

Chief Albert Luthuli Municipality



OUTDOOR ADVERTISING CONTROL – BY LAW

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SECTION A: INTRODUCTORY PROVISIONS

1. INTRODUCTION

The use of various types of outdoor advertising devices providing a wide variety of information have become a major marketing tool, and the various measures of such outdoor advertising have proliferated alarmingly in both urban and rural areas. Commerce and industry are placing ever-increasing pressure on authorities to relax controls, where these exist, on outdoor advertising and particularly to permit more advertising alongside roads, and more specific along higher order roads. On the one hand, commerce and industry which claim that restrictions are harmful to business, while on the other hand, many other sectors of society claim that the uncontrolled increase in outdoor advertising has an aesthetically degrading influence on the environment, as well as adversely affecting road traffic safety by distracting drivers. It is obvious that a balanced approach to the situation is needed in our area of jurisdiction.

It is therefore necessary that local authorities have effective policies and by laws relating to the control of advertising. In order to effectively apply these guidelines, individual local authorities have to prepare their own BY LAW and bylaws, as they need and require for their unique situation.

The following will therefore serve as the BY LAW on Outdoor Advertising Control for the

Chief Albert Luthuli Municipality. This also forms the basis for the Chief Albert Luthuli Municipality by laws for Outdoor Advertising Control.

2. PURPOSE OF THE BY LAW

It is the BY LAW of the Chief Albert Luthuli Municipality to apply effective control to all aspects of outdoor advertising within its area of jurisdiction.

The purpose of this BY LAW is twofold:

Firstly, to provide for the assessment of all applications which are made to the Municipality for permission to proceed with various forms of outdoor advertising;

Secondly, to provide for the management and regulation (in conjunction with the Chief Albert Luthuli Municipality bylaws for Outdoor Advertising Control) of all those forms of outdoor advertising which fall under the jurisdiction of the Municipality.

A fundamental approach to outdoor advertising is proposed; Principal areas of concern are then identified. BY LAW proposals are consequently made for each of these areas of concern.

3. EXTENT OF OUTDOOR ADVERTISING

Advertising is defined as the act or process of notifying, warning, informing or generally making known. In other words, the term refers to information transfer in a visible manner. Outdoor advertising is traditionally associated with large billboards and posters advertising products and

services. Outdoor advertising includes all advertising signs erected and displayed out of doors for the purpose of providing information. This BY LAW concerns itself with outdoor advertisements visible from all public roads and streets, and other public places.

4 . SCOPE OF THE BY LAW

This BY LAW shall be applicable to all the areas under the jurisdiction of the Chief Albert Luthuli Municipality. Any state owned or private owned entity or person, who wants to erect any advertising sign or form of outdoor advertising that falls under this BY LAW, should adhere to the requirements set out in the BY LAW.

5. OBJECTIVES OF THE BY LAW

The main objective with the control of outdoor advertising is that it is in the best interest of the CHIEF ALBERT LUTHULI MUNICIPALITY and the community, promotes conservation and secures sustainable development.

6 . ADMINISTRATION OF APPLICATIONS

This BY LAW, as well as the bylaws for the control of outdoor advertising are to be effectively and consistently administered, scheduled inspections of signage are to be held and offenders are to be fined or prosecuted.

In view of the BY LAW which is to be applied to applications for outdoor advertising, all applications shall be submitted to the Executive Director: Infrastructure Services for approval or refusal. Further delegation to approve or refuse applications will be awarded by the Director: Community and Safety Services to the relevant officials.

Where there is insufficient internal staff capacity, the CHIEF ALBERT LUTHULI MUNICIPALITY may appoint, within the framework of the law, private contractors or consultants to assist with the removal of illegal advertisements or advertising signs, or with any other work as required.

The following advertising signs and advertisements are subject to the tender procurement process of the **CHIEF ALBERT LUTHULI MUNICIPALITY**, with specific requirements, and awarded on a contract basis, but will not be limited to:

- (1) Advertisements on litterbins (pavement and pole mounted litterbins),
- (2) Suburb name signs (township name signs),
- (3) Street name advertising signs (illuminated street name signs),
- (4) Commercial street light pole advertisements (commercial posters),
- (5) Advertisements on public transport shelters (advertisements on bus shelters),
- (6) Stack signs (signs in industrial areas), and
- (7) Advertising on Taxi Ranks.

7. LEGAL FRAMEWORK

The following legislation is relevant for the application of this BY LAW:

The Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996);

South African National Roads Agency Limited and National Roads Act, 1998

(Act No. 7 of 1998);

Road Traffic Act, 1989 (Act No. 29 of 1989);

Municipal Finance Management Act, 2003 (Act No. 56 of 2003);

National Environmental Management Act, 1998 (Act No. 7 of 1998);

National Building Regulations and Building Standards (Act No. 103 of 1977); and

Intergovernmental Relations Framework Act (Act No. 13 of 2005).

8. CONTENT OF BY LAW

Section A contains the purpose of this BY LAW, the extent, vision and mission of outdoor advertising as well as the scope and objectives of this BY LAW. The legal framework is also addressed in this Section.

Section B sets out the definitions, general conditions and areas of control applicable to all advertisements, advertising signs and advertising structures.

Under Section C the criteria applicable to the different types of advertising signs and advertisements are stipulated.

SECTION B: DEFINITIONS, GENERAL CONDITIONS AND AREAS OF CONTROL APPLICABLE TO ALL ADVERTISEMENTS, ADVERTISING

SIGNS AND ADVERTISING STRUCTURES

. DEFINITIONS AND TERMS

Some of these definitions and terms used may not occur in this document, but are included for the sake of completeness.

ADVERTISEMENT means any visible representation of a word, logo, name, letter, figure, object, mark, symbol, abbreviation, light or any combination thereof with the object of transferring information which is visible from any street or public place, but does not include a road traffic sign.

ADVERTISEMENT AREA means the total area used for the display of advertisements and is not restricted to a specific advertising sign.

ADVERTISEMENTS ON GROUND LEVEL means an advertisement placed at ground level which is aimed at aircraft traffic and not at the public travelling on roads and designed in such a manner as not to interfere with the natural environment and living creatures on that land.

ADVERTISEMENT FOR SALE OF GOODS OR

LIVESTOCK means an advertisement announcing such a sale on land or premises not normally used for commercial purposes and may include an advertisement announcing auctions of household goods on residential properties, or livestock or game on farms. This class will also include the display of an advertisement announcing the proposed sale of property or land by means of a public auction to be advertised within the road reserve.

ADVERTISER means the person or organization, whose product or service is being advertised, or whose name or image is mentioned or promoted in an advertisement.

ADVERTISING means the act or process of notifying, warning, informing, making known or any other act of transferring information on a visible manner.

ADVERTISING IMPACT ASSESSMENT (AIA) means a report requested by the CHIEF ALBERT LUTHULI MUNICIPALITY from the applicant wherein the impact of the advertising sign or advertisement is discussed. Such an assessment shall function as a limited Environmental Impact Assessment and should address aspects such as, but will not be limited to, the environmental impact, visual impact, illumination of the advertising sign or advertisement and road safety impact of an advertising sign or advertisement, the scope of which shall be determined by the Municipality in each particular case.

ADVERTISING SIGN OR SIGN means any advertising structure built or erected to display an advertisement, together with an advertisement displayed on the structure.

ADVERTISING STRUCTURE means any screen, fence, wall or other physical structure or object erected to display an advertisement or which is in itself an advertisement or used to display an advertisement.

AERIAL SIGN means any advertisement attached to or displayed on a balloon or similar device or which is in itself an advertising sign which is suspended in the air and over any part of the area.

AFFIX means to firmly secure, which may include painting where permitted, or any means of affixing.

ANIMATION means a process whereby an advertisement's visibility or message is enhanced by means of moving units or pictures, flashing lights or similar devices.

APPROVED means to obtain approval through a formal application process by the

CHIEF ALBERT LUTHULI MUNICIPALITY. "Approval" has a corresponding meaning.

ARCADE means a covered pedestrian thoroughfare not vested in the Council, whether or not located at ground level passing wholly or partly through a building and to which the public normally has regular and unrestricted access.

AREA OF CONTROL refers to the degree of advertising control to be applied in a specific area, i.e. maximum, partial or minimum control as determined by the CHIEF ALBERT LUTHULI MUNICIPALITY from time to time.

AREA OF JURISDICTION means the area under the control of the Ekurhuleni

Metropolitan Municipality according to the legally determined and declared boundaries of the Municipality.

BALCONY, VERANDA, CANOPY AND UNDERAWNING

SIGN means a sign not extending above, below or beyond any extremity or a parapet wall, balustrade, railing, beam or fascia, and:

- (1) Affixed flat onto or painted on a parapet wall, balustrade or railing;
- (2) Affixed flat onto or painted on a fascia;
- (3) Affixed flat onto or painted on the fascia of a roof structure without walls;
- (4) Affixed to or painted on a pillar, column or post supporting a roof structure without walls; or
- (5) Painted or printed on the fabric of a blind.

BANNER means a piece of cloth or similar material upon which an advertisement is displayed in such a manner as to be fully legible in windless conditions, attached to one or more ropes, poles or attached to buildings or to specific structures, but excludes banners carried as part of a procession.

BASIC LANDSCAPE SENSITIVITY indicates the visual or aesthetic sensitivity of the landscape with regard to outdoor advertisements and advertising signs in terms of three basic landscape types, which are, in order of sensitivity, natural, rural and urban landscapes.

BILLBOARD means any static screen, board or three dimensional device larger than 4,5m² and not exceeding 81 m² supported by a structure, which is to be used or intended to be used for the purpose of posting, displaying or exhibiting a non locality bound advertisement and can be classified as a small, large or super billboard. This can be attached to a structure manufactured specifically for advertising, or to a structure of any other form, used to attach the advertisement to, which can include product replicas and bridges.

BIT OF INFORMATION refers to the basic unit for measuring the length of advertising messages and may consist of letters, digits, symbols, logos, abbreviations or graphics of any nature.

BUILDING CONTROL OFFICER means any person who has been appointed by Council in terms of the National Building Regulations and Building Standards, 1977, and his delegated officials.

CANDELA is the standard SI unit of luminance intensity relating to the illuminating power of a light source in a given direction.

CENTRE OF ECONOMIC ACTIVITY means a business or group of businesses outside of urban areas and which may include farm stalls, roadside service areas, accommodation facilities, food services, industries and cottage industries as well as shops and other commercial facilities.

CENTRE POINT OF INTERSECTION means the point of contact between the centre lines of two roadways.

CLEAR HEIGHT means the minimum vertical distance from the natural ground, road or surface level, as the case may be, to the bottom of the advertisement and / or to the advertising sign, whichever is the smallest.

COMBINATION SIGN means an advertising sign comprising a number of smaller, individual advertisements, usually displaying different products or services, placed next to each other on a single freestanding advertising structure specially designed to accommodate more than one advertisement presented on an on premises business advertising sign.

COMMERCIAL ADVERTISING means any words, letters, object, mark, logos, figures, symbols, pictures relating to the name of a business, a trade, a partnership or an individual or any information, recommendation or exhortation in respect of any particular goods manufactured or sold or any particular services rendered or offered.

CONSTRUCTION SITE BOUNDARY SIGN OR CONSTRUCTION SITE BUILDING

WRAP means an advertising sign of vinyl mesh or similar material attached to the boundary wall or fence or to a structure, to cover an unsightly construction site, an unoccupied building under construction, renovation or maintenance, or a multi-storey parking garage.

COUNCIL means the Chief Albert Luthuli Municipality and includes the Mayoral Committee or any officer employed by Council, acting by virtue of any power vested in the Council in connection with this BY LAW and delegated to him/her.

COUNCIL LAND means any portion of land including road, road reserve, road island, road median, street, thoroughfare, bridge, subway, footpath, sidewalk, land, square, open space, garden, park or enclosed place, erf, site, etc. vested in and/or owned by Council.

CULTURAL EVENT means an event promoting the fine arts or other human intellectual achievement and its purpose shall not primarily be of a commercial nature.

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

DEGREE OF LANDSCAPE SENSITIVITY means a refinement of basic landscape sensitivity, which may include, apart from a refined visual sensitivity, traffic safety conditions as a criteria for sensitivity rating. Degree of landscape sensitivity is expressed in terms of area of control, i.e. areas of minimum, partial and maximum control, which are superimposed onto the three.

DENSITY OF RESIDENTIAL AREA refers to both population density (number of people per hectare) and intensity of land use or visual density (number of units per hectare and the nature of the units, e.g. high rise, lowrise or detached, as well as to the presence of non-residential functions).

DEVELOPMENT SIGN means an advertising sign displaying an advertisement which describes the type of development being carried out on a construction site, including a pictorial representation, and containing the contact details of the developer or his agent.

DISPLAY PERIOD means the exposure time during which the individual advertising message is on display.

EDGE OF THE ROADWAY means the boundary between the roadway and the shoulder, which is indicated by an appropriate road traffic sign, or by the absence of such sign, a) in the case of a road with bitumen or concrete surface, edge of subsurface or b) in the case of any other road, the edge of the improved part of the road, intended for vehicle use.

EDUCATIONAL FACILITY means a primary or secondary school.

EIA means an environmental impact assessment in terms of the National Environmental Management Act.

ELECTION: means either National Government, Provincial Government or Municipal elections and by elections inclusive of the registration process and referendum held from time to time.

ELECTRONIC BILLBOARD: means an advertising sign not exceeding 18m² in advertisement area, which has an electronically controlled, illuminated display surface, which allows all or a portion of the advertisement to be changed, animated or illuminated in different ways.

ENGINEER: means an engineer registered in terms of the Engineering Profession Act, 2000 (Act 46 of 2000) or as amended from time to time. ERF means an Erf, stand, lot, plot, agricultural holding or similar land entity registered in a deeds registry.

ESTATE AGENT SIGN : means an advertising sign that is displayed to advertise the fact that land, premises, development or other forms of fixed property are for sale, to let, sold or on show.

EVENT: means an organized occasion for the general public.

EXECUTIVE DIRECTOR / ED: means an official appointed in this specific position, by the Municipality or anybody acting in his stead, or a nominee.

EXISTING SIGN: means an advertising sign, which has been previously approved by the Director, whether erected or not.

FACADE: means the principle front or fronts of a building.

FLAG : means a material upon which an advertisement is displayed and which is attached to a single freestanding flag staff, pole or flagstaff projecting vertically from premises or projecting vertically, horizontally or at an angle from a building or boundary wall or boundary fence of a specific business property.

FLASHING SIGN : means an advertising sign in which a symbol, figure, message or illustration intermittently appears and/or disappears and/or illuminated with varying colour or intensity.

FLAT SIGN : means any advertising sign affixed to any external wall of a building used for commercial, office, industrial or entertainment purposes, but excluding a parapet wall, balustrade or railing of a veranda or balcony, which at no point projects more than 300mm from the surface of such a wall and which may consist of a panel or sheet or of individual numbers, letters or symbols.

FLY POSTER means any poster, which is pasted by means of an adhesive directly onto a surface.

FORECOURT means an outdoor area forming a functional part of a building housing a business, and may include the area of a filling station where the pumps are situated, or a terrace in front of a restaurant, enclosing fences, walls, screens or similar structures, excluding sidewalk areas in front of business premises intended for pedestrian circulation.

FREESTANDING SIGN means any immobile advertising sign, which is not attached to a building or to any structure or object not intended to be used for the primary purpose of advertising.

GANTRY means a ground mounted structure that spans over the entire width of a roadway (portal gantry) or a structure that spans over part of a roadway (cantilever gantry).

