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CITY OF CAPE TOWN DRAFT OUTDOOR ADVERTISING BY-LAW, 2020

DRAFT BY-LAW

CITY OF CAPE TOWN
DRAFT OUTDOOR ADVERTISING BY-LAW

To regulate the use of land and buildings for outdoor advertising and signage and for matters incidental thereto; to repeal the Outdoor advertising by-law of 2001.

Preamble

WHEREAS section 156(2) and (5) of the Constitution of the Republic of South Africa, 1996 provides that a Municipality may make and administer by-laws for the effective administration of matters which it has the right to administer, and to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

Whereas in terms of Part B of Schedule 5 of the Constitution of the Republic of South Africa, 1996, the City has legislative competence relating to Billboards and the display of Advertisements in public places.

The sensitivity of the proposed locality of a sign and its capacity to withstand the visual impact are the most important guiding principles for the control of outdoor advertising. Outdoor advertising signs should only be placed where they are most compatible with the surrounding locality and where they do not impact on visual corridors or scenic drives. Signs that compromise protected, unique or sensitive areas will not be allowed.

In addition, outdoor advertising and signs should not compromise the functioning and safety of traffic and should not adversely affect the character of a locality by way of appearance, size or illumination.

The types of landscapes, signs and areas of control are important factors in the classification concept utilized in this By-Law. This By-Law presumes that the type of sign gives an indication of the potential impact of such a sign on the locality in which it will be displayed. Thus, in terms of this By-Law the local character of an area in which a sign is proposed will affect the degree of control applied in that area.

AND THEREFORE, BE IT ENACTED by the Council of City of Cape Town as follows: -

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DEFINITIONS

1. In this By-Law, unless the context otherwise indicates:

“Advertising structure” means any physical structure built or capable of being used to display a sign.

“Advertisement” means any representation of a word, name, letter, figure or object or an abbreviation of a word or name, or any symbol; or any light which is not intended solely for illumination or as a warning against any dangers and ‘‘advertising’’ has a similar meaning.

“Aerial sign” means a sign that is displayed or performed in the air, including but not limited to balloons and blimps that are tied to buildings or other structures located on a premises and which can be viewed from within the City’s area of jurisdiction.

“Approval” means approval by the City or by officials, sub-council’s, committees or executive councillors by virtue of powers delegated to them; and “approve” has a corresponding meaning.

“Areas of control” means those areas set out in Schedule.

“Authorised official” means an employee of the City responsible for carrying out any duty or function or exercising any power in terms of this By-law and includes employees delegated to carry out or exercise such duties, functions or powers;

“Banner” means any material upon which a sign is displayed in such a manner as to be fully legible in windless conditions, attached to one or more ropes, poles or flagstaffs projecting vertically, horizontally or at an angle, or attached to buildings or special structures, but excludes banners carried as part of a procession. A flag which is not displayed on an approved flag pole shall for the purposes of this By-Law, be deemed to be a banner.

“Billboard” means any screen or board which stands free and is larger than 4.5m² in total area; which is supported by, or consists of, a structure used, or intended to be used, for the purpose of posting, displaying or exhibiting a sign.

“Candela” is the standard SI (per Second Luminous Intensity) unit of luminance intensity relating to the illuminating power of a light source in a given direction.

“City” means the City of Cape Town, a municipality established by City of Cape Town Establishment Notice No 479 of 2000, issued in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), and includes any structure or employee, representative or agent thereof, acting in connection with this By-Law by virtue of a power vested in the City or such delegated authority.

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

“Commercial advertising” means any words, letters, logos, figures, symbols, pictures relating to the name of a business, trade, partnership, individual, or any information, recommendation or exhortation; in respect of any particular goods manufactured or sold, or any particular services rendered or offered, or any event for commerce or entertainment, including sporting events.

“Commercially sponsored sign” means a sign which advertises goods or services; but the erection of which has a secondary purpose, which is to promote or contribute to some recognised public or community goal or function.

“Common boundary façade” means any façade of a building which is built abutting a rear or side boundary of an erf and which façade is blank, meaning having no architectural features, which includes windows.

“Composite sign” means a single freestanding advertising structure for the display of more than one advertising sign.

“Construction Site Sign” means a sign containing Third Party Advertising displayed at or on a construction site hoarding, scaffolding, scaffold mesh screen, scaffolding wrap, or

freestanding locality bound signs, but excludes Property Marketing Signs and Contractors Boards.

“Continuing offence” means an offence in terms of this By-Law, which continues to exist, after the expiry of the compliance notice period referred to in a compliance notice served in terms of this By-Law.

“Contractors board” means a temporary sign that is displayed at premises on which building operations, laying of fibre cables, plumbing, electrical, garden landscaping, irrigation, repairs or any other improvements are being undertaken or in progress and which advertises only the name, contact details and type of service or product offered and undertaken by the contractor at the premises.

“Custom-made design” means the design of any sign, which is uniquely designed or constructed for erection in its location and must contain at least one of the following:

- (a) special effects such as specialist character cut outs or;
- (b) specialist character shapes; or;
- (c) three dimensional presentations or;
- (d) moving parts

“Designated Arterial Roads” means a Class 1 Principal Arterial, Class 2 Major Arterial or Class 3 Minor Arterial road as depicted on the Road Master Plan contained in the City of Cape Town Comprehensive Integrated Transport Plan, as amended from time to time.

“Development board” means a developers temporary sign displayed at premises which has an approved building plan for a proposed development describing the type of development to be carried out or being carried out and may include only a pictorial representation or description of the proposed development and the name and contact information of the developer, Financial Services Provider and/or property marketing agent.

“Display” means the display of a sign and includes the erection of any billboard, sign or structure intended solely or primarily for the support of a sign or billboard; and, in addition, includes the display of a sign of a business, trade partnership or individual connected with the contents of the sign or the sign itself; and “displayed” has a corresponding meaning.

“Drone” means a remotely piloted unmanned aircraft excluding model aircraft and toy aircraft.

“Electronic sign” means a sign which has an electronically controlled illuminated display surface or which is manipulated electronically, and includes digital, laser images, Light Emitting Diode (LED), video and signs containing intermittent light sources, moving features or animated graphics but excludes a projected sign.

“Existing sign” means any sign previously approved by the City or erected without the City's approval.

“Flat sign” means a sign which is affixed to, projected, pasted or painted directly onto a wall of a building but not onto, or over, windows or doors or architectural articulations and which at no point projects more than 250 mm in front of the surface of such wall or a sign engraved or moulded into and forming an integral part of the fabric of a building.

“Freestanding sign” means any sign or group of signs contained or displayed on one freestanding structure 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 route” means a prominent route with an entrance to or exit from a specific part of the City's jurisdiction, consisting of man-made or natural features and creating a strong

sense of arrival or departure and which is consistent with City planning or development framework plans or policies. These routes may be geographically depicted by way of maps or listed by the City from time to time.

“Graphic” includes but is not limited to any component which contributes to the visual appearance or aesthetics of a sign; including its background.

“Heritage-Resources Assessment” (HRA) means a visual assessment of the impact that any proposed sign may have on the cultural heritage, whether built or recognised, at the locality where the proposed sign will be displayed.

“Inflatable Sign” means any sign, the display of which is to some extent reliant on pumped air or gas.

“Internally Illuminated Sign” means an advertisement or structure used to display an advertisement which has been installed with electrical or other power and an artificial light source which is fully or partially enclosed within the structure or sign and which light is intended to illuminate the advertisement or a portion thereof, and “illumination” and “illuminated” have a similar meaning.

“Lamp pole swivel banner” means a temporary banner displayed by means of a swivel hinged bracket mounting system, erected on street light poles and which advertises events or campaigns.

“Law” means any law, proclamation, ordinance, Act of Parliament or Provincial Legislature, or any other enactment having the force of law.

“Locality Bound Advertising” means any sign displayed on a specific erf, premises or building which sign refers to the name of the building, the name or logo of the business, an activity, product, service or attraction; located, rendered or provided on or from that erf or those premises.

“Loose portable sign” means a freestanding sign not permanently fixed and not intended to remain fixed in one position, either loose standing or held for display.

“Luminance” is a measure of how bright an illuminated area appears to the human eye and is measured in candela/m².

“Newspaper Headline poster” means a temporary poster advertising the contents of a daily or weekly newspaper that is on sale.

“Non-profit body” means a body established primarily to promote a community goal or benefit without direct or personal financial gain; and may include educational, sporting and medical bodies, City departments, as well as charities or community organisations.

“Non-residential building” means a building wherein no portion is occupied or used for human habitation whether temporary or permanent.

“Multi-use” means a building or site used for both residential and any additional non-residential purposes.

“Organ of state” means;

(a) any department of state or administration in the national, provincial or local sphere of government;

(b) any other functionary or institution:

(i) exercising a power or performing a function in terms of the Constitution or a provincial constitution; or

(ii) exercising a public power or performing a public function in terms of any other legislation.

“Overall height”, in relation to a sign, means the vertical distance between the uppermost edge of the sign and the finished level of the ground, footway or roadway immediately below the centre point of the sign.

“Perimeter of an Intersection” means the perimeter of the area embraced within the prolongation of the road reserve lines of two or more public roads that join one another at any angle, whether or not one such public road crosses the other.

“Person” includes; -

- (a) any organ of state;
- (b) any company incorporated or registered as such under any law;
- (c) any body of persons, whether incorporated or not, functioning as a single entity for whatever purpose.

“Poster” means temporary signs capable of being attached to the street light poles or pasted to fixed structures to advertise events or campaigns of limited duration, including elections or referenda and excluding advertising posters for the same event being held on a permanent or a regular basis of more than two days per month.

“Projected sign” means any sign projected by a laser projector, video projector, or other apparatus but excludes electronic and digital signs.

“Projecting sign” means a sign which is affixed to a wall of a building and which at some point projects more than 250mm in front of the surface of such wall.

“Property Marketing Agent” means a person who markets and sells properties with or without buildings erected thereon and “Property Marketing Agency” has a corresponding meaning.

“Property Marketing Sign” means a sign displaying information relating to the marketing, selling, auctioning or letting of immovable property to which the advertisement on the sign relates and includes estate agent signs, auctioneer signs and property marketing directional signs or boards.

“Public façade” means any façade that has windows or other architectural articulations which is either a street-facing façade or any other façade set back from a side or rear erf boundary, and which contains designed elevations.

“Public place” means any public road, public parking area, public street, thoroughfare, bridge, subway, footway, foot pavement, footpath, sidewalk, (or similar pedestrian portion of a Road Reserve), lane, square, open space, garden, park, beach or enclosed place vested in the City, or other state authority or indicated as such on the Surveyor General's records, or utilized by the public or zoned as such in terms of the applicable zoning scheme.

“Public road” means public road as defined in the National Road Traffic Act 93 of 1996.

“Residential Building” means a building or portion of a building or site designed for human habitation whether temporary or permanent, and includes, but is not limited to dwelling houses, dwelling units, flats, guest houses, boarding houses, hotels, rooms to let, self-catering units, and hostels.

“Road Authority” means the road authority as defined in Section 2 of the Roads Ordinance (Ordinance 19 of 1976).

“Road Reserve” means the area contained within the statutory width of a road, and includes roadways, shoulders and sidewalks and the airspace above such roadways, shoulders and sidewalks and all other areas within the road reserve boundary including reserves in respect of unmade roads.

“Roadway” means that portion of a road, street or thoroughfare improved, constructed or intended for vehicular traffic as defined in the National Road Traffic Act No 93 of 1996.

“Roof sign” means a sign affixed to a roof of a building where the top edge of any point of that sign does not exceed the height of the roof plane to which it is affixed.

“Scenic Drive” means a road designated as such on an approved zoning scheme or from which landscapes or features of aesthetic or cultural significance can be seen or viewed as designated by the City from time to time.

“Security sign” means an outdoor sign for; -

- (a) neighbourhood watch;
- (b) street committee;
- (c) Central Improvement District;
- (d) security service;

and similar schemes, or a sign containing the name, logo, address and telephone number of a security company contracted or a community group organised to protect, or security system installed to protect, the premises on which the sign is displayed or the neighbourhood in question should a neighbourhood watch scheme be in place.

“Service station facility sign” means freestanding signs at petrol filling stations, roadside rest and service areas and includes service station pylon signs.

“Signage Impact Assessment” (SIA) means an assessment carried out in order to gauge the visual impact, on the receiving environment.

“Shop” means a building used for retail trade or services.

“Sign” includes but not limited to; -

- (a) product replica;
- (b) an advertising structure;
- (c) a mural containing any advertising;
- (d) a logo;
- (e) an object, device or board which is used to publicly display a sign; or
- (f) which is in itself a sign; and includes a poster and a billboard.

“Signalized traffic intersection” means an intersection controlled by traffic signals.

“Sky sign” means a sign where the top edge of any point of that sign exceeds the height of the roof plane to which it is affixed.

“Sponsored sign” means a sign, the primary purpose of which is not to advertise goods or services but which displays a graphic or content which promotes community or public awareness of a recognised public or community goal.

“Sponsored Mural” means a picture painted directly onto a wall and which contains a limited portion of commercial logo or content.

“Street name signs” means pole-mounted, double-sided, internally illuminated or unilluminated signs displayed in combination with names of streets, not exceeding 1m².

“Street furniture” means public facilities and structures which are not intended primarily for advertising and includes but is not limited to seating benches, planters, bins, pole mounted bins, bus shelters, sidewalk clocks, drinking fountains, telecommunication boxes, traffic signal controllers, electricity boxes, post boxes and telephone booths, but excludes road traffic signs, traffic signals, street lights, or any other road-related structures.

“Sub-council” means a metropolitan sub-council established in terms of Section 3 of the City of Cape Towns Subcouncil By-law, 2003 as amended.

“Temporary signs” means signs which are displayed for a maximum period of 14 days, or such other period as may be approved by the City.

“Thickness” in relation to a projecting sign, means the width of such sign measured parallel to the plane of the main wall to which such sign is affixed.

“Third-party advertising” means the advertising of goods or services that are not made, procured, sold or delivered from the property on which the sign or sign advertising of those goods or services is fixed or placed, and includes advertising which is not locality bound as well as the display of a sign which is made, procured or sold from the property but advertises goods or services which are not made, procured, sold or delivered from that property.

“Three dimensional sign” means a sign containing more than 2 dimensions, including product replicas.

“Traffic Impact Assessment” (TIA) means an assessment carried out by a registered Traffic Engineering Practitioner with demonstrable experience in the field of traffic engineering that investigates the impact a proposed sign may have on motorist/pedestrian/cyclist safety and traffic operation in accordance with the City’s guidelines for outdoor advertising as may be published by the City from time to time.

“Traffic Sign” means a road traffic sign as described in the National Road Traffic Act No. 93 of 1996.

“Traffic Signal” means a road traffic signal as described in the National Road Traffic Act No. 93 of 1996.

“Transit advertising” means advertising on or in conjunction with a motorized vehicle or non-motorized vehicle whether such vehicle is of standard design, custom made, or has been purposely built to accommodate a sign, and, includes watercraft such as boats or other vessels that travel on water whether motorised or not or trailers primarily used for advertising purposes.

“Transportation Terminals” means any area designated by the City as such, where the formal interchange of modes of public transport takes place by the public, including, but not limited to designated railway stations, official taxi terminals and bus terminals.

“Vehicular advertising” means advertising on motorised or non-motorised vehicles, design which is primarily moving on land including but not limited to taxis, buses, and delivery vehicles but excluding vehicles primarily used for advertising purposes.

“Verandah” includes a cantilevered canopy and sunblind.

“Window signs” means locality bound signs which are temporarily or permanently painted, sandblasted, pasted, attached, written on or displayed behind the window-glass of shopfronts, commercial, office, industrial, or entertainment units to which such signs relate

and do not extend over the window frames, bars, mullions, transoms, sills or lintels of the window in question.

“**Zone**” means a land use zone as set out in the relevant zoning schemes or Town Planning Regulations as amended from time to time and applicable to any erf on which a sign is displayed or intended to be displayed and “zoning” has a corresponding meaning.

