



CONFIDENTIAL

ADDITIONAL ITEM

MANGAUNG METROPOLITAN MUNICIPAL COUNCIL

Item of the Executive Mayor

ITEM 105.8 (PAGES 1 – 5)

**TUESDAY
DECEMBER 4, 2018
at 10:00**

MANGAUNG METROPOLITAN MUNICIPALITY

Members are kindly requested
to retain this annexure for use
with the minutes

Bram Fischer Building
BLOEMFONTEIN
NOVEMBER 30, 2018

105.8

**REQUEST TO WAIVE OUTDOOR ADVERTISING FEES: BY ELECTION IN WARD 47
SCHEDULED FOR THE 30TH JANUARY, 2019**

**Annexure: Report dated November 19, 2018 received from the Chief Financial
Officer, recommended by the City Manager (Pages 1 – 5)**

RECOMMENDATION

- (a) That the Council approves to waive the prescribed tariffs to display election posters (i.e. all posters relating to the BY ELECTION IN WARD 47;
- (b) That all political parties as well as the IEC apply for permission on the prescribed form, in terms of the prescribed procedures, to display posters and
- (c) That all political parties as well as the IEC be required to pay the prescribed fees should they fail to remove their posters within the prescribed period should the posters be removed by the Municipality.

File:12/2/1/8

19 November 2018

Speaker
Mangaung Metropolitan Municipality

Dear Honourable Cllr Siyonzana

(Item for submission to Council)

REQUEST TO WAIVE OUTDOOR ADVERTISING FEES: BY-ELECTION IN WARD 47 SCHEDULED FOR THE 30 JANUARY 2019

1. INTRODUCTION

The IEC and the different political parties are preparing themselves for the **BY-ELECTIONS IN WARD 47** scheduled to be held on 30 January 2019.

It is common practice that both the IEC and the different political parties use posters to inform voters of the forth coming IEC events being Registration Weekends, **BY-ELECTIONS OR ELECTIONS**. In this instance the IEC event is the BY-ELECTION IN WARD 47 that arose as a result of a vacancy declared by the City therefore there is a need for both IEC and political parties to motivate their constitutions to prepare themselves for the BY-ELECTIONS on the 30th January 2019. Furthermore, posters are also used by both the IEC and the political parties to motivate voters to participate in the electoral process by voting on the Voting Day.

The Municipality has Outdoor Advertising By-Laws which, among others, prescribe the processes that need to be followed to obtain permission to display posters, where such posters are allowed/prohibited to be displayed as well as the tariffs that individuals or organisations need to pay if they intend to display posters within the area of jurisdiction of the Municipality.

In light of the above- mentioned this submission aims at gaining the approval of Council to waive the prescribed advertising tariffs for the IEC as well as all the political parties for both the IEC as well as the political parties for the displayed of posters for the abovementioned IEC activities.

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2. AUTHORITY TO SET TARIFFS AND MMM TARIFFS RELATING POSTERS

In term of Section 59(1)(a) of the Local Government: Municipal Systems, (Act 32 of 2000) a Municipal Council is prohibited from, amongst others, delegating its power to set tariffs to any of the Municipality's other political structure, political office bearers, councillors, or staff members. (Please refer to **Appendix A** for an extract of the said Act).

It is for this reason that Council annually approves the Municipality's Traffic Schedule together with the budget.

As can be seen from the extract of the Municipality's Tariff Schedule (see Appendix B) political parties are required to pay of **R7,120.00** in order to display their election posters. Furthermore, this fee is refundable to the Political Party if all its posters are moved within 14 days after the event.

Although the IEC is not a political Party their posters could for all practical purposes also be classified as "election posters" as all the information they present on their posters relate to the electoral process.

Lastly, it also needs to be mentioned that the Municipality has a prescribed tariff for the removal of posters left behind after an event if the Municipality has it removed by its appointed service provider. This tariff is presently **R252,00** per poster for the removal of every poster if not removed if not removed within 14-days after the event (**see Appendix C**).

3. MOTIVATION

The up-coming BY-ELECTION is events that are of local and national importance to ensure the local municipalities represent the interest of the citizen in their affairs. Furthermore, the elections are also an event of national importance as it goes to the heart of our democracy.

The Municipality would be assisting all the political parties that will be contesting the elections within the geographical area of the Municipality if the said fees are waived until after the said election as all parties will be able to compete on an equal footing when it comes to advertising by means of posters as no party will be required to pay any money upfront for the right to advertise. Furthermore, the Municipality will also be assisting the IEC in ensuring free and fair elections by enabling them to get their message to more voters within our Municipality area.

