



**MUNICIPAL COUNCIL OF WINDHOEK**

***Department of Economic Development and Community  
Services***

## **Outdoor Advertising and Signage Policy**

***Council Policy Review of the original Policy on  
Outdoor Advertising Control, 2017***

VERSION 3

# Outdoor Advertising and Signage Policy

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## **SECTION A: GENERAL POLICY PROVISIONS**

### **1. DEFINITIONS**

In this Policy, any word or expression to which a meaning has been assigned in the Local Authorities Act, 1992 (Act No. 23 of 1992) or in the Road Traffic or Transport Act, 1999 (Act No. 22 of 1999) bears that meaning unless the context otherwise indicates. Some of these definitions and terms may diverge from practice elsewhere because some terms are used in different contexts by different people.

**ACT** means the Local Authorities Act, 1992 (Act 23 of 1992).

**ADVANCE SIGN** means a sign indicating the direction or distance to a facility, locality, activity, service or enterprise.

**ADVERTISEMENT** means any visible representation of a word, logo, name, letter, figure, object, mark, symbol, abbreviation, light or any combination thereof with the object of transferring information which is visible from any street or public place, but does not include a road traffic sign.

**ADVERTISEMENT FOR SALE OF GOODS OR LIVESTOCK** means an advertisement announcing such a sale on land or premises not normally used for commercial purposes and may include an advertisement announcing auctions of household goods on residential properties, or livestock or game on farms. This class will also include the display of an advertisement announcing the proposed sale of property or land by means of a public auction to be advertised within the road reserve.

**ADVERTISER** means the person or organization whose product or service is being advertised, or whose name or image is mentioned or promoted in an advertisement.

**ADVERTISING** means the act or process of notifying, warning, informing, making known or any other act of transferring information in a visible manner.

**ADVERTISING IMPACT ASSESSMENT (AIA)** means a report requested by the Council from the applicant wherein the impact of the advertising sign is discussed. This report should address aspects such as, but will not be limited to, the environmental impact, visual impact, illumination of the advertising sign, and road safety impact of an advertising sign.

**ADVERTISING STRUCTURE** means any screen, fence, wall or other physical structure or object erected to display an advertisement or which is in itself an advertisement or used to display an advertisement.

**ADVERTISING SIGN OR SIGN** means any advertising structure built or erected to display an advertisement, together with an advertisement displayed on the structure.

**AERIAL SIGN** means any sign attached to or displayed on a balloon or similar device or which is in itself an advertising sign which is suspended in the air and over any part of the area.

**AFFIX** means to firmly secure, which includes “painting onto” and “affixed” shall have a corresponding meaning.

**ANIMATION** means a process whereby an advertisement’s visibility or message is enhanced by means of moving units or pictures, flashing lights or similar devices, or an advertisement containing a variable message.

**APPROVED** means approved by the Council and “approval” has a corresponding meaning.

**ARCADE** means a covered pedestrian thoroughfare not vested in the Council, whether or not located at ground level passing wholly or partly through a building and to which the public normally has regular and unrestricted access.

**AREA OF ADVERTISEMENT** means the total area of that which constitutes the advertisement.

**AREA OF CONTROL** refers to the degree of advertising control to be applied in a specific area, i.e. maximum, partial or minimum control as determined by the Council from time to time.

**AREA OF JURISDICTION** means the area under the control of the Council according to the legally determined and declared boundaries of the Council.

**AREA OF MAXIMUM CONTROL** means an area which are deemed sensitive to visual disturbance and include, but are not limited to natural open spaces in urban areas, urban conservation areas, interface of natural landscape with built-up areas, gateways, residential areas, bodies of water and rivers, ridges, open recreational area, architectural and historical sites, characteristic vistas, heritage sites and buildings, mountainous areas, special tourist areas and skylines.

**AREA OF MINIMUM CONTROL** include, but are not limited to areas seen as centre areas and nodes of concentrated economic activity where the dominant concern and motivation is to conduct business and to sell products and services, such as areas of concentrated economic activity, city centers, commercial districts, shopping centers, office precincts, commercial enclaves & shopping centers in industrial areas & industrial parks, entertainment districts, and prominent transport nodes.

**AREA OF PARTIAL CONTROL** means areas that can be characterized by a greater degree of integration and complexity of land use, includes but are not limited to a 50m strip between an area of minimum control and an area of maximum control, which will be measured from the edge of the area of maximum control into the area of minimum control, commercial enclaves in residential areas, suburban shopping centers & office parks, ribbon development, educational institutions, institutional premises, sports fields or stadiums, commercialized squares, government land, parastatal land, smallholdings of an urban nature (not used for residential).

**BALCONY** means a platform projecting from a wall, enclosed by a railing, balustrade or similar structure, supported by columns or cantilevered out and accessible from an upper-floor door or window.

**BANNER** means a piece of cloth or similar material upon which an advertisement is displayed in such a manner as to be fully legible in windless conditions, attached to one or more ropes, poles or flagstaff projecting vertically, horizontally or at an angle, or attached to buildings or to specific structures, but excludes banners carried as part of a procession/march.

**BILLBOARD** means any screen or board larger than 4.5m<sup>2</sup>, supported by a structure, which is to be used or intended to be used for the purpose of posting, displaying or exhibiting a third-party advertisement and can be classified as a small, large, super or mega billboard. This can be attached to a structure manufactured specifically for advertising, or to a structure of any other form, used to attach the advertisement to, which can also include towers, bridges and pylons.

**BIT OF INFORMATION** refers to the basic unit for measuring the length of advertising messages and may consist of letters, digits, symbols, logos, abbreviations or graphics of any nature.

**BLIND** means a vertical screen attached to shop windows or verandahs in order to keep sun and rain from shop fronts and sidewalks, and which may be rolled up when not in use.

**BUNTING** is a term used for any festive decorations made of fabric, or of [plastic](#), [paper](#) or even [cardboard](#) in imitation of fabric. Typical forms of bunting are strings of colorful triangular flags and lengths of fabric in the colors of national flags.

**BUS SHELTER DISPLAYS** means posters positioned as an integral part of a free-standing covered structure at a bus stop or mini taxi rank.

**CANDELA** is the standard SI unit of luminance intensity relating to the illuminating power of a light source in a given direction.

