

- (h) Such sign have a clear height from the pavement of not less than 4 500mm.
- (i) The sign shall be supported by at least four iron brackets properly fixed to the building, any two of which shall be capable of carrying the whole mass of the sign, together with wind pressure, against which pressure the sign shall be satisfactorily braced and stayed;
- (j) upon receipt of a notification by the Council that such sign is unsafe, it shall be removed forthwith by the owner of the sign or the owner of the land on which it has been erected,
- (k) without payment of any compensation by the Council whatsoever,

the owner of such sign shall sign a form declaring himself to accept, and be bound by, the foregoing conditions.

13. PYLON SIGN

- 1 For the purpose of this section the word "pylon" includes any pylon, mast tower or similar structure to which a sign is supported, on which a sign is displayed or which is constructed as a sign.
- 2 Every pylon shall be independently supported and for that purpose be properly secured to an adequate foundation in the ground and be entirely self supporting without the aid of guys, stays, brackets or other restraining devices.
- 3 The dimension of a pylon and its associated pylon sign shall be such that the entire assembly, whether stationary or actuated, can be contained wholly within a notional vertical cylindrical figure having a diameter of 6 000mm and a height of 12 000mm.
- 4 No activated or protruding part of a pylon or of a pylon sign shall be less than 2 400mm above the highest point of the existing ground level immediately below such pylon or sign or such other height as the Council may require.
- 5 No pylon shall carry signs in the aggregate exceeding an area of 30 m².
- 6 A Pylon on Council's property erected solely for the purpose of identifying buildings or business which adjoin Council's property, may be considered on merit, provided the Council is indemnified against any responsibility on public claims, and the encroachment fee paid as set out in the Tariff of Charges.

14. A SIGN INDICATING THE DEVELOPMENT OF A TOWNSHIP OR PROPERTY

- 1 No sign referring to the laying out or development of any land as a township or to the disposal of any erven in a township or property development shall exceed 4,800mm wide x 2 400mm high, with a maximum erected height of 6 000mm.
- 2 Any approval granted in respect of such a sign in terms of Section 2, shall lapse after the expiry of one year after the date of such approval.
- 3 The sign must be located on the site of the proposed township or property development.
- 4 The Council may approve a larger sign or boarding for a particular development after taking into consideration the size of the development which must be 5ha or larger, on condition that approval shall lapse after the expiry of one year after the date of such approval.
- 5 Any sign shall be removed within two months of a development being completed or occupied.

15. SIGNS FLAT ON BUILDINGS

- 1 The total area of any sign placed flat on the front wall of a building facing a street, and above a height of 2500mm above the pavement, shall not exceed 20 m² for every 15m of building frontage to the street which such sign faces with an area of 200 m² but not exceeding 25 percent of the area of the wall above the 2500mm height, and with no lettering exceeding 1000mm in height.
- 2 The total area of any sign placed flat on the front wall of a building facing a street, and below a height of 2500mm above the pavement, not exceeding 10 percent of the area of the wall below the 2500mm height, and with no lettering exceeding 440mm in height.
- 3 The maximum projection of a sign referred to in Section 15(1) over the boundary line shall be 75mm, and for signs referred to in Section 15(2), 225mm over the boundary line.
- 4 A sign placed flat on a wall of a building not being a front wall, as contemplated in Section 15(1) and 15(2), shall not exceed an area of 25 percent of the wall, subject to a maximum area of 20 m², and shall be painted on a board or sheet of durable material and fixed to the wall.
- 5 Notwithstanding the provisions of Section 15(1), (2) and 13(4), the Council may, where it considers it desirable in the interests of the aesthetic appearance of the building on which the sign is placed or of the neighborhood of such building, permit or require the dimensions of any such sign to be bigger than those prescribed.
- 6 A sign referred to in Section 15 shall not be illuminated other than by floodlighting or by means of an internally lit box sign.

