



eTHEKWINI MUNICIPALITY ADVERTISING SIGNAGE POLICY

As Approved By Council On the 22nd November 2005

A. EXECUTIVE SUMMARY

1. INTRODUCTION

1.1 SCOPE OF POLICY

1.2 GENERAL POLICY CONSIDERATIONS

2. THE SAMOAC MODEL

2.1 CLASSIFICATION

2.1.1 Type of Landscape

2.1.2 Type of Sign

2.1.3 Area of Control

2.2 EVALUATION

2.3 CONTROL

B. POLICY DIRECTIVES – MANDATORY

1. DEFINITIONS

2. TYPES OF SIGNS

A. BILLBOARDS

B. GROUND SIGNS

C. WALL SIGNS

1. Flat signs

2. Projecting signs

D. ROOF SIGNS

E. SKY SIGNS

F. VERANDA, BALCONY, CANOPY & UNDER-AWNING SIGNS

G. POSTERS, BANNERS & FLAGS

H. AERIAL ADVERTISEMENTS

I. ADVERTISING VEHICLES

3. STRUCTURAL REQUIREMENTS

4. ELECTRICAL AND FIRE REQUIREMENTS

5. MAINTENANCE

6. PROHIBITION

C. POLICY DIRECTIVES – GUIDELINES (TO BE READ IN CONJUNCTION WITH THE SOUTH AFRICAN MANUAL FOR OUTDOOR ADVERTISING CONTROL – SAMOAC)

1. GENERAL CONDITIONS AND PRINCIPLES OF CONTROL

1.1 Amenity and decency

1.2 Safety

1.3 Aesthetic

1.4 Environmental

1.5 Maintenance

1.6 Position

1.7 Illumination

2. GUIDELINES FOR CONSIDERATION AND ASSESSMENT

2.1 Class 1 - Billboards and other high impact freestanding signs

2.2 Class 2 - Posters, general signs and temporary advertisements

2.3 Class 3 - Signs on buildings, structures and premises

2.4 Class 4 - Signs for the tourist and traveller

2.5 Class 5 - Mobile signs

D. SPECIFIC CONDITIONS AND PRINCIPLES

1. CONSENT REQUIREMENTS

2. AREAS OF CONTROL

2.1 Areas of Maximum Control

2.2 Areas of Partial Control

2.3 Areas of Minimum Control

3. IMPLEMENTATION

E. ADMINISTRATIVE DIRECTIVES

1. APPLICATION, ASSESSMENT & APPEAL PROCEDURE

2. WITHDRAWAL OR AMENDMENT OF APPROVAL

3. SIGNS ON COUNCIL PROPERTY & TEMPORARY ADVERTISEMENTS

F. ANNEXURES (SEE ATTACHMENTS)

Annexure A - Signage Control Maps together with defined areas of control and designated roads in the course of preparation

Annexure B - SAMOAC model (Figure 1 to Figure 9 inclusive)

A. EXECUTIVE SUMMARY

1. INTRODUCTION

Pressure from business to realise certain advertising opportunities, to have an explicit policy to guide and inform advertisers, to revise the current bylaws and also to address certain inadequacies in its application, prompted the eThekweni Municipality to set up the framework for the effective management of advertising in the Unicity.

As background, the Department of Environmental Affairs and Tourism conducted a national investigation into outdoor advertising that, after extensive public participation, resulted in the South African Manual for Outdoor Advertising Control (SAMOAC) produced in 1998. This document has been accepted nationally and is intended to provide local government and private enterprise with acceptable guidelines for opportunities and control of outdoor advertising.

This policy now seeks to accommodate the current trends for advertising in line with the guidelines contained in the SAMOAC document and also makes allowance for new advertising techniques and methods to be developed. It also recognizes the need, arising from changes to social, economic, political and environmental circumstances in the area, to revise current policy and consequently the administrative necessity to revise Bylaws to reflect the new approach to advertising.

Furthermore, since the SAMOAC document constitutes only a framework with guidelines for the control of outdoor advertising, it is necessary to adapt this manual to suit the specific needs of the area; the primary principle underlying this policy being the recognition that the impact of advertising varies according to the environment.

Accordingly, a sensitive high-quality environment will demand low impact signage, while an environment of a lesser and/or more varied quality will not be degraded by high impact signage. It shall therefore be the eThekweni Municipality's policy to include evaluation of the technical and safety issues as part of the general considerations for signs and to regulate advertising in a manner that differentiates between the environmental quality and sensitivity of the different parts of the UniCity.

1.1 SCOPE OF POLICY

The scope of the project area covers the entire eThekweni Municipality. *See Annexure A – Proposed Signage Control Maps and designated areas of control for the North, South, North and South Central, Inner West and Outer West areas of the UniCity.

The policy is restricted to advertising signs visible from any street, road or public place and does not apply to advertising signs erected inside premises and not visible from the outside; ie inside sports stadias or in a shopping arcade and neither visible from the outside nor aimed at road users. Other exemptions are dealt with under the classifications for the various types of signs.

1.2 GENERAL POLICY CONSIDERATIONS

This document is proposed to provide a clear policy through an objective approach to advertising that will be accepted by all who make use of it. Whilst the need and importance of advertising is recognized and acknowledged, the policy also strives to integrate the broader level, contextual issues with the perspectives of people and business to promote advertising on the one hand and balance the protection and enhancement of the urban environment on the other. The need for an acceptable approach to advertising is achieved by incorporating national principles, being suitably comprehensive, user-friendly and flexible, and allowing adequate discretion without compromising future development envisaged for the area.

2. THE SAMOAC MODEL

The organizing framework of this policy is based on the SAMOAC model *See Annexure B, which synthesizes the process by means of 1) Classification, 2) Evaluation, and 3) Control – Figure 1.

2.1 CLASSIFICATION

Classification is broken down into three areas namely. Type of Landscape, Type of Sign and Area of Control. The basic character of the landscape will affect the degree of control for that

area which in turn will give an indication of the type of sign that will be permitted.

2.1.1 Type of Landscape – This classification gives a basic indication of the landscape sensitivity and forms the broad framework for spatial classification of natural, rural or urban landscapes. These are graphically represented in the Signage Control Maps attached to the Policy as Annexure A. These maps provide the basic guideline for landscape sensitivity and should be read in conjunction with the “**Designated Areas of Control for Advertising Signs**” attached to the Policy as Annexure A, which may be updated from time to time to accommodate amendments to the Town Planning Scheme. Reference should also be made to the TP Zoning when identifying advertising opportunities.

2.1.2 Type of Sign - SAMOAC provides an extensive list of all outdoor advertising sign types indicating the appropriate opportunity for each sign type based on its visual impact, proposed function and basic necessity and it also attaches specific conditions to such opportunities – **Figure 4**. The sign types are classified in five groups namely.

