



CAPE AGULHAS MUNICIPALITY

POLICY: OUTDOOR ADVERTISING SIGNAGE

1.

Main Purpose

The main purpose of this policy is to provide a set of regulations governing the use of land and buildings for outdoor advertising and signage and for matters incidental thereto.

2.

Scope of the Policy

This Policy sets out the procedures to be followed and the criteria used when obtaining approval for a sign applicable to outdoor advertising in the Cape Agulhas Municipal Area. In doing so, it recognises that there is an extensive amount of technical detail applicable to specific sign types and their effect in specific localities. The specific requirements for specific signs are set out in the Annexures hereto. The Annexures are part of the Policy. These Annexures are not any less important than the content of the Policy itself.

3.

Strategic Objective

- To regulate outdoor advertising in the jurisdiction of the Cape Agulhas Municipality in a manner that is sensitive to the environmental quality of different parts of the Cape Agulhas Municipality.
- To strike a balance between outdoor advertising opportunities and economic development on the one hand, and the conservation of visual, tourist, traffic safety, environmental and heritage characteristics on the other hand.
- To ensure that outdoor advertising respects the integrity of any site on which it is displayed, and complements the character of the locality in which it is displayed.

4.

Preamble

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

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

The types of landscapes, signs and areas of control are important factors in the classification concept utilized in this Policy. It presumes that the type of sign gives an indication of the potential impact of such a sign on the locality in which it will be displayed. Thus in terms of this Policy the local character of an area in which a sign is proposed will affect the degree of control applied in that area. It recognises that the dynamics between the type of the sign, the sign itself and where it is to be located can most effectively be dealt with by the determination of areas of control.

Four areas of control are applied in this Policy, namely prohibited, maximum, partial and minimum areas of control. The potential for outdoor advertising and the sign types to be considered is therefore determined by permitting certain sign types in certain areas of control. Control measures are applied by means of approval or refusal, and by means of general and specific conditions and requirements.

The following signs are outdoor signs but which, without third party advertising, do not constitute outdoor advertising within the ambit of this Policy.

- i) Authorised tourist destination signs as defined by the Roads Traffic Manual.
- ii) Community information/educational boards.
- iii) Any sign required to be displayed by law including road traffic signs erected in terms of any Act of Parliament, Provincial Law or Policy.

5.

Definitions

In this Policy, unless the context otherwise indicates:

"Advertiser" means the person, or die proprietor of an enterprise, placing an advertisement, alternatively the supplier of a product which is being advertised;

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

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

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

"Aerial sign" means a sign that is displayed or performed in the air, including but not limited to balloons and blimps that can be blown from within the Municipality's area of jurisdiction.

"Approval" means approval by the Municipality or by officials or executive councillors by virtue of powers delegated to them; and "approve" has a corresponding meaning.

"Areas of control" means those areas set out in Schedule 1 of the Policy; and which may be modified and/or amended from time to time, which

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amendments and modifications will be graphically depicted by way of maps as prepared by the Municipality from time to time.

"Area of sensitivity" means an area delineated on a plan attached to these by-laws, according to the visual, environmental and/or cultural sensitivity thereof, which may be amended from time to time by the *municipality*, and which indicates the area within which the *municipality* reserves the right to review the appearance and form of an *advertising sign* or structure prior to its being erected;

"Animated" sign means an *electric sign* in which a representation of one or more than one figure or illustration is given the appearance of movement by the successive switching on and off of lights or illuminated lines, or a sign which makes use of artificially propelled or compressed air to achieve movement;

"Authorised official" means a official of the *municipality* authorized to implement the provisions of these bylaws;

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

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

"Billboard" means any screen or board which stands free and is larger than 4,5 m² in total area; which is supported by, or consists of, a structure used, or intended to be used, for the purpose of posting, displaying or exhibiting a sign.

"Building" means any structure whatever with or without walls, with a roof or canopy and a means of ingress and egress underneath such roof or canopy;

"Canopy" means a structure in the nature of a roof projecting from the facade of a *building* and cantilevered from that building or anchored otherwise by columns or posts;

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

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

"Commercial advertising" means any words, letters, logos, figures, symbols, pictures relating to the name of a business, trade, partnership, individual, or any information, recommendation or exhortation; in respect of any particular goods manufactured or sold, or any particular services

rendered or offered, or any event for commerce or entertainment, including sporting events.

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

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

"Composite sign" means a single advertising structure for the display of more than one advertising sign, either freestanding or affixed to a building.

"Consultant" means a suitably qualified independent person or company that acts on behalf of, or as an agent of, an applicant for approval of a sign in terms of this Policy.

"Corporate signage" means trademark, brand-name, franchise and such like *signage* where only a specified range of signage is available to the proprietor of an *enterprise*;

"Continuing offence" means an offence in terms of this Policy, which continues to exist, after the expiry of the notice period referred to in a notice served in terms of this Policy.

"Custom made design" means the design of any sign, which features special effects such as specialist character cut outs and/or shapes and/or three dimensional presentations or moving parts and which is uniquely designed and/or constructed for erection in a particular location.

"Direction sign" means a type of guidance *sign* provided under the South African Traffic Sign System and used to indicate to the road user the direction to be taken in order that they may reach their intended destination;

"Development board" means a sign displayed at premises upon which building operations are currently in progress and relating to any services being provided, work is being done or goods being supplied in connection with such building operations. This excludes contract boards for building and civil engineering projects as required in terms of the National Building Regulations and Building Standards Act, 103 of 1977 as amended from time to time and defined in terms of the General Conditions of Contract and/or Specifications of the appropriate institutions.

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

"Electronic sign" means a sign which has an electronically controlled, illuminated display surface which allows all, or a portion, of the sign to be changed, or illuminated in different ways.

- "Environmental Impact Assessment" (EIA)** means an assessment carried out in accordance with the Municipality's guidelines for outdoor advertising.
- "Enterprise"** means a business undertaking whether incorporated for gain or not;
- "Estate agency/agent"** means a person or group of persons, natural or legal, who renders any service referred to in subsections (i) to (iv) of paragraph (a) of the definition of Estate Agent" in section 1 of the Estate Agents Act, 1976 (Act 112 of 1976), as amended, or an estate agent as defined in sub-section (v) of section 1 of that Act;
- "Estate Agency"** means a person who markets and/or sells properties with or without buildings erected thereon and "estate agent" has a corresponding meaning.
- "Existing sign"** means any sign previously approved by the Municipality.
- "Façade"** means a principal front or fronts of a *building*;
- "Flashing sign"** means a sign in which the visibility of the contents is enhanced by their intermittently appearing and disappearing or being illuminated with varying intensity or colours;
- "Flat sign"** means a sign which is affixed to, or painted directly onto, a wall of a building but not onto, or over, windows or doors or architectural articulations and which at no point projects more than 250 mm in front of the surface of such wall.
- "Freeway"** means a road designated as a freeway by means of a *road traffic sign*;
- "Freestanding sign"** means any sign or group of signs contained or displayed on one freestanding structure which is not attached to a building or to any structure or object not intended to be used for the primary purpose of advertising.
- "Ground level"** means the level immediately below any portion of a sign and means natural ground level where the natural ground level is uncovered and in other instances the top surface level of the covering on the natural ground;
- "Graphic"** includes but is not limited to any component which contributes to the visual appearance or aesthetics of a sign; including its background.
- "Headline poster"** means a temporary poster advertising the contents of a daily or weekly newspaper.
- The **"Height of a sign"** is calculated by measuring the vertical distance between the uppermost and lowest parts of the structure.
- "Heritage Impact Assessment" (HIA)** means a visual assessment of the impact that any proposed sign may have on the cultural heritage, whether built or recognised, at the locality where the proposed sign will be displayed.
- "Illuminated"** means an *advertising structure* which has been installed with electrical or other power for the purpose of illumination of the message of such sign;
- "Illuminated sign"** means a sign the continuous or intermittent functioning of which depends upon it being *illuminated*;
- "Internally Illuminated Sign"** means an advertisement or structure used to display an advertisement which has been installed with electrical or other power and an artificial light source which is fully or partially enclosed within the structure of sign and which light is intended to illuminate the advertisement or a portion thereof.
- "Law"** means any law, proclamation, ordinance, Act of Parliament or Provincial Legislature, or any other enactment having the force of law.
- "Location sign"** means a type of guidance sign provided under the SA Road Traffic Sign System and used to identify places or locations which either provide reassurance during a journey or identify destinations such as towns, suburbs or streets near the end of a journey;
- "Locality Bound Advertising"** means any sign displayed on a specific erf, premises or building and may include (that subject to a prescribed encroachment fee) such a sign on municipal owned land, adjacent to, abutting on and/or within 5 metres of the aforementioned erf; premises or building which sign refers to an activity product service or attraction; located, rendered or provided on or from that erf or those premises.
- "Loose portable sign"** means a freestanding locality bound notice or advertising board placed or erected in the Road Reserve or in a public open space.
- "Main roof of a building"** means any roof of a *building* other than the roof of a veranda or balcony;
- "Main wall of a building"** means any external wall of a *building*, but does not include a parapet wall, balustrade or railing of a *veranda* or a *balcony*;
- "Maximum area (of a sign)"** means the measured area of a signboard, or where there is no backing board to the sign, the area of an imaginary rectangle drawn around the outer extremities of the contents of sign;
- "Movable sign"** means a sign not permanently fixed and not intended to remain fixed in one position, but does not include any moving part on a fixed permanent sign.
- "Municipality property"** means immovable assets in the registered ownership of the *municipality*, and includes land, improvements, road reserves and infrastructure;
- "Municipality"** means the Cape Agulhas Municipality and includes any executive councillor, or Committee or Sub-Council established by the Municipality, or any employee thereof, or duly authorised agent thereof acting in connection with this Policy by virtue of a power vested in the Municipality and delegated to such employee or agent.

"National Building Regulations" means the regulations promulgated from time to time under the National Building Standards and Regulations Act, 1977 (SANS 10400) amended;

"New sign" means any sign first displayed after the promulgation of this Policy;

"Non-profit body" is a body established primarily to promote a community goal or benefit without direct or personal financial gain; and may include educational, sporting, medical, municipal departments; bodies as well as charities or community organisations. The Municipality may call for documentary proof, (which may include the production of bank statements) of the non profit status or community benefit objective of the body.

"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;

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

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

"Person" includes:

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

"Poster" means temporary signs capable of being attached to the Municipal electrical light standards and/or pasted to fixed structures to advertise events or campaigns.

"Projected sign" means any sign projected by a laser projector, video projector, or other apparatus.

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

"Public façade" means any façade that has windows or other architectural articulation.

"Public place" means any public road, public street, thoroughfare, bridge, a Road Reserve), lane, square, open space, garden, park or enclosed place vested in the Municipality, or other state authority or indicated as such on the Surveyor General's records, or utilized by the public or zoned as such in terms of the applicable zoning scheme.

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

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

"Road Reserve" means the area contained within the statutory width of a road, and includes roadways, shoulders and sidewalks and the airspace above such roadways, shoulders and sidewalks and all other areas within the road reserve boundary.

"road traffic sign" means any road traffic sign as defined in the Road Traffic Act, 1989 (Act No. 29 of 1989), and/or the National Road Traffic Act 93 Act of 1996), the detailed dimensions and applications of which are controlled by the regulations to this Act and the SA Road Traffic Signs Manual;

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

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

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

"Security sign" means an outdoor sign for neighbourhood watch and similar schemes, and a sign containing the name, logo, address and telephone number of a security company contracted to protect, or security system installed to protect, the premises on which the sign is displayed.

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

"Shop" means a building used for retail trade or services.

"Sign" means any object, product, replica, advertising structure, mural, device or board which is used to publicly display a sign or which is in itself a sign; and includes a poster and a billboard.

"sign / signage" is a more comprehensive term than 'advertisement' and refers to any advertisement or object, structure or device which is in itself an advertisement or which is used to display an advertisement;

"signage scheme" means a set of design guidelines, not in conflict with these by-laws, which will govern the type and style of signage to be utilized on a building or erf containing more than one enterprise or undertaking.

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"SAMOAC" means the South African Manual for Outdoor Advertising Control (April 1996) published by the national Department of Environment Affairs and Tourism;

"Streetscape" means a street or a portion of a street in an urban area or any part of an urban area;

"Strobe light" means an electronic tube that can emit extremely rapid, brief and brilliant flashes of light;

"Signalized traffic intersection" means an intersection controlled by traffic signals.