2. OBJECTS OF THE BY-LAW

The purpose of this By-Law is to —

- (a) regulate outdoor advertising in the jurisdiction of the City of Cape Town in a manner that is sensitive to the environmental quality of different parts of the City of Cape Town;
- (b) ensure that outdoor advertising respects the integrity of any site on which it is displayed, and complements the character of the locality in which it is displayed;
- (c) seek to strike a balance between outdoor advertising opportunities and economic development on the one hand, and the conservation of visual, tourist, traffic safety, environmental and heritage characteristics on the other hand;
- (d) determine areas of control to deal with the dynamics between the type of the sign, the sign itself and where it is to be located.
- (e) set out the procedures to be followed and the criteria to be used when obtaining approval for a sign applicable to outdoor advertising in the City of Cape Town.

SIGNS EXEMPT FROM THIS BY-LAW

3. The following signs do not require the City's prior approval in terms of this By-Law:

- (1) Information signs which are also Tourism Destination Road Signs as defined in the Road Traffic Signal Manual.
- (2) Any sign required to be displayed by law including road traffic signs erected in terms of any Law.
- (3) Signs which are not visible from an outdoor public place.
- (4) Signs displayed inside an enclosed stadium or inside a shopping centre.
- (5) Advertising on clothing.
- (6) National flags hoisted on suitable flagpoles, provided that no commercial advertising is added to either the pole or the design of the flag.
- (7) Murals and artwork which do not advertise or are not signs in themselves and which are approved in terms of the City's public artwork permitting system.
- (8) Signs identifying a property's street number or street name only.

SIGNS PROHIBITED IN TERMS OF THIS BY-LAW

4. The following signs are not permitted in terms of this By-Law:

- (1) Signs on towers, cranes, gantries, telecommunication masts, pylons or on any electrical infrastructure or substation fence.
- (2) Signs on or over a bridge except when in respect of a temporary event where the roads have been closed and consent has been obtained from the City.
- (3) Signs and products for commercial events, including promotions, marketing and launching of products and services on or distributed from City land, buildings and infrastructure.
- (4) Signs on any electrical infrastructure or substation fence.
- (5) Walking advertisements, walking sandwich boards containing advertisements and hand held signs.
- (6) Signs which are displayed for commercial advertising purposes on or in conjunction with;
 - (a) remotely piloted drones or model aircraft in the air;
 - (b) on any craft, buoy, platform or boat on water;

if visible from any public place, whether on the move or not.

SUBMISSION OF APPLICATIONS

5. (1) Other than those signs referred to in Section 11, no person shall display any advertisement or erect or use any sign or advertising structure for advertising purposes without the City's approval in terms of this By-Law and any other applicable law.
- (2) Every person intending to display a new sign or to alter or to add to an existing approved sign; or submitting a signage plan in terms of this By-Law, or submitting a dual application for a temporary building as envisaged by the provisions of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), confirming the structural safety of the proposed sign and its foundations, shall apply in writing and electronically to the City which application must be accompanied by the following information in duplicate:
- (a) A site plan showing the site on which it is proposed that the sign is to be erected or displayed, drawn to a scale of not less than 1:200 showing clearly and accurately the position of the sign and the building, if any, to which it is to be attached and showing every building and the existing signs on the site, existing and proposed landscaping, traffic signals and road traffic signs, and the positions, with dimensions, of the sign or sign in relation to the boundaries of the site and the location of the streets abutting the site, together with its existing approved zoning conditions.

- (b) A drawing, which complies with the requirements of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) and is in sufficient detail to enable the City to consider the appearance of the sign and all relevant construction detail, including a description of the materials of which the sign is to be constructed, the colours to be used, and whether or not the sign is to be illuminated; and in the latter event, the plan shall indicate whether or not the sign is an electronic sign and, if so, full details shall be furnished in terms of subsection 2(h).
- (c) The drawing referred to in subsection 2(b) above shall have detailed drawings of such sign to a scale of not less than 1:20 and a site plan indicating the position of the sign on the site to a scale of not less than 1:50.
- (d) When the graphics of an approved 3rd party fixed graphic sign or custom-made design sign are to be changed, at any stage during the approval period, the new graphic must be submitted to the City for written approval prior to the display thereof.
- (e) If a sign is to be attached to or displayed on the wall or façade of a building, the City may require the submission of an additional drawing showing an elevation of the building in colour, the details and position of the proposed sign and the details and the position of every existing sign on the building drawn to a scale of not less than 1:100, or the City may require a coloured print of or an artist's photographic or computer generated impression of the building with the details of the proposed sign superimposed on such graphic and drawn as nearly as is practicable to the same scale as that of the graphic.
- (f) Upon the request of the City; such additional drawings, calculations and other information as is necessary to enable the City to establish the adequacy of the proposed means of securing, fixing or supporting any proposed sign or billboard and its ability to resist all loads and forces to which the sign, advertisement or billboard may be exposed and the sufficiency of the margin of safety against failure.
- (g) If the applicant is not the registered owner of the property on which the sign will be erected, the applicant shall obtain the signature of the registered owner or owners of the land or building on which the sign is erected, or power of attorney from such owner or owners indicating their knowledge of and consent to the application.
- (h) If the proposed sign is an electronic sign or is to be internally illuminated, the following information will be required;
- (i) full details of all supporting structures, installation details and screen specifications which must be shown on scaled dimensioned drawings;
 - (ii) if larger than 2.1m² the relevant environmental checklist must be submitted together with the signage application, including a request for a waiver to a larger size in terms of Section 7(3)(h);
 - (iii) for any sign larger than 4.5 m², the City may require the submission of a Signage Impact Assessment, Heritage Resources-Assessment, a

Traffic Impact Assessment or any other impact assessment that the City may deem necessary conducted by appropriately qualified independent practitioners who are to the City's satisfaction and such assessments should recommend any mitigating measures that may be required as a result of any impacts that are identified.

- (i) If the proposed sign or any part thereof or an associated light fixture is to encroach over or onto an abutting property or properties, permission from the owner or owners of such abutting properties for the intended encroachment is required and may also be required where the sign or fixture would encroach onto or over City land.
- (j) In the case of sponsored signs by or on behalf of non-profit bodies, documentary proof from the host non-profit body must be submitted showing the nature and extent of the benefit to be received from the erection and display of the sign.
- (k) subsection 2(a) to 2(c) documentation requirements may be waived or amended by the City in respect of the following signs; -
 - (i) Newspaper headline posters;
 - (ii) Banners, flags, balloons, inflatables and lamp pole swivel banners;
 - (iii) Posters;
 - (iv) Directional property marketing signs and temporary property marketing signs up to 0.3m² in size; and
 - (v) Loose portable signs,

which are to be displayed in accordance with the provisions of Section 11 and Schedules, 9, 10, 11, 12 and 13 and subject to the requirements set out therein.

PRE-SCRUTINY

(3) Application pre-submission scrutiny and completeness checklist;

- (a) Applications for schedule 2-18 sign types, and those which do not comply upfront with the conditions set out schedule 11 will be pre-scrutinised, prior to fee calculation, which forms part of a multi-stage process.
- (b) Applications must pass the pre-submission and completeness checklist before a formal application may be submitted.
- (c) The City may refuse to consider a pre-submission scrutiny and completeness checklist submitted in respect of signs which are unlawfully displayed at the time of the said submission.
- (d) As the first stage of a multi-stage process, an application will undergo a pre-submission scrutiny and completeness check to determine, prior to fee calculation, whether;
 - (i) it is complete and complies with the requirements pertaining thereto as contained in Section 4 and 7 of this By-Law;

- (ii) it complies with the requirements of any applicable schedules; and
 - (iii) it is in conflict with any provision of this By-Law.
 - (e) The City must, within 21 working days of the receipt of a pre-submission scrutiny and completeness checklist in terms of Section 4(3), inform the applicant of; -
 - (i) the outcome of the pre-submission scrutiny and completeness checklist;
 - (ii) any outstanding or deficient aspects to be rectified; and
 - (iii) any additional information required.
 - (f) An applicant must rectify any deficient aspects of an application and must provide any additional information required by the City within 21 working days of notification of the outcome of the above pre-submission scrutiny and completeness checklist: Provided that this time period may be extended at the request of the applicant where additional studies or specialist information will take an applicant longer to complete.
 - (g) An application will not be
 - (i) considered complete; and
 - (ii) processed further unless it passes the pre-submission scrutiny and completeness checklist.
 - (h) Once a pre-submission scrutiny checklist has been passed in writing by the City, a formal application must be submitted to the City, in prescribed form, which must be completed in full and must be accompanied by the prescribed application fee.
 - (i) Where an application is determined to be flawed or incomplete as per subsection 3(d) (iii) it will be nullified and returned to the applicant.
 - (j) Where the application does not pass the pre-scrutiny checklist in terms of subsection 3(h) above, and returned, no further application may be submitted unless it has been substantially amended.
 - (k) Where at any stage it transpires that either an applicant has made, or an application contains, a false or misleading statement, forged, counterfeit or fraudulently replicated document or permit in respect of any application or approval, or pertaining to any requirement, the application will be nullified and returned to the applicant and the City will not consider any further applications for that site from the applicant for a period of 12 months.
 - (l) The passing of the pre-scrutiny checklist by the City does not oblige it to approve a formal application for the sign in question, nor does it create any legitimate expectation in this respect.
- (4) The City may at any stage require the submission of an Signage Impact Assessment, Heritage Resources Assessment or a Traffic Impact Assessment, or any other impact assessment that the City may deem necessary. Such assessments;
- (a) are to be conducted by independent, registered practitioners or by independent appropriately qualified practitioners where professional registration is not required.

- (b) should recommend any mitigating measures that may be required as a result of any impacts that are identified;
- (c) may be required by the City to be preceded by an environmental, heritage, visual or traffic safety checklist.
- (5) If in the City's opinion, a community or portion thereof or a person may be affected by the proposed sign, the City may require that such affected party be notified in writing of the application and provided with a period of 21 working days within which to make written representations to the City.
- (6) The City will require a signage master plan in respect of any development, new and existing, where the erection of numerous signs is proposed or the rationalisation of previously approved signs is required so as to allow it to consider a consistent design master plan prior to assessment of any individual sign.
- (7) The City must notify the applicant of any additional requirements it has, within 21 working days of the date of submission of the application and payment of the application fee.
- (8) The City will retain a copy of every document supplied to it as part of an application.
- (9) The City may require a certificate by a registered person as envisaged by the provisions of the National Building Regulations and Building Standards Act (Act, 103 of 1977), confirming the structural safety of the proposed advertising sign and its foundations, as per Table 1 below.
- (10) In the case of an application for a temporary building, signs which exceed a certain weight and size, according to the Table 1 below, will require temporary approval in terms of the National Building Regulations and Building Standards Act (Act, 103 of 1977).

TABLE 1. NATIONAL BUILDING REGULATION REQUIREMENTS

SIGN TYPE m ²	HEIGHT	WEIGHT	SIZE	OTHER
SCHEDULES 2 & 3 Third party billboards and first party freestanding signs	> 2.4 meters overall	≥25 kilograms	≥ 4.5m ²	Upon appointment of a Structural Engineer
SCHEDULE 4 Signs attached to walls of buildings and signs on Street Furniture: Flat, Projecting, Projected and Window signs	N/A	≥25 kilograms	≥ 10m ²	Upon appointment of a Structural Engineer
SCHEDULE 5 Sky Signs	>1.5 meters	≥25 kilograms	≥ 4.5m ²	Upon appointment of a Structural Engineer

SCHEDULE 6 Roof Signs (Only for Structures)	>1.5 meters	≥25 kilograms	≥ 4.5m ²	Upon appointment of a Structural Engineer
SCHEDULE 7 Canopy signs	N/A	≥25 kilograms	≥ 4.5m ²	Upon appointment of a Structural Engineer
SCHEDULE 8 Signs on boundary walls, and fences, and on construction site signs hoardings, and development boards	> 2.4 meters overall	≥25 kilograms	≥ 4.5m ²	Upon appointment of a Structural Engineer
SCHEDULE 10 Banners and Flags	N/A	≥25 kilograms	≥ 10m ²	Only if affixed to scaffolding – appointment of a Structural Engineer
SCHEDULE 12 Directional Property Marketing signs, and Temporary Property Marketing signs (larger than 0.3m ² in size)	>2.4 meters overall	≥25 kilograms	≥ 4.5m ²	Upon appointment of a Structural Engineer
SCHEDULE 16 Signs on City Land and Buildings	>2.4 meters overall	≥25 kilograms	≥ 4.5m ²	Upon appointment of a Structural Engineer
Schedule 17 Signs for Non Profit Bodies	>2.4 meters overall	≥25 kilograms	≥ 4.5m ²	Upon appointment of a Structural Engineer

CHARGES AND GENERAL FACTORS IN CONSIDERING APPROVAL OR AMENDMENTS TO CONDITIONS OF APPROVAL.

6. (1) Every person who applies to the City for approval in terms of this By-Law must, on making application, pay to the City an application fee as determined by the City from time to time.

- (2) On approval of an application, an approval and monitoring fee as determined by the City from time to time shall be paid.
- (3) No sign shall be erected until such time as both the application and approval and monitoring fees have been paid in full.
- (4) The City will determine the applicable annual encroachment fee which is payable when a sign projects so as to encroach more than 50mm over City land.
- (5) In considering an application for the display of an advertisement or the erection of a sign in terms of this By-Law, or an amendment or condition attaching or to be attached to an approval, the City shall have regard to the following factors:
 - (a) The area of control in which the proposed sign is to be erected or displayed as set out in Schedule 1 annexed hereto. Provided further that if a sign falls into more than one possible area of control or if a proposed sign site located in one area of control may impact on an adjacent area of control, the City may determine the area of control pertaining to that application.
 - (b) The type of locality or landscape and the advertising opportunities pertaining to that area of control.
 - (c) The number of signs already displayed or proposed to be displayed on the erf and in the area surrounding the erf concerned.
 - (d) The findings of any Traffic Impact Assessment, Environmental or Heritage Resource Assessment more specifically any such finding as to whether the proposed sign will be detrimental to the environment or adversely affect the amenity of the locality or neighbourhood or affected properties.
 - (e) Locality bound signs must relate to the lawful use of a property provided that no such sign shall be affixed to or placed on residential buildings or portions thereof other than as is permitted by or for home industries and legal temporary uses.
 - (f) The outcome of any process of public participation regarding the proposed sign.
 - (g) The provisions of Section 7.
 - (h) Compliance with, and the ability to comply with specific conditions pertaining to specific sign types set out in schedules 2 to 18, and with the specific conditions set out in Section 11.
 - (i) Where a building, structure or part thereof has or is being erected in such a way that the City has reasonable grounds to believe that its primary purpose is to accommodate the display of a sign, the City may regard the building, structure, or part thereof, to be a sign or sign structure which falls within the ambit of this By-Law, notwithstanding the fact that other legislation may also apply to such building or structure.
 - (j) No sign or advertisement may be approved that;
 - (i) will constitute a danger to any person or property;
 - (ii) will display any material or graphic which, whether in form, content or both, may reasonably be expected to cause offence to the public or an identifiable class of persons;
 - (iii) will be detrimental to the environment or amenity of the neighbourhood by reason of either its size, intensity, frequency,

illumination, quality of design, material, proposed graphic, locality or for any other reason;

- (iv) will obscure any other signs approved in terms of this By-Law or its predecessor;
 - (v) will be detrimental or otherwise negatively impact on the environment, whether artificial or natural;
 - (vi) will obstruct views or the observation of an area under surveillance by a close circuit TV camera, or its equivalent.
- (k) In considering a proposal for new graphics in respect of a sign approved in terms of this By-Law, the City will have regard to the Application pre-submission scrutiny and completeness checklist factors referred to in Subsection (3) paragraph (a) to (j) inclusive.
- (l) The City will only consider an application for the extension of an approval period (in terms of Section 9(4)) on condition that the said sign complies with the provisions of this By-Law as at the date of application for such an extension.
- (m) The City will have regard to the factors referred to in Subsection 3 paragraph (a) to (j) in assessing an application for an extension of the approval period in terms of Section 9(4). In the event of the approval period being extended by the City, the extension period shall not exceed a further 5 year period.
- (n) Any application for an extension of an approval period in terms of Section 9 (4) must be accompanied by both the application fee and the approval and monitoring fee in terms of subsection (1).

