

TSWELOPELE LOCAL MUNICIPALITY

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OUTDOOR ADVERTISING POLICY

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1. INTRODUCTION

The purpose of this document is to regulate and control Outdoor Advertising in Tswelopele Local Municipality (TLM), and to provide opportunities for the outdoor advertising industry and local business people to advertise in a controlled and structured way, throughout the TLM area.

There are several uncontrolled and illegal advertising signs in the Tswelopele Municipal area, due to the absence of an active and implemented Policy and By-law to control and manage outdoor advertising. There are also unused opportunities in the TLM area that can be utilized to obtain income for the Council.

Without a Policy and By-law, it is difficult to control the erection of illegal advertisements. This Policy therefore contains criteria and standards for different types of advertising signs, accommodating the specific requirements and needs of the Tswelopele area with its unique environment and characteristics, the needs of Council, and the needs of the local people. This Policy is on standard and comparable with the latest Policy versions of other Municipalities in South Africa, but with specific needs and type of signs identified and addressed for the Tswelopele area.

2. PURPOSE OF THE POLICY

The purpose of this policy is to provide for the:

- ✚ effective control of all aspects of outdoor advertising within the Tswelopele Local Municipality's ("the Municipality") area of jurisdiction;
- ✚ for the uniform assessment of all applications which are made to the Municipality for permission to proceed with various forms of outdoor advertising;
- ✚ management and regulation of all forms of outdoor advertising which fall under the jurisdiction of the Municipality; and
- ✚ prescribe tariffs applicable to the forms of outdoor advertising.

The main objective for the control of outdoor advertising is to regulate the industry and generate revenue for the municipality.

The policy takes into account the national guidelines on outdoor advertising contained in the South African Manual of Outdoor Advertising Control (SAMOA).

3. SCOPE OF THE POLICY

The scope of this Policy is to provide rules and standards to control the use of land, buildings or any other structure for outdoor advertising. It has to regulate outdoor advertising in the jurisdiction of the Tswelopele Local Municipality. This policy should strike a balance between:

- ✚ outdoor advertising opportunities,
- ✚ economic development,
- ✚ creating opportunities to generate income for the Council,
- ✚ provide opportunities for the local people, local businesses and the industry to advertise, and
- ✚ the impact on the environment, traffic safety, and special countryside features, the nature and tourist attractions of the area.

The policy shall be applicable to all the areas under the jurisdiction of the TLM. Any entity or person who wants to erect any advertising sign or form of outdoor advertising that falls under this policy should adhere to the requirements set out in this policy

4. . MISSION OF THE MUNICIPALITY FOR OUTDOOR ADVERTISING

The mission of the TLM is: “To promote:

- ✚ Economic advancement to fight poverty and unemployment.
- ✚ Accessible, need-satisfying service rendered in a sustainable and affordable manner.
- ✚ Municipal transformation, Institutional development and good governance
- ✚ Effective environmental management which ensure a safe human settlements standards

5. DEFINITIONS AND TERMS

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

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

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

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

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

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

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

“AFFIX” means to firmly secure, which includes “painting onto” and “affixed” has a corresponding meaning.

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

“APPROVED” means approved by the municipality and “approval” has a corresponding meaning.

“AREA OF ADVERTISEMENT” means the total area of that which constitutes the advertisement.

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

“AREA OF JURISDICTION” means the area under the control of the municipality according to the legally determined and declared boundaries of the Municipality.

“AREA OF MAXIMUM CONTROL” means an area which are deemed sensitive to visual disturbance and include, but are not limited to natural open spaces, conservation areas, interface of natural landscape also within built-up areas, all residential areas, bodies of water and rivers, ridges, open recreational area, architectural and historical sites, characteristic vistas, heritage sites, countryside areas, special tourist areas and skylines.

“AREA OF MINIMUM CONTROL” include, but are not limited to areas seen as centres, areas and nodes of concentrated economic activity where the dominant concern and motivation is to conduct business and to sell products and services, such as areas of concentrated economic activity, commercial districts, shopping centers, office precincts, commercial enclaves, shopping centers, industrial and mining areas, entertainment districts, and prominent transport nodes.

“AREA OF PARTIAL CONTROL” means areas that can be characterized by a greater degree of integration and complexity of land use, includes but are not limited to a 50m strip between an area of minimum control and an area of maximum control, which will be measured from the edge of the area of maximum control into the area of minimum control, commercial enclaves/activity and shops in residential areas, office parks, ribbon development, educational institutions such as schools and technicons, institutional premises, sports fields or stadiums, commercialized squares, government enclaves, smallholdings of an urban nature.

“BANNER” means a piece of cloth or any other similar material upon which an advertisement is displayed in such a manner as to be fully legible in windless conditions, attached to one or more ropes, poles or flagstaff projecting vertically, horizontally or at an angle, or attached to buildings or to specific structures, for a temporary period, but excludes banners carried as part of a procession.

“BILLBOARD” means any screen or board larger than 4.5m², supported by a structure, which is to be used or intended to be used for the purpose of posting, displaying or exhibiting a third-party advertisement and can be classified as a small, large or super billboard. This can be attached to a structure manufactured specifically for advertising, or to a structure of any other form, used to attach the advertisement to, which can also include towers, bridges and pylons.

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

“BUS OR TAXI SHELTER DISPLAYS” means advertisements or posters positioned as an integral part of a freestanding covered structure at a bus stop or mini taxi rank or lay-bye.

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

“CENTRE POINT OF INTERSECTION” means the point of contact between the centre lines of two roads.

“CHARGE / TARIFF” means the appropriate monetary charge, tariff or fee determined by the municipality.

“CLEAR HEIGHT” means the minimum vertical distance from the physical or natural ground level to the bottom of the advertisement and / or to the advertising sign, whichever is the smallest.

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

“COMMERCIAL ADVERTISING / THIRD PARTY ADVERTISING” means any advertising related to the name of a business, a trade, a product, a partnership or an individual or any information recommendation or exhortation in respect of any particular goods manufactured or sold or any particular services rendered or offered.

“COUNCIL” means Tswelopele Local Municipality (TLM) and includes the Mayoral Committee or any officer employed by the municipality, acting by virtue of any power vested in the municipality in connection with this policy and delegated to him/her.

“COUNCIL LAND” means any portion of land including road, street, thoroughfare, bridge, subway, footpath, sidewalk, land, square, open space, garden, park or enclosed place, erf, site etc. vested in the municipality.

“DEVELOPMENT ADVERTISEMENT” means an advertisement which could describe the type of development being carried out on a construction site, including a pictorial representation, and containing the contact details of the developer or his agent.

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

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

“ELECTRONIC ADVERTISING SIGN” means an advertising sign which has an electronically controlled, illuminated display surface, which allows all or a portion of the advertisement to be changed, animated or illuminated in different ways.

“ENVIRONMENTAL IMPACT ASSESSMENT” (EIA) means a report requested by the National Department of Environmental Affairs and Tourism, as listed in the “List of Activities and Competent Authorities identified in Terms of Section 24 and 24D of the National Environmental Management Act, 1998”.

“ERF” means an erf, stand, lot, plot, agricultural holding or similar land entity registered in a deeds registry.

“ESTATE AGENT’S BOARD” means an advertisement that is temporarily displayed to advertise the fact that land, premises, development or other forms of fixed property are for sale, to let or on show.

“FLAG” means a material upon which an advertisement is displayed and which is attached to a single rope, pole or flagstaff projecting vertically, horizontally or at an angle from a building or property.

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

“GANTRY” means a structure that spans over the entire width of road surface.