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

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

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

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

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

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

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

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

"Traffic Impact Assessment" (TIA) means a study carried out by a registered Professional Engineer with demonstrable experience in the field of traffic engineering that investigates the impact a proposed sign may have on vehicle/pedestrian/cyclist safety and traffic operation. The study should recommend any mitigating measures that may be required as a result of that impact.

"Traffic Sign" means a road traffic sign as prescribed in the National Road Traffic Act No. 93 of 1996.

"Traffic Signal" means a road traffic signal as prescribed in the National Road Traffic Act No. 93 of 1996

"Transit advertising" means advertising by means of a movable sign which is capable of being transported by road either on or in conjunction with a motorized vehicle, including trailers primarily used for advertising.

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

"Urban edge line" means a predetermined point-to-point boundary line as determined by the Municipality from time to time, which has as its purpose, the containment of urban development.

"Veranda" includes a cantilevered canopy and sunblind.

"Window signs" means signs which are temporarily or permanently painted on, or attached to the window-glass of a building.

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

6. Relevant Legislation applicable to this Policy

- 1) Municipal Demarcation Act
- Establishment of new municipal boundaries.
- 2) Municipal Structures Act,
- Section 48, Powers and Functions
- 3) Section 18 notice
- MEC Authorization (Building Regulations Function)

ANNEXURE "1"

AREAS OF CONTROL

Four categories of control are used, varying from the most stringent to the most lenient.

The four categories of control are:

1. **PROHIBITED**
No advertising signs are permitted in these areas.
2. **MAXIMUM CONTROL: RESIDENTIAL AREAS, SENSITIVE AREAS, AND AREAS OF CIVIC INTEREST**
Signs may be permitted under strict control of the design, size, location, colour and number of signs, but the Municipality reserves the right to prohibit signs other than those giving the name of the owner or main tenant or the name of the building.
In Sensitive Areas and Areas of Civic Interest the following controls will apply in addition to those set out in the paragraph above:
 - (i) Only one sign will be permitted for each street frontage of a property;
 - (ii) The materials and colours of the sign must harmonize with the building;
 - (iii) Only concealed backlighting or floodlighting of signs will be permitted.

3. **PARTIAL CONTROL**

Signs in these areas are controlled in terms of size, position and subject matter and where required in terms of colour.

A businessperson will have the right to make his presence and the nature of this service known.

Partial control would apply within schools/educational institutions, sports fields and stadia, office blocks, commercial centres in residential areas, government enclaves and commercial ribbon development.

4. **MINIMUM CONTROL**

In the areas in which this category applies the main consideration would be public safety.

Minimum control would apply within industrial areas, commercial enclaves and shopping centres, entertainment complexes, transport nodes such as taxi and bus ranks, airports, etc.

7. Policy Procedures

- Annexure 1 - Areas of control
- Annexure 2 - Billboards
- Annexure 3 - Locality bound freestanding and composite signs
- Annexure 4 - Signs attached to walls of buildings – Flat & Projecting Signs
- Annexure 5 - Sky signs
- Annexure 6 - Roof signs
- Annexure 7 - Signs on a verandah, balcony, canopy, supporting columns, pillars and posts
- Annexure 8 - Signs on boundary walls, fences and construction sites
- Annexure 9 - Newspaper Headline posters
- Annexure 10 - Banners
- Annexure 11 - Posters
- Annexure 12 - Estate Agent signs
- Annexure 13 - Loose portable signs
- Annexure 14 - Aerial signs
- Annexure 15 - Transit Advertising
- Annexure 16 - Signs on Municipal Land/Buildings
- Annexure 17 - Signs by/for Non-Profit Bodies
- Annexure 18 - Signs on bridges, towers, telecommunication masts or pylons
- Annexure 19 - Permanent lamp post posters
- Annexure 20 - Illuminated Street Signs
- Annexure 21 - Signs at schools, sports clubs and institutions in residential areas
- Annexure 22 - Signs advertising a product and/or service not available on a property
- Annexure 23 - Suburban Advertising Signs
- Annexure 24 - Litter Bin Advertising Signs
- Annexure 25 - Napier

ANNEXURE "2"

BILLBOARDS

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

- NOTES:
1. Streets will be deemed to fall within the area of stricter control of properties fronting them.
 2. The perimeters of areas will be dealt with as for the adjacent areas of stricter control.
 3. In cases where areas overlap the stricter control category shall apply.

1. If the proposed erf where the billboard is to be erected borders on a designated urban road and furthermore if the buildings on that erf are more than 50 m from the road reserve line, the billboard may not be placed less than 50m from the road reserve line this same distance to be calculated at 90° to the nearest point of the road reserve. This distance may be waived to a distance no less than the alignment of the public facades of buildings on the erf or adjacent erven, if such adjacent buildings or if the buildings on the erf are less than 50m from the road reserve upon receipt of an Environmental Impact Assessment and Traffic Impact Assessment indicating no detrimental impact. If the proposed site of erection of a billboard has been designated as a gateway then no billboards will be permitted within such gateway.
2. Comply with the standard conditions for approval set out in this Policy.
3. Not encroach over the boundary line of the property on which it is erected, whether such encroachment is aerial or on ground level.
4. Have a minimum clear height of 2,4m and a sign structure which does not exceed a maximum height of 7,5m above natural ground level.
5. Not exceed a maximum total size of 36m² provided that on any V-shaped single structure, two such panels may be permitted.
6. Have a minimum letter or number height of 285 mm
7. Be displayed between the angles of 90° and 60° to the direction of oncoming traffic.
8. Be spaced a minimum distance apart as required by the Road Traffic Safety Requirements.
9. May be externally or internally illuminated.
10. Must not be any form of flashing sign.
11. If located at signalized traffic intersections: not be erected or displayed within 50m of the perimeter of the intersection if unilluminated; and within 80m of the perimeter of the intersection if illuminated;
12. Any billboard erected along the right hand side of a section of road, such that its graphics are visible to a driver travelling on the left hand side of the road, shall be deemed to have replaced the advertising opportunity that existed on the left hand side of the road.

13. The information content of a proposed advertisement will be measured in "bits". [The total bits in a proposed advertisement may not exceed 15.] In calculating the information content of a proposed advertisement the bit weights shown in the table below shall be used:-

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

14. Municipal leased billboards will only be approved through the tender process as required in terms of Council's procurement procedures, and only for specific sites to be identified by the Municipality taking into consideration various factors such as Urban Aesthetics, Traffic Safety and Environmental Impact.

ANNEXURE "3"

LOCALITY BOUND FREESTANDING AND COMPOSITE SIGNS

Subject to approval in terms of this Policy, the erection and/or display of Locality Bound Freestanding signs are permitted only in Urban areas of maximum, partial and minimum control. In addition:

Free Standing on premises business signs (Class 3(k))

1. Free-standing "On-premises business signs" shall be permitted where a building housing an enterprise is situated relatively far back 15m or more from the boundary of the road or street onto which it faces and passing motorists or pedestrians may have difficulty in noticing any signs affixed to such a building, where it is not structurally possible or visually feasible to affix appropriate signs to such building, where such a sign is needed to locate the entrance to business premises or the private access road to a business, or where a free-standing combination sign may prevent the proliferation of signs;
 2. This provision is not intended for small businesses on urban residential sites or in buildings that were originally constructed for residential or community purposes;
 3. Only one sign or advertising panel on a combination sign shall be allowed per enterprise, if there is more than one entrance to premises on different road frontages, two signs or advertising panels may be allowed per enterprise, each on a different road frontage;
 4. A maximum sign area of 4,5m², provided that where a sign is affixed to a non-advertising structure such as a boundary wall or gate structure it shall not occupy more than 50% of the structure to which it is affixed. Maximum height is 4m;
 5. Where a more elaborate and solid advertising structure is used, the maximum area per sign, including the supporting structure, may be increase to 9m², with the proviso that the actual sign panel or lettering shall not occupy more than 50% of the structure to which it is affixed. Maximum height is 4m;
 6. Where a sign is incorporated in a combination sign a maximum area of 3m² per advertising panel shall be allowed.
2. Locality Bound freestanding composite signs may not exceed 7.5m in height and in addition may not exceed 4,5m² in total area. This provision may be waived to a maximum height of 10m and a maximum total area of 15m² per side, having regard to the following factors:
 - 2.1 If such increase reduces the number of individual signs facing any one street boundary of the site, thereby minimising the visual impact on the surrounding environment;
 - 2.2 If more than 2 significant roads approach the site in question;

- 2.3 The number of businesses which will be advertising on such sign;
- 2.4 The number of approach/exit routes to the site in question;
- 2.5 The applicable zoning of the area surrounding the site in question. A surrounding residential zone will not accommodate the same size of sign as will a surrounding commercial/industrial zone.
3. Service Station free standing signs must be locality-bound and may only be erected or displayed at service stations adjacent to and directly accessible from the public road at which such a sign is directed and only one Service Station free standing facility sign per street boundary shall be permitted. This provision may be waived only where these signs are visible from national class 1 routes
4. Service station free standing signs shall not exceed 7.5 m in height and shall not consist of more than 8 advertising panels of 4,5 m² each in total area. The provisions of this section may be waived to a maximum height of 16 m and 8 advertising panels not exceeding 6 m² each in total area having regard to the factors mentioned in section 2 above.

ANNEXURE "4

SIGNS ATTACHED TO WALLS OF BUILDINGS : FLAT AND PROJECTING SIGNS

Subject to approval in terms of this Policy, the erection and/or display of flat and projecting signs are permitted in all areas of maximum, partial or minimum control. In addition, flat and projecting signs shall:

1. Not be allowed within 0.6 m of the edge of a roadway nor shall it extend to within 0.6 m of the edge of a roadway.
2. Not project in front of a wall more than 1.5 m in the case of a sign which has a clear height of more than 7.5 m; or more than 1 m in the case of any lesser clear height.
3. Not project more than 250 mm over a footway unless such sign has more than 2.4 m clear height.
4. Not obstruct the view from any window or any other external opening of any building and no portion of any such sign shall be affixed over or onto any window, door or any other openings.

No sign shall be affixed to or painted on a wall (other than a wall of a building), a fence or a hoarding, unless in the opinion of the municipality such wall, fence or hoarding serves primarily either to conceal a condition or attribute of the property on which such wall, fence or hoarding is erected, which condition or attribute is unsightly by reason of the use to which such property is lawfully being put, or unless such wall, fence or hoarding is a temporary measure to protect the public in the neighbourhood of building, demolition or similar operations.
5. Not exceed 40m² in total area facing the street and may not exceed one-quarter (25%) of the overall area of the surface to which they are affixed or painted whichever is the lesser and 35% on off street walls. This size restriction may be waived on condition that:
 - 5.1 An Environmental Impact Assessment is submitted to the Municipality indicating no detrimental environmental impact is envisaged; and
 - 5.2 If it is proposed to erect a flat or projecting sign in a conservation area, a Heritage Impact Assessment is submitted indicating no detrimental impact in respect of Heritage resources is envisaged,
 - 5.3 The graphics which are proposed for the said sign will be fixed for the period of display of the sign.
 - 5.4 Such sign shall only display graphics designed and created by a suitably qualified creative consultant.
 6. Be considered for approval on blank common boundary facades of non-residential buildings.

ANNEXURE "g"

SKY SIGNS

- 7. If on public facades of any building, the sign shall:
- 7.1 Be so designed as to become an integral part of the building design;
- 7.2 When third party, only be permitted if custom-made and subject to the requirements of 5.1 to 5.4 above.

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

- 1. Sky signs shall:
 - 1.1 is limited to a maximum total size of 4.5m², provided that this size requirement may be waived up to a maximum of 18m² upon receipt of an Environmental Impact Assessment indicating no detrimental environmental impact is envisaged.
 - 1.2 not obstructs the view from any other building.
- 2. Subject to the approval of the Aesthetics Committee sky signs along the top edge of the roof of cultural, historic or architecturally significant buildings will only be permitted if they are locally bound, unilluminated and consist of individual cut-out letters or logos.
- 3. Have a minimum content and shall not exceed 15 "bits" and shall be calculated in terms of the table hereunder: -

Elements of the advertisement	Bits per element
Words	
Up to 4 letters	0.5
5 to 8 letters	1.0
More than 8 letters	2.0
Numbers	
Up to 4 digits	0.5
5 to 8 digits	1.0
More than 8 digits	2.0
Logos, symbols and graphics	
smaller than 9 sq metres	0.5
Between 9 and 18 sq metres	1.0
Between 18 and 27 sq metres	1.5
larger than 27 sq metres	2.0

ANNEXURE "6"

ROOF SIGNS

Subject to approval in terms of this Policy, the erection and/or display of Roof signs are permitted in all urban areas of control except areas zoned for residential purposes in areas of maximum control. In addition:

1. The total area of any roof sign affixed flush onto or painted onto a roof of a building shall not exceed one-quarter of the overall area of the roof to which it is affixed or painted.
2. When attached to the bottom edge of a roof or vertically midway on the roof of a building, such sign may not exceed 1m in height and its total area may not exceed 25% of the area to which it is affixed.
3. It shall be permissible to affix a roof sign along the edge of a roof of a building, and can be erected along more than two edges of such roof and shall not exceed 25% in total area or one quarter of the overall area of the main wall, with a maximum height of 1m.