FACTORS RELATING TO SPECIFIC SIGNS, AREAS OF CONTROL AND COMMERCIAL SPONSORED SIGNS

7. (1) The City shall, in addition to the factors set out in Sections 4, 5, 7 and 11 apply certain minimum standards to certain specific sign types and proposed localities when an application for approval is made in respect thereof.
- (2) The City will also apply certain specific criteria to applications for the erection of signs by non-profit bodies. These specific standards and criteria are set out as Schedules to this By-Law.
- (3) Schedule 1 to this By-Law indicates the areas of control in which certain specific sign types may be permitted, subject to approval in terms of this By-Law and furthermore subject to any additional requirement pertaining to a specific sign type as set out in the Schedules.
- (4) There is an extensive amount of technical detail applicable to specific sign types and their effect in specific localities. The specific requirements for specific signs are set out in the Schedules hereto. The Schedules are part of the By-Law. These Schedules are not any less important than the content of the By-Law itself.
- (5) Three areas of control are applied in this By-Law namely maximum, partial and minimum areas of control. The potential for outdoor advertising and the sign types to be considered is therefore determined by permitting certain sign types in certain areas of control. Control measures are applied by means of approval or refusal, and by means of general and specific conditions and requirements.

- (6) The City may amend the areas of control set out in Schedule 1 of the By-Law which amendments and modifications will be graphically depicted by way of maps as prepared by the City from time to time.
- (7) The City may grant an exemption from the terms of this By-Law in respect of the sign types or areas of control set out in Schedules 10, 11 and 12 hereto having regard to;
 - (a) the area of control where it is proposed to display the sign/s;
 - (b) nature of the event;
 - (c) duration of the erection and display of the sign;
 - (d) size of the proposed sign;
 - (e) any traffic, safety, environmental or heritage resource assessment; or
 - (f) the outcome of any public participation process.

STANDARD REQUIREMENTS FOR ASSESSMENT AND STANDARD CONDITIONS FOR APPROVAL

- 8. (1)** The requirements and conditions contained in this section are applicable to all applications and approvals in respect of all signs, including the specific sign types set out in Schedules 2 to 18 and Section 11. In the event that a Schedule or Section 11 contains a more specific requirement or condition, the more specific requirement or condition will be applied.

(2) STRUCTURAL REQUIREMENTS

- (a) All signs shall be properly constructed and shall be secure and where the requirements of the National Building Regulations and Building Standards Act (Act, 103 of 1977) is simultaneously applicable, must be accompanied by the affixing details as required in Section 4(2)(b).
- (b) Notwithstanding any structural approval under the National Building Regulations and Building Standards Act (Act, 103 of 1977) for a temporary structure, the structure in support of the sign may only be utilised within the approval period granted under this By-Law.
- (c) Signs less than 4.5m² may require the submission of a structural engineer's appointment form
- (d) The owner of the sign structure, the media owner, the Applicant, and the owner of the property or building to which a sign is attached shall be jointly and severally liable for the maintenance thereof and shall undertake at least two inspections per year thereof with a view to satisfying themselves as to the safety thereof.
- (e) Where any sign becomes torn or damaged or otherwise falls into a state of disrepair, the owner of the sign structure, the media owner, the applicant to whom the approval has been granted and the owner of the fixture or property which or to which a sign is attached shall within 7 working days of a notice to do so, repair it.
- (f) All signs and their support structures shall be constructed of incombustible, durable materials suited to the function, nature and permanence of the sign.
- (g) All glass used in a sign, other than glass used in the illumination, must be safety glass of at least 3mm thick

- (h) Glass panels used in a sign must not exceed 0.9m² in area with each panel being securely fixed in area with each panel securely fixed to the sign structure or device independently of all other panels in the body of the sign, structure or device independently of all other panels.
- (i) Every sign and its support structure shall be kept in a state of good repair.
- (j) No sign may be placed covering any window or opening provided for ventilation of a building or obstruct any stairway or doorway or other means of exit from the building or prevent movement of people from one part of a roof to another.
- (k) No advertising structure shall be closer to overhead electrical equipment than the minimum distance as prescribed in the Occupational Health and Safety Act, 1993 (Act 85 of 1993) from time to time.

(3) ELECTRICAL REQUIREMENTS

- (a) All signs needing an electrical connection must preferably be supplied from the existing electrical supply on the erf where it is to be erected. If this is not possible, application for a metered electricity supply must be made to the relevant authority.
- (b) Every sign in connection with which electricity is used, shall be fitted with suitable capacitors to prevent interference with radio and television reception.
- (c) Each power cable and conduit containing electrical conductors in respect of a sign shall be so positioned and fixed so that it is safe, unseen, inaccessible, child tamper proof and animal proof.
- (d) Each interior high-voltage installation that runs unattended (such as a window display) and each exterior high-voltage installation shall have an acceptable type of fireman's switch in accordance with the requirements as stipulated in Sections 6.7.2 and 7.5 of SABS 0142 1993 promulgated in terms of The Occupational Health and Safety Act (Act 85 of 1993).
- (e) In the case of signs on or encroaching onto public land, approved wayleave permissions or permits must be obtained from the relevant City service departments or custodians of such land for;
 - (i) working near any existing services or other infrastructure on a proposed sign site; and
 - (ii) any excavations, planting of poles, foundation structures or the driving of stakes deeper than 150mm into the ground, including where signs are to be erected in the vicinity of overhead power lines, and such signs with the safety conditions imposed by such wayleaves, permissions or permits.

(4) ILLUMINATION REQUIREMENTS

Illuminated signs may be approved provided that the following provisions of this By-Law are complied with.

Illumination and energy efficiency requirements

- (a) Illumination must be designed to ensure maximum energy efficiency including one or more of the following;

- (i) the use of an alternative energy source, including solar or wind generated power;
 - (ii) low energy lamps and automatic dimmers;
 - (iii) day-night brightness sensors; and
 - (iv) automatic on-off timer switches.
- (b) Signs may not be illuminated if no sign content is displayed.
- (c) Temporary signs may not be illuminated unless so permitted in the specific rules for the applicable sign type or as set out in the relevant schedule.
- (d) Illumination may not cause undue light spillage. In addition:
 - (i) All light sources must be shielded with a full cut-off solid barrier.
 - (ii) The angle of beam spread must be controlled to prevent light spillage beyond the advertisement area of the sign.
- (e) Brightness of illuminated and electronic signs must have a proportional relationship to ambient lighting conditions and full bright sunlight may warrant full luminance on internally illuminated or electronic signs to achieve legible contrast.
- (f) The City may at any stage by notice to the holder of an approval:
 - (i) limit the times a sign may be illuminated or the luminance thereof;
 - (ii) require the installation of light sensors that detect the luminance of ambient light from outside; or
 - (iii) require the installation of automatic dimmers to:
 - (aa) reduce daytime illumination to 60% luminance for efficiency;
 - (bb) reduce night and overcast conditions' illumination to between 10% and 2% of maximum daytime luminance or other controls on candela, lumens or wattage of such illumination; or
 - (cc) amend, vary or adjust the illumination requirements pertaining to any sign in response to complaints received by the City of light spillage, or a nuisance created in this regard and/or when the City's Roads Authority deems the luminance a potential road safety hazard.
- (f) The City may issue illumination standards from time to time. The brightness of illuminated and electronic signs must comply with the standards subject to which it was approved.

Requirements for internal illumination and electronic signs

- (h) Internally illuminated and electronic signs containing both locality-bound and third party advertising may be displayed in all urban areas of control and must be less than 2.1 m². This size restriction may be waived;
 - (i) up to a maximum size of 4.5m² ; or
 - (ii) up to any larger size specified by the City in an area or site that the City may consider designating in which internally illuminated or electronic signs are to be encouraged or supported; and
 - (iii) following the consideration of assessments of the impact on road and traffic safety, heritage resources, scenic resources, residential amenities and the environment as may be requested by the City and which must to be conducted by appropriately qualified independent practitioners who are to the satisfaction of the City indicating no negative impact thereon.
- (i) Electronic signs may not have subliminal flashes, animation or involve other special effects including flashing lights, running lights, revolving panels or similar panels, except in the case of temporary events where specific consent has been obtained from the City.
- (j) Any electronic sign must incorporate luminance sensors that measure ambient light at the sign and technology that enables the luminance of the sign to automatically adjust relative to the measured ambient light levels.
- (k) The following maximum luminance levels in the table below shall be applicable for all advertising signs where illumination is permitted.

Table 2: LUMINANCE REQUIREMENTS

Illuminated area	Maximum luminance
Less than 0.5 square meters	1000 candela per square meter
0.5 to 2,0 square meters	800 candela per square meter
2.0 to 10 square meters	600 candela per square meter
10 or more square meters in other areas	400 candela per square meter

- (l) The sign owner or lessee of the sign must demonstrate with the aid of a luminance meter, that the approved luminance levels in Table 2 above are complied with when called upon by the City to do so.
- (m) The sign owner or lessee must;
 - (i) on the request of the City provide a certificate from a qualified independent person verifying the electronic sign's luminance; and
 - (ii) retain the certificate and accompanying records for six months after the recordings were made.
- (n) In the event that an electronic sign or any part thereof malfunctions, the City may by way of a written compliance notice to the sign owner require that the

sign cease any form of visual output within a timeframe specified in such compliance notice until the malfunction is repaired.

Requirements for external illumination

- (o) The light source emanating from flood-lights or other similar devices in respect of any sign may not be visible to vehicular traffic travelling in either direction past it, nor be a visible source of nuisance to surrounding residences.
- (p) Floodlights shall not be positioned so as to create any undue light spillage beyond the surface area of the sign.
- (q) External illumination must be down-lit, unless there will be no greater impact on the environment if alternative fully-shielded lighting direction is used.

(5) ROAD TRAFFIC SAFETY REQUIREMENTS

- (a) Signs may not constitute an obstruction of any form including, but not limited to, obstruction of a road traffic sign, signal or obstruct the line of sight of a road user necessary to permit safe and efficient use of the road.
- (b) Signs may not be erected in an area in which
 - (i) the Road Authority is of the opinion that they are an unacceptable distraction for drivers or other road users; or
 - (ii) drivers turn, negotiate curves or traffic merges, diverges or weaves.
- (c) Electronic signs shall not be permitted if they are visible from a Class 1 Principal Arterial, gateway route or a scenic drive unless expressly approved in writing by the Road Authority.
- (d) No advertising signs may be displayed on towers, cranes, road side gantries, telecommunication masts, pylons or on any electrical infrastructure or substation fence. No sign may be displayed on or over a bridge except when in respect of a temporary event where the roads have been closed and consent has been obtained from the City .
- (e) Signs shall not be located within 50m of the perimeter of an intersection of a designated metropolitan road unless expressly approved in writing by the Road Authority.
- (f) The graphic content of signs shall not have the potential to be visually interpreted as a road traffic sign, due to any factor, including but not limited to the following:
 - (i) any stylised or pictorial presentation of a road traffic sign or traffic signal;
 - (ii) any word, symbol, logo or other device used on a road traffic sign;
 - (iii) use of combinations of colours specified for road traffic signs, in a manner likely to lead to confusion;
 - (iv) any reflectorized paint or material.
- (g) Signs may not be attached to or obscure a road traffic sign or traffic signal specifically provided for in the South African Road Traffic Signs Manual or the South African Development Community Road Traffic Signs Manual.
- (h) Signs may not be erected within the road reserve of any public road unless expressly approved by the Road Authority.

- (i) When located at signalized traffic intersections no signs may not have the colours red or yellow or green as main colours and shall not obscure or interfere with any road traffic sign or traffic signal.
- (j) Electronic signs shall not be permitted within 80 metres of the perimeter of a signalised traffic intersection.
- (k) The City may, within a period of one year of the erection of an approved internally illuminated or electronic sign, require the owner of such a sign to undertake a study of the impact of the sign on traffic flow, traffic safety or both in accordance with generally accepted traffic engineering practice or any guideline that may be issued by the City from time to time.
- (l) Illumination may not constitute a road safety hazard or potential road safety hazard, and the City may at any stage by notice to the holder of an approval require the illumination of an approved sign to be amended, varied or adjusted in any way, including maximum brightness, in order to address road safety concerns.
- (m) Electronic signs shall not display flashing, running or variable transition messages or have transition effects between successive messages if visible from a public road.
- (n) The continuation of a single theme or message must not be displayed on multiple display pages of any electronic sign.
- (o) Static display, simple transition signs shall display a complete frame for an information cycle length of not less than 60 seconds when visible from a signalised traffic intersection and 30 seconds at other locations.
- (p) The sign must not dazzle or distract road users due to its colouring, luminance or contrast.
- (q) The transition from one message to another on an electronic sign shall occur within a maximum of 0.3 seconds and fading effects are not permitted.
- (r) Third-party signs, including all electronic signs, larger than 4.5m² erected adjacent to a public road or in a railway reserve, intended to advertise to persons using designated arterial roads, must be spaced a minimum specified distance from any other sign or road traffic sign, such distance measured parallel to the centre line of the roadway, in accordance with Table 3 below.

TABLE 3: LINEAR SPACING BETWEEN SIGNS

Case	Spacing required when visible to traffic on a road with a speed of:		
	< 60 km/h	61–80 km/h	81–120 km/h
Where an advertising sign follows a road sign	380 m	425 m	475 m
Where an advertising sign follows an advertising sign	310 m	360 m	410 m
Where an advertising sign precedes a road sign	40 m	70 m	100 m

- (s) The City or the relevant Road Authority may
- (i) consider an application to reduce the minimum spacing specified in Table 3;
 - (ii) require the applicant to motivate such reduction in minimum spacing through the submission of an assessment of the impact on traffic and road safety, conducted by an appropriately qualified independent traffic engineering practitioner who is to the City and/or relevant Road Authority's satisfaction, in line with the methodology prescribed by the City or relevant Road Authority.
- (t) The information content of all First and Third Party signs larger than 4.5m² visible to drivers using a public road, measured in "bits" of information calculated in accordance with Table 4 below, shall not exceed 15.

TABLE 4: BITS OF INFORMATION

Elements of the advertisement		Bits per element
Words	up to 4 letters	0.5
	5 to 8 letters	1.0
	more than 8 letters	2.0
Numbers	up to 4 digits	0.5
	5 to 8 digits	1.0
	more than 8 digits	2.0
Logos , symbols and graphics	smaller than 9m ²	0.5
	between 9 and 18m ²	1.0
	between 18 and 27m ²	1.5
	larger than 27m ²	2.0

LEGAL REQUIREMENTS

9. All signs to be erected or displayed within the area of jurisdiction of the City must, in addition to complying with this By-Law, comply with all other applicable legislation.

APPROVAL

10. (1) The City may –

- (a) refuse;
- (b) grant; or
- (c) grant approval subject to conditions which may include requiring approval from the City's Building Management Department.

- (2) The City and its authorised officials are not liable for any damages resulting from the erection, presence or display of any approved sign.

- (3) The City may, at any time, withdraw an approval granted in terms of this By-Law or its predecessor or amend any condition or impose a further condition in respect of such approval, if a sign or advertising structure is
 - (a) in a state of disrepair;
 - (b) stands empty or is not in operation for more than 90 consecutive days;
 - (c) no longer complies with any provision of this By-Law; or is
 - (d) substantially altered from the original approved application by way of either structure or graphic content.
- (4) Should an approved sign not be erected within 12 months from the date of approval or within such other time as is specified in the approval, such approval shall lapse, unless that period is extended in writing by the City prior to such lapse.
- (5) (a) Any approval of third party advertising granted by the City in terms of this By-Law, shall endure for a maximum period of 5 years, calculated from the date of approval, unless extended in writing prior to the expiry of the approval period.
(b) The City must receive a written application for extension of the approval period at least six calendar months prior to the lapse of the approval period.
- (6) In the event that the structure supporting such sign is intentionally demolished before the expiry of the approval period, the approval will lapse and no further sign or supporting structure may be erected or re-erected without the City's prior approval in terms of this By-Law.
- (7) All decisions by the City regarding applications made in terms of this By-Law shall be in writing and will be provided to Applicants within 90 calendar days of date of submission of a complete application, alternatively, if so required by the City, within 90 calendar days of its receipt of any additional information or assessments provided to the City.
- (8) The City may require that the sign owner's name or logo, the approval number or site number be clearly displayed on the sign structure.
- (9) All approvals will be issued to the property owners who will be responsible for ensuring that all conditions of approval are met.
- (10) The applicable encroachment fee for locality bound projecting signs which encroach over City land must be paid annually.
- (11) In cases where written temporary building approval in terms of the National Building Regulations and Building Standards Act (Act, 103 of 1977) is required, the applicant must provide the City with a copy of such approval within 7 working days of the approval being issued.
- (12) After the erection of an approved advertising sign larger than 4.5m², the City may request the applicant to submit a structural engineers completion certificate by a registered engineer within 7 days of date of such erection.
- (13) The applicant or person who erects an approved sign must provide the City with written notification that such sign has been erected within 7 working days of the sign being erected.
- (14) If an application submitted in terms of section 4 has been refused in terms of subsection 10.(1) above, no further application may be lodged in respect of the same exact application site for a period of two years from the date of such refusal, unless a motivation is submitted in writing for approval indicating a change of circumstances.