16. REQUIREMENTS FOR A SKY SIGN

- 1 Two or more sky signs placed one above the other, whether or not in the same vertical plane shall, for the purposes of this section, be deemed to be one sign.
- 2 A Sky sign shall be permitted only in areas zoned as Industrial 1, 2 and 3 or Commercial Land Use Zones, but shall be prohibited in any area which is predominately zoned as Residential 1, 2 or 3 Land Use Zones and shall be set against a screen complying with the requirements of Section 17.
- 3 No part of a sky sign shall protrude beyond, above or below the edge of the screen required in terms of Section 16(2).
- 4 If the number of storeys contained in that part of a building which is directly below a sign as set out in Column 1 of the under-mentioned table, the maximum vertical dimension of such sign shall not exceed the dimension specified opposite such number of Column 2 of that table:

Number of Storeys Below Sign	Maximum Vertical Dimension
One or two storeys	1 500mm
Three or four storeys	2 000mm
five or six storeys	3 000mm

Seven or eight storeys	4 000mm
Nine or more storeys	5 000mm

17. A SCREEN FOR A SKY SIGN

- 1
 - (a) Subject to the provisions of Section 17(1)(b), every screen shall be so arranged and constructed as to form a continuous enclosure effectively concealing the frame and structural components of the sky sign and the screen from view and, if the Council so requires, from adjacent or neighboring properties;
 - (b) If, in the opinion of the Council, the walls of any contiguous buildings are of such height and construction that they will effectively conceal and not contain openings overlooking the frame and structural components referred to in Section 17(1)(a), the Council may, subject to any condition it deems expedient, relax the requirements of that section requiring the provision of a continuous enclosure;
- 2 Unless the Council allows otherwise, no part of the screen shall protrude beyond the perimeter of the building on which it is constructed;
- 3 the gap between the bottom of the screen and that part of the building immediately below it shall not exceed 100mm;
- 4 the vertical dimension of every such screen shall not exceed one-and-one-half times the vertical dimension of the sky sign as contemplated in Section 16(4): Provided that if the screen also encloses a lift motor room, tank or other structure on the roof of the building, the vertical dimension of the screen may be increased to the same height as such room, tank or structure;
- 5 if the material of which the screen is made has an open mesh or grid formation, the openings in such mesh or grid shall be uniform, the aggregate area of the openings shall not exceed 25% of the area of the screen and no dimension of any such opening shall exceed 100mm: Provided that the Council may allow the erection of a screen of louvre design if it will ensure the effective concealment as required in terms of Section 17(1)(a).

18. A SIGN ON A BUILDING USED FOR RESIDENTIAL PURPOSES

- 1 A sign containing the name only of any building used for residential purposes other than a dwelling house, and a sign consisting of a 600mm x 450mm brass or other metal plate displaying the name of the company owning or managing such building, its logo and telephone number, may be displayed.
- 2 A sign contemplated in Section 18(1) shall:
 - (a) be fixed to or built into one or more walls of the building or a free-standing wall or boundary wall of the property;
 - (b) not be internally illuminated;
 - (c) be limited to one each of these signs referred to in Section 18(1) per street frontage of the property concerned.
- 3 A sign consisting of a 600 x 450mm metal plate or board indicating the name and profession or occupation of the occupant may be fixed to the boundary wall or fence, or the entrance door of a dwelling house or dwelling unit, or to a wall in the entrance hall of a building used for residential purposes.

- 4 Where a business or profession is conducted from a property in a predominantly residential area by consent of Council, a sign not exceeding 1 860 mm wide x 1 000 mm high, advising the public as to the nature of the business or profession conducted on the premises, may be erected as an element of a street facing boundary wall. Any sign so erected shall form an aesthetically integral portion of the architectural element designed to the satisfaction of the Council on the boundary of the property in question. The sign so erected shall not in the opinion of the Council, detract from the residential character of the neighborhood or have a negative impact on the market value of adjacent residential properties.

19. A SUNBLIND

- 1 Any sunblind shall be so made and fixed as to be incapable of being lowered to within 2 000mm of the foot way or pavement.
- 2 Except at street intersections, a sunblind shall only be placed parallel to the building line.
- 3 At a street intersection, sunblinds, both new and existing, shall be so placed that they shall not cause any interference with vehicular or pedestrian traffic, traffic lights, street name signs or other notices for the guidance of the public.

