

# **Blouberg Municipality**



## **BILLBOARDS AND ADVERTISING BY-LAW**

### ***Vision***

***A participatory municipality that turns  
Prevailing challenges into opportunities  
For growth and development through  
Optimal utilization of available resources***

### ***Mission***

***To ensure the delivery of quality  
service through community  
participation and creation of an  
economic growth and job creation***

## **BILLBOARDS AND ADVERTISING BY-LAW**

To provide for the requirements, prohibition, and remedial procedures in respect of the erection of billboards and advertising materials to ensure that the erection of same do not disturb any traffic signs and pose threat to the safety and general welfare of the people.

## **PREFACE**

### **CHAPTER 1**

1. Definitions
2. Interpretation
3. Purpose
4. Application

### **CHAPTER 2**

5. Prohibitions

### **CHAPTER 3**

6. Requirements for compliance

### **CHAPTER 4**

7. Remedial procedures
8. Review of By-law
9. Commencement

## **CHAPTER 1**

### **1. DEFINITIONS**

In this By-law, unless inconsistent with the context:

**Billboard**” means a sign which directs attention to a business, commodity, service, or entertainment not necessarily sold upon the premises where such a sign is located.

**Bulletin board**” means a permanent sign board used to display announcements of services, activities, sales or other events of an institutional or commercial nature, and which message can be changed occasionally;

**Driveway entry sign**” means a sign or a pair of signs located at the road right-of-way line, not exceeding the height of 90cm, providing direction for vehicular circulation into and out of a drive-in business;

**Ground-sign**” means a free standing sign mounted on the ground and not exceeding a height of 90cm;

**On-sit-sign**” means any sign, the message of which relates to the premises on which the sign is located, or to products, accommodations, services, or activities on the premises;

**Pole sign**” means a sign supported entirely by a pole or poles placed in or upon the ground and providing sight clearance beneath the sign so as not to obstruct the view of motorists or pedestrians entering, leaving, or approaching the premises;

**Projecting- sign**” means a sign, other than a wall sign, attached to the outside wall of a building and projecting out from the building, provided such sign does not extend beyond the street right-of-way line;

**Real estate sign**” means a sign advertising the sale or lease of the premises on which the sign is located;

**Sign**” means any display, figure, symbol, drawing, object, or other graphic representation with or without words intended or used to convey a message, advertise, inform, or direct attention, to person, institution, organisation, activity, place or product;

**Subdivision sign**” means a sign placed at the entrance to a residential subdivision, apartment, complex, industrial park or similar large-scale development such sign must only contain the name of the development;

**Temporary sign**” means a display, information sign, banner, bulletin board or other advertising device with or without a structural frame and intended for a limited period of time.

**Wall sign**” means a sign which attached directly to or painted upon a building wall and which extend more than 40cm there from, with the exposed face of the sign in a plane parallel to the building;

## **2. INTERPRETATION**

When interpreting a provision of this By-law preference must be given to any responsible interpretation of the provision that is consistent with the purpose of this By-law.

## **3. PURPOSE OF THE BY-LAW**

This By-law purports to give to the Municipality’s duty to promote a safe and healthy environment required by section 152(1) (d) of the Constitution of the Republic of South Africa Act 108 of 1996 as amended, and section 4(2) (i) of the Local Government, Municipal System Act 32 of 2000 by regulating and limiting the construction of signs and billboards such that the health, safety and general welfare of the public are protected.

## **4. APPLICATION**

This By-law applies to the Blouberg area as determined in terms of the local Government: Municipal Demarcation Act, 27 Of 1998

## **CHAPTER 2**

### **5. PROHIBITIONS**

This By-law prohibits the following:

- 5.1. Flashing, collating, or intermittent illumination of any sign;
- 5.2. The illumination of any sign to the detriment or annoyance of the surrounding property or that constitutes a safety hazard as determined by the Municipality;
- 5.3. The planting of billboards when they significantly affect the use of the adjoining property;
- 5.4. The attachment of a wall sign that projects more than 40cm from the building wall to which it is attached or projects beyond any corner above the top row or overhanging edge of any building;
- 5.5. Planting of signs so as to obstruct sign lines' along any public way traffic control light, street name signs at intersections, or street sight lines
- 5.6. Flashing or moving illumination;

## **CHAPTER 3**

### **6. REQUIREMENTS FOR COMPLIANCE**

Signs, billboards and related advertising material should satisfy the following requirements:

- 6.1. All illuminated signs must be designed and located to prevent the light there from being cast upon adjoining residences and must be located at least 35 metres from any residential; district;
- 6.2. Where a sign has more than one face, the area of all faces must be included in determining the area of the sign, except where such faces are back-to-back and are at no point more than 60m from one another, the area of the sign must be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area.
- 6.3. Sign as permitted in the various use districts must be designed so as to be similar in character with regard to materials, colour and size designed or located on the same building and on adjoining building in order to equalise the attention they are meant to attract, and to produce a unified character in accordance with standards set by the Municipality;
- 6.4. Billboards must maintain the minimum space from any road as may be determined by the municipality from time to time;
- 6.5. Ground signs mounted permanently upon the ground may not exceed the height determined by the municipality;
- 6.6. A permit is required for the erection, construction, or alteration of any sign exceeding one metre;

6.7. Application for a permit under these By-Laws must be made either separately or in conjunction with the application for a building permit the application for such a permit must provide the Municipality with specific information including:

(a) Sketch showing sizes, heights, and colour, content and structural character;

(b) Method and extent of illumination and materials to be used in the completion of such sign, so as to enable the designated Officer to preserve and maintain a unified character between the signs and the building or structural improvements with which they are associated: a fee should be paid in accordance with a schedule of fees established by the Municipality.

## **CHAPTER 4**

### **7. NON-COMPLIANCE**

The following steps may be taken upon contravention of this By-law:

7.1. The Municipality may order the removal of any sign erected or maintained in violation of these By-law;

7.2. The Municipality will give 30 days notice in writing to the owner of such sign or owner of the building structure or premises on which such sign is located, to either remove the sign or bring it into compliance;

### **8. REVIEW OF BY-LAW**

The provisions of any By-law relating billboards and advertising shall be reviewed as and when it is required by Council to do so.

### **9. COMMENCEMENT OF THE BY-LAW**

This By-law shall be effective upon the approval the Council

## **REPORT ON THE DRAFTY BILLBOARDS AND ADVERTISING BY-LAW**

### **1. Purpose**

To seek the Portfolio Committee to recommend the draft Billboards and Advertising By-law to for consideration.

### **2. Background**

In terms of the Constitution of the Republic Act 108 of 1996, local government is mandated to promote a safe and healthy environment whereas section 4(2) (1) of the Local Government Municipal Systems Act 32 of 2000 states that municipality should regulate and limit the construction of signs and billboards such that the health, safety and general welfare of the public are protected.

Based on the above background a municipal Council must adopt by-laws to give effect to the regulation and limitation of the construction and or installation of billboards. Therefore a draft by-law on billboards and advertising has been developed to enforce the regulation and management of billboards installations and advertising of businesses in the Blouberg area especially in towns. The draft by-law is hereby attached as **Annexure A**

### **3. Recommendation**

That the Portfolio Committee to recommend the draft by-law to EXCO for consideration.

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**MAPHOLI HC**  
**DIRECTOR: ECONOMIC DEVELOPMENT AND PLANNING**  
**DATE:**