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

“HEIGHT OF AN ADVERTISING SIGN” means the maximum vertical distance from the ground, or where the foundation of the sign starts or is visible above natural ground level, as the case may be, to the top of the advertisement and / or the advertising sign, whichever is the highest.

“HE/HIM” refers to any person/body, being it a male or female.

“ILLEGAL SIGN” means any sign or poster, painted, affixed, displayed, exhibited, posted or erected without approval by the municipality.

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

“LOCALITY-BOUND SIGN / FIRST PARTY SIGN” means a sign displayed on a specific site, premises or building and which refers to an activity, product, service or attraction located, rendered, sold or provided on that premises or site or inside that building.

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

“M / m” means meter.

“mm” means millimetre.

“MUNICIPALITY” means Tswelopele Municipality (also see Council).

“MUNICIPAL LAND” see Council Land.

“NATURAL AREA” means an area of the rural or non-urban environment which is in an unspoilt natural state or is of high scenic value, and includes, but is not limited to, the countryside area, game farms / reserves, nature reserves, open field area, agricultural areas, tourist or scenic areas.

“ON-PREMISES BUSINESS SIGN” means an advertisement aimed at identifying and locating business enterprises and industries, and only advertise the business operated on the site.

“OVERHANG” means the physical part of a sign hanging or projecting over a boundary.

“OWNER OF THE ADVERTISEMENT” means the person who owns the advertisement itself, which is displayed on the advertising sign, or any person who has a right to or shares in the ownership of the advertisement.

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

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

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

“POSTER OR NOTICE” means an advertisement displayed on an electrical street light pole standard inside the road reserve.

“PROHIBITED SIGN” means a sign, which does not conform to advertising by-laws and policy documentation and can thus not be approved.

“PROJECT BOARD” means an advertisement displaying information with regard to the relevant contractor(s) and / or consultant(s) involved in the construction project and displayed on the construction site.

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

“ROAD” means a public road which includes the shoulder, the land of which the road consist or over which the road extends, and anything on that land forming part of, connected with, or belonging to the road, which the public has the right to use and shown on the general plan of a township, agricultural holding or any other division of land in respect of which the public have acquired a prescriptive or other right of way and which vests in the municipality.

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

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

“ROAD TRAFFIC SIGN” means any road traffic sign as defined in the Road Traffic Act, 1989 (Act 29 of 1989) or as amended from time to time.

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

“RURAL AREA” refers to areas of transition between developed urban areas and relatively unspoiled natural areas and includes rural small holdings, unproclaim township areas, villages and areas outside the formal urban edge.

“SECURITY ADVERTISEMENTS” means an outdoor advertisement for neighbourhood watch, farm watch, security schemes and other similar schemes, and an advertisement containing the name, address and telephone number of a security company contracted to protect the premises on which the advertisements are displayed.

“SERVICE FACILITY ADVERTISEMENT” means an advertisement at a filling station or roadside rest and service area referring to the types of services provided at such facility.

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

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

“SMALL BILLBOARD” means a billboard smaller or equal to 18m² in area of advertisement.

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

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

“SUBURB NAME SIGN ADVERTISEMENT” means a pole mounted advertisement at the entrance to a town, township, village or suburb that carries an advertisement beneath the road traffic sign bearing the name of the town or suburb.

“SUPER BILLBOARD” means a billboard larger than 40m² up to 81m² in area of advertisement.

“TEMPORARY ADVERTISEMENT / ADVERTISING SIGN” means an advertisement / advertising sign displayed for a maximum period of 30 days or less as determined by the municipality.

“THIRD PARTY ADVERTISEMENT” means any advertisement / advertising sign displayed by an advertiser not being in physical occupation of the property on which the advertisement/ advertising sign is to be erected or to which the sign is to be affixed.

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

“TRAILER ADVERTISING” means a sign mounted on a trailer, bicycle or vehicle, with the sole purpose of advertising.

“TLM” is an abbreviation of Tswelopele Local Municipality

“URBAN AREA” means formalized town and built-up area, but exclude land in that area which is commonage land, or which is used or destined to be used mainly for farming or horticulture or the keeping of animals, or which consist of any other open space which has not been developed or reserved for public purposes.

6. APPLICATIONS FOR ADVERTISING SIGNS FOR TLM’S CONSIDERATION

- a) No person shall display or erect an advertisement or any advertising sign or structure, without having obtained the written approval of the TLM. The provisions of this section shall not apply to signs deemed exempted or prohibited.
- b) No sign displayed with the approval of the TLM shall in any way be altered, moved, re-erected, nor shall any alteration be made to the electrical wiring system of such sign except for the purposes of renovating or maintenance; without the further approval of the Council.
- c) An application for the erection of an advertisement or advertising sign shall be submitted to the TLM’S relevant office, accompanied by:
 - i) The application form (as contained in Annexure A or as revised from time to time);
 - ii) The relevant fee (as contained in Annexure B or as revised from time to time);
 - iii) A locality plan of the site on which the advertising sign or structure is to be erected or displayed;
 - iii) A site plan of the relevant site drawn to scale showing the building(s) on the site and the position with dimensions of the advertising sign or advertising structure in relation to the boundaries of and buildings on the site;
 - iv) A super-elevation of the sign on the relevant site (as close as possible to the correct scale and size of the sign);

- v) A professional engineer's letter to state his undertaken involvement with the design and erection of the structure, registered under the Engineering Profession Act, 2000 (Act 46 of 2000);
 - vi) Proof of the registered owner of the property;
 - vii) Proof of the zoning or land-use rights of the property; and
 - viii) A structural drawing of the advertising sign or structure and all relevant construction detail
- d) The above technical criteria for submissions are essential in order to effectively evaluate the application in question on both environmental and technical grounds.

7. TARIFFS

Every person who applies in the TLM for approval or permission of an advertising sign or advertisement to be displayed, shall on making the application, pay to the TLM the charge / tariff determined therefore, and no application shall be considered until the relevant tariff has been paid. The set of rates as drawn up by the TLM and revised from time to time, shall apply.

8. APPEAL PROCESS

- a) An applicant who is of the opinion that his or her rights are affected by a decision taken 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.
- b) The Municipal Manager must timeously address the appeal, and inform the applicant of its decision, which shall be final, and the reasons therefore.

9. ENFORCEMENT AND REMOVAL OF SIGNS AND STRUCTURES

- a) If any sign or structure displayed on any property of or under the control of the TLM, is so displayed that, in the opinion of the municipality is detrimental to the environment or to the amenity of the surrounding areas or is otherwise in contravention of this Policy, the municipality shall serve a notice on the responsible person to remove such sign or carry out such alteration thereto as may be specified in such notice within a time specified therein. After the municipality has done everything that is reasonably possible in its power and in the circumstance to establish the identity of the Advertiser or Responsible person, the municipality may also remove or destroy the sign without serving a notice, in cases such as where the owner of the sign is unknown, or where the owner could not be reached.
- b) If the responsible person fails to comply with an instruction contained in a notice, the Municipality may remove and destroy such sign.
- c) The TLM may issue or send a spot fine with the notice.
- d) The TLM will not be held responsible or be required to compensate any person in respect of removing advertising signs, where damage of whatever nature arising from the confiscation, or loss was incurred due to its removal or disposal of the sign.

- e) "Notwithstanding the provisions of the section. If the advertisement contravenes this Policy and is erected on, attached to, or displayed on any property of or under the control of the municipality, the municipality may without serving Notice, remove any such advertisement or structures from such property, if in the opinion of the municipality, such an advertisement poses an immediate danger to the general public.
- f) Any cost incurred by the Municipality in removing and storing a sign, or doing alterations or other works in terms of this section, will be recovered from the responsible person.

