

## **THEEWATERSKLOOF MUNICIPALITY**

### **OUTDOOR ADVERTISING AND SIGNAGE BY-LAW**

**Under the provisions of section 156 of the Constitution of the Republic of South Africa, 1996 the Municipal Council of the Theewaterskloof Municipality, hereby enacts as follows:**

#### **PREAMBLE**

The purpose of this by-law is to regulate outdoor advertising and signage in the area of jurisdiction of the Theewaterskloof Municipality, and to provide for matters related thereto.

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## **1. INTERPRETATION**

In this by-law, the English text prevails in the event of any conflict with the Afrikaans text, and unless the context indicates otherwise -

**“advertising structure”**, means any physical structure designed and built to display a sign or several signs;

**“Advertising Standards Authority of South Africa”**, means the advertising authority for South Africa, as instituted in terms of the provisions of the Electronic Communications Act, 2005 (Act No 36 of 2005), as amended;

“**aerial sign**”, means a sign that is displayed in the air, including, but not limited to, balloons and blimps that can be viewed from within the area of jurisdiction of the Theewaterskloof Municipality;

“**approval**”, means any approval by the Theewaterskloof Municipality, and “**approve**” has a corresponding meaning;

“**areas of control**”, means those areas indicated in Schedule 1 of this by-law, which may be modified or amended from time to time by the Theewaterskloof Municipality;

“**authorized official**”, means any peace officer authorized in terms of section 334 of the Criminal Procedures Act, 1977 (Act No 51 of 1977), as amended, or any employee of the Theewaterskloof Municipality who is authorized by the Theewaterskloof Municipality to enforce the provisions of this by-law;

“**banner**”, means any material upon which a sign is displayed in such a manner as to be fully legible in windless conditions, attached to one or more ropes, poles or flagstaves projecting vertically, horizontally or at an angle, or attached to buildings or special structures, but excludes banners carried as part of a procession;

“**billboard**”, means any free standing screen or board or structure, larger than four point five (4.5) square meters in total surface area, and which is used for the purpose of posting or displaying of signage, posters and handbills;

“**bis**”, means a measuring unit by which the content of information on a sign is determined;

“**Class 2 roads**”, means the roads which form the primary transport network for an urban area as a whole, and which are characterized by high volumes traffic, restricted access and higher speed limits;

“**Class 3 roads**”, means roads that distribute traffic between the primary residential, industrial and business districts of a town, and which form the link between the primary network of Class 2 roads and the streets within residential areas;

“**clearance height**”, in relation to a sign, means the vertical distance between the lowest edge of a sign and the natural level of the surrounding land, walkway or roadway immediately underneath such a sign;

“**commercial advertising**”, means any words, letters, logos, figures, symbols or pictures associated with a name, a business, a partnership or an individual, or which relay any information or exhortation in respect of any particular goods manufactured or sold, or any particular services rendered or offered, or any event for commerce or entertainment, including sporting events;

“**commercial content**”, means the content of a sign intended for the advertisement of a product, a service or an activity;

“**commercially sponsored sign**”, means a sign erected to advertises goods or services, with a secondary purpose to promote or contribute to a specific recognized public or community goal or function;

“**common boundary facade**”, means any facade of a building which is built on the rear and / or side boundary of a premise, adjoining to an adjacent building, with no facade or architectural features, including no windows;

“**composite sign**”, means a single free standing advertising structure or other similar structure, for the display of more than one sign;

“**contract board**”, means the contract signage erected on a site for construction and civil engineering projects, as required in terms of the National Building Regulations and Building Standards Act, 1977 (Act No 103 of 1977), as amended;

“**development sign**”, means a sign displayed on a premises upon which building operations are currently in process, and relates to any services being provided, work being done or goods being supplied in connection with such building operations, but excludes contract boards for building and civil engineering projects as required in terms of the National Building Regulations and Building Standards Act, 1977 (Act No 103 of 1977), as amended;

“**display**”, means the display of a sign and includes the erection of any sign, billboard, poster, banner or flag, or structure intended solely or primarily for the support of a sign, a poster or a billboard, and includes the display of a sign of a business, a trade partnership or an individual intended as commercial advertisement connected with the contents of a sign or the sign itself, and “**displayed**” has a corresponding meaning;

“**electronic sign**”, means a sign which has an electronically controlled illuminated display surface, which allows all or a portion of the sign to be changed and / or be illuminated in different ways;

“**environmental impact assessment**”, means an environmental assessment carried out in terms of statutory stipulations, intended to determine the impact of any proposed sign on the environment;

“**estate agency**”, means a person or persons who markets or sells properties as an agency, and includes the private sale of a property by the owner of the property concerned, and “**estate agent**” has a corresponding meaning;

“**flat sign**”, means a sign which is affixed to or painted directly onto a wall of a building, which at no point protrude more than two hundred and fifty (250) millimeter in front of the surface of such a wall;

“**free standing sign**”, means any sign or group of signs displayed on a free standing structure, which is not attached to a building or to any structure or object;

“**gateway**”, means a prominent entrance to and an exit from a specific area within the area of jurisdiction of the Theewaterskloof Municipality, consisting out of various artificial and natural visual characteristics, creating a strong sense of arrival and departure in line with policies for town planning or development frameworks and policies for town planning;

“**gateway route**”, means a prominent route with an entrance to and an exit from a specific area in the area of jurisdiction of the Theewaterskloof Municipality, which has man-made or natural visual features and creates a strong sense of arrival, and which is consistent with development framework plans and town planning policies;

“**graphics**”, any component of a depiction, which contributes to the visual appearance or aesthetics of a sign;

“**headline poster**”, means a temporary poster advertising the contents of a daily or a weekly newspaper or other publication;

“**height of a sign**”, is calculated by measuring the vertical distance between the uppermost and lowest parts of the advertising panel;

“**heritage impact assessment**”, means a visual assessment in terms of statutory provisions, of the impact that any proposed sign may have on the cultural heritage in the area where such sign shall be displayed;

“**internally illuminated sign**”, means a sign or a structure with an electrical or an alternative power source, using the artificial light source to illuminate the displayed advertisement or part thereof, with such light source fully or partially enclosed within the structure or sign concerned;

“**locality bound signage or advertising**”, means any sign or advertisement displayed on a specific premises or a building, and may include any such sign on municipal property which is adjacent to or abutting on or within five (5) meters of the premises or the building concerned, which refer to an activity, a product, a service or an attraction, which is located, rendered or provided on or from that premises or building;

“**loose portable sign**”, means a free standing and removable sign or advertising board with a fixed locality, placed in a road reserve or in a public open space adjacent to a premises or a building where the activity, product, service or attraction which is advertised is located;

**"Municipality"**, means the Theewaterskloof Municipality, and includes reference to any duly delegated and / or appointed officials and / or service providers in terms of service level agreements of the Theewaterskloof Municipality;

**"National Building Regulations and Building Standards Act"**, means the National Building Regulations and Building Standards Act, 1977 (Act No 103 of 1977), as amended, and the regulation promulgated in terms thereof;

**"non-profit institution"**, means an institution established primarily to promote a community objective, without direct or personal financial gain and may include educational, sporting, medical bodies, as well as any charities or community organizations;

**"occupant"**, means a person who occupies and control land or a premises, and includes a resident; and **"occupier"** has a corresponding meaning;

**"Occupational Health and Safety Act"**, means the Occupational Health and Safety Act, 1993 (Act No 85 of 1993), as amended;

**"organ of state"**, means:

- (a) any department of state or administration in the national, provincial or local sphere of government; or
- (b) any other functionary or institution –
  - (i) exercising a power or performing a function in terms of the Constitution of the Republic of South Africa, 1996 or a provincial constitution; or
  - (ii) exercising a public power or performing a public function in terms of any legislation,

but does not include a court or judicial officer;

**"overall height"**, in relation to a sign, means the vertical distance between the uppermost edge of the sign and the finished level of the surrounding ground, footway or roadway immediately below the center point of a sign;

**"owner"**, means in relation to the ownership of any property, any person who as the owner of a premises resides thereon or use it for whatever purpose, or the agent who on behalf of the owner exercise control over a premises, or in relation to the ownership of any sign, any person who as the owner erected such sign or allow it to be erected;

**"person"**, includes for purpose of this by-law, a natural person, a juristic person, any undertaking, an association or an organization, or an organ of the state;

**"poster"**, means any temporary sign that can be attached to an electrical lamppost, or can be pasted to fixed structures to advertise events or campaigns, including elections or referenda of limited duration;

“**premises**”, means any portion of land situated within the area of jurisdiction of the Theewaterskloof Municipality, of which the outer boundaries are demarcated on a general plan or diagram or sectional title plan, registered in accordance with applicable legislation, and includes a building or structure build or erected on a piece of property;

“**protrusive sign**”, means a sign which is affixed to a wall of a building, which at any point protrude at least two hundred and fifty (250) millimeter, measured from the surface of the wall on which it is affixed;

“**public place**”, means any premises or property or land, under the control of the the Theewaterskloof Municipality, to which the public have access, and includes, but are not restricted to: any square; building; park; recreational area; sports grounds; open space; nature reserve; municipal street, alley or road reserve; public road; parking area, municipal commonage; unused, used, build-up or vacant municipal land; or a cemetery;

“**public road**”, means any public road as referred to in section 1 of the National Road Traffic Act, 1996 (Act No 93 of 1996), as amended, and includes any municipal road, alley or road reserve;

“**release fee**”, means the fee payable as redemption penalty, before an item which has been seized as a result of a transgression of the provisions of this by-law, shall be returned to the owner thereof;

“**road reserve**”, means the measured area contained within the cadastral boundaries of a road, and includes the roadways, road shoulders, sidewalks and the airspace above such roadways, road shoulders and sidewalks and all other areas within such road reserve boundaries;

“**roadway**”, means that portion of a road, a street or a thoroughfare which has been improved, constructed or intended for vehicular traffic, as defined in the National Road Traffic Act, 1996 (Act No 93 of 1996), as amended;

“**roof sign**”, means a sign affixed to a roof of a building, where the top edge of such a sign does not exceed the highest point of the roof level to which it is affixed;