APPEAL

- 11.(1) Any persons whose rights are affected by a decision made in terms of this By-Law may appeal against that decision in terms of section 62 of the Local Government:Municipal Systems Act, 2000, by giving written notice of the appeal and reasons to the City Manager within 21 days of the date of the notification of the decision.
- (2) An appeal authority must commence with an appeal within six weeks after receipt of the appeal and decide the appeal within a reasonable period.
- (3) (a) The appeal authority must consider the appeal and confirm, vary or revoke the decision.
- (b) No such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.

SIGNS FOR WHICH APPROVAL IS NOT REQUIRED

- 12.(1) Should any sign not comply with the conditions for each sign type listed below,an application must be submitted in terms of Section 4 unless an application for that specific sign type is specifically excluded in terms of this By-Law.
- (2) No application is required for the following signs provided that the signs comply with the following conditions and other applicable legislation:

Contractors boards

- (3) (a) Contractors boards must only be displayed on the property on which work is being undertaken provided that such signs;
- (i) in areas of maximum and partial control, must not exceed 0.3m² and are limited to the display of one sign per contractor;
 - (ii) in areas of minimum control, must not exceed 1.5m² and are limited to the display of one sign per contractor;
 - (iii) must be flush with, or behind the property boundary;
 - (iv) must not display any information other than the name of the contractor, name, contact details, and type of service or product offered and undertaken by the contractor at the premises;
 - (v) must be unilluminated and non-reflective; and
 - (vi) must be removed forthwith when the work being undertaken is complete.
- (b) No application in terms of any provision of this By-Law is permitted for contractors boards other than as provided for above.

Development Boards

- (4) (a) Development boards must only be displayed on the premises in respect of which a building plan has been approved for a proposed development and provided that such signs;
- (i) must be unilluminated and non-reflective; and
 - (ii) must not display any information other than the following:

- (aa) the name and contact information of the developer, financial services provider and property marketing agent;
 - (bb) a pictorial representation of the proposed development;
 - (cc) a description of the proposed development;
 - (dd) the words "launching soon", "coming soon", "new development" or "redevelopment".
- (b) must not include any property marketing information relating to "for sale", "to let", "now selling", "sold" or similar information and must not display any pricing information;
- (c) must be removed when building operations are substantially complete or when the building operations are discontinued, or an Occupancy Certificate has been issued by the City. The City may issue a compliance notice for the removal of the sign within a period stipulated in the compliance notice;
- (d) do not exceed 3m² in total area, 5.5m in overall height and has clear height of 2.1m, on building sites wholly used for residential purposes.
- (i) No application in terms of any provision of this By-Law is permitted for development boards in areas of maximum control other than as provided for in this section and
 - (ii) only one development sign is allowed in such instances.
- (e) do not exceed 5m² in total area, 5.5m in overall height and must have a clear height of 2.1m where a site is not use wholly for residential purposes.
- (i) no more than two development boards are allowed in such instances

Property Marketing Signs

- (5) (a) "To Let" and "For Sale" signs not exceeding 0.3m² are permitted-provided that such signs must be erected on the property concerned or flush against the fence or wall of the property concerned, and no signs other than "To Let" and "For Sale" may be erected or displayed by property marketing-agents or agencies.
- (b) "Sold" signs not exceeding 0.3m² in total area, must be displayed on the property that has been sold and must be displayed as flush against the fence or wall of the property and must not be displayed for longer than 30 days.
- (c) No application in terms of any provision of his By-Law is permitted for bigger or larger "Sold" signs other than as provided for above.
- (d) One "On Show" sign not exceeding 0.3m² is permitted on the property being shown on the day of the "show house".
- (e) In addition, one of the following four options is permitted;
- (i) An additional 0.3m² show house board;
 - (ii) Bunting;

- (iii) 1 Balloon or inflatable sign not exceeding 3m in height and 3m in width; or
- (iv) 3 feather flags not exceeding 3m² each,

provided that these signs are displayed on the show property during weekend hours and must be removed by 17h00 on each day of the weekend.

On Premises Home Industry Signs

- (6) Any unilluminated on premises Home Industry sign not projecting over a public road and not exceeding 0.2m² in total area notifying only the types of trade, business, industry or profession lawfully conducted by any occupant or permanent resident of the premises to which it is attached, the name of such occupant, the type of activity, the address and telephone number of such premises and the hours of attendance (if any); provided that only one such sign per occupant may be displayed.

Window signs

- (7) (a) Window signs displayed on the ground floor of a building lawfully used for business, commercial, office, industrial, entertainment purposes or by non-profit bodies are permitted in all areas of control, provided that such signs;
 - (i) are locality-bound signs, and are limited to the windows of the unit occupied by the individual business entity to which the locality-bound advertising relates;
 - (ii) do not extend over window frames, bars, mullions, transoms, sills or lintels;
 - (iii) do not extend onto or over the walls of the building plane in which the windows are positioned;
 - (iv) must not exceed 4.5m² of the cumulative total area of advertising per individual business entity in an area of maximum control;
 - (v) must not exceed 18m² of the cumulative total area of advertising per individual business entity in areas of partial or minimum control; and
 - (vi) are not placed over any windows provided for ventilation of a building.

Signs incorporated in the face of the building

- (8) Signs incorporated in the face of a building, any locality-bound sign engraved or moulded into and forming an integral part of the fabric of a building on condition that such sign must not exceed 1m² in total area.

Signs on Sports Fields

- (9) (a) Any unilluminated sign not exceeding 2m x 1m erected around the perimeter of a sports field must face in or onto the field and must not purposefully advertise to any other public place or scenic corridors.
- (b) No application in terms of any provision of this By-Law is permitted for signs on the perimeter of Sports Fields other than as provided for above.
- (c) Signs may be painted temporarily on the horizontal playing surface or turf of a sports field for a sporting event.

Security Signs on Premises

- (10) (a) Unilluminated security signs not projecting over the property boundary and not exceeding 0.3m² each indicating either that:
- (i) a neighbourhood watch scheme is in operation;
 - (ii) a security company ~~that~~ has been contracted to protect the premises;
 - (iii) a street committee is in existence; and
 - (iv) a Central Improvement District is in operation in the area.
- (b) Only one security sign per category (or service provider) listed in subparagraph (a) is permitted per premises.
- (c) Security signs on premises may only display the following details of the category of service (service provider) listed in subparagraph (i):
- (i) name;
 - (ii) logo; and
 - (iii) telephone number.
- (d) No application for additional signage or increased sizes of security signs on premises is permitted in terms of any provision of this By-law.

Security Signs on City land

- (11) (a) Unilluminated neighbourhood watch, CCTV scheme, street committee, Central Improvement District or patrol signs may be erected on City land or in a road reserve, provided that:
- (i) the dimensions of the signs do not exceed 580mm wide by 680mm high;
 - (ii) when freestanding, have a minimum clear height of 2.1m and not exceed a maximum overall height of 3m;
 - (iii) the sign is located in an allocated position in terms of a master plan for security signs in an area;
 - (iv) where various security schemes operate in the same area, if it is a composite structure; and
 - (v) such signs display the name, logo and contact number of the neighbourhood watch, CCTV Scheme, Street Committee, Central Improvement District or patrol signs for emergencies or security warnings.

Sponsored, Commercially Sponsored Non-Profit Body Signs less than 4.5m²:

- (12) (a) Any sign whether erected by or in connection with a non profit body may be permitted provided that:
- (i) such sign must not exceed 4.5m² in total area;
 - (ii) no more than 5% of the total surface area of the sign is used for third party advertising;
 - (iii) such sign must not be illuminated; and

(iv) only one such sign shall be permitted per erf.

(b) Signs which comply with the provisions of 12 above shall, when erected on City land, must follow the process set out in Schedule 16.

Advertising on Flags or Feather Flags on Commercial Premises

(13) (a) Advertising on flags may only be displayed on flag poles, provided that;

- (i) no more than 4 flag poles of 3m each in height may be displayed per premises, or
- (ii) 4 feather flags of 3m² each may be displayed per premises; and
- (iii) such flags and feather flags must not project over the property boundary.

Vehicular Advertising

(14) (a) Unilluminated signs painted or affixed directly onto or attached to the body of a motorised or non-motorised vehicle and which vehicle is being used for the conveyance of goods or passengers; and is not parked or used for the primary purpose of advertising are permitted.

(b) Such signs must not be electronic nor must they include any reflective or retro-reflective materials.

(c) No application in terms of any provision of this By-Law is permitted for advertising on vehicles other than as provided for above.

Community Information Signs

(15) (a) Community information signs are permitted provided that such signs;

- (i) do not contain any commercial advertising, commercial sponsorship or commercial advertising campaigns;
- (ii) do not exceed a maximum of 3m²;
- (iii) are not illuminated or electronic; and
- (iv) when freestanding, have a minimum clear height of 2.1m and do not exceed a maximum overall height of 3m.

Community information posters

(16) (a) Community information posters not exceeding A4 paper size, which are not for public events or campaigns are permitted provided that such posters;

- (i) only relate to missing pets and missing persons;
- (ii) are only tied on City's electric light poles;
- (iii) are not placed within 30m of a traffic signal;
- (iv) are only displayed in accordance;
- (v) are removed by the responsible person .

(b) No application in terms of any provision of this By-Law is permitted for community information posters other than as provided for in this section.

Locality-bound Commercial Banners

(17) (a)The following is permitted as a Locality-bound Commercial Banner:

- (i) One unframed banner which is not freestanding and is tied with strings to the building, wall or boundary fence of the premises;
- (ii) with a total maximum advertisement area of 3m²; and
- (iii) for a display period not exceeding 14 days.

Locality-bound signs

- (18)(a) One unilluminated Locality-bound flat sign is permitted per business, per premises not projecting over public street and not exceeding 1m² in cumulative total area of advertising per individual business entity, displayed on the outside walls of buildings at ground or first floor level, provided that these do not obscure architectural articulations or cover windows or openings.
- (b) Locality-bound roof signs painted onto a roof of a building, up to a maximum of 4.5m² in size or one quarter of the overall area of the roof on which it is painted, whichever is the lesser, are permitted in areas of partial and minimum control.
- (c) One building name sign is permitted in addition to the street number and street name displayed on the building for purposes of identifying the premises, either as a flat, indented, painted or cut out letter sign not exceeding 3m², provided it is unilluminated. If such sign is on the boundary wall, it may be indented into the wall, painted or composed of individual, cut-out letters or symbols fixed flush on such wall and not projecting more than 50mm from the face of the wall.

Aerial signs

- (19)(a) Aerial signs in any area of control on either one balloon or one blimp may be flown up to a maximum height of 9m measured from ground level, provided that:
 - (i) the advertisement panel on each visible face must not exceed 1,5m² in size;
 - (ii) the total size of the balloon or blimp permitted is a maximum of 3m wide, measured in any direction;
 - (iii) this deemed approval is restricted to one of the following:-
 - (aa) a locality bound on-premises shop sale;
 - (bb) an opening event without any third-party advertising;
 - (cc) a non-profit body event; or
 - (dd) a sport event with or without sponsor's content.
- (c) the duration of the display is for a maximum of 3 consecutive days for such event,
- (c) such sign must not be flown above a public road; and
- (d) such signs may only be erected or displayed during daylight hours.

Temporary Event Signs for Non Profit Bodies

- (20) (a) Temporary banners, flags, posters, inflatable signs, transit signs and loose portable signs are permitted for events hosted by a non-profit body.
- (d) Such signs may contain a maximum of 10% third party sponsors content, per sign.
- (e) These signs may be displayed by non-profit bodies on the premises where the event is being hosted, for the duration of the event.
- (d) Where such event occurs along a route, and is not limited to a specific premises, an application needs to be made in terms of Section 4.

Locality Bound Loose Portable Signs on Private Property

- (21) (a) A maximum of two locality bound loose portable signs may be displayed on private property, provided these do not exceed 1.2m x 0.6m in size and do not pose a safety hazard to the public.
- (b) No application in terms of any provision of this By-Law is permitted for advertising on Locality Bound Loose Portable Signs on Private Property other than as provided for above.

Poster Pillars

- (22)(a) Non-profit campaign and event posters may be pasted or affixed to assigned structures at sites allocated by the City for the express purpose of pasting posters, provided that;
- (i) only one poster per function, campaign or event per non-profit body may be pasted on any one pillar; and
 - (ii) no application in terms of any provision of this By-Law is permitted in respect of posters purely for commercial events, including promotions, launching of products and services.
 - (iii) no application in terms of any provision of this By-law is permitted for advertising on Poster Pillars other than as provided for above.

Directional Arrow Signs for Film Shoots

- (23)(a) Temporary directional arrow signs for film shoots may only be placed on the electrical light poles in accordance with the City's street lighting policy, indicating to film crews and film services the location of a specific film set.
- (b) Temporary Directional Arrows for film shoots –
- (i) may not be affixed to trees, traffic signal poles or other poles which carry road traffic signs, street furniture or other City property unless such other display is authorised by the City in writing;
 - (ii) must comply with all relevant legislation, policies and guidelines and the applicable filming permit;
 - (iii) must not exceed a total size of 0.3m²;
 - (iv) are limited to one sign per pole or two signs which may be sandwiched back to back; and
 - (v) must be removed within one day of conclusion of the film shoot.
- (c) No application in terms of any provision of this By-Law is permitted for directional arrows for film shoots other than as provided for above.

Murals with Advertising Content

(24) (a) An unilluminated mural containing or displaying a sign which is an advertisement, where:

- (i) the mural or artwork is in itself not an advertisement.
- (ii) the Advertisement portion does not exceed 5% or 0.2m² of the total mural content, whichever is the lesser;
- (iii) the mural has a valid public art permit approved in terms of the City's public artwork permitting system; and
- (iv) a valid sponsorship agreement has been entered into between the artist and the sponsor.

Election Posters

(25) Posters for political campaigns and political events, not exceeding a maximum size of 0.9m x 0.6m, displayed on public property during official election and voter registration periods may be permitted, subject to any policy or requirements pertaining thereto or conditions issued by the City Manager, and as may be agreed between the City and the Independent Electoral Commission from time to time.

DISFIGUREMENT

13.(1) Other than where written approval is obtained from the City or where certain sign types are permitted in terms of this By-law, no person may destroy, harm, damage, disfigure or deface the front or frontage of any street, road traffic sign, wall, fence, land, rock, tree or other natural feature, or the front or frontage or roof of any building or structure in any manner whatsoever during construction or through the display or use of a sign or the writing or painting of any sign, symbol, letters or numerals.

(2) No person may destroy, harm, damage, disfigure or deface any sign legally displayed in terms of this By-Law.

DAMAGE TO CITY PROPERTY

14. No person may, in the course of erecting or removing any sign or banner, cause damage to any tree, electric standard or service or other City installation, property or street furniture and any costs incurred by the City in repairing such damage will be recovered, from the person who caused the damage, in terms of the City's Credit Control and Debt Collections Policy and By-law.

ENTRY AND INSPECTIONS

15. The City shall be entitled, through its duly authorized official and following reasonable prior written notification to the owner or occupant of a property, to enter into and upon any premises, at a reasonable time for the purpose of carrying out any enforcement, monitoring and inspection necessary for the proper administration and enforcement of the provisions of this By-Law.