10. OFFENCES AND PENALTIES

- 1) Any person who:
 - a) contravenes any of the provisions of this Policy;
 - b) contravenes or fails to comply with any requirements set out in a notice issued and served on him in terms of this Policy;
 - c) contravenes or fails to comply with any conditions imposed in terms of this Policy;
 - d) knowingly makes a false statement in respect of any application in terms of this Policy; shall be guilty of an offence and shall on conviction be liable to a fine as decided by Council not exceeding R 2 000.00, or as specified in Section 9(2). In addition to this in the case of a continuing offence or, in default of payment, he will be liable to imprisonment for a period not exceeding twelve months, and in the case of a continuing offence to a fine not exceeding R 2 000.00 for every day during the continuance of such offence after a written notice has been issued by the Council requiring discontinuance of such offence. For a second or subsequent offence the guilty party or the offender shall be liable on conviction to a fine not exceeding R 2 000.00 or in default of payment, to imprisonment for a period not exceeding twelve months.
- 2) No person shall display any advertisement in the TLM without the written approval of the local authority and any person contravening this shall be guilty of an offence and the following fines shall apply, after a notice have been served (if it could be served), and if the sign was not removed:
 - a) The erection of large and super billboards anywhere in the Municipal area R 1 000.00 per sign per day;
 - b) The erection of small billboards in the Municipal area is R 500.00 per sign per day;
 - c) The erection of signs less than 4.5m² anywhere in the Municipal area R 100.00 per sign per day;
 - d) Any movable advertising device (trailer, car, caravan) parked anywhere in the Municipal area R 100.00 per sign per day; and
 - e) The displaying of flags, banners, posters or any other type of advertising that contravenes this Policy, anywhere in the Municipal area, R 100.00 per sign per day.

11. INDEMNITY

The Council may refuse any application submitted or grant its approval to any condition which it may deem expedient, including a condition that the owner of any sign or the owner of the land or building on which such sign is to erected and displayed, or both such owners, indemnify the Council to its satisfaction against any consequence flowing from the erection, display or mere presence of such sign.

12. DAMAGES TO MUNICIPAL PROPERTY

No person shall in the course of erecting or removing any sign, advertising structure, poster or banner, cause damage to any Council property, including electric standards, services or any other Council installation, or to the environment, including a tree. The cost for any repairs necessary incurred by Council shall be for the account of the persons responsible for such damage.

13. ENTRY AND INSPECTION

The Council shall be entitled, through its duly authorized officers, to enter into and upon any premises, at any reasonable time for the purpose of carrying out any inspection necessary for the proper administration and enforcement of this Policy.

14. RESPONSIBLE PERSON

If any person is charged with an offence referred to in Section 9 relating to advertising signs:

- a) it shall be deemed that such person either displayed the advertising sign or caused or allowed it to be displayed;
- b) the owner of any land or building on which any advertising sign was displayed, shall be deemed to have displayed such a sign, advertising structure or poster, or caused or allowed it to be displayed;
- c) any person who was either alone or jointly, with any other person responsible for organizing, or is in control, of any meeting function or event to which a sign or poster relates, shall be deemed to have displayed every sign or poster displayed in connection with such meeting, function or event or to have caused or allowed it to be displayed; and
- d) any person whose name appears on a sign, advertising structure or poster will be deemed have caused or allowed it to be displayed, unless the contrary is proved.

15. SERVING OF NOTICE

Where any notice or other document is required by this Policy to be served on any person, it shall be deemed to have been properly served if served personally on him, or any member of his household over the age of sixteen years, or at his place of residence, or on any person employed by him at his place of business, or if sent by registered post to such persons residential or business address as it appears in the records of the municipality, or if such person is a company, if served on an officer of that company at its registered office or its place of principal business in the jurisdiction of the municipality or sent by registered post to such office or place of principal business.

16. EXEMPTED AND PROHIBITED SIGNS

16.1 EXEMPTED SIGNS

The following signs are exempt from the provisions of this Policy:

- a) Any advertising sign displayed inside a sports stadium which is not visible from outside the stadium.
- b) Any sign displayed in an arcade or building which is not aimed at road users that is signs which are not visible from a public street.
- c) Any national flag hoisted on a suitable flag pole as long as nothing is added to the design of the flag and no advertising material added to the flag pole.
- d) A sign which is displayed by the TLM
- e) Any Banner or flag carried through the streets as part of a procession;
- f) Handheld leaflets physically distributed from a private parking area or from private land.

16.2 PROHIBITED SIGNS

No person shall erect, display or distribute any of the following signs or cause or allow any such sign to be erected, displayed or distributed:

- a) Any advertising sign which in the opinion of the TLM, is suggestive of anything indecent or may prejudice the public morals.
- b) Any signs to be suspended across a street, except at locations as determined and approved by Council.
- c) Any sign that relates to a business which is conducted on an erf or land, where this erf or land has not been re-zoned for that specific purpose or business.
- d) Any signs which will obscure a road traffic sign or which may be mistaken for or cause confusion with or interfere with the functioning of a road traffic sign.
- e) Any sign which will obstruct any window or opening provided for the ventilation of a building or which obstructs any stairway or doorway or other means of exit from a building or which will prevent the movement of persons from one part of a roof to another part thereof.
- f) Any poster pasted otherwise than on an advertising structure legally erected for the purpose of accommodating such poster.
- g) Any advertisements that relates to cigarettes or other tobacco products.
- h) Handheld leaflets distributed from a public road or from any public area

17. NEW TYPE OF SIGNS

Any person who wishes or intends to display or erect a new type of signs, not accommodated for in this Policy, must before such a sign is displayed or erected, apply for approval of the sign in terms of Section 5. Council will consider the application on its merits on an ad-hoc basis.

18. PUBLIC TENDERS

Council must, in terms of Councils preferential procurement policy and framework, and subject to the provisions of the Preferential Procurement Policy Framework Act, 2000 (Act No. 5 of 2000) and the Regulations to the Act, adjudicate one successful tender, for each standard advertising type aiming to provide non-locality bound advertising space for a private sector service, product or any other message on Municipal land.

- a) The successful tenderer, known as the contractor –
 - i) will be responsible for the display of the advertising sign(s) in terms of the provisions of this Policy, and in terms of conditions agreed on with Council; and
 - ii) will be responsible for the removal of any illegally display sign of the same class for which that particular contract has been awarded if so specified by the TLM.
- b) Should a contractor fail to comply with the above provisions in the contract conditions, Council must serve a notice on the contractor to rectify compliance with the provisions or contract conditions, and should the contractor not comply within two months after notice has been served, Council has the right to relieve the contractor of his or her contract, after which the contractor has no right to signs already displayed and the Council may deal with these signs.

19. TRANSITIONAL PROVISIONS

- a) Every owner of land including a building on land on which a sign was erected, before the coming into operation of this Policy shall, or any advertising sign that was erected or displayed on the date of commencement of this Policy without formal approval, that is prohibited by this Policy and is not an advertisement or advertising sign for which the Council may grant approval, must remove such a sign or advertisement within 90 days from the date of commencement of this Policy.
- b) Where an advertisement or advertising sign has been erected or displayed on the date of commencement of this Policy without formal approval, which in terms of this Policy, may not be erected or displayed without the approval of the Council, the owner of the advertisement or advertising sign must apply to the Council, as the case may be, for such approval, within 90 days of such date of commencement, failing which the advertisement or advertising sign must be removed forthwith.
- c) If approval for an advertisement or sign already erected and applied for, has been refused, the owner must remove it within 30 days of receipt of notification of such refusal. Where such a notification has been posted by registered post, the owner will be deemed to have received it eight days after posting thereof.