“**SANS code**”, means a South African National Standard as contemplated in the Standards Act, 2008 (Act No 8 of 2008), as amended, and the use of the abbreviation “SANS” followed by any sequel of numbers, means a reference to a SANS code of practices, specifications or standards, published under the corresponding number;

“**scenic drive**”, means a road designated as a scenic drive in an approved zoning scheme, from which landscapes or features of aesthetic or cultural significance can be seen or viewed;

“**security sign**”, means a sign containing the name, logo, address and telephone number, of a security company contracted to protect the premises on which it is displayed, or a security system installed to protect the premises on which the sign is displayed, or a neighbourhood watch service, a farm watch service or an area watch service established or contracted to protect a designated area;

“**service station facility sign**”, means free standing signage at petrol filling stations and includes service station pylon signage;

“**shop**”, means a business unit used for retail trading or services;

“**sign**”, means any design, letter work, numeral design, images, graphics, object, product, replica, advertising structure, mural, device or board which is used to publicly display a sign or which is in itself a sign, and includes a poster, a billboard or an advertisement which is included in the architectural design of a building or a structure;

“**signalized traffic intersection**”, means an intersection controlled by electronic equipment for traffic signals;

“**sky sign**”, means a sign where the top edge of any point of such a sign exceeds the height of the roof to which it is affixed;

“**South African Road Traffic Signs Manual**”, as published by the “National Institute for Transport and Road Research, South African Council for Scientific and Industrial Research”;

“**sponsored sign**”, means a sign of which the primary purpose is not to advertise goods or services for commercial purposes, but to display graphics or content which promotes specific community or public awareness of a recognized community objective;

“**street name sign**”, means a double-sided sign mounted on a pole, which can be internally illuminated or un-illuminated advertising signage displayed in combination with names of streets, as determined from time to time in terms of policy;

“**street furniture**”, means public equipment and structures in a street, which includes, but is not limited to, street benches, planters, waste bins, pole mounted waste bins, bus shelters, sidewalk clocks, drinking fountains, post boxes and telephone booths;

“**third party advertising**”, means the advertising of goods or services on signage, where the goods or services that are advertised are not made, procured, sold or delivered on or from the premises on which the signage are affixed or displayed, and includes any advertising which is not locality bound;

“**traffic impact assessment**”, means a study carried out by a registered

professional engineer with demonstrable experience in the field of traffic engineering, who investigates the impact of a proposed sign on road, vehicle, pedestrian, or cyclist safety and general traffic operations, which study could recommend mitigating measures that may be required as a result of the projected impact of such a sign;

**“traffic sign”**, means a road traffic sign as depicted in the National Road Traffic Act, 1996 (Act No 93 of 1996), as amended;

**“traffic signal equipment”**, means equipment that provide a road traffic signal as depicted in the National Road Traffic Act, 1996 (Act No 93 of 1996), as amended;

**“transit advertising”**, means advertising by means of a movable sign, which is transported by road with a motorized vehicle, including trailers and caravans primarily used for advertising;

**“transport routes”**, means the planned and developed routes by which all types of transport can be channeled, excluding air traffic;

**“urban edge”**, means a predetermined point to point boundary line, with the intend to contain urban development to a specific area;

**“vehicle terminal”**, means an area designated by the Theewaterskloof Municipality where the formal interchange of modes of public transport by people in transit takes place, including, but not limited to, designated railway stations, and official taxi terminals or bus terminals;

**“veranda”**, includes a cantilevered canopy and a sunblind;

**“window sign”**, means a sign which is temporarily or permanently painted on or affixed to the window-glass of a building, with the purpose to serve as an advertisement for a business or to designate a business; and

**“zone scheme regulations”**, means the regulations for a zoning scheme, as applicable for an area within the area of jurisdiction of the Theewaterskloof Municipality.

**CHAPTER 1:  
APPLICATIONS AND CONDITIONS FOR THE APPROVAL OF SIGNAGE**

**2. APPLICATIONS FOR THE APPROVAL OF SIGNAGE**

- (1) No person may display any advertising sign, or erect or use any sign for advertising purposes, without the approval of the Municipality for such sign in terms of this by-law or any other applicable legislation, except for those signs referred to in section 12(3) to 12(11) of this by-law.
- (2) Every person who is of intention to display a new sign or to alter or to add to an existing approved sign, shall apply in writing to the Municipality in the prescribed format, which application shall be accompanied by the applicable fees payable and the following information –
  - (a) a site plan, drawn to a scale and in a format as required by the Municipality, which shall indicate the following –
    - (i) the current and proposed amended site plan of the premises, on which the sign is to be erected or be displayed;
    - (ii) the position of the sign in relation to the building, when such a sign is to be affixed to a building;
    - (iii) every building and the existing signs on the premises and / or building concerned, including any traffic signs or traffic signal equipment; and
    - (iv) the positions and dimensions of the proposed sign in relation to the boundaries of the premises and the location of the streets abutting the premises;
  - (b) the current zoning scheme and overlay scheme conditions for the premises on which the proposed sign shall be erected;
  - (c) a detailed drawing of the sign concerned, on a scale and in a format as required by the Municipality, which complies with the National Building Regulations and Building Standards Act, and has sufficient detail to enable the Municipality to consider the –
    - (i) the appearance and colors of the sign;
    - (ii) the relevant technical detail and design for construction;
    - (iii) the technical detail and specifications of the materials to be used for the construction of the sign; and
    - (iv) when the sign is to be illuminated, the electronic specification and design.
- (3) When a sign is to be attached to or be displayed on a wall or a facade of a building, the Municipality may require the submission of an additional drawing, drawn to a scale and in a format as required by the Municipality, depicting the following information –

- (a) a front elevation of the building in color;
  - (b) the details and position of the proposed sign; and
  - (c) the details and the position of every existing approved sign on the building.
- (4) When the applicant for the erection or installation of a sign on a premises or a building, is not the registered owner of the premises or building concerned, the consent of the owner shall be provided with the application, and the applicant as lessee and the owner shall collectively and individually accept responsibility for the proposed sign.
- (5) The Municipality may require the submission of further studies and investigations, as required by statutory stipulations.
- (6) The Municipality may before the consideration of an application require –
- (a) on public demand and when considered to be in public interest, that a public participation process in terms of the public participation policy of the Municipality be instituted; and
  - (b) that an advertising master plan for any development is submitted, wherein the erection of various signage are proposed or where the rationalization of existing approved signage are proposed.
- (7) The Municipality shall notify an applicant of any additional requirements, as contemplated in subsections 2(5) and 2(6) of this by-law, within thirty (30) working days of the date of submission of the original application for the approval.

### **3. GENERAL PRINCIPLES FOR THE CONSIDERATION OF SIGNAGE**

- (1) Every person who applies to the Municipality in terms of this by-law for approval for the erection or displaying of a sign, shall on making the application, pay to the Municipality the prescribed application fee, as determined by the Municipality in terms of the Tariff By-law of the Theewaterskloof Municipality.
- (2) When considering an application for a sign, as contemplated in subsection 3(1) of this by-law, or for the amendment of such approval or a condition linked to an approval, the Municipality shall have regard for the following considerations –
- (a) the area of control in which the proposed sign is to be erected or displayed as set out in Schedule 1 of this by-law, provided that when a sign falls into more than one area of control or when a proposed sign in one area of control may impact on an adjacent area of control, the Municipality shall be entitled to identify the different areas of control applicable for such application, and determine the conditions which shall be applicable for the approval;

- (b) the locality of a proposed sign and the advertising opportunities pertaining to that area of control;
  - (c) the number of signs already displayed or proposed to be displayed on a premises or a building, or in the area surrounding the premises and building concerned;
  - (d) the findings of any studies and investigations, the recommendations of municipal departments, and the results of public participation processes undertaken, where applicable;
  - (e) locality bound signage erected on a premises or displayed at a building, shall relate to the lawful use of such a premises or building;
  - (f) that no signage be erected or be displayed at residential premises or any portions thereof, except for signage depicting the name of a house, and signage for purpose of identifying approved home industries, and legal temporary uses of such premises; and
  - (g) that no sign or advertisement shall be designed or displayed –
    - (i) which shall constitute a danger to any person or property;
    - (ii) which shall display any material or graphics, which do not comply with the requirements of the Advertising Standards Authority of South Africa;
    - (iii) which shall be detrimental to the environment or the aesthetics of an area, as a result of the size, intensity, incidence, illumination, quality of design, quality of material, proposed graphics or letter type, or locality thereof;
    - (iv) which shall be offensive to any person, as a result of the offensive or insulting content thereof;
    - (v) which shall obscure any other approved signage; or
    - (vi) which shall be detrimental or otherwise negatively impact on the natural environment; and
  - (h) that in instances where specific advertisement for products are displayed, it preferable only be done on prescribed billboards, as contemplated in Schedule 2 of this by-law.
- (3) Any new signage approved in terms of this by-law, may be displayed as long as such signage comply to the provisions of this by-law and the schedules thereof, the specific conditions determined for the approval of such a sign, or any other applicable legislation.

#### **4. MINIMUM STANDARDS AND CRITERIA FOR SIGNAGE AND AREAS OF CONTROL**

- (1) The Municipality may in addition to the general principles contained in section 3 of this by-law, apply certain minimum standards and criteria for specific types of signage, subject to the proposed localities for such signage, when an application for approval is considered for a sign.
- (2) The minimum standards and criteria which shall be considered are included as Schedules 1 to 17 in this by-law.
- (3) Schedule 1 of this by-law depicts the areas of control in which certain types of signage are allowed or disallowed, subject to approval thereof in terms of this by-law, and further subject to any additional requirements that shall be applicable for a specific type of sign as depicted in Schedules 2 to 17 of this by-law.
- (4) The description of the areas and / or the transport routes in Schedule 1 of this by-law, shall be read together with the definitions contained in the applicable zoning scheme regulations and the applicable overlay zone of the Municipality.