1. Billboards and other high impact free-standing signs
2. Posters, general signs and temporary advertisements
3. Signs on buildings, structures and premises
4. Signs for the tourist and traveller
5. Mobile signs

These classifications together with their descriptions, performance standards and other conditions and principles for control, are to be used as a guideline and are to be supported by the Advertising Signage Bylaws. In cases where signs do not fit into one of these specific classifications, the Council may have to adapt these guidelines and use discretion to accommodate such signs.

2.1.3 Area of Control – The area of control reflects the degree of control to be applied to a certain landscape or part thereof which is a refinement of the basic sensitivity of a landscape – **Figure 5**. Traffic safety conditions are also a criterion for sensitivity rating of areas of control. There are three basic areas of control namely,

1. Areas of maximum control
2. Areas of partial control, and
3. Areas of minimum control.

2.2 EVALUATION – The potential for outdoor advertising is determined by linking Areas of Control (degree of sensitivity and control) with Landscape Type (sensitivity) and Sign Type (impact)–**Figure 2**

This process facilitates the establishment of actual advertising opportunities and constraints that in turn facilitates the implementation of specific control measures within these boundaries.

2.3 CONTROL – The different sign types will require varied permission in terms of specific or deemed consent and this will be imposed by means of general and specific conditions & requirements – **Figure 3**. The principles that are to be established in this document, as “Guidelines for Control” should be applied in terms of the Advertising Signage Policy as amended and be in accordance with the policy.

B. POLICY DIRECTIVES - MANDATORY

1. DEFINITIONS

In these Policy Directives –

“**Advertisement**” means any representation of a word, name, letter, figure or object or an abbreviation of a word or name, or any sign or symbol, or any light which is not intended solely for illumination or as a warning against any danger, which has its object the furthering of any industry, trade, business undertaking, event, or activity of whatever nature and which is visible from any street, road or public place

“**Advertising Policy**” means the Policy on Outdoor Advertising as adopted by the Council of the eThekweni Municipality, as amended from time to time

“**Advertising signage structure**” means any physical structure built to display advertising

“**Advertising vehicle**” means a vehicle constructed or adapted for use primarily for the display of advertisements

“**Aerial advertisement**” means any advertisement displayed in the air by the use of a balloon, kite, inflatable, aircraft or any other means

“**Animated advertisement**” means an electric advertisement that contains variable messages

in which representation is made by the appearance of movement through an electric light source or beam

“Applicant”(For the purpose of Locality Bound Advertising) means the person/s by whom an application for permission to erect a sign or display an advertisement is made, which application shall be endorsed by the owner of the premises upon which such advertisement or sign is to be located.

“Applicant”(For the purpose of Non Locality Bound Advertising) means the registered owner of the property.

“Application” in relation to advertising sign/s may include all proposed advertising signs

“Appropriate” means that the dimensions, installation, materials, place and/or supports are suitable for- and appropriate in all circumstances of the case in the opinion of the delegated officer for advertising signs

“Approval” means approval by the eThekweni Municipality or its duly delegated officials

“Area of Control” reflects the degree of control to be applied to a certain landscape or part thereof which is a refinement of basic landscape sensitivity and includes those areas as defined and set out as maximum, partial or minimum control in the Council’s Policy on Outdoor Advertising, in accordance with the visual sensitivity of the area and traffic safety conditions

“Billboard” means any screen, board, hoarding, fence, wall or free standing structures used or intended to be used for the purpose of posting, displaying or exhibiting any remote advertisement

“Bill-sticking” means any advertisement including a poster pasted by means of an adhesive directly onto an existing surface not intended specifically for the display of a poster

“Bit” means the basic unit for measuring the length of advertising messages and may consist of letters, digits, symbols, logos, graphics or abbreviations

“Canopy” means a rigid roof-like projection from the wall of a building

“Cantilever” means a projecting feature that is dependant for its support on the main structure of a building without independent vertical or other supports

“Change of Face” means an alteration to the content of the advertisement displayed on an approved signage structure

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

“Council” means the Council of the eThekweni Municipality or Unicity as reflected in current legislation, or its legal successor, or any officer employed by the Council, or any committee designated by the Council, acting by virtue of a delegated authority vested in him/her or it by the Council in connection with this Policy

“Curtilage” is the whole of the area of land within the boundaries of the subdivision/s forming the site of any building

“Depth of a sign” means the vertical distance between the uppermost and lowest edges of the sign

“Deemed to comply” means that if an advertising signage structure meets certain specified criteria it may be deemed to satisfy the requirements of the Council for consent purposes

“Designated areas” are areas of maximum, partial or minimum control that have been specifically designated in the policy for the display of various types of advertising signs as amended from time to time

“Display” means to erect and/or expose an advertising sign or structure to the public view by any method whatsoever

“Electronic sign” means a sign that has an electronically controlled, illuminated display surface which allows the advertisement to be changed, animated or illuminated in various ways

“Election advertisement” means an advertisement used in connection with any national, provincial, or municipal election, by-election or referendum

“Encroaching sign” means a sign or portion of a sign which extends over Council property

“Environmental Impact Assessment” in relation to outdoor advertising means an assessment of the impact that an advertising sign or structure may have on the visual, social and traffic safety aspects of the specific environment

“Estate agents’ board or show sign” means an advertisement that is temporarily displayed to advertise that land, premises, development or other fixed properties are for sale or to let

“Flag” means an advertisement or sign displayed on a cloth, canvas, PVC or like material which

is attached to a staff with no rigid fixings

“Flashing Advertisement” means an electric advertisement which intermittently appears and disappears

“Flat sign” means any wall sign, other than a projecting sign, which is directly attached to the face of an external wall of a building or structure

“Gore” means the point at which the left edge of the main road meets with the right edge of an on-ramp or off-ramp at an interchange.