20. GENERAL REQUIREMENTS FOR ALL SIGNS

- a) No advertisement or advertising structure shall;
 - i) in the opinion of the Tswelopele Local Municipality constitute a danger to any person or property;
 - ii) be erected without approval where such approval is required by any Act or Regulations or any other law;
 - iii) be detrimental to the environment or to the amenity of a human living environment by reason of size, shape, colour, texture, intensity of illumination, quality of design or materials or for any other reason;
 - iv) be allowed that emits a noise, sound, smoke, smell or odours.
- b) The TLM may increase the minimum spacing between advertisements, or place further restrictions on the position, size and content of any advertisement if considered necessary, in the interests of road safety or environmental impact, or any other reasonable reason.
- c) If an approved advertising structure does not display an advertisement or message for a period of more than 3 months or as otherwise agreed with the TLM, the TLM will serve a notice on the owner requiring him, at his own cost, to remove the structure or to display an advertisement or message within a period so specified, or the structure may be used by the TLM for advertising, as agreed with the structure owner.

21. DESIGN, CONSTRUCTION AND POSITION ON THE SITE

- a) Any advertising sign;
 - i) shall, in the opinion of the Tswelopele Local Municipality be neatly and properly constructed, rigidly and securely attached, supported or anchored in a safe manner, and finished in a workmanlike manner in accordance to the National Building Regulations and Building Standards, Act 103 of 1977, or as amended from time to time;
 - ii) shall, in the opinion of the Tswelopele Local Municipality not be detrimental to or have a negative aesthetic impact on the urban design, streetscapes or the character of the surrounding area by way of the design of the structure or device;
 - iii) shall have all exposed metalwork of any sign painted or otherwise treated to prevent corrosion and all timber treated to prevent decay;
 - iv) if it contains glass, it shall be safety glass at least 3 mm thick (for other than glass tubing in neon and similar advertising signs) and glass panels used in advertising signs shall not exceed 0.900 m² in area, each panel being securely fixed in the body of the advertising sign, structure or device independently of all other panels.
- b) Before any advertising structure is erected, it must be considered by the TLM, whether the advertising structure is suitably positioned and orientated.

c) No advertisement or advertising sign may—

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

ii) be higher than the height restriction of that specific site or the direct surrounding sites;

iii) encroach on the building restriction area or any servitude;

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

v) exceed the minimum clearance with regard to overhead power lines as prescribed in Regulation 15 of the Electrical Machinery Regulations (No R1593 in GG11458 of 12 August 1988). (Permission must be obtained from the relevant supply authority before any advertising structure may be erected close to a power line servitude); and

vi) unreasonably obscure, partially or wholly, any advertising sign owned by another person, which were previously legally erected and legally displayed.

22. MAINTENANCE

a) Any advertising sign as permitted shall, on a regular basis, be maintained in good repair in a safe condition and according to the highest standards as regards quality of structures, posting and signwriting. The owner of any land or building on which an advertising sign is displayed or erected and the owner of the sign, shall be jointly and severally responsible for the maintenance of the advertising sign in a safe and proper condition, also maintaining the surrounding area in a neat and tidy state. The owners will be liable for the consequences of not doing so, and must undertake at least one annual inspection of the advertisement in order to comply with the TLM's requirements.

b) If, in the opinion of the TLM, any advertising sign or structure is in a dangerous or unsafe condition or has been allowed to fall into a state of disrepair, the TLM may serve a notice on an owner of the advertising sign and/or owner of the land and/or owner of the advertisement, requiring him at his own cost, to remove the sign or structure or do other work specified in the notice within a period so specified. No compensation shall be payable by the TLM to any person in consequence of such removal. The TLM may, instead of serving notice, itself carry out the removal of an advertisement / advertising sign or advertising structure or do other work which it may deem necessary, if the advertising sign or structure causes danger or unsafe conditions for the public.

23. ELECTRICAL AND ILLUMINATION

a) Every illuminated sign and every sign in which electricity is used:

i) shall have power cables and conduits containing electrical conductors positioned and fixed so that they are not unsightly in the opinion of the Tswelopele Local Municipality;

ii) shall be constructed of material which is not combustible;

iii) shall be provided with an external switch in an accessible position and, if required, at a height of at least three meters from the ground whereby the electricity supply to the sign may be switched off;

iv) shall be wired and constructed in accordance with and subject to the provisions of the TLM's electricity supply by-laws;

v) no advertising sign shall be connected to any electricity supply without the prior written permission of the Council or the relevant electricity supply authority.

b) The following maximum luminance levels per square meter are applicable for all classes of advertisements (as permitted by the International Commission on Illumination):

Illuminated area Maximum luminance

<u>Illuminated Area</u>	<u>Maximum luminance</u>
Less than 0.5 m ²	1 000 candela/m ²
0.5 m ² < 2 m ²	800 candela/m ²
2 m ² < 10 m ²	600 candela/m ²
10 m ² or more	400 candela/m ²

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

d) An advertisement or advertising should not be illuminated unless the road is lit by overhead lighting over the full distance within which the advertisement is visible from that road and the source of the illumination is concealed from oncoming traffic, unless otherwise decided by Council for specific reasons and with proper motivation.

24. CONTENT, AMENITY AND DECENCY

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

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

Words of up to eight letters, inclusive	1,0 bit
Words of more than eight letters	2,0 bits
Words such as "a, the, than, and, an"	0,25 bits

Numbers of up to four digits, inclusive	0,5 bit
Numbers of five to ten digits	1,5 bits
Symbols and logos	0,5 bit
Background graphics (depending on the impact of the graphic)	1,0 to 3,0 bits

ii) On any billboard, the number of bits should not exceed 15 bits, and the minimum size of the text should be 150mm high.

For all other type of advertisement signs, the text size should be a minimum of 50mm high, and should be readable by the public travelling along that specific road.

- b) A sign shall have a neat appearance in terms of advertisement content and sign writing, and shall not contain untidy handwritten messages. This shall be done to the satisfaction of the TLM.
- c) No advertisement shall, in the opinion of the TLM be in it's content objectionable, indecent or suggestive of indecency or prejudicial to the public morals; or be in conflict with the guidelines or standards laid down from time to time by the Advertising Standards Authority (ASA), or any similar body recognised as representing the industry.
- d) If so required by the TLM, the content of signs will be subject to the TLM approval before erection of the advertisement.

25. POSITIONING AND SIZE CONCERNING ROAD SAFETY AND TRAFFIC CONSIDERATIONS

a) No advertisement or advertising structure or advertisement shall:

i) be so placed which distracts the attention of drivers or pedestrians, obscure a pedestrian's or driver's view of pedestrians, in a manner likely to lead to unsafe conditions; or cause any obstruction to a motorist's view of the roadway or its approaches;

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

iii) project over a road with an overhang.

26. AREAS OF CONTROL

All areas under the jurisdiction of Tswelopele Local Municipality shall be classified under a specific area of control, three areas of control apply - areas of maximum control, areas of partial control, and areas of minimum control. If an area has not been designated, for whatever reason, it will be deemed to be an area of maximum control, until considered and otherwise classified by Tswelopele Local Municipality. These areas of control address the potential interaction between basic landscape sensitivity and sign impact. It is generally recognized, that outdoor advertising can have a detrimental effect upon the urban environment in certain locations. When an application is evaluated, the approved land use rights and town planning scheme applicable to that specific erf will be consulted for specific zoning details. The TLM may approve the erection of an advertising sign on Municipal owned land if there is no major impact on surrounding areas, and if the surrounding land uses can accommodate that specific type of sign.