#### **CHAPTER 2: STANDARD CONDITIONS AND REQUIREMENTS FOR APPROVAL**

#### **5. STANDARDS TO WHICH SIGNAGE SHALL COMPLY**

- (1) All signage shall be constructed in terms of the approved plans thereof and shall comply with the requirements of the National Building Regulations and Standards Act.
- (2) The applicant to whom approval has been granted for the erection or installation and display of a sign, and the owner of the premises or building on which such sign shall be displayed, shall be jointly and separately liable for the maintenance thereof, the replacement of a sign which has been damaged or became dilapidated, and the continuous compliance to safety standards for such a sign.
- (3) When any sign becomes torn or damaged or is in a state of disrepair, the applicant to whom the approval has been granted and / or the owner of the building or premises where such a sign has been affixed or erected, shall within seven (7) working days after a written notice to repair the sign concerned, repair or replace or remove such sign.

- (4) All signage shall comply to the following basic safety standards –
- (a) a sign and the supporting structure of a sign shall be constructed and / or manufactured from durable materials suited for the function, nature and permanence of the sign;
  - (b) all glass used for a sign, other than the glass covers used in illumination, shall be safety glass of at least three (3) millimeter thick;
  - (c) all glass panels used in a sign, shall not exceed zero point nine (0.9) square meters in total surface area, and each panel shall be securely fixed in the trunk of the sign, structure or device, independently of all other panels; and
  - (d) no sign may be nearer than the prescribed minimum distance from overhead electrical conductors.
- (5) No sign may obstruct the opening and closing of any window or opening provided for ventilation of a building, or obstruct any stairway or doorway or other means of exit from a building, or prevent movement of people from one part of a roof to another.
- (6) The erection of a new sign may prejudice an existing street tree, and no street tree shall be removed or pruned to accommodate the erection or display of any signage.

## **6. REQUIREMENTS FOR THE ELECTRIFICATION OF SIGNAGE**

- (1) All signage requiring an electrical connection, shall preferably be supplied from the existing electrical supply to the premises where it is to be erected, and when such connection is not possible, application for a separate metered electricity supply shall be made to the relevant authority.
- (2) Every sign in connection with which electricity is to be used, shall comply to the requirements for electrification and wiring, the applicable SANS codes, and the provisions of the Occupational Health and Safety Act.
- (3) Electricity provision to a sign may be provided by means of solar panels, which shall be mounted on or alongside such sign, and the installation of such solar panels shall comply with the standard requirements for solar panel installations, the applicable SANS codes, and the provisions of the Occupational Health and Safety Act.
- (4) Signage constructed as such as to allow for future illumination, shall also comply with subsections 6(1), 6(2) and 6(3) of this by-law.

## **7. REQUIREMENTS FOR ILLUMINATION OF SIGNAGE**

- (1) The Municipality may approve an illuminated sign, provided that such illuminated sign does not constitute a road safety hazard.
- (2) Internal illuminated or electronic signage shall comply to the following specific conditions –
  - (a) internally illuminated and electronic signage may only be displayed in areas of partial and minimum control, and shall be less than two point one (2.1) square meters in total surface area, or any other size specified by the Municipality in an area, where the installation of illuminated and electronic signage is encouraged; and
  - (b) electronic signs may not have subliminal flashes.
- (3) External illuminated signage shall comply to the following conditions –
  - (a) the light source emanating from floodlights, shall not be visible to traffic travelling in either direction;
  - (b) floodlights shall not be positioned in such a way, that it creates any undue light spillage beyond the surface area of the sign; and
  - (c) the standard requirements for electrical installations, as determined by the applicable SANS codes, and the applicable statutory provisions.

## **8. REQUIREMENTS FOR TRAFFIC SAFETY**

- (1) Signage may not be erected in an area where such signage shall cause an unacceptable distraction for vehicle drivers, and the acceptability shall be determined in terms of the guidelines laid down in the South African Road Traffic Signs Manual.
- (2) Electronic signs may not be permitted, when such signage shall be visible from Class 2 roads or Class 3 roads, a gateway route or a scenic drive, unless expressly approved in writing by the Municipality.
- (3) The graphic content of signage shall not have the potential to be incorrectly visually interpreted as a road traffic sign, as a result of the following causes, but not limited to –
  - (a) any stylized or pictorial representation of a road traffic sign or a traffic signal;
  - (b) any word, symbol, logo or other object used on a road traffic sign;

- (c) the use of combinations of colours specified for road traffic signs, in a manner likely to lead to confusion; and
- (d) any reflectorized paint or material.
- (4) Signage may not be erected in an area where the traffic volume or the accident history of a road, requires a higher degree of awareness from vehicle drivers.
- (5) Signage may not be attached to or obscure any road traffic sign or traffic signal equipment.
- (6) Signage may not be erected within the road reserve of any public road, unless approved by the Municipality and the applicable road authority.
- (7) When signage are located at signalized traffic intersections, signage may not have the colors red or yellow or green as main colors, and may not obscure the visibility of any road traffic sign or traffic signal equipment.
- (8) Electronic signs shall not be permitted within eighty (80) meters of the perimeter of any signalized traffic intersection.
- (9) Electronic signs with flashing or running messages or variable transition messages shall not be permitted, when such messages shall be visible from a public road.
- (10) All signage larger than four point five (4.5) square meters in total surface area, erected adjacent to a public road or in a railway reserve, intended to display advertisements for persons using Class 2 roads and Class 3 roads, shall be spaced a minimum specified distance from any other sign or road traffic sign, and such distance shall be measured parallel to the centre line of the roadway, in accordance with the measurements set out in Table 1 of this by-law.

**TABLE 1:  
LINEAR SPACING BETWEEN SIGNS**

| Case                              | Spacing required when visible for traffic on a road with a speed of |              |               |
|-----------------------------------|---|--------------|---------------|
|                                   | ≤ 60 km/h   | 61 - 80 km/h | 81 - 120 km/h |
| Where a sign follows a road sign  | 120 m   | 200 m        | 300 m         |
| Where a sign follows a sign       | 250 m   | 250 m        | 300 m         |
| Where a sign precedes a road sign | 40 m  | 70 m         | 100 m         |

- (11) The minimum distances specified in Table 1 of this by-law, may be decreased by the Municipality, when a sign falls within an area of minimum control, or in the case of other areas of control, on submission of a traffic impact assessment, motivating a justified reduction of the minimum required spacing which is acceptable for the Municipality.

## **9. LEGAL REQUIREMENTS**

All signs to be erected or displayed within the area of jurisdiction of the Municipality, shall in addition to complying with this by-law, also comply with all other applicable statutory stipulations, including any applicable zoning scheme regulations, overlay zones or any departures approved in terms thereof.

## **10. APPROVAL OF APPLICATIONS**

- (1) The Municipality may refuse or approve any application, subject to the conditions relating to the erection and / or display of a sign, as contemplated in this by-law and the schedules thereto, on condition that the Municipality shall be indemnified from any claim or any consequences which may result from the erection, the display or the mere presence of such sign or billboard on any place, within the area of jurisdiction of the Municipality.
- (2) The Municipality may at any time, withdraw an approval for a sign, or amend any condition or impose a further condition in respect of such approval, when such a sign –
- (a) is in a state of disrepair;
  - (b) poses a danger for humans and / or animals;
  - (c) remain unused for more than ninety (90) consecutive days, in the case of a advertisement structure;
  - (d) becomes redundant or obsolete;
  - (e) no longer complies with the provisions of this by-law; or
  - (f) is substantially altered from the original approved application, in terms of either the structure or the graphic content or the aesthetical acceptability of such a sign.

- (3) When an approved sign has not be erected within twelve (12) months from the date of approval thereof, or within such other time as specified in such approval thereof, the approval for the erection or installation of the sign concerned shall lapse, unless the period is extended in writing by the Municipality, on prior application from the applicant.
- (4) In the event that the structure supporting a sign is intentionally demolished, the approval for such a sign shall lapse, and no alternative supporting structure as a replacement or a replacement sign may be installed or erected, without the approval of the Municipality.
- (5) All decisions by the Municipality, regarding applications made in terms of this by-law shall be in writing and shall be provided to the applicants concerned within sixty (60) calendar days of the date of submission of a complete application, or when additional information was required by the Municipality, within sixty (60) calendar days of the receipt of the required additional information.

### **CHAPTER 3 GENERAL PROVISIONS**

#### **11. APPEALS**

A person whose rights are affected by a decision of the Municipality in terms of any delegated powers, may appeal against such a decision in terms of section 62 of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), as amended, by giving written notice of the appeal against such a decision and the reasons for the appeal to the Municipal Manager, within twenty one (21) days of the date of the notification of the decision.

#### **12. SIGNAGE FOR WHICH APPROVAL IS NOT REQUIRED**

- (1) Should any sign not comply with the conditions and specifications applicable for each type of sign contemplated in subsections 12(3) to 12(11) of this by-law, an application in terms of section 2 of this by-law shall be required.
- (2) Subject to compliance with the conditions and specifications applicable for each sign provided for in subsections 12(3) to 12(11) of this by-law, and any other applicable statutory stipulations or any other condition imposed by the Municipality, no application for approval is required in terms of this by-law in respect of the signage provided for in subsections 12(3) to 12(11) of this by-law.

(3) Development Boards.

- (a) Development boards may be erected on premises to be developed or premises in process of development.
- (b) Development boards shall immediately be removed from a premise, when building operations are complete or when building operations are discontinued, or when the provisions of a service, the doing of a work or the supply of the goods, to which the sign relates have ceased.
- (c) The Municipality may order the removal of any development board, when an occupancy certificate for the new building on the premises concerned has been issued by the Municipality, and the signage involved shall be forthwith removed, by not later than five (5) days after the date of the notice for the removal thereof.
- (d) When a developer of a premises fails to remove the development boards contemplated in subsection 12(3)(b) of this by-law, the Municipality may remove such development boards and recover the costs of removal from the developer concerned.
- (e) The number and size of development boards on a premises, shall be restricted to -
  - (i) when the premises are to be used as a whole for only residential purposes, to only one (1) development board, and such development board may not exceed three (3) square meters in total surface area; and
  - (ii) when the premises are not to be used as a whole for residential purposes, to not more than two (2) development boards, and each development board may not exceed four point five (4.5) square meters in total surface area.
- (f) Any development board which include any form of third party advertising, shall comply to the provisions of Schedule 8 of this by-law, and municipal approval approval for the display thereof shall be obtained in terms of the provisions of section 2 of this by-law.