“Ground Sign” is a self-supporting sign embedded and fixed in the ground and which is not attached to a building or a wall

“Illuminated Advertisement” means an advertisement which is illuminated, by any means whatsoever with electrical current or is otherwise made luminous

“Locality-Bound Sign” means a sign displayed on a specific premises or site, which refers to an activity, product or service located on the premises or site

“Non Locality-Bound Sign” means that the content of such advertisement is unrelated to any activity, product or service being undertaken on the premises or site on which such advertisement is displayed

“Non-profit body” is a body established to promote a social goal without the personal financial gain of any individual or profit-making commercial organisation involved, which has obtained the relevant certificate from National Government

“Occupier” includes any person in actual occupation of land or premises without regard to the title under which he/she occupies

“On site or directional” in relation to any advertisement means that such advertisement conveys only the name and the nature of the industry, trade, business, undertaking or activity which is carried on within the building or premises on which the advertisement is displayed

“Overall height” in relation to a sign, means the vertical distance between the uppermost edge of the sign and the natural ground level

“Owner” in respect of a sign means the owner of the sign or of the premises on which it is displayed or the person in possession of or having control over the sign or the premises

“Portable board” is any self-supporting sign or any other collapsible structure which is not affixed to the ground and which is capable of being readily moved

“Posters” means any placard intended to be temporarily displayed in a street or public place as an announcement of a meeting, function or event

“Premises” means any building together with the land on which such building is situated

“Projected sign” means any sign projected by a cinematograph or other apparatus but does not include a sign projected onto the audience’s side of a drive-in cinema screen during a performance

“Projecting sign” means any sign which is affixed at right angles to a wall of a building and protrudes more than 300mm from the wall of such building

“Public Place” includes all property, whether movable or immovable, which is owned by, vests in or is under the control of the Municipality, Local or National Government and to which public has access

“Remote or third party advertising” means that the content of such advertisement is unrelated to anything being undertaken on the premises on which such advertisement is displayed

“Return Wall” means any external wall of a building or any other wall, which faces any boundary other than a street façade

“Road Reserve” means the area contained within the statutory width of a road

“Road Traffic Act” means the National Road Traffic Act, 1996 (Act No.93 of 1996) and the Regulations promulgated in terms of this Act, as amended from time to time

“Road Traffic Sign” means any road traffic sign as defined in the Road Traffic Act

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

“SAMOAC” is the South African Manual for Outdoor Advertising Control, a national guideline document compiled and published in 1998 by the Department of Environmental Affairs and Tourism, and as amended from time to time

“Sign” means any signboard, structure, device or anything used, intended or adapted for the display of an advertisement

“Signalised traffic intersection” means an intersection controlled by traffic lights

“**Sky sign**” means a sign on top of a skyscraper building higher than fifteen floors located within the Unicity and which forms an important landmark

“**Specific consent**” means the written approval of the Council and any other relevant Provincial or National Government which requires a submission of a formal application

“**Street furniture**” means public facilities and structures which are not intended primarily for but can accommodate advertising and includes seating benches, planters, sidewalk litter bins, polemounted

bins, bus shelters, sidewalk clocks and drinking fountains, but excludes road signs, traffic lights, street lights, or any other road-related structures

“**Street name signs**” means any sign or advertisement displayed in combination with street naming

“**Temporary sign**” means any sign or advertisement displayed for a temporary period at the discretion of the Municipality

“**Tri-vision**” means a display, which through the use of a triangular or louvre construction, permits the advertising of three different copy messages in a predetermined sequence

“**Under-awning sign**” means a sign suspended or attached to the soffit of a canopy or verandah

“**Veranda**” is a roofed structure attached to or projecting from the façade of a building and supported along its free edge by columns or posts

“**Visual zone**” means the road reserve of a road and any area that is visible from any spot on such road reserve, but does not include an area situated at a distance of more than 250m from the road reserve boundary of a freeway in an urban area

“**Yellow line break point**” means the point at which the yellow left edge line on the main road meets with the continuity line at an on-ramp or off-ramp at an interchange

“**Zone**” means the land use zone as defined in the eThekweni Town Planning Scheme in course of preparation

2. TYPES OF SIGNS

TYPES OF SIGNS

A. BILLBOARDS

1. Every person who wishes to erect or cause to erect a billboard advertisement shall submit to the Council a written application on the prescribed form and pay the prescribed fee. Such applications shall, at Council’s discretion, 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.

2. This type of sign shall be **permitted only in urban areas of minimum control** and in urban areas of **partial control at 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.

3. All non-locality bound billboards must be **clearly identified** in terms of **ownership**.

4. Any billboard so displayed shall:

4.1 **comply** with all legal requirements of the **Road Traffic Act** where applicable;

4.2 **comply** with any other applicable **National, Provincial or Local Government legislation** and policy, including this **Policy and Council’s Advertising Signage Bylaws**;

4.3 not be detrimental to the nature of the environment in which it is located by reason of scale, intensity of illumination or design;

4.4 not unreasonably obscure partially or wholly any approved sign previously erected and legally displayed;

4.5 not constitute a danger to any person or property;

4.6 not encroach over the boundary line of the property on which it is erected; and

4.7 **not be erected if considered by Council, Provincial- or National Government to be a distraction to drivers, cyclists or pedestrians which could contribute to unsafe traffic conditions.**

5. Billboards shall:

5.1 be so placed to screen unsightly premises and not to detract from the amenities of the neighbourhood by reason of their appearance or the use to which they are put;

5.2 be spaced at least 120m; 200m or 250m apart on either side of the road/s or freeways, where the speed limit is < or = 60km/h; 61-80km/h or 81km/h+ respectively;

- 5.3 not be erected within a distance of 50m from the nearest edge of an intersection on a lower order road and 100m from the nearest edge of an intersection on an arterial road;
- 5.4 not be erected within a distance (measured along the road) of 50m; 100m; 150m or 200m from any ramp gore and any yellow line break point at an interchange where the speed limit is < or = 60km/h; 61-80km/h; 81-100km/h or 100km/h+ respectively;
- 5.5 not be erected within 50m; 100m or 200m from any road sign or overhead traffic directional sign where a speed limit has been imposed of < or = 60km/h; 61-80km/h or 81km/h+ respectively;
- 5.6 not have an overall height in excess of 7m in landscape format or 12m in portrait format above the surface of the natural ground level;
- 5.7 not have an area in excess of 81m² in the case of ground signs;
- 5.8 have a maximum of 6 bits of information and a minimum lettering height of 500mm;
- 5.9 not have as its 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;
- 5.10 not constitute a road safety hazard or cause undue disturbance or permitted to be illuminated if such illumination, in the opinion of Council, constitutes a road safety hazard or causes undue disturbance;
- 5.11 ensure that the traffic flow is not impeded on public roads during their erection and servicing, unless prior permission from the Council has been obtained and the necessary precautions taken and arranged.

B. GROUND SIGNS

1. Only one on-site, locality bound, freestanding ground sign per premises shall be permitted 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.
2. On-site, locality bound freestanding ground signs in the form of business signs and tower structures shall be permitted provided that no such sign shall;
 - (a) exceed 7m in overall height;
 - (b) have a clear height of less than 2,4m;
 - (c) exceed 12m² (measured as total height x total width of the advertising structure) when such sign is a combination sign;
 - (d) be restricted to one such sign per site per street frontage or as otherwise permitted at Council's discretion; and
 - (e) contain advertising matter other than exclusively directional on more than 50% of the area of any face thereof.
3. A remote, non-locality bound ground sign which does not have an overall height in excess of 7m above the ground at any point nor dimensions which exceed 6m in length and 3m in height, a total area of 18m² per face, 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 screens premises which detract or likely to detract from the amenities of the neighbourhood by reason of their appearance or the use to which they are put. Any area between such ground signs and the street line shall be grassed or otherwise ornamented at the expense of the applicant to the satisfaction of the Head of Department.