HEIGHT OF AN ADVERTISING SIGN means the maximum vertical distance from the natural ground, road surface, surface level, or where the foundation of the sign starts or is visible above natural ground level, as the case may be, to the top of the advertisement and the advertising sign, whichever is the highest. The natural ground level may not be altered for the purpose of erecting the sign.

HOMEUNDERTAKING means the practice of an activity at a dwelling place with the aim of deriving an income there from.

ILLEGAL SIGN means any advertising sign, advertisement, or poster, painted, pasted, affixed, displayed, exhibited, posted or erected without approval by the Director.

ILLUMINATED in relation to an advertisement, means the installation of electrical equipment or other power for the purpose of illuminating the advertisement at night, either continuously or intermittently.

ILLUMINATED ADVERTISING SIGN means an advertising sign which has been installed with electrical or other power for the purpose of external or internal illumination, either continuously or intermittently of the advertisement displayed on such an advertising sign.

INFLATABLE SIGN means any advertising sign erected and maintained by means of air or gas used for the purpose of posting or displaying any advertisement.

INTERSECTION means the area embraced within the prolongation of the lateral boundary lines of two or more roadways open to vehicular traffic that join one another at any angle, whether or not such roadways cross each other, and includes a signalized entrance and exit.

LANDSCAPE ADVERTISEMENTS means advertisements comprising of horticultural designs and can include but are not limited to flowers, grass, stones and ground cover.

LANDSCAPE SENSITIVITY refers to the visual or aesthetic sensitivity of the landscape with regard to outdoor advertising and signs, is expressed in terms of basic landscape sensitivity and degree of landscape sensitivity and may also take traffic safety conditions into account.

LARGE BILLBOARD means any static billboard larger than 18m² up to and including 40m² in area of advertisement.

LIGHT NOT INTENDED FOR ILLUMINATION means a flashing, flickering or continuous light source, beam of light or a number of such sources or beams, aimed or moved in such a manner as to attract attention, without being primarily for the purpose of illuminating an area or object.

LOCALITY BOUND ADVERTISEMENT means an advertisement displayed on a specific site, premises or building appropriate to business• being conducted on or in the property on which the advertisement is to be displayed. The advertisement shall only refer to the name; logo and nature of the business on the premises and no product advertisement for sales of any kind are permitted on this advertisement.

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

“M / m” means metre.

“mm” means millimetre.

MUNICIPALITY means the CHIEF ALBER LUTHULI MUNICIPALITY.

MUNICIPAL OWNED LAND see Council land.

NATIONAL ROAD TRAFFIC ACT means the National Road Traffic Act. 1996 (Act No. 93 of 1996).

NATURAL AREA / LANDSCAPE means an area outside and urban area which is in a natural state or is of high scenic value, and includes, but is not limited to, national parks, game reserves, nature reserves, scenic corridors and landscapes.

NONLOCALITY BOUND ADVERTISEMENT means any advertisement displaying any information over and above the name, logo and nature of the business on the premises, and which may include any advertisement content and can include advertising of products for sale of any kind.

ON PREMISES BUSINESS ADVERTISING SIGN means a freestanding sign on a specific site or premises aimed at identifying and locating businesses and industries, and may only contain the name, logo and nature of the business on the premises. Excludes residential or community advertising signs.

OUTDOOR ADVERTISING means the act or process of notifying, warning, informing, making known or any other act of transferring information in a visible manner and which takes place out of doors.

OVERHANG means the physical part of an advertising sign / structure hanging or projecting over a boundary, shoulder or roadway.

OWNER OF THE ADVERTISING STRUCTURE means the person who owns the advertising structure, or will own the structure once it has been erected, or any person who has a right to or share in the ownership of the advertising structure.

OWNER OF THE ADVERTISING SIGN means the person who owns the advertising sign which is erected, or will own the advertising sign once it has been erected, or any person who has a right to or share in the ownership of the advertising sign.

OWNER OF THE LAND means the person who owns the land on which the advertising sign or structure is, or will be erected, or any person who has a right to or share in the ownership of the land.

PERMANENT SIGN means advertising signs or advertisement erected for a period of more than one year.

PERPENDICULAR means with a 90° angle to the existing building or road at the position of the advertisement or advertising sign.

PERSON means both natural and juristic persons.

BY LAW means the Chief Albert Luthuli Municipality BY LAW on Outdoor Advertising Control.

PORTABLE ADVERTISING SIGN means a moveable freestanding temporary advertising sign displayed on a forecourt of a business premises or sidewalk in front of business premises to draw attention to commercial services, goods for sale or other services available at the premises.

POSTER (OR NOTICE) means an advertisement displayed or affixed to a receptacle against an electrical street light pole standard, or directly affixed to an electrical street light pole standard inside the road reserve.

PRODUCT REPLICAS AND THREEDIMENSIONAL

ADVERTISING SIGNS means a replica or device used for advertising that may be freestanding or attached to a structure and includes an inflatable object that is not an aerial sign.

PROHIBITED SIGN means an advertisement or advertising sign, which are not permitted, or does not conform to advertising bylaws and BY LAW documentation and can thus not be approved.

PROJECT SIGN means an advertising sign displaying an advertisement with information regarding the relevant contractor(s) and / or consultant(s) involved in the construction project and displayed on the construction site.

PROJECTING SIGN means any advertising sign, attached to and protruding from a building which is used for commercial, office, industrial or entertainment purposes and which projects more than 300mm from the surface of the main wall and is affixed at a right angle to the street line.

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

PUBLIC PLACE means any road, street, thoroughfare, bridge, subway, foot pavement, footpath, sidewalk, lane, square, open space, garden, park or enclosed space vested in and/or owned by Council.

PUBLIC TRANSPORT SHELTER means a freestanding covered structure at a bus stop, taxi rank or lay bye, to provide limited shelter for commuters and pedestrians.

PUBLIC TRANSPORT SHELTER ADVERTISEMENT means an advertisement positioned as an integral part of a freestanding covered structure at a bus stop, taxi rank or lay bye.

RECEPTACLE means a fixed poster display holder to be fixed to street light poles.

RESIDENTIAL PURPOSES means the use of a building as a dwelling house, two or more dwelling units, a hostel, a boarding house and a residential club.

ROAD means a public road which includes the shoulder, the land of which the road consist or over which the road extends, and anything on that land forming part of, connected with, or belonging to the road.

ROAD AUTHORITY means the authority having the control and jurisdiction over a specific road, being it national, provincial, metropolitan or local road.

ROAD ISLAND OR TRAFFIC ISLAND means an area demarcated on a roadway by means of painted lines, stones, kerbs or by other means with the intention of preventing vehicles from standing or being operated in that area.

ROAD MEDIAN means the area separating traffic lanes on a roadway.

ROAD RESERVE means the full width of a public road, including roadways, shoulders, sidewalks, the air space above it and all other areas from boundary to boundary.

ROAD RESERVE BOUNDARY means the proclaimed boundary forming the outer edge of the road reserve.

ROADSIDE SERVICE AREA means an area with direct access from a municipal or provincial road in which facilities and services such as petrol and diesel sales, restaurants, fast food outlets, toilets, playgrounds and picnic spots may be provided for motorists.

ROAD TRAFFIC SIGN means any road traffic sign as defined in the Road Traffic Act, 1989 (Act No. 29 of 1989).

ROADWAY means the portion of a road, street or thoroughfare improved, constructed or intended for vehicular traffic which is between the edges of the travelled way and includes the surfaced shoulder.

ROOF SIGN means an advertising sign on the main roof of a building lower than fifteen floors and which building is used or partly used for commercial, office, industrial or entertainment purposes.

RURAL AREA / LANDSCAPE refers to areas of transition between developed urban areas and relatively unspoiled areas and includes, but are not limited to agriculture land, farm land, rural small holdings, unproclaimed township areas and areas outside the urban edge.

SECURITY ADVERTISING SIGNS means an advertising sign with an advertisement for neighbourhood watch, farm watch, security schemes and other similar schemes, and an advertisement containing the name, address and telephone number of a security company contracted to protect the premises on which the advertisements is displayed.

SERVICE FACILITY SIGN means an advertising sign or advertisement at a filling station or roadside rest and service area referring to the types of services provided at such facility

SHOULDER is the outer portion of the roadway which, whether surfaced or not, does not normally constitute part of the travelled way.

SIDEWALK means that portion of a verge intended for the exclusive use of pedestrians.

SIGNS INCORPORATED INTO THE FABRIC OF A BUILDING means a sign incorporated in and forming an integral part of the fabric of a building, in balance with the scale of the building.

SITE means the end, plot, or any other piece of land on which the advertising sign, advertising structure or advertisement is, or is to be erected or mounted.

SMALL BILLBOARD means a static billboard larger than 4,5m² up to and including 18m² in area of advertisement.

STACK SIGN means a freestanding advertising sign in the road reserve displaying a combination of advertisements of several businesses on separate panels.

STATIC BILLBOARD means a billboard displaying a fixed advertisement face, where the face is not changeable within seconds or minutes, but where a change of face have to be re-erected and affixed to the structure.

STOREY means the space within a building, which is situated between one floor level and the next floor level above, or if there are no clearly defined storeys, the height of a storey shall be taken as 4,5m, except for the ground storey situated at the level of the adjoining natural ground which shall be taken as 6m.

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

STREET FURNITURE means public facilities and structures which are not intended primarily for advertising and includes seating benches, planters, pavement litter bins, and pole mounted litter bins, public transport shelters, sidewalk clocks and drinking fountains, but excludes road signs, traffic lights, streetlights or any other road related structures.

STREET FURNITURE ADVERTISEMENT means advertisement on public facilities and structures which are not intended primarily for advertising and includes seating benches, planters, pavement litter bins, pole mounted litter bins, public transport shelters, sidewalk clocks and drinking fountains, but excludes road traffic signs, traffic lights, streetlights or any other road related structures.

STREET NAME SIGN means a pole mounted street name sign which may be illuminated, i.e. a GL1 road traffic sign in the South African Road Traffic Signs Manual (SADC RTSM).

SUBURB NAME SIGN means a pole mounted road traffic sign (GL2 road traffic sign) at the entrance to a town or suburb that may carry an advertisement panel, with certain specification, underneath the road traffic sign bearing the name of the town or suburb.

SUPER BILLBOARD means a static billboard larger than 40m² up to and including 81 m² in area of advertisement.

TARIFF means the appropriate monetary charge, tariff or fee determined by Council.

TEMPORARY ADVERTISEMENT OR ADVERTISING SIGN means an advertisement or advertising sign displayed for a maximum period of one year or less as determined by the CHIEF ALBERT LUTHULI MUNICIPALITY.

TOWNSHIP means an area divided into erven or plots, whether with or without public open spaces, and into streets bounded by the erven, plot or open spaces, and established or recognized as a township under any law.

TRAILER ADVERTISING means an advertisement mounted on a trailer, bicycle or vehicle, which is mobile at all times with the sole purpose of advertising.

URBAN AREA I LANDSCAPE means proclaimed township area, but exclude land in that area which is commonage land, or which is used or destined to be used mainly for farming or horticulture or the keeping of animals, or which consist of any other open space which has not been developed or reserved for public purposes.

URBAN AREA OF MAXIMUM CONTROL means an area which are deemed sensitive to visual disturbance and include, but are not limited to conservation areas and natural features inside the urban edge, passive recreation areas such as parks and non-commercial squares, scenic features and areas, historical and architectural sites, all residential areas, plots and urban smallholdings (which are proclaimed), home undertakings within residential areas, specifically proclaimed heritage areas and buildings, and cemeteries.

URBAN AREA OF MINIMUM CONTROL include, but are not limited to commercial areas, office blocks, shopping centres, industrial areas, transport nodes (such as taxi and bus ranks, railway stations, airports etc) and mine dumps and surrounding mining land.

URBAN AREA OF PARTIAL CONTROL means areas that can be characterized by a greater degree of integration and complexity of land use, includes but are not limited to commercial enclaves, shopping centres and office block in residential areas, commercial ribbon development, school and educational facilities (e.g. Universities, Technicons, and college), sport stadium and fields.

VEHICULAR ADVERTISING means advertising on self-driven vehicles which are usually moving on land or water, including taxi's, buses, trains and delivery vehicles, but exclude aircraft.

WINDOW SIGNS means an advertisement, which are permanently painted on or attached to the window glass of a building.

12. GENERAL REQUIREMENTS

(1) No advertisement or advertising structure shall;

(a) in the opinion of the CHIEF ALBERT LUTHULI MUNICIPALITY constitute a danger to any person or property;

(b) be erected without approval where such approval is required by this

BY LAW or by any Act, Regulations or any other law;

(c) be detrimental to the environment or to the amenity of a human living environment by reason of size, shape, colour, texture, intensity of illumination, quality of design or materials or for any other reason; or

(d) be permitted that emits a noise, sound, smoke, smell, odours or similar sensory stimuli.

(2) The CHIEF ALBERT LUTHULI MUNICIPALITY may increase the minimum spacing between advertising signs or advertisements, or place further restrictions on the position, size and content of any advertising sign or advertisement if considered necessary, in the interests of road safety or environmental impact.

(3) No advertisement may display CHIEF ALBERT LUTHULI MUNICIPALITY's corporate identity and/or Coat of Arms or any aspect of these registered logo's without prior consultation and written approval by the CHIEF ALBERT LUTHULI MUNICIPALITY.

(4) All policies addressing advertising signage within the CHIEF ALBERT LUTHULI MUNICIPALITY need to be adhered to.

(5) Signage which was not categorized and for which provision was not made for that specific type of sign in this BY LAW, will be addressed on an adhoc basis and considered by the Executive Director: Infrastructure Services. This excludes any sign which does not comply with the requirements of a specific type of sign which is prescribed in this BY LAW, as well as any prohibited signs.

13. DESIGN, CONSTRUCTION AND POSITION ON THE SITE

(1) Any advertising sign

(a) shall, to the satisfaction of CHIEF ALBERT LUTHULI MUNICIPALITY, be neatly and properly constructed and executed and finished in a workmanlike manner in accordance to the

National Building Regulations and Building Standards Act 103 of 1977, or as amended from time to time;

(b) shall, in the opinion of the CHIEF ALBERT LUTHULI MUNICIPALITY not be detrimental to or have a negative aesthetic impact on the urban design, streetscapes or the character of the surrounding area by way of the design of the structure or device;

(c) must be displayed in places or in such a manner that it could, in the opinion of the CHIEF ALBERT LUTHULI MUNICIPALITY, not be detrimental to the amenity of the neighbourhood or disfigure the surroundings;

(d) shall, to the satisfaction of CHIEF ALBERT LUTHULI MUNICIPALITY, have a neat appearance and shall consist of durable materials in accordance with the function, nature and permanence of the advertisement, sign or structure and materials such as cloth, canvas, cardboard, paper or synthetic cardboard should be used only when essential to the nature and function of a particular advertising sign;

(e) shall, to the satisfaction of CHIEF ALBERT LUTHULI MUNICIPALITY, not deface building facades with electrical services provisions and other accessories;

(f) shall, to the satisfaction of CHIEF ALBERT LUTHULI MUNICIPALITY, be rigidly and securely attached, supported or anchored in a safe manner and so that unwanted movement in any direction is prevented;

(g) which spans or overhangs a roadway, shall be provided with a catwalk so that advertisements face changes are effected from the catwalk and not from, the road surface;

(h) shall be capable of effectively securing, supporting and maintaining not less than twice its mass with the addition of any force to which the advertising sign may be subjected, including wind pressure,

(l) shall wherever necessary in accordance with the nature of the advertising sign and when attached to brickwork, masonry or concrete, be securely and effectively attached thereto by means of bolts securely embedded in such brickwork, masonry or concrete or passing through the same and secured on the opposite side;

(j) shall, when attached to conservation worthy buildings, be attached with the necessary expert advice in order to prevent damage to such buildings; and

(k) shall be constructed and located at a height that discourage vandalism.