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

26.1 MAXIMUM CONTROL

- ✚ Natural areas
- ✚ Game reserves
- ✚ Nature reserves
- ✚ Agriculture land / Farm land
- ✚ Scenic corridors or landscapes
- ✚ Rural or urban smallholdings
- ✚ All residential areas, including urban residential area (in formal towns) and residential areas in un-proclaimed township area or villages
- ✚ Conservation areas and natural features inside the urban edge
- ✚ Historical features and tourist attractions and areas
- ✚ Specifically proclaimed heritage areas and buildings
- ✚ Cemeteries

26.2 PARTIAL CONTROL

- ✚ Offices (street front of 100m or more)
- ✚ Commercial centres in residential areas
- ✚ Commercial ribbon development
- ✚ Schools / Educational institutions (such as Universities, Technicons, Colleges, etc.)
- ✚ Sports fields and stadia
- ✚ Institutional/government buildings or areas

26.3 MINIMUM CONTROL

- ✚ Central commercial or business districts
- ✚ Commercial centres and shopping centres
- ✚ Industrial areas or industrial parks
- ✚ Entertainment districts or complexes
- ✚ Transport nodes (such as taxi and bus ranks, railway stations, etc.)

27. GENERAL CRITERIA FOR ALL BILLBOARDS AND HIGH IMPACT FREE STANDING SIGNS

1. The following criteria on areas and roads where billboards and high impact signs should be located, the size and height that will apply are as included in **Table 1**:

Table 1: Location, Size and Height

	Super Billboards	Large Billboards	Small Billboard
Area of control	Minimum / Partial	Minimum / Partial	Minimum / Partial
Size	> 40 – 81m ²	> 18 – 40m ²	≤18m ²
Speed (where allowed)	Any speed	Only on roads with speed limits ≤ 80 kph	Only on roads with speed limits ≤ 80 kph
Total Height	12.5m	10.5m	10.5m

2. No billboard shall exceed the allowable height on that specific site or on the surrounding sites, as allowed for in the relevant town planning scheme or approved zoning for the site, whichever is the lesser, unless specifically approved by the Municipality.

28. FREE-STANDING SIGNS AT EDUCATIONAL FACILITIES AND INSTITUTIONS

1. Free-standing signs at educational facilities and at institutions may indicate the name and nature of the facility or institution and the name of a sponsor.
2. Criteria as included in Section 26 above, applies.
3. General requirements, as stated in Sections 19 to 24, apply.
4. A maximum total sign area of 36m² per direction of travel, per street frontage is allowed, if that specific street front is longer than 100m. If this advertising area is divided, it should be divided into signs of equal size, form and construction.
5. Signs shall only be displayed on property boundaries adjacent to public roads.
6. Signs shall not, in any way detrimentally affect the residential character and amenity of the neighbourhood or any other amenities of the area and/or the surroundings.
7. This class is subject to the approval of the TLM.

28. ADVERTISEMENTS ON STREET FURNITURE

1. This class consists of advertising on public facilities and structures which are not intended primarily for advertising but which are provided for pedestrians and commuters and may include seating benches, planters, pavement litter bins, pole-mounted bins, bus shelters, pavement clocks and drinking fountains.
2. It provides ample opportunity for third-party advertising along urban roads and streets inside road reserves as well as opportunities for third-party advertising in public spaces and in other pedestrian-orientated areas at shopping centers, shopping malls and at transport nodes.
3. It will be allowed in areas of maximum, partial and minimum control.
4. The size and height of signs allowed in this class, are as follows:

Size : $\leq 2,2$ m²
Height : Maximum 4m
Clear height : 2.4m (if applicable)

For Bus / Taxi shelters:

Size: ≤ 3 m² per advertising side panel
Size: ≤ 5 m² per advertising back panel

5. The position and spacing requirements for this class of signs are as follows:
 - a) Allowed inside urban road reserve.
 - b) Not closer than 1.8m from road edge or 0.3m from sidewalk.
 - c) Located at specific locations as determined by the Municipality.
 - d) Not to obstruct pedestrian movement.
 - e) May not interfere with the sight distances of motorists.
 - f) Street furniture shall not be used or positioned for the primary or sole purpose of advertising.
6. These signs may not be animated.
7. General requirements, as stated in Sections 19 to 24, apply.
8. This class provides opportunities for making creative and positive contributions to streetscapes.
9. Bus / taxi shelters shall be constructed in accordance to the TLM specifications or designs approved by the TLM.
10. This class is subject to the approval of the TLM.

30. BANNERS AND FLAGS

1. This class consists of advertisements in the form of banners and flags. Banners may be attached to buildings or to special streetscaping structures provided for this purpose, or boundary fences /walls on approved sites. Flags may be attached to a single flagstaff projecting vertically from a premises or projecting vertically, horizontally or at an angle from a building. National flags of any country are excluded from this class, provided they do not carry any advertisement or subject matter additional to the design of the flag or flagstaff.
2. The main purpose of banners and flags shall be:
 - a) To advertise functions and events conducted for religious, educational, social, welfare, animal welfare, sporting, civic or cultural purpose, or functions or events relating to municipal, provincial or parliamentary elections, referenda or registration process
 - b) To display the name, corporate symbol and nature of enterprises.
 - c) To enhance urban areas such as pedestrian malls, gateways and at pre-defined positions within the road reserve.
3. This class will be allowed in areas of maximum, partial and minimum control.
4. Banners may be used for commercial advertising, but only in areas of partial and minimum control, and as approved by the TLM.
5. Banners and flags should be a maximum size of 6m², with a maximum total sign area per event per streetfront of 12m².
6. The position and spacing requirements for this class of signs are as follows:
 - a) Attached to flagstaffs, buildings or special streetscaping structures.
 - b) Maximum control: Maximum of 2 per event per streetfront.
 - c) Partial and Minimum control: Maximum of 10 per event per streetfront.
 - d) On the site of the function / event or on boundary fences/walls of approved sites.
 - e) Minimum distance from centre of intersection: 50m.
 - f) No banner or flag used to advertise a specific function or event, shall be displayed for more than 2 months before the date of the function or event, and no such advertisement shall be permitted to remain in position for more than three days after the conclusion of such function or event.
 - g) No banner or flag may be affixed to a lamp post, if it was not confirmed and certified by a structural engineer that the lamp post will be able to carry the poster and will be able to resist all loads and forces to which these signs may be exposed.

7. These signs may not be illuminated or animated.
8. General requirements, as stated in Sections 19 to 24, apply.
9. Banners and flags carried through the streets as a part of a procession are not included in this class.
10. Banners and flags are permitted within all urban road reserves. Banner shall be placed in positions within the road reserve as determined by the Tswelopele Local Municipality.
11. This class is subject to the approval of the TLM.

31. SUBURB NAME SIGN ADVERTISEMENT

1. This class consists of pole mounted location signs (road traffic signs - GL2) at entrances to suburbs, towns or townships, carrying an advertising sign beneath the suburb name.
2. This class will be allowed in areas of maximum, partial and minimum control.
3. The size and height of signs allowed in this class, are as follows:

Size	: Not wider than suburb sign and rectangular in shape. Should be less conspicuous than the suburb name.
Height	: Maximum height of the advertisement: 0.45m, and it should be the same height, or less than the height of the suburb name.

4. The positions for this class of signs should be according to SADC RTSM.
5. These signs may not be illuminated or animated, unless approved by the TLM.
6. General requirements, as stated in Sections 19 to 24, apply.
7. Suburb ads are permitted within all urban road reserves.
8. No colours, arrows or text, that may cause confusion with road traffic signs, shall be used.
9. This class is subject to the approval of the TLM.

