

**No. 56**



**NELSON MANDELA BAY METROPOLITAN  
MUNICIPALITY**

**Outdoor Signs (Advertising and  
Other) By-law**

**Prepared by Housing and Land Directorate  
May 10**

## **NELSON MANDELA BAY METROPOLITAN MUNICIPALITY OUTDOOR SIGNS (ADVERTISING AND OTHER) BY-LAWS**

Under section 156 of the Constitution of the Republic of South Africa, 1996 (Act 108 of 1996), the Nelson Mandela Bay Metropolitan Municipality, enacts as follows:-

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## 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 representation of a word, name, letter, figure or object or of an abbreviation of a word or name, or of any sign or symbol; or any light which is not intended solely for illumination or as a warning against any danger, which is visible from any street or public place and “**advertising**” has a similar meaning;

“**advertisement incorporated in fabric of building**” means an advertisement incorporated in and forming an integral part of the fabric of a building, but excludes an advertisement affixed to or painted on a building;

“**advertisement on forecourt of business premises**” means a notice, sign or advertisement displayed in a forecourt of a business to draw attention to a commercial service, product for sale or another service available at the premises, but excludes a combination sign at a filling station and roadside service area;

“**advertising sign**” means any advertisement or object, structure or device which is in itself an advertisement or which is used to display an advertisement, in view of any street or public place;

“**advertising structure**” means any physical structure built to display an advertisement;

“**aerial sign**” means any sign which is affixed to or produced by any form of aircraft and which is displayed in the air, such as a captive balloon, kite, an unmanned free balloon, a manned free balloon, a moored airship, a flying airplane towing a banner or emitting smoke signals, a craft for parasailing, a hang-glider, a model or radio-controlled aircraft, or an aircraft towed behind a vehicle or vessel for the purpose of flight;

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

“**area of control**” means an area in which a degree of control over advertising 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 and as indicated on the municipality's areas of control map;

**"auction sign"** means a sign announcing the sale of goods or livestock on land or on premises not normally used for commercial purposes, and includes an auction sale of furniture and other household goods on residential premises;

**"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;

**"balcony sign"** means a sign described in the definition of "veranda sign";

**"billboard"**, commonly known as an advertising hoarding, means any screen or board larger than 18 square metres supported by a free-standing structure and which is to be used or intended to be used for the purpose of posting, displaying or exhibiting an advertisement;

**"Bits of information"** refers to the basic units 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 shop front 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;

**"canopy sign"** means a sign described in the definition of "veranda sign";

**"catwalk"** means a walkway, not exceeding 700 millimetres, attached to the bottom part of a wall sign;

**"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;

**"clutter"** means a collection of signs that is untidy or that creates a condition of disorderliness or overcrowding and in determining whether advertising amounts to clutter, the municipality may require the submission of:

- (a) A plan; and
- (b) an artist's impression of the proposed advertising and its immediate surroundings;  
or
- (c) a Strategic Environmental Assessment (SEA);

**"combination sign"** means a single, free-standing advertising structure for displaying information on various enterprises and services at locations such as roadside service areas, urban shopping centres and other urban complexes;

**"copy"** means the complete advertising message to be displayed on the advertising structure;

**"custom made billboard"** means a custom-made billboard, which features special effects such as internal illumination, specialist character cut-outs and three-dimensional presentations, and includes popular brand-names such as 'Spectaculars', 'Supersites', 'Fireflies', 'Glo-lites' and 'Uni-lites';

**"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 in terms of section 9 for the display of a sign, for which display the municipality does not require specific consent;

**“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 South African Road Traffic Sign System, 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;

**“EIA”** means an environmental impact assessment as contemplated in the National Environmental Management Act, 1998 (Act 107 of 1998), as amended, and the regulations promulgated under the Act;

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

**“estate agent’s board”** means a sign which is temporarily displayed to advertise the fact that land, premises, a development project or any other form of real estate is for sale or to let;

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

**“feather flag”** has the meaning assigned to “teardrop flag”;

**“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;

**“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 300 millimetres from the surface of such wall, and which may consist of a panel or sheet or of individual numbers, letters or symbols, provided that the maximum projection of a sign may be increased to 1000 millimetres to allow for a catwalk of not more than 700 millimetres;

**“forecourt”** means is 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;

**“functional sign by public body”** means a sign of the municipality and a statutory undertaker such as a utility and public transport operator, displayed wholly for the purpose of announcement or direction about any of the functions of the municipality or the operation of a statutory undertaking which is reasonably required to be displayed for the safe or efficient performance of those functions or operation of that undertaking, and which cannot be displayed under any other type of sign, and includes notice-board at a municipal swimming pool, a bus or rail timetable, a warning notice at an electricity substation, and the display of by-laws for recreation grounds or open space;

**“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, waste removal and protection of 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 or rubber 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;

**“large billboard”** means a billboard ranging in size from 36 square metres to 18 square metres, and which is commonly known as a 96 sheet and 48 sheet sign;

**“large poster”** means a self-supporting poster, including an advertisement on street furniture, and are usually displayed on standardized self-supporting structures such as poles and pylons, and are commonly referred to as “impact fours”, “popstands”, “flagstands”, “centre fours”, “shop ads”, “CBD units”, “landscape pops”, “postaflex”, “station fours” and “station streamers”, depending on the function and location of the sign;

**“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 for under the SADC-RTSM, 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 Nelson Mandela Bay Metropolitan Municipality, and when referred to as -

- (a) an entity, means Nelson Mandela Bay 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 Nelson Mandela Bay 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 these By-laws 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;

**“natural area”** as the same meaning as defined in the NMBMOSS;

**“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;

**“on-premises business sign”** means a locality-bound sign which is aimed at identifying and locating:

- (a) A business, enterprise or industry in an urban area;
- (b) a business or enterprise at a centre of economic activity in a rural area of maximum control, including a farm stall and another enterprise on a farm or smallholding, and includes the following only:
  - (i) an individual free-standing sign on a specific business premises;
  - (ii) a sign on an appropriate structure on a specific premises, such as a boundary wall, gate and gate structure; and
  - (iii) a combination sign which indicates several businesses or enterprises and which is provided at a shopping centre, industrial area, or parking area shared by several enterprises,

but does not include a small business on an urban residential site or in a building that was originally constructed for residential or community purposes;

**“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;

**“NMBMOSS”** means the Nelson Mandela Bay Metropolitan Open Space System, as approved by the municipality;

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

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

**“poster”** means any placard announcing or attracting public attention to any meeting, event, function, campaign, 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, livestock or property;

**“project board”** means a sign displaying the involvement of a contractors or consultant in a minor or major construction project or alterations to an existing structure or facility, including a sign describing the type of development being carried out on a site;

**“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 millimetres from the surface of the main wall and which is affixed at a right angle to the street line;

**“public place”** means any public road, public street, thoroughfare, bridge, subway, footway, foot pavement, footpath, sidewalk, (or similar pedestrian portion of a Road Reserve),

lane, square, open space, garden, park or enclosed place vested in the municipality, or other state authority or indicated as such on the Surveyor General's records, or utilized by the public or zoned as such in terms of the applicable zoning scheme;

**"road traffic sign"** means a road traffic sign as defined in the National Road Traffic Act, 1996 (Act 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, and may consist of a single line of free-standing, individual, cut-out, silhouetted letters, symbols or emblems;

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

**"rural area"** carries the meaning as defined in "rural landscape";

**"SADC-RTSM"** means the Southern African Developing Countries Road Traffic Sign Manual, as amended from time to time;

**"SEA"** means a strategic environmental assessment that addresses and sets out the visual, social and traffic safety considerations as well as the cumulative impact of other outdoor advertisements and signs and especially those with a high impact.;

**"service facility sign"** means a combination sign displayed at a filling station and roadside rest and service area which may provide a variety of services such as fuel pumps, workshops, rest-rooms, car washes, shops, accommodation facilities, restaurants, fast-food outlets and auto tellers;

**"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 which is visible from any street or public place; 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 which is visible from any street or public place;

**"sign on construction site boundary walls and fences"** means a sign affixed flat against or on top of a fence or wall where the fence or wall forms the boundary of a site where construction work is being carried out, but excludes a wall of a building;

**"sign on tower, bridge or pylon"** means a sign affixed to or painted on a tower, bridge or pylon, and includes a sign on a cellular telephone base station tower, water tower, radio tower, silo and similar structures;

**"sky sign"** means a sign between 75 square metres and 150 square metres in size on top of a skyscraper in the Nelson Mandela Bay Metropolitan Municipality, and may consist of a single line of free-standing, individual, cut-out, silhouetted letters, symbols or emblems;

**"skyscraper"** means any building, which has fifteen or more storeys, used entirely or partly for industrial or commercial purposes;

**"specific consent"** means the written approval by the municipality under section 10 to display a sign;

**"spectacular"** means a custom-made billboard which incorporates special effects such as internal illumination, cut-outs and three-dimensional representations;

**"sponsored road traffic project sign"** means a sign relating to the sponsoring of a project specifically intended for road users and which is aimed at the provision of road services, the

promotion of road safety or the management and conservation of roadside environments, and includes a logo or brand-name to be displayed by a sponsor on the sides of an SOS telephone;

**“street furniture”** means a public facility or structure which is not intended primarily for advertising, but which is provided for pedestrians and commuters, and includes seating benches, planters, pavement litter bins, pole-mounted bins, bus shelters, pavement clocks and drinking fountains;

**“street name advertisement”** means a sign such as an Identilight or directory sign board, which is displayed in combination with a street name sign and which is pole-mounted, double-sided, internally illuminated, or which consists of various panels displaying industry names within an industrial area;

**“super billboard”** means a free-standing advertising structure consisting of an electronic billboard, the main function which is to advertise non-locality-bound products, activities and services;

**“suburban advertisement”** means a pole-mounted location sign at an entrance to a suburb carrying an advertising sign beneath the suburb name;

**“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, and which is not taller than 3 metres and which does not exceed 0,5 metre in width;

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

**“temporary window sign”** means a sign which is temporarily painted on or attached to the window-panes of a building used for commercial, entertainment, office or industrial purposes, or any temporary sign which is displayed within 2 metres of any window or other external opening through which it can be seen from outside such building, which sign is used mainly for sales promotions and other advertisements aimed at attracting the attention of both road users and pedestrians, and includes the advertising of a non-locality-bound product, activity and service;

**“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, caravan or a similar structure, or a vehicle which is self-propelled, and which trailer, caravan or a similar structure, or vehicle which is self-propelled 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 the built-up area of the Nelson Mandela Bay Metropolitan Municipality;

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

**“under awning sign”** means a sign described in the definition of “veranda sign”;

**“vehicular advertising”** means advertising on a self-driven vehicle which is normally driven on land or water and which is normally moving, and includes a taxi, bus, train and delivery vehicle, but excludes an aircraft;

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

**“veranda sign”** means –

- (a) a sign affixed flat onto or painted on a parapet wall, balustrade or railing of a veranda or balcony;
- (b) a sign affixed flat onto or painted on the fascia of a veranda or a beam over veranda columns;
- (c) a sign affixed flat onto or painted on the fascia of a roof structure without walls, such as a roof covering petrol pumps at a filling station;
- (d) a sign suspended below the roof of a veranda or balcony (under awning signs);
- (e) a sign placed on top of the roof of a veranda;
- (f) a sign affixed to or painted on a pillar, column or post supporting a veranda, balcony or a roof structure without walls; or
- (g) a sign painted or printed on the fabric of a canopy or blind,

and refers to a veranda, balcony or canopy which forms part of a building used for commercial, office, industrial or entertainment purposes or roofed structures without walls which are situated on premises only;

**“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 a freeway;

**“walking sandwich board”** 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 used for commercial, entertainment, office or industrial purposes, or any other permanent sign which is displayed within 2 metres of any window or other external opening through which it can be seen from outside such building.

## 2. PURPOSE OF BY-LAWS

The Nelson Mandela Bay 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 interference with traffic signals or with the visibility of the signals, obstruction, 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;
- (c) its environment for tourism is characterised by a high standard of user-friendly signs and advertising, which is satisfactorily integrated into the environment;
- (d) individual businesses have legitimate interests in the proper advertising of their businesses, wares and products, and that it is the duty of the municipality to balance the competing interests in a fair, equitable, flexible, and responsible way;
- (e) 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; and
- (f) no sign may -
  - (i) be detrimental to the environment, or to the amenity of the 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 a view across a vista from a prominent public place, such as the Donkin Reserve and Fort Frederick, or in gateways of urban areas such as Havelock Square and Market Square.

### **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 Nelson Mandela Bay Metropolitan Municipality.

### **4. POLICY FRAMEWORK AND RELEVANT LEGISLATION**

The policy underlying these By-laws is the South African Manual for Outdoor Advertising Control, as amended from time to time, issued by the Department of Environmental Affairs and Tourism and the relevant policy approved by the municipality and dealing with matters of advertising, and relevant legislation and regulations promulgated under such legislation.

## **CHAPTER 1 AREAS OF CONTROL, SIGNS, AND REQUIREMENTS AND CONDITIONS THAT RELATE TO EACH SIGN**

### **5. AREAS OF CONTROL**

- (1) The areas of control as contained in Schedule 46 are guided by the Advertising Control Map that the municipality compile from time to time and it may be re-delineated 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 areas of maximum control;
  - (b) urban areas of maximum control;
  - (c) urban areas of partial control;
  - (d) urban areas of minimum control; and
  - (e) areas of maximum control in which advertising is prohibited.
- (3) The municipality has determined and declared the areas set out in Schedule 48 to be prohibited advertising areas within which –
  - (a) no sign or advertisement may be displayed; and
  - (b) no person may display any sign or advertisement.
- (4) The areas of control in which particular signs may be displayed are identified in the Schedules which are specified in section 7.

### **6. SIGNS, REQUIREMENTS AND CONDITIONS**

Each schedule referred to in section 7 -

- (a) specifies the name of a sign;
- (b) specifies the area or areas of control in which a sign may be displayed; and
- (c) lay down the specific conditions relating to the display of each kind of sign, which conditions are additional to the provisions contained in sections 18, 19, 20, 21, and 22, unless otherwise stipulated in a Schedule.

## 7. SCHEDULES

The signs, and the Schedules that relate to each of the signs are as follows:

- (a) Super billboards, schedule 1;
- (b) gantry billboards, schedule 2;
- (c) large billboards, schedule 3; and
- (d) medium billboards, schedule 4;
- (e) product replicas and 3-dimensional signs, schedule 5;
- (f) street pole advertisements, schedule 6;
- (g) commercial signs at educational facilities, schedule 7;
- (h) specialised signs for parking areas, schedule 8;
- (i) street furniture and large posters in pedestrian areas, schedule 9;
- (j) banners and flags, schedule 10;
- (k) construction site advertisements, schedule 11;
- (l) project boards, schedule 12;
- (m) signs for sporting events, festivals and exhibitions, schedule 13;
- (n) estate agents' boards and show house signs, schedule 14;
- (o) auction signs, schedule 15;
- (p) election posters and municipal notices, schedule 16;
- (q) handbills, leaflets and pamphlets, schedule 17;
- (r) temporary window signs, schedule 18;
- (s) street name advertisements, schedule 19;
- (t) suburban advertisements, schedule 20;
- (u) security signs, schedule 21;
- (v) sky signs, schedule 22;
- (w) roof signs, schedule 23;
- (x) wall signs, schedule 24;
- (y) signs and murals painted on walls and roofs, schedule 25;
- (z) advertising on towers, bridges and pylons, schedule 26;
- (aa) on-premises business signs, schedule 27;
- (bb) projecting signs, schedule 28;
- (cc) veranda, balcony, canopy and under awning signs, schedule 29;
- (dd) window signs, schedule 30;
- (ee) advertisements on forecourts of business premises, schedule 31;
- (ff) miscellaneous signs for residential-oriented land use and community services schedule 32;
- (gg) signs for agricultural and related land use in rural and natural areas schedule 33;
- (hh) advertisements incorporated in the fabric of a building, schedule 34;
- (ii) service facility signs, schedule 35;
- (jj) sponsored road traffic projects signs, schedule 36;
- (kk) tourism direction signs, schedule 37;
- (ll) signs for utility companies and similar service providers, schedule 38;

- (mm) on-site tourist attractions signs, schedule 39;
- (nn) gateway signs, schedule 40;
- (oo) aerial signs, schedule 41;
- (pp) vehicular advertising, schedule 42;
- (qq) trailer advertising signs, schedule 43;
- (rr) beam advertising and advertising using similar sources of illumination, schedule 44;
- (ss) painted stone signs on rural hillsides, schedule 45.

## CHAPTER 2 CONSENT, AND WITHDRAWAL OR AMENDMENT OF CONSENT

### 8. CONSENT AND ADVERTISING CONTROL COMMITTEE

- (1) No person may display a sign without consent that was granted by the municipality-
  - (a) in terms of section 9 (referred to in these By-laws as “deemed consent”); or
  - (b) under 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.
- (3) A person who displays a sign on municipal land is a tenant at will, subject to the terms and conditions contained in such agreement with council.
- (4) Since new types of signs are continuously being developed, and the use of existing signs may become undesirable -
  - (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 types 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, before such a sign is displayed, apply for approval of the sign and for the display of the sign in terms of section 10, and the municipality may prescribe conditions applicable to the sign or the display of the sign; and
  - (b) the municipality may by notice in writing require a person who is displaying a sign, the display of which is found by the municipality to be undesirable in terms of this By-law, to remove or cease the display of the sign, provided that such notice will afford such person the opportunity to make representations to the municipality within 14 days of the date of the notice.
- (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) If a sign is not appropriate to the type of activity on or zoning of the erf or site to which it pertains, the sign and the display thereof may be considered on its merits by the municipality in terms of the municipality’s Outdoor Advertisement policy and the SAMOAC guidelines.
- (7) The municipality may require from a person who intends to display a sign –
  - (a) to enter into a contract, such as, but not limited to, an encroachment 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.
- (8) The municipality may establish an Advertising Control Committee for the purposes of implementing and enforcing the provisions of these By-laws, which Committee shall have the powers, duties, and functions as determined by the municipality.

#### **9. DEEMED CONSENT**

- (1) Deemed consent is hereby granted for the display of those particular signs as specified in the Schedules, in the areas of control contemplated for each such sign.
- (2) The said deemed consent to display a sign is not absolute.
- (3) A person who intends to display a sign for which deemed consent is granted is exempt from the provisions of section 10, but must comply with sections 18, 19, 20, 21, and 22.
- (4) Upon a proposal made to the municipality by the Advertising Control Committee of the municipality that a particular type of sign should not be displayed in a particular area of control or in a particular case, the municipality may by resolution direct that the deemed consent, which was granted for the display of a particular type of sign does not apply in that particular area of control or in that particular case, and may by written notice require the person who displays such sign, forthwith to remove the sign, or to file, within the time period specified in the notice, an application in terms of section 10, provided that, prior to making such proposal to the municipality, the Advertising Control Committee of the municipality shall afford the owner of the sign the opportunity to be heard.
- (5) In the instance where deemed consent allows more than two signs to be displayed per erf or enterprise, a person who intends to display more than two signs per erf or enterprise, must, before displaying such sign, and irrespective of what a specific schedule prescribes, obtain the specific consent for every sign in excess of two.