(2) Any advertiser or contractor

(a) shall not use waters oluble adhesive, adhesive tape or similar material to display or secure any advertising sign or advertisement elsewhere than on a structure provided for this purpose;

(b) shall have all exposed metalwork of any advertising structure painted or otherwise treated to prevent corrosion and all timber treated to prevent decay;

(c) shall ensure that in the case of the installation of guardrails, that sufficient length be allowed to accommodate tension forces and isolated sections of guardrail are not acceptable; and

(d) shall have measures taken to prevent the entry of water into and the accumulation of water or moisture on or in any advertising sign or any part of its supporting framework, brackets or other members.

(3) No person shall, in the course of erecting or removing any advertising sign, advertisement structure or device, cause damage to the environment, including any tree or vegetation or, electrical standard or bulk service or other public installation or property.

(4) If an advertising sign contains glass, it shall adhere to the following:

(a) all glass used in advertising signs (other than glass tubing in neon and similar advertising signs) shall be safety glass at least 3 mm thick; and

(b) glass panels used in advertising signs shall not exceed 0,900 m² in area, each panel being securely fixed in the body of the advertising sign, structure or device independently of all other panels.

(5) Before any advertising structure is erected, it must be considered by the CHIEF ALBERT LUTHULI MUNICIPALITY, whether it is suitably positioned and orientated.

(6) No advertisement or advertising sign may;

(a) obstruct any window or opening provided for the ventilation of a building or obstruct any stairway or doorway or other means of exit from a building or prevent the movement of persons from one part of a roof to another part; or obstruct any fire escape or the means of egress to a fire escape;

(b) be painted on a boundary wall, bridges, any water tower, reservoir or silo;

(c) be higher than the height restriction in terms of the relevant Town Planning Scheme of that specific site or the direct surrounding sites, as amended from time to time unless a relaxation has been obtained in terms of such Town Planning Scheme;

(d) encroach on the building restriction area unless a relaxation has been obtained in terms of the relevant Town Planning Scheme as amended from time to time;

(e) be erected within or over any building line or servitude, unless specific approval has been granted by the relevant authority;

(f) Exceed the minimum clearance with regard to overhead power lines as prescribed in regulations 15 of the Electrical Machinery Regulations (No R1593 in GG1 1458 of 12 August 1988). (Permission must be obtained from the relevant supply authority before any advertising structure may be erected in or close to a power line servitude);

(g) Unreasonably obscure, partially or wholly, any advertising sign or advertisement owned by another person previously legally erected and legally displayed; and

(h) in any way be altered, moved or re-erected, nor shall any alteration be made to the electrical wiring system of such sign except for the purpose of renovating or maintenance, without the further approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

(7) No advertising sign may exceed the prescribed height in terms of the BY LAW or the permitted height on that specific site or on the surrounding I adjacent sites, as allowed for in the relevant Town Planning Scheme or approved zoning for the site, whichever is the lesser, unless specifically approved by the Municipality.

(8) All freestanding advertising signs located adjacent to a road reserve boundary of any road except a metropolitan road, shall maintain a minimum distance from the road reserve boundary equal to the height of the advertising sign, measured from the nearest pole to the road reserve boundary.

(9) All advertising signs or advertisements located directly adjacent to a national or provincial road reserve, will be considered in terms of the criteria of that specific order of road, including but not limited to illumination, spacing, height, etc.

(10) If required by the CHIEF ALBERT LUTHULI MUNICIPALITY, the structural design of an advertising structure shall be certified by a professional structural engineer with relevant experience. The engineer shall satisfy the CHIEF ALBERT LUTHULI MUNICIPALITY that the structure will be adequate to secure, fix or support any advertisement, or screen to resist all loads and forces to which the advertising sign, structure, advertisement or screen may be exposed and the sufficiency of the margin of safety against failure, in compliance with the provisions of regulation BI of the National Building Regulations

published under Government Gazette No. 9613, dated 1 March 1985, and as amended from time to time.

14. MAINTENANCE

(1) Any advertising sign as permitted shall, on a regular basis, be maintained in good repair in a safe condition and according to the highest standards as regards quality of structures, posting and signwriting.

(2) The owner of any land or building on which an advertising sign, structure or advertisement is displayed or erected, or attached, and the owner of any such advertising sign, structure or advertisement shall be jointly and severally responsible for the maintenance thereof in a safe and proper condition, maintaining the surrounding area in a neat and tidy state and the cleaning and repainting of any such advertising sign, structure or advertisement. The owners will be liable for the consequences of not doing so, and must undertake at least one annual inspection thereof in order to comply with the CHIEF ALBERT LUTHULI MUNICIPALITY's requirements.

(3) If, in the opinion of the CHIEF ALBERT LUTHULI MUNICIPALITY, any advertising sign or any part thereof is in a dangerous or unsafe condition or has been allowed to fall into a state of disrepair or interferes with the functioning of any road traffic sign, the CHIEF ALBERT LUTHULI MUNICIPALITY may serve a notice on an owner of the advertising sign, structure or advertisement and/or the owner of the land on which such is situated, requiring him at his own cost, to remove it or do other work specified in the notice within a period so specified. No compensation shall be payable by the Council to any person in consequence of such removal.

(4) The CHIEF ALBERT LUTHULI MUNICIPALITY may, instead of serving notice, itself carry out the removal of an advertisement, advertising sign or advertising structure or do other work which it may deem necessary. The CHIEF ALBERT LUTHULI MUNICIPALITY may recover the cost thereof from the owner of the advertising structure, owner of the land or the owner of the advertisement.

Where CHIEF ALBERT LUTHULI MUNICIPALITY is the land owner, the cost shall not be recovered from the land owner.

(5) All advertising signs or any part thereof shall be secured in a manner so as to not constitute a danger to the public. The land owner on which property such is located and the owner of the advertising structure, assume all responsibility and liability, indemnifying the CHIEF ALBERT LUTHULI MUNICIPALITY against any claim which may arise. When CHIEF ALBERT LUTHULI MUNICIPALITY is the land owner, the responsibility and liability is with the owner of the advertising structure and the CHIEF ALBERT LUTHULI MUNICIPALITY is to be indemnified by the owner of the advertising structure.

(6) Any sign displayed for advertising or giving information regarding the name of the occupier of premises or nature of the business conducted on such premises, shall be removed forthwith upon the owner of the structure ceasing to occupy the premises.

(7) No sign shall be erected or maintained in such a manner as to impede on landscaping, causing trees and other plants to be removed or trimmed to ensure that the advertising sign, structure or advertisement remain visible, without the consent of the CHIEF ALBERT LUTHULI MUNICIPALITY. The cost thereof will be for the account of the applicant.

15. ELECTRICAL AND ILLUMINATION

(1) Every illuminated advertising sign and every advertising sign in which electricity is used

(a) shall have power cables and conduit containing electrical conductors positioned and fixed so that they are not unsightly in the opinion of the

CHIEF ALBERT LUTHULI MUNICIPALITY;

(b) shall be constructed of material which is not combustible;

(c) shall be provided with an external switch in an accessible position and if needed as directed by the Emergency Services, and at a height of at least three metres from the ground whereby the electricity supply to the advertising sign may be switched off;

(d) shall be wired and constructed in accordance with and subject to the provisions of the CHIEF ALBERT LUTHULI MUNICIPALITY's electricity supply bylaws;

(e) no advertising sign shall be connected to any electricity supply without the prior written permission of the relevant electricity supply authority. It shall be in accordance with the provisions of the "Standard Regulations for the Wiring of Premises" or any other standard rules for the electrical wiring of premises or structures. Such proof of permission shall be submitted if requested; and

(f) which is likely to interfere with radio reception shall be fitted with efficient suppressers.

(2) The following maximum luminance levels per square metre for all classes of advertisements that is permitted (as permitted by the International Commission on Illumination):

Illuminated area	Maximum luminance
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Less than 0,5 m ²	1 000 candela/m ²
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0,5 m ² < 2 m ²	800 candela/m ²
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2 m ² < 10 m ²	600 candela/m ²
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10 m ² or more	400 candela/m ²
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(3) The light source emanating from floodlights shall not be visible to traffic travelling in either direction.

(4) Floodlighting shall be positioned to ensure effective distribution and minimise light wastage or "spill".

(5) Illumination is permitted on an advertisement or advertising sign only if it does not lead to unsafe driving conditions, or does not have a detrimental effect on the surrounding area and where it is specifically not prohibited.

(6) An advertisement or advertising sign may not be illuminated unless the road is lit by overhead lighting over the full distance within which the advertisement is visible from that road and the source of the illumination is concealed from oncoming traffic.

(7) If an advertisement or advertising sign is visible from more than one road, the advertisement or advertising sign may not be illuminated unless both these roads are illuminated.

(8) An electronic advertisement or advertising sign may not inhibit the view of or cause discomfort to a driver or pedestrian or be in the direct line of sight of a traffic light.

(9) An electronic advertisement may not have subliminal flashes.

(10) Light not intended for illumination may only be utilised if it is allowed for in the environmental plans of the CHIEF ALBERT LUTHULI MUNICIPALITY.

(11) No light beam may be moved or directed in such a manner as to distract the attention of drivers of Vehicles from the task of driving.

(12) No light source or beam of light not meant for illumination may be positioned or aimed so as to shine directly onto, or at, a public road.

(13) No advertisement or advertising sign shall, if illuminated, be erected in such a way that it may have a detrimental effect on the amenity of a residential building on a residential zoned erf or, in the opinion of the CHIEF ALBERT LUTHULI MUNICIPALITY, could be detrimental to the character or amenity of the neighbourhood.

(14) Before any advertising structure is erected, it must be considered by the CHIEF ALBERT LUTHULI MUNICIPALITY, whether the illumination of the advertisement or advertising sign is likely to distract drivers' attention from road traffic signs which are not illuminated.

(15) An electronic advertisement or advertising sign may not inhibit the view of or cause discomfort to a driver or pedestrian or be in the direct line of sight of a traffic light.

(16) An electronic advertisement must be static for at least 5 seconds per advertisement or any part of the advertisement.

(17) In areas of maximum control no internally illuminated sign inside a building shall be visible from outside the building.

16. CONTENT, AMENITY AND DECENCY

(1) Advertisements positioned along roads and specifically targeting the road user shall be concise and legible and shall comply with the following requirements:

(a) Bit values shall be calculated as follows per element of an advertisement:

Words of up to eight letters, inclusive 1,0 bit

Words of more than eight letters 2,0 bits

Words such as "a, the, than, and, an" 0,25 bits

Numbers of up to four digits, inclusive 0,5 bits

Numbers of five to ten digits 1,5 bits

Symbol, logo or graphic 0,5 bit

Background graphics (depending on the destructiveness of the graphics 1, 0 to 3, 0 bits

(b) The following signs shall adhere to the number of bits and size of the text as indicated below:

Billboards, gantries, product replicas and three dimensional advertising signs, sky signs, flat signs, advertising on bridges, landscape— advertisements, advertisements on water towers, reservoirs and silos, construction site advertising signs:

Speed of the road (km/h) Bits allowable Minimum size and height of letters

0 60

15 150mm

61 80

12 250mm

> 80 10 350mm

(c) For all other type of advertisements, the text size shall be a minimum of

50mm high, and shall be considered by the CHIEF ALBERT LUTHULI MUNICIPALITY for readability before it can be approved.

(2) An advertising sign shall have a neat appearance in terms of advertisement content and sign writing, and shall not contain untidy handwritten messages.

This shall be done to the satisfaction of the CHIEF ALBERT LUTHULI MUNICIPALITY.

(3) No message may be spread across more than one advertisement, advertising sign or advertising sign panel.

(4) Numbers longer than ten digits are not permitted.

(5) No advertisement shall, in terms of its content, be in conflict with the guidelines or standards laid down from time to time by the Advertising Standards Authority of South Africa (ASASA), or any similar body recognised as representing the industry, be objectionable, indecent or suggestive of indecency or prejudicial to the public morals.

(6) Advertisement not provided for by ASASA, shall in the opinion of CHIEF ALBERT LUTHULI MUNICIPALITY, not contain any element which distracts the attention of drivers in a manner likely to lead to unsafe driving conditions.

(7) Before any advertising sign is erected, the advertisements must be considered by the CHIEF ALBERT LUTHULI MUNICIPALITY, whether:

(a) the size of the advertisement, or any portion thereof by way of its colour, letter size, symbol, logo, graphics or illumination, will result in the advertisement having a distracting effect on the attention of drivers of vehicles to the task of driving and lead to unsafe driving conditions;

(b) the colour, or combination of colours, contained in the advertisement correspond with the colours or combinations of colours specified for road traffic signs in the regulations promulgated under the National Road Traffic Act;

(c) the portrayal of a road traffic sign in the content of an advertisement will constitute a road safety hazard and could be mistaken to represent a road traffic sign;

(d) the amount of information contained in the advertisement, measured in bits, is within prescribed limits.

17. POSITIONING AND SIZE CONCERNING ROAD SAFETY AND TRAFFIC CONSIDERATIONS

(1) No advertisement, advertising structure or sign shall;

(a) in the opinion of the roads authority be so placed which distracts the attention of drivers or pedestrians in a manner likely to lead to unsafe driving conditions;

(b) be so placed which cause any obstruction to a motorist's view of the roadway or its approaches, regardless of the direction the motorist is travelling;

(c) be attached to, combined (unless specifically provided for in the South African Road Traffic Signs Manual (SADC RTSM)), obscure, create confusion with or interfere with the functioning of a road traffic sign or signal or create a road safety hazard in the opinion of the roads authority;

(d) be erected that is equal to or smaller than 4,5m² unless specifically classified in this BY LAW;

(e) in the opinion of the roads authority obscure a pedestrian's or driver's view of pedestrians, road or rail vehicles and features of the road, railway or pavement such as junctions, bends and changes in width;

(f) be erected closer than a minimum of 0, 5m from the edge of the advertising sign to the vertically projected edge of the shoulder of the road; and 0, 3m from a cycle path, footpath or sidewalk;

(g) project over a sidewalk or pedestrian circulation route, unless the clear height of such an advertising sign exceeds 2,4m and for a cycle circulation route a clear height of 3, 0m;

(h) overhang onto a roadway or shoulder (if not on a bridge or a gantry);

(i) project over an adjacent Erf boundary, except where specific consent has been granted by the relevant land owner, or over any road reserve boundary (excluding projecting signs, flat signs and permanent flags);

(j) be located directly in front of, or behind a road traffic signal or in the opinion of the roads authority, constitute a road safety hazard.

(2) Before any advertising sign is erected, it must be considered by the CHIEF ALBERT LUTHULI MUNICIPALITY, whether:

(a) the size of the advertising sign, together with other advertising signs in the area, if any, will enhance clutter or affect the conspicuousness of road traffic signs by virtue of potential visual clutter;

(b) the number of road traffic signs and advertisements in any area constitute a driving hazard, due to the attention of drivers of vehicles being deviated from the task of driving and leading to unsafe driving conditions;

(c) the speed limit, and the measure of the traffic's adherence thereto, the traffic volume, the average following headway and accident history of the road demand more stringent control of outdoor advertising;

(d) the position of the advertisement or advertising sign will negatively affect the visibility of, sight distance to or efficiency of any road traffic sign, or series of such signs;

(e) the position of an advertisement or advertising sign would disrupt the flow of information from road traffic signs to drivers who encounter a series of road traffic signs intended for traffic regulation, warning or guidance;

(f) the position of any advertisement or advertising sign would potentially distract drivers' attention at places where traffic turns, negotiates curves, merges or diverges, or in the area of intersections or interchanges, or where drivers' uninterrupted attention to the driving task is important for road safety;

(g) the distance between advertising signs where the advertisement and the content of the road sign are visible from the same direction of travel before, between or behind any road traffic sign is of such a nature as to distract a driver's attention from any road traffic sign.