OFFENCES

16.(1) Any person who:

- (a) erects, uses or displays a sign, erects any signage structure, uses any signage structure to display a sign, or alters or adds to an existing sign or signage structure, in contravention of any provision of this By-Law;

- (b) contravenes or fails to comply with any provision, condition or requirement, imposed or deemed to have been imposed in terms of this By-Law;
- (c) contravenes or fails to comply with any requirement set out in a compliance notice served on him or her in terms of this By-Law;
- (d) knowingly makes a misrepresentation, false statement, forges, counterfeits or fraudulently replicates a document or permit in respect of any application or approval, or pertaining to any requirement or authorisation in terms of this By-Law,
- (e) purposefully obstructs access to any property by an authorised official carrying out an inspection or interferes or hinders such official when conducting such,
- (f) threatens, resists, interferes, with or obstructs any authorised official in the performance of official duties or functions in terms of or under this By-Law;

shall be guilty of an offence and on conviction shall be liable to a fine or imprisonment as set out Section 16 (1) (a) and (c); and

- (2) In the case of a continuing offence, such person shall be liable on conviction to a fine or imprisonment as set out in 17 (1) (b) and (c) for every day during the continuation of such offence and may be liable to a second or subsequent offence on conviction.

FINES AND PENALTIES

17.(1) The following fine and penalties applicable to a person who has contravened the by-law:

- (a) upon conviction by a court, of a first offence, the guilty party shall be liable to a fine, or, in default of payment, to imprisonment for a period not exceeding 6 months;
 - (b) in the case of a continuing offence, the guilty party shall be liable to a further fine, for every day during the continuance of such offence.
 - (c) upon conviction of a second or subsequent offence, the guilty party shall be liable to a fine or imprisonment for a period not exceeding 6 months.
- (2) Unlawful signs removed by the City may be reclaimed from the City within three months of the date of removal, on payment in full to it of any costs incurred by the City in the removal of the said sign, as well as payment of the costs of any charges incurred in the storage of such sign.
 - (3) Any unlawful signs removed by the City and not reclaimed within three months of the date of removal shall be disposed of by the City in its sole discretion to defray its removal and storage costs.
 - (4) If any sign is erected in contravention of this By law, and an application is submitted to rectify the contravention, an additional amount, by way of an administrative penalty will be imposed, upon submission of an application per sign, per m².
 - (5) Should the administrative penalty not be paid by the date determined by the City;
 - (a) the application will not be processed further and will be returned to the applicant, and
 - (b) the applicant will not be permitted to submit a further application for the same site for a period of 2 years from the date of such application having being returned to the applicant.

- (6) The City may levy, receive or charge any administrative penalty fees in terms of any other law in respect of any sign that is erected in contravention of this By-Law.
- (7) The imposition of the above administrative penalty does not prevent the City from initiating criminal or civil proceedings for the removal of the sign erected in contravention of this By-Law while the application to rectify is being determined.

PRESUMPTIONS

- 18.(1)** Any person charged with an offence in terms of this By-Law who is;
- (a) alone or jointly with any other person responsible for organising, or in control of any meeting, function or event, to which a sign or poster relates, shall be deemed, until the contrary is proved, to have knowingly displayed every unlawful sign or poster displayed 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 unless the contrary is proved, to have knowingly displayed such sign, or caused or allowed it to be displayed.
 - (c) a sign owner, media agent, or person who benefits or has benefited from the display of an unlawful sign, either alone or jointly with any other person, shall be deemed, until the contrary is proven, to have knowingly displayed such sign, or caused or allowed it to be displayed.
 - (d) the owner of any land or building on which any unlawful sign was or is displayed, shall be deemed, until the contrary is proven, to have knowingly displayed such sign, or caused or allowed it to be displayed.

ENFORCEMENT AND REMOVAL OF SIGNS

- 19.(1)** If any sign is displayed or is in the process of being erected, in contravention of this By-Law, the City may serve a written compliance notice on;
- (a) the sign owner or lessee of the sign;
 - (b) the land owner or tenant on whose land, building or premises the sign was erected;
 - (c) a person whose products or services were advertised on the sign;
 - (d) a person whose name appears on the sign; or
 - (e) a person or company who erected the sign; or
 - (f) media agent; or
 - (g) any other party responsible for or who benefits from the display of the sign.
- (2) The City shall call upon such persons to —
- (a) obtain approval for the said unauthorised sign;
 - (c) cease the erection of such sign;
 - (c) remove such sign or carry out such alteration there to.

- (3) The City may call upon such persons to undertake any other action as may be specified in a compliance notice, within a time frame specified therein.
- (4) Notwithstanding the service of such compliance notice, it may be withdrawn or varied by the City.
- (5) Should the City's demands, as set out in the compliance notice, not be carried out within the time period specified therein, the City may, without further notice to the person upon whom the compliance notice was served and after obtaining relief from the appropriate court on an *ex parte* basis, remove or alter the sign or do such work as may be specified in such compliance notice, provided that no court order shall be required, if the unlawful sign is erected or displayed on property belonging to the City prior to removal or alteration thereof.
- (6) If the unlawful sign is displayed or to be displayed on land owned or controlled by the City, including any land leased by or from the City, the City may remove the sign or sign structure, without first issuing a compliance notice in respect thereof and without a court order.
- (7) If the unlawful sign is displayed on land owned or controlled by the City, including any land leased by or from the City, the City may limit the exposure of the unlawful sign by means of rendering such unlawful sign inaccessible, illegible or unintelligible.
- (8) Where the City or its agents act to remove, impound and store signs, or alter or do any other work in respect of unauthorised signage, whether preceded by or in terms of a compliance notice or not, it will not be liable for reasonable or unavoidable damage to the subject property including signs and structures themselves in undertaking such actions, and is indemnified against any claims in this regard.
- (9) Any costs incurred by the City in removing, impounding and storing signs, or signage structures or in doing alterations or other works required in terms of a compliance notice, may be recovered from the person responsible for the display of the sign, or on whom the compliance notice was served, in terms of the Credit Control and Debt Collection Policy and By-law excluding the City as landowner. These costs may be recovered from: -
 - (a) the sign owner or lessee of the sign;
 - (b) the land owner or tenant on whose land, building or premises the sign was erected;
 - (c) a person whose products or services were advertised on the sign,
 - (d) a person whose name appears on the sign;
 - (e) a person or company who erected the sign;
 - (f) sign tenant, cession holder, sign sub-lessee;
 - (f) media agent;
 - (g) authorised agent; or
 - (h) any other party responsible for or who benefits from the display of the sign;

provided that where the unlawful signs were removed or impounded from City property, with or without notice.

(10) Notwithstanding any other clause in this By-Law, if a sign is, or is reasonably considered to be a danger to life or property by a duly authorised official of the City acting in connection with this By-Law, the City itself may, without prior notice and without a Court Order; carry out or arrange for the removal of such sign. Any costs incurred by the City in carrying out or arranging for the removal of such sign may be recovered from any of the persons listed in subsection 9.

SERVICE OF COMPLIANCE NOTICES

- 20.(1)** Where any compliance notice or other document is required by this By-Law to be served on any person, it shall be deemed to have been properly served if;
- (a) served personally on him/her, or any member of his/her household, apparently over the age of 16 years, at his place of residence, or on any person employed by or with him at his place of business;
 - (b) posted by registered post to such person's residential or his or her business address, as it appears in the records of the City;
 - (c) sent by electronic mail; or
 - (d) such person is a company or closed corporation or a trust, if served on any person apparently employed by that company, closed corporation or a trust, at the registered office thereof, or sent by registered post to such office; or
 - (e) pasted or affixed in a visible position onto the sign, advertisement or sign structure.

MAGISTRATE'S COURT JURISDICTION

- 21** Notwithstanding anything to the contrary in any other law, a magistrate's court will have jurisdiction to impose any sentence provided for in this By-law.

GUIDELINES

- 22.** The City may from time to time issue a Cape Town Manual for Outdoor Advertising Control setting out guidelines on the By-Law.

REPEAL OF BY-LAWS

- 23.(1)** This By-Law repeals the following legislation:

City of Cape Town Outdoor Advertising and Signage First Amended By-Law 2013, By-Law no.10518 Provincial Gazette no. 7219, dated 17 January 2014;

City of Cape Town Outdoor Advertising and Signage By-Law 2013 By-Law 2001, By-Law no.10518 Provincial Gazette no. 5801, dated 5 December 2001;

Cape Town City Outdoor Advertising By-Law, being By-Law number PN 151 of 2000;

PN 593 of 1958 Standard Regulations relating to Advertising Signs and Disfigurement of the Front and Frontages of Streets;

- (2) Anything done under or in terms of any provision repealed by this By-Law shall be deemed to have been done under the corresponding provisions of this By-Law and such repeal shall not affect the validity of anything done under the By-Law so repealed.

- (3) Anything done prior to promulgation of this By-Law, which was not done in terms of a provision repealed in this By-Law and was unlawful, shall in the event of such act or sign still not complying with the provisions of this By-Law, be unlawful.
- (4) Any approval, consent, right or instruction issued, granted or in force in terms of a by-law repealed by section 23 and which was in existence immediately before the commencement of this By-law remains in force and where applicable is regarded to have been issued, granted or occurred in accordance with the this By-law subject to the conditions under which it was issued and is valid for the period granted under the repealed by-law.
- (5) Conduct in contravention of a by-law repealed by section 23 is regarded as a contravention of this By-law and the penalties in this By-law apply where the conduct would constitute an offence in terms of this By-law.
- (6) Any sign which was unlawful in terms of a by-law repealed by section 23 remains unlawful in terms of this By-law and the penalties in this By-law apply.

SAVINGS

- 24.(1)** Any application for the display of any advertisement or erection of any advertising structure for advertising purposes, submitted to the City prior to promulgation of this By-Law and in respect of which a decision has not yet been made by the City prior to promulgation of this By-Law, shall be considered by the City in terms of the by-law that was applicable at the time of the application.
- (2) Any approval or authorisation granted either by the City or its predecessors in terms of previous Laws, By-Laws, policies or contracts for the display of;
 - (a) Third Party Signs, where no period for the duration of approval was specified therein, and where the Sign in question was displayed in accordance with all the conditions of that approval or authorisation as the case may be, will automatically lapse after a maximum period of 5 years calculated from the date of the promulgation of this By-Law;
 - (b) Locality bound Signs which were approved in terms of the City of Cape Town: Outdoor Advertising and Signage By-law of 2001 and which do not comply with the provisions of this By-Law, shall be deemed to be have been Approved in terms of this By-Law but such deemed Approval shall automatically lapse after a period of 5 years, calculated from the date of promulgation of this By-Law. (c) Signs on City land in terms of contracts entered into with the City or its' predecessors, will lapse or have lapsed in accordance with the contract's lapse terms, and are not extended by this promulgation.

SHORT TITL

- 25.** This By-Law is called the City of Cape Town Outdoor Advertising By-Law 2020.

SCHEDULE "1"
AREAS OF CONTROL

MAXIMUM			PARTIAL	MINIMUM
NATURAL AREA	RURAL AREA	URBAN AREA	URBAN AREA	URBAN AREA
<ul style="list-style-type: none"> • Proclaimed nature reserves • Protected natural environments • Game reserves • Proclaimed bird sanctuaries • Proclaimed marine reserves • Coast to coast greenway as indicated on plan TP10320 (Cape Town zoning scheme) • Beaches and sea shores • Oceans • Forestry areas • River corridors • 1:100 Year flood plains • Wetlands • Cape Peninsula National Park (as proclaimed 1998+ 1999) • Scenic drives • Greening of city network • Specific areas or sites designated as maximum natural by way of a map prepared by the 	<ul style="list-style-type: none"> • Agricultural areas/zones • Horticultural areas • Rural small holdings • Large private open spaces (e.g. golf courses) • Scenic Drives • Scenic landscapes • Scenic features • City Parks • Agricultural and horticultural areas and adjacent road and rail reserves • Specific areas or sites designated as maximum rural by way of a map prepared by the City 	<ul style="list-style-type: none"> • Heritage Protection Overlay Zones (HPOZ) • Heritage sites • Graded buildings and places • Residential zones and adjacent road and rail reserves • Mobility routes • Pedestrian malls and pedestrian squares • School sites and institutional zones • Scenic features • Scenic drives • Gateways • Declared Metropolitan Open Space in terms of MOSS • Public open spaces • Private open spaces 	<ul style="list-style-type: none"> • Central business districts • Mixed use commercial and residential areas • Commercial ribbon development and activity corridors • Commercial and business districts and adjacent streets and rail reserves • Entertainment districts or complexes with commercial zones • Sportsfields and stadia • Transport zones • Specific areas or sites designated as partial control by way of a map prepared by the City 	<ul style="list-style-type: none"> • Industrial zones • Designated transportation terminals • Designated areas within undetermined zones • Specific areas or sites designated as minimum control by way of a map prepared by the City

<p>City of Scenic Drives</p>		<ul style="list-style-type: none"> • Urban smallholdings • Intensive urban agriculture areas • Subsistence urban agriculture areas • 1:100 Year flood plains • River corridors • Wetlands • Community facilities (excluding sports facilities and stadia) • Core flora conservation sites as identified by the National Botanical Institute • Special business zones • Residential building • Designated Arterial roads • Specific areas or sites designated as maximum urban by way of a map prepared by the City 		
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SCHEDULE "2"

THIRD PARTY BILLBOARDS

Subject to approval in terms of this By-Law, the erection and/or display of Billboards, whether custom-made design or of standard design, is permitted only in areas of minimum control. In addition Billboards must:

1. If the proposed erf where the billboard is to be erected borders on a designated arterial-road and furthermore if the buildings on that erf are more than 50m from the road reserve line, not be placed less than 50m from the road reserve line, this same distance to be calculated at 90° to the nearest point of the road reserve.

This distance may be waived to a distance no less than the alignment of the public facades of buildings on the erf or adjacent erven, if such adjacent buildings or if the buildings on the erf are less than 50m from the road reserve upon receipt of an Signage Impact Assessment and Traffic Impact Assessment indicating no detrimental impact or where a detrimental impact has been identified, recommending any mitigating measures that may be required to minimise the impact. If the proposed site of erection of a billboard has been designated as a gateway, then no billboards will be permitted within such gateway.

2. Comply with the standard conditions for approval set out in this By-Law.
3. Not encroach over the boundary line of the property on which they are erected, whether such encroachment is aerial or on ground level.
4. Have a minimum clear height of 2.4m and a sign structure which does not exceed a maximum height of 7.5m above natural ground level, except for portrait format Billboards where a maximum height of 9m above natural ground level is permitted.:-

These heights may only be waived subject to the following:

- 4.1 a waiver may only be applied for where a billboard is proposed on a property adjacent to an elevated section of road or bridge;
 - 4.2 such waiver may be applied for to increase the metre heights specified above, such that the sign's clear height extends no more than 1m above the top of a parapet wall or other pedestrian or vehicle restraining device installed adjacent to the elevated roadway, measured at the point on the roadway nearest to the sign;
 - 4.3 the increased height may not exceed an additional 5 metres in each case of the metre heights specified above;
 - 4.4 the waiver application must be motivated with a topographical survey and scaled 2- and 3-dimensional graphic renderings demonstrating the necessity for the height waiver.
5. Not exceed a maximum total size of 36m² provided that on any V-shaped or back-to-back single structure, two such 36m² panels may be permitted. The size of Billboards which face onto roads with a speed limit of 120km/h, may be increased to two panels of 81m², either V- shaped or back to back and may only be externally illuminated.
 6. Be displayed between the angles of 90° and 60° to the direction of oncoming traffic.
 7. Be spaced a minimum distance apart as required by the Road Traffic Safety Requirements sections of the By-Law.
 8. If Internally illuminated or electronic, be displayed up to a maximum two 36m² panels in a location designated by the City as a site in which internally illuminated or electronic signs are to be supported and following assessments of the impact on road

and traffic safety, heritage resources, and the environment, conducted by appropriately qualified independent practitioners who are to the satisfaction of the City indicating no detrimental impact thereon.

9. If located near any intersection of roads, at signalised or non-signalised traffic intersections, or near a pedestrian crossing, not be erected or displayed within 50m of the perimeter of the traffic intersection or pedestrian crossing if unilluminated; and within 80 m of the perimeter of the traffic intersection or pedestrian crossing if illuminated.
10. When erected along the right hand side of a section of road, such that its graphics are visible to a driver travelling on the left hand side of the road, be deemed to have replaced the advertising opportunity that existed on the left hand side of the road.