#### **10. SPECIFIC CONSENT, APPLICATION, FACTORS WHICH THE MUNICIPALITY MAY CONSIDER, AND RENEWAL**

- (1) A person who intends to display or alter a sign 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; and
- (c) obtain the consent of the municipality before he or she may display or alter the sign.
- (2) The municipality, when it considers any application for the display or alteration of a sign may have due regard to the following:
- (a) That no sign should be so designed or displayed that it will -
- (i) be detrimental to the environment, the amenity of the neighbourhood, or the character of the area, because of size, intensity of illumination, quality of design or materials;
- (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 the 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 and such certificate must contain 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 60 days after the application form has been lodged, notify the applicant in writing if consent has been refused or granted, and -
- (a) if consent is refused, the municipality must in writing convey to the applicant the reasons why the consent was refused; and
  - (b) if consent is granted, the municipality must forward a notice of approval and one set of the application form and other documents that were submitted by the applicant to the applicant, and specify in the notice of approval the duration of the term of the consent.
- (6) Subject to subsection (7), a sign must be displayed within 12 months after the date on which the municipality granted consent, otherwise the consent expires.
- (7) The municipality may consider any written application for an extension of the period contemplated in subsection (6), provided that such application is lodged prior to the expiry of the initial 12 months.
- (8) The municipality must keep a register which is open to public inspection at all reasonable hours and which contains particulars of -
- (a) an 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.
- (9) When a time period, which was specified in the approval expires an application for renewal must, prior to the expiry, be submitted for consideration of approval should a

person who displays a sign intends 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. 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; or
  - (d) is undesirable in terms of section 8(4)(b);
- 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 the sign;
  - (ii) to amend any condition relating to the display of the sign;
  - (iii) to impose a further condition to the display of the sign; or
  - (iv) to order that the display of the sign be discontinued.
- (2) 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;
  - (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, and if applicable a time period relating to the further condition; and
  - (d) specify the sign or the site to which it relates.

### **CHAPTER 3**

#### **UNAUTHORISED SIGNS, ALTERATION OF SIGNS, DEPARTURE FROM APPROVED PLAN, EXEMPT SIGNS, PROHIBITED SIGNS, AND TEMPORARY SIGNS**

#### **12. DISPLAY OF UNAUTHORISED SIGN**

- (1) No person may display an unauthorised sign.
- (2) A person who displays an unauthorised sign must, after service on him or her of a notice of contravention in terms of section 26 to that effect, immediately cease to display the sign.
- (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 will withdraw the notice in writing.

#### **13. ALTERATION OF EXISTING SIGN**

- (1) No person may, without the prior approval of the municipality, alter the structure of an existing sign in instances where the display of the sign is subject to specific consent.

- (2) A person who alters such sign which is displayed must, after service on him or her of a notice of contravention in terms of section 26 to that effect, immediately cease or cause to cease any alteration to the existing sign.

#### **14. DEPARTURE FROM APPROVED FORM OR PLAN**

- (1) No person, having obtained specific consent for the display of a sign, 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 contravention in terms of section 25 to that effect, immediately discontinue or cause to be discontinued such departure.

#### **15. EXEMPT SIGNS**

Display of the following signs is exempt from the provisions of these By-laws:

- (a) A sign which is displayed in an arcade and which is not aimed at road users;
- (b) any price ticket which is smaller than 0,5 square metres on an item that is displayed in a shop-window;
- (c) a sign which is displayed inside a building at a distance of more than 2 metres 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;
- (d) a road traffic sign which is displayed in terms of an Act of Parliament, Provincial legislation, or a By-law;
- (e) a sign which is displayed as required in terms of an Act of Parliament, Provincial legislation, or a By-law;
- (f) subject to items 8(1) and 8(5) to Schedule 10, a national flag; and
- (g) a sign displayed inside a sports stadium and which is not visible from outside the stadium.

#### **16. PROHIBITED SIGNS**

- (1) No person may without the prior written approval of the municipality display the following signs in any area of control:
- (a) a teardrop flag or feather flag, except when displayed as a temporary sign as contemplated in section 17;
- (b) an inflatable;
- (c) walking sandwich boards and other portable notices;
- (d) a trailer advertisement.
- (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 an area identified in Schedule 48.
- (4) No person or business may, without the written consent of the municipality first having been obtained, in any manner 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, 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 for the municipality's approval 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.

#### **17. TEMPORARY SIGNS**

- (1) The display, at a special event such as a sporting event or a festival, of a temporary sign containing the name of the sponsor is subject to specific consent, and the sign -
- (a) may be displayed for a period of two weeks before such event, and for the duration of the event;
  - (b) must be dismantled within three days after the conclusion of the event;
  - (c) may 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.
- (2) A temporary advance sign may be displayed, and the display of the sign is subject to specific consent.

### **CHAPTER 4 SAFETY, DESIGN AND CONSTRUCTION, MAINTENANCE, POSITION, AND ILLUMINATION OF SIGNS**

#### **18. SAFETY OF SIGN**

- (1) No advertisement or advertising structure may –
- (a) constitute a danger to any person or property;
  - (b) 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) be illuminated to the extent that it causes discomfort to, or inhibits the vision of, an approaching pedestrian or driver of a motor vehicle;
  - (d) obscure a road traffic sign or signal, or be attached or combined with a road traffic sign or signal, except a sign displayed with a street name or a location name sign contemplated in section 7(t) (suburban advertisement, section 7(s) (street name advertisement signs), and section 7(kk), (tourism direction signs);
  - (e) obscure a pedestrian's or motor vehicle driver's view of a pedestrian, road, rail vehicle, railway, or a feature of a road or pavement such as a junction, a bend, and a change in width;
  - (f) project over a pedestrian or cycle circulation route, unless the clear height of such sign exceeds 2,4 metres;
  - (g) 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; or
  - (h) 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.

- (2) 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 has a bit value of 0,5;
    - (iii) a number consisting of five to eight digits has 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 millimetres and must increase in size by 25 millimetres for every 15 metres distance away from a viewer.<sup>1</sup>

## 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 sign writing, and an untidy handwritten message should be avoided as far as possible;
  - (e) may not interfere with an electrical services provision or any other accessory;
  - (f) deface a building facade;
  - (g) must be rigidly and securely attached, supported, or anchored in a safe manner so that unwanted movement in any direction is prevented;
  - (h) 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;

<sup>1</sup> Example:

- (i) A letter or digit on a sign which is normally not more than 15 metres away from a viewer, may not be smaller than 50 mm;
- (ii) a letter or digit on a sign which is normally between 16 and 30 metres away from a viewer, may not be smaller than 73 mm;
- (iii) a letters or digit on a sign which is normally between 31 and 45 metres away from a viewer, may not be smaller than 100 mm; and
- (iv) a letter or digit on a sign which is normally between 46 and 60 metres away from a viewer, may not be smaller than 125 mm, and so forth.

- (i) must, wherever necessary in accordance with the nature of the sign and when attached to brickwork, masonry or concrete, be securely and effectively attached thereto by means of bolts securely embedded in such brickwork, masonry, or concrete, or passing through the same and secured on the opposite side; and
  - (j) 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 a sign or advertisement;
  - (b) may not display or secure a sign or advertisement elsewhere than on a billboard, board, or any structure provided for this purpose;
  - (c) must have all exposed metalwork of a sign painted or otherwise treated to prevent corrosion, and all timber treated to prevent decay; 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 the sign's 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 3 millimetres thick.
  - (b) A glass panel used in a sign may not exceed 0,9 square metres in 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 which is 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 municipality's by-laws relating to the supply of electricity.
- (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 public installation or property.
  - (b) A sign, or its brackets, on lamp posts may not cover or damage any markings such as codes or symbols on the posts.
  - (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 City Electrical Engineer for each type of sign and lamp post to be used.

## **20. MAINTENANCE OF SIGN**

- (1) The maintenance of a sign and its structure is the responsibility of the person who displays the sign and should such person fail to maintain a sign the municipality shall serve notice on the owner of such sign to undertake such maintenance or repair work within a time specified in such notice, provided that in the event that emergency work to a sign or structure is required, the municipality may undertake such emergency work without serving such notice.
- (2) If an owner fails to comply with a notice or in the case of an emergency as contemplated in subsection (1) the municipality may carry out any maintenance or repair work and the

municipality may claim the cost of such maintenance or repairs from the person who displays the sign.

- (3) 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.

## **21. POSITION OF SIGN**

- (1) In accordance with and in addition to the provisions contained in a particular Schedule relating to the display of a sign, the signs in subsections (2) to (9) must be displayed as indicated.
- (2) Only a gantry billboard may be displayed on a road island or road median other than a freeway in accordance to permitted areas of control.
- (3) Only the following signs may be suspended across a road other than freeways in accordance to permitted areas of control:
- (a) Gantry billboards;
  - (b) banners and flags, as part of a streetscaping project; and
  - (c) advertisements on towers, bridges and pylons.
- (4) Only the following signs may be erected within or suspended above a road reserve or the limited use area outside the road reserve boundary of freeways, and the signs may be displayed within all road reserves including freeways and the limited use areas next to freeways in accordance with permitted areas of control:
- (a) Project boards that concern road construction;
  - (b) signs for sporting events, festivals and exhibitions;
  - (c) sponsored road traffic projects;
  - (d) tourism direction signs; and
  - (e) gateway signs.
- (5) Only a service facility sign may be erected within or suspended above a road reserve or the limited use area outside the road reserve boundary of freeways, which sign may be displayed within the limited use area along freeways.
- (6) Only the following signs may be erected within or suspended above a road reserve or the limited use area outside the road reserve boundary of freeways, and the signs may be displayed within the limited use area along freeways if the main building housing an enterprise is within 50 metres from the road reserve boundary of a freeway and if there is no other appropriate means of indicating that particular enterprise facing another public road carrying traffic passing through:
- (a) Wall signs;
  - (b) projecting signs; and
  - (c) veranda, balcony, canopy and under awning signs.
- (7) Only the following signs, that do not concern road construction, may be erected within or suspended above a road reserve or the limited use area outside the road reserve boundary of freeways, and which may be displayed within all road reserves, but not on freeways, in accordance to permitted areas of control:
- (a) Gantry billboards;
  - (b) medium billboards;

- (c) street pole advertisements;
  - (d) street furniture and large posters in pedestrian areas;
  - (e) banners and flags; and
  - (f) project boards.
- (8) Only the following signs may be erected within or suspended above a road reserve or the limited use area outside the road reserve boundary of freeways, and may be displayed within all road reserves, but not on freeways, in accordance to permitted areas of control:
- (a) Estate agents' boards and show house signs;
  - (b) auction signs;
  - (c) election posters and municipal notices;
  - (d) street name advertisements;
  - (e) suburban advertisements;
  - (f) security signs;
  - (g) advertising on towers, bridges and pylons;
  - (h) veranda, balcony, canopy and under awning signs;
  - (i) advertisements on forecourts of business premises; and
  - (j) signs for utility companies and similar service.
- (9) Only the following signs may be displayed within a restricted area at urban street corners, in accordance to permitted areas of control, however, illuminated signs which may be displayed within restricted areas at signalised street corners may not contain the colours red, green or amber:
- (a) Construction site advertisements;
  - (b) project boards;
  - (c) street name advertisements;
  - (d) wall signs;
  - (e) signs and murals painted on walls and roofs;
  - (f) projecting signs;
  - (g) veranda, balcony, canopy and under awning signs;
  - (h) window signs; and
  - (i) advertisements on forecourts of business premises,

## **22. ILLUMINATION OF SIGN AND ELECTRONIC SIGN**

- (1) The following maximum luminance levels per square metre 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 metre, the luminance level may not exceed 1000 candela per square metre;
  - (b) in the instance where the illuminated area is between 0,5 square metre and 2 square metres, the luminance level may not exceed 800 candela per square metre;
  - (c) in the instance where the illuminated area is between 2 square metres and 10 square metres, the luminance level may not exceed 600 candela per square metre; and
  - (d) in the instance where the illuminated area is 10 square metres or more, the luminance level may not exceed 400 candela per square metre.

- (2) The light source emanating from a floodlight may not be visible to traffic travelling in either direction.
- (3) Floodlighting must be positioned to ensure effective distribution and to minimise 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 2,1 square metres, which size may be waived up to a maximum size of 24 square metres in any such area upon receipt and approval by the municipality of an environmental and heritage impact assessment showing that no detrimental impact will be caused by the proposed display; and
  - (c) may not have subliminal flashes.
- (6) 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.

## **CHAPTER 5 MISCELLANEOUS PROVISIONS**

### **23. POWER OF ENTRY AND INSPECTION**

- (1) An authorized officer may on the authority of a warrant, for any purpose connected with the implementation or enforcement of these By-laws, at all reasonable times –
  - (a) enter premises;
  - (b) request information; and
  - (c) take samples.
- (2) Any entry and inspection must be conducted in conformity with the requirements of the Constitution of South Africa Act, 1996 (Act 108 of 1996), and any other law and, in particular, with strict regard to decency, order and respect for a person's dignity, freedom and security, and personal privacy.
- (3) An authorized officer may be accompanied by an interpreter and any other person reasonably required to assist the authorized officer in conducting the inspection.
- (4) A person representing the municipality must provide his or her identification and authority.

### **24. PUBLIC TENDERS**

The municipality may, subject to the municipality's procurement policies, adjudicate and award successful tenders, for each standard advertising type aiming to provide non-locality bound advertising space for a private sector service, product or any other message on municipal land.

### **25. 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, such authority being conferred by resolution of the municipality or by a By-law or regulation, 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.

**26. NOTICE OF CONTRAVENTION, REMOVAL, CONFISCATION, DESTRUCTION OF SIGNS, AND RELATED MATTERS**

- (1) Where the display of a sign does not comply with section 18, 19, 20, 21, 22, or with a condition in a Schedule that relates to a sign, the person who displays the sign must alter the sign so that it complies with section 18, 19, 20, 21 or 22, or the condition in the Schedule that relates to the sign, and where -
- (a) there is a change in ownership or occupancy of premises on which the sign is displayed or where there is a change in the nature of the business, industry, trade, or profession which is conducted on the premises, the person who displays a sign must submit a new application to the municipality;
  - (b) 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 where there is an alteration in the level or position of a street, footway, or kerb the person who displays a sign must immediately remove the sign.
- (2) If a sign which is displayed is unauthorised, displayed in prohibited area, 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, the municipality may serve a notice of contravention on the owner of the sign to remove the 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 of contravention.
- (3) The notice of contravention must -

- (a) specify, at the time when the notice is issued, the name, residential and postal address, if either or both of these addresses 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;
  - (d) subject to section 27, 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 27.
- (4) If a person fails to comply with a notice of contravention issued in terms of subsection (2), the municipality may, after obtaining a court order authorising such action, remove any sign contemplated in subsection (2) and destroy or dispose of the sign in a manner prescribed by the court.
- (5) The municipality may, without prior notice remove, confiscate, and destroy a sign if the sign constitutes a danger to life or property.
- (6) The municipality, when it removes, 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, or does alterations to or other works on a sign may be recovered from the person on whom the notice of contravention was served, or if a deposit has been paid in respect of the sign the costs may be deducted from the deposit.
- (8) The penalty costs when the municipality removes a sign are determined by the municipality.
- (9) Should the court order the destruction of a sign, the municipality may dispose of it in a manner prescribed by the court, and if such an order authorises the sale of such sign the municipality may offer its repurchase to the original owner and the repurchasing prices are according to the annual schedule of tariffs of the municipality.
- (10) The municipality may dispose of a sign which is not repurchased within two weeks.

## **27. OFFENCES**

- (1) A person commits an offence if he or she –
- (a) contravenes or fails to comply with a provision of these By-laws or of a Schedule to these By-laws;
  - (b) fails to comply with any notice or order issued or condition imposed in terms of or for the purposes of these By-laws;
  - (c) fails to comply with a lawful instruction given in terms of or for the purposes of these By-laws; or
  - (d) obstructs or hinder an authorised representative or employee of the municipality in the execution of his or her duties under these By-laws.
- (2) A person who commits an offence contemplated in subsection (1) is liable to a fine on the spot or in default of payment is liable on conviction –
- (a) to a fine not exceeding R15 000, or in default of payment to imprisonment for a period not exceeding 6 months; and

- (b) in the case of a continuing offence, to a further fine not exceeding R1000 or in default of payment, to imprisonment not exceeding one day, for every day during the continuance of such offence after a written notice has been issued by the municipality and served on the person concerned requiring the discontinuance of such offence.

## **28. RIGHT OF APPEAL**

- (1) A person who is of the opinion that his or her rights are affected by a decision taken by a person contemplated in section 62(1) of the Local Government: Municipal Systems Act, 2000 may appeal against that decision by giving written notice of the appeal and reasons to the municipal manager within 21 days of the date of the notification of the decision.
- (2) The municipal manager must promptly submit the appeal to the appropriate appeal authority mentioned in subsection (4).
- (3) The appeal authority 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 accrued as a result of the decision.
- (4) When the appeal is against a decision taken by –
  - (a) a municipal officer other than the municipal manager, the municipal manager is the appeal authority;
  - (b) the municipal manager, the Executive Mayor is the appeal authority; or
  - (c) a political structure or political office bearer or a the municipality, a committee of the municipality who were not involved in the decision and who were appointed by the municipality for this purpose is the appeal authority.
- (5) An appeal authority must commence with an appeal within six weeks and decide the appeal within a reasonable time, which will not be later than 6 months after the date on which the appeal was lodged.

## **29. TRANSITIONAL PROVISIONS**

- (1) After the commencements of these By-laws the municipality may give notice to any person who displays a sign that does not comply with the provisions of these By-laws to remove or rectify such sign, provided that such notice must afford the person who displays such sign the opportunity to make representations to the municipality.
- (2) Any person who displays a sign that does not comply with the provisions of these By-laws must within three months of the date on which a decision is made in view of the representations made to the municipality, remove or rectify such sign and if such person fails to remove or rectify such sign the municipality may remove such sign and recover the cost from the owner of such sign.

## **30. SAVING PROVISION**

Subject to section 35, 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.

## **31. IMPACT ASSESSMENTS**

- (1) An EIA as determined in terms of the National Environmental Management Act, Act 107 of 1998, and regulations promulgated under the Act, or a SEA or both an EIA and SEA must be

conducted for the display of an advertisement or sign as prescribed in these By-laws and the Schedules.

- (2) The scope and consultation processes of assessments required in terms of subsection (1) may be determined by the municipality from time to time.
- (3) Besides the types 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 types of advertisements if such advertisement might have a detrimental impact on traffic .