18. AREAS OF CONTROL

Three areas of control apply areas of maximum control, areas of partial control, and areas of minimum control. These areas of control. Address the potential interaction between basic landscape sensitivity and advertising sign impact. In addition, traffic safety is taken into consideration when it comes to the determination of an area of control.

The evaluation of the advertising sign type versus the area of control (i.e. the degree of impact versus the degree of sensitivity) facilitates the establishment of actual advertising opportunities and constraints. It is generally recognised, even by the advertising signage industry, that outdoor advertising can have a detrimental effect upon the urban environment in certain locations. It is, therefore, essential that areas of control and the nature of control to be exercised are defined in specific terms.

In keeping with the SAMOAC approach, and in terms of the vision for the municipality, it is proposed that there is no such thing as an area without any form of control: minimum standards for all forms of outdoor advertising must be adhered to in order to give effect to the vision.

Taking cognisance of those urban characteristics, which are specific to the CHIEF ALBERT LUTHULI MUNICIPALITY area, the three control categories described above, namely "maximum", "partial" and "minimum" are proposed. The practical application of these control categories to the evaluation of outdoor advertising applications is listed below. The land use categories described in the tables are purely generic and do not refer to a specific Town Planning

Scheme. When an assessment is evaluated, the Town Planning Scheme applicable to the erf in question will be consulted for specific zoning details. Notwithstanding the designation of the areas of control, the CHIEF ALBERT LUTHULI MUNICIPALITY may approve the erection of an advertising sign or advertisement on Council owned land if there is no major impact on surrounding areas. In instances where the area of control is unclear, the legal activities on the property as well as the surrounding areas, will be used as a basis of determining the areas of control, in the instances such as undetermined and special.

The following types of land uses can be classified under the areas of control, as listed below:

(1) MAXIMUM CONTROL

(a) Natural Landscape:

National Parks

Game reserves

Nature reserves

Scenic corridors

Scenic landscapes

(b) Rural Landscape:

Agricultural land / Farm land

Rural smallholdings

Unproclaimed township p area

Areas outside the urban edge as determined by the relevant Town Planning documents

(c) Urban Area of Maximum Control:

Conservation areas and natural features inside the urban edge

Passive recreation areas such as parks and non-commercial squares

Scenic features and areas

Historical and architectural sites

All residential areas

Plots and urban smallholdings (which are proclaimed)

Home undertakings within residential areas

Specifically proclaimed heritage areas and buildings

Cemeteries

(2) PARTIAL CONTROL

Urban Area of Partial Control:

Commercial enclaves, shopping centres and office blocks in residential areas,

Commercial ribbon development,

Educational facilities, TVET and other Colleges

Sports fields or stadiums

(3) MINIMUM CONTROL

Urban Area of Minimum Control:

Commercial areas

Office blocks

Shopping centres

Industrial areas

Infrastructure Services

Transport nodes (such as taxi and bus ranks, railway stations, airports etc)

Mine dumps and surrounding mining land

(4) If required, for whatever reason, the surrounding area, adjacent properties, or the current legal use may provide guidance when determining the area of control.

SECTION C: CRITERIA FOR DIFFERENT TYPES OF ADVERTISING

SIGNS AND ADVERTISEMENTS

19. POSITION AND SPACING

(1) The following criteria as included in Table 1 will apply, unless otherwise specified, for position and spacing requirements between any form or combination of any two of the following advertising signs or advertisements, namely:

Billboards, gantries, product replicas and three dimensional advertising signs, flat signs, advertising on bridges, landscape advertisements and all other relevant advertising signs as required by CHIEF ALBERT LUTHULI MUNICIPALITY.

Table 1: Position & Spacing Requirements

Speed

Distances required between advertising signs visible from each other, measured from the nearest pole of the advertising signs

Distances required between advertising signs where the advertisement and content of the road sign are visible for the same direction of travel measured from the nearest pole of the advertising sign to the road sign, parallel along the road where the sign is located

Distance required from advertising signs to intersection measured from the nearest pole of the advertising sign to the centre of the cross road, parallel along the road where the sign is located

0 < 60 250m 50m 100m

61 80

250m 50m 100m

> 80 250m 200m 200m

Spacing Requirements: Small Electronic Billboards

0 < 60 1, 5km apart 50m 200m 61 80

1, 5km apart 50m 200m

> 80 2km apart 200m 200m

All distance will be measured from the closet edge of the advertising sign to the relevant point.

(2) A single sided advertising sign shall be displayed perpendicular to or at an angle of 30° to the direction of oncoming traffic as indicated in Figure 1. In the case of an advertising sign comprising of more than one side the advertisement shall be displayed with the axis of symmetry perpendicular to the direction of the oncoming traffic as indicated in Figure 1.

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Figure 1: Positioning of advertising signs in relation to traffic flow

20. BILLBOARDS

(1) The following criteria as included in Table 2 will apply for billboards and any other advertising signs, as prescribed:

Table 2: Location, Size and Height

Super Billboards Large Billboards

Small Billboard sand Electronic signs

Area of control Minimum Minimum I Partial Minimum / Partial

Size of advertisement > 40 81m

² > 18 40m

² > 4,5 18m²

Speed (where permitted Any speed Only on roads with speed limits < 80 kph

Only on roads with speed limits < 80 kph

Maximum Height of advertising sign 12,5m 10,5m 5,5m

Billboards may be permitted inside metropolitan road reserve or other Municipal owned land, with specific attention to:

- ° Road Safety (Section 18),
- ° Combination and clutter of advertising,
- ° Environment impact.

(2) The clear height of the advertising structure shall not be less than 2,4m.

(3) Criteria as included in Table 1 and Figure 1 above, applies.

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(4) Illumination is only permitted if the road along where the billboard is located, is illuminated, and only if it does not constitute a road safety hazard or cause undue disturbance. No animation is permitted, except for small electronic billboards.

(5) General requirements, as stated in Section 13 to .18 apply.

(6) An environmental impact assessment (EIA) shall be required for any super or large billboard.

(7) An advertising impact assessment (AIA) may be required for a small electronic billboard.

(8) No billboard may be erected within a band of 100m from the edge of any area of maximum control, measured from the nearest pole of the advertising sign.

(9) If positioned in the road reserve, the horizontal clearance of the footing or the upright of the advertising structure shall be a minimum of 5m from the shoulder breakpoint of the road. In the event of a kerbed road, 4,5m will be permitted. If protected by guard rails, the horizontal clearance of the footing or the upright may be reduced to 2,5m.

(10) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

21. GANTRY ADVERTISING SIGNS

(1) This class will only be permitted in urban areas of minimum control. No gantry may be erected within a band of 100m from the edge of any area of maximum control, measured from the nearest pole of the advertising sign. Should the uprights of a gantry be positioned adjacent to areas of minimum and partial control respectively, the area of control will be classified as minimum control.

(2) The size and height of advertising signs allowed in this class, are as follows:

(a) Size of advertisement: 36m² to 81m².

(b) Maximum height from the road surface to the top of the advertising sign: 12,5m.

(c) Clear height of the advertising sign from the highest point of the road surface: 5,7m.

(3) Criteria as included in Table 1 above apply, and in addition gantries shall be spaced at least 1km apart on roads with a speed limit of < 80kph if visible from each other.

(4) This class consists of two types of gantries, namely:

(a) A portal gantry is a structure which is mounted on both sides of a road surface within the road reserve.

(b) Dependant on the width of the roadway, a maximum of two equal sized advertisement panels with a maximum size of 81m² each may be considered next to each other on the same gantry structure. Only two advertisements may be displayed which must be positioned directly above and visible for traffic passing underneath the structure in the specific direction of travel. The back display area of these advertisement panels, shall not flight an advertisement and must be cladded at all times for aesthetical purposes.

(c) The two advertisement panels may also be positioned back to back to form one unit, positioned in the middle of the gantry structure. If the back display area does not flight an advertisement, it must be cladded at all times for aesthetical purposes.

(d) A cantilever gantry is a structure mounted with an overhang onto a shoulder or a roadway, erected within the road reserve on the median of a divided dual carriageway. Dependant on the width of the roadway, a maximum of two equal sized advertisement panels with a maximum size of 81m² each may be considered, and must be displayed back to back. If the back display area does not flight an advertisement, it must be cladded at all times for aesthetical purposes.

(5) The horizontal clearance of the footing or the upright of the advertising structure shall be a minimum of 5m from the shoulder breakpoint of the road. In the event of a kerbed road, 4,5m will be permitted. If protected by guard rails, the horizontal clearance of the footing or the upright may be reduced to 2,5m.

(6) Illumination of the sign is only permitted if the road along where a gantry is located is illuminated and only if it does not constitute a road safety hazard or cause undue disturbance. No animation is permitted.

(7) General requirements as in Section 13 to 18 apply.

- (8) An advertising impact assessment (AIA) may be required for any gantry.
- (9) A gantry will be permitted inside a metropolitan road reserve, subject to acceptable compliance with the following criteria:
- (a) Road Safety (Section 18)
 - (b) Combination and clutter of advertising
 - (c) Environment impact.
- (10) The structure is to display an advertisement/s on display panels of the advertising structures at all times for aesthetical purposes.
- (11) This class of advertising sign as well as the design of the advertising structure is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

22. PRODUCT REPLICAS AND THREEDIMENSIONAL

ADVERTISING SIGNS

- (1) This class will be permitted in areas of partial and minimum control.
- (2) The size and height of advertising signs allowed in this class are as follows:
- (a) Size: Partial Control: Vertical Maximum: 1,5m
Diameter Maximum: 1m
Minimum Control: Vertical Maximum: 2m
Diameter Maximum: 1 3m
 - (b) Height from ground level to the top of the advertising sign:
Partial Control: 3m
Minimum Control: 4m
- (3) Criteria as included in Table 1 and Figure 1 above apply for advertising signs with non-locality bound advertisements.
- (4) The position and spacing requirements for this class of signs are as follows:
- (a) The relevant Consent use or Town Planning Scheme is applicable.
 - (b) One sign per street frontage (maximum two per site).
 - (c) If at shopping centres, the number of signs can be considered by CHIEF ALBERT LUTHULI MUNICIPALITY.
- (5) These advertising signs may only be illuminated if the road is illuminated, animation may be permitted. –

(6) This class consists of product replicas and other three dimensional devices used for the purpose of advertising and may be freestanding or attached to a building. This advertising sign type shall be associated only with shopping centres, or other commercial areas, or industrial areas.

(7) General requirements as stated in Section 13 to 18 apply.

(8) This class shall not include signage for small businesses on urban residential sites or on buildings that house residential home undertakings and community institutions.

(9) Product replicas shall not dominate prominent architectural features of any building.

(10) No product replica or three dimensional advertising sign may be erected within a band of 100m from the edge of any area of maximum control, measured from the nearest pole of the advertising sign.

(11) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

23. SKY SIGNS

(1) This class will be permitted in areas of partial and minimum control.

(2) The size and height of advertising signs allowed in this class are as follows:

(a) Size: 75m² — 300m² per building

(b) Height: to be considered by the CHIEF ALBERT LUTHULI MUNICIPALITY.

(c) Larger signs which may become landmarks may be considered by the CHIEF ALBERT LUTHULI MUNICIPALITY.

(3) The position and spacing requirements for this class of advertising signs are as follows:

(a) Shall be spaced at least 5km apart or at specific positions to be considered by the CHIEF ALBERT LUTHULI MUNICIPALITY.

(b) Shall not obstruct the view from other buildings

(4) These advertising signs may be illuminated but not animated.

(5) This class consists of very large advertising signs between 75m² and 300 m² on top of sky scrapers in metropolitan areas. It may also include any advertising sign consisting of a single line of freestanding, individual, cutout, silhouetted letters, symbols or emblems.

(6) General requirements as stated in Section 13 to 18 apply.

(7) An environmental impact assessment (EIA) shall be required for any sky sign.

(8) No sky sign may be erected within a band of 100m from the edge of any area of maximum control, measured from the nearest pole of the advertising sign.

(9) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

24. ROOF SIGNS

(1) This class will be permitted in urban areas of partial and minimum control.

(2) The size and height of advertising signs allowed in this class, are as follows:

(a) Size of advertisement area:

Maximum control: Maximum area: 12m²

Partial! Minimum control: Maximum area: 18m²

(b) Height: may not be higher than the height restriction in terms of the relevant Town Planning Scheme

(3) The position and spacing requirements for this class of advertising signs are as follows:

(a) Only locality bound advertisements.

(b) Maximum one advertising sign per building.

(c) Not project in front of a main wall of host building.

(d) Bottom of sign not more than 120mm above roof.

(4) These advertising signs may be illuminated, but not animated.

(5) This class consists of advertising signs which are fixed to the roofs of buildings lower than 15 floors and used or partly used for commercial, office, industrial or entertainment purposes, it may also include any advertising sign consisting of a single line of freestanding, individual, cutout, silhouetted letters, symbols or emblems.

(6) General requirements as stated in Section 13 to 18 apply.

(7) An environmental impact assessment (EIA) shall be required for any roof sign.

(8) No roof sign may be erected within a band of 100m from the edge of any area of maximum control, measured from the nearest edge of the advertising sign.

(9) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

25. FLAT SIGNS

(1) This class will be permitted in all areas of control. In areas of maximum control, only locality bound signs will be permitted.

(2) The size of advertising signs allowed in this class, are as follows:

Locality bound:

Maximum control: Maximum Area: < 20% per ground floor facade.

Partial & Minimum control: Maximum Area: < 30% per ground floor facade.

Shopping centres: Maximum Area: < 30% of specific facade

Non locality bound:< 72m² or a maximum area of 50% of the wall area, whichever is the lesser.

(3) The position and spacing requirements and some general conditions for this class of advertising signs are as follows:

(a) Maximum control: One per business per street frontage.

(b) Partial & minimum control: Two per business per street frontage.

(c) Not to obstruct or conceal any windows or the view or light from such windows or any opening provided for the ventilation.

(d) Not to extend above top / beyond either end of wall.

(e) May not project more than 75mm if less than 2,4m above sidewalk or ground level or 300mm where an advertising sign is more than 24m above the sidewalk or ground level.

(f) Where locality bound and non locality bound advertisement are located on one building, it may not be combined, constructed or affixed in any manner on one wall.

(g) Criteria as included in Table 1 —and Figure 1 above, applies for non locality bound advertisements.

(4) These advertising signs may be illuminated but not animated.

(5) This class consists of advertising signs which are affixed to any external or main wall of a building used for commercial, office, industrial or entertainment purposes, excluding a parapet wall, balustrade or railing of a veranda or balcony of such a building. It may consist of a panel/sheet or of individual numbers, letters or symbols.

(6) General requirements as stated in Section 13 to 18 apply.

(7) An advertising impact assessment (AIA) may be required for any flat sign of 36m² or larger.

(8) This advertising sign type shall not be applicable to buildings used for residential purposes or for community services or community institutions, small businesses and practices on residential premises, or small scale residential oriented accommodation.

(9) No nonlocality bound flat sign may be erected within a band of 100m from the edge of any area of maximum control, measured from the nearest edge of the advertising sign.

(10) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY, except locality bound flat signs smaller than 36m².

26. ADVERTISEMENTS ON A WATER TOWER, RESERVOIR AND SILO

(1) This class will only be permitted in predominantly minimum control and not within close proximity of, or have an impact on any other area of control.

(2) The total advertisement area shall not exceed 50% of the shaped walls.

