

UMZIMKHULU OUTDOOR ADVERTISEMENT BY-LAWS

[The Umzimkhulu Municipal Council, acting under the authority of section 11, of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), hereby publishes its Advertising Signs Bylaws] BE IT ENACTED by the Municipal Council of the Umzimkhulu Local Municipality in terms of section 156 (2) of the Constitution of the Republic of South Africa 1996 read with section 11 of the Local Government: Municipal Svstems Act, 2000 (Act No. 32 of 2000) as follows:-

UMZIMKHULU OUTDOOR ADVERTISEMENT BY-LAWS



To provide for the regulation and management of activities on and in respect of outdoor advertising, and to provide for matters in connection therewith

Preamble

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

WHEREAS there is agreement on the fundamental importance of local government to democracy, development and nation-building in our country; and

WHEREAS there is fundamental agreement in our country on a vision of democratic, accountable and developmental local government, in which municipalities must strive within its financial and administrative capacity, to achieve their constitutional objectives by ensuring the provision of sustainable, effective and efficient municipal services to communities, by promoting social and economic development, by promoting a safe and healthy environment, and by encouraging the involvement of communities in the matters of local government; and

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

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

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CHAPTER 1 INTERPRETATION AND APPLICATION

1. Interpretation

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

“Advance sign” means a sign indicating the direction or distance to a facility, locality, activity, service or enterprise.

“Advertisement” means any visible representation of a word, name, letter, figure, object mark or symbol or of an abbreviation of a word or name, or of any combination of such elements with the object of transferring information.

“Advertising” means the act or process of notifying, warning, informing, making known or any other act of transferring information in a visible manner.

“Advertising device” means any physical device, which is used to display an advertisement or which is in itself an advertisement.

“Advertising hoarding” means a screen, fence, wall or other structure in a fixed position to be used, or intended to be used, for the purpose of posting, displaying or exhibiting any advertisement.

“Advertising Policy” means the Policy on Outdoor Advertising as adopted by the Council of Umzimkhulu Municipality, as amended from time to time.

“Advertising structure” means any physical structure primarily built for the display of advertisements.

“Advertising vehicle” means a vehicle constructed or adapted for use primarily for the display of advertisements.

“Aerial sign” means any sign which is affixed to or produced by any form of aircraft (including kites and balloons) and which is displayed in the air.

“Affix” includes “and to paint onto” and “affixed” shall have a corresponding meaning.

“Animated advertisement” means an electric advertisement that contains variable messages in which representation is made by the appearance of movement through an electric light source or beam.

“Applicant”(For the purpose of Locality Bound Advertising) means the person/s by whom an application for permission to erect a sign or display an advertisement is made, which application shall be endorsed by the owner of the premises upon which such advertisement or sign is to be located.

“Applicant” (For the purpose of Non Locality Bound Advertising) means the registered owner of the property.

“Application” in relation to advertising sign/s may include all proposed advertising signs.

“Appropriate” means that the dimensions, installation, materials, place and/or supports are suitable for- and appropriate in all circumstances of the case, in the opinion of the delegated officer for advertising signs.

“Approval” means approval by Umzimkhulu Municipality or its duly delegated officials and “authorisation” has a corresponding meaning.

“Arcade” means a covered pedestrian thoroughfare not vested in the Council, 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.

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“Area of Control” refers to 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 the area and traffic safety conditions. Area of control is also used to express the degree of landscape sensitivity of specific areas.

“Arterial road” means a road which, in the opinion of the Council, functions as a main carrier of traffic within an area.

“Backlight units” (backlit) means advertising structures which house illumination in a box to throw light through translucent advertising printed on plastic or heavy duty paper for a higher visibility and extended night viewing.

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

“Basic landscape sensitivity” indicates the visual or aesthetic sensitivity of the landscape with regard to outdoor advertisements and designs in terms of three basic landscape types, which are, in order of sensitivity, natural, rural and urban landscapes.

“Billboard” means any screen or board larger than 6m², supported by a free-standing structure, which is to be used or intended to be used for the purpose of posting, displaying or exhibiting an advertisement and which is also commonly known as an advertising hoarding. The main function of a billboard is to advertise non-locality bound products, activities or services, and means any screen, board, hoarding, fence, wall or free standing structures used or intended to be used for the purpose of posting, displaying or exhibiting any remote advertisement.

“Bill-sticker” also commonly referred to as a “fly poster”, means any advertisement including a poster pasted by means of an adhesive directly onto an existing surface not intended specifically for the display of a poster.

“Bit” means the basic unit for measuring the length of advertising messages and may consist of letters, digits, symbols, logos, graphics or abbreviations.

“Blind” means a vertical screen attached to shop windows or verandas in order to keep sun and rain from shop fronts and sidewalks, and which may be rolled up when not in use.

“Building” means any structure with or without walls, having a roof or canopy and a normal means of ingress and egress under such roof or canopy.

“Bus shelter display” means posters positioned as an integral part of a free-standing covered structure at a bus stop.

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

“Cantilever” means a projecting feature that is dependant for its support on the main structure of a building without independent vertical or other supports.

“Change of Face” means an alteration to the content of the advertisement displayed on an approved signage structure.

“Charge determined by the Council” means the appropriate charge set forth in a by-law and/or tariff of charges made by the Council.

“Clear height” in relation to a sign means the vertical distance between the lowest edge of the sign and the level of the ground, footway or roadway immediately below such sign.

“Combination sign” also referred to as a cluster sign means a single free-standing advertising structure for displaying information on various enterprises and services at locations such as roadside service areas, urban shopping centres and other urban complexes.

“Council” means the Council of Umzimkhulu Municipality as reflected in current legislation or its legal successor (s) in law, or any officer employed by the Council, or any committee designated by the Council, acting by virtue of a delegated authority vested in him/her or it by the Council in connection with this Policy.

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“Curtilage” is the whole of the area of land within the boundaries of the subdivision/s forming the site of any building.

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

“Deemed to comply” means that if an advertising signage structure meets certain specified criteria it may be deemed to satisfy the requirements of the Council for approval purposes.

“Depth of a sign” means the vertical distance between the uppermost and lowest edges of the sign.

“Designated areas” are areas of maximum, partial or minimum control that have been specifically designated in the policy for the display of various types of advertising signs as amended from time to time.

“Directional sign” means a type of guidance sign used to indicate to the road user the direction to be taken in order that they may reach their intended destination.

“Display” means to erect and/or expose an advertising sign or structure to the public view by any method whatsoever.

“Display period” means the exposure time during which the individual advertising message is on display.

“Election advertisement” means an advertisement used in connection with any national, provincial, or municipal election, by-election or referendum held from time to time.

“Electronic sign” means a sign that has an electronically controlled, illuminated display surface which allows the advertisement to be changed, animated or illuminated in various ways.

“Encroaching sign” means a sign or portion of a sign which extends more than 150mm into or over a Council controlled area.

“Environmental Impact Assessment” in relation to outdoor advertising means an assessment of the impact that an advertising sign or structure may have on the visual, social and traffic safety aspects of the specific environment.

“Erf” means any piece of land registered in a deeds registry as an erf, lot, plot, stand or agricultural holding.

“Estate agents’ board or show sign” means an advertisement that is temporarily displayed to advertise that land, premises, development or other fixed properties are for sale or to let, and to direct potential buyers to said land, premises, development or fixed properties.

“Flag” means an advertisement or sign displayed on a cloth, canvas, PVC or like material which is attached to a staff with no rigid fixings

“Flashing sign” means a sign in which the visibility of the contents is enhanced by their intermittently appearing and disappearing or being illuminated with various intensity of colours.

“Flat sign” means any sign, which is affixed to or painted directly onto any external wall of a building and which at no point projects more than 150mm in front of the surface of such wall.

“Free-standing sign” means any immobile sign which is not attached to a building or to any structure or object not intended to be used for the primary purpose of advertising.

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

“Gore” means the point at which the left edge of the main road meets with the right edge of an on-ramp or off-ramp at an interchange.

“Ground Sign” is a self-supporting sign embedded and fixed in the ground and which is not attached to a building or a wall.

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“Height of a sign” means the vertical distance between the uppermost and lowest edges of the sign.

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

“Illuminated” means an advertising structure which has been installed with electrical or other power for the purpose of illumination of the message of such sign.

“Illuminated sign” means a sign, the continuous or intermittent functioning of which depends upon it being illuminated.

“Inflatable sign” means any hoarding erected and maintained by means of air used for the purpose of posting or displaying any advertisement.

“Locality-Bound Sign” means a sign displayed on a specific premises or site, which refers to an activity, product or service located on the premises or site.

“Main roof of a building” means any roof of a building other than the roof of a veranda or balcony.

“Main wall of a building” means any external wall of such building, but shall not include a parapet wall, balustrade or railing of a veranda or a balcony.

“Movable temporary sign” also termed as **mobile or transit sign** means an advertisement attached to or displayed on a vehicle, vessel or craft on land, in water or in air.

“Non Locality-Bound Sign” means that the content of such advertisement is unrelated to any activity, product or service being undertaken on the premises or site on which such advertisement is displayed

“Non-profit body” is a body established to promote a social goal without the personal financial gain of any individual or profit-making commercial organisation involved, which has obtained the relevant certificate from National Government.

“Occupier” includes any person in actual occupation of land or premises without regard to the title under which he/she occupies.

“On site” in relation to any advertisement means that such advertisement conveys only the name and the nature of the industry, trade, business, undertaking or activity which is carried on within the building or premises on which the advertisement is displayed.

“Overall height” in relation to a sign, means the vertical distance between the uppermost edge of the sign and the natural ground level.

“Owner” in respect of a sign means the owner of the sign or of the premises on which it is displayed or the person in possession of or having control over the sign or the premises.

“Portable board” is any self-supporting sign or any other collapsible structure which is not affixed to the ground and which is capable of being readily moved.

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

“Premises” means any building together with the land on which such building is situated.

“Projected sign” means any sign projected by a cinematograph or other apparatus but does not include a sign projected onto the audience’s side of a drive-in cinema screen during a performance.

“Projecting sign” means any sign which is affixed at right angles to a wall of a building and protrudes more than 150mm from the wall of such building.

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“Public Place” includes all property, whether movable or immovable, which is owned by, vests in or is under the control of the Municipality, Local or National Government and to which public has access.

“Pylon sign” means any sign whether stationary or actuated, displayed on or forming an integral part of a pylon or mast or similar structure other than a building or advertising hoarding.

“Remote or third party advertising” means that the content of such advertisement is unrelated to anything being undertaken on the premises on which such advertisement is displayed.

“Residential purposes” means the use of a building as a dwelling house, two or more dwelling units, a hostel, a boarding house, and a residential club.

“Return Wall” means any external wall of a building or any other wall, which faces any boundary other than a street façade.

“Road Reserve” means the area contained within the statutory width of a road.

“Road Traffic Sign” means any road traffic sign as defined in the Road Traffic Act, No. 93 of 1996, the detailed dimensions and applications of which are controlled by the regulations to this Act and the South African Road Traffic Signs Manual.

“Roof sign” means a sign on the roof of a building lower than fifteen floors and which building is used for commercial, office, industrial or entertainment purposes.

“Rotating sign” means a sign, which rotates about any axis.

“Running light sign” means a sign or portion of a sign in the form of an illuminated strip, the illumination of which varies periodically in such a way as to convey the impression of a pattern of lights moving steadily along such strip.

“SAMOAC” is the South African Manual for Outdoor Advertising Control, a national guideline document compiled and published in 1998 by the Department of Environmental Affairs and Tourism, and as amended from time to time.

“Sign” is a more comprehensive term than advertisement and refers to any advertisement or object, structure or device which is in itself an advertisement or which is used to display an advertisement.

“Signalised traffic intersection” means an intersection controlled by traffic lights.

“Sky sign” means a sign on top of a skyscraper building higher than fifteen floors located within the municipal area and which forms an important landmark.

“Specific consent” means the written approval of the Council and any other relevant Provincial or National Government which requires a submission of a formal application.

“Spectacular” is an advertising industry term and means a custom-made billboard, which incorporates special effects such as internal illumination, cut-outs and three-dimensional representations.

“Street” means any street, road or thoroughfare shown on the general plan of a township, agriculture holding or any other division of land or in respect of which the public have acquired a prescriptive or other right of way and which vests in the Council.

“Street furniture” means public facilities and structures which are not intended primarily for but can accommodate advertising and includes seating benches, planters, sidewalk litter bins, pole-mounted bins, bus shelters, sidewalk clocks and drinking fountains, but excludes road signs, traffic lights, street lights, or any other road-related structures.

“Street name signs” means any sign or advertisement displayed in combination with street naming.

“Temporary advertisements” means signs and advertisements which are usually displayed to publicise a forthcoming event or to advertise a short term use of the advertisement site.

“Temporary sign” means sign not permanently fixed and not intended to remain fixed in one position.

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“**Transit advertising**” also referred to as **vehicular advertising** means all advertising on normally moving vehicles including taxis, buses, trailers trams, vessels, etc.

“**Tri-vision**” means a display, which through the use of a triangular or louvre construction permits the advertising of three different copy messages in a predetermined sequence.

“**Under-awning sign**” means a sign suspended or attached to the soffit of a canopy or verandah.

“**Verandah**” is a roofed structure attached to or projecting from the façade of a building and supported along its free edge by columns or posts.

“**Visual zone**” means the road reserve of a road and any area that is visible from any spot on such road reserve, but does not include an area situated at a distance of more than 250m from the road reserve boundary of a freeway in an urban area.

“**Window signs**” are signs, which are permanently painted on, or attached to, the window-glass of a building.

“**Zone**” means the land use zone as defined in Umzimkhulu Town Planning Scheme in course of preparation.

2. Purpose of By-laws

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

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

3. Application

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

4. Policy framework

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

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

5. Areas of control and exemptions

- (1) The areas of control as contained in Schedule 36 and as may be re-classified by resolution of the municipality from time to time, pertain.
- (2) For the purposes of these By-laws the following areas of control exist:
 - (a) Rural areas of maximum control;
 - (b) urban areas of maximum control;
 - (c) urban areas of partial control;
 - (d) urban areas of minimum control; and
 - (e) areas of maximum control in which advertising is prohibited.
- (3) A person who intends to display a sign must verify that the sign may be displayed in a particular area of control.
- (4) The municipality has determined and declared the areas set out in Schedule 38 to be prohibited advertising areas within which no person may display any sign or advertisement.
- (5) The areas of control in which particular classes and types of signs may be displayed are identified in the Schedules which are specified in section 7(2).
- (6) Extraordinary circumstances prevailing in a certain area in the municipality may require the municipality to declare the area exempt from the provisions of these by-laws, and in determining whether extraordinary circumstances exist which justify exemption, one or more of the following may be taken into consideration:
 - (a) Whether an urban renewal programme is in place which warrants a unique approach to outdoor advertising within its focus area;
 - (b) whether exemption from these by-laws will contribute to the success of the urban renewal programme;
 - (c) whether the organisers of an international sports, arts or cultural festival require exemption from these by-laws to contribute to the success of the said festival;
 - (d) the nature and function of the defined area;

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- (e) the enhancement of the defined area, which can be achieved by means of exemption;
 - (f) the financial benefit to either or both the municipality or the urban renewal programme accruing from such an exemption;
 - (g) the nature and extent of outdoor advertising, which will be permitted in terms of the proposed exemption; and
 - (h) whether the exemption granted will be in the public's general interests.
- (7) In the event of a special event, the municipality may, on application and payment of the fee determined by the municipality, grant, subject to any conditions it may deem necessary, an exemption from specific terms of these by-laws in respect of the sign types or areas of control, having regard to –
- (a) the area of control where it is proposed to display the sign;
 - (b) the nature of the event;
 - (c) the duration of the erection or display of the sign;
 - (d) the size of the proposed sign;
 - (e) any traffic, safety, environmental or heritage impact assessment as may be required by the municipality; and
 - (f) the outcome of any public participation process, if so required by the municipality.

6. Signs, requirements and conditions

The schedules in section 7 have effect and -

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

7. Schedules

- (1) The classes of signs, the signs, the Schedules that relate to each of the signs, are as follows:
- (a) Class 1: billboards and other high-impact free-standing signs, comprising -
 - (i) class 1(a), super billboards, schedule 1;
 - (ii) class 1(b), custom-made billboards, schedule 2;
 - (iii) class 1(c), large billboards, schedule 3; and
 - (iv) class 1(d), small billboards and tower structures, schedule 4;
 - (b) class 2: posters and general signs, comprising –
 - (i) class 2(a), large posters and signs on street furniture, schedule 5;

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- (ii) class 2(b), banners, flags and inflatables, schedule 6;
- (iii) class 2(c), suburban signs, schedule 7;
- (iv) class 2(d), temporary signs, comprising –
 - (aa) class 2(d) (i), estate agents' boards, schedule 8;
 - (bb) class 2(d) (ii), sale of goods, property or livestock signs, schedule 9;
 - (cc) class 2(d) (iii), lampposts, pavement posters and notices schedule 10;
 - (dd) class 2(d) (iv), project boards, schedule 11; and
 - (ee) class 2(d) (v), temporary window signs, schedule 12;
- (v) class 2(e), street name advertisement signs, schedule 13;
- (vi) class 2(f), neighbourhood watch signs and signs relating to similar schemes, schedule 14; and
- (vii) class 2(g), product replicas and three-dimensional signs, schedule 15;
- (c) class 3: signs on buildings, structures and premises, comprising –
 - (i) class 3(a), sky signs, schedule 16;
 - (ii) class 3(b), roof signs, schedule 17;
 - (iii) class 3(c), flat signs, schedule 18;
 - (iv) class 3(d), projecting signs, schedule 19;
 - (v) class 3(e), veranda, balcony, canopy, and under awning signs, schedule 20;
 - (vi) class 3(f), signs painted on walls and roofs, schedule 21;
 - (vii) class 3(g), window signs, schedule 22;
 - (viii) class 3(h), signs incorporated in fabric of building, schedule 23;
 - (ix) class 3(i), signs on forecourts of business premises, schedule 24;
 - (x) class 3(j), signs for residential-oriented land use and community services, schedule 25;
 - (xi) class 3(k), on-premises business signs, schedule 26;
 - (xii) class 3(l), signs on towers, bridges and pylons, schedule 27; and
 - (xiii) class 3(m), signs on construction site boundary walls and fences, schedule 28;

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- (d) class 4: signs for tourists and travellers, comprising -
 - (i) class 4(a), sponsored road traffic projects signs, schedule 29;
 - (ii) class 4(b), service facility signs, schedule 30;
 - (iii) class 4(c) tourism signs; schedule 31;
 - (iv) class 4(d), functional advertising signs by public bodies, schedule 32;
and
- (e) class 5: mobile signs, comprising –
 - (i) class 5(a), aerial signs, schedule 33;
 - (ii) class 5(b), vehicular advertising, schedule 34; and
 - (iii) class 5(c), trailer advertising, schedule 35.
- (2) The areas of control are set out in schedule 36.
- (3) The figures which illustrate the restrictions on advertising opportunities inside and adjacent to road reserves at traffic intersections are contained in Schedule 37.
- (4) The areas in which the display of signs is prohibited are set out in schedule 38.

