

NOTICE OF REQUEST FOR PUBLIC COMMENTS ON THE DRAFT OUTDOOR ADVERTISING BYLAW OF THE CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY

Notice is hereby given in terms of section 7(1) of the Rationalization of Local Government Affairs Act, 10 of 1998, that the City of Johannesburg Metropolitan Municipality, declares its intention to review its Outdoor Advertising By-law, 2009.

In terms of section 156 of the Constitution, municipalities have the Executive Authority and the right to administer the local government matters that are listed under Part B of Schedules 4 and 5 of the Constitution. One such listed matter is "Billboards and the display of advertisements in public places". Section 156(2) of the Constitution states that a municipality may make By-laws for the effective administration of such listed local government matters.

The proposed By-law seeks to regulate amongst others the application processes and procedures for approval of Outdoor Advertising Signs, categories of signs, appropriate location and extent of signs and other related matters. The City's Outdoor Advertising By-law was promulgated in the Provincial Gazette of 18 December 2009 under Local Authority Notice No. 277. It is this By-law that the city now wishes to review, and comments are being sought on the proposed amendments.

The Public and interested and affected organisations have 60 days commenting period from the date of this advert, ending by close of business on 25 October 2022. Copies of the draft By-law will lie open for inspection during office hours (from 08h00 to 15h00) at City's Libraries, Regional Offices below and can be obtained from the City's website: www.joburg.org.za

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D2	House No 19 Powerpark Recreation Centre, Powerpark	Ms Nonhlanhla Sithole (011) 933 1259
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Written comments to be submitted to the officials below:

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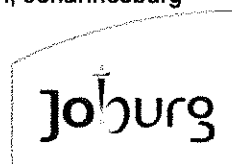
Issued on behalf of Councillor Juwairiya Kaldine, Chairperson: Development Planning Section 79 Committee

Acting Secretary to Council: Mr. Madimetsa Molekwa

City of Johannesburg, Metro Centre, 158 Civic Boulevard, Braamfontein, Johannesburg



CITY OF JOHANNESBURG
METROPOLITAN MUNICIPALITY
COUNCIL LEGISLATURE



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CITY OF JOHANNESBURG

OUTDOOR ADVERTISING BY-LAW, 2021

The City Manager of the City of Johannesburg Metropolitan Municipality hereby in terms of section 13(a) of the Local Government: Municipal Systems Act, 32 of 2000, read with section 162(2) of the Constitution, 1996, publishes the Outdoor Advertising By-law for the City of Johannesburg Metropolitan Municipality as approved by its Council which will come into operation on the date of promulgation of this notice.

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CHAPTER 1

INTERPRETATION AND APPLICATION

1. Definitions

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

“adjoining” means all the adjoining property owners/occupiers which include the properties on the opposite side of a street or lane;

“advertisement” means any representation by a word, or abbreviation thereof, letter, logo, symbol, sign, figure, painting, drawing or other pictorial representation, or light, displayed in or in view of any public place, Provincial or National Road within the jurisdiction of the City for the purpose of drawing the attention of the public to or promoting any product, service, business or commercial enterprise, trade, person, election or candidature in an election, voter registration, entertainment, function, meeting or other event, aspects relating to security and news headlines;

“advertising” means the act or process of displaying an advertisement and

“advertise” has a corresponding meaning;

“advertising precinct” means an advertising area specifically designated and approved as an advertising precinct by the City;

“advertising sign” means a screen, fence, wall or any other object, structure or device, freestanding or attached to any wall or structure, in a fixed position intended to be used or used for the purpose of displaying any advertisement and any object, structure or device which is in itself an advertisement, in or in view of a public place, Provincial or National Road and includes an advertising hoarding and billboard and in so far as any provision of these By-laws relating to an advertising sign is practically capable of being applied to an advertisement, includes an advertisement other than an advertisement displayed on an advertising sign and a poster;

“applicant” means a person who makes an application in terms of the provisions of this By-law on public or private land and it includes such person’s duly authorised agent;

“approved” means approved in writing by the City and **“written approval”** has a corresponding meaning;

“arcade” means a covered pedestrian thoroughfare not vested in the City, whether or not located at ground level, passing wholly or partly through a building and to which the public normally has regular and unrestricted access;

“area of control” means the degree of advertising control to be applied in a specific area, i.e. maximum-, partial- or minimum control in accordance with the visual sensitivity of an area and traffic safety conditions as contemplated in Schedule 2 to this By-law or in terms of an Outdoor Signage Management Framework as approved by the City;

“area of maximum control” means an area subject to stringent control of outdoor advertising due to its sensitivity to visual disturbance;

“area of minimum control” means an area subject to minimal control of outdoor advertising due to the areas' concentrated economic activity where the dominant concern and motivation is to conduct business and to sell products and services;

“area of partial control” means that portion of an area of minimum control located within 50m of an area of maximum control, and as determined by the City from time to time;

“authorised official” means any official of the City who has been authorised by the City to implement and enforce the provisions of these By-laws;

“banner” means a piece of cloth or similar material on which an advertisement is displayed in such a manner that it is legible in windless conditions and is attached to one or more ropes, poles or a flagstaff that projects vertically, horizontally or at any angle from the building or structure to which it is attached or is attached to a building or other structure, but excludes a banner carried as part of a procession;

“billboard” means a sign supported by a free-standing structure which may be pasted with vinyl or covered, pasted or written upon by a combination of such methods and may feature special effects such as internal illumination, special character cut-outs or three-dimensional representations;

“blimp” means a gas-inflated balloon or other object, including any such object capable of carrying passengers, which is attached or anchored to the ground upon which an advertisement is displayed;

“building line” means a building line determined under an applicable town planning scheme or any other law or document that has the force of law;

“building schedule” means a development programme for the construction or renovation of a building or structure specifying the different phases of the development or renovation and the type of construction prepared by a person undertaking the activities concerned;

“Building wrap” means a sign of vinyl mesh or similar material attached to a building and or structure under construction, renovation or maintenance for the duration of such construction, renovation or maintenance, or to an unsightly building or structure;

“Bus Rapid Transit System” means the public transport system as approved by the City;

“City “means:

- (a) the City of Johannesburg Metropolitan Municipality established by Provincial Notice No. 6766 of 2000, as amended, or
- (b) its successors in title; or
- (c) a structure or person exercising a delegated power or carrying out an instruction, where any power in these By-laws has been delegated or sub-delegated, or an instruction given, as contemplated in section 59 of the Municipal Systems Act, as the case may be;

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

“construction site” means a property or portion of a property on which any building or structure is under construction after building plans have been approved in terms of the National Building Regulations and Building Standards Act, or provisional authorisation has been granted in terms of Section 7(6) of that Act, or on which a building or structure is in the process of being demolished, which require that a

hoarding or fence be erected as contemplated in Regulation F1 of the Regulations issued under the said Act;

“custom-made billboard” means a billboard not less than 18m² and not exceeding 81m² in sign area, which features special effects such as internal illumination, special character cut-outs or three-dimensional representations as well as rotating or scrolling panels that provide a number of different messages in succession;

“directional sign” means an advertising sign indicating or directing the attention of the public to a place, undertaking or activity for the purpose of advertising it;

“display” means the display of an advertisement and **“displayed”** has a corresponding meaning;

“dwelling house” means one dwelling unit forming a single building;

“dwelling unit” means an interconnected suite of rooms designed for occupation by a single family, irrespective of whether the dwelling unit is a single building or forms part of a building containing two or more dwelling units;

“election” means a national, provincial or local government election, any by- election and a referendum held in terms of any law;

“electronic advertising sign” means an advertising sign, which has an electronically or digitally controlled, or both an electronically and digitally controlled, illuminated display surface, which allows for different advertisements to be shown, changed, animated or illuminated in different ways and at different intervals on one such sign;

“estate agents’ sign” means a sign advertising the fact that land, premises, a development or other forms of fixed premises are for sale, sold, on show or to let and real estate agency sign shall have the same meaning;

“event” means an occasion organised for the general public;

“façade” means the principal front of a building;

“flag” means a piece of cloth or similar material upon which an advertisement is displayed and which is attached to a single rope, pole or flagstaff projecting vertically in such a way that its contents are normally not legible in windless conditions but excludes –

- (a) a national flag which does not carry any advertisement in addition to the design of the flag or flagstaff;
- (b) a flag carried as part of a procession; and
- (c) a flag which is not displayed on a flagstaff.

“forecourt” means an outdoor area forming a legal and functional part of the premises of a business enterprise, and shall include the area of a filling station where the fuel pumps are situated, or a terrace in front of a restaurant, including enclosing fences, walls, screens or similar structures, excluding sidewalk areas intended for pedestrian circulation;

“forecourt sign” means a sign on a forecourt of business premises, displayed to draw attention to commercial services, goods for sale or other services available at the premises, but does not include a combination sign at a filling station or roadside service area;

“gantry” means a freestanding advertising sign that extends over, or suspends across a public street erected for the sole purpose of displaying an advertisement;

“Handbills, Leaflets, Pamphlets and Community Newspapers” mean hand distributed advertising notices in the form of handbills, leaflets, pamphlets and community newspapers.

“interested party” means any person who has in terms of this By-law submitted an application or submitted comments or an objection or made representations in respect of any such application;

“intersection” means that area embraced within the prolongation of the lateral boundary lines of two or more public streets, open to vehicular traffic, that join one another at any angle, whether or not one such public road crosses the other;

“Motorway” means a road or part of a road designated as a motorway/freeway in terms of applicable legislation;

“Municipal Systems Act” means the Local Government: Municipal Systems Act, 2000 (Act, No. 32 of 2000) and any regulations made thereunder;

“Murals” are signs painted directly onto the main walls or roof of a building used for commercial, office, industrial or entertainment purposes or for larger accommodation facilities.

“National Building Regulations and Building Standards Act” means the National Building Regulations and Building Standards Act, 1977, (Act No. 103 of 1977), and any regulations made there under;

“National Environmental Management Act” means the National Environmental Management Act, 1998 (Act No. 107 of 1998) and any regulations made there under;

“National Road Traffic Act” means the National Road Traffic Act, 1996 (Act No. 93 of 1996), and any regulations made there under;

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

“OASC” means Outdoor Advertising Steering Committee established in terms of section 7 of these Bylaws.

“OAAC” means Outdoor Advertising Appeal Committee established in terms of section 11 of these Bylaws.

“on-premises advertising sign” means an advertising sign located on-

- (a) a property other than a public place; or
- (b) a public street and adjacent to a property contemplated in paragraph (a), on which sign an advertisement is displayed, advertising any business, industry, service, activity or attraction taking place or provided on that property and “on-premises advertising” has a corresponding meaning;

“outdoor advertising” means the display of any advertisement in or in view of any public place, Provincial or National Road within the jurisdiction of the City;

“owner” means, in relation to –

- (a) property, the person registered as the owner or holder thereof and includes the trustee in an insolvent estate, the liquidator of a company or a close corporation which is an owner and the executor of any owner who has died

or the representative recognised by law of any owner who is a minor or of unsound mind or is otherwise under disability, provided such trustee, liquidator, executor or legal representative is acting within the authority conferred on him or her by law. For the avoidance of doubt, the owner also includes the City and/or any of its municipal entities delegated to be the custodians of the land owned by the City; and

- (b) an advertising sign or advertisement, the person who owns such sign or advertisement and any person who has a right to, or share in, the ownership of such sign or advertisement;

“poster” means any placard displaying an advertisement attracting public attention to any event, activity or product for which a poster may be approved as contemplated in section 26(1);

“portable advertising sign” means a moveable free-standing temporary advertising sign displayed on a forecourt of a business premises or sidewalk in front of business premises to draw attention to commercial services, goods for sale or other services available at the premises.

“pre-evaluation submission” means the submission envisaged in section 3(4) of this By-law;

“prescribed” means prescribed by the City;

“product replica or three-dimensional sign” means a replica or device used for advertising that may be free-standing or attached to a structure, and includes an inflatable object that is not an aerial sign;

“projecting sign” means an advertising sign, whether stationary or actuated, attached to and protruding from a building which is used for commercial business, offices, industrial or entertainment purposes and which projects more than 300mm from the surface of the wall to which it is attached;

“property” means any piece of land whether registered or not in a deed's registry as an erf, lot, plot, farm, stand or agricultural holding.

“public place” means a public street, bridge, subway, a square, open space, garden and any other enclosed space to which the public has a right of access or which is

commonly used by the public and which is vested in the City in terms of any applicable law;

“public street” means a road, street or thoroughfare or other right of way to which the public has a right of access or which is commonly used by the public and includes any portion of a public street between the edge of the roadway and the boundary of the land reserved for such public street, including a sidewalk, and it includes Provincial and National roads and/or motorways;

“pylon sign” means a structure designed solely for advertising purposes to which an advertising sign is attached, supported by or displayed on or a combination of such signs, for the purpose of on-premises advertising;

“rates penalty” means the rate penalty as prescribed by the City's Rates Policy and as envisaged in section 37(2) of this By-law;

“registered person” means a person registered with the Engineering Council of South Africa as a professional engineer or professional engineering technologist, professional certified engineer or professional engineering technician under the Engineering Profession Act, 2000, (Act No. 46 of 2000);

“residential building” means a building, other than a dwelling house and dwelling unit, designed for use or used for human habitation and includes a guest house, boarding house, hotel, residential club and hostel;

“road island” means an area demarcated on a roadway by means of painted lines, stones, kerbs or other means, with the intention of preventing vehicles from standing or being operated in that area;

“road median” means a median that separate a specific road/street to allow for traffic to travel in opposite directions or it separate two different roads to allow for traffic in opposite or the same direction but on different roads, for example a service road, and it excludes a road island;

“roadway” means that portion of a public street which is improved, constructed or intended for vehicular traffic;

“road reserve” means the full width of a public street including the roadway, shoulder and sidewalk and the air space above a roadway, shoulder and sidewalk and any other area within the road reserve boundary;

“road traffic sign” means any road traffic sign and traffic signal as contemplated in the National Road Traffic Act;

“roof sign” means a sign which is fixed to the roof of a building equal to or less than 15 floors in height and used or partly used for commercial, office, industrial or entertainment purposes and shall include any sign consisting of a single line of free-standing, individual, cut-out, silhouetted letters, symbols or emblems;

“sale of goods or livestock sign” means an advertisement announcing such a sale on land or premises not normally used for commercial purposes and includes an advertisement announcing auctions of household goods on residential properties, livestock or game on farms, or the proposed sale of property or land by means of a public auction to be advertised within the road reserve;

“Security advertising sign” means an advertising sign consisting of outdoor signs for security schemes such as neighbourhood watches, armed responses, security villages, residential estates, farm watches and similar initiatives indicating that such a scheme or initiative is operational in the area.