### **32. WAIVER**

- (1) The municipality may, upon the written request by a person, which request is to be directed to the municipal manager, and after consideration of the merits of the request, waive compliance with or relax the provisions of any one or more of the provisions of these By-laws.
- (2) The municipality must serve a written notice of waiver, which is signed by the municipal manager upon the person concerned. The notice must cite -
  - (a) the provision that is waived or relaxed; and
  - (b) the extent to which it has been waived.
- (3) The municipality must keep a record which contains a copy of the notice, and the public may, at all reasonable hours, inspect this record at the offices of the municipality.
- (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 programme 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 programme;
  - (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 programme 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 general public's 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 area of control where it is proposed to display the sign;
  - (b) the nature of the event;
  - (c) the duration of the erection or display of the sign;
  - (d) the size of the proposed sign;

- (e) any traffic, safety, environmental or heritage impact assessment as may be required by the municipality; and
- (f) the outcome of any public participation process.

### 33. PRESUMPTIONS

If a person is charged with an offence relating to advertising signs, and unless the contrary is proved, it is presumed that -

- (a) such person either displayed the advertising sign or caused or allowed it to be displayed;
- (b) such person, if he or she is the owner of land or a building on which an advertising sign was displayed, displayed such a sign, advertising structure or poster, or caused or allowed it to be displayed;
- (c) such person who was either individually or jointly with any other person responsible for organizing or controlling a meeting, function or event to which a sign or poster relates, displayed every sign or poster displayed in connection with such meeting, function or event or to have caused or allowed it to be displayed; and
- (d) a person whose name appears on a sign, advertising structure or poster displayed it or to have caused or allowed it to be displayed.

### 34. REPEAL

(1) The following by-laws and any by-laws previously promulgated by the Municipality or any of the disestablished municipalities now incorporated into City, in so far as it relates to any matter provided for in this by-law, are hereby repealed:

(a) Port Elizabeth Municipality:

Provincial Notice No.	Title	Extent of repeal
P.N. 0577/1937	Advertising hoardings	The whole
P.N. 0853/1960	Advertising signs	The whole
P.N. 0282/1965	Additional advertising signs	The whole

(b) Uitenhage Municipality:

Provincial Notice No.	Title	Extent of repeal
P.N. 0030/1990	Advertising signs	The whole

(c) Despatch Municipality:

Provincial Notice No.	Title	Extent of repeal
P.N. 0966/1989	Advertising signs	The whole

- (2) Anything done under or in terms of any provision repealed by subsection (1) is deemed to have been done under the corresponding provisions of these By-laws and such repeal does not affect the validity of anything done under the By-laws so repealed, so far as they are not inconsistent with the provisions of these By-laws.
- (3) Any application lodged in terms of the By-laws repealed in terms of subsection (1) and pending before the municipality at the commencement of these By-laws, must be dealt with in terms of these By-laws, provided that applicants who have submitted applications in terms of the by-laws repealed in subsection (1) may, within 6 months of the promulgation of this by-law, amend and re-submit such applications at no further cost to the applicant.

**35. MUNICIPALITY BOUND BY BY-LAWS**

In the instance where the municipality undertakes commercial advertising, the municipality is, subject to 20(1) bound by the provisions of these By-laws.

**36. SHORT TITLE**

These By-laws are called Outdoor Signs (Advertising and other Signs) By-laws, 2010, and shall commence upon the date of publication in the Provincial Gazette.

## SCHEDULES

Schedule 1:	Class 1(a) - Super billboards
Schedule 2:	Class 1(b) - Gantry billboards
Schedule 3:	Class 1(c) - Large billboards
Schedule 4:	Class 1(d) - Medium billboards
Schedule 5:	Class 2(a) - Product replicas and 3-dimensional signs
Schedule 6:	Class 2(b) - Street pole advertisements
Schedule 7:	Class 2(c) - Commercial signs at educational facilities
Schedule 8:	Class 2(d) - Specialised signs for parking areas
Schedule 9:	Class 2(e) - Street furniture and large posters in pedestrian areas
Schedule 10:	Class 2(f) - Banners and flags
Schedule 11:	Class 2(g)(i) - Construction site advertisements
Schedule 12:	Class 2(g)(ii) - Project boards
Schedule 13:	Class 2(g)(iii) - Signs for sporting events, festivals and exhibitions
Schedule 14:	Class 2(g)(iv) - Estate agents' boards and show house signs
Schedule 15:	Class 2(g)(v) - Auction signs
Schedule 16:	Class 2(g)(vi) - Election posters, newspaper posters, charitable posters and municipal notices
Schedule 17:	Class 2(g)(vii) - Handbills, leaflets and pamphlets
Schedule 18:	Class 2(g)(viii) - Temporary window signs
Schedule 19:	Class 2(h) - Street name advertisements
Schedule 20:	Class 2(i) - Suburban advertisements
Schedule 21:	Class 2(j) - Security signs
Schedule 22:	Class 3(a) - Sky signs
Schedule 23:	Class 3(b) - Roof signs
Schedule 24:	Class 3(c) - Wall signs
Schedule 25:	Class 3(d) - Signs and murals painted on walls and roofs
Schedule 26:	Class 3(e) - Advertising on towers, bridges and pylons
Schedule 27:	Class 3(f) - On-premise business signs
Schedule 28:	Class 3(g) - Projecting signs
Schedule 29:	Class 3(h) - Veranda, balcony, canopy and under awning signs
Schedule 30:	Class 3(i) - Window signs
Schedule 31:	Class 3(j) - Advertisements on forecourts of business premises
Schedule 32:	Class 3(k) - Miscellaneous signs for residential-oriented land use and community services
Schedule 33:	Class 3(k) - Signs for agricultural and related land use in rural and natural areas
Schedule 34:	Class 3(m) - Signs incorporated in the fabric of a building
Schedule 35:	Class 4(a) - Service facility signs
Schedule 36:	Class 4(b) - Sponsored road traffic projects signs
Schedule 37:	Class 4(c) - Tourism direction signs
Schedule 38:	Class 4(d) - Signs for utility companies and similar service providers
Schedule 39:	Class 4(e) - On-site tourist attractions signs
Schedule 40:	Class 4(f) - Gateway signs
Schedule 41:	Class 5(a) - Aerial signs
Schedule 42:	Class 5(b) - Vehicular advertising
Schedule 43:	Class 5(c) - Trailer advertising
Schedule 44:	Class 6(a) - Beam advertising and advertising using similar sources of illumination
Schedule 45:	Class 6(b) - Painted stone signs on rural hillsides
Schedule 46:	Areas of control

- Schedule 47: Figures
- Schedule 48: Prohibited areas

**SCHEDULE 1**  
**(Section 7(a))**  
**CLASS 1(a): SUPER BILLBOARDS**

**1. Area of control, and consent**

- (1) Display of a sign is limited to urban areas of minimum control.
- (2) Display of a sign subject to specific consent, however, consent for display shall not be granted for an indefinite period and the municipality shall, at its discretion, grant consent for a limited period only, which period may not exceed 5 years, and with a renewal option of a further 5 years depending on the findings of a new SEA.

**2. Shape, size, and height of sign**

- (1) A sign permitted to be displayed may not exceed a maximum size of 81 square metres and a maximum height of 25 metres.
- (2) In the instance where a sign structure might interfere with the movement of pedestrians or cyclists, the clear height of such structure may not be less than 2,3 metres.

**3. Position of sign**

The provisions of section 21 relating to the display of this type of sign, and the following conditions apply to the position of a sign:

- (a) A sign must be displayed perpendicular to the direction of oncoming traffic;
- (b) a minimum distance of 5 kilometres between signs displayed on the same side of the road must be maintained;
- (c) no sign may be erected within a radius of 200 metres from the centre of an intersection on an arterial road, or within a radius of 100 metres from the centre of an intersection on any lower order road in such a manner as to be oriented towards such an intersection; and
- (d) the distances represented in Figure 1, Schedule 47 must be increased by 25 percent.

**4. Illumination and animation of sign**

Subject to the provisions of section 18(1)(c), 19(4), 21 and 22, illumination and animation of a sign is allowed.

**5. Design and construction of sign**

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).

**SCHEDULE 2**  
**(Section 7(b))**  
**CLASS 1(b): GANTRY AND CUSTOM-MADE BILLBOARDS**

**1. Areas of control and consent**

- (1) Display of a sign is limited to urban areas of minimum control.
- (2) Display of a sign is subject to specific consent, however, consent for display shall not be granted for an indefinite period, and the municipality may grant consent for a limited period only, which period may not exceed 5 years, and with a renewal option depending on the findings of a new SEA.
- (3) The municipality may conduct an SEA or require an applicant to conduct an SEA to determine the permissible number, position and spacing of gantries within a given area or precinct.

**2. Shape, size and height**

- (1) A sign permitted to be displayed may not exceed a maximum size of 81 square metres and a maximum board height of 4,5 metres.
- (2) The clear height of the advertising structure (gantry) may not be less than 5,2 metres.
- (3) The maximum height of the structure may not be more than 12 metres.

**3. Position**

- (1) A sign must be displayed perpendicular to the direction of oncoming traffic.
- (2) No sign may be displayed within a radius of 2.5 km from any other sign contemplated in this Schedule or in Schedule 1.
- (3) No sign may be erected –
  - (a) within a radius of 300 metres from the centre of an intersection on an arterial road;
  - (b) on a road with overhead traffic signals within 50 metres before and after an overhead traffic signal; or
  - (c) within a radius of 100 metres from the centre of an intersection on any lower order road without overhead traffic signals.
- (4) No sign may be erected on a freeway or any other road where traffic signs are used in the form of gantries.
- (5) The provisions of section 21 relating to the display of this type of sign apply.

**4. Colour and texture**

A sign erected in the vicinity of a signalised intersection may not predominantly display the colours red, amber or green if such colours may constitute a road safety hazard

**5. Illumination and animation**

- (1) Internal and external illumination are allowed.
- (2) No animation is allowed.
- (3) The following maximum luminance levels are prescribed:
  - (a) Where the illuminated area is less than 0,5 square metre, 1000 candela/square metre;

- (b) where the illuminated area is between 0,5 square metre and 2 square metres, 800 candela/square metre;
- (c) where the illuminated area is between 2 square metres and 10 square metres, 600 candela/square metre; and
- (d) where the illuminated area is 10 square metres or more, 400 candela/square metres.

**6. Safety**

The provisions of section 18 relating to the safety of a sign apply.

**7. Design and construction**

- (1) A sign permitted to be displayed must be placed on a base which has been designed and erected in terms of the conditions laid down by the municipality.
- (2) The provisions of section 19 relating to the design and construction of a sign apply.

**8. Maintenance**

The provisions of section 20 relating to the maintenance of a sign apply.

**SCHEDULE 3**  
**(Section 7(c))**  
**CLASS 1(c): LARGE BILLBOARDS**

**1. Area of control, and consent**

- (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) Display of a sign requires specific consent in terms of an SEA, however, consent for display shall not be granted for an indefinite period, and the municipality may grant consent for a limited period only, which period may not exceed 5 years, and with a renewal option depending on the findings of a new SEA.

**2. Shape, size, and height of sign**

- (1) A sign permitted to be displayed must be larger than 18 square metres, but may not exceed a maximum size of 36 square metres and a maximum height of 15 metres.
- (2) The clear height of a sign may not be less than 2,3 metres where it might interfere with the movement of pedestrians or cyclists.

**3. Position of sign**

The provisions of section 21 relating to the display of this type of sign apply, 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 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) billboards displayed along roads must be spaced at the following distances:
  - (i) on a road with a speed limit of 81 kilometres per hour and higher the distance between signs may not be less than 250 metres;
  - (ii) on a road with a speed limit between 61 kilometres per hour and 80 kilometres per hour the distance between signs may not be less than 200 metres; and
  - (iii) on a road with a speed limit below 60 kilometres per hour, when the signs are in view of each other and on the same side of the road, the distance between signs may not be less than 120 metres;
- (e) subject to subsection (f), a maximum of two double sided billboards may be displayed at a road intersection; and
- (f) no billboard may be displayed 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.

**4. Colour or texture of sign**

- (1) A sign displayed in the vicinity of a signalised intersection may not predominantly contain the colours red, amber or green if such colours will constitute a road safety hazard.
- (2) A sign may not be paper-posted, any may also be sign written, posted with vinyl or a combination of the two.

**5. Illumination and animation of sign**

The provisions of section 18(1)(c), 19(4), 21(e), 22, and the following conditions apply to the illumination and animation of a sign:

- (a) Internal and external illumination is allowed;
- (b) the following maximum luminance levels are prescribed by the municipality:
  - (i) if the illuminated area is 0,5 square metre in size or smaller a maximum level of 1000 candela per square metre;
  - (ii) if the illuminated area is between 0,5 square metre and 2 square metres in size a maximum level of 800 candela per square metre;
  - (iii) if the illuminated area is between 2 square metres and 10 square metres in size a maximum level of 600 candela per square metre; and
  - (iv) if the illuminated area is larger than 10 square metres in size a maximum level of 400 candela per square metre;
- (c) the light source emanating from floodlights may not be visible to traffic travelling in either direction;
- (d) floodlighting must be positioned to ensure effective distribution and minimize light wastage or 'spill', and external illumination may not constitute a road safety hazard or cause undue disturbance; and
- (e) no animation is allowed.

**6. Design and construction of sign**

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).

**7. Supplementary condition**

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

**SCHEDULE 4**  
**(Section 7(d))**  
**CLASS 1(d): MEDIUM BILLBOARDS**

**1. Areas of control and consent**

- (1) A sign may be displayed in urban areas of partial and minimum control.
- (2) Display of a sign requires specific consent in terms of an SEA, however, consent for display shall not be granted for an indefinite period, and the municipality may grant consent for a limited period only, which period may not exceed 5 years, and with a renewal option depending on the findings of a new SEA.
- (3) A sign may not be displayed in an urban road reserve, excluding an urban freeway.

**2. Shape, size and height**

- (1) A sign permitted to be displayed may not exceed a maximum size of 18 square metres and a maximum overall height of 7,5 metres.
- (2) The clear height of such a structure may not be less than 2,3 metres where the structure might interfere with the movement of pedestrians or cyclists.

**3. Position**

- (1) A sign must be displayed perpendicular to the direction of the oncoming traffic.
- (2) A sign may not be displayed within a linear distance of 300 metres of any other sign contemplated in this Schedule, or in Schedule 1, or in Schedule 2, or in Schedule 3.
- (3) Display of a maximum of two double sided billboards per intersection is permitted at a road intersection.
- (4) A sign may not be displayed –
  - (a) within a radius of 100 metres from the centre of an intersection on an arterial road;  
or
  - (b) within 50 metres from the centre of an intersection on any lower order road.
- (5) The provisions of section 21 relating to the display of this type of sign apply.

**4. Colour and texture**

A sign erected in the vicinity of a signalised intersection may not predominantly have the colours red, amber or green if such colours may constitute a road safety hazard.

**5. Illumination and animation**

- (1) External and internal illumination of a sign is permitted, however, such illumination may not constitute a road safety hazard or cause undue disturbance.
- (2) Animation of a sign is allowed in pedestrian areas only.

**6. Safety**

The provisions of section 18 relating to the safety of a sign apply.

**7. Design and construction**

- (1) A sign permitted to be displayed must be placed on a base which has been designed and erected in terms of the conditions laid down by the municipality.
- (2) The provisions of section 19 relating to design and construction of a sign apply.

**8. Position**

- (1) A sign displayed within an urban road reserve must form an integral part of the street furniture.
- (2) The aesthetic design of the structure and the advertising content must be of a high quality, and conditions in this regard shall be provided through an SEA procedure.
- (3) The backside of a sign must have an acceptable aesthetic appearance.

**9. Maintenance**

The provisions of section 20 relating to the maintenance of a sign apply.

**SCHEDULE 5**  
**(Section 7(e))**

**CLASS 2(a): PRODUCT REPLICAS AND 3-DIMENSIONAL SIGNS**

**1. Area of control and consent**

- (1) A sign may be displayed in urban areas of partial control and urban areas of minimum control and shall be provided only for commercial, entertainment and industrial land uses.
- (2) A sign displayed in an urban area of partial control is subject to specific consent.
- (3) A sign displayed in an urban area of minimum control is subject to deemed consent.
- (4) An SEA must be conducted to determine the permissible number, position and spacing of freestanding signs, and the cumulative impact of other sign types and especially those with a higher impact shall be taken into consideration.
- (5) Display of this sign at a shopping centre must be included into an SEA.

**2. Shape, size, and height of sign**

- (1) An individual sign may not exceed a size of 3 cubic metres in an urban area of partial control, and a size of 6 cubic metres in an urban area of minimum control.
- (2) Only two signs 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 metres in an urban area of partial control, and a total sign area of 6 cubic metres in an urban area of minimum control.
- (3) The highest point of any free-standing sign may not exceed 3,5 metres in an urban area of partial control, and 5 metres in an urban area of minimum control.

**3. Position of sign**

- (1) 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.
- (2) A sign may not be placed in front of, or obstruct the view from any window or any other external opening of a building.
- (3) Items (2) and (3) do not apply to entertainment districts.
- (4) Signs aimed at the road user must be spaced at the following minimum distances when in view of each other and on the same side of the road:
  - (a) On a road with a speed limit of 81 kilometres per hour and higher the distance between signs may not be less than 250 metres;
  - (b) on a road with a speed limit between 61 kilometres per hour and 80 kilometres per hour the distance between signs may not be less than 200 metres; and
  - (c) on a road with a speed limit below 60 kilometres per hour the distance between signs may not be less than 120 metres.

**4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**5. Illumination and animation of sign**

Subject to the provisions of section 18(1)(c), 19(4) and 22, illumination or animation of a sign is allowed.

**6. Design and construction of sign**

- (1) A product replica may not dominate prominent architectural features of a building, with the exception of buildings in entertainment districts.
- (2) Any decision as to whether prominent architectural features of a building will be made by the Advertising Control Committee based on the merits of the application and with the input of the Institute of Architects.

**SCHEDULE 6**  
**(Section 7(f))**  
**CLASS 2(b): STREET POLE ADVERTISEMENTS**

**1. Areas of control and consent**

- (1) A sign may be displayed in an urban area of partial and minimum control in the urban environment.
- (2) Display of a sign is subject to specific consent.
- (3) A sign may be, in exceptional cases, displayed in an area of maximum control, but only after such a possibility has been identified through an SEA.
- (4) Commercial products and enterprises only may be advertised.
- (5) Advertising content is limited to –
  - (a) a product logo;
  - (b) an enterprise logo;
  - (c) a product image with very limited text;
  - (d) community service messages; or
  - (d) an enterprise image with very limited text.
- (6) The municipality shall conduct an SEA to identify the street in which streets pole advertisements may be allowed, and to determine the number and spacing of advertisements, and such an SEA shall also consider the cumulative impact of other sign types in order to prevent information overload, and the display of election posters and municipal notices (Schedule 16) shall also be taken into consideration.
- (7) No more than one double-sided street pole advertisement per lamp pole may be erected regardless of whether it is a street pole advertisement, municipal notices, newspaper posters or charitable posters (Schedule 16).
- (8) Display of permanent and temporary street pole advertisements is limited to one advertisement per three consecutive street poles, however, the municipality may consider display of signs on more poles, in areas of minimum control, on application by a person who intends to display such signs.