CHAPTER 3 CONSENT AND WITHDRAWAL OR AMENDMENT OF CONSENT

8. Consent and contracts

- (1) A sign may not be displayed without consent that was granted by the municipality -
 - (a) by section 9 (referred to in these By-laws as “deemed consent”); or
 - (b) by section 10 (referred to in these By-laws as “specific consent”).
- (2) Consent for the display of a sign includes consent for the use of the site for the purposes of the display, whether by the erection of structures or otherwise, however consent granted for the erection of an advertising structure cannot be construed as consent to use the structure for advertising purposes.
- (3) A person who displays a sign on Municipal land is a tenant at will, as set out in the lease agreement with the municipality, if applicable.
- (4) Since new types of signs are continuously being developed, and since the use of existing signs may become undesirable, it is provided that –
 - (a) a person who intends to display a sign -
 - (i) for which no provision is made in these By-laws;

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(ii) which does not fall within any of the categories of signs provided for in these By-laws; or

(iii) the display of which is of such nature that it does not fall within the ambit of what is understood as 'display' in these By-laws,

must, before such a sign is displayed, apply for approval of the sign and for the display of the sign in terms of section 10, and the municipality may furthermore prescribe conditions applicable to the sign or the display of the sign; and

(b) the municipality may in writing notify a person who is displaying a sign, the display of which is found by it to be undesirable, to remove or cease the display of the sign.

(5) A lease of land within the jurisdiction of the municipality does not confer the right to use the land solely for the purpose of advertising.

(6) If a sign is not appropriate to the type of activity on or zoning of the erf or site to which it pertains, the sign and the display thereof may be considered on its merits by the municipality in terms of the municipality's Outdoor Advertisement policy and the SAMOAC guidelines.

(7) The municipality may require from a person who intends to display a sign –

(a) to enter into a contract, such as, but not limited to, an agreement, with the municipality where the sign is to be attached to a municipal asset, or to be erected on municipal land or land vested in the municipality, and the municipality will determine the duration of the contract and the fees to be paid by the person to the municipality; and

(b) where the municipality so requires, to sign an indemnity form in favour of the municipality and the municipality's service providers.

9. Deemed consent

(1) Deemed consent is hereby granted for the display of those particular classes and types of signs as specified in the Schedules, in the areas of control contemplated for each such class or type of sign, and persons displaying those particular classes and types of signs do not need to apply for consent, subject to subsection(2) .

(2) The said deemed consent to display a sign is not absolute.

(3) A person who intends to display a sign on private or Municipal land and has deemed consent is exempt from the provisions of section 10, but must comply with sections 18, 19, 20, 21 and 22.

(4) The municipality has the right to determine areas of control and control measures related to certain types of signs to which deemed consent is applicable.

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

(1) A person who intends to display a sign on private or Municipal land and who needs to obtain the specific consent of the municipality as specified in the Schedule that relates to the sign, must –

(a) complete the necessary application form and comply with all the other requirements and conditions which are specified in the application form;

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- (b) lodge two copies of the application form with the municipality;
 - (c) obtain the consent of the municipality before he or she may display or alter the sign;
 - (d) comply with all the other provisions of these By-laws; and
 - (e) upon lodging of the form contemplated in paragraph (b) pay all the prescribed fees and charges as determined by the municipality from time to time.
- (2) The municipality, when it considers the application, may have, in addition to other relevant factors, due regard to the following:
- (a) That no sign should be so designed or displayed that it will -
 - (i) be detrimental to the environment or to the amenity of the neighbourhood because of size, intensity of illumination, quality of design or materials, or for another reason;
 - (ii) constitute a danger to any person or property;
 - (iii) obliterate other signs;
 - (iv) be unsightly or impact detrimentally upon an architectural design;
 - (v) impair the visibility of a road traffic sign; or
 - (vi) affect the safety of motorists or pedestrians;
 - (b) the size and location of the proposed sign and its alignment in relation to an existing sign on the same building or erf and its compatibility with the visual character of the area surrounding it;
 - (c) the fact that the proposed sign is to be located directly on or in the vicinity of trees, rocks, hill sides, other natural features and areas of civic and historic interest;
 - (d) the number of signs which is displayed or to be displayed on the erf or building concerned, and its legibility in the circumstances in which it is seen; and
 - (e) the merits of the sign if the sign is not appropriate to the type of activity on or zoning of the erf or site to which it pertains.
- (3) The municipality may require that additional drawings, calculations and other information be submitted on application and may require a certificate by an engineer. The certificate must give sufficient details –
- (a) to enable the municipality to establish if the proposed means of securing, fixing or supporting of a sign is sufficient to resist all loads and forces to which it may be exposed; and
 - (b) regarding the sufficiency of the margin of safety against failure, in compliance with the provisions of Regulation B1 of the National Building Regulations and Building Standards Act, 1977 (Act No.103 of 1977).

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- (4) The municipality may grant consent subject to any condition it may deem expedient, or may refuse consent.
- (5) The municipality must, within 60 days after the application form has been lodged, notify the applicant in writing if consent has been refused or granted, and if consent is granted, the municipality must forward a notice of approval and one set of the application form and other documents that were submitted by the applicant to the applicant, and specify in the notice of approval the duration of the term of the consent.
- (6) A sign must be displayed within 12 months after the date on which the municipality granted consent, otherwise the consent expires, and further the owner of the sign must notify the Council in writing of the erection of the sign within 14 days after the sign is erected.
- (7) The municipality must keep a register which is open to public inspection at all reasonable hours and which contains particulars of –
- (a) the application which was made to the municipality for specific consent for the display of a sign;
 - (b) the name and address of the applicant;
 - (c) the date of the application;
 - (d) the type of sign concerned; and
 - (e) any conditions relating to the display of the sign.
- (8) When a time period, which was specified in the approval expires, an application for renewal must, at least 60 days, if possible, prior to the expiry, be submitted for consideration of approval should a person who displays a sign intends to continue the display of the sign, and should the municipality refuse consent to display the sign, the person who displays the sign must forthwith cease to display the sign.
- (9) A person who must cease to display a sign must remove all structures or supports on which the sign was erected and rehabilitate the site on which the structures were erected.
- (10) The Municipality may, after at least 14 days written notice to the advertiser, at any time, withdraw an approval granted by it or its predecessor, or amend any condition or impose a further condition in respect of consent granted, if a sign or sign structure –
- (a) is in a state of disrepair;
 - (b) stands empty for more than 90 consecutive days;
 - (c) no longer complies with any provision of these by-laws; or
 - (d) is substantially altered in any way from the original sign or structure that was approved.
- (11) All approved signs or advertisements should display an official sticker, number or other identifiable mark, developed and issued by municipality that can be used to determine the details of the sign. Signs without such identifying stickers, numbers or marks will be regarded as illegal and will be removed without any notice to the advertiser;
- (12) No person may in any manner whatsoever destroy, harm, damage or disfigure or deface the front or frontage of any municipal property, land, rock, tree or other natural feature or the front

or frontage or roof of any building or structure during construction of or by the display or use of a sign or during the writing or painting of any sign.

11. Withdrawal or amendment of consent

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

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

- (i) to withdraw its consent for the display of a sign;
 - (ii) to amend any condition relating to the display of a sign;
 - (iii) to impose a further condition to the display of a sign; or
 - (iv) to order that the display of the sign be discontinued.
- (2) In extraordinary circumstances, such as required by the organisers of an international sports, arts or cultural event, the municipality may require from advertisers in certain areas of the municipality, to remove, cover up or cease to display all signs indicated by the municipality for a specific period of time, as required by the organisers of the event to contribute to the success of such an event, and –
- (a) the municipality shall not be liable to pay any compensation to the advertisers of these signs for the determined period;
 - (b) the municipality shall inform such advertisers by way of notices as prescribed in subsection (3);
 - (c) the municipality shall extend the approval period or lease agreement of an advertiser referred to in this subsection, whichever is applicable, with the same period as the advertiser was required to cover up or remove his sign in terms of this subsection; and
 - (c) the municipality shall be entitled to remove such signs, cease to display or cover up such signs if an advertiser fails to comply with the said notice.
- (3) The municipality must serve a notice of its decision on the person who displays the sign, and the notice must –

- (a) specify a period within which the sign is to be removed, or within which the use of the site is to be discontinued, and contain a full statement of the reasons why the display of the sign must be terminated; or
 - (b) specify any amendment to a condition relating to the display of the sign, and if applicable, a time period relating to the amendment; or
 - (c) specify any further condition which is imposed, such as, but not limited to, the remediation of the site on which the sign was displayed to its original condition, and if applicable a time period relating to the further condition; or
 - (d) if consent for the display of the sign is withdrawn, inform the person who displays the sign to remove the sign immediately, and
 - (e) specify the sign or the site to which it relates.
- (4) Where an advertisement is approved along a provincial or national road by another responsible road authority, the permission of the municipality must also be obtained if the advertisement will be located in the jurisdiction of the municipality, or where the signs will be visible from any municipal roads. Similarly, where the municipality approves a sign that will be focused on a provincial or national road, the permission of the relevant road authority also needs to be obtained and proof of such permission provided to the Municipality before a sign may be displayed;

CHAPTER 4

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

12. Display of unauthorised sign

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

13. Alteration of existing sign

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

14. Departure from approved form or plan

- (1) No person, having obtained specific consent for the display of a sign on private or Municipal land, may do anything in relation to the sign which is a departure from any form or plan approved by the municipality.

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- (2) A person must, after the service upon him or her of a notice of compliance in terms of section 25(2) to that effect, immediately discontinue or cause to be discontinued such departure.

15. Exempt signs

- (1) Advertisers wishing to display signs which are exempted from the provisions of these by-laws, must apply for their display or not, as set out in this section, and no application fees are payable for signs that are approved as exempted signs.
- (2) Exempted signs that are not displayed towards public places may not be aesthetically unpleasing as viewed from any public place.
- (3) Display of the following sign is exempt from the provisions of these by-laws:
- a) Any sign displayed inside an arcade, sports stadium or shopping mall, which is not visible from outside the arcade, stadium or shopping mall;
 - b) Any sign which is displayed inside a building at a distance of more than two metres from any window or other external opening through which it may be seen from outside the building and which is not aimed primarily at attracting the attention of the road user;
 - c) Any national flag hoisted on a suitable flagpole as long as nothing is added to the design of the flag and no advertising material is added to the flagpole;
 - d) Any sign displayed on an approved advertising hoarding, which complies with other relevant requirements of this policy;
 - e) Any banner or flag carried through the streets as part of a procession;
 - f) any sign advertising a current event in a cinema, theatre or other place of public entertainment, displayed in a fixture or building especially made for such display providing such bill, poster or the like does not exceed 0.6 Meters squared in area;
 - g) any sign not exceeding the sizes specified hereunder, which is displayed on a site 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 which describes the building or structure being erected or other work or activity being carried out, and which displays the names of the contractors or consultants concerned in such work or activity and identifies the branches of the industry or the professions represented by them, during the course of such construction, erection, carrying out of alterations as the case may be: Provided that only one such sign, or set of signs shall be permitted per street frontage of a site; and which is placed on or affixed to the building concerned or attached parallel on the boundary fence of the erf on which the building is situated. Such signs are to be removed within 21 days of the completion of the contract. Signage for ongoing maintenance contracts is not permitted;
 - (i) Project boards, 4.5m² and with a maximum erected height of 4m, giving the names of Architects, Consultants and Contractors;
 - (ii) Individual Contractors and Sub-Contractor's Board: 2m².
 - h) any sign in a locality wholly or mainly used for residential purposes, other than a brass plate or board not exceeding 600mm x 450mm in size, affixed indicating the name, address and telephone number of a security company contracted to protect the property, provided that only one sign per stand or subdivision shall be permitted and such sign shall be firmly affixed to the boundary wall, fence or gates on the street frontage;
 - i) one sign not exceeding 600mm x 450mm in size on each street boundary of an erf or portion of an erf which sign indicates the existence of a commercial security service, burglar alarm system etc;

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- j) Signs not exceeding 0,25 m² in area affixed to the wall of a building or erected within the boundary line indicating that the property can be leased and by whom it is maintained;
- k) Flat signs indicating merely the name of the building, its occupier, and his profession or business, provided that it does not project above or beyond the walls of the building upon which it is displayed and be no greater than 4.5m² in area. Any flat sign exceeding 4,5 m² in area must be submitted for approval. In the event that there is more than one business being conducted from the building, the combined area of signs displayed may not be greater than 50% of the area of the wall of the building upon which they are displayed;
- l) Signs relating to the immediate sale of newspapers and the like displayed upon the premises from which said newspaper or the like is available for sale or distribution;
- m) Signs displayed upon a vehicle ordinarily in use as such;
- n) Signs affixed flat on any part of a building which display only the name, address and telephone number of the premises or the occupier or occupiers thereof, with or without a general description of the type of business lawfully conducted on such premises and the hours of attendance; provided that any such signs do not exceed 0,4 m² in area and do not project more than 75 mm from the surface on which they are affixed;
- o) Signs not exceeding 0,4 m² in area displayed within the curtilage of the premises to which they relate, which are designed solely for the direction of persons entering upon such premises and do not advertise any merchantable articles or goods;
- p) Signs displayed from the interiors of any building enclosed by walls, windows and doors.
- q) Signs which, on merit, are exempted by the Municipal Manager in consultation with the Planning and Building Plan Portfolio Committee of the Umzimkhulu Municipality;
- r) Road Traffic signs erected in terms of any Act of Parliament, Provincial Ordinance or By-law;
- s) Any sign erected as a specific requirement in terms of any By-law, Provincial Ordinance or Act of Parliament;
- t) Any transit sign, which is mobile at all times and complies with all requirements of the Road Traffic Act.
- u) on Municipal land, a sign which is owned by the municipality and displayed on the initiation of the municipality. Advertisers should apply for approval for the display of these signs in terms of the by-laws;
- v) a sign displayed inside a sports stadium, sports club, school or other institute of learning, and which is not visible from outside the stadium, sports club, school or institute of learning.
- w) Any price ticket which is smaller than 0,01 square metres on an item that is displayed in a shop-window. Advertisers do not have to apply for approval of these signs.

16. Prohibited signs

- (1) The following signs may not be displayed or caused to be displayed:
 - (a) Any advertisement or sign, other than an exempted sign, for which neither a permit nor approval has been obtained or which does not comply with the requirements of, or which is not permitted by this Policy, Bylaws or any other Law or Regulation;
 - (b) Any advertisement which in the opinion of the Council is indecent, obscene or objectionable or of a nature which may produce a pernicious or injurious effect on the public or on any particular class of person/s or on the amenity of any neighbourhood;
 - (c) Any advertisement, poster or sign that is painted onto or attached in any manner to any tree, plant, rock or to any other natural feature.

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- (d) Any advertisement or sign which obstructs any street, fire escape, exit way, window, door or other opening used as a means of egress or for ventilation or for fire fighting purposes;
- (e) Any illuminated sign whether a searchlight or laser beam, animated, flashing or static, which disturbs or is a nuisance to the residents and/or occupants of any building and/or to any member/s of the public or impairs road traffic safety.
- (f) Any advertisement or sign which is contrary to, or prohibited in terms of any Town Planning Scheme Regulation or any other legislation;
- (g) Any advertisement or sign not erected in accordance with this Policy, Bylaws or any other Law or Regulation and which is not in accordance with the specifications approved by the Council, or the terms or conditions attached by the Council to any such approval;
- (h) Any advertisement or sign which may obscure, obstruct or interfere with any traffic sign or signal for traffic control, or which is likely to interfere with or constitute a danger or potential danger to traffic, aircraft or to the public in general;
- (i) Any advertisement or sign, which may inhibit or obstruct the motorists vision or line of sight thus endangering vehicular and/or pedestrian safety;
- (j) Any form of bill-sticking by means of posters or placards or of similar nature to any structure;
- (k) Any handbills, pamphlets, leaflets, advertisements or notices distributed within the Umzimkhulu Municipal area or carried through any street or public place;
- (l) Advertising on posters or banners of a purely commercial nature;
- (m) Any flag unless,
 - (i) it relates to current or forthcoming programmes and events and is displayed on or within the curtilage of premises used for public entertainment or upon a sign that has been approved by Council;
 - (ii) it is displayed on an approved ground sign or on a flag which is affixed to a flag pole attached to a building in a manner approved in writing by the Council, subject to its discretion and subject to certification by a registered professional engineer;
 - (iii) it is displayed during public celebrations or festive occasions;
- (n) Any advertisement on a portable board displayed on a street or public place including a road reserve;
- (o) Advertisement or signs on top of a canopy or veranda unless it consists of individual cut-out fabricated or boxed letters not exceeding 750mm in height to which maybe added not more than two symbols and not exceeding 1m in height and which shall be mounted separately to the letters;
- (p) Advertisements painted, displayed or erected as a roof sign in any area other than industrial zone;
- (q) Advertisements or signs made of certain materials not considered by the Council to be suitable or appropriate for the intended purpose;

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- (r) Any sign on or between the columns of a verandah or canopy beyond the street line;
 - (s) Any sign which projects above or below any fascia, bearer, beam or balustrade of a street verandah or balcony;
 - (t) Any luminous or illuminated sign which is fixed to any fascia, bearer, beam or balustrade of any splayed or rounded corner of a street verandah or balcony;
 - (u) Any sign suspended across a street unless otherwise approved by Council;
 - (v) Any sign on calico, paper mache, woven or similar material unless consisting of flexface within an approved advertising sign;
 - (w) Any sign which may either obscure a road Traffic sign, be mistaken for with or interfere with the functioning of a road traffic sign;
 - (x) Any sign which may obscure Traffic by restricting motorists' vision and lines of sight thus endangering motorists' safety;
 - (y) Any sign or signs, the total area of which exceeds 4,5m², painted or fixed on a wall of a building not being a front wall of such building, unless specifically approved by the Umzimkhulu Municipality;
 - (z) Any sign painted on any fence or boundary wall, not being an approved sign or hoarding;
 - (aa) Any sign which may obstruct pedestrian or vehicular traffic;
 - (bb) Any transit advertising sign that is parked in public view irrespective of whether it is attached to a vehicle or not unless specifically approved by Council;
 - (cc) Any temporary sign for commercial or third-party advertising erected on Council land or land vested in the Council, unless by prior signed encroachment agreement or contract with the Council;
 - (dd) Any sign attached to a bridge or any other Council asset, unless by prior signed agreement or contract with the Council;
 - (ee) Any third party advertising sign on any property, whether privately or municipally owned or controlled, other than specifically approved by Council;
 - (ff) Any sign or poster attached to a Road Traffic Sign;
 - (gg) Banners, save as provided for within this Policy;
 - (hh) Sky signs within any area of maximum control, or in areas of partial or minimal control that are placed within a predominantly residential area;
 - (ii) Any sign containing third party advertising unless displayed with specific Council approval.
 - (jj) unless approval has been obtained, an advertisement or any distribution of pamphlets or promotional material, inside a road reserve.
- (2) No vehicle to which is attached or on which is displayed an advertisement, may be parked in any area of control with the sole purpose of drawing the public's attention to the advertisement attached to or displayed on the vehicle.

- (3) No sign may be displayed in an area identified in Schedule 38.
- (4) Merchandise may not be displayed for purposes of advertisement in an area that has not been approved by the Municipality for the display of merchandise.

