private access road to the enterprise.
13. A sign indicating a roadside enterprise, such as a farm stall or a roadside café may not be closer than five meters from a road reserve fence, and such enterprise must have direct access to the public road.
14. A combination sign displayed at a shopping centre or industrial estate and which contain a large amount of information must be designed and located with care so as not to create a traffic safety hazard because of an information overload.
15. No sign may obstruct the view from any adjacent building.
16. No limitations are imposed on the colour or texture of a sign.

17. The provisions of section 18(1),19(4), 21(e), 22, and the following conditions apply to the illumination and animation of a sign:
- (a) Internal and external illumination is permitted in an area of partial control and an area of minimum control;
  - (b) external illumination only is permitted in an urban area of maximum control; and
  - (c) animation is prohibited in all areas of control.
18. A sign may contain only –
- (a) the name and nature of the business or enterprise on the premises, except where such a sign is constructed on an approved lay-by area where vehicles can safely park out of flowing traffic , then such signs may contain the contact numbers of a business as well;
  - (b) the brand-name and nature of the goods for sale or goods produced;
  - (c) the nature of services provided; and
  - (d) the name of the person or persons who owns or own the business or who provides or provide the goods or services at the premises, or the firm or firms which owns or own the business or which provides or provide the goods or services at the premises.
19. The design and construction of a sign must be aimed at the prevention of proliferation of signs at shopping centres, other premises, or access roads housing or leading to several enterprises, and –
- (a) individual signs must be incorporated in a combination sign, and the design of a combination sign must be of a high standard and must harmonise with the architecture of the shopping centre or other buildings or structures, such as entrance gates;
  - (b) messages displayed on the individual panels or boards of a combination sign must be concise and legible; and
  - (c) signs displayed at access roads to farms or smallholdings must be co-ordinated with a sign contemplated in Schedule 27 being a signs for residential-oriented land use and community services, indicating smallholding names in order to form a single combination sign, and the necessary harmony

must be achieved by using the same form, letter type and colour for the various parts of the combination sign.

**SCHEDULE 27**  
**Signs on towers, bridges and pylons**

1. Display of a sign is permitted in an urban area of partial control and an urban area of minimum control only.
2. Display of a sign is subject to specific consent and written permission for the display of the sign on a bridge structure must, prior to the display of the sign, be obtained from the institution or authority responsible for the maintenance of the structure, where such maintenance is not the responsibility of the municipality.
3. Subject to the provisions of section 21(1), a sign may not be displayed in an urban area of maximum control on a bridge across a freeway.
5. The maximum aggregate sign area per tower, bridge or pylon may not exceed 36 square meters. No sign attached to a bridge deck may extend above, below or beyond any of the extremities of the bridge deck.
6. In the instance where a sign is displayed on a pylon, the pylon without the sign must be such that the entire assembly can be wholly contained within a notional vertical cylindrical figure with a diameter of six meters and a height of 12 meters.
7. In the instance where a sign is displayed on a pylon, no protruding part of the sign may be less than 2,4 meters above the highest point of the existing ground level immediately below such pylon or sign.
8. No sign may extend beyond the top of a tower.
10. No sign may be affixed to any structural column of a bridge.
11. A sign may not project more than 300 millimeters from the main wall of a tower.
12. Subject to section 18(2)(h) no specific limitations are imposed on the colour or texture of a sign.
13. Subject to the provisions of section 18(1),19(4) and 22, illumination or animation may be permitted in an urban area of minimum control, provided such illumination or animation does not constitute a road safety hazard, or cause undue disturbance :Provided that no animation is permitted on a bridge structure that crosses a road reserve.

14. In the instance of cellular masts, and in addition to the applicable requirements set out in this schedule, applications for advertising on cellular masts shall be treated individually on their own merits, and in considering the application, the following shall be taken into account:
- (a) The locality of the cellular mast, the land-use zoning of the erf on which it is positioned and its visual impact;
  - (b) preference shall be given to advertising on cellular masts in shopping centres, in areas of concentrated commercial or industrial activity and on suitable portions of Council-owned land where the municipality can derive an income from the advertising installation;
  - (c) full details of the name boards, wording, logo, materials to be used, the exact size and location of the boards on the mast and details of any illumination or special effects must be provided when applying for permission to place advertisements on a cellular mast; and
  - (c) the same general environmental and aesthetic criteria applicable to signs contemplated in schedule 1 to 4, being high-impact free-standing signs apply to advertising signs on cellular masts.