**CANOPY** means a structure in the nature of a roof projecting from the façade of a building and cantilevered from the building or anchored otherwise than by columns or posts.

**CLEAR HEIGHT** means the minimum vertical distance from the physical or natural ground level to the bottom of the advertisement and / or to the advertising sign, whichever is the smallest.

**COMBINATION SIGN** means an advertisement comprising a number of smaller, individual advertisements, usually displaying different products or services, placed next to each other on a single free standing advertising structure specially designed to accommodate more than one advertisement presented on an on-premises business sign.

**COMMERCIAL ADVERTISING** means any words, letters, object, mark, logos, figures, symbols or pictures relating to the name of a business, a trade, a partnership or an individual or any information, recommendation or exhortation in respect of any particular goods manufactured or sold or any particular services rendered or offered.

**COMPOSITE SIGN** means a sign made up of individual or separate parts put together.

**COPY** means the complete advertising message to be displayed on the advertising structure.

**COUNCIL** means the Municipal Council of Windhoek which is constituted under Section 6 of the Act and includes the members of Council or any officer or employee of the Council on whom Council has delegated or assigned any power, function or duty which is to exercised or performed under these regulations.

**COUNCIL AREA** means the local authority area of the Municipal Council of Windhoek as declared as such in terms of Section 3 of the Act.

**COUNCIL LAND** means any portion of land including road, street, thoroughfare, bridge, subway, footpath, sidewalk, land, square, open space, garden, park or enclosed place, erf, site etc. vested in the Council.

**COW** means the Council for the Municipality of Windhoek.

**CUSTOM-MADE BILLBOARD** means a billboard which could feature special effects such as internal or external illumination, special character cut-outs and three-dimensional representations, or rotating or scrolling panels that provide a number of messages in succession, excluding animation.

**CUT-OUTS** means letters, packages, figures or mechanical devices attached to the face of an outdoor advertising sign, which might extend beyond the rectangular area for greater attention value, can provide a three-dimensional effect and are also commonly known as add-ons or embellishments.

**DEPARTMENT** means the relevant department, within the Municipal Council of Windhoek responsible for road traffic.

**DEVELOPMENT ADVERTISEMENT** means an advertisement which could describe the type of development being carried out on a construction site, including a pictorial representation, and containing the contact details of the developer or his agent.

**DISPLAY PERIOD** means the exposure time during which the individual advertising message is on display.

**ELECTION** means the National Government, Regional Government or Municipal elections and by-elections inclusive of the registration process and referendum held from time to time.

**ELECTRONIC ADVERTISING SIGN** means an advertising sign which has an electronically controlled, illuminated display surface, which allows all or a portion of the advertisement to be changed, animated or illuminated in different ways.

**ENGINEER** means an engineer registered under the Engineering Profession Act, 1986 (Act 18 of 1986).

**ENTERTAINMENT AREA** means an area the main purpose of which is to be used as a park, sports field, barbeque area or for other recreational purposes.

**ERF** means a, stand, lot, plot, agricultural holding or similar land entity registered in a deeds registry, and as defined in Section 1 of the Townships and Division of Land Ordinance 1963 (Ordinance 11 of 1963).

**ESTATE AGENT'S BOARD** means an advertisement that is temporarily displayed to advertise the fact that land, premises, development or other forms of fixed property are for sale, to let or on show.

**EXISTING SIGN** means a sign, which has been previously approved by the Council, whether erected or not.

**FACADE** means the principle front or fronts of a building.

**FIRST PARTY ADVERTISEMENT** means any advertisement / advertising sign displayed by an advertiser being in physical occupation of the property on which the advertisement/ advertising sign is to be erected or to which the sign is to be affixed.

**FLAG** means a material upon which an advertisement is displayed and which is attached to a single rope, pole or flagstaff projecting vertically, horizontally or at an angle from a building or property.

**FLASHING SIGN** means a sign in which a symbol, figure, message or illustration intermittently appears and/or disappears and/or illuminated with varying colour or intensity.

**FLAT SIGN** means any advertisement affixed to any external wall of a building used for commercial, office, industrial or entertainment purposes, but excluding a parapet wall, balustrade or railing of a verandah or balcony, which at no point projects more than 300mm from the surface of such a wall and which may consist of a panel or sheet or of individual numbers, letters or symbols.

**FORE COURT** means an outdoor area forming a functional part of a building housing an enterprise, and may include the area of a filling station where the pumps are situated, or a terrace in front of a restaurant, enclosing fences, walls, screens or similar structures, excluding sidewalk areas in front of business premises intended for pedestrian circulation.

**FORE COURT ADVERTISEMENT** means an advertisement on a forecourt of a business premises, being an advertisement displayed in such forecourt to draw attention to commercial



services, goods for sale or other services available at the premises, but does not include a combination advertisement at a filling station or roadside service.

**FREE-STANDING SIGN** means any immobile sign, which is not attached to a building or to any structure or object not intended to be used for the primary purpose of advertising.

**GATEWAY** means a prominent entrance to or exit from an urban area or a specific part of an urban area, consisting of man-made or natural features and creating a strong sense of arrival or departure.

**GROUND SIGN** means any sign detached from a building, other than an aerial sign, billboard or advertising structure.

**HEIGHT OF AN ADVERTISING SIGN** means the maximum vertical distance from the ground, or where the foundation of the sign starts or is visible above natural ground level, as the case may be, to the top of the advertisement and / or the advertising sign, whichever is the highest.

**HE/HIM** refers to any person/body, being it a male or female.

**IOATC** refers to Inter-departmental Outdoor Advertising Technical Committee.

**ILLEGAL SIGN** means any sign or poster, painted, affixed, displayed, exhibited, posted or erected without approval by the Council, and also refers to signage where approval has been revoked or the license has expired, whether on Council land or on private land.

**ILLUMINATED** in relation to an advertisement means the installation of electrical equipment or other power for the purpose of illuminating the copy message at night, either continuously or intermittently.

**ILLUMINATED ADVERTISING SIGN** means an advertising sign which has been installed with electrical or other power for the purpose of external or internal illumination, either continuously or intermittently of the advertisement displayed on such a sign.

**INTERSECTION** means a point at which two or more public roads intersect, irrespective of the size, nature or classification of either of the public roads, and includes a roundabout.