(4) To Let and For Sale signs.

“To Let” and “For Sale” signs, not exceeding five hundred (500) millimeter by seven hundred and fifty (750) millimeter in total surface area, intended to advertise the lease or sale of a premises, may be temporarily displayed on any premises offered for rent or for sale, on condition that –

- (a) such sign shall be placed on the premises concerned or be affixed against the building concerned;

- (b) no such sign may be placed in any street or road reserve; and
- (c) such signage shall be removed within sixty (60) days after the date, which the premises it relates to, has been sold or leased.

(5) Business signage.

Business signage, with the intent to identify the occupational activity or business activity at and / or the product sold on a premises, may be displayed on such a premises or against a building on the premises on condition that –

- (a) such signage do not protrude over a public road;
- (b) such signage be un-illuminated;
- (c) when such signage is free standing, it shall be placed on the premises concerned;
- (d) such signage may be affixed against a wall or a boundary wall;
- (e) such signage on a residential premises, where approved occupational practices are lawfully conducted in terms of concessions and departures, shall be restricted to one (1) sign per premises, not bigger than one (1) meter by one (1) meter in size, which may contain the name of the occupant of such premises, the type of occupation or activity practiced, the address, telephone number and the hours of business of the occupant of such premises; and
- (f) such signage on non-residential premises not be restricted in numbers, but that any such individual sign not exceed four point five (4.5) square meters in total surface area.

(6) Window Signs

A window sign displayed as a locality bound business sign, which is temporarily or permanently painted on or attached to the window glass of a building used for business, commercial, office, industrial or entertainment purposes, which is visible from the outside of such a building, and does not exceed four point five (4.5) square meters in total surface area.

(7) Business signage incorporated in the face of a building

Any sign forming an integral part of the material of a building, including a painted sign, which is painted or integrated into such a building may be displayed, on condition that no such sign may exceed four point five (4.5) square meters in total surface area per sign.

(8) Signage on sports fields.

Signage around the perimeter of a sports field, may be erected at such sports field with the consent of the owner and the long term lessee of such sports field, without any restrictions in size and numbers, on condition that any signage visible from scenic routes shall be restricted to a maximum size of two (2) by one (1) meter.

(9) Security signs.

Security signs, not protruding over a public road and not exceeding four point five (4.5) square meters in total surface area, indicating that a security watch service has been contracted to protect the premises on which the sign is displayed, or that an area watch service, a neighbourhood watch service or a farm watch service has been established or contracted to protect an area, may be displayed on any premises or in the case of an area watch service, a neighbourhood watch service or a farm watch service in a specific area, on condition that –

- (a) only one (1) security watch service sign is displayed per client per premises or building on each street frontage of a premises;
- (b) only one (1) area watch service sign, neighbourhood watch service sign or farm watch service sign be displayed per approach road to an area; and
- (c) such signs only display the name, logo, address and telephone number of the security company contracted or the area watch service, neighbourhood watch service or farm watch service concerned.

(10) Sponsored signs and signs of non-profit institutions

Sponsored signage or signs of non-profit institutions may be erected and displayed on any premises, with the consent of the owner or the occupant of such a premises, on condition that –

- (a) such sign shall be less than four point five (4.5) square meters in total surface area;
- (b) no more than twenty (20) percent of the total surface area of the sign may be used for third party advertising;
- (c) the sign shall not be illuminated; and
- (d) only one such sign may be displayed per premises.

(11) Advertising on Vehicles

- (a) Advertisements may be painted, pasted or affixed directly on the body of any motorized vehicle or trailer or caravan, which moves around from one point to another.
- (b) When a motorized vehicle or a trailer or a caravan contemplated in subsection 12(11)(a) of this by-law, are parked on any public road or public place or premises for the purpose of advertising and marketing, such advertising signs shall be subject to the conditions contemplated in Schedule 15 of this by-law.

**13. DISFIGUREMENT BY SIGNAGE**

- (1) No person may destroy, harm, damage, disfigure or deface the street frontage of any building, any street name sign, road traffic sign, wall, fence, rock, tree or other natural feature or object, or the front or frontage of the roof of any building or structure, in any manner whatsoever through the display or use of a sign or the writing or painting of any sign, symbol, letters or numerals.
- (2) No person may disfigure any sign lawfully erected and displayed in terms of this by-law.

**14. DAMAGE TO MUNICIPAL PROPERTY**

No person may, in the course of erecting or removing any sign or banner, cause damage to any tree, electric pole, street name sign, street furniture, municipal equipment or property, or any other municipal service or installation.

**15. ACCESS TO AND THE INSPECTION OF PREMISES**

The Municipality shall be entitled, with prior written notification to the owner or the occupant of a premise, to have access to such a premises at any reasonable time by means of duly authorized officials, for the purpose of carrying out any inspection necessary for the proper administration and enforcement of the provisions of this by-law.

**16. OFFENCES AND PENALTIES**

A person who contravenes or fails to comply with the provisions of this by-law, or fails to comply with a notice served in terms of this by-law, or fails to comply to an instruction of an authorized officer or posted on a notice board, or obstructs an authorized official in the execution of his or her duties in terms of this by-law, is guilty of an offence and is liable on conviction, for –

- (a) a fine or imprisonment, or to such imprisonment without the option of a fine, or to both such fine and such imprisonment;
- (b) in the case of a successive or continuing offence, to an additional fine or additional period of imprisonment, or such additional imprisonment without the option of a fine, or to both such additional fine and such additional imprisonment, for every day such offence continues; and
- (c) any further amount as an order of court for costs, equal to any costs and / or expenses, deemed by the Court, to have been incurred by the Municipality as a result of such contraventions.

## **17. REMOVAL OF SIGNAGE**

- (1) Any sign which is displayed or erected in contravention of this by-law, may be removed on instruction of the Municipality, on condition that a prior written notice be served on the owner of the sign and / or the property owner on whose premises the sign is erected or displayed, instructing such person to remove such sign or to implement the required alteration and / or rectification thereto, as may be specified in the notice concerned.
- (2) When a written notice is not complied with within the specified time period specified in the notice concerned, the Municipality may without further notice approach the Court to obtain a court order to remove the involved sign.
- (3) The Municipality shall after a court order has been obtained to remove a sign, request the owner of such a sign or the owner of the property concerned per written notification, to remove the sign concerned, and by failure thereto instruct a competent service provider to remove the sign concerned on behalf of the Municipality.
- (4) Any costs incurred by the Municipality for the removal of signage as contemplated in subsection 17(2) and 17(3), may be recovered from the person or persons on who the notice concerned has been served.
- (5) Unlawful signage removed on instruction of the Municipality, may be reclaimed from the Municipality by the owner of such sign, on full payment of any costs incurred by the Municipality in the removal of the sign concerned, and the payment of the prescribed release fee, within a period as determined by the Municipality.

## 18. SERVING OF NOTICES AND OTHER DOCUMENTS

- (1) A notice, instruction, letter of demand, or other document issued by the Municipality in terms of this by-law, is deemed to be duly issued, when a duly delegated official of the Municipality has signed it.
- (2) Any notice, instruction, letter of demand, or other document that is served on a person in terms of this by-law, is regarded as having been duly and effectively served –
  - (a) when it has been delivered to that person personally;
  - (b) when it has been left at that person's place of residence or business in the Republic of South Africa, with a person apparently older than sixteen years;
  - (c) when it has been posted by registered or certified mail to that person's last known residential or business address in the Republic of South Africa, and proof of the posting thereof is provided;
  - (d) when that person's address in the Republic of South Africa is unknown, when it has been served on that person's agent or representative in the Republic of South Africa, in a manner as provided in subsections 20(2)(a), 20(2)(b) or 20(2)(c) of this by-law;
  - (e) if that person's address and agent or representative in the Republic of South Africa is unknown, when it has been posted in a conspicuous place on the property or premises to which it relates; or
  - (f) in the event of a body corporate, when it has been delivered at the registered office or the business premises of the body corporate.
- (3) When any notice, instruction, letter of demand, or other document is served on a person in terms of this by-law, it is sufficient for purpose of the serving of the notice, instruction, letter of demand or other document, to describe the person in the notice, instruction, letter of demand or other document, as the owner, occupant, or holder of the property or rights in question, and it is not a requirement to name that person.
- (4) A notice, instruction, letter of demand, or other document shall for purpose of authentication, be properly signed by the Municipality.

## 19. COMMUNITY LIAISON FORUMS

- (1) The Municipality may establish liaison forums in a community for the purpose of –
  - (a) creating opportunities for the community to participate in the affairs of the Municipality, which have reference to this by-law;
  - (b) to advise the Municipality on matters, referred to a liaison forum by the Municipality;
  - (c) to promote control over advertising signs and signage; and
  - (d) to promote the achievement of properly controlled and administered advertising signs and signage.
- (2) A liaison forum may consist of –
  - (a) a member or members of an interested group, or affected persons;
  - (b) a member or members of the community; and
  - (c) a designated official or officials of the Municipality, or other organs of state.
- (3)
  - (a) The Municipality may, when considering an application for an approval or a permit or an exemption in terms of this by-law, request the input of a liaison forum.
  - (b) A liaison forum or any person or persons contemplated in subsection 19(2) of this by-law, may on their own initiative provide input to the Municipality for consideration.

## 20. JURISDICTION OF MAGISTRATE COURT

Notwithstanding any other provision referred to in any legislation with regard to the jurisdiction of a magistrate's court, a magistrate has the jurisdiction to issue an order on application by the Municipality, for the implementation of any provision of this by-law, or for any approval, refusal or condition granted or applicable in terms thereof.

## 21. EXEMPTIONS

- (1) Notwithstanding the provisions of this by-law, the Municipality may on written application, exempt any person or group of persons from any or all of the requirements of this by-law, and during the consideration of such application for exemption may impose any condition or requirement as deemed necessary.