(3) The position and spacing requirements and general conditions for this class of advertisements are as follows:

(a) Where there is more than one water tower, reservoir or silo on one premises, locality bound advertisements may be flighted on each individual structures.

(b) Only one advertisement per silo, water tower or reservoir structure will be permitted.

(c) Locality bound and nonlocality bound advertisements may not be combined / displayed on either one structure or separate structures on one premises.

(d) Only one nonlocality bound advertisement will be permitted in a radius of 5km.

(e) Not to extend above the top/beyond the walls.

(f) Such signs shall at no point project more than 300mm from the surface of the shaped wall.

(4) These advertising signs may not be illuminated or animated.

(5) This class consists of advertising signs which are affixed to, but not painted on, any shaped wall of a private owned water tower, reservoir and silo. It may consist of a panel, sheet or of individual numbers, letters or symbols.

(6) General requirements as stated in Section 13 to 18 apply.

(7) An advertising impact assessment (AIA) may be required.

(8) The advertising sign must be shaped according to the outline of the structure.

(9) This sign shall consist of a separate structure which is properly affixed to the shaped wall.

(10) No advertisement may be painted on any water tower, reservoir or silo.

(11) No advertising sign may be erected within a band of 100m from the edge of any area of maximum control, measured from the nearest edge of the advertising sign.

(12) This classes subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

27. ADVERTISING ON BRIDGES

(1) This class will be permitted in urban areas of partial and minimum control.

(2) The size and height of advertising signs allowed in this class, are as follows:

(a) Size: Maximum area: 36m² per structure

The advertising sign may not extend beyond the top of or above, below or beyond the extremities of the bridge.

(b) Clear Height 5,2m

- (3) The position and spacing requirements for this class of advertising signs are as follows:
- (a) Criteria as included in Table 1 and Figure 1 above, applies.
 - (b) Not on bridges across any freeway.
 - (c) Not over any national or provincial road.
 - (d) A maximum of 2 advertising signs/bridge shall be permitted.
 - (e) Not projecting more than 0,3m from main wall of bridge.
- (4) Illumination is only permitted if the road along where this advertising sign is located is illuminated and only if it does not constitute a road safety hazard or cause undue disturbance and if the source of illumination is concealed from oncoming traffic. Animation is not permitted.
- (5) This class consists of advertising signs affixed to or on bridges not used primarily for advertising purposes.
- (6) General requirements as stated in Section 13 to 18 apply.
- (7) Any advertising sign permitted by this class shall be affixed to the bridge in a manner which has been designed and erected to the satisfaction of the CHIEF ALBERT LUTHULI MUNICIPALITY
- (8) No bridge advertising sign may be erected within a band of 100m from the edge of any area of maximum control, measured from the nearest edge of the advertising sign.
- (9) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

28. LANDSCAPE ADVERTISEMENTS

- (1) This class will be permitted in areas of partial and minimum control.
 - (2) The size of the advertisement allowed in this class will be determined by CHIEF ALBERT LUTHULI MUNICIPALITY.
 - (3) Criteria as included in Table 1 above apply for this class of advertisement.
- Landscaping can be done closer to the intersection, but no part of the advertisement shall be permitted within the distances as specified in Table 1.
- (4) This class of advertisements may be permitted in road reserves and on embankments, but not on traffic circles, islands and medians.
 - (5) If these identified locations are utilized by pedestrians or cyclists, provision must be made for ease of movement, to the satisfaction of CHIEF ALBERT LUTHULI MUNICIPALITY.
 - (6) These advertisement may be illuminated, but not animated.
 - (7) This class consists of advertisements comprising of horticultural designs and can include but are not limited to flowers, grass, stones and ground cover.

- (8) General requirements as stated in Section 13 to 18 apply, where relevant.
- (9) Advertisements in this class shall only display the name, logo and slogan of the advertiser.
- (10) The site may not be located directly in front of, or behind a road traffic signal in such a way that the traffic signal head might fade away in the colours of the advertisement being displayed.
- (11) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

29. ADVERTISING SIGNS AT EDUCATIONAL FACILITIES AND SPORT STADIUMS AND FIELDS

- (1) This class will be permitted in all areas of control.
- (2) The size and height of the sponsored –advertising signs indicating the name are as follows:
 - (a) Size: Maximum of 12m²
 - (b) Height: Maximum of 5,5m.
 - (c) Clear height: 2,4m.
 - (d) Sponsor name or logo: Maximum of 1/3 of total advertisement area.
- (3) A maximum advertisement area per 100m of street front of 36m² shall be permitted for the display or combination of advertising signs on boundary walls and fences, permanent flags and freestanding advertising signs smaller than 4,5m².
- (4) Any other form of advertising sign or advertisement may be displayed, subject to the criteria for that specific type of advertising sign or advertisement, with specific attention to cluttering.
- (5) Only one sponsored advertising signs indicating the name shall be permitted per street frontage.
- (6) Illumination is permitted in areas of minimum and partial control, while only limited external illumination shall be permitted in areas of maximum control, but not animated.
- (7) This class consists of the display of advertising signs on boundary walls and fences, permanent flags, equal sized freestanding advertising signs smaller than 4,5m² and may include a sponsored advertising sign indicating the name, along the street frontage of educational facilities and sport stadiums and fields.
- (8) General requirements as stated in Section 13 to 18 apply.
- (9) Advertising signs displayed along a street frontage shall adhere to the specific requirements of that class of signs.
- (10) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

30. SERVICE FACILITY SIGNS

- (1) This class will be permitted in all areas of control.
- (2) The size and height of advertising signs allowed in this class, are as follows:

Speed Maximum Height Maximum Width

0 < 60 7m 2m

61 80

10m 3m

> 80 15m 6m

(3) A maximum of eight advertisement panels shall be permitted per service facility sign and only one business or service shall be permitted per advertisement panel.

(4) The position and spacing requirements for this class of advertising signs are as follows:

(a) Only at service facilities adjacent and directly accessible from road where sign is.

(b) One combination sign per site which may be double sided.

(c) Located according to requirements of roads authority.

(d) Not on road median or on island.

(e) If the advertising sign cannot be located on the site and has to be located

in the road reserve, specific approval shall be obtained both from the

CHIEF ALBERT LUTHULI MUNICIPALITY and the relevant roads authority. It should then be located as close as possible to the access and in front of the service facility site.

(5) These advertising signs may be illuminated only if the facility is open 24 hours or during business hours of the specific service. No animation is permitted.

(6) This class consists of combination signs displayed at filling stations and roadside service areas (rest and service areas) which may provide a variety of services such as fuel pumps, workshops, restrooms, car washes, shops, accommodation facilities, restaurants, fast food outlets and autotellers.

(7) General requirements as stated in Section 13 to 18 apply.

(8) Advertisements on such combination signs shall refer only to the name and logo of a business, company or person providing a service or shall indicate the type of service provided. Only advertisements for locality bound services shall be permitted.

(9) Supplementary signs at roadside service areas, which do not form part of a combination sign permitted under this class, shall be used for internal direction and orientation only and shall not be aimed at passing motorists.

(10) No sky cannons may be displayed without specific approval from the Council.

(11) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY, except internal direction and orientation signage.

31. ON PREMISES

BUSINESS SIGNS

(1) This class will be permitted in the following areas of control:

(a) Individual advertising signs: All areas of control.

Infrastructure Services

41

(b) Combination signs: Partial and minimum control

(2) The size and height of individual advertising signs allowed in this class, are as follows:

(a) Size: Maximum control: Maximum area: 6m²

Partial I Minimum control: Maximum area: 12m²

(b) Height: Maximum 7,5m (may be increased to 10,5m if permitted in Town

Planning Scheme)

(c) Sponsor name or logo: Maximum of 1/3 of total advertisement area.

(3) The size and height of combination signs are as follows:

(a) Size: Maximum 16m²

Maximum size may be increased to 23m² if height restriction is relaxed in terms of the Town Planning Scheme

Minimum dimension per panel: 1m x 1m

Not less than four and not more than ten panels per side will be permitted

(b) Height: Maximum 7,5m

Height may be increased to 10,5m if permitted in Town

Planning Scheme

(c) Width of structure: Not less than 2,1m

Not more than 3m

(d) Clear Height: 2,4m

(4) The position and spacing requirements for these advertising signs are as follows:

(a) Only locality bound advertisements.

- (b) Individual freestanding advertising signs will only be permitted if unable to affixed to the building.
- (c) The relevant Consent use or Town Planning Scheme is applicable.
- (d) One sign per street frontage (max two per site).
- (e) Placed close to business or if not close or visible from road, then at entrance road.
- (5) Preference will be given to combination signs. Combination signs may incorporate several businesses on one sign, using a single panel per business.
- (6) Illumination is permitted in areas of minimum and partial control, while only limited external illumination shall be permitted in areas of maximum control, but may not be animated.
- (7) This class consists of freestanding advertising signs with locality bound advertisements which are aimed at identifying and locating businesses and industries including farm stalls and businesses on farms and smallholding
- (8) General requirements as stated in Section 13 to 18 apply.
- (9) This class shall not include signage for small businesses on urban residential sites or on buildings that house residential home undertakings and community institutions.
- (10) No sign shall obstruct the view from any adjacent building.
- (11) Advertisements in this class shall refer only to the name; logo and nature of the business on the premises and no product advertising or advertising for sales of any kind are permitted on this advertising sign.
- (12) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

32. PROJECTING SIGNS

- (1) This class will be permitted in all areas of control.
- (2) The size and height of advertising signs allowed in this class, are as follows:
 - (a) Size: Maximum control: If below 6m: maximum 1,2m²
If above 6m: maximum 4m²
 - (b) Size: Partial /Minimum control: If below 6m: maximum 2,4m²
If above 6m: maximum 8m²
- (3) The position and spacing requirements for this class of advertising signs are as follows:
 - (a) Only locality bound advertisements.
 - (b) Only one per business façade.
 - (c) At an angle of 90 to the direction of oncoming traffic

(d) Horizontal distance between the edge of the advertising sign to the vertically projected edge of the shoulder: > 0.5m.

(e) May not project more than 300mm from the surface of the main wall.

(4) These advertising signs may be illuminated but not animated.

(5) This class consists of advertising signs which are affixed to an external wall of a building used for commercial, office, and industrial or entertainment purposes.

(6) General requirements as stated in Section 13 to 18 apply.

(7) This advertising sign type shall not be applicable to buildings used for residential purposes or for community services of community institutions, small businesses and practices on residential premises, or small scale residential oriented accommodation.

(8) A projecting sign may encroach on a sidewalk. It shall not be fixed at a clear height of less than 2,4m and for a cycle path a clear height of 3,0m nor exceed 300mm in thickness.

(9) A projecting sign shall not extend beyond the top of any wall.

(10) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

33. ADVERTISING SIGNS ON BOUNDARY WALLS AND FENCES

(1) This class will be permitted in all areas control.

(2) The size of the advertising signs allowed in this class, are as follows:

(a) Locality bound advertisement:

Maximum control: Maximum advertisement area 6m²

Partial I Minimum control: Maximum advertisement area 12m²

The relevant Consent use or Town Planning Scheme is applicable.

(b) Non locality bound advertisement:

Maximum size per advertisement: 3m²

Maximum advertisement area per 100m street front: 36m²

Advertising signs are to be of equal size.

(3) The position and spacing requirements for this class of advertising signs are as follows:

(a) Only one locality bound advertising sign per street frontage per premises.

(b) Non locality bound advertising signs: Minimum spacing of 5m intervals.

(c) It shall not extend above, below or beyond any extremity of the boundary wall or fence.

- (4) This class of signs may be illuminated, but not animated.
- (5) This class consists of advertising signs affixed to a boundary wall or fence.
- (6) General requirements as stated in Section 13 to 18 apply.
- (7) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

34. PAINTED ADVERTISEMENTS

- (1) This class will be permitted in areas of partial and minimum control.
- (2) The size of the advertisement allowed in this class, is as follows:
 - (a) Locality bound: Maximum Area <20 % per ground floor facade of the business
 - (b) Non locality bound: Not permitted.
- (3) The position and spacing requirements for this class of advertisements are as follows:
 - (a) One advertisement per business per street frontage.
 - (b) Permitted on facade, walls and roofs.
- (4) These advertisements may not be illuminated or animated.
- (5) This class consists of advertisements painted directly on the main walls or roofs of a building used for commercial, office, industrial or entertainment purposes.
- (6) General requirements as stated in Section 13 to 18 apply.
- (7) An advertising impact assessment (AIA) may be required for painted advertisement in excess of 36m².
- (8) Painted roof signs may only be locality bound and painted on industrial buildings.
- (9) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

35. ADVERTISEMENTS ON GROUND LEVEL

- (1) This class will only be permitted in areas of partial and minimum control and not outside the proclaimed urban area.
- (2) The size of the advertisement will be subject to the space available.
- (3) The position and spacing requirements for this class of advertisements are as follows:
 - (a) May not span over more than one property.
 - (b) Only one advertisement per 2 kilometre radius.
 - (c) Only permitted to be parallel to ground level and may not be elevated at any point, more than 500mm from the natural ground level.

- (d) May not be placed on natural ground with a steeper gradient than 1:100.
- (e) May not be aimed at motorists travelling on public roads.
- (4) These advertisements may not be illuminated or animated.
- (5) This class consists of advertisements placed at ground level which are aimed at aircraft traffic and not at the public travelling on roads and designed in such a manner as not to interfere with the natural environment and living creatures on that land.
- (6) General requirements as stated in Section 13 to 18 apply.
- (7) An environmental study shall be required with the application, undertaken by a qualified environmentalist.
- (8) Approval must be obtained from all relevant authorities, including but not limited to the Civil Aviation authority and the Environmental authority.
- (9) Advertisements in this class shall only display the name, logo and slogan of the advertiser.
- (10) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

36. SECURITY ADVERTISING SIGNS

- (1) This class will be permitted in all areas of control.
- (2) The size and height of advertising signs allowed in this class, are as follows:
 - (a) Size: Security services signs: Maximum area: 0,35m²
Neighbourhood and farm watch: Maximum area 1, 5m²
 - (b) Height: Maximum 3m
- (3) The position and spacing requirements for this class of signs are as follows:
 - (a) Security services signs:
 - (i) One advertising sign per street frontage firmly affixed to the building, boundary wall, fence or gates or on the stand.
 - (ii) Minimum spacing of one per 30m length of street boundary.
 - (b) Farm watch advertising signs:
 - (i) At the junction or intersection of a public road and private access road or at the entrance to an individual farm.
 - (ii) Only one advertising sign per farm shall be permitted.
 - (c) Neighbourhood watch advertising signs:
 - (i) Within a municipal road reserve, at the points where the watch areas are entered.

(d) Not on road island or median.

(4) These advertising signs may not be illuminated or animated.

(5) This class consists of an advertising sign which may only refer to the existence and operation of neighbourhood watch, commercial security service, burglar 2 alarm system, farm watch and similar watch schemes.

(6) General requirements as stated in Section 13 to 18 apply.

(7) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY, except for security services signs.

37. VERANDA, BALCONY, CANOPY AND UNDER AWNING ADVERTISING SIGNS

(1) This class will be permitted in all areas of control.

(2) The height of signs allowed in this class is as follows:

(a) Clear Height: 2,4m.

(b) Projection: 100mm from surface.

(3) The position and spacing requirements for this class of signs are as follows:

(a) One per business façade.

(b) May be suspended above sidewalks.

(c) May not extend above below or beyond any extremity or a parapet wall, balustrade, railing, beam or fascia;

(4) These signs may be illuminated but not animated.