C. WALL SIGNS

1. Flat signs

- 1.1 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 180mm 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.
- 1.2 On-site, locality bound flat signs shall be permitted to be attached to the front, side and back walls of buildings; 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 facade.

1.3 Only one flat sign per enterprise per wall shall be permitted or as otherwise permitted at Council's discretion.

1.4 Flat signs shall not cover any windows or other external openings of a building or obstruct the view from such openings.

1.5 Flat signs shall not exceed 54m² in total area or exceed 30% of the visible wall surface area to which they are attached, affixed or painted, whichever is the lesser, provided that in urban landscapes of partial to maximum control, the signs may not exceed 20% of the visible wall surface area.

1.6 An Environmental Impact Assessment shall be required for all flat signs in excess of 36m².

1.7 Flat signs shall not extend beyond the ends of the wall to which it is attached in any direction.

1.8 Locality bound flat signs shall not contain advertising matter other than exclusively directional on more than 50% of the area of any face thereof.

1.9 Non-locality bound advertising signs shall only be permitted on blank return and back walls that have no openable sections or that compromise any architectural features.

2. Projecting signs

2.1 The minimum clear height of a projecting sign shall be 2,4m.

2.2 Projecting signs shall be 300mm in maximum thickness.

2.3 Projecting signs shall not be allowed to extend beyond the ends of the wall to which it is attached.

2.4 Projecting signs shall not be allowed to extend within 450mm of the edge of a roadway; nor extend within 1,5m from any overhead electricity wires or cables.

2.5 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.

2.6 Projecting signs shall be installed at right angles to the street facade or to the direction of oncoming traffic.

2.7 All projecting signs shall be locality bound.

2.8 A projecting sign shall not be displayed within 5m of any other projecting sign displayed on the same building.

2.9 Projecting signs shall not contain advertising matter other than exclusively directional on more than 50% of the area of any face thereof.

D. ROOF SIGNS

1. Roof signs shall only be permitted in harbour and industrial zones; only locality bound roof signs shall be permitted and only with the specific consent of the Council.

2. The maximum permitted size of a roof sign shall depend on the area of the specific roof, the character of the building and the urban- and streetscape as a whole.

3. 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.

4. Roof signs shall not obstruct the view or affect the amenity of any other building.

5. 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.

6. 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.

7. A roof or sky 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.

8. Roof signs shall not contain advertising matter other than exclusively directional on more than 50% of the area of any face thereof.

E SKY SIGNS

1. Sky signs shall only be permitted at landmark sites in areas of minimum control and only with the specific consent of the Council.

2. The location and maximum permitted size of a sky sign shall depend on the character of the building, the urban and streetscape and shall be at Council's discretion.

3. Sky 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.

4. Sky signs shall not obstruct the view of- or affect the amenity of any other building.

5. Sky 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.

6. Sky 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.

7. A sky sign, including all its supports and framework, shall be constructed entirely of noncombustible

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.

F. VERANDA, BALCONY, CANOPY & UNDER-AWNING SIGNS

1. Signs may be affixed flat onto or painted on a parapet wall, 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 450mm of the edge of a roadway unless the clear height of such sign is a minimum of 3.7m.

2. 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 nor shall they detract from the aesthetics of the building.

3. Under-awning signs suspended below the roof of a veranda, canopy or balcony shall, (a) be 1,8m in length, 610mm in height and 300mm in thickness, with a minimum thickness of 100mm;

(b) have minimum height of 2,4m above the pavement, footpath or street;

(c) have their axis of symmetry at right angles to the street line;

(d) be centralized within the width of the verandah or canopy to which it is attached;

(e) be allowed with a minimum spacing of 3m centre to centre between signs;

(f) contain advertising matter other than exclusively directional on more than 50% of the area of any face thereof.

4. Sun-blinds and awnings shall be so made and fixed as to be incapable of being lowered to less than 2,2m 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. POSTERS, BANNERS & FLAGS

1. Every person intending to display or cause or permit to be displayed any advertisement on a poster, banner, flag or media format 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 have first obtained the written permission of the Council.

2. Every person intending to display or erect any temporary advertisement or sign, for which the prior written permission of the Council is required, shall submit a written application to the Council, which shall be accompanied by the following;

a) applications to be submitted in duplicate, 21 days prior to commencement of the event,

b) the minimum requirements as detailed in the pre scrutiny checklist,

c) the prescribed fee as legislated in terms of 75(A) of the Municipal Systems Act,

d) proof of advertisement to which the application relates, prior to printing, and

e) distribution list of the streets in which the advertisements are to be displayed.

3. 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:

3.1 Any advertisement relating to an election, meeting, function or event shall be of maximum A1 size; shall have a clear height of minimum 2,4m; and shall be securely fixed to durable hardboard or other approved backing board or any other material, frame and/or fixing as approved by Council.

3.2 In the case of private property, where the event, function or meeting is taking place, the maximum size of a banner shall be 6m².

3.3 Any person/s displaying or causing to display any poster advertisement relating to a meeting, function or event shall only be permitted;

(a) one poster per electricity lamp-post;

(b) a minimum of 120m spacing between posters for the same event;

(c) to be displayed for no longer than 14 days prior to commencement of the event or no longer than three days after the day on which it ends, subject to the maximum period for each event not exceeding 21 days; and

(d) subject to commercial advertising not occupying more than 10% of the surface of the advertisement and which is to be displayed at the bottom of the poster.

3.4 No posters are permitted to be displayed on bridges, traffic lights, traffic signs (includes supporting structure for such signs), natural features, trees, freeways and/or national routes.

3.5 No posters are permitted to be displayed on roads with a speed limit >60km/h.

3.6 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.

3.7 Any advertisement relating to an election, including the tariff of fees applicable to such election advertisements, shall be on the basis of a written agreement between the Council and the relevant political party/parties.

3.8 Positioning of posters shall be restricted to electricity lamp standards and no posters shall be erected on any signalised traffic light or traffic sign (includes supporting structure for such signs).

3.9 Temporary advertisements are not permitted to be erected or displayed on any National Roads, Highways, Freeways and other areas as defined by the Council.

3.10 Every poster for which permission is granted shall visibly display the Municipality's sticker or marking and the Municipality shall be entitled to retain one such poster for identification purposes.

3.11 Every poster must comply with the poster guidelines as amended from time to time.

3.12 Posters erected on Metro Electricity Poles are subject to removal and maintenance work as necessary without giving notice to anyone.