**LARGE BILLBOARD** means any billboard larger than 24m<sup>2</sup> and smaller but including 40m<sup>2</sup> in area of advertisement.

**LARGE POSTER** means an advertisement on a self-supporting structure of between 1.5m<sup>2</sup> and 2.2m<sup>2</sup> in area.

**LED-SCREEN BILLBOARDS** means an advertising sign which uses an array of [light-emitting diodes](#) (LED) installed with electrical or other power, which digitally displays multiple advertisers' messages either continuously or intermittently.

**LIGHT NOT INTENDED FOR ILLUMINATION** means a flashing, flickering or continuous light source, beam of light or a number of such sources or beams, aimed or moved in such a manner as to attract attention, without being primarily for the purpose of illuminating an area or object.

**LOCALITY-BOUND SIGN** means a sign displayed on a specific site, premises or building and which refers to an activity, product, service or attraction located, rendered, sold or provided on that premises or site or inside that building.

**LOCATION SIGN** means a type of guidance sign provided under the Namibian Road Traffic Sign System and used to identify places or locations, which either provide reassurance during a journey or identify destinations such as towns, suburbs or streets near the end of a journey.

**LUMINANCE** is a measure of how bright an illuminated area appears to the human eye and is measured in candela/m<sup>2</sup>.

“**M / m**” means metre.

“**mm**” means millimetre.

**MAIN ROOF OF BUILDING** means any roof of a building other than the roof of a verandah or balcony.

**MAIN WALL OF BUILDING** means any external wall of such building, but shall not include a parapet wall, balustrade or railing of a verandah or a balcony.

**MAXIMUM HEIGHT** means the distance from ground, or where the foundation of the sign starts or is visible above natural ground level, as the case may be, to the utmost top point of the advertisement and / or the advertising sign top of the advertisement and / or the advertising sign, whichever is the highest.

**MEGA BILLBOARD** means any billboard larger than 81m<sup>2</sup> up to and including 150m<sup>2</sup> in area of advertisement.

**MOBILE OR TRANSIT SIGN** means an advertisement attached to or displayed on a vehicle, vessel or craft on land, on water or in the air.

**MOVABLE TEMPORARY SIGN** means a sign not permanently fixed and not intended to remain fixed in one position, but does not include any moving part in a fixed permanent sign.

**MUNICIPAL OWNED LAND** *see Council Land.*

**NON-COMPLIANT SIGNAGE** means any sign or poster, painted, affixed, displayed, exhibited, posted or erected which does not comply with one or other provision of the Outdoor Advertising Policy and/or any Council Regulation, and also refers to signage where approval has been revoked or the license has expired, whether on Council land or on private land.

**NPO's** stands for non-profit organizations and bodies, organs of state and community based organisations that can provide proof that they are registered as welfare organisations with the Ministry of Health and Social Services.

**ON-PREMISES BUSINESS ADVERTISEMENT / ADVERTISING SIGN** means an advertisement aimed at identifying and locating business enterprises and industries, and excludes a residential or community advertisement.

**OUTDOOR ADVERTISING** means the act or process of notifying, warning, informing, making known or any other act of transferring information in a visible manner and which takes place out of doors.

**OVERHANG** means the physical part of sign hanging or projecting over a boundary.

**OWNER OF THE ADVERTISEMENT** means the person who owns the advertisement which is displayed on the advertising sign, or any person who has a right to or shares in the ownership of the advertisement.

**OWNER OF THE ADVERTISING STRUCTURE** means the person, who owns the advertising structure, or will own the structure once it has been erected or any person who has a right to or share in the ownership of the advertising structure.

**OWNER OF THE LAND** means the person who owns the land or property on which the advertising sign is, or will be erected, or any person who has a right to or share in the ownership of the land.

**PERMANENT SIGN** means signs erected for a period of more than 30 days.

**PERPENDICULAR** means with a 90° angle to the existing building or road at the position of the advertisement or advertising sign.

**PERSON** means both natural and juristic persons.

**POLICY** means the Council's policy regarding advertising signs.

**POSTER (OR NOTICE)** means an advertisement displayed on an electrical street light pole standard inside the road reserve.

**PRODUCT REPLICAS AND THREE-DIMENSIONAL ADVERTISEMENTS** means a replica or device used for advertising that may free-standing or attached to a structure and includes an inflatable object that is not an aerial advertisement.

**PROHIBITED SIGN** means a sign, which does not conform to advertising by-laws and policy documentation and can thus not be approved.

**PROJECT BOARD** means an advertisement displaying information with regard to the relevant contractor(s) and / or consultant(s) involved in the construction project and displayed on the construction site.

**PROJECTED SIGN** means any sign projected by cinematography or other apparatus, but does not include a sign projected onto the audience's side of a drive-in cinema screen during a performance.

**PROJECTING SIGN** means any sign, whether stationary or actuated, attached to and protruding from a building which is used for commercial, office, industrial or entertainment purposes and which projects more than 300mm from the surface of the main wall and is affixed at a right angle to the street line.

**PROPERTY** means any piece of land registered in a deeds registry as an erf, lot, plot, farm, stand or agricultural holding, and can also include any movable or immovable structures or any improvements made on the site.

**PUBLIC PLACE** means any road, street, thoroughfare, bridge, subway, pavement, footpath, sidewalk, lane, square, open space, garden, park or enclosed space vested in the Council.

**PUBLIC ROAD** means a road which the public has the right to use, as defined in the Road Traffic and Transportation Act of 1999 (Act 22 of 1999).

**PYLON SIGN** means any sign, whether stationary or actuated, displayed on or forming an integral part of a pylon or mast of similar structure other than a building.

**REGULATIONS** Outdoor Advertising Regulations

**RESIDENTIAL PURPOSES** means the use of a building as a dwelling house, two or more dwelling units, a hostel, a boarding house and a residential club.

**ROAD** means a public road as defined in the Road Traffic and Transportation Act of 1999 (Act 22 of 1999) and include the shoulder, the land on which the road consist or over which the road extends, and anything on that land forming part of, connected with, or belonging to the road.

**ROAD AUTHORITY** means the authority having the control and jurisdiction over a specific road, being it a national or local road.

