

- (d) Any advertisement or sign which obstructs any street, fire escape, exit way, window, door or other opening used as a means of egress or for ventilation or for fire fighting purposes.
- (e) Any illuminated sign whether laser, animated, flashing or static, which disturbs or is a nuisance to the residents and/or occupants of any building and/or to any member/s of the public affected thereby.
- (f) Any advertisement or sign which is prohibited in terms of any Town Planning Scheme Regulation or other legislation.
- (g) Any advertisement or sign not erected in accordance with these By-laws or not in accordance with the specifications approved by the City Council, or the terms or conditions attached by the Council to any such approval.
- (h) Any advertisement or sign which may obstruct or interfere with any traffic sign or signal for traffic control, or which is likely to interfere with or constitute a danger to traffic, shipping or aircraft or to the public in general.
- (i) Any advertisement or sign which may inhibit or obstruct the motorists' vision or line of sight thus endangering vehicular and pedestrian safety.
- (j) Any form of bill-sticking by means of posters or placards to any existing structure without the approval of the Council.

11. DISCRETIONARY POWERS

- (1) The Council or its delegated officer/s shall exercise discretionary powers to permit or not to permit advertising signs in terms of the provisions of these By-laws in the following cases:
 - (a) Any advertisements on a portable board displayed on a street pavement.
 - (b) Any mobile advertising vehicles and their designated positions of display.
 - (c) Advertisements or signs painted on or in any way affixed to the surface of any window other than a display window.
 - (d) Advertisement or signs on top of a canopy or veranda.
 - (e) Advertisements painted on roofs or displayed or erected as a sky sign in an area other than industrial or harbour zone.
 - (f) Advertisements or signs displayed or erected in an area other than industrial or general business zone.
 - (g) Advertisements or signs made of certain materials not considered by the Council to be suitable or appropriate for the intended purpose.
 - (h) Banners and flags affixed to flagpole/s as a ground sign or attached to an existing building or structure.
 - (i) Any remote or third party advertising signs, sponsored signs and signs for non-profit organisations and institutions.
 - (j) Any advertisements or signs of dimensions not in accordance with the provisions of these By-laws.

12. SIGNS ON THE COUNCIL PROPERTY AND TEMPORARY ADVERTISEMENTS

Temporary advertisements and signs on the Council property are subject to the Council's specific consent as set out in these By-laws. Permanent advertisements and signs on the Council property; i.e. street furniture, street name signs, dustbins, bus shelters, suburban and community advertisements and any other remote advertising signs are subject to the Council's specific authority and/or tender procedure. The Council shall be obliged to set out and agree to the specifications and required performance standards for these signs prior to calling for proposals.

(1) Billboards

- (a) Every person who wishes to display or cause to display a billboard advertisement shall submit to the Council a written application on the prescribed form and pay the prescribed fee. Such applications shall be accompanied by an environmental impact assessment in the case of billboards in excess of 36m² and/or for smaller billboards at the Council's discretion.
- (b) This type of sign shall be permitted only in urban areas of minimum control and in urban areas of partial control at the Council's discretion, subject to specific consent and assessment of their environmental impact as required, which shall include the visual, social and traffic safety aspects.
- (c) The name of the owner of the billboard or sign must be clearly displayed on all boards together with the identification number approved by Council.
- (d) Any billboard so displayed shall –
- (i) comply with all legal requirements of the South African National Roads Agency Limited and Road Traffic Act where applicable;
 - (ii) comply with any other applicable National, Provincial or Local Government legislation and policy, including these By-laws and the Council's policy on outdoor advertising;
 - (iii) not be erected within an area of maximum control, unless, after an environmental impact assessment and public participation process, the Council identifies that such area, subject to such terms and conditions as it may impose, may be reclassified as an area of lesser control, which may not be relaxed further than the control type in the area adjacent to the site in question;
 - (iv) not be detrimental to the nature of the environment in which it is located by reason of abnormal size, intensity of illumination or design;
 - (v) not be, in its content, objectionable, indecent or insensitive to any sector or member of the public;
 - (vi) not unreasonably obscure partially or wholly any approved sign previously erected and legally displayed;
 - (vii) not constitute a danger to any person or property;
 - (viii) not encroach over the boundary line of the property on which it is erected; and
 - (ix) not be erected if considered by the Council to be a distraction to drivers, cyclists or pedestrians which could contribute to unsafe traffic conditions.
- (e) The positioning of billboards shall –
- (i) be spaced at least 120m, 200m or 250m apart when in view of each other on the side of the road/s to which they are directed or aimed with up to 60 km/h, 80 km/h or 100 km/h+ speed limit respectively;
 - (ii) not be erected within 100m from the ramp gore of public roads and from overhead traffic directional signs;
 - (iii) not be permitted within a radius of 100m from the centre of an intersection on any arterial road and within a radius of 50m from the centre of an intersection on any lower order road;
 - (iv) not have an overall height in excess of 12m above the surface of the road level to which it is aimed;
 - (v) not have an overall dimension which exceeds 64m² in the case of ground signs and 54m² in the case of wall signs;
 - (vi) not have as main colours, red or amber or green when located at signalised traffic intersections and shall not obscure or interfere with any road traffic light or sign;
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- (vii) not constitute a road safety hazard or cause undue disturbance or permitted to be illuminated if such illumination, in the opinion of the Council, constitutes a road safety hazard or causes undue disturbance;
- (viii) ensure that the traffic flow is not impeded during their erection and servicing on public roads, unless prior permission from the Council has been obtained and the necessary precautions taken and arranged;
- (ix) in the case of wall signs, be attached only to the side and back walls of buildings which do not fulfil the function of a street or front façade of the building.