32. ESTATE AGENTS' BOARDS

1. This class consists of signs which are temporarily displayed to advertise the fact that land, premises, development or any other form of real estate is for sale, to let or on show.
2. This class will be allowed in all areas of control.

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

Maximum size	: Non-residential vacant erf: 6m ²
Size	: All other signs: Usual size: 0.45m x 0.6m
Height	: Maximum of 3m high.

4. The position and spacing requirements for this class of signs are as follows:

a) Placed close to a boundary fence or within the boundary of the erf, or displayed on the sidewalks to a maximum of 1 meter away from the boundaries of such premises.

b) Maximum one sign per agent.

c) Maximum three signs per erf.

d) Boards for a non-residential vacant erf will not be permitted in the road reserve.

5. These signs may not be illuminated or animated.

6. General requirements, as stated in Sections 19 to 24, apply.

7. All signs in this class shall contain only the words 'For Sale', 'To Let', 'Sold' or 'On Show' and the name, logo, address and telephone number of the selling agent or letting agent.

8. The erection of 'On Show' estate agents' boards on streets reserves shall be permitted after 12:00 on Fridays on condition that they be removed before 12:00 on the following Monday.

9. "On Show" estate agent's boards for residential properties, shall be allowed to be displayed within the road reserve. "On Show" boards may only be displayed from the corner of the nearest numbered or main road with the road leading to the relevant property, and no more than 5 directional signs being displayed at any one time.

10. All 'For Sale' and 'To Let' boards shall be removed no later than 3 days after completion of the sale or granting of the tenancy. 'Sold' boards may be displayed for a period not exceeding 30 days after completion of the sale.

11. 'On Show' boards for new developments may be erected for a period of 6 months where after an extension of an additional 6 months may be obtained at the discretion of the TLM.

12. This class is subject to the approval of the TLM.

33. POSTERS AND NOTICES

1. This class consists of three types of posters namely:

a) Event and Parliament Posters: Posters erected to advertise public and charitable events, functions, occasions, meetings or campaigns of a religious, educational, cultural, political, social, sporting or recreational nature. This category includes

posters erected to advertise an auction as well as public awareness and community based campaigns and notices of a public meeting. It also includes posters for parliamentary or municipal elections, by-elections, referenda and registration process.

b) Commercial Posters: Posters erected in this category may be used for commercial advertising / third party advertising on structures for which specific provision has been made for by the TLM.

c) Newspaper Posters: Posters displayed in this category shall display selected news headlines of a specific edition of a newspaper.

2. This class will be allowed in areas of maximum, partial and minimum control.

3. The size and height of signs allowed in this class are as follows:

- a) Event and parliament poster: 0.9m x 0.6m, thus $\leq 0.54 \text{ m}^2$ (A1 size) – double sided allowed
- b) Commercial Poster: 1.2m x 0.9m, thus $\leq 1.08 \text{ m}^2$ (A0 size) – double sided allowed
- c) Newspaper poster: 0.7m x 0.45m, thus $\leq 0.32 \text{ m}^2$ (A2 size) – double sided allowed

The minimum clear height for all posters are 2,4m, and should be affixed at least 2m below the light fixtures at the top of the post.

4. The position and general requirements for this class of signs are as follows:

- a) General requirements, as stated in Sections 19 to 24, apply.
- b) No poster may be affixed to a lamp post, if it was not tested and certified by a structural engineer that the lamp post will be able to carry the poster and will be able to resist all loads and forces to which these signs may be exposed.
- c) Standardized pole mounted posters shall be allowed only where they will not have a negative visual impact on the streetscape and the character of an area.
- d) May not be attached to power line standard, power masts, road traffic sign or signal, traffic circle, traffic island or median, wall, column or post of a veranda or balcony, fencing, electricity box or substations, tree or bridge.
- e) These signs may not be illuminated or animated.
- f) Signs may not have any text smaller than 50mm in height.
- g) This class is subject to the approval of the TLM.

5. Conditions applicable to Event and Parliament Posters:

- a) Posters shall be fixed to electric light standards (posts) by means of a suitable cord and no metal clamps or wire shall be used.
- b) Shall not be used to advertise a commercial event or product or any third party advertisement.
- c) At least 50m from the centre of an intersection.
- d) Posters shall be erected only 14 days prior to the event.
- e) All posters, backing boards and cord or string shall be removed within 3 days of the passing of the event, if relevant.
- f) A maximum of one poster per post or standard, except for parliament posts where a maximum of three posters per post or standard is allowed.
- g) The applicant will need to submit a street list indicating positions of posters erected within 3 days after approval is granted.
- h) Every poster and notice, for which permission is granted, shall be marked with a municipal sticker and only signs marked with a reference number shall be displayed.
- i) 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.

6. Conditions applicable to Commercial Posters:

- a) Posters shall be fixed to electric light standards (posts) by means of removable brackets or strapping. No drilling or welding of poles will be allowed.
- b) At least 50m from the centre of an intersection, but not on the first two posts closest to the intersection.
- c) A maximum of one poster per direction of travel, per post or standard.
- d) All signs may be double-sided, dependant on traffic flow or whether such a need exists.
- e) More formal and visually pleasant structures should be used for displaying commercial posters in order to make a positive contribution to streetscaping.
- f) The TLM shall determine the number and display format of posters in this category.

7. Conditions applicable to Newspaper Posters:

- a) Posters shall be fixed to electric light standards (posts) by means of removable brackets or strapping. No drilling or welding of poles will be allowed.
- b) Shall not be used to advertise a commercial event.
- c) Shall be displayed for 24 hours only.
- d) A maximum of one per post or standard.
- e) The TLM shall determine the number and display format of posters in this category.

34. PROJECT BOARDS AND DEVELOPMENT ADVERTISEMENTS

1. Project boards consist of signs displaying the involvement of contractors and consultants in construction projects, or alterations to existing structures or facilities. The sign shall describe only the building or structure being erected or other work or activity being carried out and the names of the contractors or consultants concerned in such work or activity, and shall be displayed only during the duration of the project. The branches of the industry or the professions of the contractors or consultants may be listed.
2. Development advertisements describe the type of development being carried out on a construction site, including a pictorial representation, and containing the contact details of the developer or his agent. It can also give details such as the type of accommodation being provided and floor space available.
3. This class will be allowed in all areas of control.
4. The size and height of signs allowed in this class, are as follows:
 - a) Project Boards:
 - i) Maximum size: 1.5m² per consultant.
 - ii) Total Maximum size: 9m².
 - iii) Maximum height: 3m.
 - b) Development Advertisements:
 - i) Maximum size: 6m² in maximum control area.
 - ii) Maximum size: 12m² in partial and minimum control area.
 - iii) Maximum height: 3m.
5. The position and spacing requirements for this class of signs are as follows:
 - a) Project boards:
 - i) One combination sign per streetfront per site, containing all the information of all the contractors and consultants involved. Individual or single signs shall be displayed only if no other consultants or contractors are involved or if a combined project board has already been erected.
 - ii) Not in road reserve.
 - iii) Only project boards concerning road construction may be positioned in the road reserve.
 - b) Development advertisements:
 - i) Only one advertisement per development.
 - ii) Only while relevant development is taking place.
 - iii) Not in road reserve.
6. Project boards may not be illuminated or animated. Development advertisements may be illuminated, only if the road is illuminated, but may not be animated.
7. General requirements, as stated in Sections 19 to 24, apply.
8. This class is subject to the approval of the TLM.