17. Temporary signs

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

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

CHAPTER 5 SAFETY, DESIGN AND CONSTRUCTION, MAINTENANCE, POSITION, AND ILLUMINATION OF SIGNS

18. Amenity, safety and decency of signs

- (1) No sign may -
 - (a) be detrimental to the environment or to the amenity of a human living environment by reason of size, shape, colour, texture intensity of illumination, quality of design or materials or for any other reason; or
 - (b) unreasonably obscure, partially or wholly, any sign owned by another person previously erected and legally displayed.
- (2) No advertisement or advertising structure –
 - (a) may constitute a danger to any person or property;
 - (b) may be so placed or contain an element as to distract the attention of a driver of a motor vehicle in a manner likely to lead to unsafe driving conditions;
 - (c) that may be illuminated in terms of these by-laws, may be illuminated to the extent that it causes discomfort to or inhibits the vision of an approaching pedestrian or driver of a motor vehicle, or disturbs the residents or occupants of any building, or is a source of nuisance to the public;
 - (d) may obscure a pedestrian's or motor vehicle driver's view of a pedestrian, a road or rail vehicle or a feature of the road, railway or pavement such as a junction, bend and a change in width;
 - (e) may project over a pedestrian route, unless the clear height of such sign exceeds 2,4 metres or in the case of a cycle circulation route the clear height exceeds 3,0 metres ;

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- (f) may obstruct any fire-escape or the means of egress to a fire-escape, or obstruct or interfere with any window or opening required for ventilation purposes of a building, or obstruct any stairway or doorway or other means of exit from a building, or prevent the movement of persons from one part of a roof to another part thereof;
 - (g) may exceed the minimum clearance with regard to overhead power lines as prescribed in regulation 15 of the Electrical Machinery Regulations, No R1593 in GG. 11458, 12 August 1988, with the further provision that permission must be obtained from the relevant supply authority before any advertising structure may be erected in a power line servitude;
 - (h) may resemble a formal road traffic sign in colour, shape or general appearance, or be of such nature that it could be mistaken for, or cause confusion with or interfere with the functioning of a road traffic sign or signal;
 - (i) if located within the road reserve, may be closer than 25m from a formal road traffic sign;
 - (j) may obscure a road traffic sign or signal;
 - (k) may create a road safety hazard; or
 - (l) may, if located within a road reserve, contain retro-reflective material, unless such material is required in terms of the specifications of the South African Development Community Road Traffic Signs Manual.
- (3) A sign or advertisement positioned along a road and specifically targeting the road user must be concise and legible and must comply with the following requirements:
- (a) No sign displaying a single advertisement or message may exceed 15 “bits” of information, and no combination sign or any other sign displaying more than one advertisement or message may contain more than six “bits” of information per enterprise, service or property, or per individual advertisement or message displayed on the combination sign, and “bit” values must be calculated as follows:
 - (i) A word of up to eight letters inclusive has a bit value of 1;
 - (ii) a number of up to four digits inclusive have a bit value of 0,5;
 - (iii) a number consisting of five to eight digits have a bit value of 1; and
 - (iv) a symbol, logo or abbreviation has a bit value of 0,5.
 - (b) A letter or digit must have a minimum size of 50 millimetres and must increase in size by 25 millimetres for every 15 meters distance away from the road reserve boundary of the adjacent road.^a

* *Example:*

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

- (c) Street numbers indicating specific premises must have a minimum size of 150 mm and a maximum size of 350 mm;
- (d) The minimum letter size to be used on an advertising sign inside a road reserve is 80mm.
- (e) No message may be spread across more than one sign or sign panel.

19. Design and construction of sign

(1) A sign -

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

(2) An advertiser or contractor -

- (a) may not use water-soluble adhesive, adhesive tape or similar material to display or secure any sign or advertisement;
- (b) may not display or secure any sign or advertisement elsewhere than on a billboard, board or any structure provided for this purpose;

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- (c) must have all exposed metalwork of any sign painted or otherwise treated to prevent corrosion, and all timber treated to prevent decay, which painting and treating must be done in such manner that no pollution occurs or damage is done to the surrounding area; and
 - (d) must have measures taken to prevent the entry of water into and the accumulation of water or moisture on or in any sign or any part of its supporting framework, brackets or other members.
- (3) (a) All glass used in signs, other than glass tubing used in neon and similar signs must be safety glass at least three millimetres thick.
- (b) Glass panels used in signs may not exceed 0,9 square metres in an area and must be securely fixed in the body of the sign, structure or device independently of all other panels.
- (4) Every illuminated sign and every sign in which electricity is used -
- (a) must have a power cable and conduit containing an electrical conductor positioned and fixed so that it is not unsightly;
 - (b) must be constructed of material which is not combustible;
 - (c) must be provided with an external switch in an accessible position whereby the electricity supply to the sign may be switched off; and
 - (d) every electronic and illuminated advertising sign including its supports and framework shall be constructed entirely of non-combustible materials and shall be installed in accordance with and subject to the provisions of the Council's Electricity Supply Bylaws and the Code of Practice for the wiring of premises in accordance with the SABS or applicable legislation / regulations;
- (5) (a) No person may, in the course of displaying or removing any sign, advertisement structure or device, cause damage to any tree, electrical standard or service or other public installation or property.
- (b) Signage, or its brackets, on lamp posts may not cover or damage any markings such as codes or symbols on the poles.
- (c) Protective sleeves must protect the paintwork on electric lamp posts against possible damage which may be caused by brackets securing advertising signs against such poles, and the design of these brackets and the signage must be approved by the person in charge of Electricity provision for the municipality for each type of sign and lamp post to be used.

20. Maintenance of sign

- (1) Maintenance of signs and their structures on Municipal land is the responsibility of the person who displays the sign, excluding the municipality, and should the municipality carry out any maintenance work as result of poorly maintained signs being attached, the municipality may claim the cost of such repairs from the person who displays the sign.
- (2) A sign must –
- (a) where possible, be located at a height that discourages vandalism;

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- (b) be serviced, cleaned and repainted on a regular basis; and
 - (c) be maintained in good repair and in a safe and proper condition according to the highest standards as regards quality of structures, posting and sign-writing.
- (3) Should any advertisement or sign become dangerous, unsightly or a nuisance, the person/s liable to maintain the advertisement or sign shall remove the source of danger, unsightliness or nuisance within the time frame specified by Council and failure to do so will constitute an offence and render such person liable for prosecution;
- (3) All signs contemplated in section 7(1)(a), being signs in class 1 (billboards and other high-impact free-standing signs) signs must be serviced, cleaned and painted in the manner and in accordance with the timeframes set out in the Schedules to these By-laws or in the contract between the municipality and the advertiser, whichever is applicable

21. Position of sign

- (1) A sign –
- (a) may not be displayed on a road island or road median, with the exception of a sign contemplated in section 7(1)(b)(v), being a sign in the class 2(e) (street name advertisement signs);
 - (b) may not be suspended across a road, with the exception of –
 - (i) a sign contemplated in section 7(1)(c)(i), being a sign in the class 3(a) (sky signs); and
 - (ii) a sign contemplated in section 7(1)(b)(ii), being a banner in the class 2(b) (banners, flags and inflatables) or a sign contemplated in section 7(1)(c)(xii), being a sign on a bridge suspended across an urban road other than a freeway and as part of a street-scaping project;
 - (c) may not be displayed within or suspended above a road reserve or within a distance of 50 metres outside the road reserve boundary of a freeway, with the following exceptions and provided that these exceptions, subject to subsection (1)(a), do not allow for the display of a sign on a road island or road median but only for the display of a sign on the side of a road reserve:
 - (i) A sign contemplated in section 7(1)(b)(iv)(dd), being a sign in the class 2(d)(iv) (project boards), that concern road construction, and a sign contemplated in section 7(1)(d)(i), being a sign in the class 4(a) (sponsored road traffic projects signs), and a sign contemplated in section 7(1)(d)(iii), being a sign in the class 4(c) (tourism signs), may be displayed within a road reserve;
 - (ii) a sign contemplated in section 7(1)(b)(v), being a sign in class 2(e) (street name advertisement signs) may be displayed within a road reserve of a proclaimed main road other than a freeway and cognisance must be taken of the architectural styles of sensitive areas;
 - (iii) a sign contemplated in section 7(1)(b)(iv)(dd), being in a sign in the class 2(d)(iv) (project boards) that does not concern road construction may be displayed within a road reserve other than a freeway, but only next to the actual development site and only if sufficient space is not available on such a site;
 - (iv) a sign contemplated in section 7(1)(b)(i), being a sign in the class 2(a) (large posters and signs on street furniture), a sign contemplated in section 7(1)(b)(ii),

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being a sign in the class 2(b) (banners, flags and inflatables), a sign contemplated in section 7(1)(b)(iii), being a sign in class 2(c) (suburban signs), a sign contemplated in section 7(1)(b)(iv)(cc) being a sign in the class 2(d) (lamp posts, pavement posters and notices), a sign contemplated in section 7(1)(b)(vi), being a sign in the class 2(f) (neighbourhood watch signs and signs relating to similar schemes), a sign contemplated in section 7(1)(c)(iv), being a sign in class 3(d) (projecting signs), a sign contemplated in section 7(1)(c)(v), being a sign in the class 3(e) (veranda, balcony, canopy and under awning signs), and a sign contemplated in section 7(1)(d)(iv), being a sign in the class 4(d) (functional advertising signs by public bodies) may be displayed within an urban road reserve other than a freeway;

- (v) a sign contemplated in section 7(1)(b)(iv)(cc), being a sign in the class 2(d)(iii) (lamp posts, pavement posters and notices) and a sign on a bridge contemplated in section 7(1)(c)(xii), being in the class 3(l) (signs on towers, bridges and pylons) may be displayed within an urban road reserve other than a freeway but only in an area of partial control and an area of minimum control;
 - (vi) a sign contemplated in section 7(1)(c)(iii), being a sign in the class 3(c) (flat signs), a sign contemplated in section 7(1)(c)(iv), being a sign in the class 3(d) (projecting signs), and a sign contemplated in section 7(1)(c)(v), being a sign in the class 3(e) (veranda, balcony, canopy and under awning signs) may be displayed within 50 metres of the boundary of a freeway if the main building housing an enterprise is within 50 metres from the road reserve of a freeway and if there is no other appropriate means of indicating that particular enterprise;
 - (vii) a sign contemplated in section 7(1)(b)(iv)(aa), being a sign in the class 2(d)(i) (estate agents' boards) may be displayed in a road reserve other than a freeway, subject to specific controls; and
 - (viii) a sign contemplated in section 7(1)(a), being a sign in class 1 (billboards and other high-impact free-standing signs), a sign contemplated in section 7(1)(c)(vi), being a sign in class 3(f) (signs painted on walls and roofs), a sign contemplated in section 7(1)(c)(vii), being a sign in class 3(g) (window signs), a sign contemplated in section 7(1)(c)(ix), being a sign in the class 3(i) (signs on forecourts of business premises), and a sign contemplated in section 7(1)(c)(xi), being a sign in the class 3(k) (on-premises business signs) may not be displayed in any urban road reserve;
- (d) may not be displayed within the specified distances of on-ramps and off-ramps and overhead traffic signs on freeways as illustrated in figure 1 in schedule 37, except where an enterprise is situated within such a prohibited area and it is not possible to indicate that particular enterprise by means of an appropriate sign outside the prohibited area; and
- (e) may not be displayed within a restricted area at an urban street corner as illustrated in figure 2 in schedule 37, with the exception of a sign contemplated in section 7(1)(b)(iv)(ee), being a sign in the class 2(d)(v) (temporary window signs), a sign contemplated in section 7(1)(c)(v), being a sign in the class 2(e) (street name advertisement signs), a sign contemplated in section 7(1)(c)(iii), being a sign in the class 3(c) (flat signs), a sign contemplated in section 7(1)(c)(iv), being a sign in the class 3(d) (projecting signs), a sign contemplated in section 7(1)(c)(v), being a sign in the class 3(e) (veranda, balcony, canopy and under awning signs), a sign contemplated in section 7(1)(c)(vii), being a sign in the class 3(g) (window signs), and a sign contemplated in section 7(1)(c)(viii), being a sign in the class 3(h) (signs incorporated in fabric of building), and provided furthermore that an illuminated sign displayed within a restricted area at a

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signalised street corner as illustrated in figure 3 in schedule 37 must have a clear height of at least six metres if such sign contains the colours red, green or amber.

- (2) No advertising signage may be affixed to a lamp post, except a sign contemplated in section 7(1)(b)(iv)(bb), being a sign in the class 2(d)(ii) (sale of goods, property or livestock signs), a sign contemplated in section 7(1)(c)(iv)(cc), being a sign in the class 2(d)(iii) (lamp posts, pavement posters and notices), and a sign contemplated in section 7(1)(d)(iii), being a sign in the class 4(c) (tourism signs).

22. Illumination of sign and electronic sign

- (1) The following maximum luminance levels per square meter are applicable to a sign, except for the daylight illumination of a Super Billboard:
- (a) In the instance where the illuminated area is less than 0,5 square metres, the maximum luminance level is 1000 candela per square metre;
 - (b) in the instance where the illuminated area is between 0,5 square metre and 2 square metres, the maximum luminance level is 800 candela per square metre;
 - (c) in the instance where the illuminated area is between 2 square metres and 10 square metres, the maximum luminance level is 600 candela per square metre; and
 - (d) in the instance where the illuminated area is 10 square metres or more, the maximum luminance level is 400 candela per square metre.
- (2) The light source emanating from a floodlight may not be visible to traffic traveling in either direction.
- (3) Floodlighting must be positioned to ensure effective distribution and minimise light wastage or 'spill'.
- (4) The municipality may require traffic monitoring of any internally illuminated sign.
- (5) An electronic sign containing third-party advertising -
- (a) may only be displayed in an area of partial and minimum control;
 - (b) must be less than 2,1m², which size may be waived up to a maximum size of 81m² in any such area upon receipt of an approved Environmental, traffic and Heritage Impact Assessment showing that no detrimental impact will be caused by the proposed display; and
 - (c) may not have subliminal flashes.
- (6) In respect of urban freeways, irrespective of the area of control, the under mentioned signs may not be illuminated in any way unless overhead lighting lights the freeway over the full distance within which the advertising sign is visible from the freeway:
- (a) A super billboard;
 - (b) a custom-made billboard;
 - (c) a large billboard;
 - (d) a small billboard;

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- (e) a tower structure;
 - (f) a suburban advertisement;
 - (g) a temporary advertisement;
 - (h) a product replica;
 - (i) a three-dimensional sign;
 - (j) a flat sign;
 - (k) a roof sign;
 - (l) a sign painted on a wall or roof;
 - (m) a sign incorporated in the fabric of a building;
 - (n) a sign on a tower, bridge or pylon;
 - (o) an advertisement on a construction site boundary wall and fence; and
 - (p) an aerial sign.
- (7) The municipality may require a Traffic Impact Assessment to be conducted on any electronic sign, the results of which must indicate that no detrimental impact on traffic is envisaged, and the municipality may require subsequent traffic monitoring of any electronic sign.

CHAPTER 6 MISCELLANEOUS PROVISIONS

23. Public tenders

- (1) The municipality must comply with its Supply Chain Management policy, the Municipal Finance Management Act, (Act No. 56 of 2003) and the provisions of the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) and the Regulations to the Act, in the awarding of tenders relating to the erection or display of advertisements or advertising space, products or any other messages on Municipal or on private land.
- (2) The successful tenderer, known as the contractor is responsible for the display of an advertising sign in terms of the provisions of these By-laws and in terms of conditions agreed on in his or her contract with the municipality.
- (3) Should a contractor fail to comply with the provisions of subsection (2) or with the contract conditions, the municipality must serve a final notice on the contractor to rectify compliance with the provisions or contract conditions, and should the contractor not comply within two months after final notice has been served –
 - (a) the Municipality has the right to relieve the contractor of his or her contract after which –
 - (i) the contractor has no right to a sign already displayed as stipulated in his / her contract; and

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- (ii) the municipality may deal with the sign in accordance with sections 25(4), (6), (7), (8), (9) and (10); and
 - (b) the municipality may re-advertise the relevant contract for public competition in terms of the municipality's Supply Chain Management policy, and subject to the provisions of the Municipal Finance Management Act, (Act No. 56 of 2003) and the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) and the Regulations to the Act.
- (4) The municipality may refuse permission for an applicant to display or erect a sign on municipal or public land in terms of these by-laws if the specific class of signs was the subject of an agreement in which the municipality awarded the sole right to display certain signs on municipal or public land to a contract party.

24. Authentication and service of notices and other documents

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

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

- (1) (a) Where the display of a sign does not comply with section 18, 19, 20, 21 or 22, the person who displays the sign must alter the sign so that it complies with section 18,19,20, 21or 22, and where –
- (i) traffic signal lights are erected in a place where previously there had been no traffic signal lights, but where there is currently being displayed a sign; or
 - (ii) there is an alteration in the level or position of a street, footway or kerb;

the person who displays a sign must immediately remove the sign.

- (b) Where a sign is displayed on a site where,
- (i) there is a change of ownership or occupancy of the premises on which the sign is displayed, or
 - (ii) there is a change in the nature of the business, industry, trade or profession which is conducted on the premises ;

the owners or occupiers of the site should inform the municipality of this change within 30 days from becoming owners or occupiers, or the change in the nature of the business.

- (2) The municipality may serve a notice of compliance on the owner of a sign to remove a sign within a specified time, or to carry out, within a specified time, such alteration to it or to do such work as may be specified in the notice or cover or cause the sign to be covered completely so as to conceal its contents, if the sign which is displayed is unauthorised, or does not conform to a provision of section 18, 19, 20, 21 or 22, or does not comply with a condition imposed in the Schedule that relates to the sign.
- (3) The notice of compliance must –
- (a) specify, at the time when the notice is issued, the name and residential or postal address, if either or both of these be known, of the person on whom the notice is served;
 - (b) state the particulars of the contravention;
 - (c) where applicable, specify the time within which a sign is to be removed, or an alteration is to be carried out, or such work as specified is to be done or such sign is to be covered;
 - (d) subject to section 26, specify the fine payable as penalty in respect of that contravention and the place where the fine may be paid; and
 - (e) inform the person on whom the notice was served that he or she may, within 28 calendar days of the date of service of the notice –
 - (i) pay the fine; or
 - (ii) inform the municipality in writing that he or she elects to be tried in court on a charge of having committed an offence under section 26(1) (c).
- (4) If a person fails to comply with a notice served by the municipality on him or her, the municipality may enter upon the land upon which the sign to which the notice relates, is being displayed and remove, confiscate, and destroy the sign.

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- (5) The municipality may, without prior notice remove, confiscate, and destroy any sign if the sign constitutes a danger to life or property, or is objectionable, or if one or more of the provisions of these By-laws is contravened.
- (6) The municipality, when it removes and confiscates or destroys the sign, is not required to compensate a person in respect of the sign in any way for loss or damage which results from its action.
- (7) Costs that are incurred by the municipality when it removes, confiscates or destroys a sign, rehabilitates land or does alterations or other works may be recovered from the person on whom the notice was served, or if a deposit has been paid in respect of the sign the costs may be deducted from the deposit, unless the person to whom a notice was given proves –
 - (a) that he or she did not, at the time when he or she received the notice, nor at any time thereafter, display the sign; or
 - (b) that he or she did not take any active part in displaying the sign and did not grant any person permission to display it and did not receive any valuable consideration in connection with the displaying of the sign, and that he or she does not manufacture an article, or own, control or manage a business or undertaking to which the sign relates.
- (8) The penalty costs when the municipality removes a sign are determined by the Council from time to time by way of resolution.
- (9) Should the municipality decide not to destroy a sign, the original owner may repurchase a sign, which has been removed and confiscated. The repurchasing prices are according to the tariff determined by the Council from time to time.
- (10) The municipality may dispose of a sign which is not repurchased within two weeks.