(2) Ground signs

- (a) Only one on-site, locality bound, freestanding ground sign per premises shall be permitted either where such a sign is necessary to facilitate the location of the entrance or access to a business premises; or where it is not reasonably possible to affix appropriate signs to the building; or where the business premises is so set back as to make proper visibility of signs on the building not feasible, or where the existence of a freestanding composite sign may prevent the proliferation of signage.
- (b) On-site, locality and non-locality bound freestanding ground signs in the form of business signs and tower structures may not exceed 7,5m in overall height and 6m² in total area. In addition, they may not exceed 4,5m² in total area in respect of any individual advertisement thereon and have a clear height of less than 2,4m. Where a more solid structure is used, the maximum area per sign may be increased to 9m² and where the sign incorporates a combination sign, the maximum area per signage structure may be increased to 12m². Only one sign or advertising panel on a combination sign shall be allowed per enterprise per street frontage.
- (c) A remote, non-locality bound ground sign which does not have an overall height in excess of 7,5m above the ground at any point nor dimensions which exceed 6m in length and 3m in height, a total area of 18m², shall be deemed to be of appropriate dimensions: Provided that a ground sign which has greater dimensions shall not be erected unless, in the opinion of the Council, such sign will be or is deemed to be erected or displayed in an appropriate place.
- (d) All signs erected on a monopole shall be appropriately designed so that the height of the support is proportionally not too long in relation to the size of the sign.
- (e) A maximum of 2 pylon signs per tower, bridge or pylon shall be permitted. The maximum sign area per tower may not exceed 36m². The sign must be wholly contained within the structure and must have no projections.
- (f) Every ground sign or sign on towers, bridges and pylons shall be independently supported and properly secured to an adequate foundation and be without the aid of guys, stays, struts, brackets or other restraining devices and/or be entirely self-supporting and not dependant upon any existing structure for its support in any way.

(3) Wall signs

- (a) Flat signs
 - (i) Unless otherwise stipulated, flat signs shall, at no point, project more than 300mm from the surface of the wall to which they are attached. The maximum projection of any part of a flat sign shall be 100mm where the underside of such sign measures less than 2,4m from a footway or pathway immediately below it and the maximum projection shall be 300mm where the underside of such sign measures more than 2,4m above such footway or ground level.
 - (ii) On-site, locality bound flat signs shall be permitted to be attached to the front, side and back walls of buildings; remote, non-locality bound flat signs shall only be permitted to be attached to the side and back walls of buildings which do not fulfil the function of a building façade and to construction site boundary walls and fences.
 - (iii) No more than two locality bound flat signs per enterprise shall be permitted and no more than one non-locality bound flat sign per wall shall be permitted.
 - (iv) Flat signs shall not cover any windows or other external openings of a building or obstruct the view from such openings.