20. BILLPOSTING OR HOARDING

- 1 No sign or hoarding which is not placed on a building and no billposting hoarding shall exceed 6 000mm in height above ground level.
- 2 A drawing to a scale of 1:20 showing all structural details, shall be submitted to the Council together with other details specially required under these By-laws dealing with signs.
- 3 The design of such hoarding and sign shall be to the satisfaction of the Council.
- 4 Any approval of a hoarding not erected within 6 months after date of approval, shall lapse.

21. A SIGN ON WINDOWS ABOVE FIRST FLOOR LEVEL

No sign shall be displayed on a window above first floor level unless such sign:

- (a) is in an area zoned as Business 1 Land Use Zone.
- (b) state only the name of the company and the type of business carried out on the premises.
- (c) consists of lettering not exceeding 300mm in height.
- (d) is not illuminated.

22. SIGN REGARDED AS TENANCY AT WILL

Any person erecting or possessing signs on or over any public road, footway or pavement shall be regarded a tenant at will of the Council in respect of such signs and, if instructed by Council to remove any or all of them, shall do so either within 14 days if the sign is fixed to a pole or other structure, or immediately if the sign is free standing and portable, without any compensation either for direct, or consequential damages, failing which the Council may remove any such sign and the expenses of such removal shall be recoverable in the ordinary process of law from the owner of the building or from the person to whom the sign belongs.

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23. ADVERTISING ON A BANNER OR SIMILAR ITEM

Traffic Dept want
- Schools, churches, flags

- 1 Subject to the provisions of Section 4(1) and 23(2) no advertisement shall be displayed on any banner, streamer, flag, paper mache, plastic sheet or other similar pliable material or on calico or other woven material, without the written permission of the Council, having been obtained.
- 2 Permission in terms of Section 23(1) shall only be granted for an advertisement relating to a function or event conducted for religious, educational, social, welfare, sporting, civic or cultural purposes or to a function or event relating to a local or parliamentary election or referendum.
- 3 (a) Every application for permission in terms of Section 23(1) shall be accompanied by the deposit as stipulated in the Tariff of Charges.
(b) A deposit paid in terms of Section 23(3) shall, subject to the provisions of Section 23(4) be refunded to the person who has paid it –
 - (i) if such application is refused; or
 - (ii) after all the advertisements to which the deposit relates, have been removed to the satisfaction of the Council.
- 4 The Council may, without notice, remove and destroy any advertisement contemplated in Section 23(1) which is displayed in contravention of this section, and may deduct the costs from the deposit paid in terms of Section 23(3)(a).
- 5 Every person to whom permission has been granted in terms of Section 23(2) shall ensure that the following requirements are complied with:
 - (a) not more than five advertisements shall be displayed in respect of one function or event and with not more than one advertisement per street front;
 - (b) every advertisement shall be attached to or suspended between poles or other supports on the site on which the function or event is to be held;
 - (c) every advertisement shall be so attached so as not to interfere with, or constitute a danger to passing vehicular or pedestrian traffic;
 - (d) no advertisement shall be displayed for more than one week before the date of the function or event advertised nor shall any such advertisement be permitted to remain in position for more than three days after the conclusion of such function or event.
- 6 No banner approved in terms of Section 23 may be larger than 1 000mm high x 10 000 mm long.

24. ADVERTISING ON A BALLOON

Hot Air Balloon

- 1 The Council may, for the purpose of considering an application for approval in terms of Section 2, of a sign to be displayed on a tethered balloon for a period not exceeding four days and being airborne during daylight hours, have regard to:
 - (a) the period for which the balloon will so be used;
 - (b) the size of the balloon;

- (c) the type of gas with which the balloon is to be filled;
- (d) the strength of the anchorage and of the anchoring cable;
- (e) the provision of a device by means of which the balloon will automatically so deflate as to sink to the ground in the event of the failure or severance of the anchoring cable;
- (f) the possibility of interference with traffic;
- (g) any requirements or condition prescribed by the Department of Civil Aviation, including the maximum permissible height to which the balloon must be restricted; and
- (h) the location of the balloon.