26. Offences

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

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- (2) Upon conviction of a first offence, the person is liable to a fine, and should the person not pay the fine, he or she may be imprisoned for a period not exceeding two months.
- (3) Upon conviction of a second or subsequent offence, the person is liable to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment;
- (4) Upon conviction of a continuing offence the person is liable to a fine or a period of imprisonment or to such additional imprisonment without the option of a fine for every day during which the offence continued.
- (5) Upon conviction for the display of an unauthorised sign, the person is liable to a fine per sign displayed.

27. Right of appeal

- (1) A person who is of the opinion that his or her rights are affected by a decision of a municipal officer may appeal against that decision by giving written notice of the appeal and reasons to the municipal manager within 21 days of the date of the notification of the decision.
- (2) The municipal manager must promptly submit the appeal to the appropriate appeal authority mentioned in subsection (4).
- (3) The appeal authority must consider the appeal and confirm, vary or revoke the decision, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.
- (4) When the appeal is against a decision taken by –
 - (a) a municipal officer other than the municipal manager, the municipal manager is the appeal authority;
 - (b) the municipal manager, the Executive Mayor is the appeal authority; or
 - (c) a political structure or political office bearer or a councillor, the Municipal Council excluding councillors who were involved in the decision, is the appeal authority.
- (5) An appeal authority must commence with an appeal within six weeks and decide the appeal within a reasonable time.^b
- (6) The lodging of an appeal in terms of subsection (1) does not confer a right on a person to display a sign in contravention of these by-laws or in contravention of a notice given in terms of these by-laws to have it removed, pending the finalization of the appeal.

28. Transitional provision

- (1) The person who displays a sign, for which sign he or she had received written approval to display the sign prior to the commencement of these by-laws, must, within twelve months after the commencement of these By-laws, ensure that the sign complies in all respects with the provisions of these By-laws, and the municipality reserves the right to remove the sign immediately if the sign does not comply with these provisions after twelve months.

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- (2) The person who displays a sign, the display of which is prohibited in terms of section 16 or for which sign he or she do not have any written permission from the municipality to display the sign, must remove the sign within 180 days after the commencement of these By-laws.
- (3) A person who had obtained permission for the display of a sign or advertisement prior to the declaration as contemplated in section 5(4), shall be notified of such declaration by the municipality in writing and must remove such sign within the period stipulated in the notice, which period may be not less than 90 days.
- (4) Where an advertisement has been erected or displayed prior to the date of commencement of the by laws, which, in terms of the by-laws, may not be so erected or displayed without the approval of the Municipality or another authority, the owner of the advertisement must apply to the municipality or the other authority, as the case may be, for such approval, within 180 days of such date of commencement, failing which the advertisement must be removed forthwith. If approval for an advertisement has been refused, the owner must remove it within 30 days of receipt of notification of such refusal. Where such a notification has been posted by registered post, the owner will be deemed to have received it eight days after posting thereof;

29. Impact Assessments

- (1) Environmental Impact Assessments as determined in terms of the National Environmental Management Act, 1998 (Act 107 of 1998), must be conducted for all advertisements contemplated in section 7(1)(a)(i), being a sign in the class 1(a) (super billboards), section 7(1)(a)(ii), being a sign in the class 1(b) (custom-made billboards), section 7(1)(a)(iii), being a sign in the class 1(c) (large billboards), section 7(1)(c)(i), being a sign in the class 3(a) (sky signs), section 7(1)(c)(ii), being a sign in the class 3(b) (roof signs), and section 7(1)(c)(xii), being a sign in the class 3(l) (signs on towers, bridges and pylons).
- (2) The consultation processes of assessments required in terms of subsection (1) may be determined by the Council by resolution from time to time.
- (3) Besides classes of advertisements for which Traffic Impact studies is required in terms of these by-laws and Schedules, the municipality may require a traffic impact study for any other class of advertisements if such advertisement might have a detrimental impact on traffic .
- (4) Any other assessments that the municipality may require to approve the display of a sign in terms of these by-laws may be required from prospective advertisers.

30. Saving provisions

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

31. Waiver

- (1) The municipality may, upon the written request by a person, which request is to be directed to the municipal manager and after consideration of the merits of the request, waive compliance with or relax the provisions of any one or more of the provisions of these By-laws.
- (2) The municipality must serve a written notice of waiver, which is signed by the municipal manager upon the person concerned. The notice must cite –
 - (a) the provision that is waived or relaxed; and

- (b) the extent to which it has been waived.
- (3) The municipality must keep a record which contains a copy of the notice. The public may, at all reasonable hours, inspect this record at the offices of the municipality.

32. Presumptions

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

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

33. Repeal

- (1) There were no preceding regulations and therefore no repeal necessary.

34. Short title and commencement

These By-laws are called the Umzimkhulu Outdoor Advertisement By-laws, and commence on the date of publication thereof in the Provincial Gazette.

SCHEDULE 1
Super billboards (Class 1(a))
(Section 7(1) (a) (i))

1. A sign may be displayed in an urban area of minimum control only.
2. Display of a sign is subject to specific consent.
3. A sign may be displayed only after an environmental impact assessment, which includes visual, social and traffic safety aspects, has been undertaken and has been submitted by the applicant to the municipality and which has been approved by the municipality.
4. A sign may not exceed a maximum size of 81 square metres and a maximum height of 25 metres.
5. The height limitation of super billboards is measured from the normal ground level to the top of the advertising sign, including the height of the supporting structure below the sign.
6. A sign must be displayed perpendicular to the direction of oncoming traffic.
7. A minimum distance of 5 kilometres between signs displayed on the same side of the road must be maintained.
8. (a) No sign may be erected within a radius of 200 metres from the centre of an intersection on an arterial road, or within a radius of 100 metres from the centre of an intersection on any lower order road in such a manner as to be oriented towards such an intersection.

(b) The distances represented in Figure 1, Schedule 36 must be increased by 25 percent.
9. Subject to the provisions of section 18, 19(4), 21(e) and 22, illumination and animation of a sign is allowed.
10. A sign must be placed on a base, which has been designed and erected in accordance with conditions which the municipality may impose in terms of section 10(4).
11. The municipality may approve for the display of a sign for a period ranging from one to five years, but may not grant approval for an indefinite period.
12. Road safety principles will be taken into consideration when determining letter sizes and the length of messages.
13. Maintenance should be done on a continuing basis and a maintenance report should be submitted to the municipality once a year on a date prior to the anniversary of the date on which approval was given for the display of the sign.

SCHEDULE 2
Custom-made billboards (Class 1(b))
(Section 7(1) (a) (ii))

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

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3. A sign may be displayed only after an environmental impact assessment, which includes visual, social and traffic safety aspects, has been undertaken and has been submitted by the applicant to the municipality and which has been approved by the municipality.
4. A sign may not exceed a maximum size of 54 square metres and a maximum height of 13 metres, measured from the ground level to the top of the sign or the structure housing the sign, except as otherwise approved by the municipality in terms of section 10(4).
5. The clear height of the advertising structure may not be less than 2,4 metres, measured from the normal ground level to the bottom edge of the advertising sign, including the height of the supporting structure below the sign.
6. The provisions of sections 21(1)(a)–(c), and the following conditions apply to the position of a sign:
 - (a) No more than one sign may be displayed on a site;
 - (b) a sign consisting of a single board must be displayed perpendicular to or at an angle of up to 30 degrees to the direction of oncoming traffic;
 - (c) where two boards are joined together, the sign must be displayed with the axis of symmetry perpendicular to the direction of oncoming traffic;
 - (d) a maximum of two signs may be displayed in the vicinity of a road intersection;
 - (e) the display of a billboard is not permitted within a radius of 100 metres from the centre of an intersection on an arterial road and within a radius of 50 metres from the centre of an intersection on any lower-order road; and
 - (f) spectacles displayed along roads must be spaced at the following minimum distances:
 - (i) on a road with a speed limit of 81 kilometres per hour and higher, there must be a minimum distance of 250 metres between signs;
 - (ii) on a road with a speed limit between 61 kilometres per hour and 80 kilometres per hour, there must be a minimum distance of 200 metres between signs; and
 - (iii) on a road with a speed limit below 60 kilometres per hour, when the signs are in view of each other and on the same side of the road, there must be a minimum distance of 120 metres between signs.
7. A sign displayed in the vicinity of a signalised intersection may not contain the colours red, amber or green if such colours will constitute a road safety hazard.
8. The provisions of sections 18, 19(4), 21(e), 22, and the following conditions apply to the illumination and animation of a sign:
 - (a) Internal and external illumination is allowed;
 - (b) the following maximum luminance levels are prescribed by the municipality:
 - (i) if the illuminated area is 0,5 square metre in size or smaller a maximum level of 1000 candela per square metre;

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- (ii) if the illuminated area is between 0,5 square metre and two square metres in size a maximum level of 800 candela per square metre;
 - (iii) if the illuminated area is between 2 square metres and 10 square metres in size a maximum level of 600 candela per square metre; and
 - (iv) if the illuminated area is larger than 10 square metres in size a maximum level of 400 candela per square metre;
- (c) the light source emanating from floodlights may not be visible to traffic travelling in either direction;
 - (d) floodlighting must be positioned to ensure effective distribution of light and minimize light wastage or 'spill'; and
 - (e) no animation is allowed.
9. A sign must be placed on a base, which has been designed and erected in accordance with conditions which the municipality may impose in terms of section 10(4).
10. The municipality may grant approval for the display of a sign for a period ranging from one to five years, but may not grant approval for an indefinite period.
11. Maintenance should be done on a continuing basis and a maintenance report should be submitted to the municipality once a year on a date prior to the anniversary of the date on which approval was given for the display of the sign.

SCHEDULE 3 **Large billboards (Class 1(c))** **(Section 7(1)(a)(iii))**

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

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- (d) billboards displayed along roads must be spaced at the following distances:
 - (i) on a road with a speed limit of 81 kilometres per hour and higher the distance between signs may not be less than 250 metres;
 - (ii) on a road with a speed limit between 61 kilometres per hour and 80 kilometres per hour the distance between signs may not be less than 200 metres; and
 - (iii) on a road with a speed limit below 60 kilometres per hour, when the signs are in view of each other and on the same side of the road, the distance between signs may not be less than 120 metres;
 - (e) a maximum of two billboards may be displayed in the vicinity of a road intersection; and
 - (f) no billboard may be displayed within a radius of 100 metres from the centre of an intersection on an arterial road and within 50 metres from the centre of an intersection on any lower-order road.
7. A sign displayed in the vicinity of a signalised intersection may not contain the colours red, amber or green if such colours will constitute a road safety hazard.
8. A sign may be paper-posted, any may also be sign written, posted with vinyl or a combination of all three.
9. The provisions of section 18, 19(4), 21(e), 22, and the following conditions apply to the illumination and animation of a sign:
- (a) Internal and external illumination is allowed;
 - (b) the following maximum luminance levels are prescribed by the municipality:
 - (i) if the illuminated area is 0,5 square metre in size or smaller a maximum level of 1000 candela per square metre;
 - (ii) if the illuminated area is between 0,5 square metre and 2 square metres in size a maximum level of 800 candela per square metre;
 - (iii) if the illuminated area is between 2 square metres and 10 square metres in size a maximum level of 600 candela per square metre; and
 - (iv) if the illuminated area is larger than 10 square metres in size a maximum level of 400 candela per square metre;
 - (c) the light source emanating from floodlights may not be visible to traffic travelling in either direction; and
 - (d) floodlighting must be positioned to ensure effective distribution and minimize light wastage or 'spill', and external illumination may not constitute a road safety hazard or cause undue disturbance.
10. No animation of a signs in this class is allowed.
11. A sign must be placed on a base, which has been designed and erected in accordance with conditions which the municipality may impose in terms of section 10(4).

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12. The municipality may grant approval for the display of a sign for a period ranging from one to five years, but may not grant approval for an indefinite period.
13. Maintenance should be done on a continuing basis and a maintenance report should be submitted to the municipality once a year on a date prior to the anniversary of the date on which approval was given for the display of the sign.

SCHEDULE 4
Small billboards and tower structures (Class 1 (d))
(Section 7(1)(a)(iv))

1. A sign may be displayed in an urban area of partial control and an urban area of minimum control only.
2. Display of a sign in an urban area of minimum control is subject to deemed consent.
3. Display of a sign in an urban area of partial control is subject to specific consent, but if the sign forms part of the parking layout of a business centre and is not visible from a passing road, the display is subject to deemed consent.
4. Subject to the approval to display signs in terms of these by-laws, these signs may be displayed on a sport's field, sports ground, school or other institute of learning, subject to the following conditions :
 - (a) the sign may not face any residential building, except if all occupiers of such a residential building agreed in writing that the sign may face towards the building they are occupying ;
 - (b) the sign may only be erected at the main entrance to the sports field, sports ground, school or institute of learning;
 - (c) the sign may not be erected closer to 15 metres from any intersection;
 - (d) at least 35% of the sign-artwork should display the name of the school and events to be presented at the school;
5. A billboard may not exceed a maximum size of 6 square metres, and a maximum height of 3,5 metres.
6. A panel or board on a tower structure may not exceed a maximum size of 4,5 square metres.
7. The clear height of a tower structure may not be less than 2,4 metres, and the maximum height of such a structure may not be more than 5 metres.
8. Subject to section 21(1)(c)(viii), a sign must be internally oriented and may not be aimed at a road user outside the shopping centre or transport node.
9. The illumination and animation of a sign is permitted, except in residential areas, and is subject to the provisions of sections 18(1), 19(4), 21(1)(e), 22, and the additional provision that such illumination or animation does not constitute a road safety hazard or cause undue disturbance.
10. A tower structure provided in a larger pedestrian area may be used only as a focal point, and must be of a high visual standard and must harmonise with the surrounding buildings and streetscape.

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11. A sign must be placed on a base, which has been designed and erected in accordance with conditions which the municipality may impose in terms of section 10(4).
12. The municipality may grant approval for the display of a sign for a period ranging from one to five years, but may not grant approval for an indefinite period.
13. A sign may be used to display only general and non-locality-bound advertisements of products, activities and services in parking areas of shopping centres and at important transport nodes such as railway stations, bus stations and airports, and may not identify or identify the location of specific enterprises at such centres or nodes.
14. Maintenance should be done on a continuing basis and a maintenance report should be submitted to the municipality once a year on a date prior to the anniversary of the date on which approval was given for the display of the sign.

SCHEDULE 5
Permanent posters and signs on street furniture (Class 2(a))
(Section 7(1)(b)(i))

1. A sign may be displayed in an urban area of maximum control, an urban area of partial control, and an urban area of minimum control only.
2. Display of a sign in an urban area of maximum control and an urban area of partial control and minimum control is subject to specific consent and must comply with the provision of Section 2.1 (A), & (J) of the Umzimkhulu Advertising Signage Policy on Poster Placement Holders and Advertising Street Furniture respectively.
3. Advertising signs may not be attached to street furniture where it may obstruct sight distance from a nearby intersection or from a motor car driveway.
4. Except for litter bins and bus shelters erected by the municipality, advertisements in this class which is erected within a road reserve, may not be located closer than 120m to formal road traffic signage displayed in terms of the Road Traffic Act, No 93 of 1996, facing the same traffic direction.
5. The following specifications are applicable to litterbins inside road reserves, on municipal property and on other public open spaces:
 - (a) Litterbins may only be placed on a suitably prepared concrete or paved footing and must be adequately secured to prevent it from being blown over by winds with speed of up to 30km/s.
 - (b) Litterbins may not be placed on traffic islands.
 - (c) Each new litterbin site must be approved individually by the Municipality, and applications must include the following:
 - (i) Sufficient information to enable officials to determine the position of the requested new site within 1m accuracy;
 - (ii) adequate details of the nature of the proposed footing and moorings;
 - (iii) the presence of other litterbins along the same route that serve the same pedestrians.

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- (d) Approval of the site does not grant the applicant an indefinite right to advertise on the particular site.
 - (e) Advertising periods are as determined by the Municipality from time to time, and the applicant must ensure that he or she ascertains such periods from the Municipality.
 - (f) Litterbins may not be located closer than 1,5 meters from the edge of a public road.
 - (g) Only litterbins with a vertical height of 900mm or less may be located closer than 50m to a traffic intersection or a high volume vehicle access.
 - (h) An advertisement on a litter bin should be aimed at pedestrians and not motorists.
6. A poster structure and street furniture carrying an advertisement may not exceed a maximum height of 3 metres.
7. The provisions of sections 18, 19(4), 21(1)(a) – 21(1)(c), 21(1)(e), and the following conditions apply to the position of a sign:
- (a) An advertising sign on street furniture may be displayed within an urban road reserve other than a freeway;
 - (b) a sign in this class may not be closer than 300 millimetres to the vertical line of the edge- of a cycle path or footpath;
 - (c) street furniture may not be placed in such a way as to obstruct any pedestrian movement; and
 - (d) signs in this class may not be less than 50 meters apart if they are on the same side of the street.
8. A sign displayed in the vicinity of signalised intersections may not contain the colours red, amber or green if such colours will constitute a road safety hazard.
9. Subject to the provisions of section 18,19(4), 21(e) and 22, illumination and animation of a sign is allowed in an urban area of partial control and an urban area of minimum control.
10. Display of a standardized pole-mounted poster is allowed only if it does not have a negative visual impact on the character of an area.
11. Creative and visually pleasant structures may be used for displaying large posters in road reserves in order to make a positive contribution to streetscaping.
12. Street furniture and advertising furniture higher than 3 metres may be used only as focal points.
13. The clear height of a poster may not be less than 2,4 meters.
14. Large posters may not be used for the primary purpose of directing or guiding travellers to an enterprise or facility.

SCHEDULE 6 Banners, flags and inflatables (Class 2(b))

(Section 7(1)(b)(ii))

1. A banner, flag or inflatable may not be displayed in a rural area of maximum control and an inflatable may not be displayed in an urban area of maximum control.
2. Display of a banner or flag in an urban area of maximum control and display of a banner, flag or inflatable in an urban area of partial control is subject to specific consent and must comply with the provision of Section 2.1 (L) of the Umzimkhulu Advertising Signage Policy on Banners.
3. Display of a banner or flag in an urban area of minimum control is subject to deemed consent, whilst display of an inflatable requires specific consent.
4. Display of a banner, flag or inflatable, for the purpose of streetscaping, in an urban area of minimum control is subject to specific consent.
5. Subject to item 21, the display of a national flag of any country is excluded from conditions stipulated in this Schedule, and such flag may be displayed in all areas of control.
6. A maximum of two banners, flags or teardrop flags may be displayed per event, enterprise or function in an urban area of maximum control .
7. A maximum of four banners, flags or teardrop flags or only one inflatable may be displayed per event, enterprise or function in an urban area of partial control and an urban area of minimum control.
8. A maximum of ten banners, flags or teardrop flags and one inflatable may be displayed per shopping centre of which the floor area, excluding the parking area, is 2000 square metres or larger.
9. A banner or flag displayed in any urban area may not be larger than 4,5 square metres.
10. A teardrop flag may not be larger than 2,2 square meters.
11. The following restrictions apply with regards to the size of inflatables, where D represents the distance in meters of the sign from the nearest road reserve boundary and H represents the height :

In areas of partial control: The maximum allowable height can be calculated with the following formulae: $H = 1.5 + D * 0.15$, to a maximum height of 7.5m. The horizontal circumference may not exceed 6.5m and the maximum projected area of any side may not exceed 8m²

In areas of minimum control: The maximum allowable height can be calculated with the following formulae: $H = 2 + D * 0.15$, to a maximum height of 10m. The horizontal circumference may not exceed 8.5m and the maximum projected area of any side may not exceed 11m²

The height restriction specified for inflatables is the distance from the ground level to the top of the sign, irrespective of whether the sign is located on the ground or will be elevated on a structure.