#### **SCHEDULE 28**

##### **Building wraps and signs on construction site boundary walls and fences**

1. A sign may be displayed in an urban area of partial control and an urban area of minimum control only, subject to the following conditions:
  - (a) The sign must conceal a temporary unsightly condition arising out of the use to which the property is lawfully being put; and
  - (b) the sign must be making a positive contribution to the visual environment and streetscape.
2. Display of a sign is subject to specific consent.
3. For a sign exceeding a size of 18 square meters an environmental impact assessment (basic impact assessment report) must be conducted, which includes visual, social and traffic safety aspects, and be submitted by the applicant to the municipality for approval prior to display of such a sign.
4. The provisions of section 21(1)(d) and (e), and the following conditions apply to the position of a sign:

- (a) A sign may not be placed on the top of a fence or wall unless it is positioned to rest directly thereon; and
  - (b) a sign may not project more than 100 millimeters to the front of the wall or fence to which it is affixed.
- 5. No limitations are imposed on the colour or texture of a sign.
- 6. Illumination or animation of a sign is not permitted.
- 7. A sign may not be painted or pasted directly onto a construction site boundary wall or fence, and poster signs must be enclosed within definite panels.
- 8. Signs displayed on a fence or wall must be treated as a visual unity.
- 9. A sign must always make a positive contribution to a particular streetscape.
- 10. A sign on a construction site boundary wall or fence may only be displayed for the duration of the construction, renovation or maintenance work.
- 11. A building wrap may only be displayed for the duration of the construction, renovation or maintenance work.
- 12. A building wrap may also be displayed for two weeks prior to and for the duration of an international sport, art or cultural events as referred to in section 11.
- 13. Project boards must also be incorporated into the signs displayed in terms of this advertising class, where possible

**SCHEDULE 29**  
**Sponsorship signs at public open spaces and parks**

- 1. A sign may only be displayed in a public open space or park excluding road reserves and traffic circles and islands.
- 2. A sign may not exceed a maximum size of 4,5 m<sup>2</sup> and may not exceed a maximum height of 3m<sup>2</sup>.
- 3. The name and, or logo of a sponsor may not take up more than 40 % of the total display area of the sign.
- 4. A sign must provide information about the premises or display a message to the larger community and only the name and logo of the sponsorship company may be displayed.



5. A sign in this class will only be allowed if a contract was concluded with sponsors to provide maintenance services and or develop the park for community use or provide equipment to the open space instead of paying a tariff for the display of the sign.

**SCHEDULE 30**  
**Sponsored road traffic projects signs**

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to deemed consent.
4. A sign may not exceed 4,5 square meters in size, and no part of the sign may be higher than three meters above ground level.
5. A sign may contain the name of the project, and the name or logo, or the name and logo of the sponsor only, and the name or logo, or both the name and logo of the sponsor of a project may not occupy more than one-third of the total area of a sign.
6. In the case of an advertisement displayed on an SOS call-box, a duplicate advertisement may be attached to each side of the call-box, and its size is limited to 0,04 square meter on each side of the call-box.
7. Signs displayed on the same side of the road, excluding SOS call-boxes, may not be closer than five Kilometers from each other.
8. No limitations are imposed on the colour or texture of a sign.
9. Illumination or animation of a sign is not permitted.
10. Retro-reflective material may be used to improve the conspicuousness of emergency facilities such as SOS emergency call boxes.
11. Subject to the provisions of section 21, a sign in this class may not be located closer than 2m from the edge of any road.

**SCHEDULE 31**  
**Service facility signs**

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to specific consent.