25. A PAINTED ADVERTISEMENT

- 1 Subject to the provisions of Section 25(2), no sign shall be painted directly on to any building, canopy, column, post or structure, other than on the external surface of a window.
- 2 Subject to the approval of the Council in terms of Section 2, the name of any person or company carrying on business in a building may be painted directly on any approved wall of such building.
- 3 Subject to the approval of the Council in terms of Section 2, a mural with an advertisement painted directly onto any approved surface, may be considered on merit.

26. A TEMPORARY SIGN

- 1 A temporarily sign relating to the letting of, sale of or show houses or sold property and the name of the development complying with the following requirements, may be displayed without the approval of the Council having been obtained in advance.
 - (a) any sign not exceeding 600mm x 450mm in size containing the phrase "For Sale" or "To Let" in any one of the official languages, in respect of any dwelling house, residential building, or which in addition displays only the name, address, telephone number, photo and symbol of the selling or letting agent, and which is placed on or fixed to the building concerned, is attached parallel to a boundary fence of the erf on which the building is situated or is otherwise displayed within the boundaries of such erf shall be limited to one sign per agent with a maximum of five signs per erf;
 - (b) *A directional sign*
any sign not exceeding 600mm x 450mm in size containing the words "on show" or "show house" in any one of the official languages, in respect of any dwelling house or residential building with a maximum of 3 signs per street frontage for the show house itself on the day of the show.
 - (c) any one sign per street frontage as stipulated in section 26 1 (a) with the difference of the word "sold" instead of "for sale" in respect of any dwelling house, or residential building, and which: *is place in the same as stipulated*
 - (i) is displayed only after all signs referred to in Section 26 1 (a) have been removed;
 - (ii) is placed on or fixed to the building concerned, or is attached to a boundary fence of the erf on which the building is situated or is otherwise displayed within the boundaries of such erf;

forward

- (d) any sign not exceeding 2 400mm in height x 2 400mm in width fixed flat on the surface of a non-residential building which contains only the words "For Sale" or "To Let" and the name, address and telephone number for the selling or letting agent, or only the lettering for the word "Sold" with a maximum of one sign per building.
- (e) any sign not exceeding 600mm x 450mm in size, displayed on a vacant erf and which displays only the words "For Sale" or "Sold" and the name, address and telephone number for the selling or letting agent;

- 2 Any body approved in terms of schedule II, advertising a particular event may display any directional sign displayed subject to a maximum of 20 signs per event limited to 2(two) signs per street intersection. *may display*
- 3 Any sign, or banner not exceeding 4 000mm in length and 1 000mm in height and not more than 3 000mm above the ground, containing letter, figures, advertising emblems or devices, not exceeding 150mm in height, relating solely to an entertainment, meeting, auction or sale to be held upon or in relation to a certain site, may be displayed upon such site: Provided that such sign or banner shall not be displayed for more than one week before the function or event, the date of which must be displayed on the sign or banner, nor remain in position for more than three days after the conclusion of the function or event.
- 4 Any sale or letting board(s) requiring approval of the Council in terms of Section 2(1) must conform to the design regulations set out in Section 35.

27. A SIGN ON AND OR OVER A STREET *Danger*

- 1 Every person owning, displaying, or causing to be displayed a sign which, or any part of which, overhangs, or is placed on any street shall, on being instructed by notice in writing by the Council to do so, remove it within twenty four hours from date of such instruction or within such longer period specified in such notice without payment of any compensation.
- 2 In the event of non-compliance with an instruction in terms of Section 27(1), the Council may itself remove the sign concerned and may recover the cost thereof from the person or person, jointly and severally, to whom a notice in terms of Section 27(1) was addressed and such persons shall not be entitled to any compensation.

28. A POSTER OR BANNER

- 1 No person shall in, or in view of, any public road, affix or display or cause or allow it to be displayed any poster or banner unless he has first obtained the written permission of the Council.
- 2 No permission shall be given for the display of any poster concerning any commercial undertaking or activity or concerning any activity which, in the opinion of the Council, is primarily or mainly of a commercial character.
- 3 Every application required in terms of Section 28(1) shall be accompanied by an application fee as set out in the Tariff of Charges, with maximum of 200 posters, and written details of the townships and streets in which the posters are to be displayed and all posters to which the application relates: Provided that for parliamentary or Municipal elections only one poster need be submitted and an refundable deposit paid by each candidate as set out in the Tariff of Charges: Provided that for national or local referendums only one poster need to be submitted and an refundable deposit be paid by each registered political party as set out in the Tariff of Charges: Provided that:

- (a) every poster for which permission was granted in terms of Section 28(1) shall be provided

with a Council sticker and only posters with stickers or other Council's markings affixed, shall be displayed;

- (b) the Council shall be entitled to retain one such poster for identification purposes.