An inflatable in excess of 3m in height may not be located closer than 100m to an intersection along an arterial road, or closer than 50m to other traffic intersections.

Signs closer than 30 to a road reserve boundary shall be spaced at the following minimum distances when in view of one another and on the same side of the road:

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SPEED LIMIT	SPACING
Faster than 80km/h	250m
60 – 80km/h	200m
Less than 60 km/h	120m

12. A character or symbol on a flag, banner or teardrop flag may not be more than 0,75 metre in height.
13. The provisions of section 21(1)(a) and (b), 21(1)(c)(iv) and (v), and the following conditions apply to the position of a banner or flag:
 - (a) A banner or flag must be attached to or suspended between poles or other supports on the site, or against the building where the function or event is to be held or where the enterprise is located or on such other site as the municipality may permit;
 - (b) a banner or flag may be displayed within all urban road reserves, but may not be displayed on a freeway, and a banner may only be suspended across a road or street as part of an urban streetscaping project;
 - (c) a banner may be attached to a building or to a special streetscaping structure provided for this purpose; and
 - (d) the poles or supports of a flag or banner me not be placed inside a road reserve.
 - (e) Banners are to be displayed for no longer than 14 days prior to commencement of the event or no longer than two days after the day on which it ends, subject to the maximum period for each event not exceeding 21 days; and
 - (f) Subject (cap S) to commercial advertising not occupying more than 30% of the surface of the banner;
 - (g) No banners are permitted to be displayed on bridges, traffic lights, traffic signs (includes supporting structure for such signs), natural features, trees, freeways and/or national routes;
 - (h) Banners displayed within the curtilage of the property to which they directly relate require no approval from Council, however they are still subject to the constructional, size and safety guidelines as dictated under this policy;
14. No Inflatable may be displayed inside or above a road reserve or placed in a parking area that it takes up any parking space.
15. The colour or texture of a banner that is attached to a building in an urban area of maximum control must blend with such building.
16. No illumination or animation of a banner or a flag is permitted.
17. Display of a banner , flag, teardrop flag or inflatable is subject to the safety requirements as provided for in section 18, and the condition that a banner, flag, teardrop flag or inflatable may not be attached in a manner so as to interfere with or constitute a danger to passing vehicular or pedestrian traffic.

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18. A banner, flag or teardrop flag used for streetscaping must form a harmonious and well-designed part of the total streetscape.
19. A flag must be attached to a single flag-staff projecting vertically from a premises or projecting vertically, horizontally or at an angle from a building.
20. No banner, flag, teardrop flag or inflatable may be displayed for more than two weeks before the date of the function or event advertised, and no such banner or flag is permitted to remain in position for more than three days after the conclusion of such function or event.
21. A banner, flag, teardrop flag or inflatable may not be used for purposes other than:
 - (a) Advertising functions and events conducted for religious, educational, social welfare, animal welfare, sporting, civic or cultural purposes, or functions or events relating to municipal, provincial or parliamentary elections or referenda;
 - (b) displaying the name, corporate symbol and nature of enterprises; or
 - (c) streetscaping urban areas such as pedestrian malls and gateways.
22. Only a locality-bound banner or flag may be used for advertising a function, event and enterprise, except when incorporated in a streetscaping project.
23. A banner, flag, teardrop flag or inflatable may not be used for advertising a sales promotion, private company, or a commercial product or event.
24. A national flag may not carry on the flag or flag-staff any advertisement or subject matter additional to the design of the flag.

SCHEDULE 7
Suburban signs (Class 2(c))
(Section 7(1) (b) (iii))

1. A sign may be displayed in an urban area of maximum control, an urban area of partial control and an urban area of minimum control only.
2. Display of a sign is subject to specific consent.
3. A suburb name sign may not be displayed on a freeway.
4. The sign must be rectangular and 0,44 metre in height and of equal length to the suburb name sign.
5. The sign must be smaller and less conspicuous than the suburb name sign.
6. The provisions of section 21(1)(a), (d), (e), and the following conditions apply to the position of a sign:
 - (a) A sign may be displayed within the road reserves of a proclaimed main road, but may not be displayed on a freeway; and
 - (b) a suburb name sign positioned on a road island, median or within the restricted area as indicated in figure 2, Schedule 36 may not be used to carry a suburban advertisement.

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7. No colours that may cause confusion with road traffic signs may be used.
8. The background of the advertising sign may not be retro-reflective or fluorescent.
9. No illumination or animation of a sign is permitted.
10. A suburban advertisement may only be displayed if attached to a GL2 sign in terms of the specifications of the South African Road Traffic Signal Manual.

SCHEDULE 8
Estate agents' boards (Class 2(d)(i))
(Section 7(1)(b)(iv)(aa))

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to deemed consent.
3. The maximum size of a sign is as follows:
 - (a) In a residential area in an area of maximum and partial control, a total area of 0,55 square metre for a single board, or a total area of 0,65 square metre for two joined boards;
 - (b) in an agricultural or commercial area (including centres of economic activity outside urban areas) in an area of maximum and partial control, a total area of 2 square metres for a single board, or 2,3 square metres a total area for two joined boards; and
 - (c) in an area of minimum control, a total area of 2,8 square metres for a single board, or a total area of 3,2 square metres for two joined boards.
4. Only one sign per estate agent may be displayed per premises.
5. A single " Sold" sign may be displayed flush against the fence or wall of the property for a maximum period of ninety days only.
6. Not more than two estate agents may display their signs simultaneously on the same premises.
7. The sign may be –
 - (a) placed at or fixed to the building concerned only;
 - (b) attached to the boundary fence of the premises concerned only; or
 - (c) displayed within the boundaries of such premises only;
 - (d) fixed to the sidewalk, subject to the provisions of items 8 and 15, hereunder and the by-laws, and shall be anchored in such a way that no part of the sign or anchors will penetrate the ground by more than 100mm.
8. No sign may at any point project more than 1,3 metre from the wall of the building or structure to which it is affixed.
9. A sign may not be displayed on the centre median of a road or on any traffic island.

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10. No specific limitations are imposed as to the colour or texture of a sign.
11. Illumination or animation of a sign is not permitted.
12. Application by each estate agency on an annual basis must be made to the municipality for permission to display estate agent signs and approval is subject to payment of an annual fee in accordance with the municipality's schedule of tariffs and charges as resolved upon by the municipality from time to time.
13. A deposit must be paid per agency against which a charge for the removal of any sign which contravenes the by-law, is levied, and in the event of such deposit being exhausted, permission to display such signage shall be withdrawn until a further deposit is paid to the Municipality.
14. Any estate agent sign unlawfully erected, or in contravention of the provisions of this Schedule, is subject to a charge by the municipality, calculated in accordance with the published schedule of tariffs and charges irrespective of whether such sign is removed by the Municipality or not.
15. Estate agent signs may not be positioned nearer than 2m from the roadway edge and may not pose a threat for possible injury to pedestrians, or obstruct pedestrian movement along a sidewalk.
16. Display of a sign is subject to the design and construction requirements as provided for in section 18, 19 and 21.
17. A sign may only contain the name, logo, address and telephone number of the selling or letting agent, and the words 'For Sale', 'To Let' or 'Sold'.
18. No flag, balloon or any other object which has as aim the drawing of the attention of a person to the sign, may be displayed.
19. A sign may not be used for commercial advertising.

SCHEDULE 9 **Sale of goods or livestock signs (Class 2(d)(ii))** **(Section 7(1)(b)(iv)(bb))**

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to deemed consent.
3. Only one sign per sale may be displayed.
4. The maximum size of a sign is as follows:
 - (a) In an urban area of maximum or partial control, 2 square metres; and
 - (b) in an urban area of minimum control, 2,8 square metres.
5. No part of a sign may be higher than 3 metres above the ground.
6. Subject to the provisions of section 21(1)(e), a sign may be displayed on the premises or property where the advertised sale is to be held, or may be attached to the boundary fence of such property or premises only.

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7. No specific limitations are imposed on the colour or texture of a sign.
8. Illumination or animation of this sign type is not permitted.
9. The provisions of section 18(1) and 19(5) apply to the design and construction of a sign.
10. A sign must be removed not later than five days after the auction or sale.
11. A sign may not be used for commercial advertising.

SCHEDULE 10
Pavement posters and notices (Class 2(d)(iii))
(Section 7(1)(b)(iv)(cc))

1. A sign may be displayed in an urban area of partial control and an urban area of minimum control only.
2. Display of a Temporary Poster sign is subject to specific consent.
3. Temporary Posters displayed upon the building or the main wall of any private erf or property within which the advertised event or item is taking place or available is subject to deemed consent.
4. Temporary posters displayed on the inside of any shop front window is subject to deemed consent.
5. Any advertisement relating to an election, meeting, function or event shall be a maximum of 0.5 Meters squared in area and shall have a clear height of minimum 2 m; and if paper shall be securely fixed to durable hardboard or other approved backing board, or constructed from a plasticised cardboard material;
6. Any person/s or, in the case of election advertising, each political party displaying or causing to display any poster advertisement relating to the same meeting, function or event shall only be permitted one poster per electricity lamp, or telephone pole to a maximum of three (3) posters allowed on any particular pole at any one stage.
7. Any advertisement relating to an election, meeting, function or event shall not be placed in such a manner that the content of separate advertisements when read in succession, forms a continuous relative legend;
8. A poster relating to a parliamentary or municipal election or referendum may be displayed from the date of proclamation in the Government Gazette of an upcoming referendum or election to the end of the fourteenth day after the date of the election or referendum, at which date the poster, its backing boards and cord or string must be removed.
9. Any advertisement relating to a meeting, function or event other than an election, shall not be displayed for longer than 14 days before the day on which it begins or longer than two days after the day on which it ends.
10. The total number of posters displayed at any one time relating to any meeting, function or event may not exceed 150, except in special circumstances and with the consent of the Council. In the case of election advertisements, no limitation will be placed on the number of posters displayed;

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11. Any advertisement relating to an election shall be on the basis of a written agreement between the Independent Electoral Commission and the relevant political party;
12. Auction posters approved in terms of this section may not be larger than 0.6 Meters squared in area;
13. Posters may only be affixed with plastic cable ties or non-abrasive string;
14. For the purposes of interpretation "event" is an occurrence that does not take place more than 4 (Four) times annually and relates specifically to advertising any meeting, function or event of a sporting, civic, cultural, social, educational, religious, charitable, political or other similar character;
15. Posters may be displayed back to back.
16. Posters may not be displayed closer than 30m from traffic intersections, measured from the nearest road reserve boundary.
17. The provisions of section 21(1) (a), 21(1) (e), and the following conditions apply to the position of a sign:
 - (a) A poster for a political campaign may be displayed on electric light standards only;
 - (b) a poster may not be displayed on power line standards, road traffic signs and signals, walls, columns and posts of verandas and balconies, electricity boxes, trees or bridges; and
 - (c) a poster may not cover any municipal markings or painted stripes on lamp posts.
18. No specific limitations are imposed on the colour or texture of a sign.
19. Illumination or animation of a sign is not permitted.
20. The name of the organisation, the date of the function and the venue must appear on the poster in letters not smaller than 50 millimetres in height, and posters displayed when advertising a specific event which is broadly cultural, of public interest, including entertainment events, exhibitions, and trade fairs, or sporting or religious in nature must have a sticker or marking signifying the approval of the Municipality.
21. Posters relating to newspaper publishers to advertise the headline stories of the main newspapers may only be displayed for maximum period of 24 hours.
22. A sign in this class may not be used for commercial advertising.
23. A poster advertising a specific event which is broadly cultural, of public interest, including entertainment events, exhibitions, and trade fairs, or sporting or religious in nature, may not be displayed unless the prescribed deposit and fees have been paid.

SCHEDULE 11
Project boards (Class 2(d) (iv))
(Section 7(1) (b) (iv) (dd))

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1. Subject to the provisions of section 5(4), a project board may be displayed in all areas of control and is subject to deemed consent.
2. Display of a development sign is subject to specific consent in a rural area of maximum control and in an urban area of maximum control.
3. Display of a development sign is subject to deemed consent in an urban area of partial control and in an urban area of minimum control.
4. A project board may not exceed 2 square metres in area per consultant or contractor, whether displayed as part of a combined project board or individually.
5. A combined project board may not exceed 6 square metres in total.
6. An individual or single board may be displayed only if no other consultants or contractors are involved, or if a combined project board has already been erected.
7. A sign describing the type of development may not exceed 3 metres in height and –
 - (a) may not, in an urban area of maximum control, exceed 4,5 square metres in size, and;
 - (b) may not, in any other area of control, exceed 6 square metres in size.
8. The provisions of section 21(1)(a), (c)(i) and (iii), and the following conditions apply to the position of a sign:
 - (a) Only one advertisement per contractor or consultant may be displayed per street frontage of a site;
 - (b) only one advertisement per contractor or consultant per project may be displayed in a rural area of maximum control;
 - (c) only one sign describing the type of development may be displayed per premises;
 - (d) a project board must be positioned within property boundaries only; and
 - (e) a project board concerning road construction may be positioned in any road reserve, including a freeway.
9. No specific limitations are imposed on the colour or texture of a sign.
10. Illumination or animation of a sign is not permitted.
11. A sign may describe the building or structure being erected, or other work or activity being carried out while the project is in progress only, and the names of the contractors or consultants concerned in such work or activity, and the branches of the industry or the professions of the contractors or consultants may be listed.
12. Where a sign describes the type of development being carried out on a site, details concerning the type of accommodation being provided, the floor space available and the name, address and telephone number of the developer or his agent may be contained in the sign.
13. A sign may not be used for commercial advertising.

14. A sign in this class must be removed within 7 days after completion of the project

SCHEDULE 12
Temporary window signs (Class 2(d)(v))
(Section 7(1)(b)(iv)(ee))

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to deemed consent.
3. The total area of all temporary signs, which are painted on or attached to the windows of a specific enterprise may not exceed –
 - (a) 10 percent of the total ground-floor window area of such enterprise in an urban area of maximum control;
 - (b) 25 percent of the total ground-floor window area of such enterprise in an urban area of partial control; and
 - (c) 50 percent of the total ground-floor window area of such enterprise in an urban area of minimum control.
4. Display of a sign is limited to ground-floor windows.
5. No limitations are imposed on the colour or texture of a sign.
6. Subject to the provisions of section 18(1), 19(4), 21(e) and 22, no internally illuminated signs displayed inside a building in an urban area of maximum control may be visible from outside the building.
7. Display of a sign is subject to the safety requirements as provided for in sections 18(1) and 18(2).
8. Price tags smaller than 0,01 square metre on items inside buildings are excluded from this class.
9. A sign may not be used for commercial advertising.

SCHEDULE 13
Illuminated Street name advertisement signs (Class 2(e))
(Section 7(1)(b)(v))

1. Street name advertisements may be displayed in urban areas along proclaimed main roads and in those roads reserves, which are determined by the municipality from time to time, within an urban area of partial control and an urban area of minimum control only.
2. Street name advertisements may not be displayed in residential areas.
3. Display of street name advertisements is subject to specific consent and comply with such conditions as laid down in Section 2.1 (l) of the Councils Outdoor Advertising policy.
4. The advertising and street name sections must be rectangular in shape.
5. In the case of street name advertisements –

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- (a) the street name section –
 - (i) must be below the advertising section, but not closer than 200 millimetres to the advertising section; and
 - (ii) may not have a clear height of less than 2,1 meters; and
 - (b) the advertising space may not be smaller than 0,8 square metre, and may not exceed 1,5 square metre.
6. The illuminated parts of the sign, must be above the level of standard pole-mounted traffic lights and may not extend over the road surface.
7. The provisions of section 22(1)(a) and (c), and the following conditions apply to the position of a sign:
- (a) A street name advertisement may be displayed at an intersection only, with a maximum of two illuminated signs displayed per intersection; and
 - (b) a street name advertisement may be displayed within an urban road reserve other than a freeway, and on a road median.
8. Static illumination is allowed, but the colours red, amber and green may not be used at signalised traffic intersections.
9. The street name must be in black letters on a white background.
10. Subject to the conditions of section 18(1), 19(4), 21(e) and 22, the following conditions apply to the illumination and animation of a sign:
- (a) Internal illumination of both sections of the sign is permitted, on the condition that the degree of illumination intensity must be equal for both parts of the sign;
 - (b) no form of animation is permitted; and
 - (c) a sign may not flash.
11. A street name on the advertising space must be smaller and less conspicuous than the street name on the actual street name panel, and the layout of the advertising panel must be such that there may not be any confusion with the street name on the street name panel of the sign.
12. Advertising on a directory signboard may include the name and logo only of the industry, and a standard directional arrow.
13. The name only of the street may appear on the street name panel and the words “Street”, “Avenue”, “Way”, or words with a similar denotation may not be used.
14. A street name advertisement should be aimed primarily at advertising and identifying:
- (a) A shopping centre and groups of shops in an arcade or plaza;
 - (b) a community facility as provided for in the municipal Zoning Scheme;
 - (c) a parking area; or

- (d) a larger and more prominent enterprise and institution, such as an apartment store, a bank and financial institution, an industry, a filling station, and a hotel.

SCHEDULE 14

Neighbourhood watch signs and signs relating to similar schemes (Class 2(f)) (Section 7(1)(b)(vi))

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to deemed consent.
3. A sign may not exceed 0,35 square metre in area.
4. The clear height of a sign may not exceed 3 metres.
5. In urban areas only one sign may be displayed per street boundary of a stand or subdivision, and the sign must be firmly affixed to the building, boundary wall, fence or gate on the street frontage, or must be displayed within the boundaries of the stand.
6. A neighbourhood watch sign may be displayed within a road reserve other than a freeway at the point of entry to the watch area, but a sign may not be positioned on a road island, road median, or inside a restricted area at street corners as represented in Figure 2, Schedule 36.
7. No specific limitations are imposed on the colour or texture of a sign.
8. Illumination or animation of a sign is not permitted.

SCHEDULE 15

Product replicas and three-dimensional signs (Class 2(g)) (Section 7(1)(b)(vii))

1. A sign may be displayed in an urban area of partial control and an urban area of minimum control only.
2. A sign may not be displayed on municipal land or within formal road reserves.
3. Display of a sign in an urban area of partial control is subject to specific consent.
4. Display of a sign in an urban area of minimum control is subject to deemed consent.
5. The highest point of any free-standing sign may not be more than 3 meters above ground level.
6. Individual signs may not exceed a vertical dimension of 1,5 meters and a diameter of more than 1 meter .
7. Only one sign per enterprise may be attached to buildings or displayed on individual premises, and a sign may not exceed a total sign area of 3 cubic metres in an urban area of partial control, and a total sign area of 6 cubic metres in an urban area of minimum control.

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8. A sign attached to a building may not be displayed above the bottom edge of the second-floor window, and may not extend above the level of the underside of the eaves or gutter of the building.
9. A sign may not be placed in front of, or obstruct the view from any window or any other external opening of a building.
10. Items 6 and 7 do not apply to entertainment districts.
11. Signs aimed at the road user must be spaced at the following minimum distances when in view of each other and on the same side of the road:
 - (a) On a road with a speed limit of 81 kilometres per hour and higher the distance between signs may not be less than 250 metres;
 - (b) on a road with a speed limit between 61 kilometres per hour and 80 kilometres per hour the distance between signs may not be less than 200 metres; and
 - (c) on a road with a speed limit below 60 kilometres per hour the distance between signs may not be less than 120 metres.
12. No specific limitations are imposed on the colour or texture of a sign.
13. Subject to the provisions of section 18(1), 19(4) and 22, illumination or animation of a sign is allowed.
14. A product replica may not dominate prominent architectural features of a building, with the exception of buildings in entertainment districts.