**ROAD CLEARANCE HEIGHT** refers to the minimum vertical distance measured from the physical or road ground level (in relation to direction of travel) to the bottom of the advertisement and / or to the advertising sign, whichever is the smallest.

**ROAD ISLAND** means an area demarcated on a roadway by means of painted lines, stones, kerbs or by other means with the intention of preventing vehicles from standing or being operated in that area.

**ROAD MEDIAN** means the area separating traffic lanes on a roadway.

**ROAD RESERVE** means the full width of a public road, including roadways, shoulders, sidewalks, the air space above it and all other areas from boundary to boundary, as defined in the Road Traffic and Transportation Act of 1999 (Act 22 of 1999). For this document specifically road reserve is only those under the control of the Council.

**ROAD RESERVE BOUNDARY** means the proclaimed boundary forming the outer edge of the road reserve.

**ROADSIDE SERVICE AREA** means an area with direct access from a road in which facilities and services such as petrol and diesel sales, restaurants, fast food outlets, toilets, playgrounds and picnic spots may be provided for motorists.

**ROAD TRAFFIC SIGN** means any road traffic sign as defined in the Road Traffic and Transportation Act of 1999 (Act 22 of 1999) or as amended from time to time.

**ROADWAY** means the portion of a road, street or thoroughfare improved, constructed or intended or vehicular traffic which is between the edges of the traveled way, as defined in the Road Traffic and Transportation Act of 1999 (Act 22 of 1999).

**ROOF SIGN** means a sign on the main roof of a building lower than fifteen floors and which building is used or partly used for commercial, office, industrial or entertainment purposes.

**RURAL AREA / LANDSCAPE** refers to areas of transition between developed urban areas and relatively unspoiled natural areas and includes intensive agriculture, subsistence agriculture, rural small holdings, un-proclaimed township areas and areas outside the urban edge.

**SECURITY ADVERTISEMENTS** means an outdoor advertisement for neighbourhood watch, security schemes and other similar schemes, and an advertisement containing the name, address and telephone number of a security company contracted to protect the premises on which the advertisements is displayed.

**SERVICE FACILITY ADVERTISEMENT** means an advertisement at a filling station or roadside rest and service area referring to the types of services provided at such facility.

**SHELTER DISPLAY** means posters positioned as an integral part of a free-standing covered structure.

**SHOULDER** is the outer portion of the roadway which, whether surfaced or not, does not normally constitute part of the traveled way, as defined in the Road Traffic and Transportation Act of 1999 (Act 22 of 1999).

**SIDEWALK** means that a portion of a verge intended for the exclusive use of pedestrians, as defined in the Road Traffic and Transportation Act of 1999 (Act 22 of 1999).

**SIGN** means any method of displaying writing, letters, numbers, figures, objects, marks, symbols or illustrations, or a non-physical sign projected on buildings or any other structure or in the air with the aid of modern technology (e.g. laser beams), which device, article or non-physical sign is visible or distributed in any way whatsoever from a road or public place, for the purpose of advertising, providing information, or attracting the public to any place, public display, article or merchandise for sale. The surface or structure of such device, article or non-physical sign is attached to or forms part of a building, or is fixed to the ground or to a pole, tree, screen or hoarding, person, vehicle or other movable object, or is displayed or distributed in any other way;

**SIGN AREA/SIZE OF ADVERTISEMENT** means the entire area of a sign on which writing, letters, numbers, figures, objects, marks, symbols or illustrations, logos, trademarks are placed. Sign structures and associated architectural embellishments, frameworks and decorative features which contain no written or advertising copy, which are not illuminated and which contain no logos or trademarks may not be included. Sign area will be calculated by measuring the area of the smallest rectangle that will encompass the extreme limits of the sign or combined sign, together with any material or color forming an integral part of the background of the sign or used to differentiate the sign from the structure or building against which it is placed.

**SKYSCRAPER** means a building which exceeds 10 storeys.

**SKY SIGN** means an advertising sign between 75m<sup>2</sup> to 300m<sup>2</sup> on top of a skyscraper in a municipal area which may also include any sign consisting of a single line of free-standing, individual, cut-out, silhouetted letters, symbols or emblems which may form an important landmark.

**SMALL BILLBOARD** means a billboard smaller and including 24m<sup>2</sup> in area of advertisement.

**STATIC BILLBOARD** means a billboard displaying a fixed advertisement face, where the face is not changeable within seconds or minutes, but where a change of face have to be re-erected and affixed to the structure.

**STOREY** means the space within a building, which is situated between one floor level and the next floor level next above, or if there are no clearly defined storeys, the height of a storey will be taken as 4,5m.

**STREET** means any street, road or thoroughfare shown on the general plan of a township, agricultural holding or any other division of land in respect of which the public have acquired a prescriptive or other right of way and which vests in the Council.

**STREET FURNITURE** means public facilities and structures which are not intended primarily for advertising and includes seating benches, planters, sidewalk litter bins, pole mounted bins, bus shelters, sidewalk clocks and drinking fountains, but excludes road signs, traffic signals, street lights or any other road-related structures.

**STREET FURNITURE ADVERTISEMENT** means advertisement on public facilities and structures which are not intended primarily for advertising and includes seating benches, planters, sidewalk litter bins, pole mounted bins, bus shelters, sidewalk clocks and drinking fountains, but excludes road traffic signs, traffic signals, street lights or any other road related structures.

**STREET NAME SIGN** consists of a pole-mounted, double sided, and internally illuminated advertisement displayed in combination with an illuminated street name sign.

**STREET NUMBER SIGN** means signs erected on kerbstones to indicate the street number and may include a small advertisement.

**SUBURBAN NAME SIGN ADVERTISEMENT** means a pole mounted advertisement at the entrance to a town or suburb that carries an advertisement beneath the road traffic sign bearing the name of the town or suburb.

**SUPER BILLBOARD** means a billboard larger than 40m<sup>2</sup> up to and including 81m<sup>2</sup> in area of advertisement.

**TEMPORARY ADVERTISEMENT / ADVERTISING SIGN** means an advertisement / advertising sign displayed for a maximum period of 30 days or less as determined by the Council.

**TEMPORARY WINDOW SIGN** means a sign which is temporarily painted or attached to the window-glass of a building used for commercial, entertainment, office or industrial purposes or any temporary sign which is displayed within two metres of any window or other external opening through which it can be seen from the outside.