4 Any person who displays or cause or allows to be displayed in or in view of a public road, a poster or banner, for which permission has been granted in terms of Section 28(1), shall ensure that the following requirements are complied with:

- (a) no poster shall be so displayed that any part of is lower than 1 500mm or higher than 3 000mm above the sidewalk or ground level immediately below it;
- (b) no poster displayed by any person shall be indecent, or suggestive of indecency, prejudicial to public morals or reasonably objectionable;
- (c) every poster shall be attached in such a manner that it will not become wholly or partially dislodged by wind or rain, to a board made of board material and neither the board nor the poster shall exceed 900mm x 600mm;
- (d) subject to the provisions of Section 28(4)(e), any board referred to in Section 28(4)(c), shall be firmly fastened to a strong and stable support which could be permanent nature if approved by Council;
- (e) a "board" referred to in Section 28(4)(c) shall not be placed on or against or attached to or otherwise supported by any transformer box, telegraph pole, tree, road traffic sign or other sign or object with the exception of an electric light standard erected by the Council or the Government in a street or public place, with the further proviso that this excludes a light stand to which a road traffic sign has been affixed, provided such board is secured to such light standard by means of string or cord only, and positioned in such a manner that does not obscure or interfere with the electrical inspection chamber or pole identification number and a maximum of 2 boards per pole will be permitted;
- (f) no poster relating to a meeting, function or event, other than a parliamentary or local election or referendum shall be displayed for longer than fourteen days before the date on which such meeting, function or event begins or longer than three days after the date on which it ends, unless otherwise decided by Council;
- (g) no poster relating to a parliamentary or local election or to a specific candidate in such election or a poster relating to a referendum shall be displayed for longer than the period extending from the beginning of either the date of nomination or the date of proclamation in the Government Gazette declaring that a referendum is to be held, as the case may be, to the end of the tenth day after the date of such election or referendum: Provided that the posters not relating to a specific candidate may also be displayed for a period no longer than that extending from a date of fourteen days prior to either nomination day or the date of proclamation in the Government Gazette declaring a referendum is to be held, as the case may be, unless otherwise decided by Council;
- (h) not more than 200 posters at the discretion of the Council shall be displayed at any one time in relation to any meeting, function or event, other than a parliamentary or municipal election or referendum or a meeting relating to an election or referendum, unless otherwise decided by Council.
- (i) In respect of each candidate not more than 150 posters or other advertisements shall be exhibited at any one time in any municipal ward and not more than 700 shall be so exhibited in any parliamentary constituency; in respect of a referendum not more than 1

400 posters or advertisements per registered political party shall be so exhibited in the municipal area of the Council, unless otherwise decided by Council.

- 5 The provisions of Section 28(1) and/or Section 28 (2)(b) shall not be applicable to a poster relating to an election, or a referendum, which poster:
- (a) is placed entirely inside private premises;
 - (b) is displayed in or on a motor vehicle;
 - (c) is displayed at the committee room clearly marked as such, of a candidate in an election; or
 - (d) is affixed to an advertising hoarding for which approval has been granted in terms of Section 2.
- 6 Any poster which is displayed without permission or in contravention of this section may without notice be removed and destroyed by the Council, at the cost of the person who displayed the poster or caused, or allowed it to be displayed and the deposit paid, shall be confiscated.