ANNEXURE "7"

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

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

1. No such signs will be allowed on or over architectural features of buildings.
Such signs may be affixed flat onto or painted on a parapet wall, balustrade or railing of a verandah or balcony, and beam or fascia of a verandah or balcony. In the aforementioned circumstances, the sign may not exceed 1m in height or project above or below or beyond either end of the surface to which it is affixed, or project more than 250 mm in front of the surface to which it is affixed or project over a roadway or within 0,6m of the edge of a roadway.
2. Such signs may be affixed flat onto or painted on supporting columns, pillars and posts. In this regard, no sign may project more than 50mm in front of the surface to which it is affixed and shall not extend beyond any of the extremities of such column, pillar or post. Signs affixed flat onto non-rectangular supporting structures shall be curved to fit the form of such structure. Only one sign shall be allowed per column, pillar or post.
3. Such signs suspended below the roof of a verandah, canopy or the floor of a balcony shall not exceed 1.8 m in length or 600 mm in height. Every such sign shall be at right angles to the building line. No signs suspended under a canopy shall extend beyond the external edge of the canopy or verandah to which it is attached.
4. Such signs on the roof of a verandah, canopy or balcony, excluding the main roof of a building, shall be composed of a single line of freestanding, individual, cut-out silhouette letters without visible bracing or other visible means of support and shall not be erected along more than two edges of such roof of a verandah or balcony.

ANNEXURE "g"

SIGNS ON BOUNDARY WALLS AND FENCES AND ON CONSTRUCTION SITE HOARDINGS

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

1. In urban areas of maximum and partial control, the Municipality may approve an application to affix a locality bound sign against a boundary wall only if the sign is indented into the wall or composed of individual, unilluminated cut-out letters or symbols fixed flat on such wall not projecting more than 50mm from the face of such wall.
2. In areas of minimum control, the Municipality may approve:
 - 2.1 An application to affix a locality bound sign flat onto a boundary wall only if it does not project more than 50mm from the face of such wall.
 - 2.2 An application to affix a locality bound flat sign with a maximum size of 0,5m² onto the permanent fence of an erf.
3. Third party and locality bound advertising on construction site hoardings and fences shall comply with the following conditions:
 - (i) Any one sign shall not exceed a vertical dimension of 3m and total area of 18m².
 - (ii) Any such sign shall not project more than 100mm in front of the hoarding or fence to which it is affixed.
 - (iii) There will be no illumination thereof in areas of maximum and partial control.
 - (iv) There will be no advertising on construction site hoardings and fences within the cone of vision of motorists at signalised traffic intersections.

Project Boards

- (a) Consist of signs displaying the involvement of contractors and consultants in minor or major construction projects or alterations to existing structures or facilities and:
 - (i) May be positioned within road reserves other than freeways, but only next to a development site, if sufficient space is not available on the actual site;
 - (ii) Boards concerning road construction may be positioned in any road reserve, including a freeway;
 - (iii) Shall describe only the building or structure being erected or other work or activity being carried out in the duration of the project, and the names of the contractors or consultants concerned in such work or activity;
 - (iv) May list the branches of the industry or the professions of the contractors or consultants;

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- (v) Shall not exceed 1,5m² per consultant or contractor, whether displayed as part of a combined project board or individually;
- (vi) Shall not exceed 9m² in total if they are combined project boards;
- (vii) No individual or single boards shall be displayed only if no other consultants or contractors are involved or if a combined project board has already been erected;
- (viii) Only one advertisement per contractor or consultant shall be permitted per street frontage of a site;
- (ix) Shall be displayed only during the period when the construction works are actually taking place on the site;

- (b) also include signs 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, provided that:
 - (i) Not more than two signs describing the type of development shall be allowed per premises;
 - (ii) Signs describing the type of development shall not exceed 3,0m in height, and shall not exceed 4,5m² in size;
 - (iii) A project board describing the type of development, etc., may, upon specific approval by the municipality, remain on the site after completion of construction work, for up to a maximum of six months after date of completion, or until initial sale of all units/even, whichever date the earlier;

- (8) Enlarged product replicas, 3-D signs and Inflatables signs (Class 2(g)) shall not be permitted, except where, in the opinion of the municipality, they reflect a local craft product.

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ANNEXURE "9"

HEADLINE POSTERS

Subject to approval in terms of this Policy, the erection and/or display of headline posters is permitted in all areas except natural and rural areas of maximum control, in addition:

1. Headline posters may not exceed 0.7m x 0.45m in area.
2. The commercial content of the poster may not exceed 20% of the area of the poster nor may such commercial lettering be larger than the main lettering in the remainder of the poster.
3. The posters may be attached to Municipal electric wooden and steel light poles only. They are under no circumstances to be affixed to traffic signal poles, or other poles which carry road traffic signs, poles erected for any other purpose, or any other street furniture, wall, fences, trees, rocks, fibreglass streetlight poles or other natural features.
4. Headline posters may not be pasted on municipal electric light poles but are to be mounted on board and affixed securely with stout string or plastic ties unless a permanent frame has been approved for this purpose.
5. Only 1 headline poster per pole, per street block regardless of which newspaper group it is, will be permitted. Posters to be a minimum of 2.2m above the ground level and a minimum of 2m below the light fixture.
6. The number of posters as well as the designated areas for the display of headline posters as submitted by each newspaper group must be strictly adhered to.
7. All "special events" posters are to comply with the following:
 - 7.1 The name of the newspaper group, the "special event" and the date of the "special event" must appear on the posters in letters not less than 50mm in height.
 - 7.2 The special event posters may not be displayed more than 7 days before the date of the event and they must be removed within 24 hours after the date of the event shown on the poster.
8. Headline posters and fastenings are to be removed on a daily basis failing which the posters will be removed, at the newspaper groups' expense, in accordance with the standard charges for removal of posters.
9. The Municipality may recover the costs of the removal of unauthorised posters, and the reinstatement of the surface from which such posters were removed, from the person/s responsible for the display of such posters or the newspaper group concerned. These costs will be reviewed annually in terms of the annual Schedule of Tariffs.
10. The Municipality or its agent shall remove any poster displayed in contravention of the abovementioned conditions.
11. Only 200 posters per newspaper group are permitted per day.

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12. Any poster not removed on a daily basis or a poster relating to a "special event" by due date referred to in Paragraph 7.2 shall be removed by the Municipality or its agent.
13. The display of unauthorized posters is illegal and the Municipality or its agent will also remove such posters.
14. The Municipality will determine the costs involved for the removal of unauthorized posters by the Municipality from time to time. No posters may be stuck on walls, electricity boxes, ministrations or on any electrical light standards or electrical infrastructure, and also no posters may be erected on the Esplanade.
15. Application must be made on an annual basis by each newspaper group for permission to display such signs subject to an annual fee per newspaper group / per annum or part thereof.
16. A deposit per newspaper group must be paid annually against which a charge for the removal of any sign which contravenes the Policy will be levied. In the event of the above deposit being exhausted, permission to display such signage is to be withdrawn until a further deposit is submitted to the Municipality.
17. Fees may be updated annually by the Municipality and in accordance with a published schedule of tariffs and charges.

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ANNEXURE "10"

ADVERTISING ON BANNERS AND FLAGS

Subject to approval in terms of this Policy, the erection and/or display of banners is permitted only in locations approved by the Municipality. In addition:

1. Approval for advertising on banners shall only be granted for a function or event conducted for religious, educational, social welfare, animal welfare, agricultural show, sporting, civic or cultural purposes or to a function or event relating to a Municipal, Provincial or Parliamentary election or referendum.
2. A fee must be paid for the erection of a banner.
3. Fees may be updated annually by the Municipality and in accordance with a published schedule of tariffs.
4. Only one banner per organisation is allowed per location.
5. Banners are allowed for a maximum period not exceeding 30 days (except for elections and referendum purposes). It must be taken off within 3 days after the event ended.
6. Only events that are staged within the Cape Agulhas Municipality area of jurisdiction and those of National and Community interest are to be advertised on banners.
7. The size of a banner will be determined by the Municipality (5x2m vertical / 1m x 2m Horizontal).
8. Banners may not be attached so as to interfere with or constitute a danger to passing pedestrians or vehicular traffic.
9. Banners are not to be affixed to trees, traffic signal poles, electrical or service authority distribution boxes, or other poles which carry road traffic sign, rock, other natural features, street furniture or other Municipal property.
10. Locality bound banners may only be affixed to the premises concerned.
11. Only 5 locality bound banner will be permitted per premises.
12. No permanent banners are allowed.

Banners and flags (Class 2(b))

- (a) Banners and flags may be used for advertising functions and events conducted for religious, social, welfare, sporting, civic or cultural purposes, or functions or events relating to municipal, provincial or parliamentary elections or referenda, and for street-scaping urban areas such as pedestrian malls and gateways;
- (b) Flags and flag-type banners (flag-type banners attached to flag-poles or cross-pieces on flag-poles and hung vertically) may, in addition be used for displaying the name, corporate symbol and nature of enterprises;
- (c) Banners may not be used for advertising of products or enterprises;
- (d) Only locality-bound banners and flags may be used for advertising functions, events and enterprises, except when incorporated in a street-scaping project or where the consent of the municipality has otherwise been obtained for the placing of non-locality bound banners at designated points;
- (e) Banners and flags may not be used for advertising sales promotions or commercial products or events, except with the consent of the municipality;
- (f) No banner, flag or flag-type banner shall be larger than 5m², and no flagpole shall exceed a relevant height restriction of the zoning of the premises, up to a maximum of 10m above Natural Ground Level, measured directly below the pole;
- (g) Banners and flags may only be displayed if they are in good condition. Torn and/or faded banners and flags shall be removed forthwith upon notification by the municipality;
- (h) Flagpoles bearing national flags;
- (i) A maximum of five (5) flagpoles bearing national flags may be erected on the premises of an accommodation facility on a single residential erf;
- (ii) Such flagpoles shall not exceed 8m above Natural Ground Level in height.

Advertising Flags

Advertising flags shall only be displayed on flag poles, provided that no more than 5 flag poles of 3,6m each in total height shall be permitted on any one property on which they are displayed.

ANNEXURE "11"

POSTERS

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

1. Each person intending to display a poster shall pay to the Municipality a deposit and a non-refundable fee which shall entitle that person to display the said poster for a maximum period of 14 days before the event, or such other time as is stipulated by the Municipality, such fee being determined in accordance with the Municipality's Schedule of Tariffs and charges, published from time to time. No poster shall be displayed without such deposit and fee having been paid.
2. Posters must be removed within 3 days after the date of the event failing which the deposit will be forfeited and the posters may be removed by the Municipality or its agent and the offender being liable for the costs of removing such posters.
3. The display of unauthorised posters is illegal and such posters may also be removed by the Municipality or its agent.
4. The display of posters purely for commercial advertising is not permitted, provided that any poster erected or displayed by a person, for a commercial advantage, which relates to a sport, the arts, or cultural event may be permitted, despite the display of that poster being purely for commercial advertising.
5. Permission is granted only to non-profit organisations.
6. 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 or referendum.
7. Only registered political parties contesting the elections are permitted to display election posters.
8. No more than an aggregate of 500 posters per function or group of related functions or event may be displayed at any one time (except election posters). 300 Posters per Ward per political party may be displayed for election/referendum purposes.
9. The posters being affixed to the electric lights standards by means of suitable cords.
On no account may metal clamps or wire be used for such purposes.
10. The posters being erected above the level of the red, green, yellow and black painted stripes on electricity standards indicating fire hydrants. Posters must be a minimum of 2.2m above the ground and a minimum of 2m below the light fixture.