**THIRD PARTY ADVERTISEMENT** means any advertisement / advertising sign displayed by an advertiser not being in physical occupation of the property on which the advertisement/ advertising sign is to be erected or to which the sign is to be affixed.

**TOWER ADVERTISING SIGN** means a structure used for third-party advertising in a parking area of a shopping centre and at an important transport node such as an airport, railway station or bus or taxi station with a total advertisement area which will not exceed 36m<sup>2</sup>.

**TOWER, BRIDGE AND PYLON ADVERTISEMENT** means a billboard advertisement affixed to or painted on a tower, bridge or pylon that is not erected or used primarily for advertising purposes.

**TOWN PLANNING SCHEME (OR SCHEME)** means the Windhoek Town Planning Scheme prepared under Section 16 of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954).

**TOWNSHIP** means an area divided into erven or plots, whether with or without public open spaces, and into streets bounded by the erven, plot or open spaces, and established or recognized as a township under any law.

**TRAFFIC IMPACT ASSESMENT TIA** means and assessment of the impact that an outdoor impact structure might have on the traffic in a specific location

**TRAILER ADVERTISING** means a sign mounted on a trailer, bicycle or vehicle, with the sole purpose of advertising.

**TRI-VISION** means a display which, through use of a triangular louver construction, permits the display of three different copy messages in a predetermined sequence.

**UNDERAWNING SIGN** means a sign suspended below the roof of a verandah or balcony.

**URBAN AREA / LANDSCAPE** means proclaimed township area, but exclude land in that area which is commonage land, or which is used or destined to be used mainly for farming or horticulture or the keeping of animals, or which consist of any other open space which has not been developed or reserved for public purposes.

**VEHICULAR ADVERTISING** means advertising on self-driven vehicles which are usually moving on land or water, including taxi's, buses, trains and delivery vehicles, but exclude aircraft.

**VERANDAH** means a structure in the nature of a roof attached to or projecting from the façade of a building and supported along its free edge by columns or posts.

**WINDOW SIGNS** means signs, which are permanently painted on or attached to the window-glass of a building.

## **2. INTRODUCTION AND BACKGROUND**

The Municipality of Windhoek's Outdoor Advertising Regulations (under section 94 (1)(ae) of the Local Authorities Act of 1992) were promulgated after consultation with the Minister of Regional and Local Government, Housing and Rural Development per Government Gazette No. 4094 (Notice No. 245) on August 7, 2008. Over the past 8 years since the promulgation of the Outdoor Advertising Regulations, the Municipal Council faces considerable practical challenges and new developments in the industry which cannot be accommodated under the existing policy thus, the Department of Economic Development and Community Services decided that the Outdoor Advertising and Signage Policy and Regulations needs to be reviewed.

The Municipal area of Windhoek is an area of extraordinary natural beauty and cultural significance. Windhoek attracts businesses and large numbers of tourists, who provide a vital economic resource to the capital. An uncontrolled visual environment will undermine the topographical beauty of Windhoek. The Municipal Council of Windhoek has a constitutional responsibility by virtue of articles 91(c) and 95(l) of the Constitution, 1990 which commits the state to actively promote and sustain the environmental welfare of the nation by formulating and implementing policies to accomplish its sustainable objectives and in so doing protect the environment in the best interest of all its inhabitants.

The environment includes the impact on the sustainability of the socio-economic environment and hence the duty on the Department of Economic Development and Community Services to protect and enhance the living and working environment which includes the orderly regulation of outdoor advertising signs. The Municipal Council therefore takes seriously its obligation to protect the unique appeal of Windhoek, as well as its valuable visual character, vistas, historic districts, hilly landscapes, cultural and natural resources.

## **3. PURPOSE OF THE POLICY REVIEW**

The purpose of this policy is to review the existing Policy and to provide an updated regulatory framework within which the processing and management of outdoor advertising and the controlling of signage in the jurisdiction of the City of Windhoek.

This Policy is applicable to all the areas under the jurisdiction of the Windhoek Municipal Council. Any state owned or private owned entity or person or Municipal Department, who displays or wants to erect any advertising sign or form of outdoor advertising in the Windhoek municipal area, must adhere to the requirements set out in the Outdoor Advertising Regulations read with this Policy.

The policy seeks to strike a balance between outdoor advertising opportunities and economic development on the one hand, and the impact on tourism, traffic safety, environmental concerns and heritage preservation on the other hand.

## **4. LEGISLATIVE FRAMEWORK**

The Windhoek Municipal Council has the executive authority to oversee, administer and control advertising within the area of jurisdiction of the Council. This executive authority is granted to the Municipal Council in terms of the following legislation:

#### 4.1. Local Authorities Act (1992)

The Local Authorities Act, 1992 (Act No. 23 of 1992) [Government Gazette 470 of 31 August 1992] [Date of commencement: 31/08/1992] as amended by:

- (1) Registration of Deeds in Rehoboth Amendment Act, 1994 (Act No. 35 of 1994)
- (2) Local Authorities Amendment Act, 1997 (Act No. 3 of 1997)
- (3) Local Authorities Second Amendment Act, 1997 (Act No. 14 of 1997)
- (4) Local Authorities Amendment Act, 2000 (Act No. 24 of 2000)
- (5) Local Authorities Amendment Act, 2002 (Act No. 17 of 2002)
- (6) Local Authorities Amendment Act, 2002 (Act No. 27 of 2003)

which provides for: ***the determination, for purposes of local government, of local authority councils; the establishment of such local authority councils; and to define the powers, duties and functions of local authority councils; and to provide for incidental matters.***

The Act determines that a Local Authority has executive authority in respect of and has the right to administer the local government matters listed under section 94(1)(ae) of the Act which states that: ***a local authority council may, after consultation with the Minister, make regulations by notice in the Gazette in relation to - the prohibition, restriction, regulation and control of advertising in any manner whatsoever and the posting of bills or other material on streets, walls, roofs of buildings, fences, land, rocks, trees or other natural features.***

#### 4.2. The Outdoor Advertising Policy (2007) and Regulations (2008)

The Windhoek Municipal Council controls outdoor advertising and signage in terms of the policy on Outdoor Advertising Control as approved by way of Council Resolution 440/12/2007 as well as the Outdoor Advertising Regulations (under section 94 (1)(ae) of the Local Authorities Act of 1992) which was promulgated after consultation with the Minister of Regional and Local Government, Housing and Rural Development per Government Gazette No. 4094 (Notice No. 245) on August 7, 2008.