* 29. **BILLBOARD**

- 1 Any billboard displayed may not:
- (a) be in conflict with any legislation or By-law;
 - (b) be detrimental to the nature of the environment in which it is located by reasons of abnormal size, intensity of illumination or design;
 - (c) be in its content objectionable, indecent or insensitive to any section of the public or to religious or cultural grouping or the like;
 - (d) unreasonably, obscure whether partially or wholly, any sign previously erected and legally displayed;
 - (e) constitute a danger to any person or property;
 - (f) have specific details advertised on billboards.
- 2 The spacing of billboards shall be, as follows:
- (a) Along highways and motor ways with a speed limit up to 100k.p.h billboards shall be spaced at least 200 meters apart when in view of each other and on the same side of the road;
 - (b) Along roads adjacent to freeways and motor ways, but with the intention to advertise to the freeway traffic, billboards shall be 200 meters apart from any sign on the same side of the highway or motor way, unless in sign alleys as determined by the Council from time to time.
 - (c) At road intersections, a maximum of 4 single-faced boards per intersection are permitted of which not more than 2 permitted per corner
 - (d) Along suburban and township roads with a speed limit up to 50k.p.h. a minimum of 100

meters between billboards will be maintained, with a minimum of 200 meters above that speed limit.

- (e) In rural areas billboards shall be erected in such a way as not to obstruct one another, and shall be of even height wherever possible and evenly spaced.

* 3 A billboard shall be erected and serviced to comply with the following safety conditions:

- (a) At signalized intersection:

- (i) billboards shall not have as main colours, red, amber, green;
- (ii) billboards shall not obscure or interfere with any road traffic light or sign;
- (iii) billboards shall not be permitted within a distances of 30 meters of intersections controlled by traffic signals
- (iv) there shall be a 5 metre prohibited area in elevation above the signal head within a 30 meter horizontal distance if the sign is not illuminated.

- (b) Illumination of billboards is permitted provided such illumination does not constitute a road safety hazard or cause undue disturbance.

- (c) The traffic flow should not be impeded during erection and servicing of billboard on public road unless prior permission has been obtained and the necessary precautions have been arranged.

- (d) Billboards will not be permitted within a distance of 30 meter of an on- and off- ramps of motor ways and overhead traffic directional signs.

- 4 All billboards shall be numbered according to a uniform numbering system approved by the Council. The name or logo of the billboard permit holder must be clearly displayed together with an identification number.

- 5 Regular site inspection to ensure the good condition of billboards shall be conducted by permit holders. Traffic flow should not be impeded during the servicing of billboard on a public road unless prior permission has been obtained and necessary safety precautions have been arranged.

30. MATERIALS

- 1 All iron and steel used in any sign, advertising hoarding and screen referred to in these By-laws or as means of support sign, hoarding or screen shall be painted or otherwise effectively protected against corrosion.

- 2 No water soluble adhesive, adhesive tape or other similar material shall be used to display or secure any sign elsewhere than on an advertising hoarding or within a fixture referred to in Section 4(1)(d).

- 3 All signs shall be:

- (a) strongly constructed of durable material; or

- (b) where used, of good quality weather resistant paint which shall not be applied directly onto the surface of any building but onto a board or sheet of suitably durable material and securely fixed to the building.

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4 The provisions of Section 30(3)(b) shall not apply to signs:

- (a) which form an integral part of the design of a building stating only the name thereof.
- (b) displayed on a building where the registered owner of the building use it mainly for his own factory or business. Such sign may be painted onto a plastered surface only; shall be well maintained, and reflect only the name of the company, the type of business conducted.

31. ELECTRICAL SIGNS, POWER CABLES AND CONDUITS TO SIGNS

- 1 Electrical sign which are likely to interfere with radio reception shall be fitted with efficient suppressers.
- 2 Electrical signs shall be fitted with a fire switch, situated in a position as directed by the Chief: Emergency Services.
- 3 Every power cable and conduit containing electrical conductors for the operation of a sign shall be so positioned and fixed that it is not unsightly.
- 4 All electrical wiring to a sign or advertising hoarding shall be in accordance with the provisions of the "Standard Regulations for the Wiring of Premises" and shall not be connected to any electricity supply without the prior written permission of the relevant electricity supply authority. Such proof of permission shall be submitted if requested.