- (2) The Municipality may approve exemptions from the provisions of this by-law, with regard to the type of signage as provided for in Schedules 10, 11 and 12 of this by-law, with regard to –
- (a) the area of control where the sign or signage may be displayed;
  - (b) the nature of an event;
  - (c) the period for which signage are to be displayed; and
  - (d) the size of a proposed sign.
- (3) The Municipality may approve exemptions from the provisions of this by-law, with regard to all types of signage or areas of control, when an environmental impact assessment or a similar study find that a sign shall have no impact on the environment or the aesthetics of an area.
- (4) The Municipality may approve exemptions from the provisions of this by-law for church organizations and non-profit institutions.

## 22. CONFLICT BETWEEN LEGISLATION

When any stipulation of this by-law, is in conflict with national and provincial legislation or regulations, the national and provincial legislation or regulations shall prevail.

## 23. REPEAL OF BY-LAWS

- (1) The provisions of any by-laws previously promulgated by the Municipality, or by any of the disestablished municipalities now incorporated in the Municipality, are hereby repealed as far as they relate to matters provided for in this by-law.
- (2) The following by-laws of the Theewaterskloof Municipality are hereby specifically repealed –

| <b>Name of by-law</b>   | <b>Date published</b>          | <b>As a whole or partially</b> |
|---|--------------------------------|--------------------------------|
| Bylaw relating to the conditions for the affixing and removing of posters from lamp-posts | PG 6814 dated 26 November 2010 | As a whole                     |
| Bylaw relating to outdoor advertising and signage   | PG 6234 dated 8 March 2005     | As a whole                     |

## **24. SCHEDULES FORM PART OF THE BY-LAW**

Schedules 1 to 17 of this by-law, form part of this by-law for all practical purposes.

## **25. TRANSITIONAL ARRANGEMENTS**

- (1) Anything done under or in terms of any provision repealed by this by-law shall be deemed to have been done under the corresponding provisions of this by-law, and the repeal of any by-law, as contemplated in section 24 of this by-law, shall not affect the validity of anything done under the by-law so repealed.
- (2) Anything done prior to the promulgation of this by-law, which was a transgression of the provisions of any by-law repealed in this by-law, and was therefore unlawful, shall in the event of such action or sign still not complying with the provisions of this by-law, be considered as unlawful and the Municipality shall have the authority to take the necessary actions in terms of section 17 of this by-law, to address the continued transgression.
- (3) An owner or occupant of a premises, or the owner of a sign, who do not comply with the provisions of this by-law on the operative date of this by-law, shall within a period of six (6) months, after proper written notification by the Municipality of non-compliance to such owner or occupant, ensure that the premises or sign concerned comply to the provisions of this by-law.
- (4) The signage erected in terms of previous provisions, requirements, instructions and conditions, may by means of a specific application by the owner or occupant of a premises, or the owner of a sign, to the Municipality for exemption, be exempted from the provisions of this by-law or the person concerned may use his or her right of appeal, or both.

## **26. SHORT TITLE**

This by-law shall be called the Outdoor Advertising and Signage By-law of the Theewaterskloof Municipality.

## **27. OPERATIVE DATE**

This by-law shall take effect on the date of publication thereof.

**SCHEDULE 1:  
AREAS OF CONTROL**

| <b>MAXIMUM CONTROL</b>          |   |   | <b>PARTIAL CONTROL</b>  | <b>MINIMUM CONTROL</b>   |
|---------------------------------|---|---|---|--|
| <b>Natural Area</b>             | <b>Rural Area<br/>(Outside urban edge)</b>              | <b>Urban Area</b>   | <b>Urban Area<br/>(Within urban edge)</b>                                     | <b>Urban Area<br/>(Within urban edge)</b>  |
| Proclaimed nature reserve.      | Agricultural areas / zones.                             | (a) Urban conservation areas.<br>(b) Areas of special significance. | (a) Central business districts.<br>(b) Outside areas of special significance. | Industrial zones   |
| Protected natural environments. | Areas with unique natural vegetation.                   | Declared heritage sites (cultural and natural).                     | Mixed use commercial and residential areas.                                   | Designated transportation terminals.   |
| Game reserves                   | Rural small holdings.                                   | Graded buildings and places.  | Commercial ribbon development and activity corridors.                         | Designated areas within undetermined zones.  |
| Proclaimed bird parks.          | Large private open spaces such as private golf courses. | Residential zones and adjacent road and rail reserves.              | Commercial and business districts and adjacent streets and rail reserves.     | Specific areas or sites designated for minimum control in an urban area, by way of a map prepared by the Municipality. |
| Forestry areas.                 | Scenic drives.  | Transport routes.   | Entertainment districts or complexes with commercial zones.                   |  |
| River corridors                 | Scenic landscapes                                       | Pedestrian malls and pedestrian plazas.                             | Sports fields and stadiums.   |  |

|   |   |  |  |  |
|---|---|--|--|--|
| 1:100 Year flood plains.  | Scenic features   | School sites and institutional zones.    | Undetermined zones (including railway reserves and transport zones).   |  |
| Wetlands  | Municipal parks.  | Scenic features.                         | Specific areas or sites designated for partial control in an urban area, by way of a map prepared by the Municipality. |  |
| Scenic drives.  | Urban edge zones as defined in the applicable policy.   | Scenic drives.                           |  |  |
| Greening of city network.   | Agricultural and horticultural areas and adjacent road and rail reserves.   | Gateways                                 |  |  |
| Specific areas or sites designated for maximum control in a natural area, by way of a map prepared by the Municipality. | Specific areas or sites designated for maximum control in a rural area, by way of a map prepared by the Municipality. | Public open spaces.                      |  |  |
|   |   | Private open spaces.                     |  |  |
|   |   | Urban small holdings.                    |  |  |
|   |   | Intensive urban agriculture areas.       |  |  |
|   |   | Self-sustaining urban agriculture areas. |  |  |

|  |  |  |  |  |
|--|--|--|--|--|
|  |  | 1:100 Year flood plains.   |  |  |
|  |  | River corridors.   |  |  |
|  |  | Wetlands   |  |  |
|  |  | Community facilities (excluding sports facilities and stadiums).   |  |  |
|  |  | Core flora conservation sites, as identified by the National Botanical Institute.                                    |  |  |
|  |  | Special business zones.  |  |  |
|  |  | Residential components of mixed use buildings.   |  |  |
|  |  | Specific areas or sites designated for maximum control in urban areas, by way of a map prepared by the Municipality. |  |  |

## **SCHEDULE 2: BILLBOARDS**

1. Subject to specific approval in terms of this by-law, the erection or display of custom made or of standard design billboards, shall be permitted only in areas of minimum and partial control.
2. Billboards shall comply with the following requirements –
  - (a) when the proposed premises where a billboard is to be erected, borders on Class 2 roads or Class 3 roads, the billboard may not be placed less than five (5) meters from the boundary line of the premises concerned.
  - (b) when the proposed site for erection of a billboard has been designated as a gateway or part of a gateway, no billboards shall then be permitted within such gateway.
  - (c) the standard conditions for application and approval, as set out in this by-law;
  - (d) no billboard may encroach on the boundary line of the property on which a billboard is erected, irrespective whether such encroachment is aerial or on ground level;
  - (e) shall have a minimum clearance height of two point four (2.4) meters and a supporting structure which does not exceed a maximum height of seven point five (7.5) meters above natural ground level;
  - (f) shall not exceed a maximum size of six (6) by three (3) meters, provided that on any V-shaped structure, two (2) such panels may be allowed;
  - (g) shall be displayed between the angles of ninety (90) degrees and sixty (60) degrees to the direction of oncoming traffic;
  - (h) shall be spaced a minimum distance apart as specified in Table 1 of this by-law;
  - (i) when billboards are located at signalized traffic intersections, the signage may not be erected or displayed within fifty (50) meters of the perimeter of the intersection when un-illuminated and not within eighty (80) meters of the perimeter of such intersection when illuminated;
  - (j) when any billboards is erected along the right hand side of a road section, and the graphics thereof are visible to a driver traveling on the left hand side of the road, such billboard shall be deemed to have replaced the advertising opportunity that existed on the left hand side of the road; and

(k) billboards shall have a minimum letter or number height of two hundred and eighty five (285) millimeter.

3. The information content of a proposed advertisement on a billboard shall be measured in "bis", and when the information content of a proposed advertisement is calculated, the "bis" weights shown in the table below shall be used -

| <b>Elements of an advertisement</b> |   | <b>Bis per element</b> |
|-------------------------------------|---|------------------------|
| Words                               | up to 4 letters                                 | 0.5                    |
|                                     | 5 - 8 letters                                   | 1.0                    |
|                                     | more than 8 letters                             | 2.0                    |
| Numbers                             | up to 4 digits                                  | 0.5                    |
|                                     | 5 - 8 digits                                    | 1.0                    |
|                                     | more than 8 digits                              | 2.0                    |
| Logos, symbols and graphics         | smaller than 9 m <sup>2</sup>                   | 0.5                    |
|                                     | between 9 m <sup>2</sup> and 18 m <sup>2</sup>  | 1.0                    |
|                                     | between 18 m <sup>2</sup> and 27 m <sup>2</sup> | 1.5                    |
|                                     | larger than 27 m <sup>2</sup>                   | 2.0                    |

4. The total "bis" in a proposed advertisement may not exceed fifteen (15).
5. No triangular face billboards shall be allowed.
6. The use of billboards for advertising shall be restricted to advertisements for goods, products, services or a destination.