11. No posters may be erected on electric light standards within 40m of a busy or signalized intersection.
12. No steel or aluminium ladders may be placed against standards on which posters are to be erected.
13. No posters may be affixed to street trees: power line standards, or erected on bridges
14. No paper posters may be stuck on walls, electricity boxes, substations or on any electrical light standards or electrical infrastructure, and also no posters may be erected on the Esplanade.
15. Posters may not exceed 900 x 600mm in size. The name of the organization, the date of the function and the venue must appear on the poster in letter not less than 50mm in height.
16. Only one poster per organization per occasion may be displayed per standard
17. The Municipality may recover the costs of and as a result of the removal of illegal posters, and the reinstatement of the surface from which such posters were removed, from the person/s responsible for the display of such posters.
18. The Municipality or its agent shall remove any poster displayed in contravention of the abovementioned conditions.
19. The Council being absolved from all liability that may arise as a result of the erection and presence of the posters in question.
20. The Municipality shall be entitled, without giving notice to anyone, itself to remove and destroy any poster or advertisement displayed without its permission having been obtained or in contravention of any provision of this section or which has not been removed within the period specified or which constitutes in any respect a contravention of the provisions of this section and the person who displayed, any posters or advertisement or caused permitted or suffered it to be displayed shall be liable to refund to the Municipality the cost to be assessed and deducted by the Municipality from the deposit made, of the said removal and destruction and in addition shall be guilty of an offence.

ANNEXURE "12"

ESTATE AGENT SIGNS

Subject to approval in terms of this Policy, the erection and/or display of estate agent signs is permitted in all areas except natural areas of maximum control. In addition:

1. Estate agent signs may not exceed 600 mm x 450mm in size.
2. Under special circumstances application may be made for a larger board, which will be considered on the merit of the particular application.
3. "Sold" / "For Sale" / "To let" signs must be erected flush against the fence/wall of the property facing which they may be erected not more than 1 metre from such boundary unless shrubs prevent this.
4. "Sold" signs may be displayed flush against the fence/wall of the property for a maximum of three weeks only failing which they may be erected not more than 1 metre from such boundary unless shrubs prevent this.
5. No signs indicating anything other than property for sale may be erected or displayed by Estate agents or agencies.
6. No Estate agent sign shall obscure a road traffic sign.
7. No Estate agent sign shall be erected on centre islands.
8. No Estate agent sign shall be erected in such a way that any part of it is closer than 1.5 m from a road verge.
9. No Estate agent signs may be erected on any tarred areas of pavements.
10. Estate agent signs may not be displayed along Scenic Drives and/or on any bridge, public park or public open space.
11. Estate Agent "Show house" directional signs may be displayed only on the day of the show.
12. On each sign, the wording "on show" "Show house, Show flat or Show plot" with the Agency's name and directional arrow must be displayed. (Directional sign)
13. Only one directional sign per Show house/flat/plot may be displayed along any proclaimed main road.
14. Directional signs shall be displayed along main routes only, being the shortest route from a main road to the property.
15. Not more than two estate agent directional signs will be permitted in total per Show house, show plot or block of flats in which a show flat is on display.

16. Application by each estate agency on an annual basis must be made for permission to display Estate agent signs and approval shall be subject to payment of an annual fee in accordance with the Municipality's Schedule of tariffs and charges published from time to time.

17. A deposit shall be paid per agency against which a charge for the removal of any sign which contravenes the Policy will be levied. In the event of the above deposit being exhausted, permission to display such signage will be withdrawn until a further deposit is paid to the Municipality.

18. Any Estate agent sign unlawfully erected, or in contravention of the provisions of this Schedule, will be subject to a charge by the Municipality, calculated in accordance with the published schedule of tariffs and charges irrespective of whether such sign is removed by the Municipality or not. In the event of the said sign not being removed by the Municipality; photographic evidence of the unlawful sign will be obtained by the Municipality prior to levying the said charge.

19. In addition to 17 and 18 above, the Municipality has the right to remove any Estate Agent Sign unlawfully erected.

20. Estate Agent signs shall be limited to 4 signs per premises and one sign per agency.

ANNEXURE "13"

LOOSE PORTABLE SIGNS

In terms of this Policy, the erection and/or display of loose portable signs on public walkways, public spaces or pavements is prohibited. This will include "sandwich" boards, rotating or "spinning" boards, flags or similar fabric sign.

Subject to approval in terms of this by-law, the erection and/or display of loose portable signs is permitted. In addition:

1. Such signs placed in any road reserve or in a public open space without the written permission of the municipality are not permitted in terms of the by-law.
2. The municipality may remove those loose portable signs placed without its permission in any road reserve or municipal property. The municipality will impound these signs. Owners can recover their property on payment of the fees determined by the municipality from time to time which will be used to defray the cost of removal, storage and transportation.
3. The municipality will consider applications to permit the placement, within any road reserve or on municipal property of certain loose portable signs which comply with the following requirements:
 - (a) That signs do not pose a hazard in terms of safety to the public and are, in this regard, of appropriate structure and size.
 - (b) That signs do not obstruct or inconvenience the public either by its physical size or location.
 - (c) That signs do not unfairly prejudice other traders.
 - (d) That the signs or proposed number thereof do not detract from the amenity of the local streetscape or local environment.
 - (e) That the signs are solely to advertise the name of the business, goods and/or services for sale from the advertiser's premises.
 - (f) The maximum dimensions of the proposed signs shall be 1.20 m (height) x 0.6 m (width).
 - (g) That the signs be placed directly in front of the advertisers' premises, provided that the above criteria are met.
 - (h) A minimum clear-footway width of 1.2m adjacent to the sign is kept clear.
4. Approved loose portable signs will be allocated to a demarcated area within any road reserve or on municipal property where, during the normal trading hours, applicants may then place the sign. The said sign must be removed outside normal trading hours and stored away from public view.
5. The demarcated area for displaying loose portable signs will be leased to an applicant at a rate to be set by the municipality from time to time.
6. Applicants will be required to indemnify the municipality against any claims for third parties that may arise, due to the placement of loose portable signs within any road reserve or on municipal property and shall take out third party insurance.
7. Notwithstanding the above the municipality may cause the removal or impoundment of loose portable signs should the applicant contravene any of the above conditions.

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ANNEXURE "14

AERIAL SIGNS (Balloons, Kites, etc.)

Subject to approval in terms of this Policy, the erection and/or display of aerial signs is permitted only in urban areas of partial or minimum control on condition that they also comply with the following conditions:

1. No aerial signs affixed to any building or structure shall be flown at a height of more than 45m from the surface measured from ground level.
2. Aerial signs must not be flown above a public road.
3. Permission is sought from the Department of Civil Aviation.
4. Balloons or any other aerial sign must be located at least 100m away from any arterial route or 500m away from any airport flight path.
5. An indemnity acceptable to Council being provided by the applicant.
6. Two (2) anchor ropes.
7. Metal strips incorporated in the body so that it will be visible on radar.
8. To be flown during official daylight hours only.
9. To be temporary of nature, and erected for periods not exceeding 1 week.

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ANNEXURE "15TRANSIT ADVERTISING

Subject to approval in terms of this Policy, the erection and/or display of transit advertising signs is permitted only in urban areas of partial or minimum control. In addition:

1. The parking of a transit advertising sign which is visible from a public road or a public place for the purpose of third-party advertising is prohibited.
2. Transit advertising signs parked on private property for the purposes of storage shall be positioned in such a manner as not to be visible from a street or public place.
3. The advertising panel or portion of the vehicle used for transit advertising shall not exceed a cumulative total of 18m² in areas of partial control, which size may be increased to a maximum size of 36m² in areas of minimum control.
4. Notwithstanding any provisions of this Policy, the Municipality or its authorized agent may without prior notice carry out the removal of any unauthorized transit advertising sign from Municipal property, and, in the case of unauthorized transit advertising on private property, the Municipality or its authorized agent may serve a notice calling for removal in terms of this Policy.

ANNEXURE "16SIGNS ON MUNICIPAL LAND/BUILDINGS

Other than as is set out herein below, no signs other than locality bound signs, temporary signs including, estate agents signs, newspaper headline posters and posters (the erection of which must comply with the appropriate annexures pertinent thereto) shall be erected on Municipal owned land.

A. COMMERCIALY SPONSORED SIGNS

1. Notwithstanding the area of control within which it is proposed to erect a commercially sponsored sign on municipal land, and subject to compliance with all other provisions of this Policy, the Municipality may consider a commercially sponsored sign for approval, subject to the following:
 - 1.1 Public or community needs or goals shall be identified by the Municipality and/or adopted by it and if such needs can be addressed either entirely or in part by the granting of concessions to particular persons for the erection of commercially sponsored signs, the Municipality shall be entitled to call for proposals or counter proposals for such public or community needs or goals and the related advertising opportunities.
 - 1.2 In order to identify such public or community needs or goals, the relevant Municipal department and other interested authorities will be consulted prior to proposals being invited, so as to establish conditions, criteria and constraints in respect of such advertising.
 - 1.3 The Procurement Policy will be applied and the extent of involvement of previous disadvantaged persons, small businesses, job creation and empowerment will be considered in any proposal.
 - 1.4 Any proposal will be evaluated based on the requirements of the Policy and *inter alia* on the best public or community benefit offered, the design contribution, the creativity and public safety and the adherence to the principals and/or stipulations in the Policy as opposed to the largest advertising opportunity and/or financial gain. In addition, the permanence of the contribution to the public or community goal or need will be taken into account, as will the recovery cost over the period of the erection of the sign.
 - 1.5 The relevant municipal departments shall jointly evaluate the proposal and approval will be given when such evaluation process is complete.
 - 1.6 The Municipality, as landowner, reserves the right not to proceed with any proposal prior to final approval thereof and the call for invitations for proposals in any respect shall not be regarded as decision by the Municipality to proceed with the erection of a sign in respect of a specific site.
 - 1.7 Once accepted, any sign to be erected in terms of this schedule must be the subject matter of a written agreement between the Municipality as landowner and the person responsible for the erection of the sign which agreement will contain the rights and obligations of both parties but which will not derogate from any of the obligations on either party in terms of this Policy. No sign may be erected or displayed in terms of this schedule until such agreement has been concluded and signed.

B. SPONSORED SIGNS

2. Notwithstanding the area of control within which it is proposed to erect such a sign on Municipal owned land and subject to compliance with all other provisions of the Policy, the Municipality may consider a sponsored sign for approval on condition that:
 - 2.1 In the application to be submitted in terms of Section 2 of this Policy, written details are delivered clearly indicating the recognized public or community goal which will be promoted by the erection and/or display of the proposed sign.
 - 2.2 Signs with a political content will not be permitted.
 - 2.3 No more than 5% of the total surface of the sign is used for third party advertising.
 - 2.4 The maximum size of any such sign is 6m x 3m provided in the event of a V-shaped sign being proposed, its maximum size will not exceed two panels of 6m x 3m each.
 - 2.5 Applications for billboards to be erected in terms of this section must comply with the requirements as set out in Annexure 2.
 - 2.6 No sign erected in terms of this clause shall be located within 5m of a property's boundary lines.

C. NON-PROFIT SIGNS

Notwithstanding the area of control within which it is proposed to erect a sign, and subject to compliance with all other provisions of this Policy, the Municipality may consider the erection of a sign by or for the benefit of a non-profit body subject to compliance with the requirements set out in Annexure 17 hereto.

ANNEXURE "17"

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

1. Notwithstanding the area of control within which it is proposed to erect a sign by or for the benefit of a non-profit body, and subject to compliance with all other provisions of this Policy, the Municipality may consider such a sign for approval subject to the following:
 - 1.1 In the application to be submitted in terms of Section 2 of this Policy, written details from the host non-profit body regarding the nature and extent of the support to be received from the erection or display of the sign must be delivered to the Municipality together with the other information set out in Section 2 of the Policy.
 - 1.2 The extent of involvement of previous disadvantaged communities, small businesses, job creation and empowerment will be considered in any proposal.
 - 1.3 Any proposal will be evaluated based on the requirements of the Policy and the public or community goal benefit which is being met, the design contribution, the creativity and public safety and the adherence to the principals and/or stipulations in the Policy as opposed to the largest advertising opportunity and/or financial gain. In addition, the permanence of the contribution to the goal of the non-profit body will be taken into account.
 - 1.4 In the event of it being proposed that the said sign will be erected on municipal land;
 - 1.4.1 The relevant municipal departments shall jointly evaluate the proposal and approval will be given when such evaluation process is complete.
 - 1.4.2 The municipality as landowner reserves the right not to proceed with any proposal prior to final approval thereof.
 - 1.4.3 If accepted, any such sign to be erected in terms of this Schedule, on municipal land must be the subject of a written agreement between the Municipality, the person responsible for the erection of the sign and the non-profit body which agreement contains the rights and obligations of all parties but which will not derogate from any of the obligations on any party in terms of this Policy. No such sign may be erected until such an agreement has been concluded and a copy delivered to the Director of Development Planning.
2. In addition the following conditions will apply:
 - 2.1 Signs with a political content will not be permitted.
 - 2.2 The maximum size of any such sign is 6m x 3m provided in the event of a V-shape sign being proposed, its maximum size will not exceed two panels of 6m x 3m each.
 - 2.3 Applications for billboards to be erected in terms of this section must comply with the requirements as set out in Schedule 2.