(5) This class consists of balcony, veranda, canopy and under awning signs which are:

(a) Affixed flat onto or painted on a parapet wall, balustrade or railing of a veranda or balcony;

(b) Affixed flat onto or painted on a fascia of a veranda or beam over veranda columns;

(c) Affixed flat onto or painted on the fascia of a roof structure without walls such as a roof covering petrol pumps at a service facility (filling) station;

(d) Suspended below the roof of a veranda or balcony (under awning signs);

(e) Placed on top of a roof or veranda;

(f) Affixed to or painted on a pillar, column or post supporting a veranda, balcony or a roof structure without walls;

(g) Painted or printed on the fabric of a blind.

(6) General requirements as stated in Section 13 to 18 apply.

(7) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY, except locality bound canopy signs at service facilities.

38. RESIDENTIAL HOME UNDERTAKING

AND COMMUNITY INSTITUTION SIGNS

(1) This class will be permitted in all areas of control for home undertakings and community institutions.

(2) The size and height of advertising signs allowed in this class, are as follows:

(a) The size of the home undertaking sign shall not exceed 1,5m²

(b) The size of the community institutions sign shall not exceed 3m²

(c) The height shall not exceed 3m for freestanding signs.

(d) The relevant Consent use or Town Planning Scheme is applicable.

(e) Sponsor name or logo: Maximum of 1/3 of total advertisement area.

(3) The position and spacing requirements for this class of advertising signs are as follows:

(a) Only locality bound advertisements on boundary wall, fence, gates.

(b) Farm/small holdings signs: Next to entrance of access road or on gate of entrance.

(c) Freestanding only when not possible to fix to building / wall / boundary fence limited to one sign only.

(d) One sign per undertaking or institution per street frontage.

(e) Only locality bound advertisements.

(f) Not in road reserve.

(4) These advertising signs may be illuminated except advertising signs in natural and rural areas of control. These advertising signs may not be animated.

(5) This class consists of signs for small business and practices on urban residential premises and includes signs for community institutions and facilities such as religious, cultural, recreational and certain medical and similar institutions.

(6) General requirements as stated in Section 13 to 18 apply.

(7) The sign may only indicate the name, logo and nature of the undertaking or institution and no product advertising or advertising for sales of any kind are permitted on this advertising sign.

(8) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

39. SPONSORED ROAD TRAFFIC PROJECTS

- (1) This class will be permitted in all areas of control.
- (2) The size and height of advertising signs allowed in this class, are as follows:
 - (a) Size: Maximum area 4,5m²
 - (b) Height: Maximum 3m²
 - (c) Sponsor name or logo: Maximum of 1/3 of total advertisement area.
- (3) The position and spacing requirements for this class of advertising signs are as follows:
 - (a) Inside all metropolitan road reserves but not on road island or median.
 - (b) Spacing if on same side of road: 1km.
 - (c) Not combined with or attached to road traffic sign.
 - (d) No road traffic sign or symbol used in any road traffic sign may be used.
- (4) These signs may not be illuminated or animated.
- (5) This class consists of advertising signs relating to the sponsoring of projects specifically intended for road users aimed at the provision of road services, the promotion of road safety or the management and conservation of road side environments.
- (6) General requirements as stated in Section 13 to 18 apply.
- (7) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

40. VEHICULAR ADVERTISING

- (1) This class will be permitted in all areas of control.
- (2) These advertising signs may not extent beyond the edges of the vehicle.
- (3) The vehicle may not be parked in the road reserve with the sole purpose of advertising.
- (4) These advertisements may not be illumination or animated.
- (5) This class consists of advertisements on self-driven vehicles which are normally moving on land or water, including taxis, buses, trains and delivery vehicles, but excluding aircraft.
- (6) General requirements as stated in Section 13 to 18 apply

41. CONSTRUCTION SITE ADVERTISING SIGNS

- (1) This class will be permitted in all areas of control.
- (2) The height of advertising sign allowed in this class, are as follows:

Construction Site Building Wrap: Not exceeding the top of the building or multi-storey parking garage, or in the event of a Construction site boundary sign: A maximum of 10,5m if permitted in terms of the relevant Town Planning Scheme.

(3) The position and spacing requirements for this class of advertising signs are as follows:

(a) Not on top of or above the fence or wall.

(b) Not project more than 0,1m from boundary wall or fence.

(c) Not permitted along or on freeways.

(d) May not be painted/ pasted directly on construction site boundary wall.

(e) May not encroach on the road reserve unless insufficient space on the erf.

(4) These advertising signs may be externally illuminated from the top, but may not be animated. Illumination will not be permitted where it will impact on areas of maximum control.

(5) The class consists of advertising signs fixed flat against any fence or wall where such fence or wall forms the boundary of a site where construction work is being carried out, or affixed to walls of unoccupied buildings undergoing construction, renovation or maintenance, or affixed to a multi-storey parking garage, or against the scaffolding erected for that purpose to conceal unsightly construction.

(6) General requirements as stated in Section 13 to 18 apply.

(7) An advertising impact assessment (AIA) may be required.

(8) Advertising signs attached or affixed to boundary fences of construction sites, are to be uniform in size and aesthetically pleasing.

(9) These signs may be erected on condition that such advertising signs will conceal an unsightly condition arising out of the use to which the property is lawfully being put, and on condition that such advertising signs: shall be making a positive contribution to the visual environment, and not for the sole purpose of advertising. A building may only be wrapped when unoccupied and during construction, renovation or maintenance. A construction site boundary sign may only be displayed while construction is taking place on the specific site.

(10) Proof to the satisfaction of the CHIEF ALBERT LUTHULI MUNICIPALITY must be submitted to confirm that the building or site is under lawful construction.

(11) It will only be permitted for a period of twelve months, or for the duration of the construction, renovation or maintenance work whichever is the shorter.

Thereafter the approval can be renewed subject to a new application be submitted and in terms of conditions as the Municipality deems fit.

(12) Specific conditions may be imposed by the CHIEF ALBERT LUTHULI MUNICIPALITY in the event where non locality bound signs are in close proximity or on the construction site.

(13) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

42. PROJECT AND DEVELOPMENT ADVERTISING SIGNS

(1) This class will be permitted in all areas of control.

(2) The size and height of advertising signs allowed in this class are as follows:

(a) Project sign:

(i) Maximum size: 1,5m² per consultant.

(ii) Maximum size: 9m².

(iii) Height: Maximum 5,5m.

(iv) Clear Height: 2,4m.

(b) Development sign:

(i). Maximum size: 6m² in maximum control area.

(ii). Maximum size: 12m² in partial and minimum control area.

(iii). Height: Maximum 5,5m.

(iv). Clear Height: 2,4m.

(3) The position and spacing requirements for this class of advertising signs are as follows:

(a) Project sign:

(i) One sign per streetfront on the specific site.

(ii) Not in road reserve.

(iii) Only road construction signs will be permitted within the road reserve.

(iv) Not next to a freeway.

(b) Development sign:

(i) Only one development advertising sign per street frontage per development on the specific site.

(ii) Only one additional sign with supplier detail is permitted per development.

(iii) Signs indicating supplier details may only be erected within the site and may not be positioned where intended for or visible by passing vehicle or pedestrian traffic.

(iv) Not in road reserve.

(4) The general requirements as stated in Section 13 to 18 apply.

(5) Requirements applicable to PROJECT SIGNS:

(a) Project signs may not be illuminated or animated.

(b) Project signs consist of advertising signs displaying the involvement of contractors and consultants in minor or major construction projects or alterations to existing structures or facilities and the development advertisements describes the type of development

(c) The advertisement shall describe only the building or structure being erected or other work or activity being carried out during the duration of the project, and the names of the contractors or consultants concerned in such work or activity. The branches of the industry or the professions of the contractors or consultants may be listed.

(d) Individual or single signs shall be displayed only if no other consultants or contractors are involved or if a combined project sign has already been erected.

(e) Only one advertisement or advertising sign per contractor or consultant shall be permitted per street frontage of a site, while in areas of maximum control, only one advertisement or advertising sign per contractor or consultant per project shall be permitted.

(f) Project sign concerning road construction may be positioned in any road reserve.

(g) Project sign shall be displayed only during the period when the construction works are actually taking place on the site.

(6) Requirements applicable to DEVELOPMENT SIGNS:

(a) Included are advertisements describing the type of development being carried out on a site and giving details such as the type of accommodation being provided, floor space available and the name, address and telephone number of the developer or his agent.

(b) A visual presentation or description of the building or structure being erected may also be included.

(c) Advertising signs or advertisements indicating supplier details are to be combined on only one sign per development and restricted to a maximum of nine uniform panels on the sign.

(d) Development advertising sign may be illuminated, only if the road is illuminated, but may not be animated.

(e) Only while relevant development is taking place.

(7) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

43. AERIAL SIGNS

(1) This class will be permitted in urban areas of partial and minimum control.

(2) No shape or size restriction for these advertising signs.

(3) The position and spacing requirements for this class of advertising signs are as follows:

(a) Not closer than 5 nautical miles from the aerodrome reference point of an aerodrome.

(b) Not above a public road.

(4) These advertising signs may not be illuminated or animated. A moored airship may be illuminated.

(5) This class consists of aerial signs painted on, attached to or produced by an aircraft, such as a captive balloon, a kite, an unmanned free balloon, a manned free balloon, an airship (moored), an airplane (banner towing or smoke signals), a craft for parasailing, a hangglider, a model or, radio controlled aircraft, and a aircraft towed behind a vehicle or vessel for the purpose of flight.

(6) General requirements as stated in Section 13 to 18 apply.

(7) An aerial sign shall not be flown without the, permission of the Commissioner of Civil Aviation.

(8) With the exception of moored airships, aerial signs shall be displayed in daylight hours only for a period not exceeding two weeks.

(9) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

44. ESTATE AGENT SIGNS

(1) This class will be permitted in all areas of control.

(2) The size and height of advertising signs allowed in this class are as follows:

Maximum size: Non-residential vacant Erf: 6m²

Size: All other signs: 0.6m x 0.45m

Height: Maximum 3m

(3) The position and spacing requirements for this class of advertising signs are as follows:

(a) Placed close to a boundary fence or within boundary of Erf.

(b) Maximum one advertising sign per agency.

(c) Maximum three advertising signs per Erf.

(d) Non-residential vacant Erf/land, will not be permitted in the road reserve

(4) These advertising signs may not be illuminated or animated.

(5) This class consists of advertising signs which are temporarily displayed, by the owner or its agent, to advertise the fact that land, premises, development or any other form of real estate is for sale, to let, sold or on show.

(6) General requirements as stated in Section 13 to 18 apply.

(7) All advertisements in this class shall contain only the words 'For Sale', 'To Let',

'Sold' or 'On Show' and the name, logo, address and telephone number of the selling agent or letting agent.

(8) The erection of 'On Show' estate agents' signs on streets reserves shall be permitted on public holidays from 05:00 on condition that they be removed before 20:00 on that day and after 12:00 on Fridays on condition that they be removed before 12:00 on the following Monday.

(9) An advertising sign may consist of a single sign or two duplicate signs joined at an angle of 120°.

(10) Any estate agents sign exceeding 0,27m² shall submit a formal application to the CHIEF ALBERT LUTHULI MUNICIPALITY.

(11) The advertising signs shall be placed at or fixed to the building concerned, or attached to the boundary fence of the premises concerned, or displayed within the boundaries of such premises, or displayed on the sidewalks to a maximum of 1 metre away from the boundaries of such premises.

(12) "On Show" estate agent signs shall be allowed to be displayed within the road reserve in the event of the advertising sign being a residential advertising sign.

Advertising signs shall not be displayed on road islands or medians. 'On Show' signs may be displayed from the nearest Class 3 road with no less than 60m intervals between the signs, and no more than 10 signs being displayed at any one time. This includes "On Show" signs for new developments.

(13) All 'For Sale' and 'To Let' signs shall be removed no later than 3 days after completion of the sale or granting of the tenancy.

(14) 'Sold' signs may be displayed for a period not exceeding 30 days after completion of sale

(15) 'On Show' signs for new developments may be erected for a period of six (6) months where after an extension of an additional six (6) months may be obtained at the discretion of the CHIEF ALBERT LUTHULI MUNICIPALITY. All such signs shall display a sticker obtainable from the CHIEF ALBERT LUTHULI MUNICIPALITY confirming legality.

(16) No advertisement relating to the sale, show or lease of a fixed property shall be displayed in any manner or in view of any street, unless the prescribed annual license tariff is paid, particulars of the concerned estate agency are recorded on a database, and the necessary prescribed license is issued by the CHIEF ALBERT LUTHULI MUNICIPALITY.

(17) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

45. PORTABLE ADVERTISING SIGNS

(1) This class will be permitted in all areas of control.

(2) The size and height of advertising signs allowed in this class, are as follows:

(a) Size:

Maximum area: Single sided: 0.75m²

Double sided: 1 .5m²

Maximum area per forecourt frontage I premises: 3m²

Filling stations & roadside service areas:

Maximum area per forecourt frontage I premises: 8m²

(b) Height: Maximum 1m.

(3) The position and spacing requirements and some general conditions for this class of advertising signs are as follows:

(a) In forecourts of businesses or on sidewalk in front of business premises.

(b) Freestanding and moveable.

(c) Not be positioned in such a way as to interfere with pedestrian circulation.

(4) These advertising signs may not be illuminated or animated.

Infrastructure Services

(5) This class consists of moveable freestanding temporary advertising signs displayed in forecourts of business and on sidewalks in front of business premises to draw attention to any commercial services, goods for sale, or other services available at the premises.

(6) General requirements as stated in Section 13 to 18 apply.

(7) A maximum of one sign is permitted per business only during business hours, and must be removed from the forecourt or sidewalk on close of business at the end of normal trading hours.

(8) Handwritten messages are permitted on signs provided for this purpose.

(9) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

46. BANNERS AND FLAGS

(1) This class will be permitted in all areas of control.

(2) This class consists of two categories namely, banners and flags:

(a) Category One: Temporary banners erected to advertise public and charitable events, functions, occasions, meetings or campaigns of a religious, educational, cultural, political, social, sporting or recreational nature. This includes banners erected to advertise an auction as well as public awareness and community based campaigns and notices of a public meeting. It also includes banners for parliamentary or municipal elections, by-elections, referenda and registration process.

(b) Category Two: Permanent and semi-permanent flags displaying the name, logo and nature of the specific business.

(3) The size and height of advertising signs allowed in this class, are as follows:

(a) Category One: Banners

Maximum size: 5m²

Height: Maximum 2m

Maximum advertisement area per event per street front: 10m²

(b) Category Two: Flags

Maximum size: 4m²

Height: Maximum 5m

(4) The requirements for category one advertising signs (banners) are as follows:

(a) Maximum of 5 banners per event:

(b) On the site I boundary fences I walls of where the function I event is to take place or on boundary fences I walls of a third party or in positions within the road reserve as determined by the CHIEF ALBERT LUTHULI MUNICIPALITY.

(c) Minimum distance from centre of intersection: 50m.

(d) Minimum distance from road sign or signal: 50m.

(e) Minimum of 120m apart if in road reserve.

(f) No advertisement shall be displayed for more than two weeks before the date of the function or event advertised and no such advertisement shall be permitted to remain in position for more than three days after the conclusion of such function or event.

(g) No banner may be suspended across a road, be affixed to a bridge spanning a road, placed on or against or attached to or otherwise supported by any transformer box, telegraph pole, tree, road traffic sign, electric light standard or other sign or object.

(h) No banner may be positioned within the roadway or shoulder of a road.

(i) Banners for parliamentary or municipal elections, by-elections, referenda and registration process are only permitted to be placed against the boundary walls I fences or on the premises of the voting registration/station.

(j) All banners shall be removed within 3 days of the passing of the event.

Failure to remove a banner will result in forfeiting the deposit for that banner.