**SCHEDULE 3:  
LOCALITY BOUND FREE STANDING AND / OR COMPOSITE SIGNAGE**

1. Subject to any approvals in terms of this by-law, the erection or display of locality bound free standing and composite signs shall be permitted only in urban areas of maximum, partial and minimum control, and then only in the following instances –
  - (a) where business premises are set back fifteen (15) meters or more from the boundary of a road reserve bending inwards;
  - (b) where it is not reasonably possible to affix appropriate signs to a building;
  - (c) where such a sign is necessary to allow the public to locate the entrance to a business premises; and
  - (d) where the approval of a free standing composite sign shall prevent the proliferation of signage.
2. Locality bound free standing and / or composite signs may not exceed four point five (4.5) meters in height, and in addition may not exceed four point five (4.5) square meters in total surface area.
3. The restrictions on height and surface for free standing and / or composite signs may be waived to a maximum height of seven point five (7.5) meters and a maximum total area of ten (10) square meters in total surface area per side, in instances where –
  - (a) such increase, reduces the number of individual signs displayed on any street boundary, thereby minimizing the visual impact on the surrounding environment;
  - (b) more than two significant roads borders on the premises concerned;
  - (c) the number of businesses which shall be advertising on such sign, justifies it;
  - (d) the number of approach or exit routes to the premises concerned, justifies it; and
  - (e) the applicable zoning of the premises surrounding the premises concerned, justifies it;
4. Service station free standing signs shall be locality bound and may only be erected or displayed at service stations –
  - (a) adjacent to public roads;
  - (b) when a service station is directly accessible from the public road on which such a sign is erected; and

- (c) on condition that only one (1) service station free standing sign per street boundary shall be permitted.
5. Service station free standing signs may not exceed seven point five (7.5) meters in height, and may not consist of more than eight (8) advertising panels of four point five (4.5) square meters in total surface area.
6. The restrictions on height and surface for free standing service station signs may be waived to a maximum height of sixteen (16) meters and eight (8) advertising panels, not exceeding six (6) square meters in total surface area, subject to the conditions as indicated in paragraph 3 of this schedule.
7. Service station free standing signs in areas of maximum control may not exceed the maximum height of four point five (4.5) meters, and may not exceed seven (7) square meters in total surface area, on each individual side of a sign.

**SCHEDULE 4:  
FLAT AND PROTRUDING SIGNAGE ATTACHED TO WALLS OF BUILDINGS**

1. The erection or display of flat and protruding signage shall be permitted in all areas of maximum, partial or minimum control, subject to approval in terms of this by-law.
2. Flat and protruding signage may –
- (a) not be allowed within zero point six (0.6) meters of the edge of a roadway, nor may it extend to within zero point six (0.6) meters of the edge of a roadway;
  - (b) not protrude more than one point five (1.5) meters in front of a wall, in the case of a sign which has a clearance height of more than seven point five (7.5) meters;
  - (c) not protrude more than one (1) meters in front of a wall, in the case of a sign which has a clearance height of less than seven point five (7.5) meters;
  - (d) not protrude more than two hundred and fifty (250) millimeter, when installed over a pedestrian lane or footpath, except when the clearance height of such sign is more than two point four (2.4) meters;
  - (e) not obstruct any external opening of any building, and no portion of any such sign may obstruct the opening or closing of any window, door or any other openings;
  - (f) not exceed fifty four (54) square meters in total surface area, or may not exceed one quarter of the overall surface to which it has been affixed or painted, whichever is the lesser, and the size restriction may only be waived on condition that -

- (i) the provisions of any environmental impact assessments in terms of statutory stipulations are complied with;
  - (ii) such signage are to be erected or displayed in a conservation area, and the provisions of any heritage impact assessment in terms of statutory stipulations have been complied with; and
- (g) be considered for approval on blank common boundary facades of non-residential buildings.
3. When flat and protruding signage are displayed on the street side or any visible facade of a building –
- (a) such signage shall be designed in such a way, as to become an integral part of the building design; and
  - (b) when a third party advertisement is displayed, it shall be custom made and shall be subject to the requirements of paragraph 2(f) of this schedule.

**SCHEDULE 5:  
SKY SIGNS**

1. The erection or display of sky signs, either custom made or of a standard design shall only be permitted in areas of minimum control, subject to approval in terms of this by-law, and such sky signs shall be limited to a maximum size of four point five (4.5) square meters in total surface area, provided that the size requirement may be waived, with a maximum size of eighteen (18) square meters in total surface area allowable, when –
- (a) the conditions of any environmental impact assessment in terms of statutory stipulations, have been complied with; and
  - (b) the view of any other building is not obstructed.
2. Sky signs erected along the top edge of the roofs of cultural, historic or architecturally significant buildings shall only be allowed, when they are locality bound, un-illuminated and consist of individual cut-out letters or logos.

3. The information content of a proposed sky sign shall be measured in “bis”, and when the information content of a proposed advertisement, is calculated, the “bis” weights shown in the table below shall be used -

| Elements of an advertisement |   | Bis per element |
|------------------------------|---|-----------------|
| Words                        | up to 4 letters                                 | 0.5             |
|                              | 5 - 8 letters                                   | 1.0             |
|                              | more than 8 letters                             | 2.0             |
| Numbers                      | up to 4 digits                                  | 0.5             |
|                              | 5 - 8 digits                                    | 1.0             |
|                              | more than 8 digits                              | 2.0             |
| Logos, symbols and graphics  | smaller the 9 m <sup>2</sup>                    | 0.5             |
|                              | between 9 m <sup>2</sup> and 18 m <sup>2</sup>  | 1.0             |
|                              | between 18 m <sup>2</sup> and 27 m <sup>2</sup> | 1.5             |
|                              | larger than 27 m <sup>2</sup>                   | 2.0             |

4. The total “bis” in a proposed advertisement may not exceed fifteen (15).

#### **SCHEDULE 6: ROOF SIGNS**

1. The erection or display of roof signs shall be permitted in all urban areas of control, except for areas zoned for residential purposes in areas of maximum control, and subject to approval in terms of this by-law.
2. Roof signs shall comply too the following conditions –
  - (a) the total surface area of any roof sign affixed flush or painted onto a roof of a building, may not exceed one quarter of the overall area of the roof to which it is affixed or painted;
  - (b) when attached to the bottom edge of a roof or vertically midway on the roof of a building, such sign may not exceed (1) meter in height; and
  - (c) the total surface area of a roof sign may not exceed twenty five (25) percent of the roof area to which it has been affixed.

2. A roof sign may be affixed along the edge of a roof of a building, when such sign is composed of a single line of individual cut-out letters, without visible bracing or support, on condition that such sign may not be erected along more than two edges of such a roof, and may not exceed three point six (3.6) square meters in total surface area, six (6) meters by zero point six (0.6) meters in size and a maximum height of one (1) meter.

**SCHEDULE 7:  
SIGNAGE ON VERANDAS, BALCONIES, CANOPIES, SUPPORTING COLUMNS,  
PILLARS AND POSTS**

The erection or display of signage on a veranda, balcony, canopy, supporting columns, pillars and posts, shall be permitted in all areas of control, on condition that they comply with the following conditions –

- (a) no signage may be affixed on or over architectural features of buildings;
- (b) signage may be affixed flat onto or painted on a parapet wall, balustrade or railing of a veranda or a balcony, or a beam or a fascia of a veranda or a balcony;
- (c) signage may not exceed one (1) meter in height, or protrude above or below or laterally beyond the surface to which it has been affixed, or protrude more than two hundred and fifty (250) millimeter over a roadway or within zero point six (0.6) meters from the edge of a roadway.
- (d) signage may be affixed flat onto or painted on supporting columns, pillars and posts, subject thereto that -
  - (i) no sign may protrude more than fifty (50) millimeter in front of the surface to which it has been affixed, and may not extend beyond any extremity of any such column, pillar or post; and
  - (ii) signage affixed flat onto non-rectangular supporting structures, shall be curved to fit the form of such structure;
- (e) only one sign per column, pillar or post shall be allowed;
- (f) signage suspended below the roof of a verandah, canopy or the floor of a balcony, may not exceed one point eight (1.8) meters in length or six hundred (600) millimeter in height;
- (g) signage suspended under a canopy or veranda, may not extend beyond the external edge of the canopy or veranda to which it has been attached;
- (h) all suspended signage shall have a clearance height of at least two point four (2.4) meters; and

- (i) signage on the roof of a veranda, canopy or balcony, excluding the main roof of a building, shall be composed of a single line of free standing individual, cut-out silhouette letters without visible bracing or other visible means of support, and may not be erected along more than two edges of such roof of a verandah, a canopy or a balcony.

**SCHEDULE 8:  
SIGNAGE ON BOUNDARY WALLS, FENCES AND CONSTRUCTION SITE  
HOARDINGS**

1. The erection or display of signs on boundary walls, fences and construction site hoardings shall only be allowed for locality bound signage in urban areas of maximum, minimum or partial control, and subject to approval in terms of this by-law, as applicable.
2. Signage on boundary walls, fences and construction site hoardings shall comply with the following conditions –
  - (a) in urban areas of maximum and partial control the Municipality shall only approve an application to affix a locality bound sign against a boundary wall, when such a sign is indented into the wall or compounded out of individual un-illuminated cut-out letters or symbols fixed flat on such wall, not protruding more than fifty (50) millimeter from the face of such wall;
  - (b) in areas of minimum control, signs may be affixed on boundary walls, fences and hoardings, subject to the following conditions -
    - (i) a locality bound sign displayed flat on a boundary wall, a fence or a hoarding shall not protrude more than fifty (50) millimeter from the face of such wall, fence or hoarding;
    - (ii) a locality bound sign, in the case of a profession lawfully conducted from a residential premises in terms of a consented use or a departure, shall not be larger than (1) meter by (1) meter and shall be affixed flat on a permanent boundary wall or a fence of such premises; and
    - (iii) a locality bound sign, in the case of businesses on non-residential premises, shall have a maximum size of four point five (4.5) square meters and shall be affixed flat on a permanent boundary wall or a fence of a premises.
3. Third party and locality bound advertising on boundary walls, fences and construction site hoardings shall comply too the following conditions -
  - (a) no individual sign may exceed a vertical dimension of three (3) meters and a total surface area of eighteen (18) square meters, and in the case of construction site hoardings, the graphics used shall comply with the requirements of the Advertising Standards Association of South Africa;

- (b) no sign may protrude more than one hundred (100) millimeter in front of the walls, fences or hoardings to which it has been affixed;
- (c) no sign may be illuminated in areas of maximum and partial control; and
- (d) no signage may be displayed on construction site hoardings, boundary walls and fences within the cone of vision of motorists at signalized traffic intersections.