DRAFT BY-LAW

SCHEDULE "3"

LOCALITY BOUND FREESTANDING AND COMPOSITE SIGNS, LOCALITY BOUND FARM SIGNS AND SERVICE STATION SIGNS

Subject to approval in terms of this By-Law, the erection and display of Locality Bound Freestanding signs, Composite and Service Station signs are permitted only in urban areas of maximum, partial and minimum control. Locality bound farm signs and conservation facility signs are permitted in Natural and Rural Areas of Maximum Control. In addition:

1. Locality bound freestanding signs and freestanding composite signs shall only be permitted in the following instances:
 - 1.1 Where business premises, farm buildings or conservation facility buildings are set back 15m or more from the boundary of the road reserve;
 - 1.2 Where it is not reasonably possible to affix appropriate signs to a building;
 - 1.3 Where such a sign is necessary to allow the public to locate the entrance to business premises, farm buildings or conservation facility buildings;
 - 1.4 Where the existence of a freestanding composite sign may prevent the proliferation of signs.
 - 1.5 In the case of farm signs and conservation facility signs–
 - (a) Entrance gates, gate structures, or boundary walls may be considered for the display of locality bound banners or flags, or for having sign panels attached to, placed against, or painted on, as a means of display;
 - (b) Custom made signage on devices such as wine barrels and farm implements will be permitted.
2. Locality Bound freestanding and composite signs may not exceed 7.5m in height and in addition may not exceed 4.5m² in total area. This provision may be waived to a maximum height of 10m and a maximum total area of 15m² per side, having regard to the following factors:
 - 2.1 If such increase reduces the number of individual signs facing any one street boundary of the site, thereby minimising the visual impact on the surrounding environment;
 - 2.2 If more than 2 significant roads approach the site in question;
 - 2.3 The number of businesses, farm activities or conservation facility activities which will be advertising on such sign;
 - 2.4 The number of approach/exit routes to the site in question;
 - 2.5 The applicable zoning of the area surrounding the site in question. A surrounding residential zone will not accommodate the same size of sign as will a surrounding commercial/industrial zone.
3. The restriction of these to locality-bound signs only, may be varied to permit 3m² third party freestanding signs not exceeding 4m in overall height each if in the parking forecourt of a shopping centre provided it is demonstrated that it is facing into the forecourt aimed at customers on the premises and that it is not intentionally;
 - (a) aimed at viewing from the adjacent street;
 - (b) visible from residential premises in the vicinity;
 - (c) visible to traffic on abutting/adjacent streets; and
 - (d) aimed at motorists exiting from the shopping centre premises.

4. Service Station freestanding signs must be locality bound and may only be erected or displayed at service stations adjacent to and directly accessible from the public road at which such a sign is directed and only one Service Station free standing facility sign per street boundary shall be permitted. This provision may be waived only where these signs are visible from Designated Arterial Roads (N1, N2 and N7).
5. Service station free standing signs shall not exceed 7.5m in height and shall not consist of more than 8 advertising panels of 4.5m² each in total area. The provisions of this section may be waived to a maximum height of 16m and 8 advertising panels not exceeding 6m² each in total area having regard to the factors mentioned in section 2 above.
6. The restriction of service station freestanding locality bound signs may be waived to permit one 3m² electronic locality-bound advertising sign not exceeding 4m in overall height per forecourt provided it is demonstrated that it is facing into the forecourt aimed at customers on the premises and that it is not intentionally:
 - (a) aimed at viewing from the adjacent street;
 - (b) visible from residential premises in the vicinity;
 - (c) visible to traffic on abutting or adjacent streets; and
 - (d) aimed at motorists exiting the forecourt of the service station.
7. The electronic display on a freestanding service station pylon sign must not make use of combinations of colours in a manner which is likely to lead to confusion for road users or which may constitute a road traffic safety hazard.

SCHEDULE “4”

FLAT, PROJECTING, PROJECTED AND WINDOW SIGNS

Subject to approval in terms of this By-Law, the erection and display of flat, projecting, projected and window signs are permitted in all areas of maximum, partial or minimum control.

1. The City will not approve any third party signs on any Residential Building except as specifically provided for in this By-Law.
2. Locality-bound and third party flat and projecting signs shall:
 - 2.1 Not be allowed within 0.6m of the edge of a roadway nor shall it extend to within 0.6m of the edge of a roadway.
 - 2.2 Not project in front of a wall more than 1.5m in the case of a sign which has a clear height of more than 7.5m; or more than 1m in the case of any lesser clear height.
 - 2.3 Not project more than 250mm over a footway unless such sign has more than 2.4m clear height.
 - 2.4 Not obstruct the view from any window or any other external opening of any building and no portion of any such sign shall be affixed over, in front of, or onto any window, door or any other openings or architectural features.
 - 2.5 Not be erected over the position of existing or sealed up windows, the sealing or closing up of which serves no purpose except to facilitate the display of a sign.
 - 2.6 Not project above the top of the main wall of a building or beyond either end of the main wall.
 - 2.7 Not be displayed on fake buildings which serve no purpose other than to display a sign and which are in themselves billboard structures.
 - 2.8 Be designed so as to become an integral part of the building design.
3. The City may consider applications for signs on the lift machine room, lift shaft, service block or parking level portions on non-residential buildings. Such applications will not be considered in respect of multi-use or residential buildings.
4. The City may consider applications for locality-bound building names on non-residential and residential buildings, which signs must not be electronic.
5. Flat and projecting locality bound and third party signs must not exceed 54m² in total area and may not exceed one-quarter of the overall area of the surface to which they are affixed or painted, whichever is the lesser. This size restriction may be waived on condition that:
 - 5.1 A Signage Impact Assessment is submitted to the City indicating no detrimental environmental impact or where a detrimental impact has been identified, recommending any mitigating measures that may be required to minimise the impact.
 - 5.2 If it is proposed to erect a flat or projecting sign in a conservation area, a Heritage Resource Assessment is submitted indicating no detrimental impact in respect of Heritage resources or where a detrimental impact has been identified, recommending any mitigating measures that may be required to minimise the impact.

- 5.3 Other than for electronic signs, the graphics which are proposed for the said sign must be fixed for the duration of the approval of the sign.
- 5.4 Such sign shall only display graphics designed and created by a suitably qualified creative consultant.
6. The City may consider applications for Locality-bound and third party electronic signs which do not exceed 4.5m² or one-quarter of the overall area of the surface to which they are affixed, whichever is the lesser. This size restriction may be waived subject to the requirements of 5 above .
7. The City may consider applications for locality-bound and third party signs on blank common boundary facades of:
 - 7.1 Non-residential buildings; and
 - 7.2 Multi-use buildings but only where such signs are positioned on the exterior of the non-residential levels or portions thereof.
8. The City may consider applications for locality-bound and third party signs on public facades of;
 - 8.1 Non-residential buildings; and
 - 8.2 Multi-use buildings, but only where such signs are positioned on the exterior of the non-residential levels or portions thereof and when a third party,—sign exceeds 54m², at least half of the sign must be a custom-made design and subject to the requirements of 5.1 and 5.2 above.
9. When a third party electronic sign is on a public facade, it must be a custom-made design and must contain an artistic feature alongside or around the display surface but which stands alone and is not part of the advertising display.

Projected signs:

10. Locality bound and third party projected signs may be considered for approval on blank common boundary facades of non-residential buildings, and multi-use buildings only where such signs are positioned on the exterior of the non-residential levels or portions thereof provided that;
 - 10.1 Such signs must not exceed 54m² in total area and must not exceed one-quarter of the overall area of the surface to which they are projected, whichever is the lesser. This size restriction may be waived subject to 5.1 to 5.4 above;
 - 10.2 The graphic content must not exceed 15 bits of information in total in terms of section 8 (5)(t) in Table 4; and
 - 10.3 the graphics must be fixed for the duration of the approval of the sign;
 - 10.4 The graphics which are proposed must not contain any moving features or animated graphics.
11. Projected signs may be displayed over windows on Public Facades of non-residential buildings and multi-use buildings only where such signs are positioned on the exterior of the non-residential levels or portions thereof for temporary events relating to international, national or local sports or arts and culture provided that;

- 11.1 such signs shall only be displayed at the event venue for the duration of the event; and
- 11.2 the City may consider the approval of multiple graphics; and
12. Projected signs on City land, buildings and infrastructure may be permitted for temporary non-profit body events, or community, cultural or sports related events, for the duration of the hours during which the event is open to the public, and must be turned off when the event ends daily. Such signs on City land, buildings and infrastructure may be permitted over windows.
13. Flat, Projecting and Projected Signs will be permitted on street furniture. In the case of signs on Street Furniture, the requirements set out in this schedule will not apply, save that it shall be required that the sign is designed so as to become an integral part of the street furniture design.
14. Window signs displayed on a shopfront, business, commercial, office, industrial or entertainment unit and which are larger than the deemed approval limit, or which are to be displayed on a unit between the first and fourth storeys of a building, may be permitted in all areas of control, provided that such signs;
- 14.1 are locality-bound signs, and are limited to the windows of the unit occupied by the enterprise to which the locality-bound advertising relates;
- 14.2 do not extend over window frames, bars, mullions or transoms;
- 14.3 do not extend onto or over the walls of the building plane in which the windows are positioned;
- 14.4 may be required to be made up as individual sign writing elements, or be displayed on a transparent material for reasons of aesthetics, heritage, or natural lighting within the unit;
- 14.5 when displayed between the first and fourth storeys of a building, may not exceed 25% of the glazed area or 54m² in total area, whichever is the lesser;
- 14.6 may not be displayed above the fourth storey of any building; and
- 14.7 when located on a window which is a glass cladding or exterior wall of a facade made of glass, and where such glazing is deemed to be a glass wall, a sign in such position will be treated by the City under the provisions for Flat, Projecting and Projected Signs and not as a window sign.

SCHEDULE "5"

SKY SIGNS

Subject to approval in terms of this By-Law, the erection and display of sky signs whether custom-made or of standard design are permitted in areas of minimum control only. In addition:

1. Sky signs shall;
 - 1.1 be limited to a maximum total size of 4.5m², provided that this size requirement may be waived up to a maximum of 18m² per panel upon receipt of an Impact Signage Assessment, indicating no detrimental environmental impact is envisaged and such study should recommend any mitigating measures that may be required as a result of any other impact. Such sign may be a single-sided, two-sided or V-shaped structure;
 - 1.2 not obstruct the view from any other building; and
 - 1.3 may be internally or externally illuminated and electronic or digital format signs will be permitted.
2. Sky signs along the top edge of the roof of cultural, historic or architecturally significant buildings will only be permitted if they are locality bound, unilluminated and consist of individual cut-out letters or logos.

DRAFT BY-LAW

SCHEDULE "6"

LOCALITY-BOUND ROOF SIGNS

Subject to approval in terms of this By-Law, the erection and display of Roof signs are permitted in all Urban areas of control except areas zoned for residential purposes in areas of maximum control. In addition:

1. The total area of any roof sign bigger than 4.5m², may be affixed flush onto or painted onto a roof of a building and must not exceed one-quarter-of the overall area of the roof to which it is affixed or painted.
2. When attached to the bottom edge of a roof or vertically midway on the roof of a building, such sign must not exceed 1m in height and its total area must not exceed 25% of the area to which it is affixed.
3. It shall be permissible to affix a roof sign along the edge of a roof of a building, if such sign is composed of a single line of individual, cut-out letters, without visible bracing or support but shall not be erected along more than two edges of such roof and shall not exceed 3.6m² in total area (6 x 0.6m); with a maximum height of 1m.

DRAFT BY-LAW

SCHEDULE "7"

SIGNS ON A VERANDAH, BALCONY, CANOPY, SUPPORTING COLUMNS, PILLARS AND POSTS

Subject to approval in terms of this By-Law, the erection and display of signs on a verandah, balcony, canopy, supporting columns, pillars and posts may be permitted in all areas of control on condition that they also comply with the following conditions:

1. No such signs will be allowed on or over architectural features of buildings.
2. Such signs may be affixed flat onto or painted on a parapet wall, balustrade or railing of a verandah, canopy or balcony, and beam or fascia of a verandah or balcony and must not:
 - (a) exceed 1m in height;
 - (b) project above, or below or beyond either end of the surface to which it is affixed;
 - (c) project more than 250mm in front of the surface to which it is affixed;
 - (d) project over a roadway; or
 - (e) be within 0.6m of the edge of a roadway.
3. Such signs may be affixed flat onto or painted on supporting columns, pillars and posts. No sign may project more than 50mm in front of the surface to which it is affixed and shall not extend beyond any of the extremities of such column, pillar or post. Signs affixed flat onto non-rectangular supporting structures shall be curved to fit the form of such structure. Only one sign shall be allowed per column, pillar or post.
4. Such signs suspended below the roof of a verandah, canopy or the floor of a balcony shall not exceed 1.8m in length or 600mm in height. Every such sign shall be either parallel to or at right angles to the building line. No signs suspended under a canopy shall extend beyond the external edge of the canopy or verandah to which it is attached and must have a clear height of 2.4m.
5. Such signs on the roof of a verandah, canopy or balcony, excluding the main roof of a building:
 - (a) must be composed of a single line of freestanding, individual, cut-out silhouette letters without visible bracing or other visible means of support;
 - (b) must not be erected along more than two edges of such roof of a verandah or balcony and
 - (c) must not exceed 1m in height.

SCHEDULE "8"

SIGNS ON BOUNDARY WALLS AND FENCES, CONSTRUCTION SITE SIGNS AND DEVELOPMENT BOARDS

1. Locality-bound signs on Boundary Walls and Fences

Subject to approval in terms of this By-Law, the erection and display of signs on boundary walls and fences is permitted only for locality bound advertising in Urban areas of maximum, minimum or partial control and in addition:

1.1 In Areas of Maximum and Partial Control, the City may approve:

- (a) a formal application to affix a locality-bound sign of up to 3m² in total advertisement area against a boundary wall, only if the said sign is:
 - i) displayed as a flat sign on such wall; or
 - ii) composed of individual cut-out letters or symbols and fixed flat on the wall,
not projecting more than 50mm from the face of the wall.
- (b) a formal application to affix a locality-bound sign bigger than 3m² in Total Advertisement Area against a boundary wall only if the said sign is indented into the wall or composed of individual, cut-out letters or symbols and fixed flat on such wall not projecting more than 50mm from the face of such wall, with a maximum Total Advertisement Area not exceeding 10% of the visible overall area of the surface of the boundary wall to which it is affixed, or 4.5m², whichever is the lesser;
- (c) such signs provided that they do not cover the upper or side edges of the wall or fence surface to within 300mm of such edge;
- (d) such signs if externally illuminated or if comprised of individual cut out letters which may be illuminated by halo lighting.

1.2 In Areas of Minimum Control, the City may approve:

- (a) a formal application to affix a locality bound sign with a maximum Total Advertisement Area not exceeding 25% of the visible overall area of the surface if displayed as a flat sign or painted sign or composed of individual, cut-out letters or symbols fixed flat on such wall not projecting more than 50mm from the face of such wall to which it is affixed or painted and such signs may not cover the upper or side edges of the wall or fence surface to within 300mm of such edge;
- (b) such signs if externally illuminated or if comprised of individual cut out letters which may be illuminated by halo lighting;
- (c) unilluminated locality bound flat Signs with a maximum size of 1m² onto the permanent fence of an erf, the structural stability and wind load capacity of the fence to be ascertained by the applicant to the satisfaction of the City.

2. Construction Site Signs

Subject to approval in terms of this By-Law, the erection and display of third party and locality bound advertising on construction site signs are permitted in all areas of control and in addition;

2.1 Third party and locality-bound advertising on construction site hoardings shall comply with the following conditions:

- (a) Any one sign shall not exceed a vertical dimension of 3m in height and total area of 18m² and a repeat of the same graphic and pictorial representation with blank spaces between, may be permitted subject to approval by the City's Road Authority.
- (b) Any such sign shall not project more than 100mm in front of the hoarding to which it is affixed.
- (c) There will be no illumination thereof in areas of maximum and partial control.
- (d) There will be no advertising on construction site hoardings within the cone of vision of motorists at signalised traffic intersections.
- (e) Such signs shall only be permitted when the construction site hoardings are required to be erected for legal, safety or construction reasons, and have not been erected solely or primarily for the purposes of advertising.
- (f) In addition to any certificate required regarding structural safety, the City may require the applicant to furnish copies of any additional permits in terms of any applicable legislation.