H. AERIAL ADVERTISEMENTS

1. 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:

1.1 Particulars of the content and dimensions of the aerial advertisement and of the aerial device by means of which the advertisement is to be displayed as well the materials used and method of construction and anchorage;

1.2 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 or length of tether, whichever is the greater, of the point of anchorage;

1.3 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;

1.4 The period and times of intended display;

1.5 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;

1.6 Proof of the provision of an automatic deflation device;

1.7 Adequate public liability insurance to the Council's satisfaction; and

1.8 Approval and any conditions and requirements prescribed by the national Civil Aviation authority.

1.9 Aerial advertisements shall be permitted for events of a sporting, civic, cultural or political nature only and shall not be displayed or caused to be displayed on, from or over Public property, including any street or public place, unless approval has been granted by the Council who may impose such conditions as it deems fit.

I. ADVERTISING VEHICLES

1. 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 for permission and every such application shall be accompanied by:
 - 1.1 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;
 - 1.2 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 of the vehicle at all times;
 - 1.3 A copy of the current vehicle licence and registration certificate issued in respect of such vehicle, as required in terms of the Road Traffic Act, and
 - 1.4 Public liability insurance in Council's favour of minimum R2,5 million.
2. Advertising vehicles shall not be placed or caused to be placed/parked on private property or public property, including any demarcated parking bay, in a public road or within a road reserve.
3. Advertising Vehicles parked on private property for the purpose of storage shall be positioned in such a manner as not to be visible from any street or public place.
4. The advertising panel or portion of the vehicle used for transit advertising shall not exceed a cumulative total of 18m² per panel.
5. Notwithstanding any provisions of this Policy, the Municipality 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; failing which the Council may, without a court order, enter onto the private property concerned to remove or arrange for the removal of the Advertising Vehicle.
6. Unless an advertising vehicle impounded by the Council in terms of subsection 5 has been reclaimed within a period of three 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 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.
7. Approval of any Advertising Vehicle shall be in accordance with conditions as imposed by the Council.

3. STRUCTURAL REQUIREMENTS

- 3.1 All signs shall be properly constructed and erected and shall be properly secured, fixed and/or anchored, to the satisfaction of the Council.
- 3.2 All signs, including supports and framework, shall be constructed of non-combustible, durable and safe materials; suitable for the particular design of the sign.
- 3.3 The Council may call for certification by a Professional Engineer or approved competent person in respect of any sign's structural stability and safety.
- 3.4 Adequate provision shall be made for proper drainage of all advertising signs.
- 3.5 The supporting framework and attachment points of any sign shall be neatly constructed as an integral part of the design of the sign or otherwise concealed from view to the satisfaction of the Council.

4. ELECTRICAL AND FIRE REQUIREMENTS

- 4.1 Every electronic and illuminated advertising sign including its supports and framework shall be constructed entirely of non-combustible materials and shall be installed in accordance with and subject to the provisions of the Council's Electricity Supply Bylaws and the Code of Practice for the wiring of premises in accordance with the SABS or applicable legislation / regulations and shall comply with SABS 0400-1990(TT 15.2).
- 4.2 Every electronic and illuminated advertising sign in which electricity is used shall have power cables and conduits containing electrical conductors positioned and fixed so that they are not unsightly and must be provided with an external fireman's switch in an accessible position and at a height of at least 3m from the ground whereby the electricity supply to the advertisement may be switched off.
- 4.3 Premises having flammable liquids shall comply with SABS 0108.

5. MAINTENANCE

5.1 The owner and/or applicant shall jointly execute, finish and maintain such advertisement or sign and its supporting framework in a state of good repair, both structurally and aesthetically

5.2 Should any advertisement or sign become dangerous, unsightly or a nuisance, the person/s referred to in section 8.1 shall remove the source of danger, unsightliness or nuisance within the time frame specified by Council and failure to do so will constitute an offence and render such person liable for prosecution.

5.3 The delegated officials of Council shall be entitled to enter upon any premises for the purpose of carrying out inspections in terms of the Bylaws and the owner/s and/or applicant/s shall act in a co-operative manner with the said officials of Council in this regard.

5.4 Every sign and its supporting structure shall be painted, treated against corrosion and cleaned regularly to prevent them from becoming unsightly.

5.5 Where any sign or advertising structure is in a state of disrepair or becomes torn, damaged, or otherwise unsightly, the Council may instruct its removal.

6. PROHIBITIONS

The following advertisements and signs are prohibited:

6.1 Any advertisement or sign, other than an exempted sign, for which neither a permit nor approval has been obtained or which does not comply with the requirements of, or which is not permitted by this Policy, Bylaws or any other Law or Regulation.

6.2 Any advertisement which in the opinion of the Council is indecent, obscene or objectionable or of a nature which may produce a pernicious or injurious effect on the public or on any particular class of person/s or on the amenity of any neighbourhood.

6.3 Any advertisement or sign that is painted onto or attached in any manner to any tree, plant, rock or to any other natural feature.

6.4 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.

6.5 Any illuminated sign whether a searchlight or laser beam, 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.

6.6 Any advertisement or sign which is contrary to, or prohibited in terms of any Town Planning Scheme Regulation or any other legislation.

6.7 Any advertisement or sign not erected in accordance with this Policy, Bylaws or any other Law or Regulation and which is not in accordance with the specifications approved by the Council, or the terms or conditions attached by the Council to any such approval.

6.8 Any advertisement or sign which may obscure, obstruct or interfere with any traffic sign or signal for traffic control, or which is likely to interfere with or constitute a danger or potential danger to traffic, aircraft or to the public in general.

6.9 Any advertisement or sign, which may inhibit or obstruct the motorists vision or line of sight thus endangering vehicular and/or pedestrian safety.

6.10 Any form of bill-sticking by means of posters or placards or of similar nature to any structure.

6.11 Any handbills, pamphlets, advertisements or notices distributed within the eThekweni Municipal area or carried through any street or public place.

6.12 Advertising on posters, banners or flags of a purely commercial nature.

6.13 Any flag unless,

(a) it relates to current or forthcoming programmes and events and is displayed on or within the curtilage of premises used for public entertainment or upon a sign that has been approved by Council;

(b) it is displayed on an approved ground sign or on a flag which is affixed to a flag pole attached to a building in a manner approved in writing by the Council, subject to its discretion and subject to certification by a registered professional engineer;

(c) it is displayed during public celebrations or festive occasions; or

(d) it is either a flag as referred to in the proviso Section 1(1) of Chapter III of the General Bylaws.

6.14 Any advertisement on a portable board displayed on a street or public place including a road reserve.

6.15 Advertisement or signs on top of a canopy or veranda unless it consists of individual cut-out fabricated or boxed letters not exceeding 750mm in height to which maybe added not more than two symbols and not exceeding 1m in height and which shall be mounted separately to the letters.

6.16 Advertisements painted, displayed or erected as a roof sign in any area other than industrial or harbour zones.

6.17 Advertisements or signs displayed or erected in an area other than industrial or general business zones.

6.18 Advertisements or signs made of certain materials not considered by the Council to be suitable or appropriate for the intended purpose.