**2. Shape, size and height**

- (1) A poster displayed may not be smaller than 0,5 square metre, or larger than 1,2 square metres Or A0 size.
- (2) In the instance where a poster displayed may impede pedestrian or cycle traffic, such poster must be erected no less than 2,3 metres from the ground.
- (3) Text on a poster displayed may not be smaller than 70 millimetres in height.

**3. Position**

- (1) A street pole advertisement may be displayed on an electric light standard only and may not be within 50 linear metres from the centre of an intersection.
- (2) A sign may not cover any municipal markings or painted stripes on lampposts.
- (3) A sign may not be displayed along a road on which a speed limit of more than 80 km/h applies.

**4. Colour and texture**

A sign erected in the vicinity of a signalised intersection may not have the colours red, amber or green if such colours may constitute a road safety hazard.

**5. Illumination and animation**

A sign displayed may not be illuminated or animated.

**6. Safety**

The provisions of section 18 relating to the safety of a sign apply.

**7. Design and construction**

- (1) The frame of a sign must be made of a sturdy material and must be attached by nut and bolt or suitable strapping thus ensuring that the sign is safe and sturdy.
- (2) The sign displayed must be of a permanent appearance and must be of an acceptable aesthetic standard.
- (3) A framed structure must be used with perspex or similar transparent covering to prevent a sign becoming untidy due to the effects of wind and rain.

**8. Maintenance**

The provisions of section 20 relating to the maintenance of a sign apply.

**SCHEDULE 7**  
**(Section 7(g))**  
**CLASS 2(c): COMMERCIAL SIGNS AT EDUCATIONAL FACILITIES**

**1. Areas of control and consent**

- (1) Display of a sign is subject to specific consent.
- (2) A sign may not be displayed in a natural area of maximum control.
- (3) A sign may only indicate –
  - (a) the name and nature of the institution and the name and logo of the sponsor; or
  - (b) a product or an image of the product.
- (4) Only one sign may be displayed per street front.
- (5) No other type of commercial sign aimed at passers-by may be displayed on an educational site, irrespective of the area of control.

**2. Shape, size and height**

- (1) A sign structure may not be higher than 2,1 metres.
- (2) A maximum total area of 12 square metres is allowed per sign structure, however, this area must be divided into panels of equal size, form and construction.
- (3) A maximum of 4 panels are permitted per supporting structure.
- (4) No sign panel may be smaller than 1,5 metre.
- (5) An advertising message must be legible to passers-by outside the premises.

**3. Position**

- (1) Only an erf boundary adjacent to a bona fide street, to which a speed limit of not more than 60 km/h applies, may be used for the purpose of displaying a sign.
- (2) A sign may not be placed on or next to –
  - (a) an erf boundary adjacent to a public park;
  - (b) a landscaped area; or
  - (c) a traffic circle.
- (3) A sign may not be displayed within a road reserve.

**4. Colour and texture**

A sign and a supporting structure must harmonise with the buildings and other structures on the premises as far as materials, colour, texture, form, style and character are concerned.

**5. Illumination and animation**

A sign may not be illuminated or animated.

**6. Safety**

The provisions of section 18 relating to the safety of a sign apply.

**7. Design and construction**

The provisions of section 19 relating to the design and construction of a sign apply.

**8. Maintenance**

The provisions of section 20 relating to the maintenance of a sign apply.

**SCHEDULE 8**  
**(Section 7(h))**  
**CLASS 2(d): SPECIALISED SIGNS FOR PARKING AREAS**

**1. Area of control, and consent**

- (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 in an urban area of minimum control is subject to deemed consent.
- (3) Display of a sign in an urban area of partial control is subject to specific consent, but if the sign forms part of the parking layout of a business centre and is not directed at road users, the display is subject to deemed consent.
- (4) A sign may be displayed only after an environmental impact assessment, which includes visual, social and traffic safety aspects, has been undertaken and submitted by the applicant to the municipality and has been approved by the municipality
- (5) When a sign is displayed on a sport's field –
  - (a) the sign may not face any residential building; and
  - (b) only one 6 square metres sign may be displayed per street frontage.

**2. Shape, size, and height of sign**

- (1) A billboard may not exceed a maximum size of 6 square metres, and a maximum height of 3,5 metres.
- (2) A billboard must have a clear height of not less than 1,5 metre.
- (3) A panel or board on a tower structure may not exceed a maximum size of 4,5 square metres.
- (4) The clear height of a tower structure may not be less than 2,4 metres, and the maximum height of such a structure may not be more than 5 metres.

**3. Position of sign**

Subject to item 1(5) of this Schedule, and the provisions of section 21 relating to the display of this type of sign, a sign must be internally oriented and may not be aimed at a road user outside the shopping centre or transport node.

**4. Illumination and animation of sign**

The illumination and animation of a sign is permitted and is subject to the provisions of sections 18(1)(c), 19(4), 21(e), 22, and the additional provision that such illumination or animation does not constitute a road safety hazard or cause undue disturbance.

**5. Design and construction of sign**

- (1) 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.
- (2) 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).

**6. Supplementary condition**

- (1) 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.
- (2) A sign may be used to display only general and non-locality-bound advertisements of products, activities and services in parking areas of shopping centres and at important transport nodes such as railway stations, bus stations and airports, and may not identify or identify the location of specific enterprises at such centres or nodes.<sup>2</sup>

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<sup>2</sup> On-Premise Business Signs may be used to identify or identify the location of specific enterprises at centres or nodes.

**SCHEDULE 9****(Section 7(i))****CLASS 2(e): STREET FURNITURE AND LARGE POSTERS IN PEDESTRIAN AREAS****1. Area of control, and consent**

- (1) A sign may be displayed in an urban area of maximum control, an urban area of partial control, an urban area of minimum control only and rural areas of maximum control, subject to specific consent for display in a rural area of maximum control
- (2) Display of a sign in an urban area of maximum control and an urban area of partial control is subject to specific consent.
- (3) Display of a sign in an urban area of minimum control is subject to deemed consent.
- (4) Specific consent is required for the display of a litter bin.
- (5) A litter bin may not be displayed in a residential area.

**2. Shape, size, and height of sign**

- (1) A poster sign and an advertisement on street furniture may not exceed 3 square metres in area, provided that where a poster sign is double sided and faces in more than one direction, the total area may not exceed 6 square metres.
- (2) A poster structure and street furniture carrying an advertisement may not exceed a maximum height of 5 metres.

**3. Position of sign**

The provisions of sections 18(1)(d), 19(4), and the provisions of section 21 relating to the display of this type of sign, 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;
- (b) a poster sign may not extend closer than 300 square millimetres to the vertical line of the kerb of a cycle path or footpath and poster signs may not be less than 30 metres apart;
- (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;
- (e) litter bins may not be less than 100 metres apart;
- (f) a litter bin may not be less than 1,0 metre from the kerb of a street; and
- (g) a litter bin may not be positioned on a street corner;

**4. Colour of sign**

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.

**5. Illumination and animation of sign**

Subject to the provisions of section 18(1)(c), 19(4), and 22 illumination and animation of a sign is allowed in an urban area of partial control and an urban area of minimum control.

**6. Design and construction of sign**

- (1) Creative and visually pleasant structures may be used for displaying large posters in road reserves in order to make a positive contribution to streetscaping.
- (2) Street furniture and advertising furniture higher than 3 metres may be used only as focal points.

**SCHEDULE 10**  
**(Section 7(j))**  
**CLASS 2(f): BANNERS AND FLAGS**

**1. Area of control, and consent**

- (1) A banner or flag may not be displayed in a natural area of maximum control and a rural area of maximum control, provided that banners and flags may be displayed in centres of economic activity in rural areas of maximum control subject to specific consent by the municipality.
- (2) Display of a banner or flag in an urban area of maximum control and an urban area of partial control is subject to specific consent.
- (3) Display of a banner or flag in an urban area of minimum control is subject to deemed consent.
- (4) Display of a banner or flag, for the purpose of streetscaping, in an urban area of minimum control is subject to specific consent.
- (5) Subject to items 8(5), the display of a national flag of any country is excluded from conditions stipulated in this Schedule, and such flag may be displayed in all areas of control.

**2. Shape, size, and height of banner or flag**

- (1) A maximum of two banners or flags may be displayed per event, enterprise or function in a rural area of maximum control and an urban area of maximum control.
- (2) A maximum of four banners or flags may be displayed per event, enterprise or function in an urban area of partial control and an urban area of minimum control.
- (3) A maximum of ten banners or flags may be displayed per shopping centre of which the floor area, excluding the parking area, is 2000 square metres or larger.
- (4) A banner or flag displayed in an urban area of maximum control may not be larger than 5 square metres, and a banner or flag displayed in an urban area of partial control and an urban area of minimum control may not be larger than 6 square metres, while the total sign area per event, function or enterprise may not exceed 7 square metres in an urban area of maximum control and 12 square metres in an urban area of partial control and an urban area of minimum control.
- (5) A character or symbol on a flag or banner may not be more than 0,75 metre in height.

**3. Position of banner or flag**

The provisions of section 21 relating to the display of this type of sign, and the following conditions apply to the position of a banner or flag:

- (a) 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 the municipality may permit;
- (b) a banner or flag may be displayed within all urban road reserves, but may not be displayed on a freeway, and a banner may only be suspended across a road or street as part of an urban streetscaping project; and
- (c) a banner may be attached to a building or to a special streetscaping structure provided for this purpose.

**4. Colour or texture of banner**

The colour or texture of a banner that is attached to a building in an urban area of maximum control must blend with such building.

**5. Illumination and animation of banner or flag**

No illumination or animation of a banner or a flag is permitted.

**6. Safety requirements**

Display of a banner or flag is subject to the safety requirements as provided for in section 18(1), and the condition that a banner or flag may not be attached in a manner so as to interfere with or constitute a danger to passing vehicular or pedestrian traffic.

**7. Design and construction of banner or flag**

- (1) A banner or a flag used for streetscaping must form a harmonious and well-designed part of the total streetscape.
- (2) 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.

**8. Supplementary conditions**

- (1) No banner or flag may be displayed for more than two weeks before the date of the function or event advertised, and no such banner or flag is permitted to remain in position for more than three days after the conclusion of such function or event.
- (2) A banner or flag may not be used for purposes other than:
  - (a) Advertising 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;
  - (b) displaying the name, corporate symbol and nature of enterprises; and
  - (c) streetscaping urban areas such as pedestrian malls and gateways.
- (3) Only a locality-bound banner or flag may be used for advertising a function, event and enterprise, except when incorporated in a streetscaping project.
- (4) A banner or flag may not be used for advertising a sales promotion or a commercial product or event.
- (5) A national flag may not carry on the flag or flag-staff any advertisement or subject matter additional to the design of the flag.
- (6) A banner or flag carried through the street as a part of a procession is excluded from the provisions of this Schedule.
- (7) A banner or flag displayed at an urban gateway may not display a commercial or corporate logo, name, symbol or image.
- (8) A banner or flag displayed along a street in which a speed limit of more than 60km/h applies, may not contain written information.

**SCHEDULE 11**  
**(Section 7(k))**  
**CLASS 2(g)(I): CONSTRUCTION SITE ADVERTISEMENTS**

**1. Area of control, and consent**

- (1) A sign may not be displayed in a natural area of maximum control and the display in an area other than a natural area of maximum control is subject to the following conditions:
- (a) The sign must conceal an 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.
- (2) Display of a sign is subject to specific consent.
- (3) Display of a sign in a rural area is subject to an EIA where the sign is larger than 18 square metres.

**2. Size and height of sign**

The size of a sign may not exceed a total area of 18 square metres, and the height of a sign may not exceed 3 metres.

**3. Position of sign**

The provisions of section 21 relating to the display of this type of sign, 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 millimetres to the front of the wall or fence to which it is affixed.

**4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**5. Illumination and animation of sign**

Illumination or animation of a sign is not permitted.

**6. Design and construction of sign**

- (1) A sign may not be painted or pasted directly onto a construction site boundary wall or fence.
- (2) A poster sign against or on top of a construction site boundary wall or fence must be enclosed with definite panels, which must be uniform in size and level.
- (3) A sign and the construction site boundary wall or fence is treated as a visual unity.
- (4) Wherever possible, project boards (Schedule 12) should also be incorporated in this unified design.
- (5) A sign must make a positive contribution to a particular streetscape and environment and must be of high artistic design standard.
- (6) A written message may not dominate the design of a sign and must be legible to passing motorists.
- (7) The provisions of section 19 relating to the design and construction of a sign apply.

**7. Supplementary condition**

- (1) Being a temporary sign, a sign may be displayed for the duration only of the construction work.
- (2) A sign on a hoarding around a building site may be displayed from the beginning of building operations only, until a certificate of occupation or a consent use has been issued.

**SCHEDULE 12**  
**(Section 7(l))**  
**CLASS 2(g)(ii): PROJECT BOARDS**

**1. Area of control, and consent**

- (1) A sign may be displayed in all areas of control.
- (2) Display of a sign is subject to specific consent in a rural area of maximum control and in an urban area of maximum control.
- (3) Display of a sign is subject to deemed consent in an urban area of partial control and in an urban area of minimum control.
- (4) A project board is a temporary sign.

**2. Shape, size, and height of sign**

- (1) A project board may not exceed 1,5 square metre per consultant or contractor, whether displayed as part of a combined project board or individually.
- (2) A combined project board may not exceed 9 square metres in total.
- (3) An individual or single board may be displayed only if no other consultants or contractors are involved, or if a combined project board has already been erected.
- (4) A sign describing the type of development may not exceed 3 metres in height and –
  - (a) may not, in an urban area of maximum control, exceed 4,5 square metres in size, and;
  - (b) may not, in any other area of control, exceed 6 square metres in size.

**3. Position of sign**

The provisions of section 21 relating to the display of this type of sign, and the following conditions apply to the position of a sign:

- (a) Only one advertisement per contractor or consultant may be displayed per street frontage of a site;
- (b) only one advertisement per contractor or consultant per project may be displayed in a rural area of maximum control;
- (c) only one sign describing the type of development may be displayed per premises;
- (d) a project board must be positioned within property boundaries only; and
- (e) a project board concerning road construction may be positioned in any road reserve, including a freeway.

**4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**5. Illumination and animation of sign**

Illumination or animation of a sign is not permitted.

**6. Supplementary conditions**

- (1) 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.

- (2) Being a temporary sign, a project board may be displayed during the period only that the construction works are in progress on the site.
- (3) 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.
- (4) A sign may not be used for commercial advertising.

**SCHEDULE 13**  
**(Section 7(m))**

**CLASS 2(g)(iii): SIGNS FOR SPORTING EVENTS, FESTIVALS AND EXHIBITIONS**

**1. Areas of control and consent**

- (1) A sign may not be displayed in natural landscapes, however, the display of a sign may be considered by the municipality in a rural and urban area, specifically at a sporting event, festival or exhibitions, which are temporary events.
- (2) Display of a sign in an area of maximum control is subject to specific consent.
- (3) Display of a sign in all other areas is subject to deemed consent.
- (4) A sign displayed is a temporary sign.

**2. Shape, size and height**

A sign may not exceed a height of 12 metres, taking in consideration that the height of the sign is of such a nature as to limit its display to spectators and visitors to a specific event, festival or exhibition.

**3. Position**

- (1) A sign type may not be aimed at passing motorized traffic, but must be aimed at spectators and visitors to an event, festival or exhibition only.
- (2) A sign may not be displayed in such a way as to impact pedestrian movement.

**4. Colour and texture**

No limitations are imposed on the colour and texture of a sign.

**5. Illumination and animation**

No limitations are imposed on the illumination or animation of a sign.

**6. Safety**

The provisions of section 18 relating to the safety of a sign apply.

**7. Design and construction**

- (1) A sign must be securely anchored directly to the ground, building or other relevant structure.
- (2) The provisions of section 19 relating to the design and construction of a sign apply.

**8. Maintenance**

The provisions of section 20 relating to the maintenance of a sign apply.

**SCHEDULE 14**  
**(Section 7(n))**  
**CLASS 2(g)(iv): ESTATE AGENTS' BOARDS AND SHOW HOUSE SIGNS**

**1. Areas of control and consent**

- (1) A sign may be displayed in all areas of control.
- (2) Display of a sign is subject to deemed consent.
- (3) Display of a development board in a rural and a natural landscape is subject to specific consent.
- (4) A property development board of 18 square metres in size outside a built-up area is subject to an EIA.

**2. Shape, size and height**

- (1) The following apply to the display of a sign which carries the message that property is for sale or to let:
  - (a) Only one sign per estate agent may be displayed;
  - (b) not more than two estate agents may display their signs simultaneously on the same premises unless the premises provides for multiple dwellings, such as, but not restricted to town house complexes and flats, in which case not more than four estate agents may display their signs simultaneously on the same premises;
  - (c) a sign may consist of a single board or two duplicate boards joined at an angle of 120°;
  - (d) the maximum size of an estate agent's board are as follows:
    - (i) In an area of maximum and partial control, being residential, 0,55 square metres for a single board or a total area of 0,65 square metres for two joined boards;
    - (ii) in an agricultural or commercial area, including a centre of economic activity outside an urban area, 2 square metres for a single board or 2,3 square metres in total for two joined boards; and
    - (iii) in an area of minimum control, 2,8 square metres for a single board or 3,2 square metres in total for two joined boards; and
  - (e) a sign may not be higher than 3 metres.
- (2) The following apply to the display of a sign which carries the message that a house is on show:
  - (a) A direction sign to show houses may not be larger than 600 mm x 450 mm;
  - (b) a sign may not be higher than 1,0 metre;
  - (c) a sign may not obstruct pedestrian or other traffic;
  - (d) only one sign per stake is allowed;
  - (e) a sign indicating the property which is on show may not be larger than 1,0 square metre and not higher than 2 metres; and
  - (f) only one sign may be displayed per property or premises.
- (3) The following apply to the display of a property development board:
  - (a) A sign may not be larger than 18 square metres and not higher than 8 metres; and
  - (b) only one board may be displayed per development.

**3. Position**

- (1) The following apply to the display of a sign which carries the message that property is for sale or to let:
- (a) A sign may only be displayed on and relate to the particular premises;
  - (b) a sign –
    - (i) may be placed at or fixed to the building concerned;
    - (ii) may attached to the boundary fence of the premises concerned; or
    - (iii) may be displayed within the boundaries of such premises;
  - (c) a sign may not be displayed in a road reserve or on a road island or medians;
  - (d) a sign may not project at any point more than 300 mm from the wall of the building or structure to which it is affixed; and
  - (e) the provisions of section 21 relating to the position of a sign apply, where relevant.
- (2) The following apply to the display of a sign which carries the message that a house is on show:
- (a) A direction sign may not be affixed to a tree, traffic lights or any other traffic sign;
  - (b) no agent may display more than one sign between consecutive intersections;
  - (c) an agent may display only eight signs per show house or property, irrespective of the number of routes to the show house or property;
  - (d) no sign may be displayed on a roads which is subject to a speed limit exceeding 60km/h;
  - (e) a direction sign to show houses may be displayed within a restricted area at a street corner, however, an agent may display only one sign per intersection;
  - (f) a total of four signs per intersection may be displayed, with a total of three signs per T-junction;
  - (g) stakes or poles to which a sign is affixed may not be driven deeper than 120 mm into the ground;
  - (h) a sign may not be erected on a tarred or paved surface;
  - (i) a direction sign may not be placed on a traffic circle, a traffic median, a traffic island, traffic lights, a road traffic sign, a power mast, a tree, a wall, a pillar, a wall of a building, fencing, an electrical substation, a bridge or any similar structures; and
  - (j) a show house sign indicating the property which is on show are subject to the same conditions as a sign contemplated in paragraph (1), being a sign which carries the message that a property is for sale or to let.
- (3) A property development board may only be displayed on and relate to the particular premises.