3. A person who displays a sign must, before the sign is displayed, enter into a lease agreement with the municipality for the lease of the site on which the sign is to be displayed.
4. A combination sign may not exceed the following dimensions:
  - (a) A height of 7,5 meters and a width of 2,5 meters, if displayed in an urban area of control;
  - (b) a height of 10 meters and a width of three meters, if displayed on a freeway; and
  - (c) a height of 20 meters and a width of six meters, if displayed in a rural area of maximum control.
5. A maximum of eight advertising panels is allowed per combination sign.
6. Only one business, enterprise, or service may be displayed per advertising panel.
7. An advertising panel may not exceed the following sizes:
  - (a) 4,5 square meters in an urban area of control;
  - (b) 6 square meters on a freeway; and
  - (c) 18 square meters in a rural area of maximum control.
8. Only one combination sign as permitted in this class may be displayed on the premises of a filling station or roadside service area.
9. The provisions of section 21(1)(d) and (e), and apply and a sign may not be displayed closer than –
  - (a) 50 meters to the road reserve boundary of any road in a rural area of maximum control;
  - (b) 50 meters to the road reserve boundary of a freeway; and
  - (c) five meters to the road reserve boundary of any other urban road; and
10. No specific limitations are imposed on the colour or texture of a sign.
11. The provisions of section 19(4) and 22, and the following conditions apply to the illumination and animation of a sign:

- (a) A sign may be illuminated only if the business provides a 24-hour service;
  - (b) a facility with limited after-hours services may illuminate its signs during its business hours only; and
  - (c) no animation of a sign is permitted.
- 12. Should a person wish to display a sign which exceeds the sizes stipulated in item 7, he or she must submit a proposal to the municipality for approval by the municipality, which proposal must include –
  - (a) a location plan;
  - (b) detail drawings of the sign;
  - (c) an engineer's certificate verifying that the sign was designed by a structural engineer; and
  - (d) a comprehensive motivation setting out reasons why compliance with the requirements set out cannot be met.
- 13. A sign on a combination sign may refer to the name or logo of a business, company or person providing a service only, and may indicate the type of service provided.
- 14. Only a locality-bound sign may be displayed.
- 15. A sign in this class may only be displayed at a service facility adjacent to and directly accessible from the public road at which such sign is directed.
- 16. A supplementary sign displayed at a roadside service area and which does not form part of a combination sign permitted under this class may be used for internal direction and orientation only, and may not be aimed at passing motorists.
- 17. Facility signs must face oncoming traffic and must be focused exclusively on casual passing motorists, and thus they should not be primarily focused on regular customers.
- 18. Signs in this class can only be considered in road side service areas if properly motivated and sufficient space is not available on the adjacent site.

### **SCHEDULE 32**

#### **Tourism Signs**

- 1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.

2. The display of a sign in all areas of control is subject to specific consent.
3. These signs may be displayed within road reserves unless the municipality prescribes otherwise.
4. The sizes and positioning of these signs are prescribed by the South African Road Traffic Signals Manual, as published in accordance with National Road Traffic legislation.
5. Signs in this class which had been erected by companies/institutions other than the municipality inside road reserves, must be replaced every 7 years at the cost of the advertiser, in terms of the requirements of the South African Road Traffic Act.

**SCHEDULE 33**  
**Functional advertising signs by public bodies**

1. Subject to the provisions of section 5(4), a sign be may displayed in all areas of control.
2. Display of a sign is subject to deemed consent.
3. A sign may not exceed 1 square meter in size.
4. A larger sign may be displayed, if justified by specific circumstances.
5. A sign permitted by this class may be displayed inside a road reserve, but may not be displayed on a freeway.
6. No limitations are imposed on the colour or texture of a sign.
7. Subject to the provisions of sections 18(1), 19(4) and 22, illumination may be provided if there is a need for information or directions to be read during hours of darkness.
8. A sign may not be used for the purposes of commercial and competitive advertising.
9. The logo of the service provider must be displayed on a sign.
10. The sponsors name or logo may appear on the sign but may not occupy more than 40% of the sign area.

**SCHEDULE 34**  
**Aerial signs**

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to specific consent.
3. Except with the written permission of the Commissioner of Civil Aviation, no -
  - (a) captive balloon;
  - (b) craft for parasailing;
  - (c) kite;
  - (d) hang-glider;
  - (e) model or radio-controlled aircraft; or
  - (f) aircraft towed behind a vehicle or vessel for the purpose of flight,

may be flown at a height of more than 45 meters from the surface, the surface being measured from ground level, or from the surface on which a towing vehicle or vessel is travelling, to the top of the craft.