35. ILLUMINATED STREET NAME ADVERTISEMENT

1. This sign class consists of pole-mounted, double-sided, internally illuminated advertisements displayed in combination with *street name signs* (as included in the SADC RTSM) in the urban environment.
2. This class will be allowed in area of maximum, partial and minimum control.
3. The size and height of signs allowed in this class, are as follows:
 - a) Size : Maximum Area: 1m²
Horizontal : 0.8m – 1m
Vertical : 1m – 1.2m
 - b) Height: Clear height: At least 2.1m and not more than a total of 3.0m height from the ground to the street name(s).
 - c) The street name section should be below the advertising section, but not closer than 200mm from each other.
4. The position and spacing requirements for this class of signs are as follows:
 - a) May not extend over the road surface.
 - b) Maximum of two illuminated advertising signs per intersection.
 - c) Inside urban road reserves.
5. These signs may be illuminated with static illumination not exceeding the luminance of the street name section, the illuminated portion should be higher than the standard traffic lights, and the signs may not be animated and may not flash.
6. General requirements, as stated in Sections 19 to 24, apply.
7. The street name shall be in black letters on a white background.
8. Any street name on the advertising space shall be smaller and less conspicuous than the street name on the actual street name panel. The layout of the advertising panel shall be such that there shall not be any confusion with the street name on the street name panel of the sign.
9. This class is subject to the approval of the TLM.

36. NEIGHBOURHOOD WATCH, SECURITY SIGNS AND SIMILAR SCHEMES

1. This class consists signs for neighbourhood watch, security signs, farm watch and similar watch schemes indicating that a watch scheme / security company is in operation in the area or responsible for the security of that specific site. It also makes provision for signs containing the name, address and telephone number of a security company contracted to protect the premises on which the sign is displayed.
2. This class will be allowed in all areas of control.
3. The size and height of signs allowed in this class, are as follows:

a) Size: Security signs: Maximum area: 0.35m²
Neighbourhood and farm watch: Maximum area 1.5m²

c) Height: Maximum height: 3m

4. The position and spacing requirements for this class of signs are as follows:

a) **Security signs:** Urban area: In urban areas only one sign per street boundary of a stand shall be permitted and such sign shall be firmly affixed to the building, boundary wall, fence or gates.

b) **Farm watch signs:** May be displayed at the junction or intersection of a public road and private access road or at the entrance to a farm. Only one sign per farm shall be allowed.

c) **Neighbourhood watch sign:** May be erected within a municipal road reserve, at the point where the watch area is entered.

5. These signs may not be illuminated or animated.

6. General requirements, as stated in Sections 19 to 24, apply.

7. This class is subject to the approval of the TLM.

37. ROOF SIGNS

1. The main purpose of this class is to provide an opportunity for indicating important commercial, office, industrial or entertainment functions in a more prominent manner or for indicating commercial, office, industrial or entertainment functions or enterprises where the structure of a building hinders or prohibits the application of any other appropriate sign type.

2. This class will be allowed in areas of partial and minimum control.

3. The size of signs allowed in this class, are as follows:

a) Size: Maximum area if the sign is:

i) < 6m above ground: 2m²

ii) 6m < 12m above ground: 8m²

iii) ≥ 12m above ground: 12m²

iv) Bottom of sign not more than 120mm above roof

4. Only locality- bound signs will be allowed, and a maximum of one sign per building.

5. These signs may be illuminated, but not animated.

6. General requirements, as stated in Sections 19 to 24, apply.

7. This class is subject to the approval of the TLM.

38. FLAT SIGNS

1. This class consists of signs which are affixed to any external or main wall of a building used for commercial, office, and industrial or entertainment purposes, excluding a parapet wall, balustrade or railing of a verandah or balcony of such a building.
2. This class will only be allowed in areas of partial or minimum control.
3. The size of signs allowed in this class will be determined by the wall or building that it is affixed to. It should not extend beyond the parameters of the wall or building it is affixed to.
4. Where third-party flat signs are erected, it should adhere to the criteria for billboards, as in Section 26.
5. These signs may be illuminated but not animated.
6. General requirements, as stated in Sections 19 to 24, apply.
7. Such signs shall at no point project more than 300 mm from the surface of the main wall.
8. This sign type shall not be applicable to buildings used for residential purposes, community services, community institutions, small enterprises and practices on residential premises, or small scale residential-oriented accommodation.
9. This class is subject to the approval of the TLM.

39. SIGNS PAINTED ON WALLS AND ROOFS

1. This class consists of signs painted directly on the main walls or roofs of a building used for commercial, office, industrial or entertainment purposes (painted roof signs will only be allowed on industrial buildings).
2. This class will be allowed in areas of partial and minimum control.
3. The size and height of signs allowed in this class, are as follows:

Size: Area: < 20 % of ground floor façade of the enterprise
Area: On side or back walls: < 36 m²
The actual size of such sign will depend on the size of the side or back wall concerned and on factors such as the character and appearance of the building and the streetscape as a whole.
4. No more than one sign per enterprise shall be allowed. The position requirements and some general conditions for this class of signs are as follows:

Locality bound:

One sign per enterprise / building.

Allowed on facade walls, roofs, side and back walls.

On facade: Below lower edge of second floor window.

Third-party sign:

One per wall.

Only on side or back walls.

5. These signs may not be illuminated or animated.
6. General requirements, as stated in Sections 19 to 24, apply.
7. Third-party signs shall adhere to the criteria for billboards as in Section 26.
8. This class is subject to the approval of the TLM.

40. ON PREMISES BUSINESS SIGNS

1. This class consists of locality-bound signs which are aimed at identifying and locating businesses, enterprises and industries in urban areas, businesses and enterprises at centres of economic activity in natural and rural areas, including farm stalls and other enterprises on farms and smallholdings.
2. Signs in this class shall refer only to the name and nature of the business or enterprise on the premises; the brandname and nature of the goods for sale or goods produced; the nature of services provided; and the name of the person(s) or firm who own(s) the business or provide(s) the goods or services at the premises.
3. This class will be allowed in all areas of control.
4. The size and height of signs allowed in this class, are as follows:
 - a) Size: Maximum control: $\leq 6\text{m}^2$ for single signs, and $\leq 18\text{m}^2$ for combination signs;
Size: Partial / Minimum control: $\leq 12\text{m}^2$ for single signs, and $\leq 36\text{m}^2$ for combination signs.
 - b) Maximum height of 9m.
- b) Sponsor name/logo may be allowed, with a maximum of one third of the total sign area.
5. The position and spacing requirements for this class of signs are as follows:
 - a) Only locality bound ads.
 - b) Only one sign / one panel per enterprise, or one per entrance (max two).
 - c) Placed on the premises of the enterprise or if not visible from the road, then it can be allowed at the entrance road.
 - d) Preference will be given to combination signs.
 - e) On-premises signs will be allowed inside road reserves, but only on formal structures as determined and positioned by the TLM.

6. These signs may be illuminated but not animated.
7. General requirements, as stated in Sections 19 to 24, apply.
8. Only one sign or one advertising panel on a combination sign shall be allowed per enterprise.
9. If there is more than one entrance to premises on different road frontages, two signs or two advertising panels may be allowed per enterprise, each on a different road frontage.
10. Signs shall not have in their design any letters or symbols less than 50mm in size.
11. A sign permitted by this class shall not serve as an advance sign and shall be displayed only on the premises where the business is conducted.
12. Where a business or enterprise such as a stall or guest house is situated on a large property such as a farm the sign shall be placed in the immediate vicinity of the enterprise where such an enterprise is adjacent to or visible from a public road; if the enterprise is not adjacent to or visible from a public road the sign shall be placed at the entrance of the private access road to the enterprise.
13. This class is subject to the approval of the TLM.