SCHEDULE 16 Sky signs (Class 3(a) (Section 7(1)(c)(i))

1. A sign be displayed in an urban area of partial control and an urban area of minimum control only and is subject to specific consent.
2. A sign may be displayed only after an environmental impact assessment, which includes visual, social and traffic safety aspects, has been undertaken and has been submitted by the applicant to the municipality and which has been approved by the municipality.
3. A sign may not exceed a maximum size of 150 square metres, unless the municipality, after being requested therefore in writing, grants an exemption for a sign up to a maximum size of 300m².
4. A maximum of only one sign per skyscraper may be displayed.
5. The municipality, having regard to the outcome of an impact assessment, and having taken into consideration factors such as the size and character of the business centre and surrounding area, the lifestyle of the local community, and the nature of host skyscraper, shall specify the size of a sign and the number of signs which may be displayed, and a person who intends to display a sign may not display a sign in contravention of the municipality's specifications.
6. A sign may not project in front of a main wall of a host building so as to extend in any direction beyond the roof of such a building.

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7. A sign may not obstruct the view from any other building or a prominent viewpoint in the City.
8. In the instance where cluttering of signs occurs, the municipality may by written notice in terms of section 11(2) require the person who displays a sign to remove the sign within a specified period.
9. No specific limitations are imposed on the colour or texture of a sign.
10. Subject to the provisions of sections 18(1), 19(4) and 22, illumination of a sign is allowed.
11. A sign must be designed by a structural engineer.
12. The municipality may approve the display of a sign for a period not exceeding five years.
13. The advertisement contents of an approved sign may not be changed without approval by the municipality based on an additional impact assessment submitted to and approved by the municipality.

SCHEDULE 17
Roof signs (Class 3(b))
(Section 7(1)(c)(ii))

1. A sign may be displayed in an urban area of partial control and an urban area of minimum control only.
2. Display of a sign is subject to specific consent.
3. A sign may not be so affixed that the bottom of the sign is more than 1,2 metre above the nearest portion of the roof beneath it.
4. A sign must be constructed in a straight line, except in the case of a V-construction, where the two sides forming the sides of the V must be of equal length, and the distance between the sides at the open end furthest from the apex of the V may not exceed the length of the sides.
5. A sign may not exceed in size the following areas:
 - (a) The maximum area of a sign may not exceed two square metres when the height of the sign above ground level is less than six metres;
 - (b) the maximum area of a sign may not exceed four square metres when the height of the sign above ground level is between six metres and nine metres;
 - (c) the maximum area of a sign may not exceed eight square metres when the height of the sign above ground level is between nine metres and 12 metres;
 - (d) the maximum area of a sign may not exceed 12 square metres when the height of the sign above ground level is between 12 metres and 18 metres; and
 - (e) the maximum area of a sign may not exceed 18 square metres when the height of the sign above ground level is greater than 18 metres.
6. In the case of a V-construction sign the above areas apply separately to the two vertical faces of the sides forming the V.

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

SCHEDULE 18
Flat signs (Class 3(c))
(Section 7(1)(c)(iii))

1. A sign may be displayed, subject to specific consent, in an urban area of maximum control, an urban area of partial control and an urban area of minimum control, and at centres of economic activity in an urban area of minimum control.
2. Display of a sign is limited to buildings utilised for commercial, office, industrial or entertainment purposes, and larger accommodation facilities.
3. A non-locality bound sign may not be displayed on a building used mainly for residential purposes or for community services, or a community institution, a small enterprise and a practice on residential premises, or a small-scale residential-oriented accommodation.
4. Only a locality-bound sign may be displayed in a rural area of maximum control and an urban area of maximum control.
5. The requirements concerning consent are as follows:
 - (a) Display of a sign in a rural area of maximum control and an urban area of maximum control is subject to specific consent;
 - (b) display of a sign in an urban area of partial control and an urban area of minimum control is subject to specific consent for a non-locality bound sign;
 - (c) display of a sign in an urban area of partial control and an urban area of minimum control is subject to specific consent for a locality-bound sign above first-floor level; and
 - (d) display of a sign in an urban area of partial control and an urban area of minimum control is subject to deemed consent for a locality-bound sign at first or ground-floor level.
6. Unless otherwise stipulated, flat signs shall at no point project more than 150mm from the surface of the wall to which they are attached.

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7. On-site, locality bound flat signs shall be permitted to be attached to the front, side and back walls of buildings; non-locality bound flat signs shall only be permitted to be attached to the side and back walls of buildings which do not fulfil the function of a building facade.
8. No more than two locality bound flat signs per enterprise shall be permitted and only one flat sign per enterprise per wall shall be permitted;
9. Flat signs shall not cover any windows or other external openings of a building or obstruct the view from such openings.
10. Flat signs shall not exceed 54m² in total area or exceed 50% of the visible wall surface area to which they are attached, affixed or painted, whichever is the lesser, provided that in urban landscapes of partial to maximum control, the signs may not exceed 25% of the visible wall surface area.
11. An Environmental Impact Assessment shall be required for all flat signs in excess of 36m².
12. Flat signs shall not extend beyond the ends of the wall to which it is attached in any direction.
13. Locality bound flat signs shall not contain advertising matter other than exclusively directional on more than 50% of the area of any face thereof.
14. Non-locality bound advertising signs shall only be permitted on blank return and back walls that have no openable sections or that compromise any architectural features.
15. Flat signs smaller than 4,5 m² in area that are not illuminated and contain only the name of the business, the type of business conducted and the contact details, are subject to deemed consent.

SCHEDULE 19 **Projecting signs (Class 3(d))** **(Section 7(1) (c) (iv))**

1. A sign may be displayed in an urban area of maximum control, an urban area of partial control and an urban area of minimum control, and at centres of economic activity in a rural area of maximum control.
2. Display of a projecting sign is limited to a building utilised for commercial, office, industrial or entertainment purposes and to a larger accommodation facility.
3. A sign may not be displayed on a building used for residential purposes or for community services or community institutions, a small enterprise and a practice on residential premises, or a small-scale residential-oriented accommodation.
4. Only a locality-bound sign may be displayed.
5. Consent requirements are as follows:
 - (a) Display of a sign in a rural area of maximum control and an urban area of maximum control is subject to specific consent;
 - (b) display of a sign in an urban area of partial control and an urban area of minimum control is subject to specific consent; and
6. A projecting sign may not be affixed at a clear height of less than 2,4 metres.

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7. A projecting sign may not exceed 300 millimetres in thickness.
8. The maximum sizes and dimensions of signs displayed in an urban area of maximum control are as follows:
 - (a) Where the clear height of the sign is below six metres, the maximum size of the sign may not exceed 1,2 square metre, the maximum horizontal width may not exceed one metre, and the maximum vertical length may not exceed 1.5 metre; and
 - (b) where the clear height of the sign is above six metres, the maximum size of the sign may not exceed four square metres, the maximum horizontal width may not exceed 1,5 metre, and the maximum vertical length may not exceed three metre.
9. The maximum size and dimension of a sign displayed in an urban area of partial control and an urban area of minimum control is as follows:
 - (a) Where the clear height of the sign is below six metres, the maximum size of the sign may not exceed 2,4 square metres, the maximum horizontal width may not exceed 1,5 metres, and the maximum vertical length may not exceed three metres; and
 - (b) where the clear height of the sign is above six metres, the maximum size of the sign may not exceed eight square metres, the maximum horizontal width may not exceed two metres, and the maximum vertical length may not exceed five metres.
10. A projecting sign shall not be displayed within 5m of any other projecting sign displayed on the same building.
11. In an urban area of partial control and an urban area of minimum control, a projecting sign may be displayed below the lower edge of a visible second-floor window in accordance with the commercial, industrial or entertainment character of such area, and the aesthetic control of the sign will be determined by the municipality from time to time.
12. The display of a projecting sign above the lower edge of a visible second-floor window is limited to the following enterprises or function:
 - (a) A bank and a financial institution;
 - (b) a larger apartment store;
 - (c) a larger hotel;
 - (d) a larger industry;
 - (e) a government institution;
 - (f) a shopping centre; and
 - (g) a building's name.
13. A sign may not be affixed otherwise than at right angles to the street line.

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14. A sign may not extend beyond the top of the main wall to which it is affixed or above the level of the top of any parapet wall, or above the level of the underside of the eaves or gutter of a building from which the sign projects.
15. A sign may be suspended above a sidewalk and thus above an urban road reserve and projecting signs shall not be allowed to extend within 450mm of the edge of a roadway; nor extend within 1,5m from any overhead electricity wires or cables.
16. A sign with a clear height of less than six metres may not project at any point more than 800 millimetres from the surface of the main wall to which it is affixed, or more than one half of the width of the sidewalk immediately below such sign, whichever is the smaller dimension.
17. A sign may not be affixed in any way other than the top and the bottom of the sign being in the same vertical plane.
18. No specific limitations are imposed on the colour or texture of a sign.
19. Subject to the provisions of section 18(1), 19(4) and 22, illumination of a sign is allowed.
20. The provisions of section 21(1)(e) apply with regard to an illuminated sign within a restricted area on a street corner.
21. The supports of a sign must be neatly constructed as an integral part of the design of the sign, or else must be concealed from view.
22. A person who intends to display a projecting sign with a clear height of more than six metres, must submit a structural drawing to the municipality for consideration and approval by the municipality.
23. Projecting signs shall not contain advertising matter other than exclusively directional on more than 50% of the area of any face thereof.
24. A projecting sign shall not be displayed within 5m of any other projecting sign displayed on the same building.

SCHEDULE 20

Veranda, balcony, canopy and under awning signs (Class 3(e) (Section 7(1) (c) (v))

1. A sign may be displayed in an urban area of maximum control, an urban area of partial control, an urban area of minimum control, and at centres of economic activity in a rural area of maximum control.
2. Display of a sign in –
 - (a) a rural area of maximum control is subject to specific consent;
 - (b) an urban area of maximum control is subject to specific consent;
 - (c) an urban area of partial control is subject to deemed consent; and
 - (d) an urban area of minimum control is subject to deemed consent.
3. If a sign is affixed flat onto or painted on -

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- (a) a parapet wall;
- (b) balustrade;
- (c) railing of a veranda;
- (d) railing of a balcony;
- (e) the fascia of a veranda;
- (f) a beam over veranda columns; or
- (g) a fascia of a roof structure without walls,

such sign may not –

- (i) project at any point more than 100 millimetres from the surface to which it is affixed;
 - (ii) exceed a depth of 1000 square millimetres and a length of 2,4 metres; and
 - (iii) extend above or below or beyond any of the extremities of the parapet wall, balustrade, railing, beam or fascia, as the case may be.
4. Not more than one of the signs contemplated in item 3(a) – (g) may be displayed per enterprise facade, except in the case of an enterprise with a facade exceeding 20 metres in length, in which case –
- (a) more than one sign may be displayed;
 - (b) the signs must be spaced at a minimum of three metres intervals; and
 - (c) the total sign length per enterprise facade is limited to four square metres.
5. A sign on a balcony may not be displayed above the lower edge of any visible second-floor window.
6. An under awning sign -
- (a) must be aimed at pedestrians;
 - (b) must be fixed at right angles to the street line;
 - (c) must have a minimum clear height of 2,4 metres;
 - (d) may have a maximum sign length of 1,8 metres; and
 - (e) may have a maximum sign area of one square metre on each face with a maximum of two square metres in total sign area.
7. No more than one under awning sign may be displayed per enterprise facade, except in the case of an enterprise façade which exceeds 20 metres in length, in which case more than one sign may be displayed, and the signs must be spaced at a minimum of three metres intervals.
8. A sign on top of a veranda roof –

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- (a) may be placed on top of a veranda roof only where such a veranda does not have an appropriate parapet wall, balustrade, railing, fascia or beam on which a sign may be affixed;
 - (b) must be set parallel to the end of the veranda that faces the street or as near thereto as the configuration of the veranda roof will permit;
 - (c) may not extend beyond the extremities of the veranda roof, nor project beyond the rear of any veranda roof gutter;
 - (d) may not cover any window or obstruct the view from any such window; and
 - (e) may not exceed a maximum area of one square metre.
9. Signs on top of veranda roofs on adjacent buildings must be aligned with each other in order to form a straight line.
10. Only one sign may be displayed on top of a veranda roof per enterprise facade.
11. The following conditions apply to a sign painted on or affixed to a supporting column, pillar or post, as the case may be:
- (a) A sign must be painted on or affixed flat onto the supporting column, pillar or post;
 - (b) a projecting sign may be affixed to a column, pillar or post supporting a roof over fuel pumps at a filling station or roadside service area only, and may not exceed one square metre per sign face or two square metres per total sign area;
 - (c) a sign affixed flat onto a supporting column, pillar or post may not project more than 50 millimetres from the surface to which it is affixed;
 - (d) a sign affixed flat onto a supporting column, pillar or post may not extend beyond any of the extremities of such a column, pillar or post;
 - (e) a sign affixed flat onto a non-rectangular supporting structure must be curved to fit the form of such structure;
 - (f) only one sign may be displayed per pillar, post or column, and this applies also to a sign projecting from a pillar, post or column supporting a roof at fuel pumps; and
 - (g) no posters or placards may be pasted onto a supporting column, pillar or post.
12. A canopy sign must form an integral part of the canopy or blind without dominating the canopy structure or blind.
13. A sign may be suspended above a sidewalk and therefore above an urban road reserve, but may not be displayed on a freeway.
14. No limitations are imposed on the colour or texture of a sign.
15. Subject to the provisions of sections 18(1), 19(4) and 21(1)(e), no illuminated sign or sign designed to reflect light may be attached to or displayed at a street intersection on any splayed or rounded corner of a veranda, canopy or balcony, unless the clear height of the sign is six metres.

16. This Schedule applies to the display of a sign on a roof structure covering fuel pumps, and the display of a sign attached to a roof structure pillar at a filling station and roadside service area.

SCHEDULE 21
Signs painted on walls and roofs (Class 3(f))
(Section 7(1)(c)(vi))

1. A sign be displayed in an urban area of partial control and an urban area of minimum control only.
2. Display of a sign is subject to specific consent.
3. A sign painted onto the facade or roof of a building may not exceed 20 percent of the ground floor facade of the enterprise to which such sign pertains.
4. The total area of all signs painted onto the side walls of a building may not exceed 36 square metres, and the actual size of a sign will depend on the size of the side wall concerned and on other factors, such as the character and appearance of the building and the streetscape as a whole.
5. The following conditions apply to the position of a sign:
 - (a) A non-locality-bound sign may not be displayed on the side wall of a building;
 - (b) a locality-bound sign may be displayed on a facade wall, roof and side wall; and
 - (c) a sign painted onto the facade of a building may be displayed at a position below the lower edge of any visible second-floor window only.
6. No specific limitations are imposed on the colour or texture of a sign.
7. Illumination of a sign is not permitted.
8. Signs in this class may only be painted on the main walls or roof of a building used for commercial, office, industrial or entertainment purposes.

SCHEDULE 22
Window signs (Class 3(g))
(Section 7(1)(c)(vii))

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control, and at centres of economic activity in a rural area of maximum control.
2. A sign may be displayed on ground-floor windows only.
3. Display of a sign is subject to deemed consent.
4. The total area of all permanent signs painted on or attached to the windows of a specific enterprise may not exceed –
 - (a) 10 percent of the total ground-floor window area of such enterprise in an urban area of maximum control;

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- (b) 25 percent of the total ground-floor window area of such enterprise in a rural area of maximum control and an urban area of partial control; and
 - (c) 50 percent of the total ground-floor window area of such enterprise in an urban area of minimum control.
5. A sign may not be displayed above ground-floor level.
 6. In an urban area of maximum control colours must be in harmony with the rest of the building and the general streetscape.
 7. No specific limitations are imposed in other areas of control.
 8. No internally illuminated signs inside a building may be visible from outside the building in an urban area of maximum control.

SCHEDULE 23 **Signs incorporated in fabric of building (Class 3(h))** **(Section 7(1)(c)(viii))**

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

SCHEDULE 24 **Signs on forecourts of business premises Class 3(i)** **(Section 7(1)(c)(ix))**

1. A sign may be displayed in an urban area of maximum control, an urban area of partial control, and an urban area of minimum control, and on forecourts in centres of economic activity in a rural area of maximum control.
2. Display of a sign is subject to deemed consent.
3. An individual free-standing forecourt sign may not –
 - (a) exceed 1,64 square metres in size if it is a single-sided sign; and
 - (b) exceed 3,28 square metres in size if it is a double-sided sign.

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4. The total area for all free-standing forecourt advertisements displayed may not exceed five square metres on each forecourt frontage to a premises.
5. The total area for all free-standing advertisements displayed on the forecourts at filling stations and roadside service areas may not exceed eight square metres per forecourt frontage.
6. The maximum size of a non-free-standing sign attached to a fuel pump, vending machine and a similar non-advertising structure at a filling station and service area, may not exceed 0,15 square metre.
7. The provisions of section 21(1)(e), and the following conditions apply to the position of a sign:
 - (a) A notice, sign or advertisement must be free-standing with the exception of an additional sign area attached to a fuel pump and similar non-advertising structure at a filling station and roadside service;
 - (b) display of a sign is not permitted inside a formal road reserve;
 - (c) a forecourt sign may not be positioned in such a way as to interfere with pedestrian circulation; and
 - (d) a sign must be aimed at passing pedestrians and the users of the forecourt space concerned and may not be aimed at passing motorists.
8. No limitations are imposed on the colour or texture of a sign.
9. Subject to sections 18(1), 19(4), and 22, illumination of a sign is allowed.
10. No animation of a sign is allowed.
11. A hand-written message is allowed on a board provided for writing messages on.

SCHEDULE 25

Signs for residential-oriented land use and community services (Class 3(j) (Section 7(1)(c)(x))

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

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- (a) One sign with a maximum area of one square metre per premises may be displayed;
 - (b) if there are more than one entrance to the premises on different road frontages, two signs with a combined maximum area of 1,5 square metre each may be displayed with each on a different frontage;
 - (c) where a solid supporting structure is provided, the maximum area per sign, including the supporting structure, may not exceed three square metres and the sign panel or lettering may not occupy more than 50 percent of the total sign area;
 - (d) where more than one smallholding or farm share the same unnumbered or private access route a combination sign or collective board must be provided which will allow for one square metre per farm or smallholding; and
 - (e) where more than one enterprise shares the same premises, a combination sign or collective board must be provided which allows for one square metre per enterprise.
5. Where a sign indicates the name and nature of home occupation from a place of residence, an accommodation facility, or the name of a proprietor, partner or practitioner, one sign with a maximum area of 0,08 square metre may be displayed per premises.
6. The following conditions apply to a sign indicating the name and nature of an institution or other community facility:
 - (a) A sign with a maximum area of three square metres may be displayed per premises;
 - (b) if there are more than one entrance to the premises on different road frontages, two signs with a maximum area of three square metres each may be displayed, with each on a different frontage;
 - (c) where a solid supporting structure forms part of the sign, the total sign area may be enlarged to six square metres, and the actual sign panel or lettering may not occupy more than 50 percent of the total sign area; and
 - (d) where more than one institution or community facility share the same premises, a combination sign or collective board may be displayed which allows for two square metres per institution or community facility.
7. Where a sign indicates a street number, one sign may be displayed per road frontage of each premises, with a minimum letter size of 150 millimetres and a maximum size of 350 millimetres.
8. The highest point of any single free-standing sign may not extend three metres above ground level, and the highest point of any combination sign may not extend four metres above ground level.
9. The name or logo, or both the name and logo of the sponsor of a sign may be displayed on the name signs of smallholdings only, and may not occupy more than one-third of the total area of the sign.
10. A sign may be displayed on the premises to which it specifically refers, or on the boundary wall or fence or gate of such premises only.