32. ERECTION AND MAINTENANCE OF A SIGN AND ADVERTISING HOARDING

- 1 All signs shall be secured in a manner so as to not constitute a danger to the public, and the permit holder of such sign shall, notwithstanding any permit issued by the Council, assume all responsibility and liability, indemnifying the Council against any claim which may arise in connection with such sign.
- 2 If in the opinion of the Council, any sign or advertising hoarding is in a dangerous or unsafe condition or has been allowed to fall into a state of disrepair or interferes with the functioning of any road traffic sign, the Council may serve a notice on a permit holder requiring him at his own cost, to remove the sign or hoarding or to do other work specified in the notice within a period so specified.
- 3 The Council may, if in its opinion an emergency exists, instead of serving a notice in terms of Section 32(2) or if such notice has not been complied with within the period specified therein, itself carry out the removal of a sign or advertising hoarding or do other work which it may deem necessary and may recover the cost thereof from the permit holder. No compensation shall be payable by the Council to any person in consequence of such removal.
- 4 Any sign displayed for advertising or giving information regarding the name of the occupier of premises or nature of the business conducted on such premises, shall be removed forthwith upon the permit holder ceasing to occupy the premises.
- 5 The Council shall have the right, at the cost of the permit holder, to remove any sign in the event of the premises or building on which or to which a sign is situated or affixed, is no longer occupied by such permit holder. The Council shall have this right irrespective of whether or not the permit holder can be traced to a new address.

33. STATIONARY SIGN TRAILER

*Sign controlled,
Special Application*

- 1 Only valid permit holders shall be permitted to position a stationary sign trailer in areas specifically designated by the Council.
- 2 A stationary sign trailer shall not be permitted to be positioned in demarcated parking bay or parking area.
- 3 A stationary sign trailer may only be positioned, for purposes of displaying its advertisements, in demarcated locations recorded on the permit issued by Council, and only between the hours recorded on such permit.
- 4 No stationary sign trailer shall be positioned in a manner causing an obstruction to either vehicles or pedestrians.
- 5 No stationary sign trailer shall be positioned closer than 4 meters from the surface of any roadway.
- 6 No stationary sign trailer shall display more than two advertisements.
- 7 The maximum area of any one advertisement displayed on a stationary sign trailer shall exceed 6 m².

34. TRANSIT SIGN

- 1 A transit signs shall only be permitted to be displayed if mobile at all times and comply with all the requirements of the Traffic Ordinance.
- 2 Whilst parking on private property for the purpose of storage, transit signs shall not be positioned in such a manner as to be visible from a street or public place.

35. DESIGN REQUIREMENTS FOR SIGNS

- 1 The design requirements referred to in Section 2(10) are:
 - (a) No information on sign may contain more than 10 items of information: Provided that in the case of establishments with long names, such names should not be counted as more than 4 items of information provided that they appear only once per street frontage and the lettering is of the same size, style, colour and typeface.
 - (b) Lettering 70mm in height or less will not be counted as an item of information.
 - (c) Architectural letters less than 500mm in height and carved into the material of a building or attached securely to it are not counted as items of information: Provided that:
 - (i) the letters are not specially illuminated;
 - (ii) the letters are not constructed of a shiny material;
 - (iii) the colour of the letters does not contrast sharply with that of the buildings surface;
 - (iv) the letters do not exceed 50mm in thickness.
- 2 Any sign requiring approval in terms of Section 26 and which is required to conform to Section 26(3) may be exempt from submitting further individual applications in instances where the prototype sign format was approved by the Council, provided that the conditions of Section 3 shall be applicable.

36. REMOVAL OF A SIGN OR ADVERTISING HOARDING

- 1 If any sign or advertising hoarding is displayed so that in the opinion of the Council it is detrimental to the environment or to the amenities of the neighborhood, or otherwise in contravention of these By-laws, the Council may request or serve a notice on the owner or of the sign or advertising hoarding to remove such sign or advertising hoarding or carry out such alteration thereto or do such work as may be specified in such request or notice within a time specified.
- 2 If a person fails to comply with a confirmed request or in a notice referred to in Section 36(1), the Council may remove such sign or advertising hoarding.
- 3 The Council shall in removing a sign or advertising hoarding contemplated in Section 36(1), not be required to compensate any person in respect of such sign or advertising hoarding, in any way for loss or damage resulting from its removal.
- 4 Any cost incurred by the Council in removing a sign or advertising hoarding, in terms of Section 36(2) or in doing alterations or other works in terms of this section may be recovered from the person on whom the notice contemplated in Section 36(1) was served, or if a deposit has been paid in respect of such sign or hoarding the cost may be deducted from the deposit.
- 5 Notwithstanding the provisions of Sections 36(1) to 36(4), if a sign constitutes a danger to life or property or is obscene, the Council itself may, without prior notice, carry out the removal of such sign or advertising hoarding.