- (v) Flat signs shall not exceed 54m² in total area and shall not exceed 30% of the overall area of the wall surface to which they are attached, affixed or painted, whichever is the lesser, provided that in urban landscapes of maximum control the signs may not exceed 20% of the wall surface area.
- (vi) An environmental impact assessment shall be required for all flat signs in excess of 36m².
- (b) Projecting signs
 - (i) The minimum clear height of a projecting sign shall be in excess of 2,4m.
 - (ii) Projecting signs shall be 300mm in maximum thickness.
 - (iii) Projecting signs shall not be allowed to extend within 600mm of the edge of a roadway.
 - (iv) The maximum projection shall be 1,5m in the case of a projecting sign which has a clear height of more than 7,5m; and 1m where the sign has a clear height of less than 7,5m.
 - (v) Projecting signs shall be installed perpendicular to the street façade or to the direction of oncoming traffic.
 - (vi) All projecting signs shall be locality bound

(4) Roof signs

- (a) The maximum permitted size of a roof sign shall be 18m² or 6m² per face for three-sided units: Provided that only one sign per building shall be allowed.
- (b) Roof signs shall not project in front of a main wall of a building so as to extend beyond the roof of such building in any direction.
- (c) Roof signs shall not obstruct the view or affect the amenity of any other building.
- (d) Roof signs shall be placed in such a manner so as not to interfere with the run-off of rainwater from the roof of the building.
- (e) Roof signs shall be thoroughly secured and anchored to the building on or over which they are to be erected and all structural loads shall be safely distributed to the structural members of the building without the use of guys, stays or other restraining devices.
- (f) A roof sign, including all its supports and framework, shall be constructed entirely of non-combustible materials approved by the Council or its duly authorised official/s and if illuminated, shall not be placed on or over the roof of any buildings unless such sign, as well as the entire roof construction, is of non-combustible material.

(5) Veranda, balcony, canopy and under-awning signs

- (a) Signs may be affixed flat onto or painted on a parapet wall, balustrade or railing of a veranda or balcony, and beam or fascia of a veranda or balcony. Such signs may not exceed 1m in height, project beyond any of the extremities of the surface to which it is affixed, or project more than 300mm in front of the surface to which it is affixed or extend within 600mm of the edge of a roadway.
- (b) Signs may be affixed flat onto or painted on supporting columns, pillars and posts. Such signs may not 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. Sign affixed flat onto cylindrical supporting structures shall be curved to fit the form of such structure and only one sign shall be allowed per column, pillar or post.
- (c) Subject to the provisions of subsections (a) and (b), signs shall not be allowed on or over architectural features of buildings nor shall they be allowed to cover any window or obstruct the view from any such opening.

- (d) Under-awning signs suspended below the roof of a veranda, canopy or balcony shall have a maximum sign area of 1m² per face with a maximum of 2m² in total sign area and shall not exceed 1,8m in length or 600mm in height. The allowable thickness of such signs is between 100mm and 300mm. Every such sign shall be perpendicular to the building line and fixed at a clear height of not less than 2,4m. Only one sign per enterprise façade shall be allowed with a minimum spacing of 3m centre to centre between signs. Such signs shall not extend beyond the external edges of the canopy or veranda to which it is attached.
- (e) Signs on the roof of a veranda, canopy or balcony, excluding the main roof of a building, shall be composed of a single line of freestanding, individual, cut out logos and/or letter without visible bracing or support. Signs shall only be placed on top of veranda roofs where such veranda does not have an appropriate wall, railing or beam to which the sign may be affixed. All such signs shall not extend beyond the extremities of the veranda roof, canopy or balcony and only one sign per enterprise façade shall be allowed with a maximum height of 1 m.
- (f) Sunblinds and awnings shall be so made and fixed as to be incapable of being lowered to less than 2m above the footway or pavement directly beneath it. Such signs shall be parallel to the building line and placed in a manner so as not to interfere with vehicular or pedestrian traffic, traffic lights or traffic signs in any way.
- (g) Signs on adjacent buildings shall be aligned as far as possible in order to achieve a straight line or parallel configuration.