“stack sign” means a combination sign in an area zoned for industrial and commercial use identifying the businesses within such areas;

“signs incorporated into the fabric of a building” means a sign incorporated in and forming an integral part of the fabric of a building;

“scaffolding sign” means a system of interlocking poles and bars used to provide support or access, or both, to a site for construction purposes as regulated by the South African Bureau of Standards code of practice 085, entitled The Design, Erection, Use and Inspection of Access Scaffolding;

“scrolling advertising sign” means an advertising sign which by mechanical means allows the rotation or changing of advertising faces to display different advertisements on one such sign;

“sky sign” means any advertising sign erected or placed on or above any roof, parapet wall or the eaves of a building, but does not include an advertisement painted on a roof of a building;

“storey” means the space within a building, which is situated between one floor level and the next floor level above, or if there are no clearly defined storeys, a height of 4,5m;

“street furniture advertisement sign” means an advertisement displayed on any public facility or structure which is not primarily intended for advertising and includes a seating bench, plant box, sidewalk litter bin, pole-mounted litter bin, public transport shelter, sidewalk clock, suburban name and a street name signs and drinking fountain;

“street light pole advertising sign” means an advertising sign fixed to or erected on a street light pole which pole vests in the City or a Municipal Entity;

“streetscape sign” means the visual product of all the features within and adjacent to a public street such as street furniture, signage and landscaping;

“third-party advertising sign” means an advertising sign located on a property upon which sign one or more advertisements are displayed which are not descriptive of any business, industry, service, activity or attraction situated, taking place or provided on that property and **“third party advertising”** has a corresponding meaning;

“transit advertising sign” means a vehicle or trailer designed or adapted for advertising purposes and mainly used for such purposes;

“urban design” means the actions of conceiving and managing the special and aesthetic characteristics of urban space between and around buildings including physical elements that make up the streetscape and the combined visual effect of building facades and other structures;

“vehicular advertising sign” means outdoor advertising on self-driven vehicles which are normally driven on land or water and which are normally moving; and

“voter registration” means voter registration conducted by the Independent Electoral Commission established in terms of section 4 of the Independent Electoral Commission Act, 1993 (Act No. 150 of 1993), for the purpose of any election;

2. Application

- (1) This By-law applies to all outdoor advertising in the area and jurisdiction of the City.
- (2) Approval for outdoor advertising in terms of this By-law is required irrespective of the zoning of any property in terms of any applicable town-planning scheme and irrespective of the provisions of any other law.
- (3) The owner of an advertising sign and any person who has applied for approval of an advertising sign in terms of this By-law must comply with the applicable provisions relating to that advertising sign as stipulated in this By-law.
- (4) An approval in terms of this By-law does not exempt the applicant or owner from complying with any other applicable law.

CHAPTER 2

APPLICATIONS AND APPROVALS

3. Approval of advertising signs

- (1) No person may erect an advertising sign or use or continue to use an advertising sign or any structure or device as an advertising sign without the prior written approval of the City unless the sign to be erected has been exempted in terms of section 18Error! Reference source not found. by this Bylaw from seeking prior approval from the City.
- (2) No advertising sign erected and displayed with approval contemplated in subsection (1) or any by-law repealed by section 76, may in any way be altered, removed, re-erected or upgraded, other than for maintenance work which may be required for the upkeep of an advertising sign, without prior written approval of the City.
- (3) In approving the alteration, removal, re-erection, or upgrade as contemplated in subsection 2 above, the City may stipulate such conditions and requirements as the City may consider appropriate taking into considerations the provisions of section 14 of this Bylaw.

4. Application process

- (1) An application for approval envisaged in subsection 3(1)above must be on the prescribed form and accompanied by such documentation, information, maps, diagrams and plans as set out in Schedule 1 to this Bylaw.
- (2) Every application must be accompanied by the prescribed application fee and, where applicable, a deposit as determined by the City from time to time.

5. Advertisement of the Outdoor Advertising Application

- (1) After lodging an application in terms of section 4 above, the applicant must forthwith display a notice in an A1 size format in English on the application site in a conspicuous place clearly visible from any public street provided that no such notice may be displayed during the period from 12 December to 3 January of the following year, both dates included.
- (2) The applicant must maintain such notice envisaged in subsection (1) above for a period of at least 21 days.

- (3) In addition to the on-site notice prescribed in subsection (1) above, the applicant shall also forthwith notify all the adjoining property owners in writing by registered post or by any other means available to the applicant.
- (4) A notice contemplated in subsections (1) and (3) above must contain the following information:
 - (a) full details of the application concerned and that it will lie open for inspection at an address specified in the notice for a period of 21 days from the date of first display of the on-site notice in terms of subsection (1);
 - (b) the name, postal address, telephone number, fax number and e-mail address of the person submitting the application; and
 - (c) that any person may within a period of 28 days from date of first display of the notice envisaged in subsection (1) above submit comments or representations, or lodge an objection, in writing in respect of the application concerned.
- (5) The applicant must furnish proof to the OASC in the form of an affidavit that it has complied with the provisions of subsections (1) to (4) above.
- (6) Any person proposing to submit comments or representations or lodge an objection as contemplated in subsection 4(c) above, must address such comments, representations, or objections to both the City and the applicant concerned at their respective addresses specified in the notices so contemplated.

6. Composition and functions of the OASC

- (1) The City shall establish the Outdoor Advertising Steering Committee which shall be responsible for amongst others the evaluation and consideration of the outdoor advertising applications envisaged in these Bylaw
- (2) The OASC shall consist of a minimum of 5 and such maximum number of members as determined by the Executive Director: Planning who have the qualifications and or experience in one or more of the following areas:
 - (a) Legal;
 - (b) Engineering;

- (c) Environmental Science;
 - (d) Town Planning;
 - (e) Architecture;
 - (f) Land Surveying; and
 - (g) Outdoor Advertising Industry.
- (3) The OASC members in subsection 2 above, must include such independent and/or impartial external persons appointed in terms of section 7 City Manager to ensure fairness and promote transparency in the evaluation of the application.
- (4) Notwithstanding the provisions of subsection (2), no official from the Johannesburg Property Company or any municipal entity that has been delegated the authority to manage the City's immovable property in so far, such management includes outdoor advertising.
- (5) The **Executive Director: Planning** must appoint a member of the OASC to act as a chairperson of the OASC.
- (6) The meeting of the OASC shall not be quorate unless there is at least one independent and/or impartial member as appointed in terms of section 7.
- (7) The functions of the OASC are to evaluate:
- (a) applications in accordance with the provisions of this Bylaw, and any other governance documentation approved by the City;
 - (b) disputes relating to the non-compliance with the Bylaw and issue recommendations to the **Executive Director: Planning** of any rulings deemed to be appropriate.

7. Appointment of independent members of the OASC

- (1) The City Manager must, prior to the appointment of the independent members of the OASC contemplated in section 6(3), issue a public invitation for the nomination of persons who have experience of, and demonstrate acumen in, the matters and areas contemplated in section 6(2)(a) to (h), and who are not disqualified in terms of subsection 3.

- (2) The City Manager must appoint the independent and impartial members from the persons nominated in subsection (1).
- (3) A person shall be disqualified from being appointed as independent member of the OASC if such a person conducts business in the outdoor advertising industry or is a member of any of the entities representing the outdoor advertising industry.
- (4) The term of office of OASC members appointed in terms this section shall be for a maximum period of 2 years.
- (5) The members appointed shall be remunerated on the terms and conditions determined by the City Manager.

8. Termination of membership of independent members of the OASC

- (1) An independent member of the OASC may resign by giving one month's written notice to the City Manager.
- (2) The City Manager may after following due process and after having afforded such a member a reasonable opportunity to make submissions, terminate that member's membership of the OASC if that member has:
 - (a) repeatedly failed to perform his or her functions efficiently; or
 - (b) failed to attend two consecutive meetings of the OASC without prior permission of the chairperson of the OASC.
- (3) If an OASC member, appointed at any time during his or her term of office, becomes disqualified to be an OASC member as contemplated in section 7(3) that member—
 - (a) must immediately, in writing, inform the City Manager and the chairperson of the OASC of that disqualification, and once the City Manager has been so informed, he or she must forthwith, in writing, remove that member as an OASC member ; and

- (b) may not attend an OASC meeting from the time he or she has so become disqualified until he or she is removed by the City Manager.

9. Evaluation of administrative compliance

- (1) Notwithstanding the role of the OASC, the Executive Director: Planning may appoint an administrator who shall be responsible for the following tasks:
 - (a) receiving and safekeeping all applications from the public, including, an electronic storage of each copy of the application received; and
 - (c) conducting an administrative compliance assessment of all applications in order to determine whether all the requisite documentation has been provided and thereafter compile an administrative compliance report for the OASC.
- (2) When evaluating applications, the OASC must firstly consider the Administrative Compliance Report and adopt the report with or without amendments.

10. Recommendations of the OASC and decision by the ED

- (1) In executing its functions in terms of subsection 6(7) above, the OASC may make any of the following recommendations to the Executive Director: Planning:
 - (a) acceptance of the application subject to any conditions it deems appropriate;
 - (b) seek further documentation on the application and thereafter make a final decision; or
 - (c) rejection of the application; or
 - (d) removal of any advertising sign that does not comply with the By-law; or
 - (e) imposition of fines for advertising sign that does not comply with the By-law.
- (2) In considering an application submitted in terms of section 4, the OASC must have due regard to the following:

- (a) the compatibility of the proposed advertising sign with the environment and with the amenity of the immediate neighbourhood, urban design and streetscape;
- (b) whether the proposed advertising sign will –
 - (i) have a negative visual impact on any property or a property zoned or used for residential purposes under any applicable town-planning or land use scheme; or
 - (ii) constitute a danger to any person or property or to motorists or pedestrians or obstruct vehicular or pedestrian traffic or constitute a traffic hazard in general;
 - (iii) in any way impair the visibility of any road traffic sign;
 - (iv) obscure any existing and legally erected advertising sign;
 - (v) obscure any feature which in the opinion of the OASC is a natural feature, architectural feature or visual line of civic, architectural, historical or heritage significance; or
 - (vi) in the OASC's opinion, be unsightly or objectionable or detrimentally impact on the architectural design of any building on the property concerned or any adjacent or nearby property.
- (c) The number of advertising signs displayed or to be displayed on the property concerned and on any adjacent property and its visibility in the circumstances in which it will be viewed in compliance with the minimum distances specified in this By-law.
- (d) Any restrictive or other condition and any existing building line and servitude specified in a title deed, town planning scheme, conditions of establishment or any other law;
- (e) Any comments/objections/representations submitted by and conditions determined or prescribed by any statutory authority in terms of any legislation applicable to outdoor advertising;
- (f) Any written representations, objections and comments received from any interested party;

- (g) Compliance with the provisions of this By-law or any other applicable law;
 - (h) Promotion and/or advancement of new SMME entrants in the outdoor advert
 - (i) Any other governance document as approved by the City and relevant to outdoor advertising.
- (3) In considering disputes relating to non-compliance with the By-laws, the OASC must adhere to the principles of *audi alteram partem* rule.
 - (4) Once the OASC has made a recommendation a full written record of the decisions must be submitted to the office of the Executive Director: Planning, who must make a final decision.
 - (5) The written record contemplated in subsection (4) above must include a report by the independent or neutral external persons outlining either concurring or dissenting with the majority decision of the OASC.
 - (6) The Executive Director: Planning may upon receipt of the recommendation by the OASC either approve or refuse or refer the recommendation back to the OASC for further considerations.
 - (7) The Executive Director: Planning must make the decision contemplated in subsection (6) above within 30 days of receipt of the OASC recommendations.

11. Approval of advertising signs

- (1) The approval of a sign in terms of these Bylaws must not be construed as approval in terms of any other act, ordinance, bylaw or regulation, and approval must be obtained in the manner prescribed in the relevant act, ordinance, bylaw or regulation.
- (2) The approval period of signs may not exceed a maximum period of 5 years.
- (3) Notwithstanding the maximum period stipulated in subsection (2) above, OASC may in exceptional circumstances and upon a properly motivated request by an applicant, recommend to the City's Council to grant an approval for a sign for a period of more than 5 years but not exceeding 9 years 11 months.

- (4) The exceptional circumstances that may warrant an approval period exceeding 5 years may include but not limited to the following:
 - (a) the nature and extent of the capital outlay for the sign in question;
 - (b) promotion and/or advancement of new SMME entrants to the outdoor advertising industry;
 - (c) xxx client to provide other considerations;
- (5) The City shall withdraw any approval given under this Bylaw where the relevant sign does not or ceases to comply with these Bylaws, or a condition imposed in such approval has not been complied with.
- (6) If an application submitted in terms of section 4 has been refused in terms of section 10(6), no further application may be lodged in respect of the same exact application site for a period of two years from the date of such refusal, unless a motivation is submitted in writing for approval indicating a change of circumstances.
- (7) If an advertising sign approved in terms of section 10(6) above is not completely erected within six months from the date of notification of such approval or within a time specified in such approval or any further period which the OASC on good cause shown allows in writing, the approval shall automatically lapse, whereafter a new application must be submitted in terms of section 4.
- (8) After the erection of an approved advertising sign, the applicant shall provide the OASC with a completion certificate by a registered engineer within 2 days of date of such erection.
- (9) The OASC must for its records retain every application, plans, drawings and other documentation submitted in terms of section 4 read with Schedule 1 for a period it considers appropriate.
- (10) No approval granted in terms of this section has the effect that –
 - (a) any person is exempted from any provision of any other law that might be applicable to outdoor advertising; or
 - (b) the owner of the advertising sign is exempted from the duty to ensure that such sign is designed, erected, completed, displayed and

maintained in accordance with the provisions of this By-law and any other applicable law.

- (11) The OASC shall consider the application on written submissions only and no formal oral hearing will be conducted.
- (12) A decision on a complete application shall be taken within 3 months of date of submission of the application, failing which, it shall constitute grounds for unreasonable delay and an appeal may be submitted in that regard in terms of section 15, if the applicant so wishes.