4. COMPLIANCE TO BY-LAWS

The MUNICIPAL ELECTRONIC OFFICER (MEO) recently had a Municipal Party Liaison Committee (MPLC) meeting with representatives from the different political parties where they were informed of the intention to solicit the approval of Council to waive the prescribed fees for the displaying of election posters as discussed above.

Both the IEC and the political parties have been informed of the applicable BY-LAWS during this meeting that relate to the application procedure for the displaying of the poster, the removal of the posters after the event as well as the cost implications if the Municipality has to remove the posters should the political party fail to remove the posters within the prescribed period.

It needs to be mentioned that all the parties have indicated their willingness to co-operate in this matter and have expressed their appreciation that Council was prepared to consider to waive the prescribed fees.

5. RECOMMENDATION

It is recommended:

- a) That Council approves to waive the prescribed tariffs to display election posters (i.e. all posters relating to the BY ELECTION IN WARD 47;
- b) That all political parties as well as the IEC apply for permission on the prescribed form, in terms of the prescribed procedures, to display posters; and
- c) That all political parties as well as the IEC be required to pay the prescribed fees should they fail to remove their posters within the prescribed period should the posters be removed by the Municipality.

Submitted by:


Mr K.S Rapulungoane
Municipal Electoral Officer (MEO)

Supported/not supported


Adv. T.B. Mea
City Manager

23/11/2018

Approved /not approved by.


Cllr SM Mlamleli

Executive Mayor

23/11/2018

Appendix B

DIRECTORATE : PLANNING

SUB- DIRECTORATE : LAND USE

DIVISION: OUTDOOR ADVERTISING

SERVICE OR PRODUCT	PRESENT TARIFF 2018/2019	PROPOSED TARIFF 2019/2020
POSTERS		
Non-profit bodies		
Up to 200 posters (per R50 minimum fee) period of 14 day) More than 200 posters (per poster for period of 14 days)More than 300 posters(per posters(per poster for period for period of 14 days)	3 4 7	5 6 8
Awareness campaigns with no commercial contents/logos		
Up to 50 posters-per posters-(R150 minimum fee for 14 days)		
More than 50 posters-(R150 minimum fee; period of 14 days	15	17
Posters of a commercial nature/events held at commercial venues		
Up to 50 posters-per posters (R350 minimum fee, for 14 days)	32	36
More than 50 posters-per posters (R350 minimum fee, for 14 days)	62	69
Election posters (per political party (refundable if posters were removed)	6416	7120
Headline posters-per newspaper per year		
SIGNAGE/ADVERTISING LOCAL BOUND ANNUAL LEVY		
<2m2	534	593
<6m2	1709	1896
<20m2	3 208	3560
</=36m2	6417	7121
SIGNAGE/ADVERTISING NON-LOCAL BOUND ANNUAL LEVY		
Per m2	1882	2088
Note: MLM may impose a 25 percent income fee instead of the above tariffs which ever amount may the highest in case of signs that are deemed bigger than 40 m2, which must be paid per annually for non-local bound signs and/or third-party advertising		
Non-profit or public bodies locality and non-locally bound	534	593
Change of face application fee		

DIRECTORATE: PLANNING**SUB-DIRECTORATE: LAND USE****DIVISION: OUTDOOR ADVERTISING**

SERVICE OR PRODUCT	PRESENT	PROPOSED
	TARIFF	TARIFF
	2018/2019	2019/2020
REMOVAL FEES		
Super Billboard 41 to 81 square meter bigger (per sign)	52 272	58 004
Customs-made Billboard (per sign)	45 738	50 753
Large Billboard 7 to 40 square meter (per sign)	39 204	43 503
Electronic billboard (per sign)	58 800	65 247
Flat, Sky, Roof, Projecting, Veranda, Balcony. Canopy, Under Awing Signs as well as any other wall, building bridge mounted or painted Sign (per square meter)	2614	2901
Small Billboards, Project boards, Forecourt signs and loose standing Third party or on-premises business signage and loose standing/self Support third party and locality bound signage (per square meter)	1300	144
Tower structure, signs on towers and Pylons and Service Facility signs (per sign)		
Banner/Flag/Inflatable (per sign)	205	227
Estate Agent and Auctioneer sign (per sign)	109	121
Posters/Notices	-	252
Trailers advertising /mobile signs	13 100	14 536