(6) Posters, banners and flags

- (a) Every person intending to display or cause or permit to be displayed any advertisement relating to an election or advertising any meeting, function or event of a sporting, civic, cultural, social, educational, religious, charitable, political or other similar character in any street or public place or on Council property shall first obtain the written permission of the Council.
- (b) Every application for permission shall be made on the prescribed form and be accompanied by the prescribed fee and deposit as contain in the Schedule of Advertising Sign Charges (Schedule A); such deposit shall be refunded when all the advertisements have been removed to the satisfaction of the Council. The applicant shall, on application, submit a copy of all the posters to which the application relates and written details of the streets in which the posters are to be displayed.
- (c) Any person who displays or causes a poster, banner or flag advertisement to be displayed shall comply with the following requirements to the Council's satisfaction;
 - (i) Any advertisement relating to an election, meeting, function or event shall be a maximum size of 600mm high x 450mm wide; shall have a clear height of minimum 2m; and shall be securely fixed to durable hardboard or other approved backing board.
 - (ii) In the case of banners or flags, the maximum size shall be 3m², suspended between non-corrosive pole/s or other approved support/s; and which shall be placed and fastened in such a manner so as not to constitute a danger to any vehicular traffic, pedestrian, person/s or property in any street, public place or Council property.
 - (iii) Any person/s or, in the case of election advertising, each political party displaying or causing to display any poster advertisement relating to the same meeting, function or event shall only be permitted one poster per electricity lamppost. No posters are permitted to be displayed on bridges, traffic lights, traffic signs, natural features, freeways and/or national routes.
 - (iv) Any advertisement relating to an election, meeting, function or event shall not be placed in such a manner that the content of separate advertisements when read in succession, forms a continuous relative legend.
 - (v) Any advertisement relating to a meeting, function or event other than an election, shall not be displayed for longer than 14 (fourteen) days before

the day on which it begins or longer than 3 (three) days after the day on which it ends. Election advertisements may be displayed from the beginning of the day of declaration of an election to the end of the third day after the election.

- (vi) The total number of posters displayed at any one time relating to any meeting, function or event may not exceed 100, except in special circumstances and with the consent of the Council. In the case of election advertisements, no limitation will be placed on the number of posters displayed.
 - (vii) Any advertisement relating to an election shall be on the basis of a written agreement between the Independent Electoral Commission and the relevant political party.
 - (viii) Banners approved in terms of this section may not be larger than 6m².
 - (ix) Auction posters approved in terms of this section may not be larger than 2m².
 - (x) Banners and flags may be applied for as directional advertising for streetscaping urban areas such as pedestrian malls and gateways or for displaying only the name, corporate symbol and nature of enterprises.
- (e) Every poster for which permission is granted shall be provided with a Council sticker or marking which shall be visibly displayed to indicate the Council's approval and the Council shall be entitled to retain one such poster for identification purposes.

(7) Estate agents' boards and portable boards

- (a) Every agent or person intending to display, cause or permit to be displayed any portable board, shall annually submit the prescribed, written application to the Council and pay the prescribed fee for approval of the number of portable boards specified in such application.
- (b) Any person who displays or causes any such portable board to be displayed on any Council property other than a road reserve, unless specific approval has been granted for the display on other property of the Council, shall comply with the following requirements to the Council's satisfaction:
 - (i) Portable boards are only to be used for the purpose of indicating the route to the property or premises to be sold or advertised.
 - (ii) Portable boards are to be of appropriate structure and size, not exceeding 600mm², and collectively the number of boards displayed may not, in the opinion of the Council, detract from the amenities of the streetscape or environment.
 - (iii) Subject to the provisions of the Road Traffic Act and other applicable legislation, portable boards are not to be positioned nearer than 1,8m from the edge of the roadway, and placed at such height that the lower edge of the board does not exceed 600mm above the ground.
 - (iv) Portable boards are not to be positioned nearer than 10m from any road intersection, entrance or exit from a dual carriage way or freeway as defined in the Road Traffic Act or other applicable legislation.
 - (v) Portable boards are not to be positioned so as to obstruct the view of any road traffic sign or street name sign from any portion of roadway as defined in the Road Traffic Act or other applicable legislation.
 - (vi) Portable boards are not to be positioned so as to hinder or obstruct pedestrians' right of way on a sidewalk or to unfairly prejudice other traders.
 - (vii) The display of portable boards for show-houses will only be permitted on Saturdays, Sundays and public holidays. Other approved portable boards

advertising services may only be displayed during normal trading hours, hereafter they shall be removed.

- (viii) Only one portable board per street frontage per enterprise shall be allowed to advertise services and such signs shall be placed directly in front of the advertiser's premises.
- (ix) Applicants will be required to indemnify the Council against any claims that may arise from the placement of such signs within the road reserve or on Council property and shall be required to procure third party insurance for this purpose.