**4. Colour and texture**

No limitations are imposed on the colour and texture of a sign.

**5. Illumination and animation**

- (1) A sign may not be illuminated, with the exception of a property development board which may be externally illuminated.
- (2) A sign may not be animated.

**6. Safety**

The provisions of section 18 relating to the safety of a sign apply.

**7. Design and construction**

- (1) The provisions of section 19 relating to the design and construction of a sign apply.
- (2) A sign which carries the message that a property is for sale or to let may contain the following information only:
  - (a) The name and telephone number of the selling or letting agent;
  - (b) the logo and name of the real estate agency;
  - (c) the URL of the estate agency's website;
  - (d) the words 'for sale' or 'to let', excluding any wording that indicates that the property is let or sold; and
  - (e) in the instance where it might be difficult to identify the nature of the property, additional information in this regard may be provided, and only generic terms without any adjectives may be used for this purpose, such as 'offices to let' or 'flats for sale'.
- (3) A direction sign to a show house may contain the following information only:
  - (a) The name or logo of the estate agency;
  - (b) an arrow indicating the direction to the show house; and
  - (c) the words 'on show'.
- (4) A show house sign indicating the property which is on show may contain the following information only:
  - (a) The name and telephone number of the relevant estate agent;
  - (b) the logo and name of the real estate agency; and
  - (c) the words 'on show'.
- (5) A property development board may contain the following information only:
  - (a) Images of the relevant development;
  - (b) the name and telephone number of the relevant estate agent;
  - (c) the logo and name of the real estate agency;
  - (d) the price and number of units still available; and
  - (e) other information regarding the nature of the development.

**8. Maintenance**

The provisions of section 20 relating to the maintenance of a sign apply.

**9. Other provisions**

- (1) Being a temporary sign, a sign that carries the message that a property is for sale or to let must be removed not later than seven days after completion of the sale or granting of the tenancy.
- (2) Being a temporary sign, a show house sign or direction sign may only be displayed over weekends, from 17:00 on Fridays to 08:00 on Mondays.
- (3) The following apply to the display of a direction sign, which sign is a temporary sign:
  - (a) A sign may use only an arrow to indicate the direction of the show property;
  - (b) a sign may not be used in respect of houses for sale or to let that are not on show;
  - (c) only one sign per estate agent may be displayed;

- (d) a sign may not be displayed on a traffic island or circle; and
  - (e) a sign may not be displayed closer than 1,0 metre to the curb.
- (4) A property development board may not be erected before the development of the property has started, and must be removed not later than seven days after the last unit has been sold.
- (5) The following conditions apply to the display of a "to let" or "for sale" sign:
- (a) Only one sign may be displayed per property per agency, with a maximum of three estate agencies displaying signs;
  - (b) the sign must be fixed to the boundary of the property, and may not be displayed on the pavement.
- (6) A sign may not contain the words 'Sold', 'Bought', or 'Let' or words of a similar import.
- (7) No flag, balloon or any other object which has as aim the drawing of the attention of a person to the sign, may be displayed.
- (8) A sign may not be used for commercial advertising.

**SCHEDULE 15**  
**(Section 7(o))**  
**CLASS 2(g)(v): AUCTION SIGNS**

**1. Area of control and consent**

- (1) A sign may be displayed in all areas of control.
- (2) Display of a sign is subject to deemed consent.
- (3) Only this sign, and not other type of sign may be displayed to advertise an auction.

**2. Shape, size, and height of sign**

- (1) Only one sign per sale may be displayed.
- (2) The maximum size of a sign is as follows:
  - (a) In an urban area of partial control, 2 square metres ; and
  - (b) in an urban area of minimum control, 2,8 square metres.
- (3) No part of a sign may be higher than 3 metres above the ground.

**3. Position of sign**

- (1) An on-premises auction sign may be displayed –
  - (a) on the premises or property where the advertised sale is to be held only;
  - (b) against the boundary fence of such a property or premises; or
  - (c) on the pavement right in front of the property or premises attached to a stake.
- (2) Only one on-premises sign may be displayed per auction.
- (3) A direction sign may not be placed on a traffic circle, a traffic island, and may not be attached to traffic signals or a traffic sign, a power mast, a tree, a pillar, fencing, an electrical substation, a bridge or similar structures.
- (4) A direction sign may not be displayed along a road which carries a speed limit of more than 60 km/h.
- (5) Not more than one direction sign may be displayed between consecutive intersections.
- (6) A maximum of eight direction signs per auction may be displayed irrespective of the number of routes to the auction site.
- (7) An auction sign which includes a direction sign and an on-premise sign may not be erected on a tarred or paved surface.
- (8) An auction sign may not impair or pose a danger to pedestrian, cycle or motorised traffic.
- (9) The provisions of section 21 relating to the position of a sign apply, where relevant.

**4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**5. Illumination and animation**

Illumination or animation of this sign type is not permitted.

**6. Design and construction of sign**

The provisions of section 19(1)(b), (d), (i) and 19(5)(a) apply to the design and construction of a sign.

**7. Supplementary condition**

- (1) A sign may not be used for commercial advertising.
- (2) In the instance of a liquidation auction, a copy of the relevant court order with the case number must accompany the application form.
- (3) A sign may display the following information only:
  - (a) The name or logo of the auctioneer;
  - (b) and arrow indicating the direction to the premises where the auction is to be held;
  - (c) the word 'Auction';
  - (d) the date and time of the auction, however, on sites where auctions are taking place on a regular basis, an exact date may be replaced by wording such as 'Every Wednesday', indicating the interval between auctions;
  - (e) the nature of the property to be auctioned; and
  - (f) generic terms only may be used, such as 'Household goods', 'duplex flat' or 'family home'.
- (4) An on-premise auction sign may contain the following information:
  - (a) The name and logo of the auctioneer;
  - (b) contact information, such as a telephone number and website;
  - (c) the word 'Auction';
  - (d) the date and time of the auction;
  - (e) the nature of the property to be auctioned, which may be described in more detail; and
  - (f) the case number of a liquidation auction which must be clearly displayed at the bottom of the sign.
- (5) All information on an auction sign, which sign is a direction or premise sign, must have a minimum letter size of 50 mm, including lower case lettering.
- (6) A sign may only be displayed for seven days prior to the date of the auction and must be removed within six hours of the completion of the auction.

**SCHEDULE 16**  
**(Section 7(p))**  
**CLASS 2(g)(vi): ELECTION POSTERS, NEWSPAPER POSTERS, CHARITABLE POSTERS AND MUNICIPAL NOTICES**

**1. Areas of control and consent**

- (1) A sign may be displayed in an urban area of partial and minimum control in the urban environment only.
- (2) Display of a sign is subject to specific consent.

**2. Shape, size and height**

- (1) A poster or notice attached to a lamp post and aimed at motorized traffic may not be smaller than 0,5 square metres (A1 size), or larger than 1,2 square metre (A0 size).
- (2) A structure provided for the express purpose of pasting or affixing a poster and notice may exceed a maximum height of 2,5 metres, however, it must be designed in such a manner as to make all information easily observable to the public.
- (3) In the instance where a poster or notice displayed on a lamp post may interfere with the movement of pedestrians or cyclists, such poster or notice must be erected no less than 2,3 metres from the ground.

**3. Position**

- (1) A poster may be displayed on an electric light standard or any other structure which is provided for the express purpose of pasting or affixing posters and notices.
- (2) A sign may not be erected on a power line standard, a road traffic sign or signal, a wall, a column, a poster of a veranda or balcony, an electricity box, a tree or a bridge.
- (3) A sign may not cover any municipal markings or painted stripes on a lamppost.
- (4) A sign may not be displayed on a road which carries a speed limit of more than 80 km/h.
- (5) A structure provided for the express purpose of pasting or affixing posters and notices may only be erected in pedestrian environments and may not be aimed at motorized traffic.

**4. Colour and texture**

No limitations are imposed on the colour or texture of a sign, provided that where the colours green, amber or red are contained in a sign, it may not be closer than 50 metres from an intersection or traffic light.

**5. Illumination and animation**

A sign may not be illuminated or animated.

**6. Safety**

The provisions of section 18 relating to the safety of a sign apply.

**7. Design and construction**

- (1) The frame must be made of a sturdy material and must be attached by nut and bolt or suitable strapping that is safe, sturdy and may not damage any pole or other structure to which it is attached.

- (2) A poster on a backing board must be affixed to a lamp post in a secure manner.
- (3) One only poster may be affixed to a lamp post, subject to the provisions of item (4).
- (4) In the instance of election posters, not more than three election posters may be added to an empty lamp post, or, should a lamp post carry another type of poster, not more than two election posters may be added to a lamp post.
- (5) A structure provided for the express purpose of pasting or affixing posters and notices must contribute to the streetscape and enhance the aesthetic appearance of an area.
- (6) A structure provided for the express purpose of pasting or affixing posters and notices may not be affixed, measured at the bottom of its frame, lower than 1,2 metres or higher than 2,5 metres from the ground.
- (7) Protection must be provided against rain and other natural elements.
- (8) Lettering on a poster against a lamp post and aimed at motorized traffic must be of a bold type and may not be less than 50 millimetres in height.

#### **8. Maintenance**

- (1) A structure provided for the express purpose of pasting or affixing posters and notices must be kept in a neat condition by removing outdated notices or posters on a regular basis.
- (2) The provisions of section 20 relating to the maintenance of a sign apply.

#### **9. Other provisions**

- (1) Being a temporary sign, the maximum period during which a poster may be displayed is as follows:
  - (a) An election poster, 21 days;
  - (b) a municipal notice, 14 days;
  - (c) a charitable poster, 48 hours; and
  - (d) a newspaper poster, 12 hours.
- (2) A poster and a temporary backing board must be removed within two days after the display period has elapsed.
- (3) A newspaper poster must either be removed from the permanent receptacle or must be replaced by a new poster carrying the latest headlines immediately after the display period has elapsed.
- (4) A poster or a notice for which consent is granted, must be stamped with the municipality's stamp, or marked with a municipal sticker, and only a sign so stamped or marked may be displayed, however, this does not apply to an election campaign poster.
- (5) The municipality may require the payment of a deposit, as determined annually in its Schedule of Tariffs, to be paid to the municipality prior to the display of any sign contemplated in this Schedule and such deposit may be forfeited in the event of a breach of any of the provisions of these By-laws.

**SCHEDULE 17****(Section 7(q))****CLASS 2(g)(vii): HANDBILLS, LEAFLETS AND PAMPHLETS****1. Provisions**

The following provisions apply to the display of handbills, leaflets and pamphlets, which are temporary signs:

- (a) A handbill, leaflet or pamphlet may only be placed in a post box;
- (b) a handbill, leaflet or pamphlet of a religious nature may only be distributed with the consent of the municipality, and in accordance with the restrictions for such consent;
- (c) a leaflet and pamphlet may also be attached or posted to a structure provided for this purpose, in which instance the requirements as set out in Schedule 16 would apply; and
- (d) a handbill, leaflet or pamphlet may not be handed out at a road intersection or in any pedestrian environment without the written consent of the municipality.

**SCHEDULE 18**  
**(Section 7(r))**  
**CLASS 2(g)(viii): TEMPORARY WINDOW SIGNS**

**1. Area of control, and consent**

- (1) A sign may be displayed in all areas of control.
- (2) Display of a sign is subject to deemed consent.
- (3) A sign is a temporary sign.

**2. Shape, size, and height of sign**

The total area of all temporary 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.

**3. Position of sign**

Display of a sign is limited to ground-floor windows.

**4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**5. Illumination and animation of sign**

Subject to the provisions of section 18(1)(c), 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.

**6. Safety requirements**

Display of a sign is subject to the safety requirements as provided for in sections 18(1)(a), (b), (c), (e), (g), and 18(2)(a), (b), and (c).

**7. Supplementary conditions**

- (1) Price tags smaller than 0,01 square metre on items inside buildings are excluded from this type of sign.
- (2) A sign may not be used for commercial advertising.

**SCHEDULE 19**  
**(Section 7(s))**  
**CLASS 2(h): STREET NAME ADVERTISEMENTS**

**1. Area of control and consent**

- (1) Identilights may be displayed in urban areas along proclaimed main roads and in those roads reserves, which are determined by the municipality from time to time, within an urban area of partial control and an urban area of minimum control only.
- (2) Identilights may not be displayed in residential areas.
- (3) Directory sign boards may be displayed within recognised industrial areas only.
- (4) Display of street name advertisements is subject to specific consent.

**2. Shape, size, and height of sign**

- (1) The advertising and street name sections must be rectangular in shape.
- (2) In the case of an Identilight –
  - (a) the street name section –
    - (i) must be below the advertising section, but not closer than 200 millimetres to the advertising section; and
    - (ii) may not have a clear height of less than 2,1 metres; and
  - (b) the advertising space may not be smaller than 0,8 square metre, and may not exceed 1,2 square metre.
- (3) In the case of a directory sign board the following guidelines apply:
  - (a) The maximum height of the sign may not exceed 3,3 metres;
  - (b) the maximum width of the sign may not exceed 2,1 metres; and
  - (c) the maximum length of a panel may not exceed 1,05 metre.
- (4) The illuminated parts of the sign must be above the level of standard pole-mounted traffic lights and may not extend over the road surface.

**3. Position of sign**

The provisions of section 21 relating to the display of this type of sign, and the following conditions apply to the position of a sign:

- (a) A street name advertisement may be displayed at an intersection only, with a maximum of two illuminated signs displayed per intersection; and
- (b) an Identilight may be displayed within an urban road reserve other than a freeway, and on a road median.

**4. Colour or texture of sign**

- (1) Static illumination is allowed, but not the predominant use of the colours red, amber and green signalised traffic intersections.
- (2) The street name must be in black letters on a yellow background.

**5. Illumination and animation of sign**

Subject to the conditions of section 18(1)(c), 19(4), 21(e) and 22, the following conditions apply to the illumination and animation of a sign:

- (a) Internal illumination of both sections of the sign is permitted, on the condition that the degree of illumination intensity must be equal for both parts of the sign;
- (b) no form of animation is permitted; and
- (c) a sign may not flash.

**6. Supplementary conditions**

- (1) A street name on the advertising space must be smaller and less conspicuous than the street name on the actual street name panel, and the layout of the advertising panel must be such that there may not be any confusion with the street name on the street name panel of the sign.
- (2) Advertising on a directory signboard may include the name and logo only of the industry, and a standard directional arrow.
- (3) The name only of the street may appear on the street name panel and the words "Street", "Avenue", "Way", or words with a similar denotation may not be used.
- (4) A street name advertisement should be aimed primarily at advertising and identifying local, commercial, financial and entertainment facilities.
  - (a)

**SCHEDULE 20**  
**(Section 7(t))**  
**CLASS 2(i): SUBURBAN ADVERTISEMENTS**

**1. Area of control, and consent**

- (1) A sign may be displayed in an urban area of maximum control, 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 suburb name sign may not be displayed on a freeway.

**2. Shape, size, and height of sign**

- (1) The sign must be rectangular and 0,5 metre in height and of equal length to the suburb name sign.
- (2) The sign must be smaller and less conspicuous than the suburb name sign.

**3. Position of sign**

The provisions of section 21 relating to the display of this type of sign, and the following conditions apply to the position of a sign:

- (a) A sign may be displayed within the road reserves of a proclaimed main road, but may not be displayed on a freeway; and
- (b) a suburb name sign positioned on a road island, median or within the restricted area as indicated in figure 2, Schedule 47 may not be used to carry a suburban advertisement.

**4. Colour or texture of sign**

- (1) No colours that may cause confusion with road traffic signs may be used.
- (2) The background of the advertising sign may not be retro-reflective or fluorescent.

**5. Illumination and animation of sign**

No illumination or animation of a sign is permitted.

**6. Safety**

The provisions of section 18 relating to the safety of a sign apply.

**7. Design and construction**

- (1) The provisions of section 19 relating to the design and construction of a sign apply.
- (2) In relation to the suburban name, the lettering on the advertising panel may not be larger, bolder or more conspicuous in any other way.
- (3) The top panel may carry the name of the suburb only.

**8. Maintenance**

The provisions of section 20 relating to the maintenance of a sign apply.

**SCHEDULE 21**  
**(Section 7(u))**  
**CLASS 2(j): SECURITY SIGNS**

**1. Areas of control and consent**

- (1) A sign may be displayed in all areas of control.
- (2) Display of a sign is subject to deemed consent.

**2. Shape, size and height**

- (1) A sign may not exceed 0,8m<sup>2</sup> in size, nor a height of 3,0 metres above ground level, however, signs displayed at a security village or a residential estate, and a farm watch sign may not exceed 1,5 m<sup>2</sup> in size.

**3. Position**

- (1) One sign per street boundary of a stand or subdivision may be displayed in an urban area.
- (2) A sign contemplated in paragraph (a) must be affixed to the building, boundary wall, fence or gate on the street frontage, or shall be displayed within the boundaries of the stand.
- (3) A farm watch sign may be displayed –
  - (a) at the junction or intersection of a public road and private access road; or
  - (b) at the entrance to an individual farm.
- (4) Only one sign per farm may be displayed.
- (5) A neighbourhood or farm watch sign may be erected within a road reserve, other than a freeway, at the point where the watch area is entered.
- (6) A sign contemplated in paragraph (5) may not be positioned on a road island or a road median or inside a restricted area at a street corner as indicated on Fig. 8.

**4. Colour and texture**

No limitations are imposed on colour and texture.

**5. Illumination and animation**

A sign may not be illuminated or animated.

**6. Safety**

General safety conditions listed under 2.4.1.2 apply.

**7. Design and construction**

- (1) General design and construction conditions listed under 2.4.1.3 apply.
- (2) A sign displayed on a street boundary of a stand or subdivision in an urban area, must be firmly affixed to the building, boundary wall, fence or gates on the street frontage.

**8. Maintenance**

General maintenance conditions listed under 2.4.1.4 apply.

**9. Other provisions**

A sign may refer to the existence and operation of a commercial security service, burglar alarm system or neighbourhood watch or similar system or scheme only.

**SCHEDULE 22**  
**(Section 7(v))**  
**CLASS 3(a): SKY SIGNS**

**1. Area of control and consent**

- (1) A sign may be displayed in an urban area of partial control and an urban area of minimum control only.
- (2) A sign may be displayed only after an environmental impact assessment, 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.