(k) Every deposit paid shall be refunded when the entire banner to which the deposit relates, have been removed to the satisfaction of the CHIEF ALBERT LUTHULI MUNICIPALITY.

(l) Any person who, having displayed or caused to be—displayed any banner, fails to remove it or cause it to be removed within the periods prescribed shall be guilty of an offence and shall, in addition to any penalty imposed upon him, forfeit the deposit relating to it or such proportionate part of that deposit as the CHIEF ALBERT LUTHULI MUNICIPALITY shall access having regard to the number of banners not removed.

(5) The requirements for category two advertising signs (flags) are as follows:

- (a) Maximum of 10 permanent flags per street front.
- (b) Maximum of 4 semi-permanent flags per street front per business premises.
- (c) Minimum of 2m spacing between any two flags.
- (d) Flags are to be of equal size.
- (e) Only locality bound flags shall be used for advertising businesses.
- (f) Semi permanent flags may be displayed directly in front of the specific business in the road reserve in positions as determined by the CHIEF ALBERT LUTHULI MUNICIPALITY but may not be positioned within the roadway or shoulder of a road. They must be removed on close of business at the end of normal trading hours.
- (g) Every permanent flag shall be attached to a single flagstaff projecting vertically from premises or projecting vertically, horizontally or at an angle from a building on the site or against the building or boundary walls/ fences where the business is located or attached to a freestanding flag staff on approved sites.
- (h) No permanent flag is permitted to be displayed within the road reserve
- (i) Flags may only display the name, logo and nature of the business.
- (j) The clear height of the permanent flag shall not be less than 2,4m.
- (k) If projecting over a sidewalk and pedestrian circulation route, the clear height must exceed 2,4m and for a cycle circulation route a clear height of at least 3,0m
- (l) No person shall display or erect any flag which relates to a business which is conducted on an Erf or land which has not been rezoned for that specific purpose.
- (6) The general requirements for this class of signs are as follows:
 - (a) These advertising signs may not be illuminated or animated.
 - (b) General requirements as stated in Section 13 to 18 apply.
 - (c) Banners and flags shall not be used for advertising sales promotions or commercial products or events.
 - (d) Every banner or flag shall be attached so as not to interfere with or constitute a danger to passing vehicular or pedestrian traffic and shall not be displayed within or across any footpaths and cycle circulation routes or Central Business District sidewalks.
- (7) National flags of arty country are excluded from this class arid may therefore be displayed in all areas of control provided they do not carry any advertisement or subject matter additional to the design of the flag or flagstaff.
- (8) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

47. POSTERS AND NOTICES

(1) This class will be permitted in urban areas of maximum, partial and minimum control.

(2) This class consists of five categories of posters namely:

Category One: Posters erected to advertise public and charitable events, functions, occasions, meetings or campaigns of a religious, educational, cultural, political, social, sporting or recreational nature. This category includes posters erected to advertise an auction but excludes posters advertising sales promotions, commercial products and events of a commercial nature.

Category Two: Posters erected in this category may be used for commercial advertising on structures for which specific provision has been made for by the

CHIEF ALBERT LUTHULI MUNICIPALITY.

Category Three: Posters displayed in this category shall display selected news headlines of a specific edition of a newspaper.

Category Four: Posters public awareness and community based campaigns, notices of a public meeting.

Category Five: Posters for parliamentary or municipal elections, by-elections, referenda and registration process.

(3) The size and height of advertising signs allowed in this class, are as follows:

CATEGORY ONE AND FIVE:

Size: One direction: < 0.54m²

More directions: < 1.08m² in total if double

sided or for two posters back to back

Prescribed posters: 0.9m x 0.6m (A1 size)

Height: Minimum Height (Clearance): 2,4m

At least 2m below light fixtures

CATEGORY TWO:

Size: One direction: < 1.08m²

More directions: < 2.16m² in total if double:

sided or for two receptacles back to back

Prescribed posters: 1.2m x 0.9m (A0 size)

Height: Minimum Height (Clearance): 2,4m

Infrastructure Services

At least 2m below light fixtures

CATEGORY THREE:

Size: One direction: < 0.32m²

More directions :< 0.64m² in total if double-sided

or for two posters back to back

Prescribed posters: 0.7m x 0.45m (A2 size)

Height: Minimum Height (Clearance): 1m

At least 2m below light fixtures

CATEGORY FOUR:

Size One direction: < 1.08m²

More directions: < 2.16m² in total if double-sided

or for two posters back to back

Prescribed posters: 1.2m x 0.9m (A0 size)

Height: Minimum Height (Clearance): 2,4m

At least 2m below light fixtures

(4) The position and general requirements for this class of advertising signs are as follows:

(a) General requirements as stated in Section 13 to 18 apply.

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

(c) Only permitted on electric light standards or other structure, which is provided for the express purpose of affixing posters and notices.

(d) May not be placed on or against or attached to or otherwise supported by any power line standard, power masts, transformer box, telegraph pole, road traffic sign or signal (any lamp pole which has a road traffic sign or signal attached to it), traffic circle, traffic island or median (except

Category Two (2) and Three (3) Posters), wall, column or post of a veranda or balcony, fencing, electricity box or substations, tree or bridge.

(e) No advertising sign shall be mounted on a short (4,5m) streetlight pole.

(f) Not to cover municipal markings / stripes on lampposts.

(g) No steel or aluminium ladders shall be placed against the standards on which the posters are to be erected.

(h) These advertising signs may not be illuminated or animated.

(i) Only permitted inside urban road reserves for roads under the jurisdiction of the Chief Albert Luthuli Municipality and exclude freeways, National roads and Provincial roads.

(l) Not closer than 0.3m from the nearest edge of any posters to the edge of the shoulder of the road.

(k) Not to obstruct pedestrian movement.

(l) Street light poles positioned in front of or adjacent to primary or secondary schools may not be used for posters and notices.

(m) May not in any way interfere with the sight distance of motorists.

(n) Advertisements may not have any letters smaller than 50mm in height.

(o) If so required by the CHIEF ALBERT LUTHULI MUNICIPALITY, the content may be subject to the CHIEF ALBERT LUTHULI MUNICIPALITY's approval.

(p) The CHIEF ALBERT LUTHULI MUNICIPALITY shall, without giving notice to anyone, itself remove and destroy any poster or advertising sign displayed without its permission having been obtained or in contravention of any provision of this section of which has not been removed within the period specified of which constitutes in any respect a contravention of the provisions of this section and the person who displayed, any posters or advertising sign or caused permitted or suffered it to be displayed shall be liable to refund to the

CHIEF ALBERT LUTHULI MUNICIPALITY the cost to be assessed by the CHIEF ALBERT LUTHULI MUNICIPALITY, of the said removal and destruction and in addition shall be guilty of an offence.

(q) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

(5) Conditions applicable to category one posters:

(a) A maximum of 100 posters permitted per event per customer care centre.

(b) Temporary posters shall be fixed to electric light standards and fixed receptacles by means of a suitable cord and no metal clamps or wire shall be used

(c) Shall not be used to advertise a commercial event or product or sales promotion.

(d) At least 50m from the centre of an intersection.

(e) A street name list on where the posters will be erected, is to be provided when applying, failure to submit this list will result in the forfeiting of the deposit paid.

(f) Posters shall be erected only 14 days prior to the event.

(g) The display period during the event shall not exceed 30 days.

(h) All posters, backing boards and cord or string shall be removed within 3 days of the passing of the event. Failure to remove a poster, will result in forfeiting the deposit for that poster.

(i) A maximum of four (4) per post or standard. It shall then be affixed in a double-sided manner back to back; i.e. only two poster visible per direction of travel.

(j) The content is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY. The name of the relevant responsible organization, aid the date and place of the occasion or event must be clearly displayed on the poster. The CHIEF ALBERT LUTHULI MUNICIPALITY shall be entitled to retain one such poster for identification purposes.

(k) An applicant will submit a street list indicating positions of posters erected within 3 days after approval is granted.

(l) Poster advertising signs aimed at the road used shall not be less than 120m apart.

(m) Ever poster and notice for which permission is granted, shall display a municipal sticker with a reference number.

(n) No poster or other advertising sign shall be placed in a street or other public place unless the appropriate tariff has been paid to the CHIEF ALBERT LUTHULI MUNICIPALITY.

(o) Every deposit paid shall be refunded when all the posters, advertising signs or advertisements to which the deposit relates, have been removed to the satisfaction of the CHIEF ALBERT LUTHULI MUNICIPALITY.

(p) Any person who, having displayed or caused to be displayed any advertising sign or advertisement, fails to remove it or cause it to be removed within the periods prescribed shall be guilty of an offence and shall, in addition to any penalty imposed upon him, forfeit the deposit relating to it or such proportionate part of that deposit as the CHIEF ALBERT LUTHULI MUNICIPALITY shall access having regard to the number of posters, advertising signs or advertisements not removed.

(6) Conditions applicable to category two posters:

(a) Posters shall be fixed to electric light standards by means of removable brackets or strapping. No drilling or welding of poles will be permitted.

(b) At least 50m from the centre of an intersection.

(c) A maximum of two per post or standard. It shall then be affixed in a double-sided manner; i.e. two receptacles back to back.

(d) May only be places in certain specific areas and along certain arterial roads.

(e) Street light poles positioned in front of Municipal Offices are reserved for the exclusive use for advertising purposes by the CHIEF ALBERT LUTHULI MUNICIPALITY.

(f) More creative and visually pleasant structures should be used for displaying of posters than standardized pole mounted structures in order to make a positive contribution to streets camping.

(g) The CHIEF ALBERT LUTHULI MUNICIPALITY shall determine the number and display format of posters in this category.

(7) Conditions applicable to category three posters:

(a) Poster frames shall be fixed to electric light standards by means of removable brackets or strapping. No drilling or welding of poles will be permitted.

(b) Shall not be used to advertise a commercial event.

(c) May be displayed on electric light standards within 50m from the centre of an intersection.

(d) May be displayed along specific main traffic routes.

(e) If projecting over a sidewalk and pedestrian circulation route, the clear height must exceed 2,4m and for a cycle circulation route a clear height of at least 3,0m;

(f) A specific news headline shall only be displayed for 24 hours.

(g) A maximum of one per post or standard. Back to back at same position will be permitted.

(h) The CHIEF ALBERT LUTHULI MUNICIPALITY shall determine the number and display format of posters in this category.

(i) No poster frame or news headline shall be placed in a street or other public place unless the appropriate tariff has been paid to the CHIEF ALBERT LUTHULI MUNICIPALITY.

(8) Conditions applicable to category four posters:

(a) Posters shall be fixed to electric light standards by means of removable brackets or strapping. No drilling or welding of poles will be permitted.

(b) Shall not be used to advertise a commercial event.

(c) At least 50m from the centre of an intersection

(d) A maximum of one per post or standard.

(e) All posters, backing boards and cord or string shall be removed within 3 days of the passing of the event

(f) Poster advertising signs aimed at the road used shall not be less than 120m apart.

(g) No poster, advertising sign or advertisement shall be placed on a street or other public place unless the appropriate tariff has been paid to the

CHIEF ALBERT LUTHULI MUNICIPALITY.

(h) Public awareness and community based campaigns are to be directed at the residents within a specific community aimed at indicating crime statistics and reporting of incidents.

(I) The CHIEF ALBERT LUTHULI MUNICIPALITY shall determine the number and display format of posters in this category

(9) Conditions applicable to category five posters:

(a) Posters shall be fixed to electric light standards and fixed receptacles by means of a suitable cord and no metal clamps or wire shall be used

(b) Shall not be used to advertise a commercial event.

(c) At least 50m from the centre of an intersection

(d) A maximum of three per post or standard.

(e) The CHIEF ALBERT LUTHULI MUNICIPALITY shall in the absence of legislative prescriptions determine the number and display format of posters in this category.

(f) No posters relating to a parliamentary or municipal election, referendum or registration process shall be displayed for longer than the period extending from the beginning of the date of proclamation in the Government Gazette of an upcoming referendum or election to the end of the fourteenth day after the date of such election, referendum or registration process.

(g) No poster, advertising sign or advertisement shall be placed in a street or other public place unless the appropriate tariff has been paid to the CHIEF ALBERT LUTHULI MUNICIPALITY.

(h) Every deposit paid shall be refunded when all the posters, advertising signs or advertisements to which the deposit relates, have been removed to the satisfaction of the CHIEF ALBERT LUTHULI MUNICIPALITY

48. ADVERTISEMENTS ON LITTER BINS

(1) This class will be permitted in urban areas of maximum, partial and minimum control.

(2) The size of advertisements allowed in this class, are as follows:

Size: < 2,2m² in total area provided that the advertisements face more than one direction

(3) The position and spacing requirements for this class of advertising signs are as follows:

(a) Permitted inside urban road reserve under the jurisdiction of CHIEF ALBERT LUTHULI MUNICIPALITY, excluding all Provincial and National roads, and excluding all freeways.

(b) Shall not be positioned closer than a minimum of 1,8m from the edge of the pavement litterbin to the edge of the shoulder of the road; and 0,3m from a cycle path, footpath or sidewalk. It shall not be placed in such a way that it may cause deviation of the normal and easy flow of pedestrians or cyclists.

(c) Not to obstruct pedestrian movement.

(d) May not in any way interfere with the sight distances of motorists.

(e) May not be placed on a road median of less than 4m wide.

(f) Pole mounted litter bins are only permitted on streetlight poles or other structure, which is provided for the express purpose of affixing pole mounted litter bins.

(g) Pole mounted litter bins may not be attached to power line standard, power masts, road traffic sign or signal, traffic circle, traffic island, wall, column or post of a veranda or balcony, fencing, electricity box or substations, tree or bridge.

(h) Only one pole mounted litterbin will be permitted per streetlight pole and one advertisement will be permitted per pole mounted litter bin.

(i) No drilling or welding of poles will be permitted. Pole mounted litter bins shall be fixed to poles by means of removable brackets or stripping.

(4) Litter bin advertisements may not be illuminated or animated.

(5) This class consists of advertising on pavement and pole mounted litter bins, which are not intended primarily for advertising but which are provided for pedestrians and commuters.

(6) General requirements as stated in Section 13 to 18 apply.

(7) It provides ample opportunity for no locality bound advertising along urban roads and streets inside road reserves as well as opportunities for no locality bound advertising in public spaces and in other pedestrian orientated areas at shopping centres, shopping malls and at transport nodes.

(8) Litter bins shall not be used or positioned for the primary or sole purpose of advertising, but only where warranted by pedestrian movement, or at locations as requested by the Municipality.

(9) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

49. ADVERTISEMENTS ON PUBLIC TRANSPORT SHELTERS

(1) This class will be permitted in urban areas of maximum, partial and minimum control.

(2) The size and height of advertisements in this class will be guided by the design of the public transport shelter, and will be subject to CHIEF ALBERT LUTHULI MUNICIPALITY approval.

(3) The position and spacing requirements for this class of advertising signs are as follows:

(a) Permitted only on public transport shelter which are inside urban road reserve or on any other property under the jurisdiction of CHIEF ALBERT LUTHULI MUNICIPALITY, excluding all Provincial and National roads, and excluding all freeways.

(b) Shall not be positioned closer than 1,8m from the nearest edge of the public transport shelter to the edge of the shoulder of the road, but can be reduced to a minimum of 1, 2m if approved by CHIEF ALBERT LUTHULI MUNICIPALITY; and O, 3m from a cycle path, footpath or sidewalk. It shall not be placed in such a way that it may cause deviation of the normal and easy flow of pedestrians or cyclists.

(c) Public transport shelters shall be placed at specific locations as approved by the CHIEF ALBERT LUTHULI MUNICIPALITY, on a public transport route where there is a need for such a shelter.

(d) Not to obstruct pedestrian movement.

(e) May not in any way interfere with the sight distances of motorists.