12. Withdrawal and amendment of approvals

- (1) The OASC may, after having considered any representations made in terms of subsection (2) below, withdraw an approval granted in terms of section 10(6) above or granted in terms of any previously repealed By-law or other legislation applicable to outdoor advertising or amend any approval by adding, amending or deleting a condition in respect of such approval if, in the opinion of the OASC, the advertising sign concerned –
 - (a) is or has, as a result of a change to the nature of the environment or the amenity of the neighbourhood, streetscape or urban design existing at the time of such approval, become detrimental to the area in which it is located by reason of its size, intensity of illumination, quality of design, workmanship, material or its existence;
 - (b) constitutes, or has become, a danger to any person or property;
 - (c) is obscuring any other approved advertising sign, natural feature, architectural feature or visual line of civic, architectural, historical or heritage significance; or
 - (d) has become prohibited in terms of these By-laws or any other law;
- (2) Prior to taking any decision in terms of subsection (1) above, the OASC must in writing notify the owner of the advertising sign concerned and the owner of the property on which such sign has been erected of its proposed decision

and that he or she may within 21 days of the receipt of the notice make written representations concerning the proposed decision.

- (3) The owner of the advertising sign concerned and the owner of the property concerned must forthwith be given notice in writing of any decision in terms of subsection (1).
- (4) The City must upon written request provide written reasons for its decision as contemplated in Section 5 of the Promotion of Administrative Justice Act, 2000.

13. Safekeeping of documentation for approved signs

- (1) The owner of a property upon which a sign or an advertising sign is erected, attached or displayed, must retain certified copies of all documentation relating to the application for approval of such sign in terms of this By-law and the approval of the City in terms of this By-law, for as long as that sign is erected or displayed, and must on request by an authorised official, present such documentation.
- (2) The owner of an advertising sign, who is not also the owner of the property or building on which such sign is displayed, must provide the owner of that property or building with a certified copy of all documentation contemplated in subsection (1), relating to such advertising sign.

14. Application for renewal of an advertising sign

- (1) Any application for renewal shall be submitted to the OASC for consideration in terms of section 4, within 5 months prior to the expiry of such an approved advertising sign.
- (2) The provision of sections 4, 5 and 6(2) shall apply mutatis mutandis to an application for a renewal of an existing advertising sign.

15. Outdoor Advertising Appeals Committee ("OAAC")

- (1) The City shall establish the Outdoor Advertising Appeals Committee which shall be responsible to hear and adjudicate on the appeals lodged against the decision of the Executive Director: Planning contemplated in section 10(6)

- (2) The OAAC shall consist of a minimum of 5 and such maximum number of members as determined by the City Manager who have the qualifications and or experience in one or more of the following areas:
- (a) Legal;
 - (b) Engineering;
 - (c) Environmental Science;
 - (d) Town Planning;
 - (e) Architecture;
 - (f) Land Surveying; and
 - (g) Outdoor Advertising Industry.
- (3) The OAAC members in subsection (2), must include such independent and/or impartial external persons by the City Manager to ensure fairness and promote transparency in the disposal of the appeal lodged.
- (4) The provision of sections 7 and 8 shall apply mutatis mutandis to the appointment and termination of independent and/or impartial members of the OAAC.
- (5) Any person whose rights and interests are affected by a decision issued by the Executive Director: Planning, may appeal against the decision of the Executive Director: Planning by lodging a written notice of appeal, specifying the grounds of appeal, within 21 days of the date on which he or she was notified of the decision.
- (6) The persons referred to in subsection (5) above shall be limited only to an applicant for advertising sign, persons who submitted comments or an objection or made representations in respect of any such application or person whose signs has been declared not to comply with this By-law or person who submitted comments or an objection or made representations in respect of an advertising sign that does not comply with this By-law.
- (7) The City shall give notice to all other interested parties, if any, that an appeal has been lodged and whether they want to make any further written submissions in respect of the appeal within 14 days of date of such notification.

- (8) The OAAC shall consider the appeal on written submissions only and must consider such appeal and make a recommendation to the City Manager, who shall make a decision thereon within 30 days after receipt of the OAAC recommendation.
- (9) The City Manager may uphold the appeal, with or without amendments, or dismiss the appeal.
- (10) The City Manager must forthwith after a decision has been taken in terms of subsection (9), in writing, notify the appellant thereof and any other interested parties, if any.

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CHAPTER 3

GENERAL REQUIREMENTS, EXEMPTIONS AND PROHIBITIONS

16. General requirements for advertising signs

- (1) The owner of an advertising sign must ensure that such sign is designed or located so as not to –
 - (a) be detrimental to the nature of the environment, streetscape, urban design or detract from the architecture of any building on which or where such sign is to be located, by reason of abnormal size, appearance, intensity of illumination, workmanship, design or its existence;
 - (b) wholly or partially obscure any other advertising sign previously erected which displays an advertisement;
 - (c) constitute a danger to any person or property;
 - (d) project outside the boundaries of the property on which it is to be erected or displayed;
 - (e) result in the removal of, or damage to, any trees in a public place without prior written authorisation of the Council;
 - (f) be unsightly and/or objectionable and not to comply with minimum distances as prescribed in in this By-law in relation to any other advertising sign;
 - (g) have a detrimental visual impact on any residential property within the immediate area;
 - (h) obstruct a fire escape or the means of access to or egress from a fire escape; or
 - (i) comply with the minimum clearance with regard to overhead power lines stipulated in any law.
- (2) The owner of the sign shall be held responsible for any damage or loss caused by the advertising sign and/or due to the display of the sign.

- (3) Any advertising sign on a public road/street or facing a public road/street, must comply with the following requirements:
- (a) except for street light pole and on-premises advertising signs, a minimum distance of a 100m must be maintained between approved advertising signs or advertisements on the same side of a public /road street or on private property, provided that the City may require a minimum distance exceeding 100m if it considers it necessary in the interest of road safety; and
 - (b) except for static on-premises advertising signs flat against a building, no advertising sign may be located inside a prohibited area at any on-and off-ramp of a motorway, and inside a prohibited area of an overhead road traffic sign targeting the same critical traffic direction, as depicted in Schedule 3¹.
- (3) Any advertising sign on a public /road street or facing a public street/road controlled by road traffic signs or signals must in addition to any other requirement in terms of this By-law or any other applicable law, comply with the following requirements:
- (a) no advertising sign may obscure or interfere with any road traffic sign or create a traffic hazard;
 - (b) any advertising sign must be clear of any road traffic signs concerned and must be positioned in compliance with the following:
 - (i) no free-standing on-premises advertising sign greater than 8m² in extent shall be allowed within a 100m from the nearest road traffic sign or signal at an intersection;
 - (ii) no street furniture used for advertising or a sign containing the name of a suburb and an advertisement at an intersection may be within 5m from any road traffic sign;
 - (iii) except for temporary construction site advertising signs and street furniture advertising signs, no other third party advertising sign may be positioned within 100m from the nearest road traffic sign or signal at an intersection.

¹ Schedule 3 to be considered and incorporated.

- (4) Traffic flow may not be impeded during the erection and maintenance of an advertising sign located in a public street, unless prior permission has been obtained and necessary precaution arranged with the City.
- (5) As a guideline, no freestanding third-party advertising sign on any property, except for those located in an advertising precinct², may exceed:
 - (a) in an area of partial control, 40m²; and
 - (b) in an area of minimum control, 120m².
- (6) Notwithstanding the guideline as set out in subsection (5) above, the City may approve an application in excess of the sizes stipulated in subsection (5) above on good cause shown.
- (7) The overall height of an advertising sign may not exceed 12m with a clear height of 2.1m, provided that the City may in granting an application in terms of section 4(1), approve a height in excess of the height stipulated in this subsection on good cause shown.
- (8) The following maximum luminance levels per square metre shall be applicable for all classes of advertising signs where illumination is permitted:

Illuminated area	Max. luminance
less than 0,5m ²	1 000 candela/m ²
0,5 m ² < 2m ²	800 candela/m ²
2 m ² < 10 m ²	600 candela/m ²
10 m ² or more	400 ndela/m ²

17. Power cables and conduits to signs

- (1) Every power cable and conduit containing an electrical conductor for the operation of an advertising sign must be so positioned and attached so that it is not unsightly.
- (2) No advertising sign may be connected to any electricity supply without the prior written permission of the electricity supply authority concerned and such permission must, on request by an authorised official, be presented to him or her by the owner of the advertising sign concerned.

² We must consult with client in order to understand the concept of advertising precinct and thereafter we will consider if it is possible to provide for this precinct in a constitutional manner.

18. Exempt advertising signs and advertisements

- (1) The following advertising signs and advertisements are exempt from the provisions of this By-law:
- (a) An advertising sign on a property where a building, swimming pool, tennis court, paving, fencing or garden landscaping or any other structure is in the course of being constructed, erected, carried out or altered and on which the activity concerned is described and the name of any architect, contractor or consultant concerned in such activity is displayed and the branch of the industry or the profession involved is specified, provided—
 - (i) only one such sign, or set of signs is permitted per street frontage of a property; and
 - (ii) such sign is placed on or affixed to the building concerned or attached to the boundary wall or fence of the property on which the activity is taking place; and
 - (iii) such sign may not exceed 8m² in extent with a maximum height of 6m, if the name of the architects, consultants and contractors or all of them are displayed; and
 - (iv) such sign may not exceed 2m² in extent if the names of the contractor, sub-contractor, or both of them, are displayed; and
 - (v) such sign is removed within 21 days of the completion of the activities contemplated in this paragraph;
 - (b) In an area of maximum control, an advertisement consisting of one metal plate or board not exceeding 600mm x 450mm in size, displaying the name, address and telephone number of a security company contracted to protect a property and firmly affixed to the boundary wall, fence or gate on the street of the property concerned;
 - (c) An advertising sign not exceeding 2m² in extent attached to a boundary wall or fence of a property on which the existence of a security company or protection service conducted on that property is displayed;
 - (d) A single advertisement not exceeding 600mm x 450mm in size on any street boundary of a property or portion of a property on which the existence of a security service or burglar alarm system is displayed;

- (e) An on-premises advertising sign comprising–
 - (i) a non-illuminated advertising sign not projecting over a public street and not exceeding 8m² in extent displaying the trade, business, industry or profession conducted by any occupant or resident of the building to which such sign is attached, and the name of such occupant and resident, the address and telephone number of the occupant and resident and the hours of business; provided only one such sign per occupant or resident is displayed; and
 - (ii) An illuminated advertising sign not exceeding 12m² in extent, incorporated in the face of a building and a sign forming an integral part of the fabric of a building, not on or attached to the building in any manner.
 - (iii) Street furniture advertisements not exceeding 2m²;
- (2) The following advertising signs and advertisements are exempt from compliance with the provisions of section 4 application process, but must comply with any other applicable provision of this By-law:
 - (a) Any advertising sign and advertisements associated with and displayed at or on public transport shelters and stations;
 - (b) A poster relating to voter registration for the purposes of an election displayed by the Independent Electoral Commission in terms of section 27 of the Electoral Act 73 of 1998;
 - (c) A poster advising of a national, provincial government or local government event or activity, subject to compliance with section 48 of the Electoral Act 73 of 1998;
 - (d) A poster advising of an event, activity, function or meeting organised by a registered political party, subject to compliance with section 67;
 - (e) An advertising sign provided for in terms of sections 10, 11, 12, 15(1), 18, 19, 20(1) and 23 and complying with the applicable requirements of those sections;
 - (f) An advertising sign not exceeding 2m² indicating the existence of a Block or Neighbourhood Watch System, Community board, displayed on a boundary wall or fence or in a position approved by the Council;

- (g) An advertising sign for hawkers once a permit has been issued in terms of the relevant by-laws which is limited to two signs per hawker and which must be removed daily at close of business of such hawker;
 - (h) Any advertising sign which has been erected in terms of a Council approved initiative in terms of a Council Resolution which is deemed to be in the public interest or which is deemed to be of local, Provincial or National interest.
- (3) Any advertising sign referred to in subsection (2) which does not comply with any provision of this By-law relating to such sign, may only be erected or displayed after approval of an application in terms of section 4.

19. Prohibited signs

- (1) In addition to any other prohibition, expressed or implied, in this By-law, no person may erect or display any advertising sign –
- (a) painted on, attached to, or attached between the columns or posts of, a veranda;
 - (b) which projects above or below a fascia, bearer, beam or balustrade of a veranda or balcony fronting on a public street;
 - (c) which is luminous or illuminated and which is attached to a fascia, bearer, beam or balustrade of any splayed corner of a veranda or balcony fronting on a public street;
 - (d) on calico, paper machete, plastic, woven or similar material unless –
 - (i) it is an advertising sign contemplated in sections 43 and 44;
 - (ii) it consists of a flexible face and forms part of an advertising sign approved in terms of section 4;
 - (iii) which is a swinging sign, not rigidly attached to any building or structure;
 - (iv) which may obscure, or be mistaken for, or interfere with the functioning of, a road traffic sign;
 - (v) which may endanger the safety of motorists by restricting their vision or line of sight;

- (vi) which is suggestive of indecency and/or prejudicial to public morals;
- (vii) which obstructs any window or opening in a building provided for the ventilation or natural light of that building or which obstructs any stairway or doorway or other means of exit from a building or which will prevent the movement of persons from one part of a roof of a building to another part thereof;
- (viii) which is an animated or flashing advertising sign, the frequency of the animations or flashes or other intermittent alternations of which may disturb the residents or occupants of a building or is a source of nuisance to the public or detrimentally affect or pose a risk or threat to road traffic or pedestrian safety;
- (ix) which is an illuminated advertising sign, the level of illumination of which disturbs the residents or occupants of a building or is a source of nuisance to the public or a portion of the public or detrimentally affect or pose a risk or threat to road traffic or pedestrian safety;
- (x) which is a movable either temporary or permanent advertising sign, other than those allowed in terms of this By-law;
- (xi) which is painted on or attached to a boundary wall or fence which wall or fence has not been approved as an advertising sign in terms of section 4;
- (xii) which is on a road island, excluding street light pole advertising signs;
- (xiii) which is attached to a security access control structure to any area property or building;
- (xiv) which is a painted third-party advertising sign onto the roof of any building;
- (xv) in the middle or on the median island of a motorway marked as such whether Provincial, National or local and it includes street pole advertising signs;

(xvi) against any telecommunication/cell mast or what is deemed to be infrastructure pylons.

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CHAPTER 4

CRITERIA FOR DIFFERENT TYPES OF ADVERTISING SIGNS AND ADVERTISEMENTS

20. Position and Spacing

- (1) The following advertising signs must be positioned and spaced in accordance with the requirements set out in Table 1 below:
- (i) billboards;
 - (ii) gantries;
 - (iii) product replicas and three-dimensional advertising signs;
 - (iv) flat signs,
 - (v) advertising on bridges,
 - (vi) landscape advertisements; and
 - (vii) all other relevant advertising signs as required by the City.