C. POLICY DIRECTIVES – GUIDELINES (TO BE READ IN CONJUNCTION WITH THE SAMOAC DOCUMENT)

1. GENERAL CONDITIONS AND PRINCIPLES OF CONTROL

1.1 Amenity and decency

1.2 Safety

1.3 Aesthetic

1.4 Environmental

1.5 Maintenance

1.6 Position

1.7 Illumination

1.1 Amenity and decency

1. Advertising signs shall not 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;

2. The content of advertising signs shall not be objectionable, indecent or suggestive of indecency or prejudicial to the public morals; or

3. Advertising signs shall not unreasonably obscure, partially or wholly, any sign owned by another person previously erected and legally displayed.

1.2 Safety

1. Position of signs shall conform with the Regulations and requirements of the Road Traffic Ordinance and the Road Traffic Act, as amended or legally succeeded, and the Advertising Signage Bylaws/Policy as amended and with any other law or safety requirement to ensure that signs do not constitute a traffic hazard in any way or obscure or interfere with any road traffic sign or signal;

2. Advertising signs shall not to be placed or contain an element which constitutes a danger or nuisance to any person/s or property whether by way of distraction, obstruction, interference with- or obscure any traffic signs or signals, inhibit or obstruct a pedestrian or drivers' visibility, light nuisances or otherwise;

3. Extent of illumination of advertising signs shall not cause discomfort to or inhibit the vision of approaching pedestrians or drivers;

4. Signs or advertisements positioned along roads and specifically targeting the roads user shall be concise and legible, contain minimal text and shall comply with the safety principles and guidelines for control of "bits" and size of information in terms of SAMOAC.

5. Advertising signs shall conform to SAMOAC's safety conditions and principles.

1.3 Aesthetic

1. Position, size, design, construction and content of signs shall comply with the Advertising Signage Policy as amended;

2. Advertising signs shall not be detrimental to the built or natural environment or to visually impair amenities, detract from buildings, natural features or areas and shall be harmonious with existing areas; Specific attention will be given to the proper development of advertising for historical sites and conservation-worthy sites and buildings, in consultation with the Amafa aKwaZulu-Natali;

3. Signs shall not be detrimental to or have a negative aesthetic impact on the urban design, streetscape or the character of the surrounding area by way of the design of any structure;

4. Advertising signs displayed in the environment shall be aesthetically pleasing and suitably

placed at appropriate sites with an uncluttered effect;

5. Advertising signs shall be constructed, executed and finished in an appropriate manner to have a neat appearance in terms of the structure and content; and which sign shall consist of durable materials suitable for the function, nature and permanence of the advertisement, sign or structure;

6. Advertising signs shall conform to SAMOAC's conditions and principles in terms of position, design and construction requirements.

1.4 Environmental

1. Position, size, design, construction and content of signs shall take cognisance of high quality, historically and environmentally sensitive, greenbelt and open space areas;

2. Advertising signs shall be satisfactorily integrated into the environment to ensure that its tourism and development potential is characterized by a high standard of user-friendly signage.

1.5 Maintenance

1. Advertising signs shall conform to SAMOAC's conditions and principles in terms of maintenance, which standards shall also comply with the Advertising Signs Bylaws as amended;

2. Advertising Signs shall, where possible, be designed and positioned to discourage vandalism; be serviced on a regular basis; and shall be maintained in good repair and in a safe condition and according to the highest standard as regards quality of structures, posting and content;

3. Advertising signs shall be maintained in a safe, secure and proper condition to ensure suitable repair, replacement, cleaning and the repainting of the same as required.

1.6 Position

1. Advertising signs shall comply with SAMOAC in terms of their position.

2. Advertising signs shall not be positioned on a road island or road median – with the exception of street name advertisements - class 2(e).

3. Advertising signs shall not be suspended across a road with the exception of signs permitted on bridges across certain urban roads other than freeways/highways – exception of advertising on towers, bridges and pylons - class 3(l) as well as banners suspended across urban roads other than freeways and as part of a street scaping project - banners and flags - class 2(b);

4. Advertising signs shall not be erected within or suspended above a road reserve or within the limited use area outside the road reserve boundary or freeways, see **Figure 7**, with the following exceptions:

- Sponsored road traffic projects - class 4(a), tourism signs - class 4(c) and vehicular advertising - class 5(b) may be allowed within all roads reserves;
- Temporary advertisements (project boards) - class 2(d)(iv) signs that concern road construction may be allowed within all roads reserves;
- Large posters and advertisements on street furniture - class 2(a), banners and flags - class 2(b), suburban ads - class 2(c), projecting signs - class 3(d), veranda, balcony, canopy and underawning signs - class 3(e) and functional advertisements by public bodies - class 4(d) may be allowed within all urban road reserves other than freeways;
- Temporary advertisements (pavement posters and notices) - class 2(d)(iii) and street name advertisements - class 2(e) as well as signs on bridges - class 3(l) may be allowed within urban road reserves other than freeways but only in urban areas of minimum and partial control;
- Neighbourhood watch and similar schemes - class 2(f) signs may be allowed within road reserves other than freeways in urban, rural, and natural environments;
- Flat signs - class 3(c), projecting signs - class 3(d) and veranda, balcony and underawning signs - class 3(e) may be allowed within the limited use area along freeways if the main building housing an enterprise is within 50m from road reserve boundary of a freeway and if there is no other appropriate means of indicating that particular enterprise facing another public road carrying through passing traffic;
- Advertising Restrictions on Urban Freeways – Within visual zones the Council may, after an EIA process, identify areas in which relaxation may be allowed to change the area of control of such visual zone, and in such instances, the Council may also stipulate any terms and conditions it deems fit.
- Advertising signs shall not be permitted within a restricted area at urban street

corners, see **Figure 8**, with the exception of sign types temporary window signs - class 2(d)(v), street name advertisements - class 2(e), flat signs - class 3(c), projecting signs - class 3(d), veranda, balcony and underawning signs - class 3(e), window signs - class 3(g) and signs incorporated in the fabric of a building - class 3(h), and illuminated signs within restricted areas at signalised street corners, see **Figure 9** shall have a clear height of at least 6m if such signs contain the colours red, green or amber.