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

SCHEDULE 26

On-premises business signs (Class 3(k) (Section 7(1)(c)(xi))

1. For the purposes of this Schedule, the term ‘**premises**’ in the definition of “**locality bound sign**” includes a shopping centre, or industrial estate as a whole, or a communal parking area together with related enterprises.
2. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
3. Display of a sign is subject to specific consent.
4. A sign may only be displayed in the following instances:
 - (a) Where the building housing an enterprise is situated relatively far back from the road or street onto which it faces, and a passing motorist or pedestrian may have difficulty in noticing a sign affixed to such building;

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- (b) where it is not structurally possible or visually feasible to display an appropriate sign on a building, such as a sign contemplated in section 7(1)(c)(iii), being a sign in subclass 3(c) (flat signs), a sign contemplated in section 7(1)(c)(iv), being a sign in the subclass 3(d) (projecting signs), or a sign contemplated in section 7(1)(c)(v), being a sign in the subclass 3(e) (veranda, balcony, canopy, and under awning signs);
 - (c) where a sign is needed to locate the entrance to business premises or the private access road to a business; or
 - (d) where a free-standing combination sign may prevent a proliferation of signs.
5. Only one sign per enterprise may be displayed on a combination sign.
6. If there is more than one entrance to premises on different road frontages, two signs or advertising panels may be displayed per enterprise, each on a different road frontage.
7. Display of a sign at a farm stall or an access road to a farm or smallholding in an urban area of maximum control is subject to the following conditions:
- (a) A maximum sign area of two square metres is permitted, provided that where a sign is affixed to a non-advertising structure such as a boundary wall, gate or gate structure, the sign may not occupy more than 50 percent of the structure to which it is affixed;
 - (b) a sign may not extend above or beyond any of the extremities of the structure to which it is affixed;
 - (c) where a solid advertising structure is used, the maximum area per sign, including the supporting structure, may not exceed four square metres, and the sign panel or lettering may not occupy more than 50 percent of the total sign area; and
 - (d) where a sign is incorporated in a combination sign displayed at an access road, the maximum sign panel area may not exceed 1,5 square metre.
8. Display of a sign, excluding a sign displayed in terms of item 4(c) above, in an urban area of maximum control is subject to the following conditions:
- (a) A maximum sign area of 4,5 square metres is permitted, provided that where a sign is affixed to a non-advertising structure such as a boundary wall or gate structure, it may not occupy more than 50 percent of the structure to which it is affixed;
 - (b) a sign may not extend above or beyond any of the extremities of the structure to which it is affixed;
 - (c) where a solid advertising structure is used, the maximum area per sign, including the supporting structure, may not exceed nine square metres, but the actual sign panel or lettering may not occupy more than 50 percent of the total sign area; and
 - (d) where a sign is incorporated in a combination sign, the maximum sign panel area per sign panel may not exceed three square metres.
9. Display of a sign in an urban area of partial control and an urban area of minimum control is subject to the following conditions:

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- (a) For a combination stacked sign, a maximum size of 12 square metres and these signs shall have a clear height of not less than 2,4 metres. No panel of a stacked structure(s) shall exceed a maximum size of 4,5 m² and the clear height of a stacked structure shall not be less than 2,4 metres.
 - (b) Stacked structures should harmonize aesthetically with buildings and streetscapes.
 - (c) A maximum sign area of 6 square metres for other signs that are not combination stacked signs is permitted with provided that where a sign is affixed to a non-advertising structure such as a boundary wall or gate structure it may not occupy more than 50 percent of the structure to which it is affixed;
 - (d) a sign may not extend above or beyond any of the extremities of the structure to which it is affixed;
 - (e) where a solid advertising structure is used, the maximum area per sign, including the supporting structure, may not exceed 12 square metres, but the actual sign panel or lettering may not occupy more than 50 percent of the total sign area; and
10. The following conditions apply to the height of a sign:
- (a) The highest point of a single-freestanding sign at a farm stall and a farm access road in an urban area of maximum control may not exceed a height of three metres above ground level, and that of any other sign may not exceed four metres;
 - (b) the highest point of a combination sign at a farm stall and a farm access road in an urban area of maximum control may not exceed a height of four metres above ground level, and that of any other combination sign may not exceed seven metres;
 - (c) the highest point of a single-freestanding sign in an urban area of partial control and an urban area of minimum control may not exceed a height of four metres above ground level; and
 - (d) the highest point of a combination sign in an urban area of partial control and an urban area of minimum control may not exceed a height of 7 metres above ground level.
11. The name or logo, or both the name and logo of the sponsor of an on-premises business sign may not occupy more than one-third of the total area of a sign, and it must refer to products and services available on those specific premises or at that specific enterprise.
12. A sign displayed in an urban area of partial control and an urban area of minimum control may not have in its design any letters, figures, symbols or similar features over 0,75 metre in size.
13. A sign displayed in an urban area of maximum control may not have in its design any letters, figures, symbols or similar features over 0,35 metre in size.
14. A sign displayed may not serve as an advance sign and may be displayed only on the premises where the business is conducted.
15. Where a business or enterprise, such as a stall or guest-house is situated on a large property such as a large smallholding, the sign must be placed in the immediate vicinity of

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the enterprise if such enterprise is adjacent to or visible from a public road, but if the enterprise is not adjacent to or visible from a public road, the sign must be placed at the entrance of the private access road to the enterprise.

16. A sign indicating a roadside enterprise, such as a farm stall or a roadside café may not be closer than five metres from a road reserve fence, and such enterprise must have direct access to the public road.
17. A combination sign displayed at a shopping centre or industrial estate and which contain a large amount of information must be designed and located with care so as not to create a traffic safety hazard because of an information overload.
18. No sign may obstruct the view from any adjacent building.
19. No limitations are imposed on the colour or texture of a sign.
20. The provisions of section 18(1),19(4), 21(e), 22, and the following conditions apply to the illumination and animation of a sign:
 - (a) Internal and external illumination is permitted in an urban area of partial control and an urban area of minimum control;
 - (b) external illumination only is permitted in an urban area of maximum control; and
 - (c) animation is prohibited in all areas of control.
21. A sign may contain only –
 - (a) the name and nature of the business or enterprise on the premises, except where such a sign is constructed on an approved lay-by area where vehicles can safely park out of flowing traffic , then such signs may contain the contact numbers of a business as well;
 - (b) the brand-name and nature of the goods for sale or goods produced;
 - (c) the nature of services provided; and
 - (d) the name of the person or persons who owns or own the business or who provides or provide the goods or services at the premises, or the firm or firms which owns or own the business or which provides or provide the goods or services at the premises.
22. The design and construction of a sign must be aimed at the prevention of proliferation of signs at shopping centres, other premises, or access roads housing or leading to several enterprises, and –
 - (a) individual signs must be incorporated in a combination sign, and the design of a combination sign must be of a high standard and must harmonise with the architecture of the shopping centre or other buildings or structures, such as entrance gates;
 - (b) messages displayed on the individual panels or boards of a combination sign must be concise and legible; and
 - (c) signs displayed at access roads to farms or smallholdings must be co-ordinated with a sign contemplated in section 7(1)(c)(x), being a sign in subclass 3(j)

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(signs for residential-oriented land use and community services) indicating smallholding names in order to form a single combination sign, and the necessary harmony must be achieved by using the same form, letter type and colour for the various parts of the combination sign.

SCHEDULE 27
Signs on towers, bridges and pylons (Class 3(I)
(Section 7(1)(c)(xii))

1. Display of a sign is permitted in an urban area of partial control and an urban area of minimum control only.
2. Display of a sign is subject to specific consent.
3. Subject to the provisions of section 21(1), a sign may not be displayed in an urban area of maximum control on a bridge across a freeway.
4. Written permission for the display of a sign on a bridge in an urban area of partial control and an urban area of minimum control must, prior to the display of the sign, be obtained from the institution or authority responsible for the maintenance of the structure where such maintenance is not the responsibility of the municipality.
5. The maximum aggregate sign area per tower, bridge or pylon may not exceed 36 square metres.
6. In the instance where a sign is displayed on a pylon, the pylon without the sign must be such that the entire assembly can be wholly contained within a notional vertical cylindrical figure with a diameter of six metres and a height of 12 metres.
7. In the instance where a sign is displayed on a pylon, no protruding part of the sign may be less than 2,4 metres above the highest point of the existing ground level immediately below such pylon or sign.
8. No sign may extend beyond the top of a tower.
9. No sign may extend above, below, or beyond any of the extremities of a bridge.
10. No sign may be affixed to any structural column of a bridge.
11. A sign may not project more than 300 millimetres from the main wall of a tower, or from a bridge structure.
12. No limitations are imposed on the colour or texture of a sign.
13. Subject to the provisions of section 18(1),19(4) and 22, illumination or animation may be permitted in an urban area of minimum control, provided such illumination or animation does not constitute a road safety hazard, or cause undue disturbance.
14. In the instance of cellular masts, and in addition to the applicable requirements set out in this schedule, applications for advertising on cellular masts shall be treated individually on their own merits, and in considering the application, the following shall be taken into account:
 - (a) The locality of the cellular mast, the land-use zoning of the erf on which it is positioned and its visual impact;

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- (b) preference shall be given to advertising on cellular masts in shopping centres, in areas of concentrated commercial or industrial activity and on suitable portions of Council-owned land where the municipality can derive an income from the advertising installation;
 - (c) full details of the name boards, wording, logo, materials to be used, the exact size and location of the boards on the mast and details of any illumination or special effects must be provided when applying for permission to place advertisements on a cellular mast; and
 - (d) the same general environmental and aesthetic criteria applicable to signs contemplated in section 7(1) (a), being signs in class 1 (billboards and other high-impact free-standing signs) and signs contemplated in section 7(1) (c) (i), being a sign in class 3(a) (sky signs) apply to advertising on cellular masts.
15. The following apply to gantry advertising;
- (a) Gantry advertising is not allowed in areas of maximum control;
 - (b) approval of gantry advertising is subject to a resolution of the full Council of the Umzimkhulu Municipality;
 - (c) the vertical supporting structures of gantries shall not be located within road reserves and may not be used for advertising;
 - (d) the supporting structures of gantries must be designed in such a way that it forms an aesthetically pleasing component of the gantry itself;
 - (e) the gantry beams must be designed in such a manner that exposed parts thereof will be aesthetically pleasing;
 - (f) vacant advertising space may not be advertised on a gantry or a bridge;
 - (g) no animation, 3D replicas or cut-out silhouettes are allowed on gantries or bridges;
 - (h) the minimum height of a gantry is 6m above the level of the street below;
 - (i) gantries are not allowed within 300m of signalized traffic intersections where overhead traffic lights had been installed;
 - (j) lighting units and their supports may not be located lower than the lower edge of a gantry or bridge deck;
 - (k) no more than one advertisement may be displayed per direction on a gantry or a bridge;
 - (l) the minimum height of letters is 200mm;
 - (m) the height of a gantry advertising sign may not exceed 3m;
 - (n) gantries may not be supported on a median island where the median island is less than 10m wide, and a minimum distance between a median island support and an adjacent roadway may not be less than 4.5m;

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- (o) advertising gantries may not be spaced closer than 2km along the same street, however, gantries for official streetscaping projects are excluded from this requirement; and
 - (p) advertising gantries may not be closer than 200m to traffic intersections along arterial roads and closer than 150m to traffic intersections on lower order roads.
16. (a) The display of formal road traffic signage on bridges, to convey directional or tourist information, shall receive a higher priority than the display of advertisements or non-essential community information.
- (b) The municipality may instruct an advertiser to remove advertisements from a bridge, should it become necessary to display formal road traffic signs at a particular position, and the advertiser retains the right to a full or partial refund of application fees and costs incurred to manufacture the advertising sign, but not to fund any contractual obligations or subsequent liabilities where a third party is involved.

SCHEDULE 28
Signs on construction site boundary walls and fences (Class 3(m))
(Section 7(1) (c) (xiii))

1. A sign may be displayed in an urban area of partial control and an urban area of minimum control only, subject to the following conditions:
 - (a) The sign must conceal an unsightly condition arising out of the use to which the property is lawfully being put; and
 - (b) the sign must be making a positive contribution to the visual environment.
2. A person can apply for approval of a building wrap from the municipality for construction sites and this is subject to specific consent and the conditions set by the municipality in the approval.
3. Display of a sign is subject to specific consent.
4. The size of a sign may not exceed a total area of 18 square metres, and the height of a sign may not exceed three metres.
5. The provisions of section 21(1) (d) and (e), and the following conditions apply to the position of a sign:
 - (a) A sign may not be placed on the top of a fence or wall unless it is positioned to rest directly thereon; and
 - (b) a sign may not project more than 100 millimetres to the front of the wall or fence to which it is affixed.
6. No limitations are imposed on the colour or texture of a sign.
7. Illumination or animation of a sign is not permitted.
8. A sign may not be painted or pasted directly onto a construction site boundary wall or fence, and poster signs in this class must be enclosed within definite panels similar to those described in item 11 of class 2(d)(iii)), and must be uniform in size and level.

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9. Signs displayed on a fence or wall must be treated as a visual unity, and wherever possible, a sign contemplated in section 7(1)(d) (iv), being a sign in subclass 2(d) (iv) (project boards), if displayed, should also be incorporated in this unified design.
10. A sign must always make a positive contribution to a particular streetscape.
11. A sign may be displayed for the duration only of the construction work.

SCHEDULE 29
Sponsored road traffic projects signs (Class 4(a))
(Section 7(1) (d) (i))

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

SCHEDULE 30
Service facility signs (Class 4(b))
(Section 7(1)(d)(ii))

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to specific consent.
3. A person who displays a sign must, before the sign is displayed, enter into a lease agreement with the municipality for the lease of the site on which the sign is to be displayed.
4. A combination sign may not exceed the following dimensions:

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- (a) A height of 7,5 metres and a width of 2,5 metres, if displayed in an urban area of control;
 - (b) a height of 10 metres and a width of three metres, if displayed on a freeway; and
 - (c) a height of 20 metres and a width of six metres, if displayed in a rural area of maximum control.
5. A maximum of eight advertising panels is allowed per combination sign.
6. Only one business, enterprise, or service may be displayed per advertising panel.
7. An advertising panel may not exceed the following sizes:
 - (a) 4,5 square metres in an urban area of control;
 - (b) 6 square metres on a freeway; and
 - (c) 18 square metres in a rural area of maximum control.
8. Only one combination sign as permitted in this class may be displayed on the premises of a filling station or roadside service area.
9. The provisions of section 21(1)(d) and (e), and apply and a sign may not be displayed closer than –
 - (a) 50 metres to the road reserve boundary of any road in a rural area of maximum control;
 - (b) 50 metres to the road reserve boundary of a freeway; and
 - (c) five metres to the road reserve boundary of any other urban road; and
10. No specific limitations are imposed on the colour or texture of a sign.
11. The provisions of section 19(4) and 22, and the following conditions apply to the illumination and animation of a sign:
 - (a) A sign may be illuminated only if the business provides a 24-hour service;
 - (b) a facility with limited after-hours services may illuminate its signs during its business hours only; and
 - (c) no animation of a sign is permitted.
12. Should a person wish to display a sign which exceeds the sizes stipulated in item 7, he or she must submit a proposal to the municipality for approval by the municipality, which proposal must include –
 - (a) a location plan;
 - (b) detail drawings of the sign;
 - (c) an engineer's certificate verifying that the sign was designed by a structural engineer; and

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- (d) a comprehensive motivation setting out reasons why compliance with the requirements set out cannot be met.
13. A sign on a combination sign may refer to the name or logo of a business, company or person providing a service only, and may indicate the type of service provided.
 14. Only a locality-bound sign may be displayed.
 15. A sign in this class may only be displayed at a service facility adjacent to and directly accessible from the public road at which such sign is directed.
 16. A supplementary sign displayed at a roadside service area and which does not form part of a combination sign permitted under this class may be used for internal direction and orientation only, and may not be aimed at passing motorists.
 17. Facility signs must face oncoming traffic and must be focused exclusively on casual passing motorists, and thus they should not be primarily focused on regular customers.
 18. Signs in this class can only be considered in road side service areas if properly motivated and sufficient space is not available on the adjacent site.

SCHEDULE 31
Tourism Signs (Class 4 (c))
(Section 7(1)(d)(iii))

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. The display of a sign in all areas of control is subject to specific consent.
3. These signs may be displayed within road reserves unless the municipality prescribes otherwise.
4. The sizes and positioning of these signs are prescribed by the South African Road Traffic Signals Manual, as published in accordance with National Road Traffic legislation.
5. Signs in this class which had been erected by companies/institutions other than the municipality inside road reserves, must be replaced every 7 years at the cost of the advertiser, in terms of the requirements of the South African Road Traffic Act.
6. The display of ancillary tourism directional signage within municipally controlled areas is subject to specific consent and must comply with the provisions of Section 2.1 (F) of the Umzimkhulu Outdoor Advertising policy.

SCHEDULE 32
Functional advertising signs by public bodies (Class 4(d))
(Section 7(1)(d)(iv))

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to deemed consent.
3. A sign may not exceed 0,55 square metre in size.

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4. A larger sign may be displayed, if justified by specific circumstances.
5. A sign permitted by this class may be displayed inside a road reserve, but may not be displayed on a freeway.
6. No limitations are imposed on the colour or texture of a sign.
7. Subject to the provisions of sections 18(1), 19(4) and 22, illumination may be provided if there is a need for information or directions to be read during hours of darkness.
8. A sign may not be used for the purposes of commercial and competitive advertising.
9. The logo of the service provider must be displayed on a sign.

SCHEDULE 33
Aerial signs (Class 5(a))
(Section 7(1)(e)(i))

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to specific consent.
3. Except with the written permission of the Commissioner of Civil Aviation, no -
 - (a) captive balloon;
 - (b) craft for parasailing;
 - (c) kite;
 - (d) hang-glider;
 - (e) model or radio-controlled aircraft; or
 - (f) aircraft towed behind a vehicle or vessel for the purpose of flight,may be flown at a height of more than 45 metres from the surface, the surface being measured from ground level, or from the surface on which a towing vehicle or vessel is travelling, to the top of the craft.
4. No shape or size restrictions are imposed.
5. Except with the written permission of the Commissioner of Civil Aviation, and on condition that such aircraft may not take off from or land on a public road, none of the objects specified in section 2(1) above may –
 - (a) be flown closer than five nautical miles from the aerodrome reference point of an aerodrome;
 - (b) be flown above a public road; and
 - (c) in the case of an aircraft, be towed behind a vehicle or vessel.
6. An advertisement on a captive balloon or on any other captive craft may not be displayed within the visual zone along a freeway.