Table 1: Position & Spacing Requirements

Speed	Distances required between advertising signs visible from each other, measured from the nearest pole of the advertising signs	Distances required between advertising signs and road sign where the advertisement and content of the road sign are visible for the same direction of travel measured from the nearest pole of the advertising sign to the road sign, parallel along the road where the sign is located	Distance required from advertising signs to intersection measured from the nearest pole of the advertising sign to the centre of the cross road, parallel along the road where the sign is located
0 ≤ 60	250m	50m	50m
61 – 80	250m	50m	80m
> 80	250m	200m	100m
Spacing Requirements: Small Electronic Billboards			
0 ≤ 60	1,5km apart	50m	100m
61 – 80	1,5km apart	50m	200m
> 80	2km apart	200m	200m
All distances will be measured from the closest edge of the advertising sign to the relevant point.			

- (2) In addition to the requirements of subsection (1) , a single sided advertising sign must be displayed perpendicular to or at an angle that is easily readable for the oncoming traffic.
- (3) In the case of an advertising sign comprising of more than one side, the advertisement must be displayed with the axis of symmetry perpendicular to the direction of the oncoming traffic.

21. Billboards

- (1) The following criteria as included in **Table 2** will apply for billboards :

Table 2: Location, Size and Height

	Super Billboards	Large Billboards	Small Billboards	Electronic Billboards
Area of control	Minimum	Minimum / Partial	Minimum / Partial	Minimum / Partial
Size of advertisement	Larger than 40m ² up to and including 81m ²	Larger than 18m ² up to and including 40m ²	Larger than 4,5m ² up to and including 18m ²	Larger than 4,5m ² up to and including 36m ² . Larger than 37m ² up to 95m ² , conditions 14.4
Speed (where permitted)	Any speed	Only on roads with speed limits less than or equal to 80 km/h	Only on roads with speed limits less than or equal to 80 km/h	Only on roads with speed limits less than or equal to
Maximum Height of advertising sign	12,5m	10,5m	6m	7,5m
Billboards shall be permitted inside metropolitan road reserve or other Municipal owned land, with specific attention to:				
<ul style="list-style-type: none"> o Road Safety (Section 10), o Combination and clutter of advertising 				

- (2) The clear height of the billboard shall not be less than 2,4m.
- (3) An Environmental Impact Assessment (EIA) shall be required. Such assessment shall be conducted by a specialist being a competent professional environmental practitioner who is registered with a professional

body or association. Such EIA must include and contain Advertising Impact Assessment and Visual Impact Analysis in terms of the provisions of the Environmental Management Act, act 107 of 1998.

- (4) Illumination is only permitted if the road along where the billboard is located, is illuminated, and only if it does not constitute a road safety hazard or cause undue disturbance. No animation is permitted, except for small electronic billboards.
- (5) An advertising impact assessment (AIA) shall be required for an electronic billboard.
- (6) No super billboard or electronic sign shall be erected within a radius of 100m from the edge of any area of maximum control, measured from the nearest edge of the advertising sign, and no small billboard or large billboard shall be erected within a radius of 50m from the edge of any area of maximum control, measured from the nearest edge of the advertising sign.
- (7) If positioned in the road reserve, the billboard must be a minimum of 5m from the shoulder breakpoint of the road. In the event of a kerbed road, 4,5m will be permitted.
- (8) The horizontal clearance of the footing or the upright shall be reduced to 2,5m, and must then be protected by guard rails.
- (9) Be displayed between the angles of 90 and 60 degrees to the direction of the oncoming traffic.
- (10) Be spaced a minimum distance apart as required by Table 2 above the Road Traffic Safety Requirements sections of this bylaw.
- (11) If located at signalized traffic intersections: not be erected or displayed within 50m of the perimeter of the intersection if unilluminated; and within 80m of the perimeter of the intersection if illuminated.

22. Custom-made billboards

- (1) A custom-made billboard shall be not less than 18m² but not exceeding 81m² in sign area, and could feature special effects such as internal illumination, special character cut-outs and three-dimensional

representations as well as rotating or scrolling panels that provide a number of different messages in succession.

- (2) A custom-made billboard may only be permitted in areas of minimum control, with the exception of signs in this class not exceeding 36m² in area of partial control.
- (3) The clear height of the advertising structure shall be not less than 2,4m.
- (4) A custom-made billboard consisting of a single sign shall be displayed perpendicular to or at an angle of 30° to the direction of oncoming traffic.
- (5) In the case of two boards joined together, the advertisement shall be displayed with the axis of symmetry perpendicular to the direction of oncoming traffic.
- (6) A custom-made billboard may not be animated.

23. Building wrap signs

- (1) Building wrap signs will only be permitted in areas of minimum control.
- (2) The height of advertising signs allowed in this class shall not exceed the extremities of the outside walls of the building, and shall not exceed above the top of the building. The advertisement is not allowed within the first 6 metres from the natural ground level of the building.
- (3) The position and spacing requirements for this class of advertising signs are as follows:
 - (a) Not on top of, or above the walls of a building.
 - (c) Not project more than 1m from the walls of the building.
 - (d) Shall not be painted or pasted directly on any wall.
 - (e) Shall not encroach on the road reserve of any road at all.
 - (f) Shall preferably be affixed against a fire wall
 - (g) Shall not be closer than 3m from any opening that forms part of an emergency route.
- (4) These advertising signs shall be externally illuminated from the bottom or the top, but shall not be animated. Illumination will not be permitted where it will impact on areas of partial or maximum control.

- (5) The class consists of advertising signs fixed flat against any outside wall of a building made of vinyl mesh or similar material, in such a way that it will cover more than seventy percent of the total outside wall area of the building and that it will therefore create the perception that the building is wrapped in one advertisement.
- (6) An advertising impact assessment (AIA) shall be required.
- (7) It must adhere to all the requirements stated in the National Building Regulations and Building Standards Act, Act 103 of 1977, or as amended from time to time.
- (8) The advertising sign shall not obstruct any window, door, balcony, passage, staircase of a building, roof top, any means of egress to the fire escape, or any means of exit from a building or which will prevent the movement of persons from one part of a roof to another part thereof.
- (9) It shall not be used against a building's side which relies on ventilation by means of openable windows, breakable panels or where it can hamper or have a negative effect on mechanical or natural smoke ventilation systems.
- (10) The advertising sign, material and ink used on the sheet must be tested by an approved fire testing facility in South Africa. A test certificate must be submitted to the City for consideration.
- (11) Proof to the satisfaction of the City must be submitted to confirm that the building wrap will adhere to the Building Regulations and all the requirements.
- (12) In the case of construction or renovation of a building, an approval of a building wrap sign shall be for a maximum period of twelve months but renewable on such conditions as the Executive Director: Planning may determine.
- (13) A building wrap may only be displayed for the duration of the construction, renovation or maintenance work.
- (14) A building wrap may also be displayed for two weeks prior to and for the duration of an international sport, art or cultural events.

24. Gantry advertising signs

- (1) This class will only be permitted in areas of minimum control.

- (2) No gantry shall be erected within a radius of 100m from the edge of any area of maximum control, measured from the nearest edge of the advertising sign. Should the uprights of a gantry be positioned adjacent to areas of minimum and partial control respectively, the area of control will be classified as minimum control.
- (3) The size and height of advertising signs allowed in this class, are as follows:
- (a) Size of advertisement: 36m² to 81m².
 - (b) Maximum height from the road surface to the top of the advertising sign: 12,5m.
 - (c) Minimum clear height of the advertising sign from the highest point of the road surface: 5,7m; except in the event where the City shall prescribe additional clearance.
- (3) Criteria as included in Table 1 above apply, and in addition gantries must be spaced at least 1km apart on roads with a speed limit of ≤ 80kph if visible from each other.
- (4) This class consist of two types of gantries, namely:
- (a) A portal gantry is a structure which is mounted on both sides of a road surface within the road reserve.
 - (b) Dependant on the width of the roadway, a maximum of two equal sized advertisement panels with a maximum size of 81m² each shall be considered next to each other on the same gantry structure and double in aggregate for the reverse sides.
 - (c) The two advertisement panels shall also be positioned back to back to form one unit.
 - (d) A cantilever gantry is a structure mounted with an overhang onto a shoulder or a roadway, erected within the road reserve on the median of a divided dual carriageway. Dependant on the width of the roadway, a maximum of two equal sized advertisement panels with a maximum size of 81m² each shall be considered, and must be displayed back to back. If the back display area does not flight an advertisement, it must be cladded at all times for aesthetical purposes.

- (6) The horizontal clearance of the footing or the upright of the advertising structure must be a minimum of 5m from the shoulder breakpoint of the road. In the event of a kerbed road, 4,5m will be permitted.
- (7) The horizontal clearance of the footing or the upright shall be reduced to 2,5m, and must then be protected by guard rails.
- (8) Illumination of the sign is only permitted if the road along where a gantry is located is illuminated and only if it does not constitute a road safety hazard or cause undue disturbance. No animation is permitted.
- (9) An advertising impact assessment (AIA) shall be required for any gantry.
- (10) The structure is to display an advertisement/s on display panels of the advertising structures at all times for aesthetical purposes.

25. Product replicas and three-dimensional advertising signs

- (1) Product replicas and three-dimensional advertising signs will be permitted in areas of partial and minimum control.
- (2) The size and height of advertising signs allowed in this class, are as follows:
 - (a) Size: Partial Control: Vertical Maximum: 1,5m
Diameter Maximum: 1m Minimum
Control: Vertical Maximum: 2m
Diameter Maximum: 1,3m
 - (b) Height from ground level to the top of the advertising sign: Partial Control: 3m
- (3) A criterion as included in Table 1 above applies for advertising signs with non-locality bound advertisements.
- (4) The position and spacing requirements for this class of signs are as follows:
 - (a) The relevant Consent use or Town Planning Scheme is applicable.
 - (b) One sign per street frontage (maximum two per site).
 - (c) If at shopping centres, the number of signs can be considered by the City.
- (5) These advertising signs shall only be illuminated if the road is illuminated, animation shall not be permitted.

- (6) This class consists of product replicas and other three-dimensional devices used for the purpose of advertising and shall be free-standing or attached to a building. This advertising sign type shall be associated only with shopping centres, or other commercial areas, or industrial areas.
- (7) This class shall not include signage for small businesses on urban residential sites or on buildings that house residential home-under takings and community institutions.
- (8) Product replicas shall not dominate prominent architectural features of any building.
- (9) No product replica or three-dimensional advertising sign shall be erected within a radius of 100m from the edge of any area of maximum control, measured from the nearest edge of the advertising sign.

26. Roof signs

- (1) Roof signs will be permitted in areas of partial and minimum control.
- (2) The size and height of advertising signs allowed in this class, are as follows:
 - (a) Size of advertisement area:
 - (i) Partial / Minimum control: Maximum area: 18m² - 300m²
 - (ii) Height: shall not be higher than the height restriction in terms of the relevant Town Planning Scheme.
 - (b) The position and spacing requirements for this class of advertising signs are as follows:
 - (i) Only locality bound advertisements.
 - (ii) Maximum one advertising sign per building.
 - (iii) Bottom of sign not more than 120mm above roof.
 - (c) These advertising signs shall be illuminated, but not animated.
 - (d) This class consists of advertising signs which are fixed to the roofs of buildings lower than or equal to fifteen floors used or partly used for commercial, office, industrial or entertainment purposes, it shall also include any advertising sign consisting of a single line of free-standing, individual, cut- out, silhouetted letters, symbols or emblems.

- (e) No roof sign shall be erected within a radius of 100m from the edge of any area of maximum control, measured from the nearest edge of the advertising sign.
- (f) A roof sign shall not exceed 300 mm in thickness.
- (g) A roof sign shall not extend beyond the roof of the building in any direction.
- (h) The main axis of the roof sign shall be horizontal.
- (i) Roof signs may not obstruct the view or affect the amenity of any other building.

27. Veranda, balcony, canopy and under-awning advertising sign

- (1) Veranda, balcony, canopy and under-awning advertising signs will be permitted in all areas of control.
- (2) The height of signs allowed in this class are as follows:
 - (a) Clear Height: 2,4m
 - (b) Projection: 100mm
- (3) The position and spacing requirements for this class of signs are as follows:
 - (a) One per business façade.
 - (b) Shall be suspended above sidewalks
 - (c) Shall not extend above, below or beyond any extremity or a parapet wall, balustrade, railing, beam or fascia.
 - (d) These signs shall be illuminated but not animated.
 - (e) This class consists of balcony, veranda, canopy and under awning signs which are:
 - (i) Affixed flat onto or painted on a parapet wall, balustrade or railing of a veranda or balcony;
 - (ii) Affixed flat onto or painted on a fascia of a veranda or beam over veranda columns;
 - (iii) Affixed flat onto or painted on the fascia of a roof structure without walls such as a roof covering petrol pumps at a service facility (filling) station;

- (iv) Suspended below the roof of a veranda or balcony (under awning signs);
- (v) Placed on top of a roof or veranda;
- (vi) Affixed to or painted on a pillar, column or post supporting a veranda, balcony or a roof structure without walls; and
- (vii) Painted or printed on the fabric of a blind.

28. Vehicular advertising

- (1) Vehicular advertising will be permitted in all areas of control.
- (2) These advertising signs shall not extend beyond the edges of the vehicle.
- (3) The vehicle shall not be parked in the road reserve with the sole purpose of advertising.
- (4) These advertisements shall not be illumination or animated.
- (5) This class consists of advertisements on self-driven vehicles which are normally moving on land or water, including taxis, buses, trains and delivery vehicles.

29. Trailer advertising sign

- (1) A trailer advertising sign will be permitted in areas of partial and minimum control.
- (2) The size and height of advertising signs allowed in this class, are as follows:
 - (a) Size: Maximum area: Single-sided:18m² Double-sided: 36m²
 - (b) Height: Maximum 3,5m
- (3) The position and spacing requirements and some general conditions for this class of advertising signs are as follows to be determined by the City.
- (4) Shall be positioned in all urban road reserves under the jurisdiction of the City, excluding all freeways, Provincial and National roads.
- (5) Shall not be placed on a road median, road island or traffic island.
- (6) Shall not in any way interfere with the sight distances of motorists.