ANNEXURE "18"

SIGNS ON BRIDGES, TOWERS, TELECOMMUNICATION MASTS OR PYLONS

- 2.4 No sign erected in terms of this clause shall be located within 5m of a property's boundary lines.
- 2.5 The name of the non-profit body must be displayed prominently along the top width of the sign with a maximum 300mm lettering height.
- 2.6 A public participation process has been held with all parties to be affected by the erection and/or display of such sign.
- 2.7 The Municipality may require submission of an environmental impact assessment and/or traffic impact assessment and/or heritage impact assessment in accordance with its guidelines thereon.
- 2.8 No more than two individual signs of 6m x 3m each shall be permitted, or alternatively one V-shaped sign with a maximum size of two panels of 6m x 3m each on any one property. In addition, only one sign per street frontage will be permitted.

In terms of this Policy, the erection and/or display of signs on bridges, towers, telecommunication masts or pylons is prohibited. This will include loose banners.

Except as approved by the municipality for advertising of specific events of a civic, cultural, religious, social, sporting or welfare-related nature (class 3.1).

ANNEXURE "19"

PERMANENT LAMP POST POSTERS

Subject to approval in terms of this Policy, the erection and/or display of permanent lamp post posters is permitted only in areas approved by the Municipality on condition that they also comply with the following conditions:

1. The posters being affixed only to the electric lights standards.
2. No steel or aluminum ladders may be placed against standards when erecting the posters.
3. Posters may not exceed 900mm x 600mm in size.
4. Posters may only be erected at an interval of 2 standards.
5. Only one poster may be displayed per standard.
6. Posters to be a minimum of 2.4m above ground level and a minimum of 2m below the light fixture.
7. Illumination of posters is prohibited.
8. The placement of permanent lamp posts posters (street pole signs) will be acquired in terms of Council's procurement policy.

ANNEXURE "20"

ILLUMINATED STREET SIGNS

Subject to approval in terms of this Policy, the erection and/or display of illuminated street signs is permitted on condition that they also comply with the following conditions:

1. Illuminated street names and advertising signs may only be erected at intersections with a maximum of two illuminated signs per intersection at opposite corners thereof.
2. The advertising section of the sign may not exceed 1,033m x 1,585m.
3. The street name section must be below the advertising section but not lower than 300mm from the advertising section.
4. The total height of the sign may not exceed 5,000m.
5. The degree of intensity of both parts of the sign must be equal.
6. The street name shall be black letters on a yellow background.
7. The letters and numbers may not be smaller than 100mm high. The street name letters shall be in standard capital letters.
8. The sign may not flash.
9. The sign may not bear an illustration but may bear a logo and an arrow indicating of an undertaking in the adjoining side street but not in the direction of the main road.
10. A maximum of 5 words in 3 rows plus a logo are permitted, however telephone numbers or distances are not permitted.
11. The placement of illuminated street signs will be acquired in terms of Council's Procurement Policy.

ANNEXURE "21"

SIGNS AT SCHOOLS, SPORTS CLUBS AND INSTITUTIONS IN RESIDENTIAL AREAS

Subject to approval in terms of this Policy, the erection and/or display of advertising boards at schools, sports clubs and institutions in residential areas is permitted on condition that they also comply with the following conditions: -

1. Not more than 10 boards with a maximum size of 2.5m x 1.25m may be erected.
2. Advertising boards must be at least 5m inside the boundary adjoining proclaimed main roads.
3. Where more than 1 advertising board is erected and/or displayed, the advertising boards must be of the same size, depth and height.
4. Written consent must be obtained from every resident in the street facing the signage.
5. Only one advertising board per advertiser is allowed per each institution.

ANNEXURE "22"

SIGNS ADVERTISING A PRODUCT AND/OR SERVICE NOT AVAILABLE ON A PROPERTY

Except in the case of sports clubs, schools and institutions, in terms of this Policy the erection and/or display of an advertising sign that advertises a product and/or service not regularly (normal working hours) available on a property is prohibited.

ANNEXURE "23"

SUBURBAN ADVERTISING SIGNS

Subject to approval in terms of this policy, the erection and/or display of suburban advertising signs is permitted only in urban areas of maximum, partial and minimum control. In addition:-

1. The sign shall be rectangular, 400mm high and equal to the length of the suburb name sign. The advertisement shall be smaller and less conspicuous than the suburb name sign
2. Suburban Advertising signs are permitted within the road reserves of all proclaimed main roads other than freeways.
3. No colours that may, in the opinion of the road authority, cause confusion with road traffic signs, shall be used.
4. The principal area (background) of the advertising sign shall not be reflective or fluorescent.
5. No illumination or animation shall be permitted.
6. The placement of suburban advertising signs will be acquired in terms of Council's procurement policy.

ANNEXURE "24"

LITTER BIN ADVERTISING SIGNS

Subject to approval in terms of this policy, the erection and/or display of litter bins and litter bin advertising signs is permitted only in urban areas of maximum, partial and minimum control. In addition:-

1. The litter bins are to have a nominal capacity of 100 litres.
2. The litter bins must be manufactured from low density polyethylene, or other suitable material (full details to be supplied with tender). The material must contain a UV stabilising agent that approves its resistance to deterioration when exposed to sunlight. The construction of the litter bin shall be such that it comprises of an inner and outer skin, both of which are smooth and non-porous.
3. The top of the bin shall be open, with provision of a rim for refuse bag to be pulled over.
4. The base shall be of such a design that it ensures a firm footing for the bin. It is to be filled with concrete or any suitable material which will prevent it from blowing over on windy days.
5. A litter bin may not be displayed in a residential area.
6. Combo signs litter bins may not be used or positioned for the primary or sole purpose of advertising.
7. Litter bins may not be placed in such a way as to obstruct any pedestrian movement.
8. Litter bins may not be less than 100 metres apart.
9. Litter bin advertising must be directed to pedestrians and not to vehicular traffic.
10. The placement of litter bins and litter bins advertising signs will be acquired in terms of Council's procurement policy.

ANNEXURE "25"

NAPIER

1. SIGNAGE

Taking cognizance of the unique village character of Napier, the Local Authority had adapted the manual and to compile a signage policy which is more relevant to Napier.

Applying the approach of SAMOAC, Napier has been divided into two areas: area of maximum control and area of minimum control (refer *plan 13*).

The historic district and rural / agricultural areas have been demarcated as areas of maximum control in order to protect the historic value of the town to unsympathetic signage which may deteriorate the cultural heritage.

Saref Cilliers Street, which forms the central activity area of the historic district, is the main route through the town towards the holiday and tourist destinations of, amongst others Aguihas and Waenhuiskrans. It is therefore important that outdoor advertising along this route should be complimentary to the various land uses along the road, as well as its impact on the tourist industry / passing tourist.

The remainder of the urban environment has been identified as an area of partial control.

Annexure D summarises the different types of signage which are considered applicable in Napier and which should be permitted in the study area.

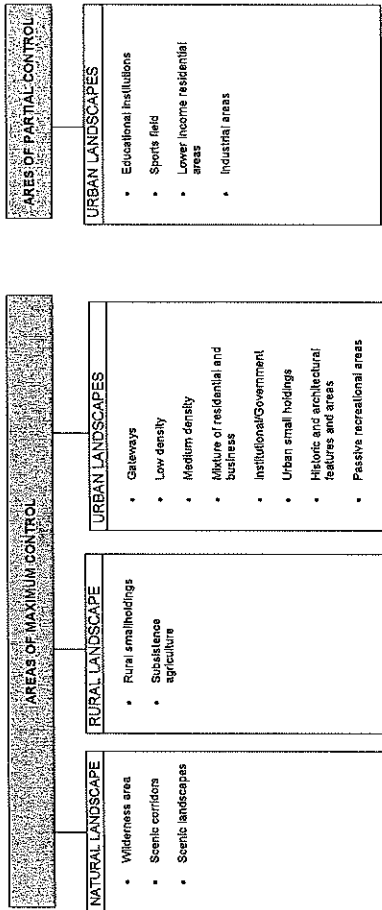
ANNEXURE D: SIGNAGE GUIDELINES

TYPE OF SIGN	REQUIRE APPROVAL	AREA OF MAXIMUM CONTROL	PERMISSIBLE IN AREA OF PARTIAL CONTROL
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Super billboards	X		X
Custom made billboards	X		X
Large billboards	X		X
Small billboards and lower structures	✓		✓
Large posters and advertising on street furniture	✓		✓
Banners and flags	✓		✓
Estate agents' boards	✓		✓
Sale of goods and livestock (temporary signs)	✓		✓
Project boards	✓		✓
Temporary window signs	✓		✓
Street name advertisements	X		X
Neighbourhood watch	✓		✓
Three-dimensional signs	X		X
Sky signs	X		X
Roof signs	X		X
Flat signs	✓		✓

NAPIER: SPATIAL DEVELOPMENT FRAMEWORK ANNEXURE D: SIGNAGE GUIDELINES

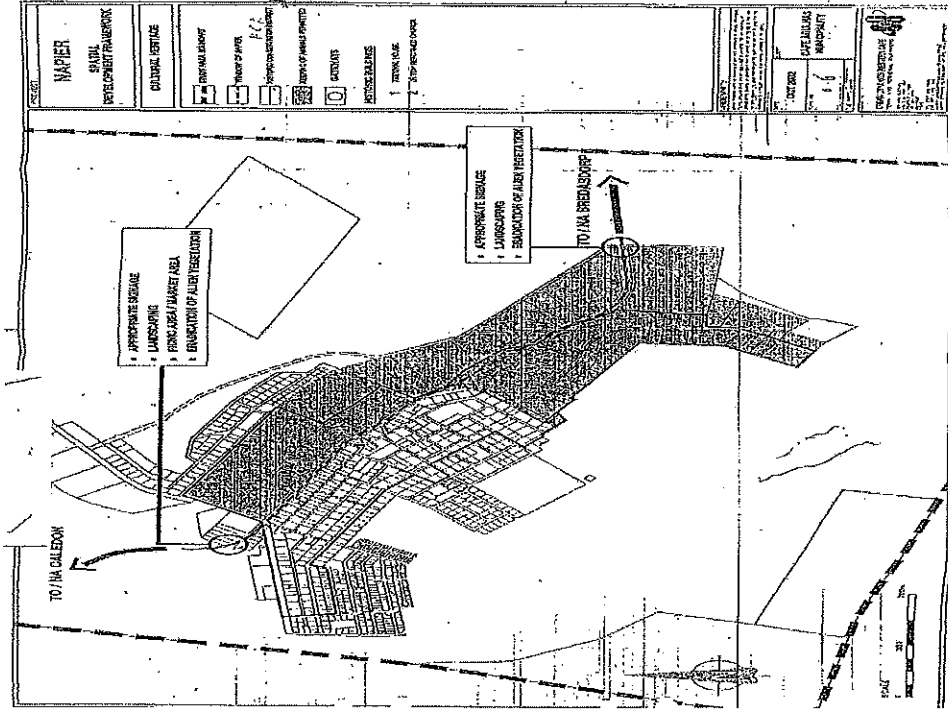
RELATIONSHIP BETWEEN AREAS OF CONTROL AND LANDSCAPE TYPES APPLICABLE IN NAPIER*



* It should be noted that SAMOC has been adapted for implementation in Napier. The main reason being the protection of the unique village character of the town.