1.7 Illumination

1. The maximum luminance levels per square metre in terms of SAMOAC are applicable for all classes of advertisements

2. The light source emanating from floodlights shall not be visible to traffic travelling in either direction.

3. Floodlighting shall be positioned to ensure effective distribution and to minimise light wastage or 'spill'.

4. In respect of urban freeways, irrespective of the area of control, super billboards - class 1(a), custom made billboards - class 1(b), large billboards - class 1(c), small billboards and tower structures - class 1(d), suburban ads - class 2(c), temporary advertisements - class 2(d), product replicas and three-dimensional signs - class 2(g), roof signs - class 3(b), flat signs - class 3(c), signs painted on walls and roofs - class 3(f), signs incorporated in the fabric of a building - class 3(h), advertising on towers, bridges and pylons - class 3(l), advertisements on construction site boundary walls and fences - class 3(m), aerial signs - class 5(a) and trailer advertising 5(c) may not be illuminated in any way unless the freeway is lit by overhead lighting over the full distance within which the advertisement sign is visible from the freeway.

2. GUIDELINES FOR CONSIDERATION AND ASSESSMENT

Types of signs and appropriate advertising opportunities – Figure 6

2.1 Class 1 - Billboards and other high impact freestanding signs

This class comprises sign types that are permanent freestanding advertising structures of a remote nature, which have a high visual impact due to their size. They include super billboards, custom-made billboards and large billboards permitted in areas of minimum control and smaller billboards and tower structures permitted in minimum and partial control areas. All class 1 signs are subject to specific consent and are subject to an EIA for all signs in excess of 36m².

NOTE: Council may exercise discretion to permit certain landscape and portrait-style signs not accommodated in SAMOAC's guideline document.

2.2 Class 2 - Posters, general signs and temporary advertisements

This class comprises sign types that are permanent or temporary advertising signs of a remote nature on Council property that have a lower impact due to their smaller size but are significant due to their ease of display. They include large posters or street light pole advertising, advertisements on street furniture, banners and flags; suburban and community advertisements. Most Class 2 signs are permitted in all areas of control but are subject to specific consent and to Council's tender procedure on Council property.

NOTE: National flags and processional flags/banners are excluded and do not require consent.

2.3 Class 3 - Signs on buildings, structures and premises

This class of functional signs that are permanent, mostly locality bound and limited to urban centres of economic activity, have a high necessity value in locating services. They include high impact non-locality bound sky signs, roof signs and tower signs permitted only in areas of minimum and partial control; and low impact locality bound flat signs, wall signs, window signs, business & construction signs, projecting signs and under-awning signs in all areas of control. Class 3 signs are subject to specific consent and are subject to an EIA for signs in excess of 36m².

2.4 Class 4 - Signs for the tourist and traveller

This class of service signs that are permanent and mostly non-locality bound, are mostly on Council property and have a high necessity value. They include both high and low impact signage for road traffic projects, service facility signs, tourism signs and functional signs and are permitted in all areas of control subject to Council's specific or deemed consent.

2.5 Class 5 - Mobile signs

This class of sign is temporary and remote, has a low necessity value and a high impact in terms of safety and aesthetics. It includes aerial signs and advertising vehicles and are all subject to specific consent for temporary periods only.

D. SPECIFIC CONDITIONS AND PRINCIPLES

1. CONSENT REQUIREMENTS

Unless other wise indicated, all sign types are subject to specific consent on private property. All sign types are subject to Council's tender procedure/proposal call & specific consent on Council property.

Specific or deemed consent requirements are prescribed in the Advertising Signs Bylaws as amended. The procedure to be followed for application and approval is clearly set out in this Policy and the Advertising Signage Bylaws. Approvals may be subject to certain technical requirements and conditions to be met and in certain high profile locations approval of third party advertising may include donation of a portion of the time and/or space to be made available to promote the Unicity of eThekweni. An Environmental Impact Assessment may be requested for any sign in excess of 36m².

2. AREAS OF CONTROL

The policy differentiates between degrees of control according to the sensitivity of the environment. Natural and rural landscapes are defined as areas of maximum control due to their sensitivity and visual impact. Urban landscapes are defined in terms of all three areas of control owing to the varying nature and degree of sensitivity of the urban landscape and to the considerable demand for advertising in urban areas. The table shows the relationship between areas of maximum, partial and minimum control and the basic landscape types.

MAXIMUM PARTIAL MINIMUM

Natural landscape Rural landscape Urban landscape Urban landscape Urban landscape

National Parks

Nature reserves

Forestry areas

Natural environments

Marine Reserves

Beaches and

Sea shores

Oceans

Extensive agriculture

Scenic corridors

Scenic landscape

River corridors

Wetlands

Open Spaces

Municipal Parks

Horticultural areas

Private Open

Spaces

Public Open

Spaces

Rural small

holdings

Intensive

agriculture

Scenic drives

Scenic routes

Scenic features

Peri-urban and

Traditional

areas

Metropolitan

Open Space Systems

Private Open Spaces

Public Open Spaces
Pedestrian malls
Pedestrian squares
Community facilities
Urban small holdings
All Residential zones
Scenic features
Scenic drives
Gateways
River corridors
Wetlands
Conservation Areas
Heritage
&
Battlefield
sites
Historic or
graded
buildings
and areas
Visual zones along
urban freeways
Central Business
Districts
Commercial &
office
components
of residential
amenities
Commercial enclaves
in residential areas
Commercial nodes &
ribbon development
Municipal /
government
Entertainment districts
or complexes
Educational
institutions
Sports fields & stadias
Mixed use & interface
areas
Visual zones along
urban roads
Central
commercial
districts linked to
railway/industrial
zones
Industrial areas
Industrial zones
Transport nodes
Traffic corridors
Transportation
terminals

Further considerations inherent to these policy directives are that:-

! each section of road requires careful consideration as to whether it lends itself as being

appropriate for advertising;

! all intersections are regarded as interface areas having regard to the safety considerations;
and

! interface areas and signs adjacent to one route and aimed at another will be considered by means of two levels of assessment.

2.1 Areas of Maximum Control

This area of control comprises all sensitive areas of the urban landscape including natural- and conservation areas and historical sites; scenic routes, parks, reserves and open space areas; gateways and high profile tourist areas; ocean, beaches and rivers; agricultural, peri-urban and traditional areas; and most of the residential environment.

All signs will be strictly controlled in these designated areas to ensure that advertising signage does not intrude into, dominate or derogate in any way from the character or quality of the environment. High impact signage will therefore not be negotiated in areas of maximum control.

2.2 Areas of Partial Control

This area of control comprises certain areas of the urban landscape to include most commercial and business districts; commercial nodes within suburban centres and traditional areas; educational, institutional, sports fields on institutional properties and stadias; arterial routes; mixed use and interface areas. Advertising will only be permitted after careful evaluation of the environmental impact and limitation on the size, position and the number of signs permissible will be regulated.

2.3 Areas of Minimum Control

This area of control comprises areas of the urban landscape that include transport nodes, traffic corridors and spines; transportation terminals, parts of the CBD and entertainment nodes; industrial areas. Third party and high impact advertising signage will be permitted in this area subject to compliance with the conditions and principles for control.