#### 4.3. Other Provisions

In addition to the above statutory provisions, other legislation which must be read in combination with the Outdoor Advertising Policy includes, but is not limited to:

- (1) The Constitution of the Republic of Namibia, 1990
- (2) Road Traffic and Transport Act, 1999
- (3) Namibia Competition Act, 2003
- (4) National Heritage Act, 2004
- (5) Environmental Management Act, 2007
- (6) Environmental Impact Assessment Regulations, 2012
- (7) Windhoek Town Planning Scheme and Amendments
- (8) Street Regulations



The overall goal of the different legislation aims to enhance each other and should not contradict one another. It should be necessary to make compromises in favour of what is best for the citizens of Windhoek.

This Policy is binding on the customers and officials of CoW and that no interference in the adherence to this Policy will be permitted.

## **5. OUTDOOR ADVERTISING DEFINED**

Advertising is defined as the act or process of notifying, warning, informing, making known or any other act of transferring information in a visible manner. In the broadest sense, outdoor advertising includes all advertising signs erected and displayed out of doors for the propose of providing information from small neighbourhood watch signs on garden gates to the large high impact billboards that advertise commercial products.

In this Policy outdoor advertising is not restricted to the advertising of products and services. The information can be communicated via painted, printed, projected or incised surfaces and can be internally or externally illuminated. Advertisements can be animated, including flashing signs, trivisions, electronics and fiber-optics. Banners, flags and bunting are also regarded as advertising. Advertising signs may be on buildings, fascias, windows, walls or roofs or on structures such as towers, pylons and bridges. Free-standing advertising may be on frames or poles. For the purpose of this Policy the broadest interpretation of outdoor advertising will apply.

In terms of the broad interpretation made out of outdoor advertising for the purpose of this Policy, road traffic signs are considered to be a form of outdoor advertising. Since control of the use of road traffic signs is provided by legislation, the Road Traffic and Transport Act, 1999 and Council Resolution 410/11/2001, control of their use is not generally covered by this Policy. References are included regarding street names and suburb names since these may be combined, in a controlled manner, with commercial outdoor advertising, and to tourists' directional signs because by their application they may be used in place of commercial advertising.

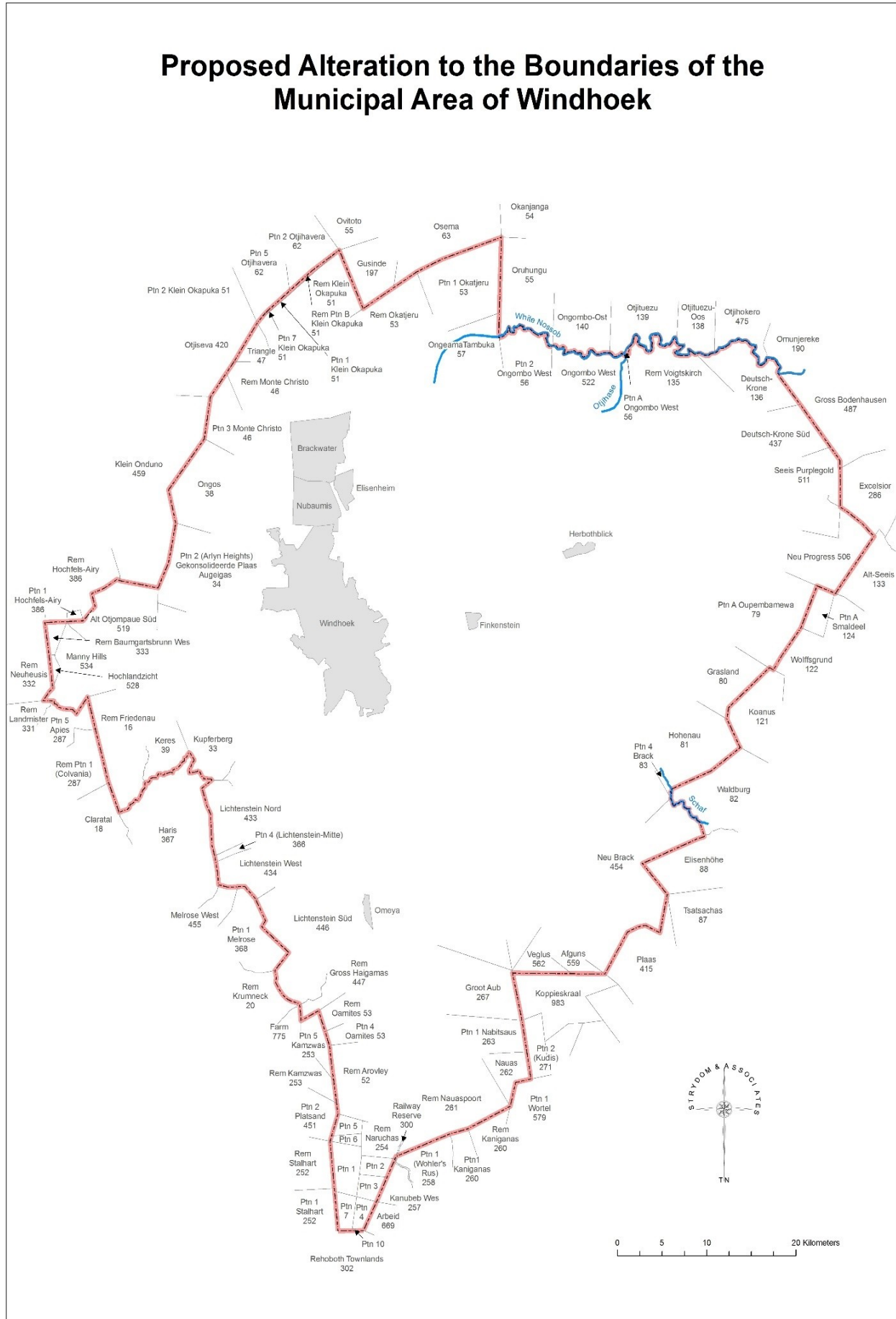
This Policy concerns itself primarily with outdoor advertisements visible from all public roads and streets, and other public places within the jurisdiction of the Windhoek Municipal Council.