TYPE OF SIGN	REQUIRE APPROVAL	PERMISSIBLE IN:	
		AREA OF MAXIMUM CONTROL	AREA OF PARTIAL CONTROL
Project signs	V	V	V
Veranda, balcony, canopy and under-awning signs	V	V	V
Signs painted on roofs and walls	V	X	V
Window signs	V	V	V
Signs incorporated in the fabric of a building	V	V	V
Miscellaneous signs for residential orientated land use and community services (including guest house, bed and breakfast, occupational practice, home enterprise).	V	V	V
On-premises business sign	V	V	V
Advertising on towers, pylons	X	X	X
Advertising on constructions site boundary walls and fences	X	X	X
Sponsored road traffic projects	V	V	V
Filling station signs	V	V	X
Tourism signs	V	V	V
Aerial signs	X	X	X
Vehicular advertising	X	V	V
Trailer advertising	X	X	X

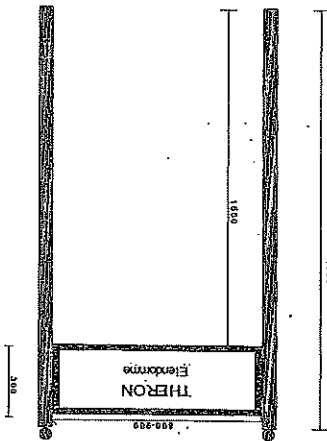
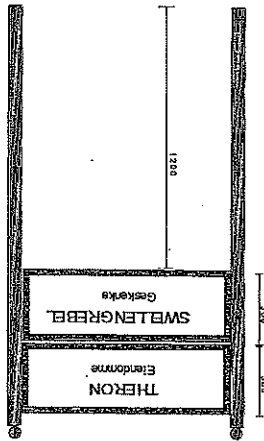
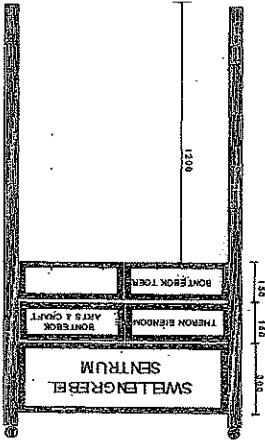
Draft Outdoor Signage & advertising Policy – Draft 1



Draft Outdoor Signage & advertising Policy – Draft 1

POLICY APPROVAL AND AMENDMENTS

Title	Outdoor Advertising Signage Policy
Responsible Department	Community Services, Building Control
Approval date by Council	
Council resolution number	
Effective date	
Next Review date	



PURPOSE OF THE BY-LAW

The purpose of this By-Law is to provide a set of regulations governing the use of land and buildings for outdoor advertising and signage, and all other matters pertaining thereto.

CHAPTER 1

GENERAL PROVISIONS

1. SUBMISSION OF APPLICATIONS

- 1.1 No person shall display any advertisement or erect or use any sign or advertising structure for advertising purposes without the Municipality's approval in terms of this By-Law and any other applicable legislation.
- 1.2 Every person intending to display a new sign or to alter or to add to an existing approved sign; or submitting a signage plan in terms of a Site Development Plan proposal, shall apply in writing to the Municipality which application, except in the case of poster applications, shall be accompanied by the following information in duplicate:
 - 1.2.1 A site plan showing the site on which it is proposed that the sign is to be erected or displayed, drawn to a scale of not less than 1:200 showing clearly and accurately the position of the sign and the building, if any, to which it is to be attached and showing every building and the existing signs on the site, existing and proposed landscaping, traffic signals and road traffic signs, and the positions, with dimensions, of the sign or sign in relation to the boundaries of the site and the location of the streets abutting the site, together with its existing approved zoning conditions.
 - 1.2.2 A drawing, which complies with the requirements of the National Building and Regulations Standards Act 103 of 1977 and is in sufficient detail to enable the Municipality to consider the appearance of the sign and all relevant construction detail, including a description of the materials of which the sign is to be constructed, the colours to be used, and whether or not the sign is to be illuminated; and in the latter event, the plan shall indicate whether or not the sign is an electronic sign and, if so, full details shall be furnished.
 - 1.2.3 The drawing referred to in Section 1.2.2 above shall have detailed drawings of such sign to a scale of not less than 1:20 and a site plan indicating the position of the sign on the site to a scale of not less than 1:50.
 - 1.2.4 If the proposed graphics of the sign are to be altered or changed at any stage during its proposed period of display, such intention must be specified in the application, together with an undertaking that every proposed change of graphic will be delivered to the Municipality for its prior approval, two weeks prior to the proposed display thereof, failing which only the proposed graphics will be considered for approval.

- 1.2.5 If a sign is to be attached to or displayed on the wall or façade of a building, the Municipality may require the submission of an additional drawing showing an elevation of the building in colour, the details and position of the proposed sign and the details and the position of every existing sign on the building drawn to a scale of not less than 1:100, or the Municipality may require a coloured print of or an artist's photographic or computer generated impression of the building with the details of the proposed sign superimposed on such graphic and drawn as nearly as is practicable to the same scale as that of the graphic.
- 1.2.6 If the applicant is not the registered owner of the property on which the sign will be erected, the applicant shall obtain the signature of the registered owner of the land or building on which the sign is erected, indicating that person's knowledge of and consent to the application.
- 1.2 Upon the request of the Municipality; such additional drawings, calculations and other information as is necessary to enable the Municipality to establish the adequacy of the proposed means of securing, fixing or supporting any proposed sign, sign or billboard and its ability to resist all loads and forces to which the sign, advertising or billboard may be exposed and the sufficiency of the margin of safety against failure.
- 1.3 The Municipality may require, where necessary, the submission of an Environmental Impact Assessment (either the 1st stage thereof, being the completion of an Environmental Checklist or in its entirety), Heritage Impact Assessment and/or a Traffic Impact Study.
- 1.4 If in the Municipality's opinion, a community or portion thereof or a person will be affected by the proposed sign, it may require a public participation process prior to considering the approval.
- 1.5 The Municipality will require a signage master plan in respect of any development where the erection of numerous signs is proposed or the rationalisation of previously approved signs is required so as to allow it to consider a consistent design master plan prior to assessment of any individual sign.
- 1.6 The Municipality shall notify the applicant of any additional requirements it has, within 21 working days of the date of submission of the original application.
- 1.7 The Municipality shall be entitled to retain a copy of every document supplied to it as part of an application, but is not obliged to do so.
- 1.8 The Municipality may require written notification, by the applicant or person who erects an approved sign that such sign has been erected.

2. CHARGES AND GENERAL FACTORS IN CONSIDERING APPROVAL AND/OR AMENDMENTS/CONDITIONS TO APPROVAL
- 2.1 Every person who applies to the Municipality for approval shall, on making application, pay to the Municipality an application fee as determined by the Municipality's Tariffs from time to time. No sign shall be erected until such time as the application fee has been paid in full.
- 2.2 In considering an application for the display of an advertisement or the erection of a sign in terms of this By-Law, or an amendment or condition of approval, the Municipality shall have regard to the following factors:
- 2.2.1 The area of control in which the proposed sign is to be erected. Provided further that if a sign falls into more than one area of control, or if a proposed sign site located in one area of control may impact on an adjacent area of control, the Municipality shall be entitled to determine the area of control pertaining to that application.
- 2.2.2 The type of locality or landscape and the advertising opportunities pertaining to that area of control.
- 2.2.3 The number of signs already displayed or to be displayed on the erf and in the area surrounding such erf.
- 2.2.4 The findings of any Traffic Impact Study, Environmental or Heritage Impact Assessment more specifically any such finding as to whether the proposed sign will be detrimental to the environment or adversely affect the amenity of the locality or neighbourhood or affected properties;
- 2.2.5 Locality bound signs must relate to the lawful use of a property provided that no such sign shall be affixed to or placed on residential premises or portions thereof other than is permitted by or for home industries and legal temporary uses.
- 2.2.6 The outcome of any process of public participation regarding the proposed sign.
- 2.2.7 That no sign or advertisement may be designed or displayed that:
- 2.2.7.1 will constitute a danger to any person or property;
- 2.2.7.2 will display any material or graphic which, whether in form, content or both, may reasonably be expected to cause offence to the public or an identifiable section of the public.
- 2.2.7.3 will be detrimental to the environment or amenity of the neighbourhood by reason of either its size, intensity, frequency, illumination, quality of design, material, proposed graphic, locality or for any other reason;
- 2.2.7.4 will obscure any other signs approved in terms of this By-Law or Road Traffic Act or its predecessor.

- 2.2.7.5 will be detrimental or otherwise negatively impact on the environment, whether artificial or natural.
- 2.2.8 In considering a proposal for new graphics in respect of a sign approved in terms of this By-Law, the Municipality will have regard to the factors referred to in Sections 2.2.4 to 2.2.7.
- 2.2.9 The Municipality will only consider an application for the extension of an approval period (in terms of Section 4.3) on condition that the said sign complies with the provisions of this By-Law as at the date of application for such an extension.
- 2.2.10 The Municipality will have regard to the factors referred to in Section 2.2.4 to 2.2.7 in assessing an application for an extension of the approval period in terms of Section 4.4. In the event of the approval period being extended by the Municipality, the extension period shall not exceed a further 5 year period.
- 2.2.11 Any application for an extension of an approval period in terms of Section 4.3 must be accompanied by the fee referred to in Section 2.1.

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

The Municipality shall, in addition to the factors set out hereinabove, apply certain minimum standards to certain specific sign types and proposed localities when an application for approval is made in respect thereof and will apply certain specific criteria to applications for the erection of signs by non-profit bodies. These specific standards and criteria are set out in the Municipality's Advertising Signs Policy which may be amended from time to time.

ILLUMINATION REQUIREMENTS

- 3.1 The Municipality may approve an illuminated sign, provided that the provisions of this By-Law are complied with and that such illumination does not constitute a traffic safety hazard or cause undue light spillage.
- 3.2 Signs may not be illuminated if no sign content is displayed.
- 3.3 Requirement for internal illumination and/or electronic signs:
- 3.3.1 Internally illuminated and electronic signs containing advertising may only be displayed in areas of partial and minimum control and must be less than 2,1 m². This size condition may be waived, up to a maximum size of 4,5m² in any such area upon receipt of an Environmental and Heritage Impact Assessment showing no detrimental impact will be caused by the proposed display, or to any larger size specified by the Municipality in an area designated by the Municipality as a district in which illuminated or electronic signs are to be encouraged.
- 3.3.2 Electronic signs may not have subliminal flashes.
- 3.3.3 Prior to erection, the Municipality may require a Traffic Impact Assessment to be conducted, the results of which must indicate that no detrimental impact on traffic is envisaged may occur. In addition the Municipality may require subsequent traffic monitoring of any internally illuminated or electronic sign.
- 3.4 Requirements for external illumination:
- 3.4.1 The light emanating from floodlights shall not negatively impact on traffic travelling in either direction.
- 3.4.2 Floodlights shall not be positioned so as to create any undue light spillage beyond the surface area of the sign.
- 3.4.4 Approved way leaves MUST be obtained from the electricity department prior to any excavations for the installation of signs. This also applies for signs to be erected in the vicinity of overhead power lines.

ROAD TRAFFIC SAFETY REQUIREMENTS

- 3.5 Signs may not be erected in an area where the Roads Authority is of the opinion that they are an unacceptable distraction for motorists or where motorists turn, negotiate curves or traffic merges, diverges or weaves.

- 3.6 Electronic signs shall not be permitted if they are visible from a class 1 road, gateway route or a scenic drive unless expressly approved in writing by the Road Authority.
- 3.7 Advertising on bridges, towers, telecommunication masts or pylons shall not be permitted.
- 3.8 Signs shall not be located within 50m of the perimeter of an intersection of a designated road of metropolitan significance unless expressly approved in writing by the Road Authority.
- 3.9 The graphic content of signs shall not have the potential to be visually interpreted as a road traffic sign, due to any factor, including but not limited to the following:
- (a) any stylised or pictorial presentation of a road traffic sign or traffic signal;
 - (b) any word, symbol, logo or other device used on a road traffic sign;
 - (c) use of combinations of colours specified for road traffic signs, in a manner likely to lead to confusion;
 - (d) any reflectorised paint or material.
- 3.10 Signs may not be erected in an area where the traffic volume, the average following headway or accident history requires a higher than average degree of awareness from motorists.
- 3.11 Signs may not be attached to or obscure a road traffic sign or traffic signal.
- 3.12 Signs may not be erected within the road reserve of any public road unless expressly approved by the Road Authority.
- 3.13 When located at signalized traffic intersections, signs may not have the colours red or yellow or green as main colours and shall not obscure or interfere with any road traffic sign or traffic signal;
- 3.14 Electronic signs shall not be permitted within 80 metres of the perimeter of a signalised traffic intersection.
- 3.15 Flashing or running messages or variable transition messages that have a message change interval of greater than 0,3 seconds or have transition effects between message changes shall not be permitted if viewable from a public road.
- 3.16 Static display, simple transition signs shall display a complete frame for an information cycle length of not less than 60 seconds when visible from a signalised traffic intersection and 30 seconds at other locations.

3.17 All third-party signs larger than 4,5m² erected adjacent to a public road or in a railway reserve intended to advertise to persons using designated roads of metropolitan significance must be spaced a minimum specified distance from any other sign or road traffic sign, such distance measured parallel to the centre line of the roadway, in accordance with Table 1 below.