3. IMPLEMENTATION

It is hereby established that it shall be Council's policy to permit the various types of advertising signage in the three areas of control in accordance with the degree of visual impact on the environs and to use the South African Manual for Outdoor Advertising Control (SAMOAC) as a guiding document to support the powers delegated to the authorized person/s to exercise discretion:

3.1 To permit advertising signs in the areas of maximum, partial and minimum control in accordance with this policy and its accepted conditions and principles for control.

3.2 Not to permit advertising signs in areas considered to be contrary to the general conditions and principles for control or to be contrary to the classified and demarcated spatial and other entities within these areas of control.

NOTE 1: Refer to the ADVERTISING SIGNS BYLAWS as amended, which supports the Policy adopted for Advertising Signs. The Bylaws will take precedence over this Policy which in turn will enjoy preference over SAMOAC should any disparity arise.

NOTE 2: Refer to ADVERTISING OPPORTUNITIES ON COUNCIL PROPERTY for identification of areas and procedures to be followed for consideration of Outdoor Advertising opportunities on Council Property.

WAIVER: Council may waive compliance with this Policy document only in exceptional circumstances and where it considers a proposal to be in the interests of the community or to be for the betterment and/or upliftment of its society; provided that such waiver is of financial and/or other pertinent interest to the Council and not detrimental to the technical aspects concerning public safety and security.

E. ADMINISTRATIVE DIRECTIVES

1. APPLICATION, ASSESSMENT & APPEAL PROCEDURE

1.1 Every person intending to display, erect, alter or maintain any advertisement or sign, for which the prior written permission of the Council is required, shall submit a written application to the Council which shall be accompanied by the following;

- a) Applications to be submitted in duplicate,
- b) The minimum requirements as detailed in the pre scrutiny checklist,
- c) The prescribed fee as legislated in terms of 75(A) of the Municipal Systems Act,
- d) Such other additional drawings, Environmental Impact Assessments and/or

e) Photographs as are necessary, in the opinion of the Council, to explain the true nature and scope of the application.

1.2 In certain circumstances, the Council may use discretion to accept drawings that show only a portion of the plan or elevation of a building/s, or drawings to a smaller scale, or computer generated graphics drawn to scale to illustrate the proposal where certain drawings may be difficult to provide or even photographs where this is considered sufficient.

1.3 In addition, the applicant shall submit additional structural and other drawings and certification as required giving full details of the calculations, size and materials used in the supporting framework, its fixings, securing and anchorage as well as for the structure and its advertisement to ensure the sign's structural stability, fire and safety compliance with the provisions of the National Building Regulations and Building Standards Act, 1977 (Act No.103 of 1977) as well as the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993); as amended from time to time.

1.4 In addition, the applicant shall indemnify the Council against any consequences arising from the erection, display or mere presence of such advertising sign.

1.5 All signs to be erected or displayed must comply with the provisions of the applicable Town Planning Scheme Regulations, the Road Traffic Act, as well as any other relevant legislation, as amended from time to time.

1.6 In considering applications, in addition to any other relevant factors, the Council shall ensure that the design and display of all advertising signs conforms to Council's Policy on Advertising and to SAMOAC's guidelines for the control of advertising in terms of the general conditions and principles as set out in these documents, as amended from time to time.

1.7 The Council may refuse an application or grant its approval, subject to such conditions, as it may deem expedient but not inconsistent with the provisions of the Bylaws or Council's Policy on Advertising, as amended from time to time.

1.8 An approval or refusal of an application by the Council shall be made in writing with reasons provided within 60 days of a complete application having been submitted in terms of the Bylaws.

1.9 On approval, a complete copy of the application as submitted, shall be retained by the Council for record purposes.

1.10 Any advertisement or sign erected or displayed shall be in accordance with the approval granted and any condition or amended condition imposed by such approval; and the person who erects an approved sign shall notify Council within 14 days of such sign or advertisement being erected.

1.11 The person/s to whom permission has been granted for the display of any advertisement or sign, which extends beyond any boundaries of any street or public place shall indemnify the Council in respect of the sign and be liable to Council for the prescribed legislated tariff of fees.

1.12 Approval of all advertising signs shall be at the pleasure of the Council and will endure for a period as may be determined by the Council either in relation to the advertising structure or to the advertising content or both, where after a new application for consideration must be submitted to the Council for approval in terms of this Policy and the Advertising Signage Bylaws.

1.13 The applicant may appeal in writing to the Council against any refusal, lack of decision or condition imposed by the duly authorised official/s.

1.14 The appeal referred to in section 1.13 shall be lodged within 21 days of the date of the notice and will be submitted in writing, setting out the nature and grounds of the appeal, which shall be forwarded together with a covering report thereon for recommendation to the relevant Committee of Council for a final decision.

2. WITHDRAWAL OR AMENDMENT OF APPROVAL

2.1 Every advertisement or sign displayed or erected under this Policy shall be deemed to be at the pleasure of the Council and the owner or person having possession or control thereof shall remove any advertisement or sign within 14 days after receiving a written notice from the Council requiring him/her to do so; provided that no such notice shall be given until the expiry of six months from the date of permission, unless

such permission is granted for a longer period.

2.2 The Council may, at any time, withdraw an approval granted or amend any condition or impose a further condition in respect of such approval if in the opinion of the Council an advertising sign does not conform to the Unicity Advertising Signage Policy and/or SAMOAC, as amended from time to time, or if the advertisement or sign does not comply with any of the conditions of the approval granted, or for any other reason Council may deem fit.

2.3 The Council may at any time revoke its approval for the display of an encroaching sign, giving notice in writing to the owner/applicant of such decision. The owner/applicant shall also advise the Council in writing giving details of any transfer of ownership of any encroaching sign.

2.4 An approved sign shall be erected within 6 months from the date of approval, where after such approval shall lapse unless written application for extension is made, which may only be granted for one additional period of 6 months.

2.5 Any application, which has been referred back to the applicant for amendment, shall be finalised within two months of the date of the referral notice, failing which the application shall lapse.

2.6 Permission for an advertising sign is granted to the applicant only and shall lapse if he/she ceases to occupy the premises or conduct the business or undertaking to which the sign relates.

2.7 An electronic or illuminated advertisement which, in the opinion of the Council, causes a disturbance to the occupants of any affected premises shall be altered in such a manner as prescribed by the Council in writing or be removed by the applicant/occupier within such period as may be specified by the Council.

2.8 The permission granted in respect of any advertisement or sign shall lapse when any alteration or addition is made to such advertisement or sign without the further approval of the Council provided that Council may approve minor alterations at its discretion by means of an endorsement on the original application.

3. SIGNS ON COUNCIL PROPERTY & TEMPORARY ADVERTISEMENTS

Temporary advertisements and signs on Council property are subject to Council's specific consent as set out in this Policy. Permanent advertisements and signs on 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 Council's specific authority and 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.