2.2 Third party and locality-bound advertising on scaffolding, scaffold mesh screens and scaffolding wraps shall comply with the following conditions:

- (a) (i) only one sign not exceeding a total advertising area of 36m² may be displayed per street frontage;
 - (ii) the display of an artwork that is not related to the sign or the depiction of the architectural representation of the development shall also be permitted;
 - (iii) there will be no illumination thereof in areas of maximum and partial control, and
 - (iv) such signs shall only be permitted when the scaffolding is required to be erected for legal, safety or construction reasons, and has not been erected solely or primarily for the purposes of advertising.
- (b) In addition to any certificate required regarding structural safety, the City may require the applicant to furnish copies of any additional permits in terms of any applicable legislation.

2.3 Freestanding locality-bound construction site signs shall comply with the following conditions:

- (a) in areas of maximum control the size of the sign must not exceed a total of 4.5m²;
- (b) in areas of partial control the size of the sign must not exceed a total of 9m²;
- (c) in areas of minimum control the size of the sign must not exceed a total of 18m²;
- (d) such sign must not exceed an overall height of 5.5m;
- (e) only one sign may be displayed per street frontage;
- (f) such signs must not be illuminated in areas of maximum and partial control; and

- (g) such signs must not display any information other than the name and contact information of the construction company.

3. Development Boards

- 3.1 Subject to approval in terms of this By-Law, the erection and display of development boards other than those mentioned in section 12.4 will only be permitted on the development site in respect of which a building or development plan has been approved for a proposed development and in addition;
 - (a) If the site on which building operations are in progress, are not used wholly for residential purposes in areas of maximum control:
 - (i) only one development board must be displayed;
 - (ii) must not exceed 6m² in total area;
 - (iii) must not exceed 5.5m in overall height; and
 - (iv) must have a clear height of 2.1m.
 - (b) If the site on which building operations are in progress are not used wholly for residential purposes in areas of partial control, such development board shall not exceed 9m² in total area and 5.5m in overall height and must have a clear height of 2.1m. This size may be considered up to a maximum of 18m² and the number of boards to one per street frontage having regard to the duration of the construction program as well as the factors in (b) above.
 - (c) If the site on which building operations are in progress, are used wholly for residential purposes in areas of partial and maximum control, and relate to a new development of three or more residential dwelling units, the size may be considered up to a maximum of 18m² in total area and 5.5m overall height; and the number of boards to one per street frontage having regard to the following factors:
 - (i) the size of the development;
 - (ii) the number of entrances to the site being developed; and
 - (iii) the visual impact on the surrounding environment.
 - (d) (i) If the site on which building operations are in progress, is in an area of minimum control, such development board shall not exceed 18m² in total area and 5.5m overall height;
 - (ii) must have a clear height of 2.1m; and
 - (iii) two development boards may be displayed on separate street frontages.
 - (e) Development boards may not be erected more than three months before the start of the development.
 - (f) As part of the application for a development board, the applicant must submit a project timeline indicating the project commencement date and estimated completion dates;
 - (g) Development boards must be unilluminated and non-reflective;

- (h) Development boards may only display the following information:
 - (i) the name and contact information of the developer, financial services provider or property marketing agent;
 - (ii) a pictorial representation of the proposed development;
 - (iii) a description of the proposed development;
 - (iv) the words "launching soon", "coming soon" "new development" or "redevelopment";
- (i) Development boards must not include any property marketing information relating to "for sale", "to let", "now selling", "sold" or similar information and must not display any pricing information.

3.2 The City may serve a compliance notice requiring the removal of any such sign if the building operations have been substantially completed or discontinued or an Occupancy Certificate has been issued by the City and such signs must be removed by the timeframe specified in such compliance notice.

DRAFT BY-LAW

SCHEDULE "9"

NEWSPAPER HEADLINE POSTERS

Subject to approval in terms of this By-Law, the erection and display of newspaper headline posters is permitted in all urban areas of control and on allocated permitted routes in natural and rural areas of maximum control. In addition:

1. Application must be made on an annual basis by each newspaper group for permission to display such newspaper headline posters and frames on City land subject to an annual registration fee.
2. Only newspapers headline posters for newspapers that are on sale on a daily or weekly are permitted to be displayed on the City's electric light poles
3. When considering the application, the City may limit the number of posters to allocated routes to prevent the proliferation of newspaper headline posters. The numbers may be reviewed by the City from time to time.
4. Newspaper headline posters may only be displayed at the approved points of display in City approved frames affixed to light poles or other designated structures along routes allocated by the City.
5. Each registered Newspaper Group will be issued a unique permit number which must be displayed together with the name of the Newspaper Group on the bottom of the frame in a visible position with a lettering height measuring not less than 20mm.
6. The frames are to be unilluminated and non-reflective and erected and maintained at the newspaper groups cost, with affixing and design to the City's Approval, and removed at the newspapers expense if instructed to do so.
7. The content of newspaper headline posters displayed on City property shall be limited to headlines, stories or features contained in the newspapers on sale on a particular day and no third party advertising will be permitted.
8. Newspaper headline posters and frames may not be used as, or for, temporary campaign and event posters.
9. Headline posters may not exceed 0.9m x 0.6m in area.
10. The commercial content of the headline poster may not exceed 20% of the area of the poster nor may such commercial lettering be larger than the main lettering in the remainder of the poster.
11. Newspaper headline poster frames may not be affixed to traffic signal poles, or other poles which carry road traffic signs, poles erected for any other purpose, other than street light poles mentioned in point 4 above, or any other street furniture, wall, fences, trees, rocks or other natural features.
12. Only 1 newspaper headline poster frame per pole, regardless of which newspaper group it is, will be permitted.

13. No newspaper headline poster frame may be displayed within 30m of any road traffic sign or traffic signal, unless such distance has been exempted, or conditionally exempted, in a designated area in terms of Section 6.2 of the the By-Law.
14. The City will determine the costs involved for the removal of unauthorised newspaper headline posters by the City from time to time. These costs will be reviewed annually in terms of the annual Schedule of Tariffs.
15. The City or its agent must remove any unauthorised newspaper headline posters and or newspaper headline poster frames displayed in contravention of this Schedule.
16. Any newspaper headline poster not removed on a daily basis shall be removed by the City or its agent in accordance with the standard charges for removal of posters in terms of the annual Schedule of Tariffs and the Newspaper Group billed accordingly.
17. The City may recover the costs of the removal of unauthorised newspaper headline posters and or frames, and the reinstatement of the surface from which such newspaper headline posters or frames were removed, from the person/s responsible for the display of such newspaper headline posters or frames or from the Newspaper Group.

DRAFT BY-LAW

SCHEDULE "10"

ADVERTISING ON BANNERS, FLAGS, BALLOONS, INFLATABLES AND LAMP POLE SWIVEL BANNERS

Subject to approval in terms of this By-Law, the erection or display of banners, flags ~~or~~ balloons, inflatables and lamp pole swivel banners is permitted in all areas except natural and rural areas of maximum control. In addition:

1. Locality bound advertising banners, flags, balloons and inflatables shall comply with the City's standard conditions relating to the display of banners, flags, balloons and inflatables.
2. Approval for third party advertising on banners, flags, balloons and inflatables shall only be granted for a function or event conducted for religious, educational, social welfare, animal welfare, sporting, civic or cultural purposes or for a function or event relating to a City, Provincial or Parliamentary election or referendum.
3. Approval for Community information banners larger than 3 m² which are displayed by an organ of state on public land and which displays public messages or educational interpretation may be approved provided that such banners—
 - 3.1 contain no commercial advertising, commercial sponsorship or commercial advertising campaigns;
 - 3.2 if freestanding, has a minimum clear height of 2.1m and does not exceed a maximum overall height of 4.5m;
 - 3.3 are not illuminated or electronic; and
 - 3.4 must comply with the City's standard conditions relating to the display of banners as set out hereinbelow.
4. Only one first party advertising banner, flag, balloon and inflatable per premises will be permitted unless the Municipality's written permission is obtained for more than one banner and the applicant is to submit in writing the time frame required for the erection of such banner, which time frame shall not exceed 10 days, unless the Municipality has specified, in its approval, that a longer period has been granted.
5. Banners, flags, balloons and inflatable signs may not;
 - (a) be displayed on any bridge or across any public road, and along any road designated by the City from time to time, unless specific consent has been obtained from the City;
 - (b) be attached so as to interfere with or constitute a danger to passing pedestrians of vehicular traffic.
 - (c) be larger than 4.5m² except with the prior written approval of the City.
 - (d) be displayed within 30m of any road traffic sign or traffic signal.
 - (e) be affixed to traffic signal poles, or other poles which carry road traffic signs, electrical or service authority distribution boxes, street furniture, rocks, trees, other natural features, or other City property.

- (f) be affixed in such a way that they unfairly prejudice other businesses/organisations or obscure any approved existing signs.
 - (g) be illuminated unless in an area allocated within an event footprint or venue.
 - (h) be affixed to any premises other than the premises concerned and shall not obstruct any sight triangles for side roads or vehicle access points.
6. Lamp pole swivel banners are only permitted for functions or events conducted for religious, educational, social welfare, animal welfare, sporting, civic or cultural purposes or for a function or event relating to a City, Provincial or Parliamentary election or referendum, and no lamp pole swivel banners are permitted for any other types of functions or events.
- 6.1 Lamp Pole swivel banners may not be larger than 1.2m x 2.7m and the total third party logo may not exceed 5% of the flag area except with the prior written approval of the City.
 - 6.2 The display is limited to allocated routes and allocated electrical light poles.
 - 6.3 Only specified temporary swivel brackets (bracket details, swivel hinge, mounting system) approved by the City may be used.
 - 6.4 May not be displayed within 30m of any road traffic sign or traffic signal.
 - 6.5. The name of the event must be bigger than the supporting sponsor's names and logos.
 - 6.6 Lamp Pole swivel banners may be displayed 7 days prior to the event, or such other time as approved by the City and must be removed within 3 days after the event.
7. The City will recover the cost of the removal of any unauthorised banners, flags, balloons, inflatable signs and lamp pole swivel banners, and the reinstatement of the surface from which such banners, flags, balloons, inflatable signs and lamp pole swivel banners were removed, from the person/s responsible for the display of such banners.
8. Each person intending to display a banner, flag, balloon, inflatable sign and lamp pole swivel banner shall pay to the City a fee per banner, flag, balloon, inflatable sign and lamp pole swivel banner determined by the City's schedule of tariffs and charges published from time to time, which is non-refundable and shall entitle that person to display the banner/s only for a period stated in the letter of approval.

SCHEDULE "11"

POSTERS

Subject to approval in terms of this By-Law, the erection and display of posters is permitted in all areas of control except natural and rural areas of maximum control. In addition:

1. All posters must be presented to the City in order to obtain a City-issued and date stamped permit approval sticker, with the date on which the poster may be erected, and the date on which the poster is to be removed from the pole. This stamped or printed permit approval sticker stamp must appear prominently on the front of the poster. Posters must be removed on or before the later date stamped or printed onto the poster permit sticker, and the permit stickers must be returned to the City within 4 days of the later date stamped on the poster, in order to qualify for a refund of the deposit.
2. The name of the event, the host organisation, the date of the function and the venue must appear on the posters in letters not less than 50mm in height.
3. The size of the lettering and logo of the commercial content of the poster must not be larger than the size of the main lettering in the remainder of the poster.
4. The information content of a proposed poster will be measured in "bits". In calculating the information contents of a proposed poster, the bit weights shown in Table 4 must be used. The total bits permitted on a poster may not exceed 15.
5. No more than a total of 2000 posters per event or campaign, or group of related events or campaigns may be displayed at any one time (except election posters) in any area designated by the City.
6. Posters may not exceed 0.9 x 0.6m in area.
7. Posters are permitted as Category A where the host or organizer is a Non-Profit Body and the event or campaign is for:
 - (i) Non-profit community events, campaigns, live theatre productions or art exhibitions, with up to a maximum of 10% commercial sponsorship content, provided that the Non Profit Body is the actual campaign organiser, host or co-host and has not merely permitted its name/logo to be displayed on the Poster, and is not only a supporter or beneficiary of the event/campaign.
8. Posters are permitted as Category B where the host or organiser is not a Non-Profit Body and the event or campaign is for:
 - (i) a trade expo (exposition, trade exhibition, consumer show, trade fair or trade show) open to the general public;
 - (ii) an international entertainer or performer live or "in concert"
 - (iii) a Non-Profit purpose (i.e. primarily for fundraising or awareness raising) or relating to a sport, the arts, education, health or culture, despite the display of that poster being of a secondary commercial nature;

- (iv) private school and private college events, excluding open days; and
- (v) temporary non-profit campaigns with up to a maximum of 20% commercial sponsorship content.

9. Posters are not permitted in respect of the following:

- (i) commercial advertising or for the advertising of shop/shopping centre's sales, in-store promotions, shop/factory sales, commercial services/products offered, private book sales, auctions of goods, product launches, competitions, film releases and film or photo-shoots, music launches, private parties, motivational speakers, "work from home", private training, private school and private college open days;
- (ii) daily, weekly or occasional live performances and DJ appearances (notwithstanding a change of the performer/s) which are held at private clubs, nightclubs, bars, lounges, hotels, shopping centres and restaurants;
- (iii) markets or exhibitions, which are held on a regular basis of more than twice per month; and
- (iv) purely for commercial purposes or personal financial benefits and commercial activations.

10. Posters are to be attached to City electricity light poles where available and pasted posters may only be affixed to designated structures which are approved by the City for the express purpose of pasting posters. Posters are not to be affixed to traffic signal poles, or other poles which carry road traffic signs, poles erected for any other purpose, electrical or service authority distribution boxes or any other street furniture, wall, fences, trees, rocks or other natural features.

11. Posters may not be pasted on City electric light poles but are to be mounted on board and affixed securely with stout string or plastic fastening unless poster frames have been approved by the City for this purpose. No securing material with a metal content is permitted except in respect of poster frames.

12. Only one poster per function (or event) per body may be displayed on any one pole.

13. No poster may be displayed within 30m of any road traffic sign or traffic signal, unless such distance has been exempted, or conditionally exempted, in a designated area in terms of Section 6.2 of the By-Law.

14. Posters may not be displayed more than 7 days before the date of the function and must be removed within 3 days from the date of the function or the last day thereof as applicable.

15. The display of posters is prohibited on any bridge and the City or its sub-councils may designate other areas where the display of posters will not be permitted.

16. The City may recover the costs of and costs resulting from the removal of illegal posters, and the reinstatement of the surface from which such posters were removed, from the person/s responsible for the display of such posters.

17. The City or its agent shall remove any poster displayed in contravention of the abovementioned conditions.

18. Any poster not removed by the date referred to in Section 1 shall be removed by the City.

19. The display of unauthorised posters is illegal and such posters may also be removed by the City or its agent.

20. The display of posters purely for commercial advertising is not permitted, provided that any poster erected or displayed by a person, for a commercial advantage, which relates to a sport, the arts, or cultural event may be permitted, despite the display of that poster being purely for commercial advertising.
21. Each person intending to display a poster shall pay to the City a deposit, per poster and a non-refundable fee which shall entitle that person to display the said poster for a maximum period of 14 days, or such other time as is stipulated by the City, such fee being determined in accordance with the City's Schedule of Tariffs and charges, published from time to time. No poster shall be displayed without such deposit and fee having been paid.
22. The City may call for documentary proof, (which may include the production of bank statements) of the non-profit status or community benefit objective of the non-profit body.