TABLE 1: LINEAR SPACING BETWEEN SIGNS

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

3.18 The abovementioned minimum distances specified in Table 1 above may be decreased by the Municipality if the sign falls within an area of minimum control, or in other areas of control on submission of a TIS motivating a reduction of this spacing to the satisfaction of the Municipality. The Municipality may from time to time prepare a list or map of designated areas in which the abovementioned spacing requirements shall not be applicable.

LEGAL REQUIREMENTS

3.19 All signs to be erected and/or displayed within the area of jurisdiction of the Municipality must, in addition to complying with this By-Law, comply with all other applicable legislation, including any applicable Zoning Scheme Regulations or condition of approval of any departure from the applicable Zoning Scheme Regulations.

4. APPROVAL

- 4.1 The Municipality may refuse any application or grant its approval subject to conditions relating to the erection and/or use of the sign and including a condition that the owner of any sign or billboard or the land or building on which it is erected or displayed, or both such owners and/or the person whose product and/or services are advertised, indemnify the Municipality against any consequences flowing from the erection, display or mere presence of such sign.
- 4.2 The Municipality may, at any time, withdraw an approval granted in terms of this By-Law or its predecessor or amend any condition or impose a further condition in respect of such approval, if a sign or advertising structure is in a state of disrepair, stands empty for more than 90 consecutive days, no longer complies with any provision of this By-Law as can be amended from time to time or is substantially altered from the original approved application by way of either structure or graphic content.
- 4.3 Should an approved sign not be erected within 12 months from the date of approval or within such other time as is specified in the approval, such approval shall lapse, unless that period is extended in writing by the Municipality therefore upon application within one month prior to such lapse.
- 4.4 Any approval of third party advertising granted by the Municipality in terms of this By-Law, shall endure for a maximum period of 5 years, calculated from the date of approval, unless extended in writing prior to the expiry of the approval period. The Municipality must receive a written application for extension of the approval period at least six calendar months prior to the lapse of the approval period.
- 4.5 In the event that the structure supporting such sign is intentionally demolished before the expiry of the approval period, the approval shall lapse and no further sign or supporting structure may be erected or re-erected without the Municipality's prior approval in terms of this By-Law.
- 4.6 All decisions by the Municipality regarding applications made in terms of this By-Law shall be in writing and will be provided to Applicants within 90 calendar days of date of submission of a complete application, alternatively, if so required by the Municipality, within 90 calendar days of its receipt of any additional information and/or assessments provided to the Municipality.

5. APPEAL

- 5.1 Any persons whose rights are affected by a decision made in connection with this By-Law by the Municipality may appeal against that decision by giving written notice of the appeal and reasons to the Municipal Manager within 21 days of the date of the notification of the decision.
- 5.2 The Municipal Manager must promptly submit the appeal to the appropriate appeal authority mentioned in Section 5.4.
- 5.3 The appeal authority must consider the appeal, and confirm, vary or revoke the decision, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.
- 5.4 The appropriate appeal authority will be as determined by Section 62 of the Municipal Systems Act No. 32, as amended from time to time.

- 6. SUBJECT TO COMPLIANCE WITH THE CONDITIONS PERTAINING THERETO AND/OR SET OUT HEREUNDER, THE MUNICIPALITY'S APPROVAL IS NOT REQUIRED FOR THE FOLLOWING SIGNS
 - 6.1 Development Boards on erven being developed
 - 6.1.1 Development boards shall be removed forthwith when the building operations are complete or forthwith if the building operations are discontinued, or when the provisions of the services, the doing of the work, or the supply of the goods to which the sign relates has ceased;
 - 6.1.2 The Municipality may order the removal of any such sign if the building operations have been substantially completed or discontinued or an Occupancy Certificate as defined in the National Building Regulations, has been issued by the Municipality, or the provision of the services, the doing of the work or the supply of the goods to which it relates, has for all practical purposes ceased, and such signs shall thereupon be forthwith removed but no later than 5 days after the date of the order for removal thereof.
 - 6.1.3 If the premises on which building operations are in progress, are to be used wholly for residential purposes, only one development board shall be displayed and such development board shall not exceed 3m² in total area;
 - 6.1.4 If the premises are not to be used wholly for residential purposes, no more than two development boards shall be displayed and each development board shall not exceed 3m² in total area;
 - 6.1.5 If the signage, whether on freestanding boards, or flexible building covering material, include any other form of Third Party advertising, such signage will be approved in terms of the Municipality's Advertising Signs Policy as amended from time to time.
 - 6.2 To Let/For Sale Signs
 - These include any sign not exceeding 600mm x 450mm in size displayed at existing premises or at properties upon which a new building is being erected and relating to accommodation being offered to rent or purchase in the building, on condition that any such sign shall be removed within 60 days after the date upon which the accommodation to which it relates is let or sold (under special circumstances application may be made for a larger board, which will be considered on the merit of the particular application);
 - 6.3 Sold Signs
 - "Sold" sign will be condoned for a short period (maximum 3 weeks) after the conclusion of a sale and should replace the "for sale" sign. A "sold" sticker pasted over the "for Sale" section of the board will also be acceptable.

- 6.4. On Premises Business Signs
 - These include any unilluminated sign not projecting over a public road and not exceeding 450mm x 600mm in total area notifying only the types of trade, business, industry or profession lawfully conducted by any occupant or permanent resident of the premises to which it is attached, the name of such occupant, the type of activity, the address and telephone number of such premises and the hours of attendance (if any); provided that only one such sign per occupant may be displayed.
- 6.5. Window Signs
 - These include any locality bound signs which are temporarily or permanently painted on or attached to the window glass of a building used for commercial, office, industrial or entertainment purposes, or any other temporary or permanent sign which is displayed within 2m of any window or external opening through which it can be seen from the outside such a building, on condition that no window sign shall exceed 4,5 m² in an area of maximum control.
- 6.6. Signs Incorporated in the face of a building
 - Any sign forming an integral part of the fabric of a building (but excluding a painted sign or a sign affixed in any manner onto the building), on condition that no such sign shall exceed 0.2m² in total area.
- 6.7. Signs on Sports Fields within areas of minimum control
 - Except when visible from scenic drives, in which case such signs erected around the perimeter of a sports field may not exceed a maximum size of 2 x 1m each. Larger signs which face inwards onto the field and are not visible from any other public place shall also be permitted. The number of signs must not exceed five (5) signs within 45m from a major intersection.
- 6.8. Security Signs
 - Any security sign not projecting over a public road and not exceeding 0.2m² in total area indicating either that a security watch scheme is in operation or that a security company has been contracted to protect the premises on which the sign is displayed, on condition that:
 - 6.8.1 only one such sign is displayed on any public road or each street frontage of such premises and;
 - 6.8.2 the said sign displays only the name, logo, address and telephone number of a security company contracted to protect the premises on which the sign is displayed.
- 6.9. Temporary sponsored, commercially sponsored and Non-Profit Body Signs: less than 4,5m²

7. DISFIGUREMENT

7.1. No person shall destroy, harm, damage or disfigure or deface the front or frontage of any street, road, traffic sign, wall, fence, land, rock, tree or other natural feature, or the front or frontage or roof of any building or structure in any manner whatsoever during construction or through the display or use of a sign or the writing or painting of any sign, symbol, letters or numerals. Furthermore, no person shall disfigure any sign legally displayed in terms of this By-Law.

7.2. A municipality may, subject to such conditions as it may deem fit, grant permission for the display of posters on special occasions such as elections, festivities, university rag processions, etc.

8. DAMAGE TO MUNICIPAL PROPERTY

8.1. No person shall, in the course of erecting or removing any sign, or banner, cause damage to any tree, electric standard or service or other municipal installation or property and street furniture.

9. ENTRY AND INSPECTIONS

9.1. The Municipality shall be entitled, through its duly authorized officers, to enter into and upon any premises, at a reasonable time for the purpose of carrying out any inspection necessary for the proper administration and enforcement of the provisions of this By-Law.

10. OFFENCES

10.1. Any person who:

10.1.1 Any person who contravenes the provisions of these by-laws shall be guilty of an offence and liable on conviction to the penalty prescribed in section 20.

10.1.2 Whether or not a prosecution under subsection (1) has been instituted, when any sign is displayed for which no consent has been granted by the municipality or for which the consent has expired, or which does not comply with the required specifications set out in Chapter 1 or with the provisions of any other sections of these by-laws, the municipality may, by notice in and served upon the person displaying or causing or permitting such sign to be displayed or upon the owner of the site upon which it is being displayed or upon both such person and such owner, direct her/him or them, as the case may be, within a time to be specified in such notice, to remove, repair or alter such sign or to alter the manner or place or circumstances in which it is displayed or to do such other things as may be set forth in such notice, so that such non-compliance may cease.

10.1.3 If a person on whom a notice has been served in terms of subsection (2) fails to comply with any direction contained in such notice within the time specified therein, the municipality may at any time thereafter itself give effect thereto, or remove any sign referred to in such notice and revoke any permission it may have given in respect of such sign and recover the cost of any such removal or any such action from any person upon whom the notice in question was served unless such person proves:

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6.9.1 Any such temporary sign whether erected by or in connection with a non-profit body or not; not exceeding 4.5m² in total area on condition that no more than 15% of the total surface area of the sign is used for third party advertising; and the sign is not illuminated, and furthermore provided that only one such sign shall be permitted per erf and only on erf being utilized for such.

6.9.2 Signs which comply with provisions of Section 6.9.1 shall, when erected on municipal land, may only be erected once agreement has been concluded with the Municipality, wherein the extent of the community or public benefit as jointly agreed between the municipal department responsible for the premises and/or land has been agreed and the terms of the erection of the sign agreed, and a copy of the agreement lodged with the environmental management branch or its successor in title, of the Municipality.

6.9.3 All other sponsored signs are dealt with in the Municipality's Advertising Signs Policy as may be amended from time to time.

6.10. Advertising on Flags

Advertising flags not within the road reserve shall only be displayed on flag poles, provided that they are no closer together than 5m on any one property on which they are displayed, and that no more than five (5) flag poles are erected per street frontage and the size of each flag pole must not be more than 5m from the ground level and may not be within the road reserve.

6.10.1. Advertising on Vehicles

Signs painted or affixed directly onto the body of a motorized vehicle.

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or do such work as may be specified in such notice, provided that no court order shall be required, if the unlawful sign is erected or displayed on property belonging to the Municipality, prior to removal or alteration thereof.

12.3 In the event of the Municipality removing or altering a sign, the Municipality shall be required to compensate any person for any unreasonable loss or damage to property other than the unauthorised sign itself occasioned by or in respect of such removal or alteration.

12.4 Any costs incurred by the Municipality in removing signs, or in doing alterations or other works required in terms of a Notice, may be recovered from the person on whom the notice was served.

(a) that he did not display the sign, or
(b) that he did not take an active part in displaying the sign and did not grant any person permission to display it and did not receive any valuable consideration in connection with the displaying thereof.

10.1.4 No compensation shall be payable by the municipality to any person in consequence of any removal or other work in terms of subsections (2) or (3).

10.3 Unlawful signs removed by the Municipality may be reclaimed from the Municipality on payment in full to it of any costs incurred by the Municipality in the removal of the said sign, as well as payment of the costs of any charges incurred in the storage of such sign within two months. Any unlawful signs removed by the Municipality and not reclaimed within two months of the date of removal shall be disposed of by the Municipality in its sole discretion to defray its removal and/or storage costs.

11. PRESUMPTIONS

11.1 Any person charged with an offence in terms of this By-Law who is:

11.1.1 alone or jointly with any other person responsible for organizing, or in control of any meeting, function or event, to which a sign or poster relates, shall be deemed, until the contrary is proved, to have knowingly displayed every unlawful sign or poster displayed in connection with such meeting, function or event or to have caused or allowed it to be so displayed;

11.1.2 the person whose name appears on an unlawful sign or whose product or services are advertised on such sign, shall be deemed, until the contrary is proved, to have displayed such sign, or to have caused or allowed it to be displayed unless the contrary is proved;

11.1.3 the owner of any land or building on which any unlawful sign was or is displayed, shall be deemed, until the contrary is proved, to have knowingly displayed such sign, or caused or allowed it to be displayed.

12. ENFORCEMENT AND REMOVAL OF SIGNS

12.1 If any sign displayed is in contravention of this By-Law, the Municipality may serve a notice on the owner or lessee of the sign, or the land owner on whose land the sign is erected or displayed, or person whose product or services are advertised, calling upon such person to remove such sign or carry out such alteration thereto or do such work as may be specified in such request or notice, within a time frame specified therein. Notwithstanding the service of such notice, it may be withdrawn or varied by the Municipality, by agreement with the person so served, or failing such agreement, by the service of a further notice.