4. No shape or size restrictions are imposed.
5. Except with the written permission of the Commissioner of Civil Aviation, and on condition that such aircraft may not take off from or land on a public road, none of the objects specified in section 2(1) above may –
  - (a) be flown closer than five nautical miles from the aerodrome reference point of an aerodrome;
  - (b) be flown above a public road; and
  - (c) in the case of an aircraft, be towed behind a vehicle or vessel.
6. An advertisement on a captive balloon or on any other captive craft may not be displayed within the visual zone along a freeway.
7. No limitations are imposed on the colour or texture of a sign.
8. Illumination or animation of a sign is not allowed, with the exception of an illuminated airship when moored.

9. With the exception of a moored airship, a sign may be displayed in daylight hours only.
10. A sign may not be displayed for a period exceeding two consecutive weeks in a calendar year.
11. A captive balloon may not be flown without the written approval of the Commissioner of Civil Aviation, which approval will be considered by the Commissioner only after permission by the municipality has been granted.
12. No unmanned free balloon may be flown without the written permission of the Commissioner of Civil Aviation and the municipality.
13. A manned free balloon must meet the conditions laid down by the Commissioner of Civil Aviation before it may be flown within controlled airspace.
14. An airplane and airship may not be flown below the minimum height, as stipulated by aviation regulations, without permission by the Commissioner of Civil Aviation.

### **SCHEDULE 35**

#### **Vehicular advertising**

1. Subject to the provisions of section 5(4), a sign may be displayed in all areas of control.
2. Display of a sign is subject to deemed consent in terms of the National Road Regulations.
3. No vehicle may be used for the sole purpose of advertising.
4. No animation is allowed.
5. Illuminations of advertisements are limited to the following instances:
  - (a) An internally illuminated sign which indicates that a taxi is for hire; and
  - (b) a retroflective sign with the colour red to the back, the colour yellow to the side, and the colour white to the front of a vehicle.
6. Text messages on vehicles are limited to 8 bits of information per side.
7. When a branded vehicle is parked within a public road reserve, such a vehicle may only be parked on formally demarcated parking bays or a loading bay, inline with the requirements of the National Road Traffic Act and Regulations.

**SCHEDULE 36**  
**Trailer Advertising**

1. A trailer may be parked in an urban area of partial control and an urban area of minimum control only.
2. The parking of a trailer is subject to specific consent, but no trailer may be parked on municipal property.
3. A trailer may not be towed on a freeway and may not be towed on any other urban road during peak-hour traffic, peak-hours being the hours between 07:00 and 08:15, and 16:15 and 17:30.
4. A trailer sign may not exceed an individual sign face area of 12.5m<sup>2</sup> and a combined sign face area of 25m<sup>2</sup>. The vertical dimensions of a sign may not exceed 3 meters and the horizontal dimension may not exceed 6 meters.
5. Subject to item 18, a trailer sign positioned on a particular site for a period exceeding 7 consecutive days per month shall be deemed to be a billboard and shall be subject to the guidelines applicable to the signs contemplated in section 7(1)(c).
6. No animation is allowed.
7. Illumination is limited to retro-reflective signs with the colours red to the back, yellow to the side and white to the front of the trailer or as prescribed by traffic legislation.
8. No person may tow any sign in this class for the sole purpose of advertising, meaning that an advertisement trailer may only be towed from the advertiser's property to the advertising site approved by the municipality and only before 06:45 to 17:30.
9. A trailer may not be parked –
  - (a) inside a road reserve;
  - (b) within a distance of 50m outside the road reserve of a freeway;
  - (c) inside a restricted area at street corners; or
  - (d) in such a way as to block the visibility of a motorist,and general safety conditions contemplated in section 18 apply.
10. Trailer sites for parking of advertisement trailers aimed at road users must be approved by the Municipality after application therefore, subject to these by-laws.

11. (a) An advertiser may –
- (i) use a vacant site that had been approved by the Municipality as contemplated in sub-item 10 and that had been suitably prepared; or
  - (ii) submit an application for the establishment of a new site.
- (b) An application submitted in terms of sub-item 11(a) must include the following:
- (i) detail information about the proposed site;
  - (ii) a scaled drawing of the site relative to passing roads and pedestrian space;
  - (iii) details of ownership;
  - (iv) mooring details;
  - (v) distances to road reserve boundaries and passing roads;
  - (vi) distances to adjacent traffic intersections
  - (vii) distances to all other high impact advertising signs;
  - (viii) distances to all formal road traffic signage within a radius of 100 meter; and
  - (ix) such other details as the Municipality may require.
- (c) If the application submitted in terms of sub-item 11(a) is approved, it shall be required of the applicant to –
- (i) pave the site;
  - (ii) provide a safe vehicular access; and
  - (iii) provide mooring anchors designed by a qualified civil engineer.
- (d) Additional measures must be implemented, where necessary, to prevent unauthorized access to the site or adjacent land.
- (e) Approval of a site on municipal or other form of public property does not give the applicant indefinite advertising rights on the site.