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

SCHEDULE 34
Vehicular advertising (Class 5(b))
(Section 7(1)(e)(ii))

1. Subject to the provisions of section 5(4), a sign be displayed in all areas of control.
2. Display of a sign is subject to specific consent and must comply with the provisions of Section 2.1 (B) of the Umzimkhulu Outdoor Advertising policy.
3. No vehicle may be used for the sole purpose of advertising.
4. No animation is allowed.
5. Illumination of advertisements is limited to the following instances:
 - (a) An internally illuminated sign which indicates that a taxi is for hire; and
 - (b) a retroflective sign with the colour red to the back, the colour yellow to the side, and the colour white to the front of a vehicle.

SCHEDULE 35
Trailer Advertising (Class 5(c))
(Section 7(1)(e)(iii))

1. A trailer may be parked in an urban area of partial control and an urban area of minimum control only.
2. The parking of a trailer is subject to specific consent and must comply with the provisions of Section 2.1 (B) of the Umzimkhulu Outdoor Advertising policy.

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3. A trailer may not be towed on a freeway and may not be towed on any other urban road during peak-hour traffic, peak-hours being the hours between 07:00 and 08:15, and 16:15 and 17:30.
4. A trailer sign may not exceed an individual sign face area of 18m² and a combined sign face area of 36m². The vertical dimensions of a sign may not exceed 3 meters and the horizontal dimension may not exceed 6 meters.
5. Subject to item 18, a trailer sign positioned on a particular site for a period exceeding two consecutive days per month shall be deemed to be a billboard and shall be subject to the guidelines applicable to the signs contemplated in section 7(1)(c).
6. No animation is allowed.
7. Illumination is limited to retro-reflective signs with the colours red to the back, yellow to the side and white to the front of the trailer.
8. No person may tow any sign in this class for the sole purpose of advertising, meaning that an advertisement trailer may only be towed from the advertiser's property to the advertising site approved by the municipality and only before 07h00 and after 17h30.
9. A trailer may not be parked –
 - (a) inside a road reserve;
 - (b) within a distance of 50m outside the road reserve of a freeway;
 - (c) inside a restricted area at street corners; or
 - (d) in such a way as to block the visibility of a motorist,and general safety conditions contemplated in section 18 apply.
10. Trailer sites for parking of advertisement trailers aimed at road users must be approved by the Municipality after application therefore, subject to these by-laws.
11. (a) An advertiser may –
 - (i) use a vacant site that had been approved by the Municipality as contemplated in sub item 10 and that had been suitably prepared; or
 - (ii) submit an application for the establishment of a new site.(b) An application submitted in terms of sub item 11(a) must include the following:
 - (i) Detail information about the proposed site;
 - (ii) a scaled drawing of the site relative to passing roads and pedestrian space;
 - (iii) details of ownership;
 - (iv) mooring details; and
 - (v) such other details as the Municipality may require.

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- (c) If the application submitted in terms of sub item 11(a) is approved, it shall be required of the applicant to –
 - (i) provide a safe vehicular access; and
 - (ii) provide mooring anchors designed by a qualified civil engineer.
 - (d) Additional measures must be implemented, where necessary, to prevent unauthorized access to the site or adjacent land.
 - (e) Approval of a site on municipal or other form of public property does not give the applicant indefinite advertising rights on the site.
 - (f) The normal advertising period applies, after which the applicant will have to tender against other advertisers for the advertising rights on the site.
 - (g) Occupation of trailer sites is to be strictly controlled by the Umzimkhulu Municipality or its appointed service provider.
12. (a) Only a trailer which has prior to parking been registered by the Municipality may be parked on demarcated or approved trailer sites.
- (b) All physical dimensions and attributes, the registration number, and VIN of the vehicle must be provided at registration, and these attributes may not be changed without the approval or knowledge of the municipality.
- (e) The trailer must be available for inspection at registration.
- (f) The trailer must be in a roadworthy condition and be mounted with wheels at all times, or attached to a roadworthy vehicle, whichever is applicable.
13. If not parked on an approved trailer site, an advertising trailer must be stored in such a way so as not to be visible from any public road or public place.
14. The provisions of section 21(1)(a) – 21(1)(d), and the following conditions apply to the position of a sign:
- (a) No more than one sign may be displayed per site;
 - (b) an advertisement consisting of a maximum of two boards must be displayed perpendicular to the direction of oncoming traffic;
 - (c) advertising trailer sites must be spaced at the following distances:
 - (i) On a road with a speed limit above 80 kilometres per hour the distance between sites may not be less than 250 metres;
 - (ii) on a road with a speed limit between 61 kilometres per hour and 80 kilometres per hour the distance between sites may not be less than 200 metres; and
 - (iii) on a road with a speed limit below 61 kilometres per hour the distance between sites may not be less than 120 metres;
 - (d) no trailer site may be established within a radius of 100 metres from the centre of an intersection on an arterial road and within 50 metres from the centre of an intersection on any lower-order road.

15. A sign displayed in the vicinity of a signalised intersection may not contain the colours red, amber or green if such colours will constitute a road safety hazard.
16. A trailer advertising site may not be closer than 120m to advertisements in contemplated in section 7(1)(a).
17. The fee structure is based on an amount per day, with non-profit organisations entitled to such discount as determined by the Municipality.

**SCHEDULE 36
(Section 5(1))**

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

1. Land use zoning

A low density residential area, a medium density residential area, an agricultural area, a cemetery, and a public open space, such as, but not limited to, a natural open space, including a ridge, a natural watercourse, a nature reserve, an urban conservation zone, a park, a national monument, a heritage site, a gateway and an urban freeway are all classified as areas of maximum control.

2. Kinds of signs that may be displayed

- (1) Only a sign conveying an essential message may be displayed.
- (2) A sign contemplated in section 7(1)(a), being a Class 1 sign (*Billboards and other high-impact free-standing signs*), and a sign contemplated in section 7(1)(c)(xii), being a Class 3(l) sign (*Signs on towers, bridges and pylons*), may be displayed on an urban freeway where the responsible Roads Agency demonstrates that it has been satisfied that the effect on traffic safety is within acceptable norms, and an Environmental Impact Assessment must be furnished to the Municipality.
- (3) A sign contemplated in section 7(1) (d), being a Class 4 sign (*Signs for tourists and travellers*), may be displayed.
- (4) The following signs contemplated in section 7(1) (b), being Class 2 signs (*Posters and general signs*), may be displayed in residential suburbs:
 - (a) Large posters and signs on street furniture, as contemplated in section 7(1) (b) (i);
 - (b) temporary signs, as contemplated in section 7(1) (b) (iv); and
 - (c) street name advertisement signs, as contemplated in section 7(1) (b) (v).

3. Restrictions on display of advertising signs

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

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

1. Land use zoning

A medium density residential area in transition, a residential area where office and commercial encroachment is evident, a residential area with high-rise apartment blocks interspersed with shops and offices, a small commercial enclave in a suburban street, a suburban shopping centre and office park, a ribbon commercial development along a main street, an educational institution, a sports field stadium, and a commercialised square are all classified as urban areas of partial control.

2. Kinds of signs that may be displayed

- (1) A sign contemplated in section 7(1) (a) (iii), being a Class 1(c) sign (*Large billboards*), may be displayed, however, the size may not exceed 40m².
- (2) A sign contemplated in section 7(1) (a) (iv), being a Class 1(d) sign (*Small billboards and tower structures*), may be displayed.
- (3) A sign contemplated in section 7(1) (b), being a Class 2 sign (*Posters and general signs*), may be displayed.
- (4) A sign contemplated in section 7(1) (c), being a Class 3 sign (*Signs on buildings, structures and premises*), may be displayed.
- (5) A sign contemplated in section 7(1) (d), being a Class 4 sign (*Signs for tourists and travellers*), may be displayed.
- (6) A sign contemplated in section 7(1) (e), being a Class 5 sign (*Mobile signs*), may be displayed.

3. Restrictions on display of advertising signs

- (1) A sign contemplated in section 7(1)(a)(i), being a Class 1 sign (*Super billboards*), and a sign contemplated in section 7(a)(ii), being a Class 1(b) sign (*Custom-made billboards*) may not be displayed.
 - (2) The restrictions on the display of a sign at a street corner as set out in Schedule 37 apply.
 - (3)

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

1. Land use zoning

A business, industrial, commercial, amusement and transport area such as, but not limited to, a commercial district, a central shopping centre, a central office precinct, an entertainment district and complex, an industrial area, and industrial park, and a prominent public transport node such as a railway station, a large bus station, a taxi rank, and an airport are areas classified as urban areas of minimum control.

2. Kinds of signs that may be displayed

A sign contemplated in section 7(1)(a) (*Billboards and other high-impact free-standing signs*), a sign contemplated in section 7(1)(b) (*Posters and general signs*), a sign contemplated in section 7(1)(c)

(Signs on buildings, structures and premises), a sign contemplated in section 7(1)(d) (Signs for tourists and travellers) and a sign contemplated in section 7(1)(e) (Mobile signs) may be displayed.

3. Restrictions on display of advertising signs

- (1) A sign may not be displayed at a node of exceptional historical and architectural value.
- (2) The restrictions on the display of a sign at a street corner as set out in Schedule 37 apply.

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

No sign contemplated in section 7 be displayed in an area stipulated in Schedule 38.

**SCHEDULE 37
(Section 7)**

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

Figure 1: Advertising Restrictions on Urban Freeways

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

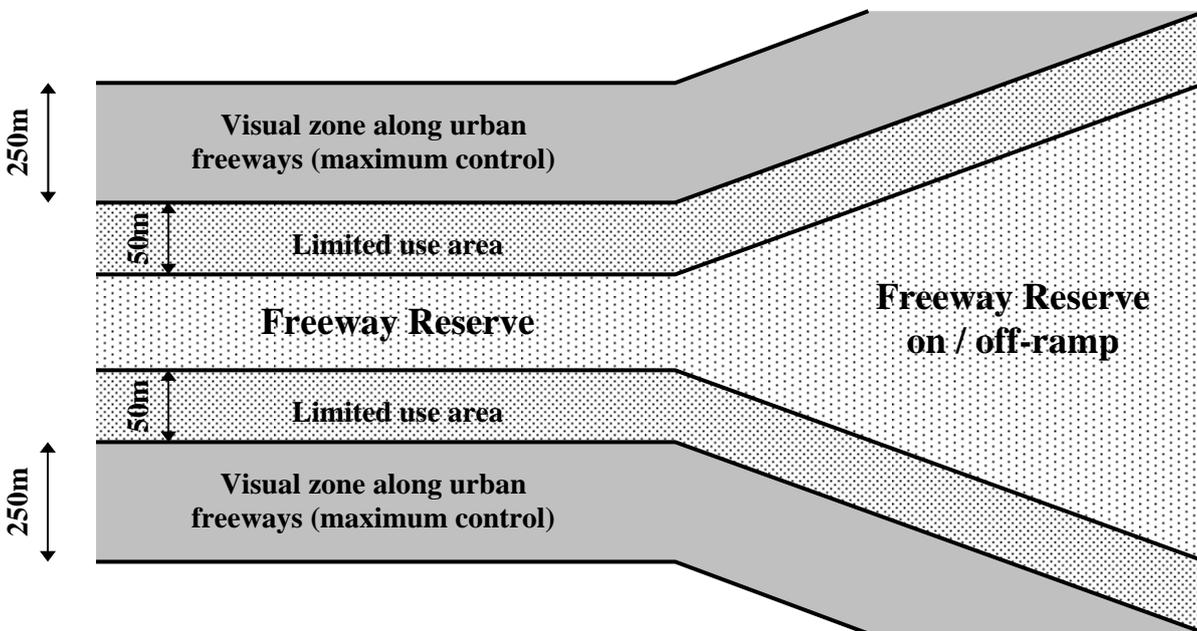


Figure 2: Restriction on signs at street corners, (street name signs exempted)

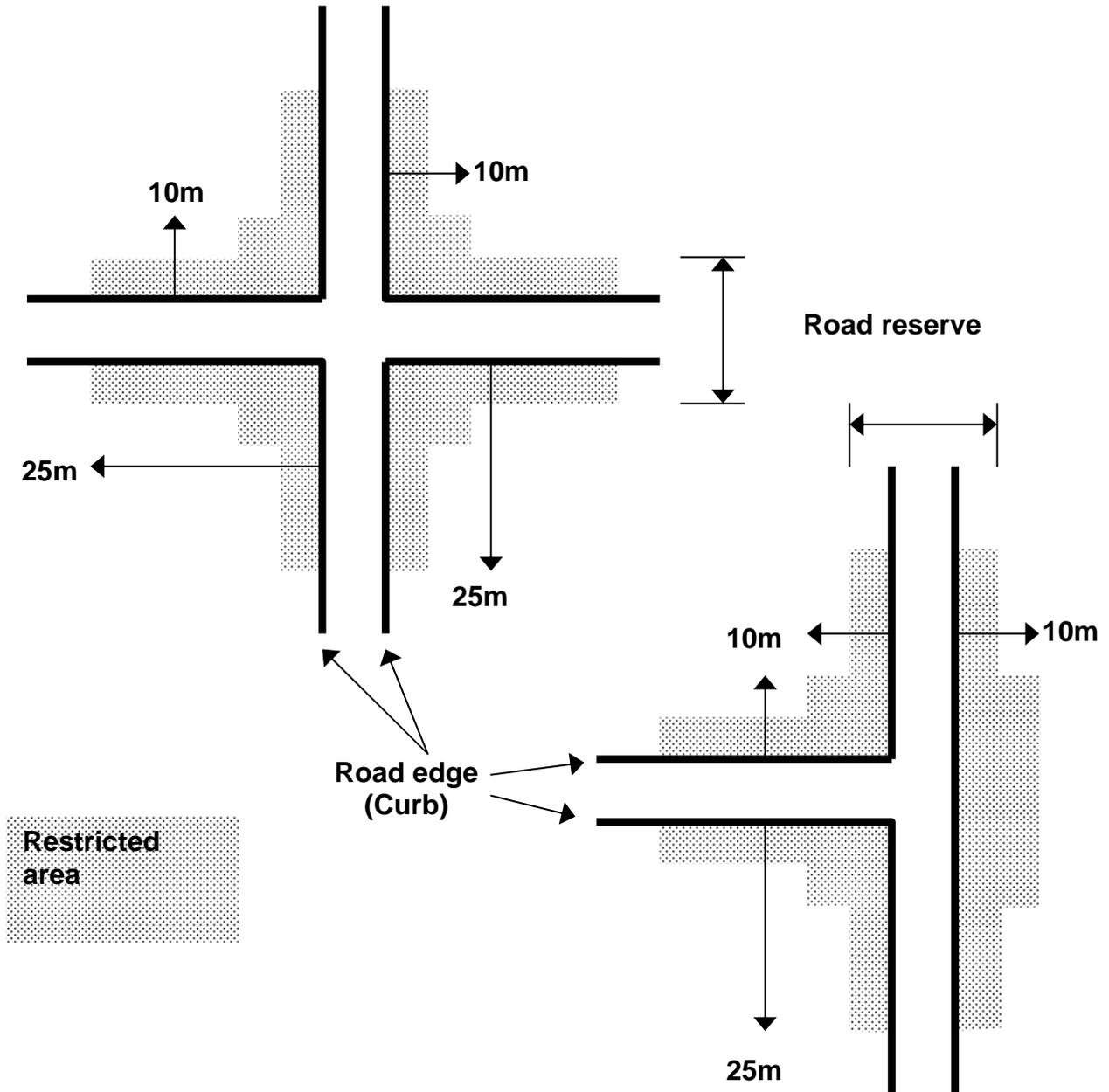
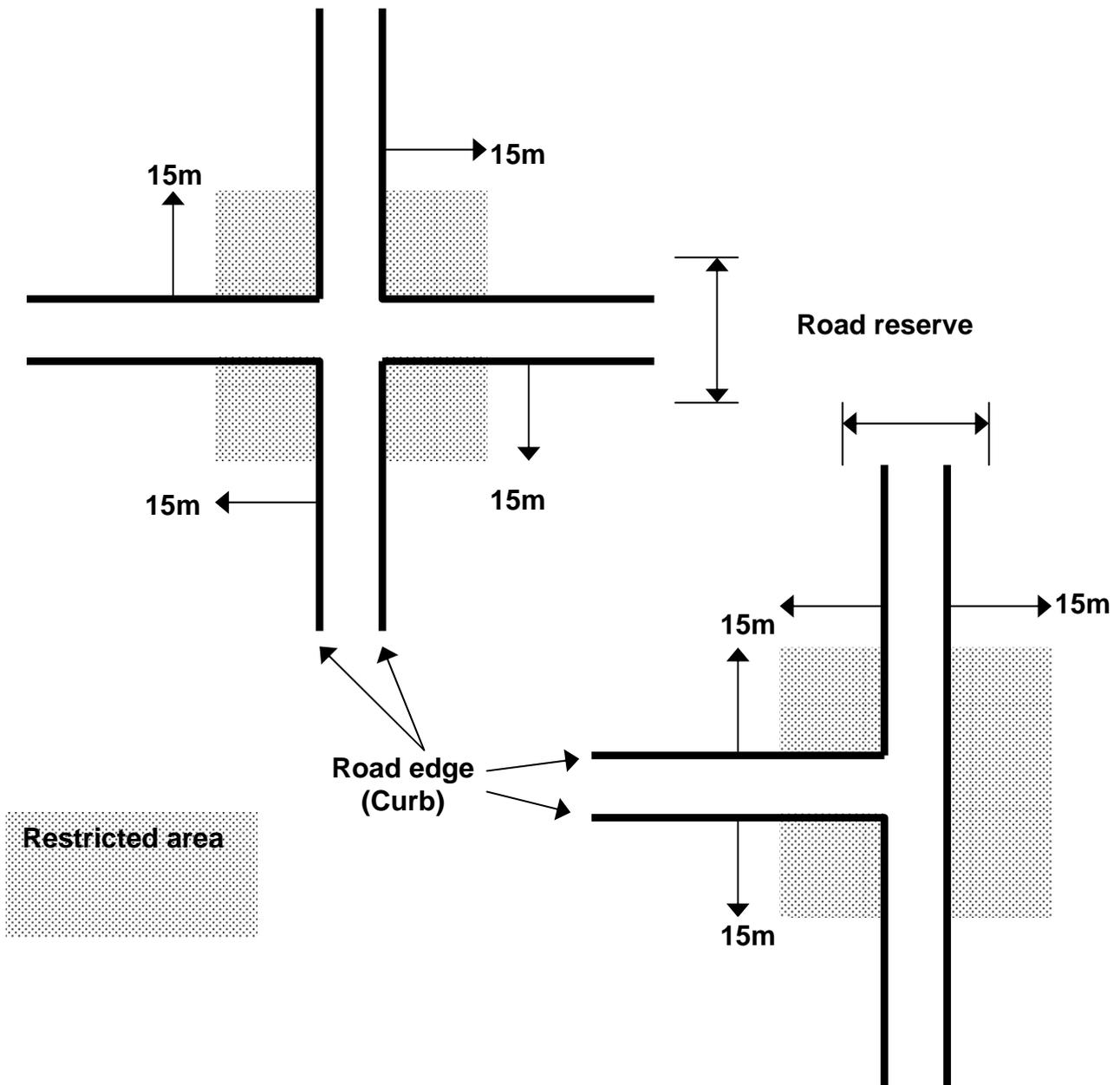


Figure 3: Additional restriction on illuminated signs at signalized street corners



SCHEDULE 38
Section 5(4)

AREAS IN WHICH THE DISPLAY OF SIGNS IS PROHIBITED

1. No sign may be displayed all designated areas that the Council may resolve on from time to time.