37. SERVING OF NOTICES

- 1 Where any notice or other document is required in terms of these By-laws to be served on any person, it shall be deemed to have been properly served if served personally on him or any member of his household apparently over the age of sixteen years at his place of residence or on any person employed by him at his place of business, or if sent by registered post to such person's residential or business address as it appears in the records of the Council, or if such person is a company or close corporation or a trust, if served on any person employed by that company, close corporation or trust at its registered office or sent by registered post to such office.
- 2 Any verbal request for action to be taken in terms of these By-laws shall be confirmed in writing.

38. DAMAGE TO COUNCIL'S PROPERTY

No person shall intentionally or negligently, in the course of erecting or removing any sign, advertising hoarding, poster or banner cause damage to any tree, electric standard or service or other Council installation or property.

39. ENTRY AND INSPECTION — Peace Officers.

The Council shall be entitled, through its duly authorized officials or agents, to enter onto and upon any premises, at any reasonable time for the purpose of carrying out any inspection necessary for the proper administration and enforcement of the provisions of these By-laws.

40. OFFENCES

Any person who:-

- (a) contravenes or fails to comply with any provision of these By-laws;
- (b) contravenes or fails to comply with any requirement set out in a notice issued and served to him in terms of these By-laws;
- (c) contravenes or fails to comply with any condition imposed in terms of these By-laws;
- (d) knowingly makes a false statement in respect of any application in terms of these By-laws;

shall be guilty of an offense and shall be liable to a fine not exceeding R4000.00 or imprisonment for a period not exceeding 12 months, and in the case of a continuing offense to a fine of R200,00 for every day during the continuation of such offense.

41. PRESUMPTIONS

If any person is charged with an offense referred to in Section 40 relating to any sign, advertising hoarding or poster:

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

42. RIGHT OF APPEAL

- 1 The Executive Mayoral Committee of the Council acts as a court of appeal. It has the power to consider an appeal;
 - (a) against a decision to reject an application for an outdoor advertising sign;
 - (b) against a condition imposed on the consent of an application;
 - (c) or if the Directorate : Local Economic Development fails to give a decision within 90 days of the date of application.
- 2 Any person may appeal against any decision (or lack thereof) by Council in terms of the By-laws, given by an authorized officer under delegated powers, within 30 days of the receipt of notice of such decision.
- 3 Such appeal shall be made by lodging a notice setting out the nature and grounds of the appeal within the period, referred to in Section 42(2).
- 4 The Executive Committee shall hear the appeal including any oral or written submission from

either party, and inform the Appellant of its decision, which shall be final, and the reasons therefore.

43 REPEAL OF BY-LAWS

- 1** Sections 25 and 28 of the Street and Miscellaneous By-laws, promulgated by the dissolved Town Council of Krugersdorp under Administrator's Notice 368 dated 14 March 1973, as amended, the By-laws for the Control of Outdoor Advertising promulgated by the dissolved Town Council of Krugersdorp under Administrator's Notice 113 dated 13 July 1983, as amended, and the By-laws Relating to Posters and Banners promulgated by the dissolved Town Council of Krugersdorp under Local Authority Notice 2653 dated 18 October 1995, as amended, are herewith repealed.
- 2** Anything done under or in terms of any provision repealed in terms of Section 41(1) shall be deemed to have been done under the corresponding provisions of these By-laws and such repeal shall not affect the validity of anything done under the By-laws so repealed.
- 3** Any application lodged in terms of the By-laws repealed in terms of Section 41(1) and pending before the Council at the commencement of these By-laws, shall be dealt with in terms of the repealed By-laws.

**I MOKATE
MUNICIPAL MANAGER**

Notice No : 36/2002