- (f) The normal advertising period applies, after which the applicant will have to tender against other advertisers for the advertising rights on the site.
  - (g) Occupation of trailer sites is to be strictly controlled by the Mangaung Metropolitan Municipality or its appointed service provider.
- 12.
- (a) Only a trailer which has prior to parking been registered by the Municipality may be parked on demarcated or approved trailer sites.
  - (b) All physical dimensions and attributes, the registration number, and VIN of the vehicle must be provided at registration, and these attributes may not be changed without the approval or knowledge of the municipality.
  - (d) The trailer must be available for inspection at registration.
  - (e) The trailer must be in a roadworthy condition and be mounted with wheels at all times, or attached to a roadworthy vehicle, whichever is applicable.
13. If not parked on an approved trailer site, an advertising trailer must be stored in such a way so as not to be visible from any public road or public place.
14. The provisions of section 21(1)(a) – 21(1)(d), and the following conditions apply to the position of a sign:
- (a) No more than one sign may be displayed per site;
  - (b) an advertisement consisting of a maximum of two boards must be displayed perpendicular to the direction of oncoming traffic;
  - (d) advertising trailer sites must be spaced as specified in section 18;
  - (e) no trailer site may be established within a radius of 100 metres from the centre of an intersection on an arterial road and within 50 metres from the centre of an intersection on any lower-order road
15. A sign displayed in the vicinity of a signalised intersection may not contain the colours red, amber or green if such colours will constitute a road safety hazard.
16. A trailer advertising site may not be closer than 120m to advertisements in contemplated in section 7(1)(a).
17. A trailer advertisement may display community based information such as events which are broadly cultural or of public interest and commercial advertising of products, services and companies.
18. Approval of a trailer advertisement is valid for a maximum of 14 days.

19. The fee structure is based on an amount per day, with non-profit organizations entitled to such discount as determined by the Municipality.

### SCHEDULE 37

#### FIGURES ILLUSTRATING RESTRICTIONS ON ADVERTISING OPPORTUNITIES INSIDE AND ADJACENT TO ROAD RESERVES AT TRAFFIC INTERSECTIONS

Figure 1: Advertising Restrictions on Urban Freeways

Restrictions may be reduced by the relevant roads authorities under whose jurisdiction the specific roads may resolve