- (7) Shall not obstruct pedestrian movement.
- (8) At least 50m from the centre of the intersection.
- (9) Shall not be less than 250m apart.
- (10) These advertising signs shall not be illuminated or animated.
- (11) This class consists of an advertisement mounted on a trailer, bicycle or vehicle with the sole purpose of advertising shall only be displayed if it is mobile or displayed at a specific designated location as determined by the City.
- (12) Upon approval of an application for a trailer advertising sign, a disc will be issued by the City which must be displayed at all times on the trailer advertising sign itself.
- (13) No trailer advertising shall be placed in a street unless the prescribed license tariff is paid to the City.
- (14) The display period shall not exceed 6 months.

30. Advertisements on construction sites

- (1) Construction site advertising signs are permitted in areas of partial and minimum control.
- (2) The OASC must, for the purposes of considering an application for an advertisement to be displayed on the boundary or fence of or scaffolding on a construction site for a period as set out in the building schedule, have regard to the following considerations:
 - (a) the overall height of the advertisement to be displayed on the boundary or fence or scaffolding on a construction site shall be 3m, which may be increased on good cause shown and the size of the advertisement shall be at the discretion of the Council.
 - (b) may only be permitted on and be attached to scaffolding which is against a building under construction or on and attached to a hoarding, fence or wall on the boundary of a construction site as envisaged in regulation F1 of the National Building Regulations and Building Standards Act which has been erected to enclose that site during construction and which may not be a free standing advertising sign;

- (c) may only be erected if it will conceal an unsightly condition arising out of the use to which the property concerned is put and if such sign will make a positive contribution to the visual environment; and
- (d) may not be placed on the top of a boundary fence or wall unless it is positioned so that there is no gap between the advertisement and the wall or fence.
- (e) These advertising signs shall be externally illuminated from the top, but shall not be animated. Illumination will not be permitted where it will impact on areas of maximum control.
- (f) The class consists of advertising signs fixed flat against any fence or wall where such fence or wall forms the boundary of a site where construction work is being carried out, or affixed to walls of unoccupied buildings undergoing construction, renovation or maintenance, or affixed to a multi- storey parking garage, or against the scaffolding erected for that purpose to conceal unsightly construction.
- (g) An advertising impact assessment (AIA) shall be required.
- (h) A construction site building wrap or advertising signs attached or affixed to boundary fences of construction sites, are to be uniform in size and aesthetically pleasing.
- (i) Proof to the satisfaction of the OASC must be submitted to confirm that the building or site is under lawful construction.
- (j) It will only be permitted for a period of twelve months, or for the duration of the construction, renovation or maintenance work whichever is the shorter. Thereafter, the approval can be renewed subject to a new application submitted and in terms of conditions as the AEC deems fit.

31. Estate agent signs

- (1) Estate agent signs will be permitted in all areas of control.
- (2) The size and height of advertising signs allowed in this class, are as follows:
 - (a) Maximum size: Non-residential vacant erf /Commercial or Industrial Property: 12m² Commercial or industrial property along streets with a speed limit ≤80km/h: 18m²

- (b) Maximum Height: Non-residential vacant erf / Commercial or Industrial Property: 5,5m Size: All other signs: 0.6m x 0.45m
- (3) The position and spacing requirements for this class of advertising signs are as follows:
- (a) Placed close to a boundary fence or within boundary of erf for residential properties.
 - (b) Placed within the boundary of the erf for Non-residential vacant erf / Commercial or Industrial Property
 - (c) Maximum one advertising sign per agency per street front.
 - (d) Maximum three advertising signs per erf per street front for residential properties
 - (e) Maximum five advertising signs per erf per street front for non-residential vacant erf/land, commercial and industrial property.
 - (f) Non-residential vacant erf/land, commercial and industrial property will not be permitted in the road reserve.
- (4) These advertising signs shall not be illuminated or animated.
- (5) This class consists of advertising signs which are temporarily displayed, by the owner or its agent, to advertise the fact that land, premises, development or any other form of real estate is for sale, to let, sold or on show.
- (6) All advertisements in this class shall contain only the words 'For Sale', 'To Let', 'Sold' or 'On Show' and the name, logo, address and telephone number of the selling agent or letting agent.
- (7) The erection of 'On Show' estate agents' signs on streets reserves shall be permitted on Saturdays, Sundays, and public holidays from 05:00 on condition that they be removed before 20:00 on that day.
- (8) An advertising sign shall consist of a single sign or two duplicate signs joined at an angle of 120°.
- (9) The advertising signs must be placed at or affixed to the building concerned, or attached to the boundary fence of the premises concerned, or displayed within the boundaries of such premises, or in the event of an advertising sign for residential purposes, the advertising sign shall be displayed on the

sidewalks to a maximum of 1 metre away from the boundaries of such premises.

- (10) "On Show" estate agent signs shall be allowed to be displayed within the road reserve in the event of the advertising sign being a residential advertising sign. Advertising signs shall not be displayed on road islands or medians. 'On Show' signs shall be displayed from the nearest Class 3 road with no less than 60m intervals between the signs, and no more than 10 signs being displayed at any one time. This includes "On Show" signs for new developments.
- (11) All 'For Sale' and 'To Let' signs must be removed no later than 3 days after completion of the sale or granting of the tenancy.
- (12) 'Sold / Let' signs shall be displayed for a period not exceeding 30 days after completion of the sale or letting.
- (13) 'On Show' signs for new developments shall be erected for a period of six (6) months where after an extension of an additional six (6) months shall be obtained at the discretion of the OASC. All such signs must display a sticker obtainable from the City confirming legality.
- (14) No advertisement relating to the sale, show or lease of a fixed property shall be displayed in any manner or in view of any street, unless the prescribed annual license tariff is paid, particulars of the concerned estate agency are recorded on a database, and the necessary prescribed license is issued by the City.

32. Street name advertising signs

- (1) Street name advertising signs will be permitted in area of maximum, partial and minimum control.
- (2) The size and height of advertising signs allowed in this class, are as follows:

Street name sign (GL1 signs):

Rectangular in shape according to SADC RTSM (Southern African Development Control, Roads Traffic Signs Manual) requirements.

Minimum Length: 500mm.

Maximum Length: Determined by the street name length and type of sign. Width (height): 300mm.

Advertisement panel:

Rectangular in shape, either in a landscape or portrait format. Minimum

Area:

1,00 m².

Maximum Area: 1,68 m².

Horizontal measurement: Between 0,8m and 1,6m. Vertical

measurement: Between 1,0m and 1,6m.

Clear Height: Minimum of 2,1m to the street names. Only one advertisement per side will be permitted.

- (3) The position and spacing requirements for this class of road sign combined with an advertisement panel are as follows (should also adhere to SADC RTSM, GL1 sign requirements):
- (4) Street name section below advertising panel, but not closer than 200mm.
 - (a) Shall not extend over the road surface.
 - (b) It shall not be located directly in front of, or behind a road traffic signal.
 - (c) Must be located as far as possible in the far left corner of the junction of two streets, for both directions of traffic, specifically for the main roads. It will therefore be positioned diagonally.
 - (d) Maximum two illuminated advertising signs diagonally opposite one another per intersection. At junctions of lower order roads, one street name sign (combined with an advertisement panel) will normally be adequate.
 - (e) Inside urban road reserve (the City roads only), but not on freeways, any Provincial or National road, road medians or road islands, and it should take into consideration the traffic movements, other road traffic signs and street furniture.
 - (f) Shall not be erected closer than a minimum of 0,5m from the edge of the advertising sign to the vertically projected edge of the shoulder of the road; and 0,3m from a cycle path, footpath or sidewalk.
 - (g) Shall not interfere with the sight distances of motorists or obstruct pedestrian movement.
- (4) These advertising signs shall be illuminated as follows:

- (a) Internal illumination of the advertising sign shall not exceed the luminance intensity of the street name section.
 - (b) Illumination only permitted if it does not lead to unsafe driving conditions, or does not have detrimental effect on the surrounding area and where it is specifically not prohibited.
 - (c) These advertisements shall not be animated and shall not flash.
- (5) This class consists of pole-mounted street name signs (road traffic signs – GL1 sign as defined in the SADC RTSM), carrying double-sided advertisements, which shall be internally illuminated, displayed in combination with street name signs in the urban environment.
- (6) These advertising signs will constitute an important service to both the motorist and the pedestrian in locating such facilities and functions.
- (7) The street name must be in black letters on a white background.
- (8) Any street name on the advertisement panel must be smaller and less conspicuous than the street name on the actual street name panel.
- (9) The layout of the advertisement must be of such a nature that it shall not be misunderstood to represent a road traffic sign, due to any factors such as:
- (a) a combination of colours and type of arrows as used for road traffic signs,
 - (b) symbols used on road traffic signs, or
 - (c) a combination of colours specified for road signs.
- (10) The layout of the advertisement shall also not encourage U-turns.
- (11) Only one advertisement per side of the advertising sign, will be permitted. Each advertisement, per side, shall not be split to accommodate two (2) or more advertisements.

33. Forecourt signs

- (1) A forecourt sign may be displayed in all areas of control or in a center of economic activity.

- (2) The total sign area of all free-standing forecourt signs shall not exceed 5,0 m² on each forecourt frontage, except in the case of filling stations and roadside service areas, where it shall not exceed 8,0 m².
- (3) In the case of filling stations and roadside service areas, additional non-free standing signs with a maximum area of 1,5 m² per sign may be allowed if attached to fuel pumps, vending machines and other non-advertising structures.
- (4) A forecourt sign may be free-standing, except for a sign attached to a fuel pump, vending machine or other non-advertising structure in a filling station or roadside service area.
- (5) A forecourt sign shall not be displayed in a road reserve and may not interfere with pedestrian circulation.
- (6) A forecourt sign shall not be movable.

34. Stack signs

- (1) A stack sign shall only be permitted in areas of minimum control zoned for industrial and/or commercial use in terms of the relevant Town Planning Scheme.
- (2) The maximum height of a stack sign shall not exceed 7,5m except by means of an application for a relaxation of height restriction in terms of the relevant Town Planning Scheme or policies, as the case may be, as amended from time to time.
- (3) The minimum clear height of a stack sign shall be 2,1m.
- (4) The width of a stack sign shall not be less than 2,1m and not more than 3,0m.
- (5) The vertical dimension of individual panels shall not be less than 1m and no more than five panels shall be permitted per side of sign.
- (6) Advertising panels may not be reflective.
- (7) No more than two stack signs shall be permitted in close proximity to any intersection.
- (8) A stack sign may be double-sided.
- (9) A stack sign may not be illuminated or animated.

35. Tourism signs

- (1) Tourism signs are permitted in all areas of control.
- (2) Tourism signs may be displayed within road reserves.

36. Development signs

- (1) A development sign requires the specific consent of the City.
- (2) A development sign shall display only:
 - (a) a visual representation or description of the building or structure being erected or other work or activity being carried out;
 - (b) a visual representation or description of the development being carried out;
 - (c) where relevant, details of the type of accommodation being provided, floor space available and the name, address and telephone number of the developer or the agent of the developer.
- (3) A development sign shall not exceed a sign area of 36m².
- (4) Only one development sign per road frontage shall be allowed per site.
- (5) The clear height of a development sign shall not be less than 2,4m.
- (6) A development sign may be illuminated but not animated.
- (7) A development sign can only be displayed on the particular development site while the relevant works are taking place on the site.

37. Service facility signs

- (1) A service facility sign shall refer only to the types of services provided at such a facility.
- (2) A service facility sign shall be locality-bound and shall be erected or displayed only in service facilities adjacent to and directly accessible from a road at which the sign is directed. Only one such sign per direction of traffic flow will be allowed, and only one service facility sign shall be allowed on the premises of a filling station or roadside service area.
- (3) Service facility signs may be permitted in all areas of control.

- (4) A service facility sign shall be a maximum of 7,5 m in height. A height increase to 10 m can be considered subject to the approval of an application for a height restriction relaxation in terms of the relevant Town-planning Scheme as amended from time to time.
- (5) A service facility sign shall not be animated.
- (6) A service facility sign in an area of maximum control may be illuminated during the facility's business hours.
- (7) A service facility sign may not exceed 2 m in width; and may not exceed 3 m in width if a height relaxation has been approved by the City.
- (8) Advertisements on a service facility sign shall refer only to the name and logo of the business providing the service and the type of service provided.
- (9) A maximum of 8 advertising panels shall be permitted per service facility sign and only one business or service shall be permitted per advertising panel.

38. Tower and Bridge Signs

- (1) A tower or bridge sign shall not be erected or displayed in a natural area or an area of maximum control, or on a freeway in any area.
- (2) A maximum of only 2 signs per tower or bridge shall be permitted.
- (3) A tower or bridge sign shall not exceed a sign area of 18 m² per face per structure.
- (4) The maximum height of a tower sign shall not exceed 7,5 m.
- (5) The clear height of a tower sign shall be not less than 2,4 m.
- (6) The clear height of a bridge sign shall be not less than 5,2 m.
- (7) A sign shall not project more than 300 mm from the main supporting structure.
- (8) The sign shall form an integral part of the design of the structure.
- (9) A tower to which a sign is to be attached shall be independently supported without the aid of brackets or other restraining devices, and shall be properly secured to an adequate foundation in the ground.

39. Projecting signs

- (1) Any projecting sign must be set at right angles to the building line and must maintain a clear height of not less than 2,75m.
- (2) Subject to the provisions of subsection (3), no sign contemplated in subsection (1) may either exceed 600mm in height, 300mm in thickness nor project more than 900mm from the building to which it is attached.
- (3) A projecting sign larger than that specified in subsection (2) may be erected, subject to compliance with the following requirements:
 - (a) such sign must be constructed of metal framing and covered with metal sheeting;
 - (b) such sign may not exceed 9m in height or project more than 1.5m from the building concerned, or in the case of a sign consisting only of the name of a building used for the public, 14m in height or project more than 1.8m from the building concerned;
 - (c) such sign must be supported by at least four iron brackets firmly fixed to the building concerned, any two of which must be capable of carrying the entire mass of the sign; and
 - (d) such sign must be adequately protected from wind pressure by the use of effective braces and stays.

40. Pylon signs for on-premises advertising

- (1) Any pylon must be independently supported and for that purpose it must be firmly secured to an adequate foundation in the ground and be entirely self-supporting without the aid of guys, stays, brackets or any other restraining device.
- (2) The dimensions of a pylon and its associated advertising sign must be such that the entire assembly, whether stationary or actuated, can be contained within a notional vertical cylindrical figure having a diameter of 9m and a height of 12m.
- (3) No activated or protruding part of a pylon sign or of an advertising sign associated with it may be less than 2.4m above the highest point of the existing ground level immediately below that pylon.