41. ADVERTISEMENTS ON CONSTRUCTION SITE BOUNDARY WALLS, FENCES AND CONSTRUCTION BUILDINGS

1. The class consists of signs fixed flat against or on top of any fence or wall where such fence or wall forms the boundary of a site where construction work is being carried out. These signs can be erected on condition that such signs will conceal an unsightly construction site, and on condition that such signs shall make a positive contribution to the visual environment. Walls of buildings are excluded from this class.
2. This class will be allowed in areas of partial and minimum control.
3. The size and height of signs allowed in this class shall be depending on the type of construction taking place and surrounding environment, and be considered by the Municipality. If such sign reach the size and have the same impact as a billboard, it will be considered under the same criteria as for billboards.
4. These signs are only for the duration of the construction and may not be painted / pasted directly on site boundary wall.
5. These signs may not be illuminated or animated.
6. General requirements, as stated in Sections 19 to 24, apply.
7. This class is subject to the approval of the TLM.

42. SERVICE FACILITY (FILLING STATION) SIGNS

1. This class consists of combination signs displayed at filling stations or roadside service areas (rest and service areas) which may provide services such as fuel pumps, workshops, restrooms, car washes, shops, accommodation facilities, restaurants, fast food outlets and autotellers.
2. This class will be allowed in all areas of control.
3. The size and height of signs allowed in this class, are as follows:

Speed Maximum	Maximum Height	Maximum Width
0 ≤ 80	10m	3m
> 80	15m	6m

Maximum: 8 panels per sign, and one business or enterprise per panel will be allowed.

4. The position and spacing requirements for this class of signs are as follows:
 - a) Signs may only be located along the road where the facility has access from.
 - b) One combination sign per site, per direction of traffic flow.
 - c) If the sign cannot be located on the site and have to be located in the road reserve, specific approval should be obtained both from the TLM and / or the relevant roads authority. It should then be located as close as possible to the access and in front of the service facility site.
5. These signs may be illuminated only if the facility is open for 24 hours, or during the business hours of the specific service. No animation is allowed.
6. General requirements, as stated in Sections 19 to 24, apply.
7. Advertisements shall refer only to the name or logo of a business, company or person providing a service or shall indicate the type of service provided. Only signs for locality-bound services shall be allowed.
8. Supplementary signs at roadside service areas, which do not form part of a combination sign permitted under this class, shall be used for internal direction and orientation only and shall not be aimed at passing motorists.
9. This class is subject to the approval of the TLM.

43. TRAILER ADVERTISING

1. This class consists of advertisements displayed on trailers. Advertisement trailers are of a relatively light construction, carry double-sided “billboard-type” advertisements and are parked at strategic locations for the sole purpose of advertising.
2. This class will only be allowed on Municipal property and on sites designated by the Council.
3. The size of signs allowed in this class, are as follows:
 - a) Maximum vertical dimensions: 3m
 - b) Maximum horizontal dimensions: 6m
4. Only one trailer per site will be allowed, as indicated by Council. It must be properly secured at both ends in order to withstand strong winds.
5. It may not be towed with the primary purpose to display the advertisement, except to and from the designated site.
6. The name and phone number of the owner, and an identity number or disc as provided by Council, must be displayed on all advertisement trailers.
7. These signs may be illuminated but limited to retroreflective signs. No animation allowed.
8. General requirements, as stated in Sections 19 to 24, apply.

ANNEXURE A:



TSWELOPELE
LOCAL MUNICIPALITY
A MUNICIPALITY IN PROGRESS

OUTDOOR ADVERTISING APPLICATION FORM

- 1) Name of Applicant/Company Applying:
- 2) Contact Person:
- 3) Land line: Cell Nr: Fax Nr:
- 4) Type of Sign Applying for (mark the relevant type with a 'X' and complete the information):
- Billboard (third party sign): Height:..... Width:..... Size:.....m2 Clear height:
 - On-premises Sign: Height:..... Width:..... Size:..... m2 Clear height:
 - Development/Project Board: Height:..... Width:..... Size:..... m2 Clear height:
 - Banners / Flags: Number of banners / flags: Size:.....m2 Clear height:
 - Trailer: Height:..... Width:..... Size:..... m2
 - Other sign (specify): Height: Width: Size:m2 Clear height:
- 5) Is the sign single or double sided:
- 6) Illumination applied for: YES / NO. Type of Illumination: External / Internal / Other
- 7) Position / Location of Sign:
- Erf number and Suburb (if applicable):
 - Street Address:
 - Describe position on the site:

SIGNED BY: (Name of the applicant)

SIGNATURE: Date:

SIGNED BY: (Name of the Land Owner)

SIGNATURE: Date:

SIGNED BY: (Name of the Structure Owner)

SIGNATURE: Date:



DOCUMENTATION REQUIRED TO BE ATTACHED TO AN OUTDOOR ADVERTISING APPLICATION:

CHECKLIST

The following items must accompany any application submitted to Tswelopele Local Municipality, except if otherwise required by Council, in the same order as mentioned below:

(Please tick next to the item if it is attached, with a 'X'):

Application Fee paid (as determined by Council, receipt to be attached): R.....	
Locality Plan	
Site Plan of the site (to scale), showing the buildings and position with dimension of the advertising sign / structure in relation to the boundaries of and buildings on the site	
Super-elevation of the sign, to the correct scale and size of the sign	
A professional engineer's letter to state his undertaken involvement with the design and erection of the structure, registered under the Engineering Profession Act, 2000 (Act 46 of 2000)	
Written approval of the Registered Owner of the Property on which the sign is to be erected	
Certified proof of the zoning / land-use in terms of the Town Planning Scheme	
Plans/drawings showing all relevant construction details (structural engineers drawings): Elevations and sections to a scale of 1:100, full description of materials and finishes, etc.	

ANNEXURE B:



TSWELOPELE
 LOCAL MUNICIPALITY
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TARIFF STRUCTURE FOR OUTDOOR ADVERTISING

TSWELOPELE LOCAL MUNICIPALITY

Nr	ITEM	FEES
1	Application fee: 3rd Party Billboards <= 18m2 <ul style="list-style-type: none"> • Rural areas • Urban areas 	R 500 R 700
2	Application fee: 3rd Party Billboards > 18 – 40m2 <ul style="list-style-type: none"> • Rural areas • Urban areas 	R 1000 R 2000
3	Application fee: 3rd Party Billboards > 40m2 <ul style="list-style-type: none"> • Rural areas • Urban areas 	R 1 500 R 2 500
4	Application fee: Separate loose standing on-premises signs (not on formal structures provided by TIM): <ul style="list-style-type: none"> • Rural areas • Urban areas 	R 100 R 200
5	Application fee: Banners and Flags	R 25 / banner or flag
6	Application fee: Any other signs	R 100
7	Estate Agent Registration fee / annum for display of 'on show' boards	R 200
8	Content renewal fee (for third party signage)	R 100
9	Administration fee: Seizing and Confiscation of signs (excluding removal/dismantling costs, excluding any fines or penalties) <ul style="list-style-type: none"> • Billboards – any size • Any other signs such as estate agent boards, posters, on-premises signs, etc.: Cost per sign 	R 1 000 R 200
10	Licence fee/annum: Approved 3rd Party Billboards <= 18m2	R 300 / annum
11	Licence fee/annum: Approved 3rd Party Billboards > 18–40m2	R 500 /annum

12	Licence fee/annum: Approved 3rd Party Billboards > 18–40m2	R 700 /annum
13	3rd Party Banners and Flags: Licence fee/week/banner or flag	R 100 / week
14	Trailer advertising <ul style="list-style-type: none"> • Application or Licence fee per annum per trailer (each trailer should have an Approval from Council) • Daily fee to advertise 	R 500 R 50

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