## **6. SCOPE OF THE POLICY REVIEW**

Within the framework of the Windhoek Municipal Councils' broader policies, the scope of the outdoor advertising policy guides Council when implementing the Outdoor Advertising Regulations, which control and regulate outdoor advertising and signage in that:

- 6.1 This Policy shall be applicable to all areas under the jurisdiction of the Windhoek Municipal Council to which applies the area shown within the grey on Map 1. Excluded from the Policy are the national roads managed by the Roads Construction Company.
- 6.2 This Policy will apply to all customers (entity or person) who want to erect an advertising sign or form of outdoor advertising that falls under this policy, as well as officials of City of Windhoek must adhere to the requirements set out in the policy.
- 6.3 The policy acts as a guiding framework in which Council will operate in terms of outdoor advertising on Council and private land.

**Map 1: Area of Jurisdiction of Windhoek (indicated in grey)**



- 6.4 The policy supports and facilitates Windhoek Municipal Council's broader strategic objectives of economic development, in particular local sustainable job creation. As driver of growth and development of economic opportunities from the outdoor advertising industry itself, the City encourages the creation of new jobs in the Windhoek Municipal area and keeping this in balance with the growth of the tourism sector as well as enhancing the resources that attract visitors.
- 6.5 The policy differentiates between different geographical areas, categories of outdoor advertising signage and the measurement of the impact of various structures on residents and the environment. The Namibian Environmental Management Act (No. 7 of 2007) and the Environmental Impact Assessment Regulations (GN 30 in GG 4878 of 6 February 2012) have presently no specific provisions for outdoor advertising (but may in the near future), although the City through its guidelines such as the Windhoek Environmental Structure Plan (2004), the Town Planning Scheme (2005) and its practices guarantees the right to an environment that is not harmful to the mental health or physical wellbeing of its citizens and/or visitors. A healthy visual environment plays an important role in creating better human living environments for communities.
- 6.6 The policy must ensure that citizens are not adversely affected by the different advertising structures and/or their location in relation to living and/or driving space. This policy must be applied with cognizance of the environmental impact potentially associated with outdoor signage. The policy will require an Advertising Impact Assessment (AIA) to be carried out and evaluated on a case-by-case basis, against certain basic environmental principles set out in this Policy to support applications for specific geographical locations or categories of signage.

The policy takes cognizance of the fact that outdoor advertising and information transfer fulfils an essential function in modern society. The nature of outdoor advertising is to direct, guide and inform citizens as to a locality, product, activity or service contributes to business growth and economic development. If, however, not controlled it could have a very real adverse impact on tourism resources and the human living environment.

- 6.7 The policy acts as a guiding framework in which Council controls measures to ensure that road environments are conducive to safe and pleasant driving. Road safety impacts potentially associated with outdoor signage will therefore be evaluated for certain categories and sizes of signage, with certain basic traffic engineering principles set out. The policy proposes that a case-by-case assessment is done by qualified professionals registered in terms of the Engineering Profession Act, 1986 with the aid of Traffic Impact Assessments (TIAs) or Safety Assessments where required by the inter-departmental outdoor advertising technical committee.

Most advertisements are aimed at road users and therefore impacts on the road environment. People are capable of absorbing and reacting to a limited amount of information while still executing the driving task safely. Outdoor advertising, by its very nature, aims to attract the attention of people who pass it. It is therefore logically a distraction from the driving task. In some instances, this distraction is acceptable with little or no risk to road users and will not lead to accidents. In other instances, the display of a sign will be an unacceptable distraction. Balancing economic activity with road safety therefore requires the identification of locations for advertising in line with also such regulations as the Town Planning Scheme at which it does not represent an unacceptable distraction.

## 7. OBJECTIVES

The objectives of the outdoor advertising policy are:

- 7.1 To control outdoor advertising which is in the best interest of the Windhoek Municipal Council and that will promote a sense of pride amongst the citizens.
- 7.2 To create a common understanding within COW and amongst citizens and customers of the relevancy of and need to control outdoor advertising
- 7.3 To facilitate the regulation of outdoor advertising and signage within the Municipal Area of Windhoek and promote conservation as well as ecological sustainable development
- 7.4 To guide application and contract management within the COW
- 7.5 To apply tariffs and law enforcement consistently
- 7.6 To comply with legislation at the time of implementation
- 7.7 To ensure fair competition that will enhance economic and social development
- 7.8 To safeguard human life by controlling the structural integrity, electrical and mechanical safety of outdoor signs.

## 8. PRINCIPLES

The City of Windhoek as Local Authority has a vested responsibility to ensure that the factors pertaining to the following principles are maintained in the development, review and implementation of the Outdoor Advertising Policy:

- 8.1 To communicate, inform and educate customers (internal and external) and the general public periodically on this Policy, new developments, tariff schedule, etc.
- 8.2 To manage and control non-compliant applications and structures in a transparent manner.
- 8.3 To establish and enforce the standardization for outdoor signage in order to address aesthetic, environmental and safety issues controlled by the Windhoek Municipal Council. These standards are both in terms of the design and construction of outdoor advertising signs.
- 8.4 To treat fairly all citizens and visitors as well as customers in the application of this Policy.
- 8.5 The Policy must ensure that every outdoor advertising application for a new, renewal and/or upgrade and the enforcement thereof is handled responsibly, efficiently and professionally in the interest of the Windhoek Municipal Council as well as customers and all citizens.
- 8.6 The Policy must promote equity by ensuring that no citizen is denied access to an economic opportunity, adequate level of service and protection.

- 8.7 To optimize income that can be derived from outdoor advertising opportunities and sites irrespective if the land is owned by the Windhoek Municipal Council or other land owners this Policy must ensure that it balances the opportunities for income derived from outdoor advertising with that of the development requirements of the Windhoek Municipal Council by introducing and maintaining clear tariffs that are easily understood for the application, registration, administration and licensing of outdoor signage.
- 8.8 To appraise and control the placement and positioning of outdoor advertising signage effectively since the placement and positioning of outdoor signage impacts on the topographical area, i.e., environment as well as on the safety of road users and pedestrians.