- (4) No free standing advertising sign as contemplated in subsection (1) shall have a single advertising display exceeding 18m² and 24m² for a combination of such signs.

41. Advertising signs placed flat on buildings or painted on a wall of a building and bridges

- (1) No on-premises advertising sign contemplated in this section, may exceed 40m² in extent in an area of partial control, and 80m² in an area of minimum control.
- (2) No third party advertising sign contemplated in this section may exceed 80m² in an area of partial control, and 200m² in an area of minimum control.
- (3) Notwithstanding the provisions of subsection (1) and (2), it may in an approval in terms of section 4 be permitted or required that the dimensions of any such sign be greater than those specified in those subsections, if-
 - (a) it is in the interests of the aesthetic appearance of a building or wall on which an advertising sign is placed and of the neighbourhood where such building or wall is situated, if the building or wall is situated in appropriate areas of either partial or minimum control;
 - (b) it is in the Inner City as indicated in the City's Spatial Development Framework and the approval of such sign in terms of section 4 is subject to an annual prescribed financial contribution to be utilised for any Inner City Renewal project.
- (4) Any advertising sign displayed against any bridge may not exceed 30m² in extent in an area of partial control and 45m² in extent in an area of minimum control.

42. Signs relating to the development of townships and properties

- (1) An advertising sign exempted in terms of section 15(2) and relating to the development of a township or property and the disposal of property in a township may be displayed, provided the following requirements are complied with:
 - (a) If such advertising sign relates to the laying out or development of any land as a township or for the disposal of any erven in a township or a property development –

- (i) it may not be erected prior to the land-use rights being promulgated in terms of the Townships and Town-planning Ordinance 1986 (Ordinance 15 of 1986) or any other applicable law; and
 - (ii) may not exceed 40m² in an area of partial control and 80m² in an area of minimum control and an erected height of 12m;
 - (iii) any such advertising sign must be removed within 90 days of a development being completed or in respect of a property for sale or to let, within seven days after the sale or letting concerned.
- (b) If an advertising sign contemplated in this section does not comply with subsection (1), an application for approval of such sign must be made in terms of section 4.
- (i) such advertising sign must be located on the site of the proposed township or property development; and

43. Sky signs

- (1) Notwithstanding section 19, a sky sign may be erected on a building where the main use is residential or which is used as a residential building as long as the sign has no visual impact on the occupants of the building itself or any other building in the immediate area which is used for residential purposes or as a residential building.
- (2) Two or more sky signs placed one above the other, whether or not in the same vertical plane, are for the purposes of this section, deemed to be one such sign.
- (3) In an area of minimum or partial control as specified in this By-law, every sky sign must be set against a screen complying with the requirements of subsection (7).
- (4) No part of a sky sign may protrude beyond, above or below the edge of the screen required in terms of subsection (2).
- (5) No sky sign may exceed 500m² in extent: provided that the City may for a third party advertising sign allow a greater extent.

(6) If the number of storeys contained in that part of a building which is directly below a sky sign is –

(a) one to five storeys; or

(b) six or more storeys,

the vertical dimension of such sign may not exceed 3,0m and 5,0m respectively: provided that the City may in terms of section 4 approve a third party advertising sign which is a sky sign with a greater dimension.

(7) Every screen for a sky sign contemplated in this section must comply with the following requirements:

(a) every screen must be located and constructed to form a continuous enclosure effectively concealing the frame and the structural components of any sky sign from view, and, if it is required or allowed in an approval in terms of section 4(2) –

(i) such screen and structural component must be screened from any adjacent or other property;

(ii) the provisions of paragraph (a) requiring a continuous enclosure may be relaxed if the walls of any building on a property contemplated in sub-paragraph (i) are of a height and construction that such walls will effectively conceal such frame and structural components and do not contain openings overlooking them.

(b) unless the City otherwise allows, no part of a screen may protrude beyond the perimeter of the building on which it is constructed;

(c) the gap between the bottom of a screen and that part of the building immediately below it may not exceed 100mm;

(d) no vertical dimension of any screen may exceed one-and-one-half times the vertical dimension of a sky sign specified in this section;

(e) provided that if the screen also encloses a lift motor room, tank or other structure on the roof of the building concerned, the vertical dimension of the screen may be increased to the same height as such room, tank or structure; and

- (f) if the material of which the screen is made has an open mesh or grid formation –
 - (i) the openings in such mesh or grid must be uniform; and
 - (ii) the aggregate area of the openings may not exceed 25% of the area of the screen; and
 - (iii) no dimension of any such opening may exceed 100mm: Provided that the City may allow the erection of a screen not complying with this paragraph, if the requirement of concealment in terms of paragraph (a) is met.

44. Advertising signs depicting name, profession or occupation at residential buildings, dwelling houses and dwelling units

An advertising sign not exceeding 2m² specifying the name, profession or occupation of an occupant of the residential building, dwelling house or dwelling unit may be displayed by attaching the signs to a boundary wall or fence at or against the entrance door of such a residential building, dwelling house or dwelling unit.

45. Sun-blind advertisements

- (1) An advertisement on any sun-blind exempted in terms of section 18, may be displayed without the approval of the City as envisaged in section 18, subject to compliance with the following requirements:
 - (a) a sun-blind must be so erected, positioned and attached to a building that it is incapable of being lowered to a height lower than 2m above the footway or pavement of a public street;
 - (b) except at an intersection, a sun-blind must be placed parallel to the building line of the property concerned; and
 - (c) at any intersection a sun-blind must be placed so that it does not cause any interference with or endanger vehicular or pedestrian traffic, or a traffic sign, street nameplate or other notice for the guidance or information of the public.

46. Advertisements on banners, flags and similar objects

- (1) An advertisement on any banner, streamer, flag, paper, paper machete, plastic sheet or other similar pliable material or on calico or other woven material may only be displayed for the following purposes:
 - (a) advertising a function or event conducted for religious, educational, social, welfare, animal welfare, sporting, civic or cultural purposes, or a function or event relating to an election and no third-party advertising shall be allowed.
 - (b) An advertisement envisaged in subsection (1) above must comply with the following requirements:
 - (i) banners (limited to 6m²) and/or flags as envisaged in subsection (1)(a) shall be limited to 4 each for the same function or event and must, subject to section 58, be attached to a pole or suspended between poles or other supports but may not be suspended across a public road;
 - (ii) banners and/or flags as envisaged in subsection (1)(a) above shall only be displayed within the relevant property boundaries; and
 - (iii) banners and flags as envisaged in subsection (1)(a) may not be displayed for more than ten (10) days prior to the date of the function or event advertised and must be removed within four (4) days after the conclusion thereof.

47. Advertisements on blimps

- (1) The City must, for the purposes of considering an application for approval in terms of section 4 of an advertisement to be displayed on a blimp, have regard to –
 - (a) the size of the blimp;
 - (b) the strength of the anchorage and the anchoring cable;
 - (c) the provision of a device by means of which the blimp will automatically so deflate as to sink slowly to the ground in the event of the failure or severance of the blimp from its anchorage or anchoring cable;
 - (d) the possibility of interference with pedestrian or vehicular traffic;

- (e) any requirement or condition prescribed by the Department of Civil Aviation, including the maximum height to which the blimp must be restricted; and
- (f) the location of the blimp.

48. Signs incorporated into the fabric of a building

- (1) Signs incorporated into the fabric of a building is permitted in all areas of control.
- (2) The building or structure or any external face of such building or structure shall not be used principally for the display of signage.
- (3) Signs incorporated into the fabric of a building shall, in the opinion of the OASC be visually and architecturally integrated in the building or structure.

49. Street furniture

- (1) Street furniture signs shall not be placed so as to obstruct pedestrian movement.
- (2) Street furniture signs may be illuminated but not animated.
- (3) A single face of a street furniture sign shall not exceed 2,2 m² in sign area.
- (4) Street furniture signs may be used for commercial advertising

50. Signs for sale of goods or livestock

- (1) The size of such a sign shall not exceed 2m² in a natural area or an area of maximum or partial control, and 2,8m² in an area of minimum control.
- (2) The advertising structure shall not exceed 3m in height.
- (3) The sign shall be displayed only on the premises where the advertised sale is to take place, or be attached to the boundary fence or wall of such a premises.
- (4) No illumination or animation of the sign shall be allowed.
- (5) The sign shall be erected no earlier than 14 days before the sale in question and must be removed not later than one day after such sale.
- (6) Signs of a permanent nature are not allowed.

- (7) The sign shall not be displayed on the road reserve.
- (8) The date of the sale shall be displayed on the sign in letters of not less than 50 mm in height.

51. Signs on municipal property

- (1) No person may in any manner whatsoever destroy, harm, damage or disfigure or deface the front or frontage of any municipal property, land, rock, tree or other natural feature or the front or frontage or roof of any building or structure during construction of or by the display or use of a sign or during the writing or painting of any sign.
- (2) If a sign or its display is erected on municipal property, which property is required for municipal purposes after approval was given the City 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:
 - (a) to withdraw its consent for the display of a sign;
 - (b) to amend any condition relating to the display of a sign;
 - (c) to impose a further condition to the display of a sign; or
 - (d) to order that the display of the sign be discontinued.

52. Signs for a road traffic project

- (1) Sponsored road traffic projects will be permitted in all areas of control.
- (2) The size and height of advertising signs allowed in this class, are as follows:
 - (a) Size: Maximum area 4,5m²
 - (b) Height: Maximum 3m
 - (c) Sponsor name or logo: Maximum of $\frac{3}{4}$ of total advertisement area.
- (3) The position and spacing requirements for this class of advertising signs are as follows:
 - (a) Inside all metropolitan road reserves but not on road island or median.
 - (b) Spacing if on same side of road: 1km.

- (c) Not combined with or attached to road traffic sign.
 - (d) No road traffic sign or symbol used in any road traffic sign shall be used.
- (4) These signs shall not be illuminated or animated.
- (5) This class consists of advertising signs relating to the sponsoring of projects specifically intended for road users aimed at the provision of road services, the promotion of road safety or the management and conservation of road side environments.

53. Loose portable signs

- (1) Portable advertising signs will be permitted in all areas of control.
- (2) The position and spacing requirements and some general conditions for this class of advertising signs are as follows:
- (a) In forecourts of businesses or on sidewalk in front of business premises.
 - (b) Free-standing and moveable.
 - (c) Not be positioned in such a way as to interfere with pedestrian circulation.
- (3) These advertising signs shall not be illuminated or animated.
- (4) 50 This class consists of moveable free-standing temporary advertising signs displayed in forecourts of business and on sidewalks in front of business premises to draw attention to any commercial services, goods for sale, or other services available at the premises.
- (5) A maximum of one sign is permitted per business only during business hours, and must be removed from the forecourt or sidewalk on close of business at the end of normal trading hours.
- (6) Hand-written messages are permitted on signs provided for this purpose.
- (7) No portable advertising sign shall be displayed in any manner or in view of any street, unless the prescribed annual license tariff is paid, particulars of the concerned business is recorded on a database, and the necessary prescribed license is issued by the City.

(8) Upon approval of an application for a portable advertising sign, a disc will be issued by the City indicating the period for which approval is granted. The disc must be displayed at all time on the portable advertising sign.

(9) This class is subject to the approval of the City.

54. Functional signs by public bodies

(1) A functional sign by a public body may not exceed 6 m² in area, except with the specific consent of the City if justified by circumstances.

(2) The letter size of all information on the sign may not be less than 20 mm in height.

(3) Illumination may be provided if there is a need for information or directions to be read after dark.

(4) A functional sign by a public body may not be used for the purpose of commercial and/or competitive advertising.

(5) A functional sign by a public body is permitted in all areas of control.

(6) A functional sign by a public body may not be of a temporary nature and specifically excludes banners and posters.

55. Signs by NPO

(1) In the application to be submitted written details from the host non-profit body regarding the nature and extent of the support to be received from the erection or display of the sign must be delivered to the City.

(2) The extent of involvement of previous disadvantaged communities, small businesses, job creation and empowerment will be considered in any proposal.

(3) Any proposal will be evaluated based on the requirements of the By-Law and the public or community goal benefit which is being met, the design contribution, the creativity and public safety and the adherence to the principals and/or stipulations in the By-Law as opposed to the largest advertising opportunity and/or financial gain. In addition, the permanence of the contribution to the goal of the non-profit body will be taken into account.

(4) Signs with a political content will not be permitted

- (5) The maximum size of any such sign is 6 m x 3 m provided in the event of a V-shaped sign being proposed, its maximum size will not exceed two panels of 6 m x 3 m each.
- (6) Applications for billboards to be erected in terms of this section must comply with the requirements.
- (7) No sign erected in terms of this clause shall be located within 5 m of a property's boundary lines.
- (8) The name of the non-profit body must be displayed prominently along the top width of the sign with a maximum 300 mm lettering height
- (9) A public participation process has been held with all parties to be affected by the erection and/or display of such sign.
- (10) The City may require submission of an environmental impact assessment and/or traffic impact assessment and/or heritage impact assessment in accordance with its guidelines thereon.
- (11) No more than two individual signs of 6 m x 3 m each shall be permitted, or alternatively one V-shaped sign with a maximum size of two panels of 6 m x 3 m each on any one property. In addition, only one sign per street frontage will be permitted.

56. Handbills, Leaflets, Pamphlets and Community Newspapers

- (1) Handbills, leaflets, pamphlets, community newspapers and similar promotional material shall only be distributed from door to door, post boxes or from within shops and privately controlled areas. Distribution of these materials is not allowed within any road reserve.
- (2) Election material and pamphlets regarding important local, national and international events are excluded from the provisions of this section as these materials can be distributed in public places.
- (3) This advertising sign may be distributed in all areas of control in urban, rural and natural environments.
- (4) Handbills, leaflets and pamphlets shall not be larger than A4 size.

- (5) The handing-out of handbills, leaflets and pamphlets at road intersections and in any pedestrian environment is prohibited as it causes litter and creates a traffic hazard at intersections.