12.2 Should the Municipality's demands, as set out in the notice, not be carried out within the time period specified therein, the Municipality may, without further notice to the person upon whom the notice was served and after obtaining relief from the appropriate court on an *ex parte* basis, remove or alter the sign

12.5 Notwithstanding any other clause in this By-Law, if a sign is, or is reasonably considered to be a danger to life or property, by a duly authorised employee of the Municipality, acting in connection with this By-Law, the Municipality itself may, without prior notice and without a Court Order, carry out or arrange for the removal of such sign. Any costs incurred by the Municipality in carrying out or arranging for the removal of such sign may be recovered from the owner or lessee of the sign, or the landowner on whose land the sign was erected, or the person whose product or services were advertised, jointly and severally.

12.6 Signs removed and not claimed within 2 months shall be disposed of by the Municipality.

COMPLIANCE OF EXISTING SIGNS

1. Every sign existing at the date of the promulgation of this by-law shall be made to comply therewith in all respects within a period of one year from the date of such promulgation. Where any sign does not so comply after the said period of one year, it shall forthwith be removed.
2. Where any sign not complying with the provisions of this by-law has not been made to comply therewith within the aforementioned period of one year, or where any sign has been erected which is not in conformity therewith, the municipality may order the owner thereof to remove such sign. Upon failure to do so the municipality may remove the sign and recover the cost from the person who erected the sign or permitted the erection thereof.
3. Whenever, through change of ownership or occupancy or change in the nature of the business, industry, trade or profession conducted on any premises or through the erection of new traffic signal lights or through an alteration in the level or position of any street, footway or kerb, or through any other cause whatsoever, a new sign ceases to comply with this by-law, such sign shall be forthwith removed, obliterated or altered by the person displaying such sign so as to comply with this by-law.

STRUCTURAL REQUIREMENTS

1. Every sign affixed to a building or structure shall be rigidly attached thereto. Every sign which is affixed to the ground and every structure supporting a sign, which structure is affixed to the ground, shall be rigidly anchored to the ground. Every sign and its supports and anchorages, and the building or structure, if any, to which it is affixed, shall be of adequate strength to resist, with a safety factor of 4, the dead load of the sign and a superimposed horizontal wind pressure of 1,5kPa.
2. All signs and supports thereof which are attached to brickwork or masonry shall be attached thereto by means of expansion bolts or by means of bolts passing through such brickwork or masonry and secured on the opposite side thereof. Such bolts shall be not less than 12 mm in diameter.
3. Every sign affixed to a building or a wall shall be supported by at least four independent supports so designed and disposed that any two of such supports will safely support the sign with a safety factor of 2.
4. All exposed metalwork in a sign or its supports shall be painted or otherwise treated to prevent corrosion and all timber in a sign or its supports shall be treated with creosote or other preservative to prevent decay.
5. Every person displaying a sign shall cause such sign and its supports to be maintained in a safe condition at all times and any person who contravenes the provisions of this sub-section shall be guilty of an offence.

13. SERVICE OF NOTICES

- 13.1 Where any notice or other document is required by this By-Law to be served on any person, it shall be deemed to have been properly served if served personally on him/her, or any member of his/her household, apparently over the age of 16 years, at his place of residence, or on any person employed by or with him at his place of business, or if posted by registered post to such person's residential or her business address, as it appears in the records of the Municipality; or if such person is a company or closed corporation or a trust, if served on any person apparently employed by that company, closed corporation or a trust, at the registered office thereof, or sent by registered post to such office.

14. MAGISTRATE'S COURT JURISDICTION

- 14.1 Notwithstanding anything to the contrary contained in any law relating to Magistrates' Courts, a Magistrate shall have jurisdiction, on the application of the Municipality, to make an Order for the enforcement of any of the provisions of this By-Law or of any approval, refusal or condition granted or applicable in terms hereof.

15. SAVINGS

- 15.1 Any application for the display of any advertisement or erection of any advertising structure for advertising purposes, submitted to the Municipality and in respect of which a decision has not yet been made by the Municipality at the time of promulgation of this By-Law, shall be considered by the Municipality in terms of this By-Law.

16. INDEMNITY

- 16.1 The Municipality shall be indemnified against any claims of whatsoever nature that may arise as a result of the presence of any sign approved and/or erected in terms of this By-Law, and also any claims of whatsoever nature that may arise as a result of damage to any sign that has been removed by the Municipality or its agent after failure by the offender to remove the sign as instructed in a written notice.

17. WAIVER OF REGULATIONS

- 17.1 The Municipality may, if it deems it desirable to do so, waive compliance with or relax the provisions of this By-Law; provided that any person whose rights are adversely affected by such waiver or relaxation shall not be bound thereby.
- 17.2 In each case in which such waiver or relaxation has been granted to any person, the Municipality shall serve a written notice upon such person citing the relevant provision waived or relaxed and the extent to which such provision has been waived. In addition, the Municipality shall keep a record containing an identical copy of each such notice, which record shall be available for inspection by members of the public at the offices of the Municipality.

17.3 The Municipality when waiving any of the clauses of this By-Law shall be guided by the Municipality's Advertising Signs Policy as amended from time to time.

18. **REPEAL OF BY-LAWS**

The provisions of any by-laws previously promulgated by the Cape Agulhas Municipality or by any of the disestablished municipalities now incorporated in the municipality, are hereby repealed as far as they relate to matters provided for in these By-laws, and insofar as it has been made applicable to the municipality by the authorisation for the execution of powers and functions in terms of section 84(3) of the Local Government: Municipal Structures Act, Act 117 of 1988.

19. **PENALTIES**

Any person who contravenes any provision of these by-laws or who fails to comply with a lawful directive issued to him by the authorised official of the municipality shall be guilty of an offence and liable on conviction to a fine not exceeding R2000,00 (two thousand rand) or to imprisonment for a period not exceeding 6 (six) months or to both such imprisonment, with a further fine of R50,00 (fifty rand) per day for every day, since the date on which the directive had been given, that the offence continued.

20. **SHORT TITLE AND COMMENCEMENT**

This by-law shall be known as the By-law relating to the Outdoor Signs (Advertising and Other), 2012 and shall come into operation on the date of publication thereof in the Provincial Gazette.

21. **TECHNICAL REQUIREMENTS RELATING TO SIGNAGE**

(1) No advertisement or advertising structure, as permitted by these by-laws, may:

- (a) constitute a danger to any person or property;
- (b) be so placed or contain an element which distracts the attention of drivers in a manner likely to lead to unsafe driving conditions;
- (c) be illuminated to the extent that it causes discomfort or inhibits the vision of approaching pedestrians or drivers;
- (d) Be attached to a road traffic sign or signal, combined with a road traffic sign or signal (unless specifically provided for in the South African Road Traffic Signs Manual (SARTSM), obscure a road traffic sign or signal, create confusion with a road traffic sign or signal, interfere with the functioning of a road traffic sign or signal or create a road safety hazard in the opinion of the roads authority;
- (e) Obscure the view of a pedestrian or that of a driver of pedestrians, road or rail vehicles and features of the road, railway or pavement such as junctions, bands and changes in width;
- (f) Exceed the minimum clearance with regard to overhead power lines as prescribed in regulation 15 of the Electrical Machinery Regulations (No R1593 in GG. 11458 of 12 August 1988).
- (g) Be erected in power line servitude without the permission of the relevant authority having been obtained and submitted to the municipality.

(2) Signs or advertisements positioned along roads and specifically targeting the road user shall be concise and legible and shall comply with the following requirements:

- (a) No sign displaying a single advertisement or message shall exceed 15 "bits" of information. No combination sign or any other sign displaying more than one advertisement or message shall contain more than 6 "bits" of information per enterprise, service or property or per individual advertisement or message displayed on a combination sign. "Bit" values shall be calculated as follows:

Words of up to 8 letters, inclusive	: 1 "bit"
Numbers of up to 4 digits	: 0,5 "bit"
Numbers of 5-8 digits	: 1 "bit"
Symbol, logo or abbreviation	: 0,5 "bit"
- (b) No message shall be spread across more than one sign or sign panel.
- (3)
 - (a) be neatly and properly constructed and executed and finished in a workmanlike manner;
 - (b) not be detrimental to, or have a negative aesthetic impact on, the urban design, streetscape or the character of the surrounding area by way of the design of the structure or device;
 - (c) 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 sign;
 - (d) have a neat appearance in terms of advertisement content and sign writing while untidy hand-written messages should be avoided as far as possible;
 - (e) be rigidly and securely attached, supported or anchored in a safe manner and so that unwanted movement in any direction is prevented;
 - (f) be capable of effectively securing, supporting and maintaining not less than twice its mass with the addition of any force to which the sign may be subjected, including wind pressure;
 - (g) wherever necessary in accordance with the nature of the sign and when attached to brickwork, masonry or concrete, be securely and effectively attached thereto by means of bolts securely embedded in such brickwork, masonry or concrete or passing through the same and secured on the opposite side;
 - (h) when attached to conservation-worthy building, be attached with the necessary expert advice in order to prevent damage to such buildings;
- (4) Any advertiser or contractor –
 - (a) shall not use water-soluble adhesive, adhesive tape or similar material to display or secure any sign or advertisement elsewhere than on a billboard, board or any structure provided for this purpose;
 - (b) shall have all exposed metalwork of any sign painted or otherwise treated to prevent corrosion and all timber treated to prevent decay; and
 - (c) shall have measures taken to prevent the entry of water into and the accumulation of water or moisture on or in any part of its supporting framework, brackets or other members.
- (5) Glass used in signs (other than glass tubing used in neon and similar signs) shall be safety glass at least 3mm thick and glass panels used in signs shall not exceed 0,900m² in area, each panel being securely fixed in the body of the sign, structure or device independently of all other panels.

(d) Not be erected within an area formed by a square with sides measured 10 m along the edge of kerb from any urban street corner, or within the road reserve for a distance of 25 m from the street corner, with the exception of signs which are attached to buildings, and illuminated signs allowed within the area formed by a square with sides measured 15m along edge of kerb from any signalised street corner, shall not contain the colours red, green or amber.

24. ILLUMINATION

- (1) In areas of sensitivity, downward-directed external lighting must be utilised and any variance therefrom shall be subject to the approval of the municipality.
- (2) The light source emanating from floodlight shall not be visible to traffic travelling in either direction.
- (3) Floodlighting shall be positioned to ensure effective distribution and minimise light wastage or "spill".

25. DAMAGE OR DEFACEMENT BY REMOVAL OF SIGNS

Any damage or defacement of any building or site caused by or resulting from the removal of any sign shall forthwith be made good to the satisfaction of the municipality, at owner's cost.

(6) Every illuminated sign and every sign in which electricity is used must:

- (a) Have power cables and conduit containing electrical conductors positioned and fixed so that they are not unsightly in the opinion of the municipality;
 - (b) Be constructed of material which is not combustible;
 - (c) Be provided with an external switch in an accessible position whereby the electricity supply to the sign may be switched off;
 - (d) Be wired and constructed in accordance with and subject to the provisions of the relevant authority;
- (7) All signs shall comply with the relevant provisions of the National Building Regulations.

22. MAINTENANCE OF SIGNS

- (1) The owner of the property on which any sign is erected or displayed and the advertiser shall be jointly and severally responsible for the maintenance of such a sign (together with all its supports, braces, guys and anchors) and to keep it in a state of good repair and preservation both structurally and aesthetically
- (2) Whenever any alteration is made to the ground level adjacent to any sign, such owner and advertiser shall be jointly and severally responsible for the alteration of the height of such sign so as to comply with the requirements of these by-laws.
- (3) Any sign, as permitted by these by-laws
 - (a) Should, where possible, be located at a height that discourages vandalism;
 - (b) Shall be serviced on a regular basis; and
 - (c) Shall be maintained in good repair and in a safe condition and according to the highest standards as regards quality of structures, posting and sign writing.
- (4) Should any sign become dangerous or a nuisance, such owner or advertiser shall immediately remove the source of danger or the nuisance, and failure to do so shall constitute an offence.
- (5) Should an owner or advertiser fail to comply with the terms of a notice issued by the municipality him to remove such source of danger or nuisance, the municipality may remove the sign concerned at the expense of the owner or the advertiser and no compensation shall be payable by the municipality to any person in consequence of such removal.

23. POSITIONING OF SIGNS

Unless otherwise stated in these by-laws, a sign permitted by these by-laws shall:

- (a) Not be positioned on a road island or road median, with the exception of street name advertisements;
- (b) Not be suspended across a road except with the written prior consent of the municipality, and subject to any conditions imposed by the municipality;
- (c) Not be erected within or suspended above a road reserve, except for signs that relate to road construction;