**2. Shape, size, and height of sign**

- (1) A sign may not exceed a maximum size of 150 square metres.
- (2) A maximum of only one sign per skyscraper may be displayed.
- (3) 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.

**3. Position of sign**

- (1) 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.
- (2) A sign may not obstruct the view from any other building or a prominent viewpoint in the City.
- (3) In the instance where cluttering of signs occurs, the municipality may by written notice in terms of section 11(2) require the person who displays a sign to remove the sign within a specified period.

**4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**5. Illumination of sign**

Subject to the provisions of sections 19(1)(c), 19(4) and 22, illumination of a sign is allowed.

**6. Design and construction of sign**

A sign must be designed by a structural engineer.

**7. Supplementary conditions**

- (1) The municipality may approve the display of a sign for a period not exceeding five years.
- (2) The advertisement contents of an approved sign may not be changed without approval by the municipality based on an additional impact assessment submitted to and approved by the municipality.

**SCHEDULE 23**  
**(Section 7(w))**  
**CLASS 3(b): ROOF SIGNS**

**1. Area of control and consent**

- (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) Only a locality-bound sign may be displayed.

**2. Shape, size and height of sign**

- (1) A sign may not be so affixed that the bottom of the sign is more than 1,2 metre above the nearest portion of the roof beneath it.
- (2) 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.
- (3) A sign may not exceed in size the following areas:
  - (a) The maximum area of a sign may not exceed 2 square metres when the height of the sign above ground level is under 6 metres;
  - (b) the maximum area of a sign may not exceed 4 square metres when the height of the sign above ground level is between 6 metres and 9 metres;
  - (c) the maximum area of a sign may not exceed 8 square metres when the height of the sign above ground level is between 9 metres and 12 metres;
  - (d) the maximum area of a sign may not exceed 12 square metres when the height of the sign above ground level is between 12 metres and 18 metres; and
  - (e) the maximum area of a sign may not exceed 18 square metres when the height of the sign above ground level is greater than 18 metres.
- (4) In the case of a V-construction sign the above areas apply separately to the two vertical faces of the sides forming the V.
- (5) A sign may not exceed 300 millimetres in thickness, except in the case of a V-construction sign.
- (6) Only one sign may be displayed per building.

**4. Position of sign**

- (1) 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.
- (2) 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.

**5. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**6. Illumination of sign**

Subject to the provisions of section 18(1)(c), 19(4) and 22, illumination of a sign is allowed.

**SCHEDULE 24**  
**(Section 7(x))**  
**CLASS 3(c): WALL SIGNS**

**1. Area of control and consent**

- (1) A sign may be displayed in an urban area of maximum control, an urban area of partial control and an urban area of minimum control, and at centres of economic activity in a rural area of maximum control.
- (2) Display of a sign is limited to buildings utilised for commercial, office, industrial or entertainment purposes, and larger accommodation facilities.
- (3) 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-oriented accommodation.<sup>3</sup>
- (4) Only a locality-bound sign may be displayed in a rural area of maximum control and an urban area of maximum control.
- (5) The requirements concerning consent are as follows:
  - (a) Display of a sign in a rural area of maximum control and an urban area of maximum control is subject to specific consent;
  - (b) display of a sign in an urban area of partial control and an urban area of minimum control is subject to specific consent for a non-locality bound sign;
  - (c) display of a sign in an urban area of partial control and an urban area of minimum control is subject to specific consent for a locality-bound sign above first-floor level; and
  - (d) display of a sign in an urban area of partial control and an urban area of minimum control is subject to deemed consent for a locality-bound sign at first or ground-floor level.
- (6) A sign in excess of 36 square metres in size may be displayed only after an environmental impact assessment, which includes visual, social and traffic safety aspects, has been undertaken and has been submitted to and approved by the municipality.

**2. Shape, size and height of sign**

- (1) 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
- (2) 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 20 percent of a specific ground-floor facade of the enterprise where the enterprise is situated in an urban area of maximum control;
  - (b) 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 where the enterprise is situated in an urban area of partial control and an urban area of minimum control;
  - (c) 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, excluding office levels; and

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<sup>3</sup> See schedule 32.

- (d) in the case of a non-locality-bound sign, the sign may not exceed 80 square metres, 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.
- (3) The maximum projection of any part of a sign over a footway or ground level is 75 millimetres where the sign is less than 2,4 metres above the sidewalk or ground level immediately below the sign, and 300 millimetres where the sign is more than 2,4 metres above such footway or ground level, provided that the maximum projection of a sign may be increased to 1000 millimetres to allow for a catwalk.
- (4) No more than one sign per enterprise may be displayed in a rural area of maximum control and an urban area of maximum control, and no more than two flat signs per enterprise may be displayed in an urban area of partial control and an urban area of minimum control.
- (5) A sign may consist of a panel or sheet or of individual numbers, letters or symbols.

### **3. Position of sign**

- (1) A sign may not cover a window or any other external opening of a building which is used as a means of egress from such building, for ventilation or for firefighting purposes or which prevents free passage from one part of a roof to another part of a roof.
- (2) A sign may not extend above the top or beyond either end of a wall.
- (3) A sign may be attached to a flat wall surface only.
- (4) A non-locality-bound sign may be attached to the side wall of a building only.
- (5) 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.
- (6) Items 3(1) – (5) of this Schedule do not apply to entertainment areas.
- (7) A sign may at no point project more than 300 millimetres from the surface of the main wall.

### **4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

### **5. Illumination and animation of sign**

Subject to the provisions of section 18(1)(c), 19(4) and 22, illumination of a sign is allowed.

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

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 25**  
**(Section 7(y))**

**CLASS 3(d): SIGNS AND MURALS PAINTED ON WALLS AND ROOFS**

**1. Area of control and consent**

- (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.

**2. Shape, size and height of a sign**

- (1) A sign painted onto the facade or roof of a building may not exceed 20 percent of the ground floor facade of the enterprise to which such sign pertains.
- (2) The total area of all signs painted onto the side walls of a building may not exceed 36 square metres, and the actual size of a sign will depend on the size of the side wall concerned and on other factors, such as the character and appearance of the building and the streetscape as a whole.

**3. Position of sign**

The provisions of section 21 relating to the display of this type of sign, and the following conditions apply to the position of a sign:

- (a) A non-locality-bound sign may not be displayed on the side wall of a building;
- (b) a locality-bound sign may be displayed on a facade wall, roof and side wall; and
- (c) a sign painted onto the facade of a building may be displayed at a position below the lower edge of any visible second-floor window only.

**4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**5. Illumination of sign**

Illumination of a sign is not permitted.

**SCHEDULE 26**  
**(Section 7(z))**  
**CLASS 3(e): ADVERTISING ON TOWERS, BRIDGES AND PYLONS**

**1. Area of control and consent**

- (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.
- (3) Subject to the provisions of section 21(1)(b), a sign may not be displayed in an urban area of maximum control on a bridge across a freeway.
- (4) Written permission for the display of a sign on a bridge in an urban area of partial control and an urban area of minimum control must be obtained from the Provincial Roads Engineer or his delegated authority prior to the display of the sign.

**2. Shape, size and height of sign**

- (1) A maximum of two signs may be displayed on a tower, bridge or pylon.
- (2) The maximum aggregate sign area per tower, bridge or pylon may not exceed 36 square metres.
- (3) 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 6 metres and a height of 12 metres.
- (4) In the instance where a sign is displayed on a pylon, no protruding part of the sign may be less than 2,4 metres above the highest point of the existing ground level immediately below such pylon or sign.

**3. Position of sign**

- (1) No sign may extend beyond the top of a tower.
- (2) No sign may extend above, below, or beyond any of the extremities of a bridge.
- (3) No sign may be affixed to any structural column of a bridge, except those columns below the freeway in Strand Street, the columns of which have been approved for these purposes.
- (4) A sign may not project more than 300 millimetres from the main wall of a tower, or from a bridge structure.

**4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**5. Illumination and animation of sign**

Subject to the provisions of section 18(1)(c), 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.

**SCHEDULE 27**  
**(Section 7(aa))**  
**CLASS 3(f): ON-PREMISE BUSINESS SIGNS**

**1. Definition**

For the purposes of this Schedule, the term 'premises' in the definition of "locality bound sign" includes a shopping centre, or industrial estate as a whole, or a communal parking area together with related enterprises.

**2. Area of control and consent**

- (1) A sign may be displayed in all urban areas of control.
- (2) Display of a sign is subject to specific consent.
- (3) A sign<sup>4</sup> 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 wall sign (Schedule 24), signs and murals painted on walls and roofs (Schedule 25) or advertising on towers, bridges and pylons (Schedule 26);
  - (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.

**3. Shape, size and height of sign**

- (1) Only one sign per enterprise may be displayed on a combination sign.
- (2) 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.
- (3) Display of a sign at a farm stall or an access road to a farm or smallholding in an urban area of maximum control is subject to the following conditions:
  - (a) A maximum sign area of 2 square metres 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 4 square metres, 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 metre.
- (4) Display of a sign, excluding a sign displayed in terms of item 3(c) above, in an urban area of maximum control is subject to the following conditions:

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<sup>4</sup> This kind of sign does not apply to all businesses.

- (a) A maximum sign area of 4,5 square metres 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 9 square metres, 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 3 square metres.
- (5) 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) A maximum area of 6 square metres per sign 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 12 square metres, 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 of 4,5 square metres.
- (6) 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 3 metres above ground level, and that of any other sign may not exceed 4 metres;
  - (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 4 metres above ground level, and that of any other combination sign may not exceed 7 metres;
  - (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 4 metres 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 metres above ground level.
- (7) 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.
- (8) A sign displayed in an urban area of partial control and an urban area of minimum control may not have in its design any letters, figures, symbols or similar features over 0,75 metre in size.
- (9) A sign displayed in an urban area of maximum control may not have in its design any letters, figures, symbols or similar features over 0,35 metre in size.

#### **4. Position of sign**

- (1) A sign displayed may not serve as an advance sign and may be displayed only on the premises where the business is conducted.
- (2) 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.

- (3) A sign indicating a roadside enterprise, such as a farm stall or a roadside café may not be closer than 5 metres from a road reserve fence, and such enterprise must have direct access to the public road.
- (4) 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.
- (5) No sign may obstruct the view from any adjacent building.

#### **5. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

#### **6. Illumination and animation of sign**

The provisions of section 18(1)(c), 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 urban area of partial control and an urban 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.

#### **7. Content of sign**

A sign may contain only -

- (a) the name and nature of the business or enterprise on the premises;
- (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.

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

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 advertisements on forecourts and business premises (Schedule 31) 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 28**  
**(Section 7(bb))**  
**CLASS 3(g): PROJECTING SIGNS**

**1. Area of control and consent**

- (1) A sign may be displayed in an urban area of maximum control, an urban area of partial control, and an urban area of minimum 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.
- (3) A sign may not be displayed on a building used for residential purposes or for community services or community institutions, a small enterprise and a practice on residential premises, or a small-scale residential-oriented accommodation.<sup>5</sup>
- (4) Only a locality-bound sign may be displayed.
- (5) Consent requirements are as follows:
  - (a) Display of a sign in a rural area of maximum control and an urban area of maximum control is subject to specific consent;
  - (b) display of a sign above first-floor level in an urban area of partial control and an urban area of minimum control is subject to specific consent; and
  - (c) display of a sign below the lower edge of a visible second-floor window in an urban area of partial control and an urban area of minimum control is subject to deemed consent.

**2. Shape, size and height of sign**

- (1) A projecting sign may not be affixed at a clear height of less than 2,4 metres.
- (2) A projecting sign may not exceed 300 millimetres in thickness.
- (3) 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 6 metres, the maximum size of the sign may not exceed 1,2 square metre, the maximum horizontal width may not exceed 1,0 metre, and the maximum vertical length may not exceed 1,5 metre; and
  - (b) where the clear height of the sign is above 6 metres, the maximum size of the sign may not exceed 4 square metres, the maximum horizontal width may not exceed 1,5 metre, and the maximum vertical length may not exceed 3 metre.
- (4) The maximum size and dimension of a sign displayed in an urban area of partial control and an urban area of minimum control is as follows:
  - (a) Where the clear height of the sign is below 6 metres, the maximum size of the sign may not exceed 2,4 square metres, the maximum horizontal width may not exceed 1,5 metres, and the maximum vertical length may not exceed 3 metres; and
  - (b) where the clear height of the sign is above 6 metres, the maximum size of the sign may not exceed 8 square metres, the maximum horizontal width may not exceed 2 metres, and the maximum vertical length may not exceed 5 metres.
- (5) Only one sign may be displayed per enterprise facade.

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<sup>5</sup> See schedule 32.

**3. Position of sign**

- (1) 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.
- (2) 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.
- (3) A sign may not be affixed otherwise than at right angles to the street line.
- (4) 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.
- (5) A sign may be suspended above a sidewalk and thus above an urban road reserve.
- (6) A sign with a clear height of less than 6 metres may not project at any point more than 800 millimetres 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) 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.

**4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**5. Illumination and animation of sign**

- (1) Subject to the provisions of section 18(1)(c), 19(4) and 22, illumination of a sign is allowed.
- (2) The provisions of section 21(1)(e) apply with regard to an illuminated sign within a restricted area on a street corner.

**6. Design and construction of sign**

- (1) 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.
- (2) A person who intends to display a projecting sign with a clear height of more than 6 Metres, must submit a structural drawing to the municipality for consideration and approval by the municipality.

**SCHEDULE 29**  
**(Section 7(cc))**  
**CLASS 3(h): VERANDA, BALCONY, CANOPY AND UNDER AWNING SIGNS**

- 1. Area of control and consent**
  - (1) A sign may be displayed in an urban area of maximum control, an urban area of partial control, an urban area of minimum control, and at centres of economic activity in a rural area of maximum control.
  - (2) Display of a sign in –
    - (a) a rural area of maximum control is subject to specific consent;
    - (b) an urban area of maximum control is subject to specific consent;
    - (c) an urban area of partial control is subject to deemed consent; and
    - (d) an urban area of minimum control is subject to deemed consent.
  
- 2. Shape, size, height and position of sign**
  - (1) If a sign is affixed flat onto or painted on -
    - (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 millimetres from the surface to which it is affixed;
      - (ii) exceed a depth of 750 square millimetres and a length of 2,4 metres; 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.
  - (2) Not more than one of the signs contemplated in item (1)(a) – (g) may be displayed per enterprise facade, except in the case of an enterprise with a facade exceeding 20 metres in length, in which case –
    - (a) more than one sign may be displayed;
    - (b) the signs must be spaced at a minimum of 6 metres intervals; and
    - (c) the total sign length per enterprise facade is limited to 4 square metres.
  - (3) A sign on a balcony may not be displayed above the lower edge of any visible second-floor window.
  - (4) 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 metres;
    - (d) may have a maximum sign length of 2 metres; and
    - (e) may have a maximum sign area of 1,0 square metre on each face with a maximum of 2 square metres in total sign area.

- (5) No more than one under awning sign may be displayed per enterprise facade, except in the case of an enterprise façade which exceeds 20 metres in length, in which case more than one sign may be displayed, and the signs must be spaced at a minimum of 6 metres intervals.
- (6) 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 1,0 square metre.
- (7) Signs on top of veranda roofs on adjacent buildings must be aligned with each other in order to form a straight line.
- (8) Only one sign may be displayed on top of a veranda roof per enterprise facade.
- (9) 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 1,0 square metre per sign face or 2 square metres per total sign area;
  - (c) a sign affixed flat onto a supporting column, pillar or post may not project more than 50 millimetres 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.
- (10) A canopy sign must form an integral part of the canopy or blind without dominating the canopy structure or blind.
- (11) A sign may be suspended above a sidewalk and therefore above an urban road reserve, but may not be displayed on a freeway.

### **3. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

### **4. Illumination of sign**

Subject to the provisions of sections 18(1)(c), 19(4), 22 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 6 metres.

### **5. Supplementary condition**

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 30**  
**(Section 7(dd))**  
**CLASS 3(f): WINDOW SIGNS**

**1. Area of control and consent**

- (1) A sign may be displayed in all areas of control, and at centres of economic activity in a rural area of maximum control.
- (2) A sign may be displayed on ground-floor windows only.
- (3) Display of a sign is subject to deemed consent.

**2. Shape, size and height of sign**

The total area of all permanent signs 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 a rural area of maximum control and 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.

**3. Position of sign**

A sign may not be displayed above ground-floor level.

**4. Colour or texture of sign**

- (1) In an urban area of maximum control colours must be in harmony with the rest of the building and the general streetscape.
- (2) No limitations are imposed in other areas of control.

**5. Illumination and animation of sign**

No internally illuminated signs inside a building may be visible from outside the building in an urban area of maximum control.

**SCHEDULE 31****(Section 7(ee))****CLASS 3(j): ADVERTISEMENTS ON FORECOURTS OF BUSINESS PREMISES****1. Area of control and consent**

- (1) A sign may be displayed in an urban area of maximum control, an urban area of partial control, and an urban area of minimum 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.

**2. Shape, size and height of sign**

- (1) An individual free-standing forecourt sign may not –
  - (a) exceed 1,64 square metres in size if it is a single-sided sign; and
  - (b) exceed 3,28 square metres in size if it is a double-sided sign.<sup>6</sup>
- (2) The total area for all free-standing forecourt advertisements displayed may not exceed 5 square metres on each forecourt frontage to a premises.<sup>7</sup>
- (3) The total area for all free-standing advertisements displayed on the forecourts at filling stations and roadside service areas may not exceed 8 square metres per forecourt frontage.
- (4) The maximum size of a non-free-standing sign attached to a fuel pump, vending machine and a similar non-advertising structure at a filling station and service area, may not exceed 0,15 square metre.

**3. Position of sign**

The provisions of section 21 relating to the display of this type of sign, 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;
- (b) display of a sign is not permitted inside a 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.

**4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**5. Illumination and animation of sign**

- (1) Subject to sections 18(1)(c), 19(4), and 22, illumination of a sign is allowed.
- (2) No animation of a sign is allowed.

<sup>6</sup> This allows for the display of 4-sheet posters 1,05 metre by 1,56 metre in size.

<sup>7</sup> Example: A building with two forecourt frontages may have advertisements not exceeding 10 square metres in all, provided that those on each frontage do not exceed 5 square metres.

**6. Design and construction**

A hand-written message is allowed on a board provided for writing messages on.

**SCHEDULE 32****(Section 7(ff))****CLASS 3(k): MISCELLANEOUS SIGNS FOR RESIDENTIAL-ORIENTED LAND USE  
AND COMMUNITY SERVICES****1. Area of control and consent**

- (1) A sign may be displayed in all urban areas of control.
- (2) Display of a sign is subject to deemed consent.