57. Murals

- (1) Signs painted on walls shall only be permitted in areas of minimum control.
- (2) Signs painted on roofs shall be limited to text and no pictures or logos shall be allowed on the roof of any building.
- (3) Signs painted on the facade of a building shall not cover more than 20% of the ground floor facade of the enterprise to which such sign pertains.
- (4) No more than one sign per enterprise shall be allowed and no more than one locality bound sign per wall shall be allowed.
- (5) Signs painted on the facade of a building shall be allowed only at a position below the lower edge of any visible second-floor window.
- (6) Signs painted on Walls and Roofs of historical buildings used or partly used for commercial, office, industrial or entertainment purposes or for larger accommodation facilities shall conform to the architectural style of the relevant buildings and to sign style and practices of that specific historical period.
- (7) The height of letters painted on roofs in rural areas of maximum control and urban areas of partial control shall not exceed 1,5 m.
- (8) In areas of maximum control (urban, rural and natural area), a maximum of 2 signs are allowed
- (9) In areas of partial control (urban area), a maximum of 3 signs are allowed
- (10) In areas of minimum control (urban area), a maximum of 3 signs are allowed

58. Street pole advertising

- (1) The information displayed should be limited to product and enterprise logos with no or limited text. This condition should be applied very strictly and advertising contractors should accept co-responsibility to ensure that this condition is applied.

- (2) Advertisements covering events should not be included in this category due to the length of messages needed for this purpose.
- (3) This sign shall not be erected along urban roads with a speed limit above 60 km per hour.
- (4) Street pole advertisements shall not be used as directional signs.
- (5) Should the use of text be utilised, it should be in bold type and not smaller than 70 mm in height.

59. Security signs

- (1) This type of advertising sign may be erected in all areas of control in urban, rural and natural environments.
- (2) Security signs may contain the following information:
 - (3) The name of the security scheme
 - (4) The nature of the security services provided
 - (5) The name, logo and contact number of the security company.
 - (6) General words of caution
- (7) The position and spacing requirements for this class of signs are as follows:
 - (a) Security services signs:
 - (i) One advertising sign per street frontage firmly affixed to the building, boundary wall, fence or gates or on the stand. Minimum spacing of one per 30m length of street boundary.
 - (ii) The sign may not exceed 0.35m² in size and 2m in height.
 - (b) Farm watch advertising signs:
 - (i) This sign may be erected at the junction or intersection of a public road and private access road or at the entrance to an individual farm. Only one advertising sign per farm shall be permitted.
 - (ii) The sign may not exceed 1.5m² in size and 2.5m in height.
 - (c) Neighbourhood watch advertising signs:

- (i) Within a municipal road reserve, at the points where the watch areas are entered. Not on a road island or median.
 - (ii) The sign may not exceed 0.35m² in size and 2m² in height.
- (8) The advertising sign shall only refer to the existence and operation of a neighbourhood watch, commercial security service, burglar alarm system, farm watch and similar watch schemes.
- (9) No Security Sign shall be bolted onto any wall of a historical building or attached to such walls in any manner that will cause damage thereto.
- (10) Illumination or animation shall not be allowed. Retroreflective material may be used for farm watch schemes.
- (11) No Security Sign shall be allowed within a road reserve with the following exceptions:
 - (a) where entrances to security schemes are controlled or defined by structures such as gates, guardhouses or booms within a road reserve; or
 - (b) where a security scheme is entered in the absence of any entrance or control structure such a scheme may be indicated by means of a free-standing sign positioned within the road reserve

60. Fence advertisements

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

- (a) a sign may not be placed on the top of a fence or wall unless it is positioned to rest directly thereon; and
 - (b) a sign may not project more than 100 millimeters to the front of the wall or fence to which it is affixed.
- (4) Illumination or animation of a sign is not permitted.
 - (5) A sign may not be painted or pasted directly onto a construction site boundary wall or fence and poster signs must be enclosed within definite panels.
 - (6) Signs displayed on a fence or wall must be treated as a visual unity.
 - (7) A sign must always make a positive contribution to a particular streetscape.
 - (8) A sign on a construction site boundary wall or fence may only be displayed for the duration of the construction, renovation or maintenance work.
 - (9) Project boards must also be incorporated into the signs displayed in terms of this advertising class, where possible.

61. Newspaper headlines signs

- (1) The frame containing the poster must not exceed 600mm in height x 450mm in width in respect of any poster displaying a newspaper headline and shall only be displayed in portrait form.
- (2) This advertising sign may be displayed for the newspaper headline posters of the day of a daily, weekly or week-end newspaper.

62. On-premises business signs

- (1) An on-premises business sign must be locality bound and shall only provide information on the name and nature of the enterprise, the brand-name and nature of goods sold or produced and the nature of services provided and the name of the proprietor(s) or practitioner(s).
- (2) An on-premises business sign may be a combination sign for a variety of businesses in the same locality and may also be free-standing.
- (3) An on-premises business sign shall only be displayed if:
 - (a) signs affixed to the building may not be noticed by passing pedestrian or motorists due to the position of the building;

- (b) it is not structurally possible or visually feasible to affix appropriate signs to a building;
- (c) the sign is needed to locate the entrance to business premises or the private access road to a business;
- (d) An on-premises business sign requires the specific consent of the City and/or the relevant road authority.
- (e) In the case of a combination sign, -
 - (f) the design must harmonise with the architecture of the particular building or other adjacent building or structures;
 - (g) message on individual panels of the sign must be concise and legible;
 - (h) the content of individual panels of such a sign must be harmonious in terms of form letter types and colour.
- (4) Combination signs must be harmonious in terms of form, letter types and colour.
- (5) Combination signs shall be designed and located so as not to create a traffic safety hazard.
- (6) Only one on-premises business sign shall be allowed per enterprise, unless there is more than one entrance on different road frontages, in which case two will be allowed, one per frontage.
- (7) In an area of maximum control, the sign shall be a maximum of 6m² in area and 7,5m in height.
- (8) In an area of partial or minimum control, the sign shall be a maximum of 12m² in area and 7,5m in height.
- (9) A height increase to 10m can be considered subject to a height restriction relaxation in terms of the relevant Town Planning Scheme as amended from time to time.
- (10) The name or logo of the sponsor of the on-premises business sign may be displayed if it refers to product or services available at that specific enterprise, but shall not occupy more than one third of the total area of the sign.

- (11) An on-premises business sign may be placed closer to the road reserve boundary than the ruling building line, subject to a building line relaxation being obtained in terms of the relevant Town Planning Scheme as amended from time to time.
- (12) An on-premises business sign may be illuminated.
- (13) An on-premises business sign shall not be animated in areas of maximum control.
- (14) An on-premises business sign shall not obstruct the view from any adjacent building.

63. Residential or Community advertising signs

- (1) A residential or community advertising sign may be affixed flat or painted on a gate or wall, or on a pole mounted advertising sign or an advertisement with supporting structures forming a visual structure around the sign panel.
- (2) In the case of the name of a proprietor or practitioner, one advertising sign per premises is allowed, that may not exceed the following sizes: provided that where there is more than one entrance to the same premises on different road frontages, two advertising signs may be displayed, each on a different frontage:

(a) Guest house	1,5m x 1,5m
(b) Home business	420mm x 300mm
(c) Day mothers / play group	420mm x 300mm
(d) Pre-school	1,5m x 1,5m
- (3) In the case of a residential or community advertising sign, a name or logo of a sponsor of the advertising sign may not be displayed except on the name of a farm or smallholding. The sponsor advertisement may not exceed one third of the total advertisement area.
- (4) A residential or community advertising sign may be displayed only on the premises to which it refers, or on the boundary wall, fence or gate of such premises;
- (5) A farm or smallholding name sign must be displayed next to the entrance of the access road thereto or affixed to the gate at the entrance of such access

road. Where more than two farms or smallholdings share an unnumbered or private access road, a direction traffic sign must be used to indicate the access road;

- (6) A free standing residential or community advertising sign is allowed only where it is not aesthetically or practically acceptable to attached a sign to a building or boundary wall, fence or gate, and may not be erected in a road reserve;
- (7) A residential or community advertising sign may not be animated, and may be illuminated only in an urban area. It must harmonise with the buildings and other structures on the premises as to materials, colour, texture, form, style and character

64. Advertising signs at educational facilities, sport stadiums and fields

- (1) Advertising signs will be permitted in all areas of control.
- (2) No person may erect a free-standing advertising sign without first obtaining the written approval of the municipality.
- (3) The size and height of the sponsored advertising signs indicating the name, are as follows:
 - (a) Size: Maximum of 12m²
 - (b) Height: Maximum of 5,5m.
 - (c) Clear height: 2,4m
 - (d) Sponsor name or logo: Maximum of $\frac{3}{4}$ of total advertisement area.
- (4) Only one sponsored advertising signs indicating the name shall be permitted per street frontage.
- (5) A maximum advertisement area per 100m of street front of 40m² shall be permitted for the display or combination of advertising signs on boundary walls and fences, permanent flags and freestanding advertising signs smaller than 4,5m².
- (6) Any other form of advertising sign or advertisement shall be displayed, subject to the criteria for that specific type of advertising sign or advertisement, with specific attention to cluttering.

- (7) Illumination is permitted in areas of minimum and partial control, while only limited external illumination shall be permitted in areas of maximum control, but not animated.
- (8) This class consists of the display of advertising signs on boundary walls and fences, permanent flags, equal sized free-standing advertising signs smaller than 4,5m² and shall include a sponsored advertising sign indicating the name, along the street frontage of educational facilities and sport stadiums and fields.

65. Window signs

Window signs are permitted in all urban areas of control and at centres of economic activity in natural and rural areas of maximum control.

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CHAPTER 5

POSTERS

66. Areas of control for Posters

Posters will be permitted in areas of maximum, partial and minimum control.

67. Specifications for Posters

Posters must comply with the requirements set out in table 3 below:

Categories	Size(one direction)	Size (more directions)	Prescribed Posters	Height
Category One: Posters erected to advertise public and charitable events, functions, occasions, meetings or campaigns of a religious, educational facility, cultural, political, social, sporting or recreational nature. This category includes posters erected to advertise an auction but excludes posters advertising sales promotions, commercial products and events of a commercial nature.	Size: One direction: 0.54m ²	More directions: 1.08m ² in total if double sided or for two posters back to back	Prescribed posters: 0.9m x 0.6m (A1 size)	Height: Minimum Height (Clearance): 2,4m At least 2m below light fixtures
Category Two: Posters erected in this category shall be used for commercial advertising on	Size: One direction: 1.08m ² Prescribed posters: 1.2m x 0.9m (A0 size)	More directions: 2.16m ² in total if double-sided or for two	N/A	Height: Minimum Height (Clearance): 2,4m At least 2m below light fixtures

structures for which specific provision has been made for by the City.		receptacles back to back		
Category Three: Posters displayed in this category must display selected news headlines of a specific edition of a newspaper	Size: One direction: 0.32m ²	More directions: 0.64m ² in total if double-sided or for two posters back to back	Prescribed posters: 0.7m x 0.45m (A2 size)	Height: Minimum Height (Clearance): 1m At least 2m below light fixtures
Category Four: Posters for public awareness and community based campaigns, notices of a public meeting	One direction: 1.08m ²	More directions: 2.16m ² in total if double-sided or for two posters back to back	Prescribed posters: 1.2m x 0.9m (A0 size)	Height: Minimum Height (Clearance): 2.4m At least 2m below light fixtures.
Category Five: Posters for parliamentary or municipal elections, by-elections, referenda and registration process.	Size: One direction: 0.54m ²	More directions: 1.08m ² in total if double sided or for two posters back to back	Prescribed posters: 0.9m x 0.6m (A1 size)	Height: Minimum Height (Clearance): 2.4m At least 2m below light fixtures

68. Conditions applicable to Posters

Category	Conditions
Category 1	<p>A maximum of 100 posters permitted per event per area.</p> <ol style="list-style-type: none"> a. Temporary posters must be fixed to electric light standards and fixed receptacles by means of a suitable cord and no metal clamps or wire shall be used. b. Shall not be used to advertise a commercial event or product or sales promotion. c. At least 50m from the centre of an intersection. d. A completed street name list on where the posters will be erected, is to be provided by the applicant, within at least three days from submitting the

	<p>application. Failure to submit this list will result in the forfeiting of the deposit paid.</p> <p>e. Posters must be erected only 14 days prior to the event.</p> <p>f. The display period during the event shall not exceed 30 days.</p> <p>g. All posters, backing boards and cord or string must be removed within 3 days of the passing of the event. Failure to remove a poster, will result in forfeiting the deposit for that poster.</p> <p>h. A maximum of four (4) per post. It must then be affixed in a double-sided manner back to back; i.e. only two posters visible per direction of travel.</p> <p>i. The name of the relevant responsible organization, and the date and place of the occasion or event must be clearly displayed on the poster. The City shall be entitled to retain one such poster for identification purposes.</p> <p>j. No products shall be advertised on a Category One poster.</p> <p>k. Poster advertising signs aimed at the road used shall not be less than 120m apart.</p> <p>l. Every poster for which permission is granted, shall display a municipal sticker with a reference number.</p> <p>m. No poster or other advertising sign shall be placed in a street or other public place unless the appropriate tariff has been paid to the City.</p> <p>n. Every deposit paid must be refunded when all the posters, advertising signs or advertisements to which the deposit relates, have been removed to the satisfaction of the City.</p> <p>o. Any person who, having displayed or caused to be displayed any advertising sign or advertisement, fails to remove it or cause it to be removed within the periods prescribed shall be guilty of an offence and must, in addition to any penalty imposed upon him, forfeit the deposit relating to it or such proportionate part of that deposit as the City shall assess having regard to the number of posters, advertising signs or advertisements not removed.</p>
Category 2	<p>a. Posters must be fixed to electric light pole by means of removable brackets or strapping. No drilling or welding of poles will be permitted.</p> <p>b. At least 50m from the centre of an intersection.</p>

	<ul style="list-style-type: none"> c. A maximum of two per post or standard. It must then be affixed in a double-sided manner; i.e. two receptacles back to back. d. Shall only be places in certain specific areas and along certain arterial roads. e. Street light poles positioned in front of Municipal Offices are reserved for the exclusive use for advertising purposes by the City's Communications and Marketing Department. f. More creative and visually pleasant structures should be used for displaying of posters than standardized pole-mounted structures in order to make a positive contribution to streetscaping. g. The City must determine the number and display format of posters in this category.
Category 3	<ul style="list-style-type: none"> a. Poster frames must be fixed to electric light standards by means of removable brackets or strapping. No drilling or welding of poles will be permitted. b. Shall not be used to advertise a commercial event. c. Shall be displayed on electric light standards within 50m from the centre of an intersection. d. Shall be displayed along specific main traffic routes. e. If projecting over a sidewalk and pedestrian circulation route, the clear height must exceed 2,4m and for a cycle circulation route a clear height of at least 3,0m; f. A specific news headline must only be displayed for 24 hours. g. A maximum of one per post or standard. Back to back at same position will be permitted. h. The City must determine the number and display format of posters in this category. i. No poster frame or news headline shall be placed in a street or other public place unless the appropriate tariff has been paid to the City
Category 4	<ul style="list-style-type: none"> a. Posters must be fixed to electric light standards by means of removable brackets or strapping. No drilling or welding of poles will be permitted. b. Shall not be used to advertise a commercial event.