(8) Aerial advertisement

- (a) Every person who wishes to display or cause to display an aerial advertisement, except by means of an aircraft, shall submit to the Council a written application on the prescribed form and pay the prescribed fee and such application shall be accompanied by -
 - (i) particulars of the content of dimensions of the aerial advertisement and of the aerial device by means of which the advertisement is to be displayed as well as the materials used and method of construction and anchorage;
 - (ii) particulars of the intended location with a description of the premises to which the aerial device will be anchored or tethered and details of electricity and telephone poles and cables and other structures within 30m of the point of anchorage;
 - (iii) the name and address of the person/s or contractor/s displaying the aerial advertisement and the name and address of the approved competent person in attendance of the aerial device and of its owner;
 - (iv) the period and times of intended display;
 - (v) where the applicant is not the owner of the premises to which the aerial device is to be anchored or tethered, the written consent of the owner for such anchoring;
 - (vi) proof of the provision of an automatic deflation device;
 - (vii) adequate public liability insurance to the Council's satisfaction; and
 - (viii) approval and any conditions and requirements prescribed by the National Civil Aviation Authority.
- (b) No aerial advertisement shall be displayed or caused to be displayed on, from or over Council property, including any street or public place, unless approval has been granted by the Council who may impose such conditions as it deems fit.

(9) Advertising vehicles

- (a) Every person who wishes to display or cause to display any advertisement on an advertising vehicle shall annually submit to the Council a written application on the prescribed form and pay the prescribed fee, and such application shall be accompanied by -
 - (i) particulars of the materials of which the advertising sign is made, its dimensions, and the manner of its construction and the method by which it is secured to the advertising vehicle;
 - (ii) the name, address and telephone number of the owner of the vehicle or, if the owner resides or has his place of business outside the boundaries of the Council, of the person having control over the vehicle at all times; and
 - (iii) a copy of the current vehicle licence issued in respect of such vehicle as well as the registration as required in terms of the Road Traffic Act.

- (b) No advertising vehicle shall be placed or caused to be placed on private property or Council property, including any demarcated parking bay, in a public road or within a road reserve -
 - (i) unless the prior written approval of the Council has been obtained in terms of these By-laws and designated display site(s) have been approved in terms of these By-laws; and
 - (ii) provided that, if no approved designated site(s) exists, advertising vehicle signs shall only be permitted to be displayed if they are mobile at all times and comply with legislation and conditions imposed by the Council.
- (c) Advertising vehicles parked on private property for the purpose of storage shall be positioned in such a manner as not to be visible from a street or public place.
- (d) The advertising panel or portion of the vehicle used for transit advertising shall not exceed a cumulative total of 6m².
- (e) Notwithstanding any provisions of these By-laws, the Council or its authorised officials may, without prior notice, remove an advertising vehicle from Council property, and in the case of an unauthorised advertising vehicle on private property, the Council may serve notice instructing the immediate removal thereof.
- (f) Unless an advertising vehicle impounded by the Council in terms of paragraph (e) has been reclaimed within a period of three (3) months from the date of notification, such vehicle shall be disposed of by the Council to defray any costs involved. Impounded advertising vehicles shall only be released by the Council after all removal costs and fines have been paid in full and a copy of the current licence registration papers have been submitted for verification.

13. PRESUMPTIONS

- (1) If any person is charged with an offence in terms of these By-laws, it shall be presumed that—
 - (a) any person/s who erects or displays or who causes to be erected or displayed any advertisement or sign, whether such person/s be the applicant, the owner or the occupier of the premises, the manufacturer of any part of the signage structure or the proprietor of the undertaking or activity to which such an advertisement relates and any of their agents, shall be deemed to have displayed, caused, allowed or consented to such advertisement or sign being displayed until the contrary is proved;
 - (b) any person/s, club, body or political party responsible for organising, sponsoring, promoting or in control of any meeting, function or event to which a sign, poster, election or aerial advertisement relates, shall be deemed to have displayed, caused, allowed or consented to such advertisement or sign being displayed until the contrary is proved;
 - (c) any person/s whose name appears on the advertisement or sign or whose product or services are advertised on such sign shall be deemed to have displayed, caused, allowed or consented to such advertisement or sign being displayed until the contrary is proved;
 - (d) an advertisement displayed upon the exterior wall or fence constituting the apparent boundary of any premises and fronting any street or public place shall be deemed to be displayed in a street or public place;
 - (e) where any notice or other document is required by these By-laws to be served on any person, it shall be deemed to have been properly served, within 5 (five) working days of dispatch, if served personally on him/her or any member of his household apparently over the age of sixteen years at his/her place of residence, or on any person employed by him at his place of business, or if sent by registered post to such person's residential or business address as it appears in the records of the Council, or if such person is a company, closed corporation or a trust, if served on any person employed by that company, closed corporation or trust at its registered office, or if sent by registered post to such office;
 - (f) any advertisement or sign lawfully in existence prior to the date of promulgation of these By-laws shall be presumed to have been lawfully displayed or erected in terms of these By-laws: Provided that it is continuously displayed or kept in position without any alteration other than