**2. Shape, size and height of sign**

- (1) 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 metre 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 metre may be displayed, with not more than 0, 08 square metre per frontage.
- (2) 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 1,0 square metre per premises may be displayed;
  - (b) if there is more than one entrance to the premises on different road frontages, two signs with a combined maximum area of 1,5 square metre each may be displayed with each on a different frontage;
  - (c) where a solid supporting structure is provided, the maximum area per sign, including the supporting structure, may not exceed 3 square metres and the sign panel or lettering may not occupy more than 50 percent of the total sign area;
  - (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 1,0 square metre 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 1,0 square metre per enterprise.
- (3) 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 0,08 square metre may be displayed per premises.
- (4) 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 3 square metres 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 3 square metres 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 6 square metres, 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 2 square metres per institution or community facility.

- (5) Where a sign indicates a street number, one sign may be displayed per road frontage of each premises, with a minimum letter size of 150 millimetres and a maximum size of 350 millimetres.
- (6) The highest point of any single free-standing sign may not extend 3 metres above ground level, and the highest point of any combination sign may not extend 4 metres above ground level.
- (7) The name or logo, or both the name and logo of the sponsor of a sign may be displayed on the name signs of smallholdings only, and may not occupy more than one-third of the total area of the sign.

### **3. Position of sign**

- (1) 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.
- (2) 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.
- (3) Where several smallholdings share an unnumbered or private access road, a collective board or combination sign may be displayed at the entrance to the access road, but 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.
- (4) The provisions of section 21 relating to the display of this type of sign apply, and display of a sign 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.

### **4. Colour or texture of sign**

The colour or texture of a sign must, wherever possible, harmonise with the building on the premises.

### **5. Illumination and animation of sign**

- (1) No animation of a sign is permitted.
- (2) No illumination of a sign is permitted in a rural area of maximum control.
- (3) The illumination of signs in urban areas of control must comply with the provisions of sections 18(10)(c), 19(4) and 22.

### **6. Design, construction, colour or texture of sign**

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.

### **7. Supplementary condition**

- (1) 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.
- (2) Where several smallholdings share an access road, a sign indicating the property numbers in question only may be displayed, and not a combination sign indicating property names and names of owners.

**SCHEDULE 33**  
**(Section 7(gg))**

**CLASS 3(I): SIGNS FOR AGRICULTURAL AND RELATED LAND USE IN RURAL AND NATURAL AREAS**

**1. Areas of control and consent**

- (1) A sign may be displayed in a rural and natural area of maximum control only.
- (2) A banner or flag may not be displayed in a natural area of maximum control, however, a banner or flag may be displayed in a rural area of maximum control.
- (3) A product replica or 3D sign may not be displayed.
- (4) Display of a combination sign or a stack sign is subject to specific consent.
- (5) Display of a sign other than a sign contemplated in subparagraph (4) is subject to deemed consent.
- (6) Where it is possible to indicate an enterprise or the name and nature of goods and services provided by such an enterprise on the building housing the enterprise, a sign may not be displayed.
- (7) A sign may be supplemented by a brown tourism sign, which sign serves as an advance and directional sign.

**2. Number, shape, size and height**

- (1) Only one sign or advertising panel on a stack sign facing in both directions may be displayed per farm, enterprise, activity, facility or attraction.
- (2) Depending on the structure of the stack sign, two panels may be displayed in order to face in both directions.
- (3) Where a visual balance is needed, such as a sign panel on each side of a gate structure, two signs per entrance may be displayed.
- (4) A sign panel is limited to the following maximum sizes:
  - (a) A free-standing sign or sign attached to or painted onto a boundary wall, gate or gate structure may not exceed 2,5 square metres in size;
  - (b) A panel on a combination or stack sign may not exceed 1,5 square metre;
  - (c) the highest point of a sign may not exceed the following height above ground level:
    - (i) A single free-standing sign may not exceed 2,5 metres; and
    - (ii) a combination sign may not exceed 3,5 metres
- (5)
  - (a) The municipality may consider a sign, displayed in a rural area of maximum control, that exceeds the sizes contemplated in subparagraph (4) the instances of a casino, a large resort and a large event centre.
  - (b) A sign exceeding the above-mentioned sizes and heights is subject to an SEA.
  - (c) A sign larger than 18 square metres is subject to an EIA.
- (6) A sponsored sign may not use more than one third of the sign to promote the sponsor or his or her product.
- (7) The name or logo of a sponsor must refer to a product or service available or in use, or crops under cultivation on such farm or premises only.

**3. Position**

A sign may not serve as an advance sign, and is limited to the following positions:

- (a) At the entrance or private access road to a farm, enterprise, facility, activity or attraction; and
- (b) the immediate vicinity of an enterprise, facility, activity or attraction.

#### **4. Colour and texture**

Excessive bright colours contrasting with natural and rural landscapes must be avoided.

#### **5. Illumination and animation**

- (1) A sign displayed in a natural area of maximum control may be illuminated externally.
- (2) A sign displayed in a rural area of maximum control may be illuminated both externally and internally.
- (3) A sign may not be animated.

#### **6. Content**

- (1) The amount of information on a sign must be limited to the basic information needed for identification purposes.
- (2) Information displayed must be legible to a passing motorist.

#### **6. Safety**

The provisions of section 18 relating to the safety of a sign apply.

#### **7. Design and construction**

- (1) Where a sign is attached to a boundary wall or gate, such sign may not be visually dominant and must compliment the design features of these structures.
- (2) The design of a combination sign must be of a high standard and must harmonise with the architecture of a relevant structure such as an entrance gate.
- (3) A sign panel or lettering may not extend above or beyond any of the extremities of the structure to which it is affixed.
- (4) A sign panel or lettering may not be attached to a fence which does not present a solid surface, such as palisade and barbed wire fences.
- (5) The provisions of section 19 relating to the design and construction of a sign apply.

#### **8. Maintenance**

The provisions of section 20 relating to the maintenance of a sign apply.

**SCHEDULE 34  
(Section 7(hh))**

**CLASS 3(m): SIGNS INCORPORATED IN THE FABRIC OF A BUILDING**

**1. Area of control and consent**

- (1) A sign may be displayed in all areas of control.
- (2) Display of a sign is subject to specific consent.

**2. Shape, size, height, and position of sign**

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.

**3. Safety requirements**

No sign displayed may distract the attention of a driver in a manner likely to lead to unsafe driving conditions.

**4. Design and construction of sign**

A sign must be in balance with the scale of the building and must be visually and architecturally integrated into the building or structure.

**5. Maintenance of sign**

A sign must be maintained properly.

**6. Supplementary condition**

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 35**  
**(Section 7(ii))**  
**CLASS 4(a): SERVICE FACILITY SIGNS**

**1. Area of control and consent**

- (1) A sign may 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.

**2. Shape, size and height of sign**

- (1) A combination sign may not exceed the following dimensions:
  - (a) A height of 7 metres and a width of 2 metres, if displayed in an urban area of control;
  - (b) a height of 10 metres and a width of 3 metres, if displayed on a freeway; and
  - (c) a height of 20 metres and a width of 6 metres, if displayed in a rural area of maximum control.
- (2) A maximum of eight advertising panels is allowed per combination sign.
- (3) Only one business, enterprise, or service may be displayed per advertising panel.
- (4) An advertising panel may not exceed the following sizes:
  - (a) 4,5 square metres in an urban area of control;
  - (b) 6 square metres on a freeway; and
  - (c) 18 square metres in a rural area of maximum control.
- (5) Only one combination sign as permitted in this schedule may be displayed on the premises of a filling station or roadside service area.

**3. Position of sign**

The provisions of section 21 relating to the display of this type of sign, and the following conditions apply to the position of a sign:

- (a) A sign may not be displayed closer than –
  - (i) 50 metres to the road reserve boundary of any road in a rural area of maximum control;
  - (ii) 50 metres to the road reserve boundary of a freeway; and
  - (iii) 5 metres to the road reserve boundary of any other urban road; and
- (b) a sign may, at the risk of the owner and subject to the approval of the Provincial Roads Engineer or his delegate, be displayed on the boundary of the site where such sign abuts a Provincial Main Road.

**4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**5. Illumination and animation of sign**

The provisions of section 19(11)(c), 19(4), 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.

**6. Design and construction of sign**

Should a person wish to display a sign which exceeds the sizes stipulated in item 2(4), 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; and
- (c) and an engineer's certificate verifying that the sign was designed by a structural engineer.

**7. Supplementary conditions**

- (1) 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.
- (2) Only a locality-bound sign may be displayed.
- (3) A sign may be displayed at a service facility adjacent to and directly accessible from the public road at which such sign is directed.
- (4) A supplementary sign displayed at a roadside service area and which does not form part of a combination sign permitted under this schedule may be used for internal direction and orientation only, and may not be aimed at passing motorists.

**SCHEDULE 36**  
**(Section 7(jj))**  
**CLASS 4(b): SPONSORED ROAD TRAFFIC PROJECTS SIGNS**

**1. Area of control and consent**

- (1) A sign may be displayed in all areas of control.
- (2) Display of a sign is subject to specific consent.
- (3) Consent shall not be granted for a period exceeding one year.
- (4) Before a person displays a sign, the road-traffic project must be approved by the municipality.
- (5) Before a sign is displayed, the municipality may require that an impact assessment be undertaken.

**2. Shape, size and height of sign**

- (1) A sign may not exceed 4,5 square metres in size, and no part of the sign may be higher than 3 metres above ground level.
- (2) 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.
- (3) 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 metre on each side of the call-box.

**3. Position of sign**

Signs displayed on the same side of the road, excluding SOS call-boxes, may not be closer than 5 kilometres from each other.

**4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**5. Illumination and animation of sign**

Illumination or animation of a sign is not permitted.

**SCHEDULE 37**  
**(Section 7(kk))**  
**CLASS 4(c): TOURISM DIRECTION SIGNS**

**1. Areas of control and consent**

- (1) A sign may be displayed in all areas of control.
- (2) Display of a sign is subject to specific consent.
- (3) A sign may be displayed within a road reserve.

**2. Shape, size, height, colour, texture, layout of sign and dimensional detail of sign**

The provisions of SADC-RTSM, Vol. 1, Section 4.10. Vol. 4, Chapter 7 apply.

**3. Safety**

The General engineering principles and guidelines in SADC-RTSM, with regard to traffic safety apply.

**4. Design and construction**

The general guidelines and conditions in SADC-RTSM with regard to the design and construction of a road sign apply.

**5. Maintenance**

The general guidelines in SADC-RTSM with regard to the maintenance of a road traffic sign apply.

**SCHEDULE 38**  
**(Section 7(II))**

**CLASS 4(d): SIGNS FOR UTILITY COMPANIES AND SIMILAR SERVICE PROVIDERS**

**1. Area of control and consent**

- (1) A sign may be displayed in all areas of control.
- (2) Display of a sign is subject to deemed consent.

**2. Shape, size and height of sign**

- (1) A sign may not exceed 0,55 square metre in size.
- (2) A larger sign may be displayed, if justified by specific circumstances.

**3. Position of sign**

A sign may be displayed inside a road reserve, but may not be displayed on a freeway.

**4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**5. Illumination and animation of sign**

Subject to the provisions of sections 18(1)(c), 19(4) and 22, illumination may be provided if there is a need for information or directions to be read during hours of darkness.

**6. Supplementary condition**

- (1) A sign may not be used for the purposes of commercial and competitive advertising.
- (2) The logo of the service provider must be displayed on a sign.

**SCHEDULE 39**  
**(Section 7(mm))**  
**CLASS 4(e): ON-SITE TOURIST ATTRACTIONS SIGNS**

**1. Areas of control and consent**

- (1) A sign may be displayed in all areas of control.
- (2) Display of a sign is subject to specific consent.

**2. Shape, size and height**

- (1) An identification sign may not exceed a maximum size of 1,5 square metres.
- (2) An information panel may not exceed a maximum size of 3 square metres.
- (3) A sign and panels may not exceed a maximum height of 2 metres.

**3. Position**

- (1) A sign may be displayed at the actual attraction.
- (2) All information must be aimed at a tourist on foot and not at motorised traffic.
- (3) A guidance sign may not be displayed.

**4. Colour and texture**

- (1) A sign must consist of soft and subdued colours that will harmonise with the environment.
- (2) Corporate colours of a sponsor may not dominate a sign or information panel.
- (3) Sponsor information must harmonise with the rest of the information on the sign or panel in terms of colour.
- (4) In the instance where bright corporate colours and logos form a strong contrast with the rest of the design, such colours may not be used and logos must be limited in size.

**5. Content of sign**

Only a limited amount of information on sponsors is allowed.

**6. Illumination and animation**

- (1) External illumination is be allowed in all areas of maximum control.
- (2) Internal and external illumination is allowed in urban areas of partial and minimum control.
- (3) A sign may not be animated.

**7. Safety**

The provisions of section 18 relating to the safety of a sign apply.

**8. Design and construction**

The provisions of section 19 relating to the design and construction of a sign apply.

**9. Maintenance**

The provisions of section 20 relating to the maintenance of a sign apply.

**SCHEDULE 40**  
**(Section 7(nn))**  
**CLASS 4(f): GATEWAY SIGNS**

**1. Areas of control and consent**

- (1) A sign may be displayed in an urban area of maximum control.
- (2) Display of a sign is subject to specific consent.

**2. Shape, size and height**

- (1) A sign may not exceed 4,5 square metres in size, and no part of the sign may be higher than 3 metres above ground level.
- (2) 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.
- (3) 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 metre on each side of the call-box.

**3. Position**

- (1) A sign must be displayed at a gateway or entrance to the city.
- (2) A sign may be displayed within a road reserve.
- (3) Signs displayed on the same side of the road, excluding SOS call-boxes, may not be closer than 5 kilometres from each other.

**4. Colour and texture**

The colours and texture of a sign shall be determined by the municipality.

**5. Content**

- (1) A sign may contain –
  - (a) such name as determined the municipality;
  - (b) a message or slogan marketing the city to the tourist and traveller.
- (2) A sign may not contain commercial advertising.

**6. Illumination and animation**

- (1) A sign may be illuminated externally.
- (2) A sign may not be animated.

**7. Safety**

The provisions of section 18 relating to the safety of a sign apply.

**8. Design and construction**

A person who intends to display a sign must, prior to erecting or displaying a sign, consult with the municipality regarding the design features and landscaping that may be used.

**9. Maintenance**

The provisions of section 20 relating to the maintenance of a sign apply.

**10. Other provisions**

Volume 1, paragraphs 4.6.6, page 4.6.7, and volume 4, pages 4.2.6 – 4.2.7 of the SADC-RTSM apply.

**SCHEDULE 41**  
**(Section 7(oo))**  
**CLASS 5(a): AERIAL SIGNS**

**1. Area of control and consent**

- (1) A sign may displayed in all areas of control.
- (2) Display of a sign is subject to specific consent.

**2. Shape, size and height of sign**

- (1) 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 metres 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.
- (2) No shape or size restrictions are imposed.

**3. Position of sign**

- (1) 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.
- (2) An advertisement on a captive balloon or on any other captive craft may not be displayed within the visual zone along a freeway.

**4. Colour or texture of sign**

No limitations are imposed on the colour or texture of a sign.

**5. Illumination and animation of sign**

Illumination or animation of a sign is not allowed, with the exception of an illuminated airship when moored.

**6. Supplementary conditions.**

- (1) With the exception of a moored airship, a sign may be displayed in daylight hours only.
- (2) A sign may not be displayed for a period exceeding two consecutive weeks in a calendar year.

- (3) 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.
- (4) No unmanned free balloon may be flown without the written permission of the Commissioner of Civil Aviation and the municipality.
- (5) A manned free balloon must meet the conditions laid down by the Commissioner of Civil Aviation before it may be flown within controlled airspace.
- (6) 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 42**  
**(Section 7(pp))**  
**CLASS 5(b): VEHICULAR ADVERTISING**

**1. Area of control and consent**

- (1) A sign may be displayed in all areas of control.
- (2) Display of a sign is subject to deemed consent and the provisions of section 16(2).
- (3) No vehicle may be used for the sole purpose of advertising.

**2. Illumination and animation of sign**

- (1) No animation is allowed.
- (2) Illumination 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.

**SCHEDULE 43****Section 7(qq)****ADVERTISING TRAILERS AND SELF-PROPELLED ADVERTISING VEHICLES****1. Areas of control, and consent**

- (1) Advertisement trailers shall be parked only in urban areas of partial and minimum control and shall be subject to specific consent.
- (2) Advertisement trailers shall not be towed on freeways and shall not be allowed on other urban roads during peak-hour traffic (07:15 - 08:15 and 16:15 - 17:30).
- (3) The municipality may identify and demarcate, by means of an SEA, the pedestrian environment and parking area accessible to an advertising trailer and a self-propelled advertising vehicle.

**2. Shape, size and height**

Trailer signs shall not exceed an individual sign face area of 18m<sup>2</sup> and a combined sign face area of 36m<sup>2</sup>.

**3. Position**

- (1) An advertising trailer and self-propelled advertising vehicle may be displayed for the purposes of advertising only.
- (2) An advertising trailer or self-propelled advertising vehicle may not be parked in a public road or impact on safety along a public road.
- (3) An advertising trailer or self-propelled advertising vehicle may not be parked in such a manner as to interfere with pedestrian movement.
- (4) Trailer signs positioned on a particular site for a period exceeding two days per month shall be deemed to be billboards and shall be subject to the guidelines applicable to class 1(c).

**4. Colour and texture**

An advertisement at the rear of an advertising trailer or self-propelled advertising vehicle may not contain the colours red or amber.

**5. Illumination and animation**

Internal and external illumination and animation is not allowed.

**6. Safety**

- (1) A person may not tow an advertising trailer or drive a self-propelled advertising vehicle on a public street or through a public space if such trailer or vehicle hinders or obstructs traffic in such street or space or is likely to do so.
- (2) The provisions of section 18 relating to the safety of a sign apply.
- (3) Trailers shall not be parked inside road reserves, within a distance of 50m outside the road reserve of a freeway, inside a restricted area at street corners or in such a way as to block the visibility of any motorist.

**7. Design and construction**

- (1) The design and construction of an advertising trailer and self-propelled advertising vehicle must comply to the relevant sections of the National Road Traffic Act, 1996 (Act 93 of 1996), its amendments, and SABS standards for trailers.
- (2) The provisions of section 19 relating to the design and construction of a sign apply.

**8. Maintenance**

The provisions of section 20 relating to the maintenance of a sign apply.

**9. Other provisions**

- (1) The name and number of the operator of an advertising trailer or self-propelled advertising vehicle, together with a disc issued by the municipality, must at all times be displayed on such trailer.
- (2) An advertising trailer or self-propelled advertising vehicle may not be towed or driven on a public road for the primary purpose of advertising.
- (3) An advertising trailer or self-propelled advertising vehicle may be towed or driven only to and from an appropriate display site, and between the hours of 19:00 and 06:00 only.
- (4) An advertising trailer or self-propelled advertising may not display an advertisement while being towed or driven on a freeway.