DRAFT BY-LAW

SCHEDULE "12

DIRECTIONAL PROPERTY MARKETING SIGNS, AND TEMPORARY PROPERTY MARKETING SIGNS (LARGER THAN 0.3m² IN SIZE)

Subject to approval in terms of this By-Law, the erection and display of directional property marketing signs, including auctioneer signs and temporary property marketing signs (larger than 0.3m² in size), are permitted in all areas except natural areas of maximum control. In addition:

1. Directional Property Marketing signs may be displayed only from 06h00 on Saturdays to 20h00 on Sundays.
2. Directional Property Marketing signs may not exceed 0.3m² in total area.
3. Directional property marketing signs –
 - (a) may only be attached to City electric light poles where available;
 - (b) may only be fastened with stout string or plastic ties and no securing material with metal content is permitted;
 - (c) may not be affixed to trees, traffic signal poles or other poles which carry road traffic signs, walls, fences, rocks, other natural features or landscaped areas, any other street furniture or other City property unless such other display is authorised by the City in writing; and
 - (d) may not contain any third party advertising.
4. Where no City electric light poles are available, Directional Property Marketing signs may be displayed on stakes, making use of a design approved by the City. Directional Property Marketing signs may not be staked into any paved surfaces. It is not permissible for stakes to penetrate the ground deeper than 15cm.
5. Only one Directional Property Marketing sign per agent per City electric light pole may be displayed.
6. On the front of each Directional Property Marketing sign in addition to the wording "On show" or "Show house", "Auction" or similar, only the following information must be displayed:
 - (a) original permit sticker;
 - (b) property marketing agent, auctioneer, and or property agencies name except when it is for a private seller;
 - (c) property marketer's telephone number or contact details; and
 - (d) directional arrow.
7. No signs indicating anything other than property for sale may be erected or displayed by property marketing-agents or agencies.
8. Not more than six Directional Property Marketing or directional auctioneer permit stickers will be issued per property marketing agent or auctioneer, and no more than six directional Property Marketing Signs will be permitted in total per property being marketed, including show houses, show plots and blocks of flats in which a show flat is on display. The definition of one sign shall include the display of two signboards only when such boards are sandwiched back to back around an electric light pole.

9. Directional Property Marketing signs may not be displayed along Scenic Drives or routes, on any bridge or in any public park or public open space.
10. Only two Directional Property Marketing signs per Show house/flat/plot /auction may be displayed along any proclaimed main road, excluding roads referred to in item 9 above.
11. No Directional property marketing sign shall obscure a road traffic sign.
12. No Directional property marketing sign shall be erected on centre islands and traffic circles.
13. No Directional property marketing signs may encroach over the road verge and shall not obstruct sight triangles for side roads or vehicle access points.
14. Directional Property Marketing signs shall be displayed along main routes only, being the shortest route from a main road to the property.
15. Application by each individual property marketing agent or auctioneer on an annual basis must be made for permission to display Directional Property Marketing signs.
16. Approval for permission to display Directional Property Marketing signs shall be subject to payment of an annual fee for registration plus a permit fee, in accordance with the City's schedule of tariffs and charges published from time to time, provided that in the case of:
 - (i) Property marketing agents and letting agents; principal agents, non-principal agents and full status agents may register, and other property marketing agency staff, and house-sitters may not register;
 - (ii) Auctioneers; only qualified auctioneers who are members of a recognised institute of auctioneers may register, and other auction company staff, valuers, or house-sitters, may not register.
 - (iii) Private sellers, where no property marketing agents are involved, can make an ad-hoc application for 3 permit stickers.
17. Any Directional Property Marketing sign or auctioneers sign unlawfully erected, or in contravention of the provisions of this Schedule, will be removed by the City or its agents, and subject to a removal charge by the City, calculated in accordance with the published schedule of tariffs and charges. In the event that the City is unable to remove a sign due to its inaccessibility photographic evidence of the unlawful sign will be obtained by the City prior to levying the said charge.

18. TEMPORARY LOCALITY-BOUND PROPERTY MARKETING SIGNS (LARGER THAN 0.3m² IN SIZE)

- 18.1 Applications for signs larger than 0.3m² in size must include a full motivation and will only be considered if the City is satisfied that a sign up to 0.3m²:
 - (a) is inadequately exposed or obscured by a building, trees or other features on or outside the subject property; or
 - (b) is not very clear as a result of the viewing distance; or
 - (c) is to be erected where the building is set back more than 15m from the property's street boundary; or
 - (d) is obscured from visibility from the opposite side of an abutting dual carriageway road by vegetation planted in the median.
- 18.2 Flat and Projecting Signs
- 18.3 If a 0.3m² sign would not provide adequate exposure in the City's opinion, larger signs may be applied for as flat and projecting signs;

- (a) up to a maximum size of 1m², in the case of residential properties and single unit flats;
 - (b) up to a maximum size 1.5m² in the case of commercial properties and multi-units or flats; and
 - (c) up to a maximum size of 4.5m² in the case of industrial areas.
- 18.4 Flat or projecting signs may not exceed a display period of 3 months, and re-application will be required if the property is still on the market after 3 months.
- 18.5 When erected as flat or projecting signs, such signs may not cover windows, other openings or architectural features of a building, must be to the satisfaction of the City, fit within the fascia of balconies, canopies or verandahs and may not project above, below or beyond the edge of such balconies, canopies or verandahs.
- 18.6 Only one flat or projecting sign per street frontage is permitted, which may be waived up to a maximum of two signs per street frontage only if one sign will not provide adequate exposure.
- 18.7 Such flat or projecting signs must contain the main wording "For Sale", "To Let", "Auction", "Sold", "Gone" or "Fully Let".
- 18.8 If a 0.3m² sign would not provide adequate exposure in the City's opinion, larger signs may be applied for as a freestanding signs–
- (a) up to a maximum size of 1m², in the case of residential properties and single unit flats;
 - (b) up to a maximum size of 1.5m² in the case of commercial properties and multi-units or flats; and
 - (c) up to a maximum size of 4.5m² in the case of industrial areas.
- 18.9 Freestanding signs will only be permitted where there are no boundary walls or fences at any premises (residential, commercial or industrial) on vacant erven, and subject to conditions on inadequate exposure noted in point 17.1 above.
- 18.10 Only 1 freestanding sign will be considered per property per street frontage or one v-shaped sign.
- 18.11 Such freestanding signs shall not exceed a display period of 3 months, and re-application will be required if the property is still on the market after 3 months.
- 18.12 Such freestanding signs may not obscure municipal road signs, street names or traffic signals and shall not obstruct sight triangles for side roads or vehicle access points.
- 18.13 Such freestanding signs may not project over the property's boundary.
- 18.14 Such freestanding signs may contain the main wording "For Sale", "Now Selling", "To Let", "Fully Let", "Auction", "Sold", or "Gone".
- 18.15 A 'Sold', 'Gone' or 'Fully let' sticker may be placed over any approved temporary locality bound property marketing sign larger than 0.3m² indicating For Sale/To Let/Auction which sign must be removed by the expiration of the 3 month approval period or within two weeks after the sale or letting of the property. The period of display shall not be extended to accommodate a 'Sold' or 'Gone' sign and no new such sign may be erected.

SCHEDULE "13"
LOOSE PORTABLE SIGNS

Subject to approval in terms of this By-law, the erection and display of loose portable signs is permitted in areas of minimum and partial control as well as designated areas within urban areas of maximum control. In addition:

1. Loose portable signs placed in the Road Reserve or on City owned property without the written permission of the City are not permitted in terms of the By-Law.
2. The City may summarily remove those loose portable signs placed without the City's permission in the Road Reserve or City-owned property. The City will impound these signs.
3. The City will consider applications to permit the placement, within the Road Reserve or on City owned property of certain loose portable signs which comply with the following requirements:
 - 3.1 The loose portable sign does not pose a hazard in terms of safety to the public
 - 3.2 The loose portable sign does not obstruct or inconvenience the public either by its physical size or location.
 - 3.3 The loose portable sign does not unfairly prejudice other traders.
 - 3.4 The loose portable sign, or proposed number thereof, does not detract from the amenity of the local streetscape or local environment.
 - 3.5 The loose portable sign is solely to advertise the name of the business, and goods and services for sale from the advertiser's premises.
 - 3.6 The maximum dimensions of the proposed loose portable sign shall be 1.20m (height) x 0.6m (width).
 - 3.7 The loose portable sign shall be placed flush against the advertisers' premises, provided that the above criteria are met.
 - 3.8 A minimum clear footway width of 1.2m adjacent to the sign must remain clear and may not obstruct sight triangles.
4. Approved loose portable signs will be allocated to a demarcated area within the Road Reserve or on City owned property where, during the normal trading hours, applicants may then place the approved loose portable sign. The said loose portable sign must be removed outside normal trading hours and stored away from public view.
5. The demarcated area for displaying the loose portable signs will be leased to an applicant at a rate to be set by the City and published in accordance with a Schedule of tariffs and charges to be updated annually by the City, payable in advance for a maximum period of six months.
6. Applicants will be required to:
 - (a) indemnify the City against any claims by third parties that may arise, due to the placement of loose portable signs within the Road Reserve or on City owned property; and
 - (b) take out third party insurance.
7. Notwithstanding the above, the City may cause the removal or impoundment of the Loose Portable sign/s should the applicant contravene any of the above conditions.

SCHEDULE 14

AERIAL SIGNS

Subject to approval in terms of this By-Law, the erection and display of aerial signs may be considered for approval only as temporary signs and is permitted only in urban areas of partial or minimum control. In addition:

1. Any aerial sign affixed to any building or structure located on a property which is displayed at a height of greater than 9m may not exceed a maximum height of 45m from the surface measured from the ground level.
2. Aerial signs affixed to any building or structures must be fixed in such a way that they are not flown above a public road.
3. An aerial advertisement may not exceed 36m² in overall size.
4. Applications for aerial signs attached to a building shall be accompanied by a structural engineer's appointment form and engineering details.
5. Aerial Signs will only be approved for a Display period not exceeding 14 days.
6. Aerial Signs may not be flown above a Public Road unless the road is temporarily closed for a Non-Profit Body event and such signs are displayed in terms of a master plan.
7. Aerial Signs may only be erected or displayed during daylight hours.
8. Aerial signs may be permitted in an area of maximum control for a Non-Profit Body event or sports event with or without Third Party sponsor's content and displayed at the event venue or along an event route.
9. Aerial signs that incorporate the use of drones or model aircraft to transport or display any form of outdoor advertising is prohibited.
10. Aerial signs may not be illuminated or electronic and no animation of any format shall be allowed.

SCHEDULE 15

TRANSIT ADVERTISING FOR NON-PROFIT EVENTS

Subject to approval in terms of this By-Law, the erection and display of transit advertising signs is permitted in urban areas of control as set out below. In addition:

1. The conveyance of a transit advertising sign is not permitted unless it is only for transportation purposes and not for third party advertising purposes.
2. The parking of a transit advertising sign which is visible from a public road or a public place for the purpose of third party advertising is prohibited, except when displayed at a non-profit body event for a period not exceeding 7 days, in any area of control and in terms of the positions allocated in an event footprint signage masterplan.
3. Transit advertising signs parked on private property for the purposes of storage shall be positioned in such a manner as not to be visible from a street or public place.
4. Side advertising panels of the transit advertising sign shall not exceed a maximum size of 18m² each and the front and rear advertising panels shall not exceed a maximum size of 6m² each.
5. Notwithstanding any provisions of this By-Law, the City or its authorised agent may without prior notice carry out the removal of any unauthorized transit advertising sign from City property, and, in the case of unauthorized transit advertising on private property, the City or its authorized agent may serve a compliance notice calling for removal in terms of this By-Law and which may lead to the imposition of a fine.
6. Transit advertising signs must be securely fixed to the ground at the parking location.
7. Transit Advertising signs may only be illuminated or electronic if these are parked at a City approved non-profit event venue or footprint.
8. Transit Advertising Signs may not be displayed on or from any craft, buoy, platform or boat on water for the primary purpose of advertising if visible from any public place.
9. Any Transit sign unlawfully parked on City-owned land or which is in contravention of any of the above provisions of this Schedule, will be removed by the City or its agents, and will be subject to a removal charge by the City, calculated in accordance with the published schedule of tariffs and charges.

SCHEDULE "16"

SIGNS ON CITY OWNED LAND OR BUILDINGS

1. The City may from time to time make its land, buildings and street furniture available for permitting thereon the erection and display of advertising signs, for non-profit or commercially sponsored signage purposes, and grant concessions to particular persons or organisations for such purposes, whether occupied by the City or by a tenant of the City, provided that:
 - 1.1 The City's applicable procurement policy and asset management processes must be followed when doing so.
 - 1.2 The City shall set out the specifications for signs on City land prior to calling for proposals.
 - 1.3 Any such signs must comply with the provisions of this By-Law, including those pertaining to the particular sign types.
 - 1.4 The erection and display of such signs must serve an identified public or community need, benefit or goal.
 - 1.5 Signs with political content will not be permitted.
 - 1.6 The City, as landowner, reserves the right not to proceed with any proposal prior to final approval thereof and the call for invitations for proposals in any respect shall not be regarded as a decision by the City to proceed with the erection of a sign in respect of a specific site.
2. Temporary event-related signage, on City land, buildings and infrastructure are limited to the benefit of non-profit bodies, community, cultural or sports events only, including sports events hosted by other entities which are free and accessible to the general public.
3. Temporary signage purely for commercial events, including promotions, marketing and commercial activations, launching of products and services, are not permitted on City land, buildings and infrastructure.

SCHEDULE "17"

SIGNS ERECTED BY OR FOR THE BENEFIT OF NON-PROFIT BODIES

1. Notwithstanding the area of control within which it is proposed to erect a sign by or for the benefit of a non-profit body, and subject to compliance with all other provisions of this By-Law, the City may consider such a sign for approval, subject to the following:
 - 1.1 In the application to be submitted in terms of Section 4 of this By-Law, written details from the host non-profit body regarding the nature and extent of the support to be received from the erection or display of the sign/s, must be delivered to the City together with the other information set out in Section 4 of the By-Law.
 - 1.2 The specific requirements of each particular sign type set out in this By-Law must apply to signs by or for the benefit of non-profit bodies.
 - 1.3 Such sign is only permitted on land controlled and used by such body.
2. In addition to the conditions set out in the Schedule applicable to the type of sign applied for, the following conditions will apply:
 - 2.1 Signs with a political content will not be permitted.
 - 2.2 The name of the non-profit body must be displayed prominently along the top width of the sign with a minimum 300mm lettering height.
 - 2.3 One sign will be permitted per street or rail reserve frontage up to 6m x 3m each, or alternatively when erected as a billboard, one V-shaped or back-to-back sign with a maximum size not exceeding two panels of 6m x 3m each per such frontage on any one property.
 - 2.4 Internally illuminated or electronic billboards may be displayed up to a maximum of 18m² per face in a location designated by the City as a site in which internally illuminated or electronic signs are to be supported. In considering an application for such signs, the City may require the submission of assessments relating to the impact on road and traffic safety, heritage resources, and the environment, conducted by appropriately qualified independent practitioners who are to the satisfaction of the City indicating no negative impact thereon.
 - 2.5 Where a Non Profit Body proposes a sign on state owned land, the original or certified written authorisation from the relevant Organ of State must accompany the application submission, in which, the Organ of State officially authorises the use of its land for income generating purposes from an advertising concession and which authorisation includes the approval of the nature and extent of the benefit to the Non Profit Body.
 - 2.6 The City may require submission of an Signage impact assessment, traffic impact assessment and heritage Resources assessment in accordance with its guidelines thereon, conducted by appropriately qualified independent practitioners who are to the satisfaction of the City indicating no negative impact thereon.
 - 2.7 The City may call for documentary proof, (which may include the production of bank statements) of the non profit status or community benefit objective of the body.

SCHEDULE "18"

SPONSORED MURALS

1. Subject to approval in terms of this By-Law, sponsored murals are permitted in all Urban areas of maximum, partial and minimum control and in addition:
 - 1.1 when on walls of buildings or on boundary walls, the commercial content does not exceed 5% or 2.5m² of the total mural content area, whichever is the lesser;
 - 1.2. if, where a City public art permit is required in terms of the City's public artwork permitting system, or the Graffiti By-law, a valid permit must be attached to the submission documents;
 - 1.3 if visible from a visually sensitive receiving environment or from residential premises, the City can require the sponsored mural not to be illuminated;
 - 1.4 will not be permitted on any residential buildings; and
 - 1.5 the City may request copies of the agreements entered into between the artist, the sponsor and the property owner as well as the consent issued by the property owner.

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