a minor alteration approved in writing by the Council; and

- (g) anything done under or in terms of any provision repealed by these By-laws shall be deemed to have been done under the corresponding provisions of these By-laws and such repeal shall not affect the validity of anything done under the By-laws so repealed. Any application lodged and pending before the Council at the time of commencement of the policy and/or promulgation of these By-laws, shall be dealt with in terms of these By-laws.

14. SAVINGS IN RESPECT OF EXISTING SIGNS

The following provisions shall apply in respect of the existing signs lawfully displayed at the date of promulgation of these By-laws:

- (1) Where any such sign complies with the provisions of these By-laws such sign may be continued to be displayed, subject to the provisions of these By-laws and shall be deemed to be a sign approved by the Council in terms of these By-laws.
- (2) Where any such sign does not comply with the provisions of these By-laws such sign may be continued to be displayed, subject otherwise to the provisions of these By-laws: Provided that -

- (a) If the sign is a sign to which the provisions of section 8 of these By-laws are applicable, the Council may, without in any manner detracting from its right to require the removal of such sign, by notice in writing require the person having possession or control of such sign, to alter, modify or adjust such sign within a period of 90 (ninety) days from the date of receipt of such notice, or such longer period as the Council may specify, in order that it may be made to comply with these By-laws.

Any such person who fails to comply with such notice, shall be guilty of an offence.

- (b) No such sign shall be repainted, renovate or reconstructed, unless it is first made to comply with the provisions of these By-laws, and the approval of the Council thereto has been obtained in terms of section 2 of these By-laws. Any person who repaints, renovates or reconstructs any such sign in contravention of the provisions hereof, shall be guilty of an offence.
- (c) The Council may, at any time after the expiration of a period of 3 (three) years from the date of the promulgation of these By-laws by notice in writing, require the person having possession or control of any such sign (not being a sign to which the provisions of section 8 of these By-laws are applicable) to alter, modify or adjust such sign in order that it may be made to comply with these By-laws; or alternatively, to remove such sign, within a period of 30 (thirty) days from the date of receipt of such notice or such longer period as the Council may specify.

Any such person who fails to comply with such notice shall be guilty of an offence.

- (3) Any existing sign not lawfully displayed at the date of promulgation of these By-laws shall be removed by the owner or person having possession or control thereof.

15. PENALTIES

Any person who contravenes any provision of these By-laws shall be guilty of an offence and liable, upon conviction, to a fine or imprisonment for a period not exceeding six months or both the fine and the imprisonment.

16. AREAS OF CONTROL

* Refer to Schedule B.

17. REPEAL OF BY-LAWS

The By-laws relating to the Control of Outdoor Advertising for the Kwa Sani Local Municipality, are hereby repealed and replaced by these By-laws, which are to become effective on promulgation hereof.