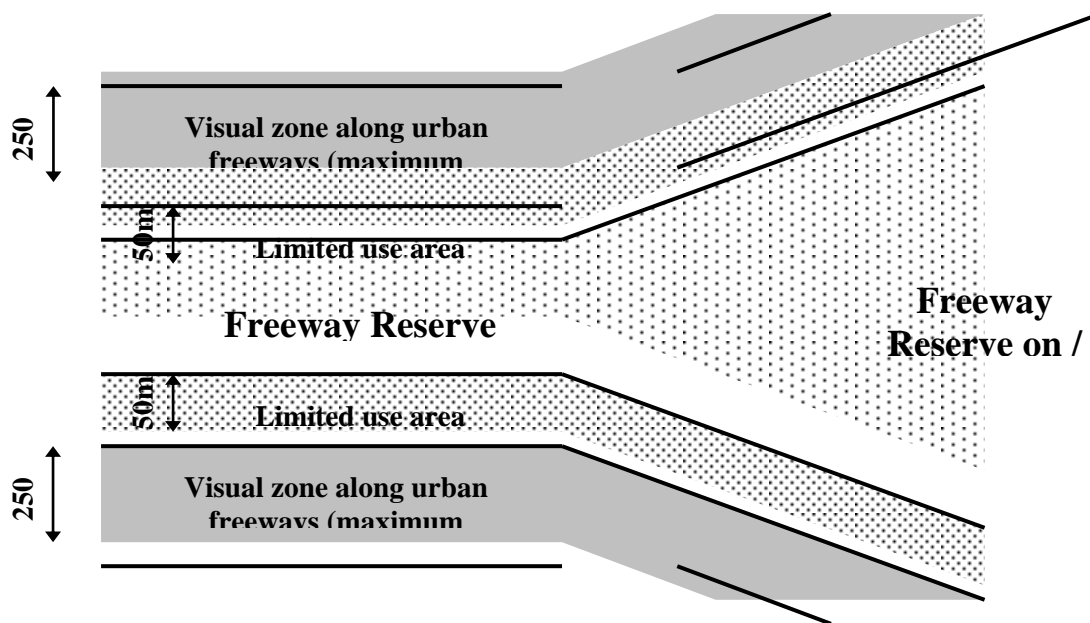


Figure 2: Restriction on signs at street corners, (street name signs exempted)

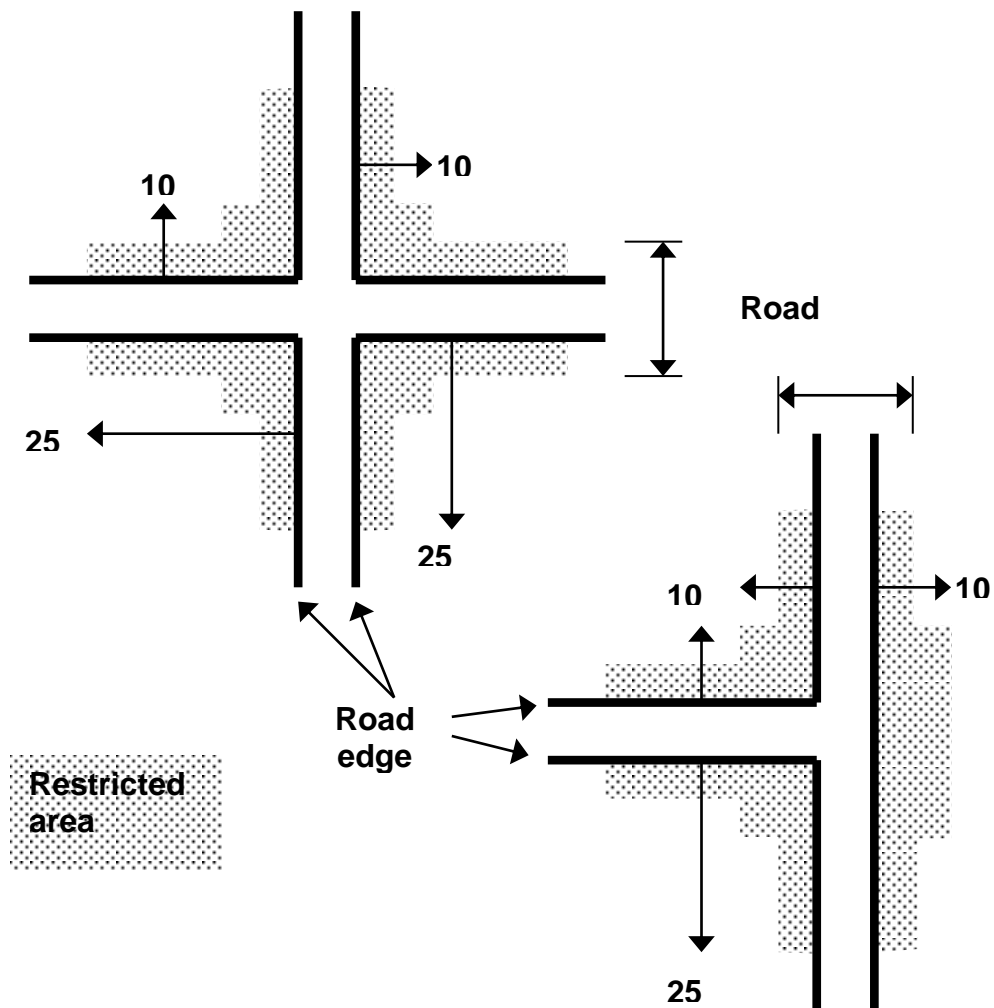


Figure 3: Additional restriction on illuminated signs at signalized street corners