**SCHEDULE 9:  
POSTERS WITH NEWSPAPER HEADINGS**

1. The erection or display of posters with headings from newspapers, shall be permitted in all areas, except natural and rural areas of maximum control, subject to approval in terms of this by-law.
2. Posters with headings of newspapers shall comply to the following conditions –
  - (a) posters may not exceed zero point nine (0.9) meter by zero point six (0.6) meters in total surface area; and
  - (b) the commercial content of a poster may not exceed twenty (20) percent of the area of the poster, nor may the lettering used for the commercial content be larger than the main lettering in the remainder of the poster.
3. Posters may only be attached to municipal electrical light poles or other approved structures, at such locations as approved from time to time for the display of such posters by the Municipality.
4. Poster may not be affixed to traffic signal poles, or other poles which carry road traffic signs, or poles erected for any other purpose, or any other street furniture, waste bins, trees, rocks or other natural features.
5. Posters with newspaper headings may not be pasted on municipal electrical light poles, but shall be mounted on a board, affixed securely with stout string or plastic ties to a pole, unless a permanent frame has been approved and installed for this purpose on a pole.
6. Only one poster with newspaper headings of a newspaper group shall be permitted per pole.
7. The number of posters allowed per area, as well as the designated areas for the display of posters with newspaper headings, shall be determined by the Municipality.

8. All “specific events” posters shall comply with the following conditions –
  - (a) the name of the promoter of the event concerned, the specific event and the date of the specific event, shall appear on such posters in letters not less than (50) millimeter mm in height; and
  - (b) the specific event posters may not be displayed more than seven (7) days before the date of the event, and shall be removed within twenty four (24) hours after the date of the event shown on the poster.
9. Posters with newspaper headings and their fastenings shall be removed on a daily basis.
10. The Municipality may remove any poster which is displayed in contravention of the conditions of this schedule, subject thereto that –
  - (a) any poster which is not removed on a daily basis or any “special event” poster which is not removed within twenty four (24) hours, may be removed by the Municipality; and
  - (b) the costs associated with the removal of unlawful posters shall be determined by the Municipality, and be recovered from the person responsible for the display of such posters.
11. Applications shall be made on an annual basis by media groups for permission to display posters with newspaper headings, subject to the payment of an annual fee and a deposit, against which a charges for the removal of any unlawful poster in terms of the provision of this schedule shall be recovered.
12. When the amounts debited against a deposit, exceeds the value of such a deposit, the permission to display such posters shall be suspended, until the deposit is replaced or a further deposit, as applicable, has been paid to the Municipality.

**SCHEDULE 10:  
POSTERS, BANNERS, FLAGS AND BALLOONS**

1. The erection or display of posters, banners, flags and balloons, other than those referred to in Schedule 11 of the by-law or the display of air balloons, shall be permitted in all areas, except natural and rural areas of maximum control, subject to approval in terms of this by-law.
2. The erection and display of posters, banners, flags and balloons shall comply to the following conditions –
  - (a) the display of posters, banners, flags and balloons on or alongside any bridge or any public roads shall be forbidden, except when specific consent has been obtained from the Municipality;
  - (b) posters, banners, flags or balloons, may not be displayed in such a way that vehicular traffic are restricted or constitute a danger to passing pedestrians of vehicular traffic;
  - (c) no banner or flag-type banner may be larger than five (5) square meters in total surface area, and no flag may be bigger than two (2) square meters in total surface area;
  - (d) no flagpole may exceed the applicable height restriction of the zoning of a premises;
  - (e) no flagpole may be more than eight (8) meters above natural ground level, measured from directly below the flagpole;
  - (f) no poster, banner, flag or balloon may be displayed within thirty (30) meters of any road traffic sign or traffic signal equipment;
  - (g) posters, banners, flags or balloons may not to be affixed to trees, traffic signs, street name signs, traffic signal equipment, electrical or service authority distribution boxes or structures or poles, rocks and other natural features, street furniture, waste bins or any other municipal property;
  - (h) posters, banners, flags or balloons may not be displayed in such a way that they unfairly prejudice other businesses or organizations, or obscure any approved existing signage;
  - (i) only one (1) banner per premises shall be permitted, unless the Municipality's written permission has been obtained for the display of more than one banner;

- (j) a maximum of five (5) flagpoles bearing national flags, may be erected on the premises of an accommodation facility located on a single residential premises; and
  - (k) a maximum of three (3) flags may be displayed on a premise, indicating the name, corporate symbol and nature of the business on such premises.
3. Posters, banners, flags and balloons which have become faded and dilapidated may not be further displayed, and shall be removed by the displayer thereof, and by failure thereto, such posters, banners, flags or balloons shall after written notification be removed by the Municipality and the costs of removal shall be recovered from the person who erected such posters, banners, flags or balloons.

**SCHEDULE 11:  
POSTERS, BANNERS AND FLAGS ON PUBLIC ROADS AND PUBLIC PLACES**

1. The erection or display of temporary posters, banners and flags in or on public roads or public places, for the purpose of advertising specific events shall be permitted in all areas of control except natural and rural areas of maximum control, subject to approval in terms of this by-law.
2. The erection and display of temporary posters, banners and flags in or on public roads or public places shall comply with the following conditions –
- (a) the name of the host organisation, the date and venue, shall appear on such posters, banners or flags in letters not less than fifty (50) millimeter in height;
  - (b) sponsored posters, banners and flags may be displayed to advertise an event, on condition that the name or emblem of a sponsor may not cover more than twenty (20) percent of the total surface of such posters, banners or flags;
  - (c) posters, banners and flags may not be displayed more than seven (7) days before the date of the function and / or event to be promoted, and shall be removed within three (3) days from the date of the function or event;
  - (d) posters shall be restricted to a maximum size of eight hundred (800) millimeter by five hundred (500) millimeter, and -
    - (i) shall be mounted on a hard surface;
    - (ii) shall be affixed securely with stout strings or plastic fastenings;
    - (iii) shall be affixed in such a way that damage is not caused to the poles on which it is affixed; and
    - (iv) on condition that the use of fastening material with a metal content shall not be permitted;

- (e) posters, banners and flags, excluding election posters and flags used during national, provincial and municipal elections, voter registration campaigns and official referendums, may only be affixed in public roads or public places, as indicated by the Municipality;
  - (f) posters, banners and flags may not be erected in residential areas and on bridges;
  - (g) no political banners shall be allowed;
  - (h) only one poster or flag per organization may be affixed on every streetlight pole;
  - (i) posters and flags shall be affixed at a uniform height of at least two point four (2.4) meters from ground level, measured from the bottom of a pole;
  - (j) no posters, banners or flags may be affixed to trees, traffic signs, street name signs, traffic signal equipment, street furniture, waste bins, advertising signage or other municipal property;
  - (k) no posters, banners and flags may be displayed within thirty (30) meters of any road traffic sign or traffic signal equipment; and
  - (l) all materials used to affix posters shall be removed together with such posters.
3. The Municipality may remove any indecent or torn posters, banners or flags, together with the fastening material therefore, as well as any posters, banners or flags which create a traffic hazard in the opinion of the Municipality.
  4. The Municipality shall be exempted by the displayer of the poster, banners or flags, from any claims that may be instituted against the Municipality as a result of the display of such posters, banners and flags.
  5. The display of temporary posters, banners and flags purely for commercial purposes shall not be permitted, provided that any poster, banner or flag which relates to a sport, an arts or a cultural event, may be allowed to contain restricted commercial elements, on condition that such commercial elements may not exceed twenty (20) percent of the total surface area of such poster, banner or flag.
  6. Organizations or persons who obtained approval to display posters, banners or flags, shall pay a deposit and the applicable tariffs as determined by the Municipality, which shall then entitle such organization or person to display the posters, banners or flags concerned for a maximum period of ten (10) days, or such other period as may be determined by the Municipality, on condition that –

- (a) no posters, banners or flags may be displayed more than seven (7) days before and three (3) days after the date of an event or a function, for which it were intended; and
  - (b) no posters, banners or flags may be displayed without the required deposit and prescribed tariffs having been paid.
7. The Municipality may remove or request the displayer thereof, to remove all posters, banners or flags when any of the provisions of this by-laws have not been complied with.
  8. Posters, banners or flags that are not removed by a due date, may be removed by the Municipality and the deposit paid by the displayer thereof may be utilized for the costs of removal.
  9. A maximum number of one hundred (100) temporary posters, banners or flags may be displayed per town, with a maximum of five hundred (500) to be displayed for the area of jurisdiction of the Municipality per organization or person who applied for such temporary display of posters, banners or flags.
  10. Banners may be erected and / or removed by the Municipality, on payment of fees and tariffs as determined from time to time by the Municipality, on condition that the banners to be displayed comply with specifications determined by the Municipality.
  11. The provisions of this schedule shall be applicable on all political parties, in the instances where there is not an official proclamation for an election day or a by-election.

**SCHEDULE 12:  
ESTATE AGENT SIGNS**

1. The erection or display of estate agent signs shall be permitted in all areas except natural areas of maximum control, subject to approval in terms of this by-law, as applicable.
2. The erection and display of estate agent signs, shall comply to the following conditions –
  - (a) advertising signs of estate agents may not be displayed, unless written approval has been obtained from the owner of the property on which such signs are to be displayed and “For Sale” signs may only be displayed for a period of six (6) months;
  - (b) “show house” signs may only be displayed from 12:00 on Fridays to 20:00 on Sundays, or on a Thursdays and Mondays, in the instance when either the Friday following the Thursday or the Monday, or both are public holidays, and may only between 8 December of a year and 8 January of a subsequent year be displayed continuously.
  - (c) the wording “On Show”, “Show House”, “Show Flat” or “Show Plot”, shall be displayed on each estate agent sign, including the name of the agency and a directional arrow;
  - (d) estate agent signs may not be affixed to trees, traffic signal equipment, street poles, street name signs, traffic signs, walls, fences, rocks and other natural features, street furniture, waste bins or other municipal property, unless such alternative method of display has been authorized by the Municipality in writing;
  - (e) estate agent signs may not be displayed on traffic islands, center islands, street flower beds, concrete or paved surfaces, on or in public streets;
  - (f) estate agent signs may be displayed on structures with stakes, on condition that the stakes of such structures may not penetrate the ground more than one hundred and fifty (150) millimeter; and
  - (g) estate agent signs may not exceed zero point three seven five (0.375) square meters in total surface area.
3. A maximum of one “For Sale” sign per estate agency, may be displayed at any single residential premises, except at a corner stand where two signs may be displayed, provided that a maximum of six (6) “For Sale” signs may be displayed simultaneously at a premises.