	<ul style="list-style-type: none"> c. At least 50m from the centre of an intersection d. A maximum of one per post e. All posters, backing boards and cord or string must be removed within 3 days of the passing of the event f. Poster advertising signs aimed at the road used shall not be less than 120m apart. g. No poster, advertising sign or advertisement shall be placed in a street or other public place unless the appropriate tariff has been paid to the City. h. Public awareness and community-based campaigns are to be directed at the residents within a specific community aimed at indicating crime statistics and reporting of incidents. i. The City must determine the number and display format of posters in this category.
Category 5	<ul style="list-style-type: none"> a. Posters must be fixed to electric light standards and fixed receptacles by means of a suitable cord and no metal clamps or wire shall be used. b. Shall not be used to advertise a commercial event. c. At least 50m from the centre of an intersection. d. A maximum of three per post or standard. e. No posters relating to a parliamentary or municipal election, referendum or registration process shall be displayed for longer than the period extending from the beginning of the date of proclamation in the Government Gazette of an upcoming referendum or election to the end of the fourteenth day after the date of such election, referendum or registration process.

69. Positioning and other requirements of Posters

(1) The Posters must comply with the following positioning and other general requirements:

(a) Standardized pole-mounted posters shall be permitted only where they will not have a negative visual impact on the streetscape and the character of an area.

- (b) Only permitted on electric light standards or other structure, which is provided for the express purpose of affixing posters.
 - (c) Shall not be placed on or against or attached to or otherwise supported by any power line standard, power masts, transformer box, telegraph pole, road traffic sign or signal (any lamp pole which has a road traffic sign or signal attached to it), traffic circle, traffic island or median (except Category Two (2) and Three (3) Posters), wall, column or post of a veranda or balcony, fencing, electricity box or sub-stations, tree or bridge.
 - (d) No advertising sign shall be mounted on a short (4,5m) streetlight pole.
 - (e) Not cover municipal markings / stripes / fire hydrant markings on lampposts.
 - (f) Not be illuminated or animated.
- (2) Only permitted inside urban road reserves for roads under the jurisdiction of the City and exclude freeways, National roads and Provincial roads.
- (a) Not be positioned closer than 0.3m from the nearest edge of any posters to the edge of the shoulder of the road.
 - (b) Not obstruct pedestrian movement.
 - (c) Street light poles positioned in front of or adjacent to primary or secondary schools shall not be used for posters.
 - (d) Not in any way interfere with the sight distance of motorists.
 - (e) Advertisements letter not be smaller than 50mm in height.

70. Approval of posters

- (1) No person may, except for newspaper posters, display any poster in, or in view of, any public place unless he or she has first obtained the written approval of the City.
- (2) Approval in terms of subsection (1) may only be given for the display of a poster which does not relate to third party advertising.

- (3) Application for approval contemplated in subsection (1) must be made on a prescribed form and must be accompanied by –
 - (a) details in writing of every township and street in which the posters concerned are to be displayed;
 - (b) by the prescribed fee;
 - (c) an example of every poster to which the application relates;
 - (d) an example of the frame in which the posters will be displayed.
- (4) Every poster for which permission is granted as contemplated in subsection (1) must be provided with a sticker supplied by the City and only a poster with such sticker may be displayed
- (5) The City may to retain one poster to which an application in terms of subsection (3) relates for identification purposes.

CHAPTER 6

MISCELLANEOUS

71. Maintenance and removal of advertising signs

- (1) The owner of the advertising sign is responsible for maintaining an advertising sign and the surrounding area so that it does not become unsightly or deteriorate to such a degree that it is in conflict with any provision of this By-law.
- (2) The owner of the advertising sign must carry out at least one annual inspection of an advertising sign with the view of satisfying himself or herself that it has been properly maintained as contemplated in subsection (1) and forthwith carry out any necessary maintenance resultant upon such inspection.
- (3) The owners of the advertising sign must keep a written record of any inspection made and maintenance carried out in terms of subsection (2), must retain such record for a period of five years and must, on request by an authorised official, make such record available for perusal.
- (4) If, in the opinion of the City, any advertising sign has been allowed to fall into a state of disrepair or is in conflict with any provision of this By-law, such a state of disrepair or conflict shall be adjudicated upon by the OASC in accordance with the provisions of section 6(7).
- (5) If, in the opinion of an authorised official, any advertising sign has become dangerous and unsafe in that it poses an imminent threat to life and/or property, such authorised official may remove such advertising sign for safekeeping forthwith: Provided that the authorised official must demonstrate that he or she had taken all reasonable steps to identify and notify the owner of the sign prior to its removal for safekeeping.

72. Duration of approvals granted under previous By-laws or other applicable legislation

- (1) If an approval for an advertising sign was granted in terms of the By-law repealed by section 76 or in terms of any previous By-laws or other legislation that might have been applicable to Outdoor Advertising without specifying a period for the duration of that approval, the duration of such advertising signs shall be deemed to be 5 years from the date of the promulgation of this By-law.
- (2) Upon expiration of the 5 year period envisaged in subsection (1) above, the provisions of section 14 of the By-law shall apply.

73. Serving of notices

- (1) Any notice that is required to, or may, be served, delivered or given in terms of, or for the purposes of, this By-law, must be served in any of the following ways:
 - (a) By handing a copy of the notice to the person concerned;
 - (b) By leaving a copy of the notice at the person's place of residence, business or employment with any other person who is apparently at least 16 years old and in charge of the premises at the time;
 - (c) By faxing or e-mailing a copy of the notice to the person where such fax number or e-mail address is available;
 - (d) By handing a copy of the notice to any representative authorised in writing to accept service on behalf of the person;
 - (e) If the person has chosen an address for service, by handing a copy of the notice to a person who is apparently at least 16 years old at that address;
 - (f) By sending a copy of the notice by registered or certified post to the last- known address of the person concerned, and, unless the contrary is proved, it is deemed that service was effected on the seventh day following the day on which the document was posted;
 - (g) If the person is a company or other body corporate, by serving a copy of the notice on an employee of the company of body corporate at its

registered office or its principal place of business within the Republic, or its main place of business in the area of jurisdiction of the City, or if there is no employee willing to accept the service by affixing a copy of the notice to the main door of the office or place of business; or

- (h) If the person is a partnership, firm or voluntary association, by serving a copy of the notice on a person who at the time of service is apparently in charge of the premises and apparently at least 16 years of age, at the place of business of such partnership, firm or association or if such partnership, firm or association has no place of business, by serving a copy of the notice on a partner, the owner of the firm or the chairman or secretary of the managing or other controlling body of such association, as the case may be.

74. Inspections

- (1) In addition to any power of inspection which an authorised official may have in terms of this By-law, he or she may for any purpose relating to the implementation and enforcement of this By-law, carry out an inspection of any advertising sign on any property.
- (2) An authorised official must, before the commencement of, or during an inspection in terms of subsection (1), at the request of the owner of an advertising sign or the owner of a property on which the advertising sign concerned has been erected or is displayed, produce written confirmation of his or her appointment as an authorised official empowered to carry out inspections for the purposes of this By-law.
- (3) An authorised official carrying out an inspection in terms of this By-law, must conduct himself or herself with strict regard to decency and orderliness and with due regard to any person's rights contained in the Bill of Rights set out in Chapter 2 of the Constitution.

75. Offences and penalties

- (1) Any person who-
 - (a) contravenes or fails to comply with any provision of this By-law;
 - (b) refuses or fails to comply with any notice served on him or her in terms of or for the purposes of this By-law;

- (c) refuses or fails to comply with the terms or conditions of any approval issued in terms of this By-law;
- (d) obstructs, hinders or interferes with an authorised official or other official of the Council acting under power delegated to him or her, in the exercise of any power or the performance of any duty under this By-law;
- (e) fails or refuses to furnish to an authorised official or other official of the Council acting under power delegated to him or her, with any documentation or information required for the purposes of this By-law or furnishes a false or misleading document or false or misleading information;
- (f) fails or refuses to comply with any instruction given in terms of or for the purposes of this By-law; or
- (g) pretends to be an authorised official or other official of the City acting under power delegated to him or her, shall be guilty of an offence and
- (h) upon conviction be liable to a fine or imprisonment not exceeding 5 years or to both a fine and such imprisonment and the fine shall be calculated according to the ratio determined for such imprisonment in terms of the Adjustment of Fines Act; and
- (i) a person convicted of an offence under this By-law who, after conviction, continues with the action in respect of which he or she was so convicted, is guilty of a continuing offence and liable to a fine, or upon conviction, to imprisonment for a period not exceeding three months or to both such fine and imprisonment, in respect of each day on which he or she so continues or has continued with that act or omission.

76. Repeal of By-laws

- (1) Subject to the provisions of subsection (2), the City of Johannesburg's Outdoor Advertising By-laws published under Local Authority Notice 2007 in

Extraordinary Provincial Gazette No. 277 18 December 2009, are hereby repealed.

- (2) Anything done under or in terms of any provision of the By-laws repealed by subsection (1) is deemed to have been done under the corresponding provisions of these By-laws and such repeal does not, subject to the provisions of section 6 and section 55 above, affect the validity of anything done under the By-law so repealed.
- (3) Any application in terms of the By-law repealed by subsection (1), pending before the Council at the date of commencement of this By-law must be dealt with in terms of this By-law.

77. Tariffs

The City may determine tariff of charges dealing with any aspect, conduct or action in terms of this By-law and such tariff of charges shall be published in the Provincial Gazette for information after approval thereof by the City.

78. Title

This By-law is referred to as the City of Johannesburg Outdoor Advertising By-law and commences on the date determined by the Council by proclamation in the Provincial Gazette.

SCHEDULE 1

Documentation, information, maps, diagrams and plans to be submitted as part of an application envisaged in section 3 of this By-law:

- (a) the prescribed fee;
- (b) the written consent of the owner of the proposed advertising sign and of the registered owner of the property or building upon which the advertising sign is to be erected or on behalf of the owner of the property or building by his or her agent duly authorised in writing by such owner;
- (c) a locality plan, in colour, indicating the proposed position of the advertising sign within the area of jurisdiction of the Council;
- (d) a block plan of the property upon which an advertising sign is to be erected, drawn to scale acceptable to Council, showing every building, building line and servitude on the site and the position with dimensions of the advertising sign in relation to the two boundaries of the property closest to the proposed advertising sign and the location of any public street and any building on a property adjacent to the property upon which such sign is to be erected;
- (e) an artistic impression, in colour, showing all the detail, location and measurements of the proposed advertising sign;
- (f) a drawing, in colour showing the proposed advertising sign and the distances in relation to any other 3rd party or free-standing advertising signs situated within a radius of 200m from the proposed advertising sign on the same side of the road ;
- (g) a diagram showing that the proposed position of the advertising sign is in conformity with Schedule 2, if applicable;
- (h) a copy of the title deed of the property upon which the proposed advertising sign is to be erected, if applicable;
- (i) a zoning certificate of the property concerned issued under an applicable town planning scheme and a zoning map indicating the land uses in terms of such scheme of every property adjacent to the property upon which the advertising sign is to be erected;

- (j) a diagram of the property indicating the position of the proposed advertising sign with measurements from that position to the closest two boundaries of the property concerned;
- (k) proof of compliance with any other law, including but not limited to, the National Road Traffic Act, the National Building Regulations and Building Standards Act, and the National Environmental Management Act, to the extent that such law is applicable in respect of the application concerned;
- (l) proof of submission of an application for a building line relaxation in terms of any law, if applicable;
- (m) if a proposed advertising sign is to be attached to, or displayed on, the façade of a building, building plans of that building showing an elevation and measurements of the building, and the details, measurements and position of the proposed advertising sign and the details and the position of every existing advertising sign on the building drawn to a scale acceptable to the Council;
- (n) if a proposed advertising sign is to be displayed on a boundary fence or hoarding enclosing the whole of a construction site as contemplated in regulation F1 to the National Building Regulations and Building Standards Act, the approved building plans of the proposed building showing the details, measurements and position of the proposed advertising sign drawn to a scale acceptable to Council, or proof that a section 7(6) has been granted; a certificate by a registered person as envisaged by the provisions of the National Building Regulations and Building Standards Act, 103 of 1977, confirming the structural safety of the proposed advertising sign and its foundations, if applicable; and
- (o) a certificate by a registered person as envisaged by the provisions of the National Building Regulations and Building Standards Act, 103 of 1977, confirming the structural safety of the proposed advertising sign and its foundations, if applicable;
- (p) any comments/objections/representations submitted by and conditions determined or prescribed by any statutory authority, for example, SANRAL or Gauteng Department of Transport, in terms of any legislation applicable to outdoor advertising, if applicable; and
- (q) any other written information which the City may in writing require which in the opinion of the City would assist in taking a proper decision.

Schedule 2

NATURAL AREA	MAXIMUM		PARTIAL	MINIMUM
	RURAL AREA (outside Urban edge)	URBAN AREA	URBAN AREA (within Urban edge)	URBAN AREA (within Urban edge)
Proclaimed nature reserves	Agricultural areas/zones	Urban conservation areas	Central business districts	Industrial zones
Protected natural environments	Horticultural areas	Heritage sites	Mixed use commercial and residential areas	Designated transportation terminals
Game reserves	Rural smallholdings	Graded buildings and places	Commercial ribbon development and activity corridors	School sites and institutional zones
Proclaimed bird sanctuaries	Large private open spaces (e.g. golf courses)	Residential zones and adjacent road and rail reserves	Commercial and business districts and adjacent streets and rail reserves	
Proclaimed marine reserves	Scenic drives	Mobility routes	Entertainment districts or complexes with commercial zones	
Forestry areas	Scenic landscapes	Pedestrian malls and pedestrian squares	Sports fields and stadia	
River corridors	Scenic features	Scenic features	School sites and institutional zones	
Scenic Drives	Municipal Parks	Scenic drives		
Greening of city network	Agricultural and horticultural areas and adjacent road and rail reserves	Gateways		
		Public open spaces		
		Private open spaces		
		Urban smallholdings		
		Intensive urban agriculture areas		
		Subsistence urban agriculture areas		
		Core flora conservation sites as identified by the National Botanical Institute Special business zones		
		Residential components of mixed use buildings		
		Designated metropolitan roads		
		Specific areas or sites designated as maximum urban by way of a map prepared by the City		