**SCHEDULE A
ADVERTISING SIGN CHARGES**

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

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

1. A non-refundable application fee of R150.00 (One Hundred and Fifty Rand) must be tendered with each application for sign types 2 (ground signs), 3 (wall signs), 4 (roof signs) and 5 (veranda, balcony, canopy and under-awning signs). Any minor amendment to an application, considered by the duly authorised official of Council to be a minor amendment, may be submitted at a reduced application fee of R50.00 (Fifty Rand) each.
2. A non-refundable application fee of R450.00 (Four Hundred and Fifty Rand) must be tendered with each application for sign type 1 (billboards) and all non-locality bound signs in excess of 12m².
3. The approval fee for 1 and 2 is R40.00 (Forty Rand) per square metre of advertising display or part thereof with a minimum fee of R40.00 (Forty Rand) per application.
4. A non-refundable application fee of R50.00 (Fifty Rand) must be tendered with each application for advertisements for sign types 6 (posters, banners and flags).
5. On approval of posters, the applicant must purchase non-refundable stickers from the Council which are to be clearly visible on all posters displayed as follows:
 - (a) R1.00 (One Rand) per sticker to be paid for each poster to be displayed for non-profit bodies only. These posters must display the fundraising numbers of the bodies or a formal constitution has to be submitted to the Council. No commercial advertising and logos of sponsors will be permitted to appear on such posters;
 - (b) R2.50 (Two Rand and Fifty Cents) per sticker to be paid for each poster to be displayed for religious, sporting, social, cultural, political and other events. A subordinate percentage of commercial advertising and logos of sponsors is permitted to appear on such posters; or
 - (c) R5.00 (Five Rand) per sticker to be paid for each poster to be displayed for events considered by the Council or its duly authorised officials to be primarily of a commercial nature.
6. A non-refundable application fee of R600.00 (Six Hundred Rand) per annum or part thereof must be tendered with the annual application for sign type 7 (estate agents' boards); the maximum number of boards required at any given time to be specified in such application.
7. A non-refundable application fee of R50.00 (Fifty Rand) each per annum must be tendered with the annual application for sign type 7 (portable boards or any other collapsible structure).
8. A non-refundable application fee of R200.00 (Two Hundred Rand) must be tendered with each application for sign type 8 (aerial advertisements); adequate public liability insurance for the duration of display will also need to be furnished to Council's satisfaction.
9. A non-refundable application fee of R1 200.00 (One Thousand Two Hundred Rand) per annum or part thereof must be tendered with each annual application for any sign type 9 (advertising vehicles); a certified copy of the current vehicle licence will also need to be furnished.
10. An encroachment fee of R45/m² to be paid on approval of an application for each sign type that encroaches over Council property.

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

B. Fines and penalties for offences and removal of advertising signs in terms of sections 9 and 14

1. Upon conviction of a first offence, the offender shall be liable to a fine or imprisonment for a period not exceeding 3 (three) months, or both the fine and imprisonment.
2. In the case of a continuing offence, the offender shall be liable to a further fine not exceeding R100.00 (One Hundred Rand) for every day during the continuance of such offence.
3. Upon conviction of a second or subsequent offence, the offender shall be liable to a fine or imprisonment for a period not exceeding 6 (six) months, or both the fine and imprisonment.
4. For the unauthorised display of sign types 6 (posters, banners or flags), the offender shall be liable to a fine or imprisonment for a period not exceeding 3 (three) months.
5. For the unauthorised display of sign types 7 (estate agents boards, portable boards or any other collapsible structure), the offender shall be liable to a fine or imprisonment for a period not exceeding 6 (six) months.
6. Any person contravening sections 9 and/or 14 shall upon conviction be liable to a fine or imprisonment for a period not exceeding 6 (six) months, or both the fine and imprisonment.

**SCHEDULE B
AREAS OF CONTROL (SECTION 16)**

Maximum		Partial		Minimum
Natural landscape	Rural landscape	Urban landscape	Urban landscape	Urban landscape
National parks	Municipal parks	Metropolitan	Central Business	Industrial areas
Game reserves	Horticultural areas	Open Space Systems	Districts Commercial and	Industrial zones
Nature reserves	Rural smallholdings	Urban smallholdings	office components of	Transport nodes
Forestry areas	Private open spaces	All residential zones	residential amenities	Traffic corridors
Natural environments	Public open spaces	Private open spaces	Commercial enclaves in	Transportation
Marine reserves	Intensive agriculture	Public open spaces	residential areas	terminals
Beaches and sea shores	Scenic drives	Pedestrian malls	Commercial nodes and	
Oceans	Scenic routes	Pedestrian squares	ribbon	
Extensive agriculture	Scenic features	Community facilities	Development Entertainment	
Scenic corridors	Peri-urban and	Scenic features	districts or complexes	
Scenic landscapes	Traditional areas	Scenic drives	Educational institutions	
River corridors		Gateways	Sports fields and stadia	
Wetlands open spaces		River corridors	Municipal/government	
		Wetlands	Mixed use and interface	
		Conservation areas	areas	
		Heritage sites	Visual zones along urban	
		Historic or graded	roads/freeways	
		buildings and areas		

Note: Any advertising sign which has been removed and confiscated but not destroyed by the Council, as a result of non-compliance with these By-laws, may be repurchased by the original owner/applicant at the cost incurred as a result of such removal and/or storage.

Furthermore, any sign/s removed and not repurchased within 60 (sixty) days of confiscation, or 3 (three) months in the case of advertising sign type 9 (advertising vehicles), shall be disposed of by the Council to defray expenses.