(f) May not be placed on a road median, road or traffic island.

(4) Advertisements on public transport shelters may be illuminated, but not animated, and only if it does not lead to unsafe driving conditions, or does not have a detrimental effect on the surrounding area and where it is specifically not prohibited. No illumination shall be permitted in areas of maximum control.

(5) This class consists of advertisements on public transport shelters which forms part of the public transport shelter structure. The public transport shelter is a freestanding covered structure at a bus stop, taxi rank or lay by, with the purpose to provide a limited shelter for commuters and pedestrians, and is not intended primarily for advertising.

(6) General requirements as stated in Section 13 to 18 apply.

(7) The advertisement must be affixed to, and form part of, the public transport shelter, and may not be a freestanding structure. No part of the advertising sign or advertisement may extend beyond the panels or roof of the public transport shelter, as approved by CHIEF ALBERT LUTHULI MUNICIPALITY.

(8) It provides ample opportunity for non-locality bound advertising along urban roads and streets inside road reserves and at transport nodes.

(9) Public Transport Shelters shall be constructed in accordance to CHIEF ALBERT LUTHULI MUNICIPALITY's specifications or designs approved by the CHIEF ALBERT LUTHULI MUNICIPALITY.

(10) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

50. STACK SIGNS

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

(2) The size and height of advertising signs allowed in this class, are as follows:

Size: Maximum 16m²

Maximum size may be increased to 23m² if height restriction is relaxed in terms of the Town Planning Scheme

Minimum dimension per panel: 1 m x 1 m

Not less than four and not more than ten panels per side

Height: Maximum 7,5m

Height may be increased to 10,5m if permitted in Town Planning

Scheme

Width of structure: Not less than 2,1 m

Not more than 3m

Clear Height: 2,4m

- (3) A maximum of two stack sign per intersection positioned diagonally will be permitted.
- (4) A stack sign may be illuminated, but may not be animated.
- (5) This class consists of a freestanding advertising sign in the road reserve displaying a combination of advertisements of several businesses on separate panels.
- (6) General requirements as stated in Section 13 to 18 apply.
- (7) Advertisement panels may not be reflective.
- (8) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

51. STREET NAME ADVERTISING SIGNS

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

Street name sign (GL1 signs): Rectangular in shape (according to SADC RTSM requirements).

Minimum Length: 500mm.

Maximum Length: Determined by the street name length and type of sign.

Width (height): 300mm.

Advertisement panel: Rectangular in shape, either in a landscape or portrait format.

Minimum Area: 1, 00 m².

Maximum Area: 1, 68 m².

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

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

Clear Height: Minimum of 2,1m to the street names.

Only one advertisement per side will be permitted.

- (3) The position and spacing requirements for this class of road sign combined with an advertisement panel are as follows (should also adhere to SADC RTSM, GL1 sign requirements):

- (a) Street name section below advertising panel, but not closer than 200mm.

- (b) May not extend over the road surface.

- (c) It may not be located directly in front of, or behind a road traffic signal.

- (d) Must be located as far as possible in the far left corner of the junction of two streets, for both directions of traffic, specifically for the main roads. It will therefore be positioned diagonally.

(e) Maximum two illuminated advertising signs diagonally opposite one another per intersection. At junctions of lower order roads, one street name sign (combined with an advertisement panel) will normally be adequate.

(f) Inside urban road reserve (CHIEF ALBERT LUTHULI MUNICIPALITY roads only), but not on freeways, any

Provincial or National road, road medians or road islands, and it should take into consideration the traffic movements, other road traffic signs and street furniture.

(g) Shall not be erected closer than a minimum of 0,5m from the edge of the advertising sign to the vertically projected edge of the shoulder of the road; and 0,3m from a cycle path, footpath or sidewalk.

(h) May not interfere with the sight distances of motorists or obstruct pedestrian movement.

(4) These advertising signs may be illuminated as follows:

(a) Internal illumination of the advertising sign may not exceed the luminance intensity of the street name section.

(b) Illumination only permitted if it does not lead to unsafe driving conditions, or does not have detrimental effect on the surrounding area and where it is specifically not prohibited.

(c) These advertisements may not be animated and may not flash.

(5) This class consists of pole mounted street name signs (road traffic signs — GLI sign in the SADC RTSM), carrying a double-sided advertisements, which may be internally illuminated, displayed in combination with street name signs in the urban environment.

(6) General requirements as stated in Section 13 to 18 apply.

(7) These advertising signs will constitute an important service to both the motorist and the pedestrian in locating such facilities and functions.

(8) The street name shall be in black letters on a white background.

(9) Any street name on the advertisement panel shall be smaller and less conspicuous than the street name on the actual street name panel.

(10) The layout of the advertisement shall be of such a nature that it shall not be misunderstood to represent a road traffic sign, due to any factors such as:

(a) a combination of colours and type of arrows as used for road traffic signs,

(b) symbols used on road traffic signs, or

(c) a combination of colours specified for road signs.

(11) The layout of the advertisement may also not encourage U-turns.

(12) Only one advertisement per side of the advertising sign, will be permitted. Each advertisement, per side, may not be split to accommodate two (2) or more advertisements.

(13) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

52. SUBURB NAME SIGNS

(1) This class will be permitted in urban areas of maximum, partial and minimum control.

(2) The size and height of advertising signs allowed in this class, are as follows:

GL2 sign: Rectangular in shape (according to SADC RTSM requirements)

Width: 1,8m

Length: 04m

Minimum letter height: 175mm (may be reduced to
140mm for lower order roads)

Advertisement panel: Rectangular in shape

Width: Not wider than suburb name sign

Length: 0,4m

Maximum length: 0,5m

The advertisement shall be less conspicuous than the suburb name.

Height of the advertising sign: Maximum 4m

(3) A clear height of not less than 2, 1 m must be allowed for between the bottom of the sign and the ground, irrespective of the size of the sign.

(4) The position and spacing requirements for this class of advertising signs shall be according to SADC RTSM. It must be placed on the left side of the roadway at the approximate point of entrance into a suburb along the highest class of road entering a suburb, taking into consideration the location of junctions, other road traffic signs and street furniture. It shall not be located on road medians or islands. Extensions of a larger suburb do not warrant suburb name signs.

(5) Shall not be erected closer than a minimum of 0,5m from the edge of the advertising sign to the vertically projected edge of the shoulder of the road; and 0,3m from a cycle path, footpath or sidewalk, and at least 50m from the centre of an intersection. It may not interfere with the sight distances of motorists or obstruct pedestrian movement.

(6) As these advertising signs are attached to suburb name sign, which are road traffic signs, their positioning shall be dependent on the positioning of the suburb name sign.

(7) These advertising signs may not be illuminated or animated.

(8) This class consists of pole mounted location signs (road traffic signs GL2 sign in the SADC RTSM) at entrances to towns and suburbs, carrying an advertisement beneath the suburb name.

(9) General requirements as stated in Section 13 to 18 apply.

(10) The sign must be divided horizontally. The suburb name shall appear in the top panel on the front side, and shall be done according to prescriptions. The reverse side of the top panel shall be clear of any advertisement. The top panel may be combined with an advertising panel underneath the suburb name signs.

The front side of the advertising panel may contain no locality bound advertising. The reverse side of the advertising panel may be utilised for the promotion of community service messages, no profitable organizations, emergency services, or branding of the CHIEF ALBERT LUTHULI MUNICIPALITY, as provided for and required by the Municipality, or alternatively if not used by the Municipality, for no locality bound advertisements.

(11) Suburb name signs are permitted within all urban road reserves under the jurisdiction of the CHIEF ALBERT LUTHULI MUNICIPALITY, excluding all freeways, Provincial and National roads.

(12) No colours that may cause confusion with road traffic signs shall be used.

(13) The background of the advertising sign shall not be retro reflective or fluorescent.

(14) This class is subject to the approval of the CHIEF ALBERT LUTHULI MUNICIPALITY.

53. EXEMPTED SIGNS

The following advertising signs or advertisements are exempt from the provisions of this BY LAW:

(1) Any advertising sign displayed inside a sports stadium which is not visible from outside the stadium;

(2) Any advertising sign which is not aimed at road users and not visible from a public Street;

(3) Any advertising sign which is displayed inside a building at a distance of more than two metres from any window or other external opening through which it may be seen from outside the building and which is not aimed primarily at attracting the attention of the road user;

(4) Any national flag of any country hoisted on a suitable flag pole provided that no advertisement or subject matter is added to the design of the flag or flagstaff;

(5) A advertising sign which is displayed by the Council;

(6) Any banner or flag carried through the streets as part of a procession;

(7) Any advertising signs or advertisements which are permanently painted on or attached to the window glass of a building;

(8) Any advertising sign which is incorporated in and forming an integral part of the fabric of a building applicable mostly to historical buildings only if the building or structure is not primarily used for advertising.

54. PROHIBITED ADVERTISING SIGNS AND AREAS

No person shall erect or display any of the following advertising signs or advertisements or cause or permit any such advertising sign or advertisement to be erected or displayed:

(1) Painted on a boundary wall, bridges, any water tower, reservoir or silo and all non-locality bound painted advertisements;

(2) Any advertising sign, advertisement, fly poster or poster pasted, painted, placed on or against or attached to or otherwise supported by any power line, standard, power masts, transformer box, telegraph pole, road traffic sign or signal (any lamp pole which has a road traffic sign or signal attached to it), traffic circle, traffic island or median (except for the display of gantries, litterbins, and

Category Two [2] and Three [3] Posters), wall, column or post or pillar of a veranda or balcony, fencing, electricity box or substations, tree, electrical transmission pylon or bridge or any other municipal infrastructure where specific provision has not been made;

(3) With an overhang onto a roadway or shoulder, if not on a bridge or a gantry;

(4) Which will obscure a road traffic sign or which may be mistaken for or cause confusion with or interfere with the functioning of a road traffic sign;

(5) Any sign which may obstruct pedestrian traffic;

(6) Which will obstruct any window or opening provided for the ventilation of a building or which obstructs any stairway or doorway or other means of exit from a building or which will prevent the movement of persons from one part of a roof to another part thereof;

(7) Any animated or flashing sign where the frequency or the animation's or flashes or other intermittent alterations of which disturbs the residents or occupants of any building or is a source of nuisance to the public;

(8) Larger than 81m² or higher than 12,5m, if freestanding;

(9) In electronic format larger than 18m²

(10) Where the illumination disturbs the residents or occupants of any building or is a source of nuisance to the public;

(11) Which swings and is not rigidly and permanently fixed;

(12) On land not in accordance with the relevant zoning or approved consent use as per applicable Town planning Scheme;

(13) Pasted otherwise than on an advertising structure legally erected for the purpose of accommodating such an advertisement;

(14) Which, in the opinion of the CHIEF ALBERT LUTHULI MUNICIPALITY, is suggestive of anything indecent or may prejudice the public morals;

(15) Which relates to a business which is conducted on an Erf or land which has not been rezoned for that specific purpose;

- (16) Which relates to cigarettes or other tobacco products on Council property;
- (17) On refuse removal sites / landfill sites;
- (18) On or against water towers and reservoir owned by Council;
- (19) Painted or erected on traffic circles, islands, medians or speed humps;
- (20) Banners and flags that advertise sales promotions or commercial products or events, or banners suspended across a road, affixed to a bridge spanning a road, placed on or against or attached to or otherwise supported by any transformer box, telegraph pole, tree, road traffic sign, electric light standard or other sign or object;
- (21) Any flag of a permanent nature or an inflatable sign in the road reserve;
- (22) Mounted on a trailer, bicycle or vehicle, which is stationery and positioned with the sole purpose of advertising;
- (23) For any estate agency containing any other words except the words 'For Sale', 'To Let', 'Sold' or 'On Show' and the name, logo, address and telephone number of the selling agent or letting agent;
- (24) Other than an exempted sign, for which neither a permit nor approval has been obtained;
- (25) Any sign which does not comply with the requirements of a specific type of sign as prescribed in this BY LAW.

SCHEDULE A:

ADVERTISING SIGN CHARGES

Application fees and deposits for a licence/permit for outdoor advertising

Every person who applies to the Council for its approval or permission shall, on making application, pay to the Council the charge determined therefore and no application shall be considered until such charge has been paid; the charges are set out below:

1. A non-refundable application fee of R150.00 (One Hundred and Fifty Rand) must be tendered with each application for sign types 2 (ground signs), 3 (wall signs), 4 (roof signs) and 5 (veranda, balcony, canopy and under-awning signs). Any minor amendment to an application, considered by the duly authorised official of Council to be a minor amendment, may be submitted at a reduced application fee of R50.00 (Fifty Rand) each.
2. A non-refundable application fee of R450.00 (Four Hundred and Fifty Rand) must be tendered with each application for sign type 1 (billboards) and all non-locality bound signs in excess of 12m².
3. The approval fee for 1 and 2 is R40.00 (Forty Rand) per square meter of advertising display or part thereof with a minimum fee of R40.00 (Forty Rand) per application.
4. A non-refundable application fee of R50.00 (Fifty Rand) must be tendered with each application for advertisements for sign types 6 (posters, banners and flags).
5. On approval of posters, the applicant must purchase non-refundable stickers from the Council which are to be clearly visible on all posters displayed as follows:
 - (a) R1.00 (One Rand) per sticker to be paid for each poster to be displayed for non-profit bodies only. These posters must display the fundraising numbers of the bodies or a formal constitution has to be submitted to the Council. No commercial advertising and logos of sponsors will be permitted to appear on such posters;
 - (b) R2.50 (Two Rand and Fifty Cents) per sticker to be paid for each poster to be displayed for religious, sporting, social, cultural, political and other events. A subordinate percentage of commercial advertising and logos of sponsors is permitted to appear on such posters; or
 - (c) R5.00 (Five Rand) per sticker to be paid for each poster to be displayed for events considered by the Council or its duly authorised officials to be primarily of a commercial nature.
6. A non-refundable application fee of R600.00 (Six Hundred Rand) per annum or part thereof must be tendered with the annual application for sign type 7 (permanent); the maximum number of boards required at any given time to be specified in such application.
7. A non-refundable application fee of R50.00 (Fifty Rand) each per annum must be tendered with the annual application for sign type 7 (portable boards or any other collapsible structure).
8. A non-refundable application fee of R200.00 (Two Hundred Rand) must be tendered with each application for sign type 8 (aerial advertisements); adequate public liability insurance for the duration of display will also need to be furnished to Council's satisfaction.

9. A non-refundable application fee of R1 200.00 (One Thousand Two Hundred Rand) per annum or part thereof must be tendered with each annual application for any sign type 9 (advertising vehicles); a certified copy of the current vehicle licence will also need to be furnished.

10. An encroachment fee of R45/m² to be paid on approval of an application for each sign type that encroaches over Council property.

Note: The duration of approval for all advertising signs shall be at the Council's discretion.

B. Fines and penalties for offences and removal of advertising signs in terms of sections 9 and 14

1. Upon conviction of a first offence, the offender shall be liable to a fine or imprisonment for a period not exceeding 3 (three) months, or both the fine and imprisonment.

2. In the case of a continuing offence, the offender shall be liable to a further fine not exceeding R100.00 (One Hundred Rand) for every day during the continuance of such offence.

3. Upon conviction of a second or subsequent offence, the offender shall be liable to a fine or imprisonment for a period not exceeding 6 (six) months, or both the fine and imprisonment.

4. For the unauthorized display of sign types 6 (posters, banners or flags), the offender shall be liable to a fine or imprisonment for a period not exceeding 3 (three) months.

5. For the unauthorised display of sign types 7 (estate agents boards, portable boards or any other collapsible structure), the offender shall be liable to a fine or imprisonment for a period not exceeding 6 (six) months.