



OUTDOOR ADVERTISING BY-LAW

The Municipal Manager of the Molemole Local Municipality hereby exercises 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; as approved by its Council in terms of section 6A of the Businesses Act, 1991 (Act No. 71 of 1991), as set out hereunder.

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Chapter 1

1. Definitions

In these By-Laws, 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 or to which it is affixed;

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

“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 display;

“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

The purpose of this by-law is to:

- (a) regulate all signage, advertisements displayed or to be displayed within the area of jurisdiction of the Municipality.
- (b) provide for procedures, methods and practices to regulate signage, advertisements displayed or to be displayed within the area of jurisdiction of the municipality.
- (c) 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. Importance of outdoor advertising by-law

Outdoor advertising is advertising that is visible from public places such as streets, squares, bus stops or taxi ranks, and that can be put up on publicly or privately owned property. Outdoor advertising has become an integral part of the urban scene in Molemole, with advertising signs of every description proliferating throughout the two towns namely, Morebeng and Mogwadi.

This highly visual medium is an indicator of the economic growth of the two towns. However, it also has the potential to radically affect the appearance of the towns if not properly managed. By adopting a responsible management

approach to outdoor advertising, the LED&P Department is ensuring that the appearance of the towns are not detrimentally affected.

In introducing and applying the by-laws, LED&P Department strives to ensure that outdoor advertising in Molemole is environmentally sensitive and socially responsible and is displayed on structures that are aesthetically pleasing and suited to the area in which they are put up. The department also has to ensure that adequate opportunities exist for the outdoor advertising industry, as outdoor advertising is accepted by the Municipality as a legitimate medium of advertising in Molemole.

4. Application

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

Chapter 2

4. Prohibitions

This By-Law prohibits the following:

- (1). flashing, collating, or intermittent illumination of any sign;
- (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;
- (3).the erection of billboards when they significantly affect the use of the adjoining property;
- (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). erection of signs so as to obstruct sign lines' along any public way traffic control light, street name signs at intersections, or street sight lines or signals at

rail road grade crossings. Signs visible from the sight lines along a street may not contain an arrow or words such as 'stop' 'go', 'slow', etc. and the movement, content, colouring manner of illumination may not resemble road traffic signs;

(6). flashing or moving illumination;

Chapter 3

5. Requirements for compliance

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

(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;

(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.

(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;

(4). billboards must maintain the minimum space from any road as may be determined by the Municipality from time to time;

(5). ground signs mounted permanently upon the ground may not exceed the height determined by the Municipality;

(6). a permit is required for the erection, construction, or alteration of any sign exceeding one metre;

(7). an 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) a sketch showing sizes, heights, 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 administrator 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

6. Non-compliance

The following steps may be taken upon contravention of these By-Laws-

1. the Municipality may order the removal of any sign erected or maintained in violation of these By-Laws;
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;

7. Repeal of By-laws

The provisions of any By-laws relating billboards and advertising by the Municipality is repealed in so far as they relate to matters provided for in these By-laws.

8. Short title and commencement

The By-Law is called the **Outdoor Advertising by-laws for Molemole Local Municipality, 2022** and will take effect on a date determined by the municipality by proclamation in the Gazette.

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