4. Estate agent signs may not be displayed along scenic drives or on any bridge or on a public place or a public open space.
5. A maximum of ten (10) directional signs per show unit may be displayed along Class 2 roads or Class 3 roads, excluding scenic drives and bridges on such roads, subject thereto that directional signs on such main routes may only indicate the shortest route to a show unit.
6. No estate agent sign may obstruct a road traffic sign.
7. No estate agent sign may be displayed in such a way that any part of the sign concerned is closer than one point five (1.5) meter from the roadway of a public road.
8. "Sold", "For Sale", "To Let" signs may be erected flush against the fence or the wall of a premises.
9. No other signage except signs offering a property "for sale" or "to let" or "sold", may be displayed by estate agents or estate agencies.
10. Every estate agency shall apply annually for permission to display estate agent signage, and the granting of approval shall be subject to the payment of an annual fee, in accordance with the Tariff By-law of the Theewaterskloof Municipality, on condition that -
  - (a) a deposit may be required by the Municipality, against which a debit for the removal of any sign which has been displayed in contravention with the provisions of this by-law shall be levied; and
  - (b) when the amounts debited against a deposit, exceeds the value of such a deposit, the permission to display such estate agent signs shall be suspended until the deposit is replaced or a further deposit, as applicable, has been paid to the Municipality.
11. Any estate agent sign which is displayed unlawfully or in contravention with the provisions of this schedule, shall be removed by the Municipality, subject to the recovery of the costs for such removal from the estate agency concerned.

**SCHEDULE 13:  
LOOSE PORTABLE SIGNS**

1. The display of loose portable signs shall be permitted in areas of minimum and partial control, as well as designated areas within urban areas of maximum control, subject to approval in terms of this by-law.
2. The placement and display of loose portable signs shall comply to the following conditions –
  - (a) loose portable signs may not be placed on a sidewalk or in a road reserve or in public open spaces or on a municipal property, without the written permission of the Municipality;
  - (b) the Municipality may remove and impound loose portable signs, placed without permission on a sidewalk, in a road reserve or on municipal property or in contravention with the provisions of this by-law, on condition that –
    - (i) owners may recover their impounded signs on payment of a release fee as determined the Municipality; and
    - (ii) the cost of removal, storage and transportation of an impounded sign shall be recovered from the owner of such a sign;
3. The following criteria shall apply in respect of an application to place and display a loose portable sign -
  - (a) signage may not pose a hazard in terms of safety to the public;
  - (b) signage may not obstruct or cause inconvenience to the public or pedestrian traffic, as a result of its physical size or location;
  - (c) signage may not unfairly prejudice other traders or businesses;
  - (d) signage may not detract from the amenity of the streetscape or the local environment;
  - (e) signage may only be used to advertise the name of the business or the nature of goods or services for sale from the premises concerned;
  - (f) signage may not exceed the maximum dimensions allowable for loose portable signage, of one point two (1.2) meter in height by zero point six (0.6) meter in width;
  - (g) signage may only be placed directly in front of the advertiser's premises, on condition that the afore stated criteria are being met; and

- (h) signage shall be placed in such a way, that a footpath of minimum two point five (2.5) meters in width remain clear for pedestrians.
4. The Municipality may demarcate areas within road reserves or on municipal property, for the placement of loose portable signs, where applicants may display approved loose portable signs during normal trading hours, on condition that such signage shall be removed outside normal trading hours and be stored elsewhere from the sight of the general public.
  5. The Municipality may levy tariffs in accordance with the Tariff By-law of the Theewaterskloof Municipality, for the right to display loose portable signs, which tariffs shall be payable in advance for a maximum period of six (6) months.
  6. Applicants who want to display loose portable signs shall be required to indemnify the Municipality against any claims from third parties, which may arise as a result of the placement of loose portable signs within road reserves or on any other municipal property.

#### **SCHEDULE 14: AERIAL SIGNS**

1. The erection display of aerial signs shall be only permitted in urban areas of partial or minimum control, subject to approvals in terms of this by-law.
2. Aerial signs shall comply to the following conditions –
  - (a) aerial signs affixed to any building or structure, shall be displayed at a height of more than forty five (45) meters from the surface, measured from ground level; and
  - (b) aerial signs may not be displayed, above a public road.

**SCHEDULE 15:  
TRANSIT ADVERTISING**

1. The display of transit advertising signs shall be permitted only in urban areas of partial or minimum control, subject to approval in terms of this by-law.
2. Transit advertising shall comply to the following conditions –
  - (a) the parking of a vehicle, a trailer or a caravan displaying transit advertising of a third party, where such vehicle, trailer or caravan may be visible from a public road or a public place shall be prohibited, except when such vehicle, trailer or caravan are displayed on a designated display site approved in terms of this by-law;
  - (b) vehicles, trailers and caravans containing transit advertising sign, shall not be visible from any public road or public place during the storage thereof on a private premises; and
  - (c) the advertising sign on a vehicle or a trailer or a caravan used for transit advertising may not exceed eighteen (18) square meters in total surface area, which may be increased to a maximum size of thirty six (36) square meters in total surface area, in areas of minimum control.
3. The Municipality may designate sites in areas of partial and minimum control for the parking of vehicles, trailers and caravans with transit advertisements.
4. Notwithstanding any provisions of this by-law, the Municipality may without prior notice remove any unauthorized transit advertising signage from a public road, a public place or municipal property, and for unauthorized transit advertising on private property, the Municipality may serve a notice on the owner of the vehicle, trailer or caravan concerned, ordering the removal of the unauthorized transit advertising signage in terms of this by-law.

**SCHEDULE 16:  
SIGNAGE ON MUNICIPAL LAND OR BUILDINGS**

1. No signage may be erected on municipal land, including public roads and public places, without the prior written permission of the Municipality.
2. The following specific conditions and criteria shall apply for the consideration of the erection of any type of sign on municipal property, on application by a third party –
  - (a) the consideration of the restrictions applicable for the area of control where the proposed sign is to be erected, to determine the desirability and practicality of the proposed sign;
  - (b) consideration of the erection of commercial sponsored signage on municipal property for approval, subject to the following conditions –
    - (i) the measure of alignment between the public and community objective of the sign concerned and the identified community needs and objectives;
    - (ii) received public comments and input on the proposed commercial sponsored sign;
    - (iii) compliance to the supply chain policy of the Municipality for the outsourcing of the proposed advertising opportunity;
    - (iv) following the required bid evaluation processes for the selection of a preferred bidder for the advertising opportunity on municipal property; and
    - (v) conclusion of a contractual agreement with a third party on conclusion of bid processes;
  - (c) the following specific criteria for the erection of a commercial sponsored sign on municipal property shall be considered –
    - (i) signage with a political content shall not be permitted;
    - (ii) not more than twenty (20) percent of the total surface of a sign may be used for third party advertising;
    - (iii) the maximum size of any sign shall be six (6) meter by three (3) meters, provided that in the event of a V-shaped sign, the size of each of the two (2) panels shall not exceed six (6) meter by three (3) meters each.
    - (iv) applications for billboards shall comply with the provisions and requirements as set out in Schedule 2 of this by-law; and
    - (v) no sign shall be erected within five (5) meters of any boundary line of a premises; and
  - (d) the Municipality may consider the erection of a sign by or for the benefit of a non-profit institution, subject to compliance with the requirements set out in Schedule 17 of this by-law.

**SCHEDULE 17:  
SIGNAGE ERECTED BY OR FOR THE BENEFIT OF NON-PROFIT INSTITUTIONS**

1. Notwithstanding the area of control within which a sign by or for the benefit of a non-profit institution is to be erected, and subject to compliance with all the provisions of this by-law, the Municipality may consider such signage for approval, subject to the following conditions –
  - (a) the provision of written particulars to the Municipality on the non-profit institution involved in terms of the nature and extent of the support to be received for the erection or display of the sign involved, together with the other required information as contemplated in section 2 of this by-law;
  - (b) the proposed extent of the involvement of previously disadvantaged communities, small businesses, job creation and empowerment initiatives, and the benefit to be derived from the erection of such a sign;
  - (c) the evaluation of any proposal based on the following considerations -
    - (i) the adherence to the principles or provisions of this by-law;
    - (ii) the design contribution in terms of creativity and quality;
    - (iii) the community benefit offered;
    - (iv) compliance to public safety; and
    - (v) the contribution to the community objectives or needs; and
  - (d) in the event when the proposed sign is to be erected on municipal property:
    - (i) the Municipality shall evaluate the proposal;
    - (ii) the Municipality as landowner reserves the right not to proceed with any proposal or not to accept any proposal; and
    - (iii) on acceptance of a proposal, the conclusion of a written agreement between the Municipality, the person responsible for the erection of the sign and the non-profit institution concerned.
2. Signage to be erected for the benefit of non-profit institutions, shall comply to the following conditions –
  - (a) signage with a political content shall not be permitted;
  - (b) the maximum size of any such sign shall be six (6) meter by three (3) meters, provided that in the event of a V-shaped sign, the size shall not exceed two panels of six (6) meters by three (3) meters each;
  - (c) applications for the erection of billboards, shall comply to the provisions and requirements as set out in Schedule 2 of this by-law;
  - (d) no signage erected shall be located within five (5) meters of any boundary line of a premises;

- (e) the name of the non-profit institution shall be displayed on the sign by lettering with a maximum size of three hundred (300) millimeter;
- (f) all parties that may be affected by the erection or display of such sign shall be given an opportunity for their input;
- (g) the Municipality may require that the statutory stipulations with regard to impact assessment studies be complied with;
- (h) not more than one sign per street boundary shall be allowed; and
- (i) no more than two individual signs of six (6) meters by three (3) meters each shall be allowed on a premises, or alternatively one V-shaped sign with a maximum of two (2) panels of six (6) meters by three (3) meters each.