**SCHEDULE 44**  
**(Section 7(rr))**  
**CLASS 6(a): BEAM ADVERTISING AND ADVERTISING USING SIMILAR SOURCES OF ILLUMINATION**

**1. Areas of control and consent**

- (1) A sign may be displayed in an urban area of minimum and partial control only.
- (2) Display of a sign is subject to specific consent
- (3) Before a sign may be displayed, an SEA must be undertaken to determine specific sites, surfaces and venues that may be used for this purpose.
- (4) Natural landscape surface or topographical feature may not be used for the purpose of projecting any signs.
- (5) Consent for a light show, carnival or event shall be granted on an individual basis.

**2. Shape, size and height**

A laser source light or any other high-intensity light source may not be projected above the horizon with the exception of such light sources projected at events, festivals or 'light shows'.

**3. Position**

A mobile van or unit may not be used for the purpose of projecting a sign.

**4. Colour and texture**

Architectural lighting or the illumination of enterprises must be in subdued colours.

**5. Animation**

A sign may be animated, however, an animated or motion picture image may not be projected on a surface or substance that is visible from a public road.

**6. Safety**

The provisions of section 18 relating to the safety of a sign apply.

**7. Other provisions**

- (1) Consent for display shall not be granted for an indefinite period.
- (2) The municipality may grant consent for a maximum period of 2 years, and with a renewal option after a revised SEA has been undertaken.
- (3) A sign may not be displayed for a period of more than three consecutive nights or for a total period of more than 15 nights per calendar month, with the exclusion of architectural lighting or the illumination of an enterprise.
- (4) A sign may only be displayed during the hours between sunset and 24:00.

**SCHEDULE 45**  
**(Section 7(ss))**  
**CLASS 6(b): PAINTED STONE SIGNS ON RURAL HILLSIDES**

**1. Areas of control and consent**

- (1) A sign may displayed in any urban area of control and a rural area of maximum control.
- (2) A sign may not be displayed in a natural area of maximum control.
- (3) Display of a sign is subject to specific consent.
- (4) A sign may only be displayed after an EIA or SEA process has been undertaken done.
- (5) A sign may not be used for displaying a commercial or a religious message.

**2. Shape, size and height**

- (1) A painted stone sign may not dominate a hillside or similar topographical feature visually.
- (2) The maximum size of a letter or logo shall be determined by an EIA or SEA study, where the visual impact shall be a key consideration.

**3. Position**

The position of a sign is subject to the findings of an EIA or SEA study of which a visual impact assessment shall be a key ingredient.

**4. Illumination and animation**

A sign may not be illuminated or animated.

**5. Safety**

The provisions of section 18 relating to the safety of a sign apply.

**6. Design and construction**

The provisions of section 19 relating to the design and construction of a sign apply.

**7. Maintenance**

The provision of section 20 relating to the maintenance of a sign apply.

**SCHEDULE 46**  
**(Section 5(1))**  
**AREAS OF CONTROL AS INDICATED ON THE ADVERTISING CONTROL MAP**

**RURAL AND URBAN AREAS OF MAXIMUM CONTROL**  
**(Section 5(2)(a) and (b))**

**1. Land use zoning**

A sign may be displayed in a low density residential area, a medium density residential area, an agricultural area, a cemetery, and a public open space, such as, but not limited to, a natural open space, including a ridge, a natural watercourse, a nature reserve, an urban conservation zone, a park, a national monument, a heritage site, a gateway and an urban freeway.

**2. Kinds of signs that may be displayed**

- (1) Only a sign conveying an essential message may be displayed.
- (2) A sign contemplated in section 7(kk), being a Class 4 sign (*Tourism Direction signs*), may be displayed.
- (3) The following signs contemplated in section 7(e-u), being Class 2 signs (*Posters and general signs*), may be displayed in residential suburbs:
  - (a) Large posters and signs on street furniture, as contemplated in section 7(i);
  - (b) temporary signs, as contemplated in section 7(r); and
  - (c) street name advertisement signs, as contemplated in section 7(s).

**3. Restrictions on display of advertising signs**

The display of all kinds of signs, other than those specifically mentioned in Item 2 above, is forbidden.

**URBAN AREAS OF PARTIAL CONTROL**  
**(Section 5(2)(c))**

**1. Land use zoning**

A sign may be displayed in 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.

**2. Kinds of signs that may be displayed**

- (1) A sign contemplated in section 7(d), being a Class 1(d) sign (*Medium billboards*), may be displayed.
- (2) A sign contemplated in section 7(z), being a Class 1(d) sign (*Small billboards and tower structures*), may be displayed.
- (3) A sign contemplated in section 7(b), being a Class 2 sign (*Posters and general signs*), may be displayed.

- (4) A sign contemplated in section 7(c), being a Class 3 sign (*Signs on buildings, structures and premises*), may be displayed.
- (5) A sign contemplated in section 7(kk), being a Class 4 sign (*Tourism Direction Signs*), may be displayed.
- (6) A sign contemplated in section 7(e), being a Class 5 sign (*Vehicular Advertising Signs*), may be displayed.

### **3. Restrictions on display of advertising signs**

- (1) A sign contemplated in section 7(a)(i), being a Class 1 sign (*Super billboards*), and a sign contemplated in section 7(a)(ii), being a Class 1(b) sign (*Custom-made billboards*) may not be displayed.
- (2) The restrictions on the display of a sign at a street corner as set out in Schedule 35 apply.

## **URBAN AREAS OF MINIMUM CONTROL (Section 5(2)(d))**

### **1. Land use zoning**

A sign may be displayed in a business, industrial, commercial, amusement and transport area such as, but not limited to, a commercial district, a central 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.

### **2. Kinds of signs that may be displayed**

- (1) A sign contemplated in section 7(a)(iii), being a Class 1(c) sign (*Large billboards*), may be displayed, provided that the size may not exceed 40m<sup>2</sup>.
- (2) A sign contemplated in section 7(a) (*Billboards and other high-impact free-standing signs*)
- (3) A sign contemplated in section 7(b) (*Posters and general signs*), a sign contemplated in section 7(c) (*Signs on buildings, structures and premises*).
- (4) A sign contemplated in section 7(kk) (*Tourism Direction Signs*)
- (5) A sign contemplated in section 7(e) (*Vehicular Advertising Signs*) may be displayed.

### **3. Restrictions on display of advertising signs**

- (1) A sign may not be displayed at a node of exceptional historical and architectural value.
- (2) The restrictions on the display of a sign at a street corner as set out in Schedule 35 apply.

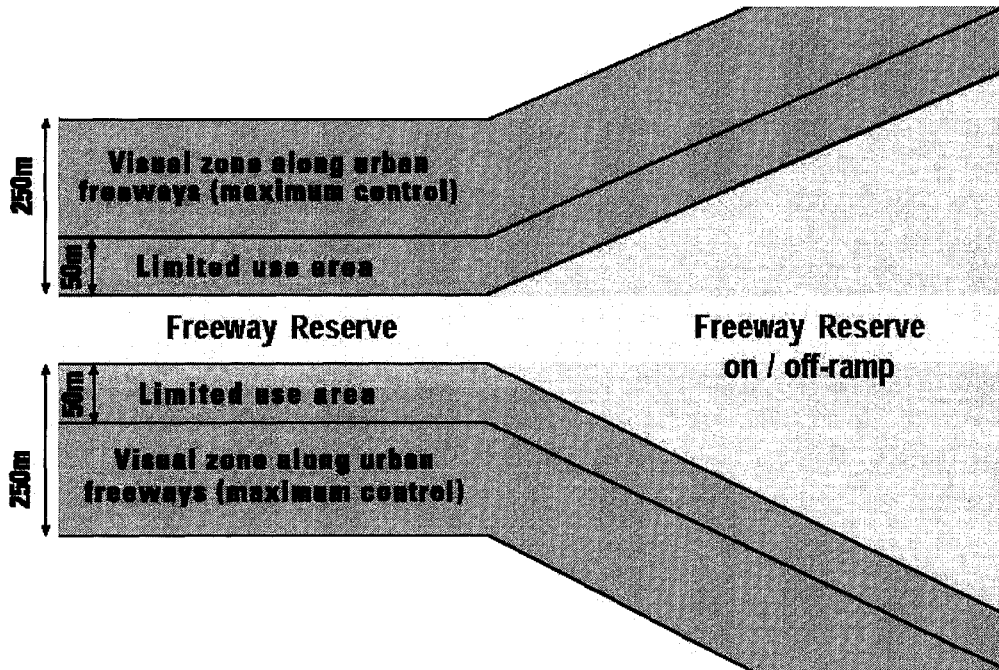
## **AREAS OF MAXIMUM CONTROL IN WHICH ADVERTISING IS PROHIBITED (Section 5(2)(e))**

### **Land use zoning, kinds of signs that may be displayed, and restrictions on display of advertising signs**

No sign contemplated in section 7 may be displayed in an area stipulated in Schedule 36.

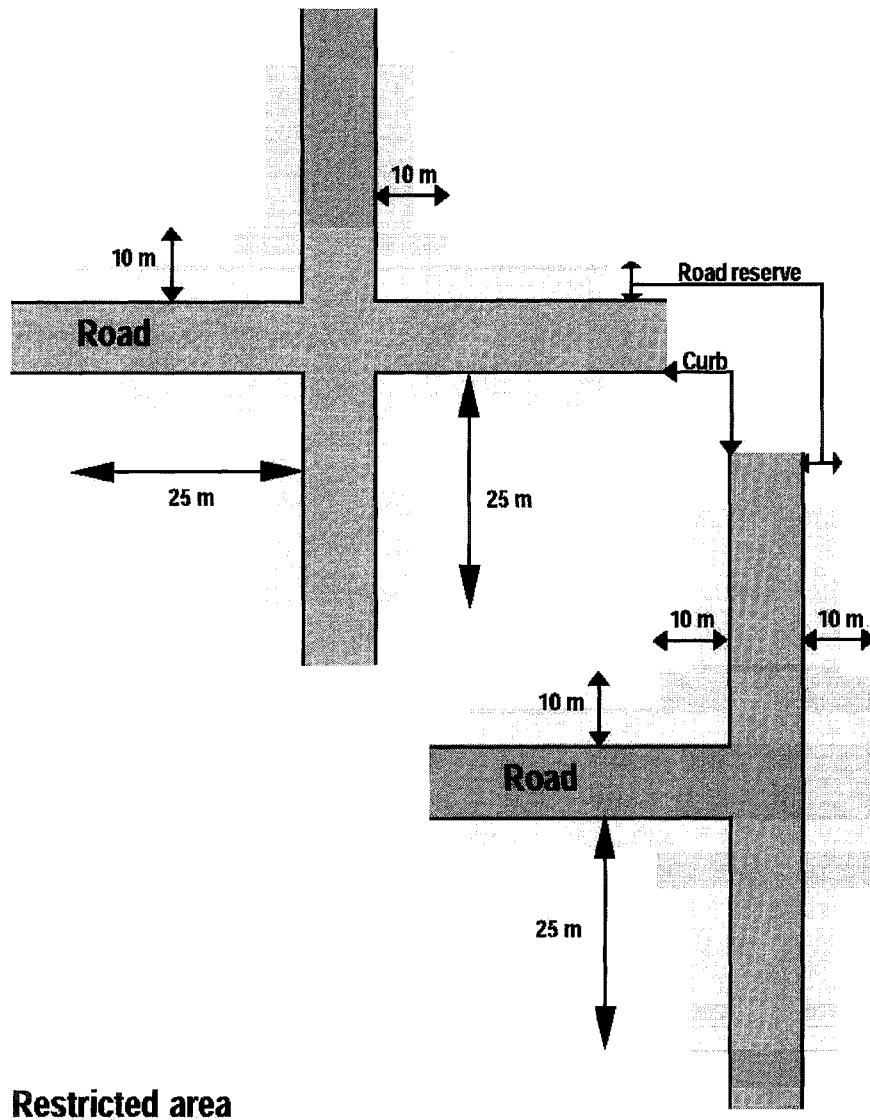
**SCHEDULE 47**  
**(Schedules 1(3)(d), 20(3)(b))**  
**FIGURES**

**FIGURE 1: ADVERTISING RESTRICTIONS ON URBAN FREEWAYS**



[Source: Figure 7 SAMOAC Guidelines, April 1998]

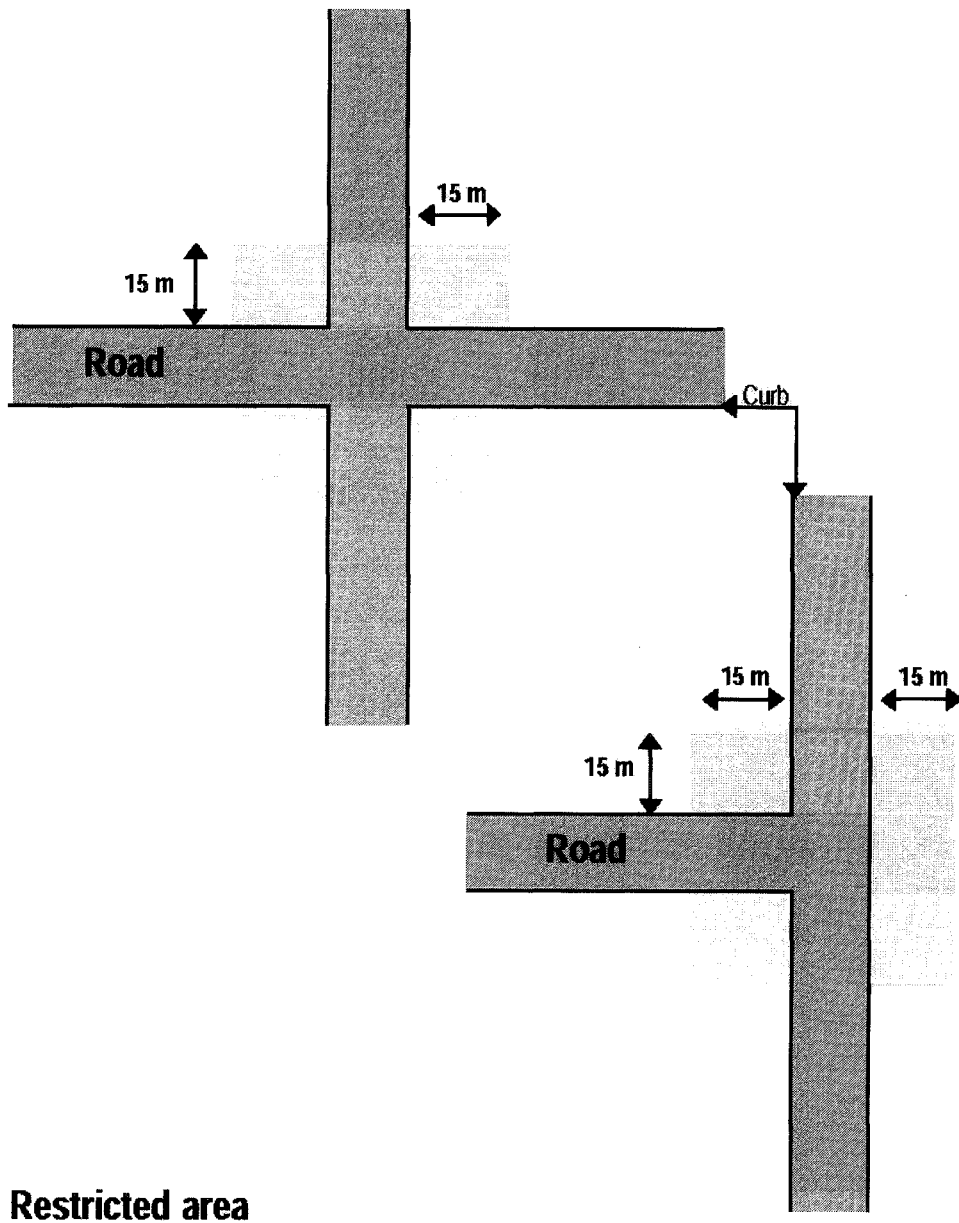
FIGURE 2: RESTRICTIONS ON SIGNS AT STREET CORNERS



Restricted area

[Source: Figure 8 SAMOAC Guidelines, April 1998]

**FIGURE 3: RESTRICTIONS ON ILLUMINATED SIGNS AT SIGNALISED STREET CORNERS**



[Source: Figure 9 SAMOAC Guidelines, April 1998]

**SCHEDULE 48**  
**(Sections 5(4), 16(3))**  
**PROHIBITED AREAS**

The following areas are delineated as prohibit areas in which no signs may be displayed:

- (a) Municipal land other than private advertising signs controlled by advertising contracts entered into between the municipality and a contractor in terms of the municipality's procurement policies and public advertising signs used for public purposes;
- (b) Nelson Mandela Bay Metropolitan Open Space System (NMB-MOSS) areas;
- (c) Baakens Valley;
- (d) historical Areas;
- (e) heritage trail areas;
- (f) in the sea;
- (g) the seaward side of Marine Drive;
- (h) the seaward side of N2 and Settler's Freeway;
- (i) the harbour area;
- (j) areas along the coast such as Bluewater Bay, Schoenmakerskop, Sardinia Bay, Blue Horizon Bay and Seaview; and
- (k) any nature or marine reserves.

**SCHEDULE 48  
OFFENCES AND FINES**

Section Contravened	Section Contravened	Proposed Fine (1)	Approved Fine (2)
As per 27(1)(a)	Contravening or failing to comply with a provision of these By-laws or of a Schedule to these By-laws.	R15 000, or in default of payment, imprisonment for a period not exceeding 6 months.  In the case of a continuing offence, to a further fine not exceeding R1000, or in default of payment, imprisonment not exceeding one day, for every day during the continuance of such offence.	
As per 27(1)(b)	Failing to comply with any notice or order issued or condition imposed in terms of or for the purposes of these By-laws.	R15 000, or in default of payment, imprisonment for a period not exceeding 6 months.  In the case of a continuing offence, to a further fine not exceeding R1000, or in default of payment, imprisonment not exceeding one day, for every day during the continuance of such offence.	
As per 27(1)(c)	Failing to comply with a lawful instruction given in terms of or for the purposes of these By-laws.	R15 000, or in default of payment, imprisonment for a period not exceeding 6	

Section Contravened	Section Contravened	Proposed Fine (1)	Approved Fine (2)
		<p>months.</p> <p>In the case of a continuing offence, to a further fine not exceeding R1000, or in default of payment, imprisonment not exceeding one day, for every day during the continuance of such offence.</p>	
As per 27(1)(d)	Obstructing or hindering an authorised representative or employee of the municipality in the execution of his or her duties under these By-laws.	<p>R15 000, or in default of payment, imprisonment for a period not exceeding 6 months.</p> <p>In the case of a continuing offence, to a further fine not exceeding R1000, or in default of payment, imprisonment not exceeding one day, for every day during the continuance of such offence.</p>	
<p>I hereby certify that the admission of guilt fines listed in Column 2 above as submitted by the Nelson Mandela Bay Metropolitan Municipality have been approved by me in terms of Section 57(5)(a) and 341(5) of the Criminal Procedure Act, 51 of 1977, for the Magisterial District of Nelson Mandela Bay Metropolitan Municipality. This determination replaces any previous determination for the said Magisterial District.</p> <p>..... Magistrate</p> <p>..... Date Stamp</p>			