**9. ROLES AND RESPONSIBILITIES**

The Windhoek Municipal Council shall be the authority responsible for enforcing and carrying into effect the provisions of this Policy. The Windhoek Municipal Council by resolution CR 241/08/2010 delegated the power to process applications for outdoor advertising on Council land to the Strategic Executive: Economic Development and Community Services.

The different roles and responsibilities of Council are indicated below and form part of the policy implementation within the City of Windhoek.

**9.1. OVERARCHING ROLE OF COUNCIL**

<p><b>9.1.1 Planning Authority</b></p>	<p>Council evaluates every new application for outdoor advertising in its area of jurisdiction through the Inter-departmental Outdoor Advertising Technical Committee. Under the Outdoor Advertising Regulations and Policy, all applications are evaluated in relation to its bearing on the Town Planning Scheme, economic development, social, traffic, public safety, aesthetical and environmental impact.</p>
<p><b>9.1.2 Controlling Authority</b></p>	<p>Council strives to keep the balance between the possibility to generate income from potentially suitable sites in the interest of ratepayers and the Council, against the impact of the environment. Council will exercise its responsibility to care for its citizens and visitors as well as to provide a safe environment for conducting business and general living. In some cases, the industry and public take opportunities in their own hands, such as the erection of illegal billboards, or the pasting of posters everywhere to be visible by the public. As controlling authority, inter alia, responsible to keep Windhoek clean and visually pleasant, the Council strongly opposes such non-compliance.</p>
<p><b>9.1.3 Property Owner</b></p>	<p>Council is, as a substantial property owner within the borders of the Windhoek Municipality either directly or by virtue of its involvement in urban development, holding sites suitable for use for outdoor advertisements. Council is</p>

	also responsible for the development of its residential and industrial areas where the erecting of advertising signs can create a useful source of income for Council, or for the developer in agreement with the Council
<b>9.1.4 Creator of Opportunities</b>	Council acts as “director of development” being the main deliverer/creator of new developed land or streets in the area under their jurisdiction. The Windhoek Municipal Council, as creator of opportunities, is mandated to lead in identifying new suitable and marketable sites, either by Council themselves, or in co-ordination with the industry. There are opportunities not only in the road reserves of major roads throughout the Windhoek Municipal area, but also on other property owned by Council, where potential locations can be identified in a strategic and environmentally acceptable manner. These identified locations will also adhere to all the specified criteria, standards and requirements as stated in the Outdoor Advertising Regulations and in this policy.

## 9.2. SPECIFIC ROLES & RESPONSIBILITIES

<b>9.2.1 Council</b>	<ul style="list-style-type: none"> <li>• Approval of Policy, Tariffs and Regulation</li> <li>• Hearing of Appeals</li> </ul>
<b>9.2.2 Line Ministry</b>	<ul style="list-style-type: none"> <li>• Signing off public notices for Government Gazette</li> </ul>
<b>9.2.3 Strategic Executive; Economic Development</b>	<ul style="list-style-type: none"> <li>• Approval of structures on Council land</li> <li>• Signing off new applications for licenses on private land</li> <li>• Receive appeals and prepares submissions to Council</li> </ul>
<b>9.2.4 Inter-departmental Outdoor Advertising Technical Committee (IOATC)</b>	<ul style="list-style-type: none"> <li>• Implement and managed this Policy</li> <li>• Assess and evaluate new applications to erect outdoor advertising signs in the Windhoek Municipal Council's area of jurisdiction,</li> <li>• Prepare and submit recommendations regarding new applications as well as upgrades to the SE: Economic Development and Community Services Department.</li> <li>• Based on specific criteria, standards and requirements for outdoor advertising signs, form an opinion on applications for outdoor advertising,</li> <li>• Follow a prescribed process with the submitted applications, apply the tariffs to be paid and internally process the outdoor advertising application,</li> <li>• Create opportunities for signs to be erected on Council property in a structured and controlled way,</li> </ul>

	<ul style="list-style-type: none"> <li>• Control and manage non-compliant advertising signs</li> <li>• Evaluate appeals and make recommendations to Council</li> </ul>
<b>9.2.4.1 Economic Development and Community Services Department</b>	<ul style="list-style-type: none"> <li>• Economic Development Division; <ul style="list-style-type: none"> <li>- receive, pre-appraise and comment on new applications &amp; renewals against Policy compliance</li> <li>- evaluate and approve annual licenses</li> <li>- prepare and submit the revision of Policy to Council</li> <li>- implement the Policy</li> <li>- monitor infringements and non-compliance</li> <li>- act as Secretariat to IOATC</li> </ul> </li> <li>• Environmental Management Division; evaluate and comment on environmental compliance</li> <li>• Parks Division; evaluate and comment on outdoor advertising pertaining to stadiums &amp; municipal sport fields, cemeteries, open spaces &amp; parks, etc.</li> </ul>
<b>9.2.4.2 Department of Urban and Transport Planning</b>	<ul style="list-style-type: none"> <li>• Urban Planning Division; evaluate and comment on the interpretation of the requirements of the Windhoek Town Planning Scheme, designated areas of control as well as zoning issues and future urban planning</li> <li>• Planning, Design and Traffic Flow Division; evaluate and comment on the impact on traffic flow, future design and planning</li> </ul>
<b>9.2.4.3 Department of City Police Services</b>	<ul style="list-style-type: none"> <li>• Traffic Division; <ul style="list-style-type: none"> <li>- evaluate and comment on road safety (motorized, non-motorized traffic and pedestrians)</li> <li>- implement law enforcement</li> </ul> </li> </ul>
<b>9.2.4.4 Department of Electricity</b>	<ul style="list-style-type: none"> <li>• Electricity; evaluate and comment on electrical requirements &amp; compliance</li> </ul>
<b>9.2.4.5 Other Departments</b>	<ul style="list-style-type: none"> <li>• Where requested; Building Maintenance to evaluate and comment of issues such a structural integrity and mechanical safety.</li> </ul>

## 10. SIGNAGE CLASSES AND CATEGORIES

Outdoor Advertising opportunities have been categorized into five (5) classes of signage in this Policy. It is important to understand and differentiate in the Policy between the classes since these are subject to different control and management measures. The classes have likewise been sub-divided into various categories of signage (types) which again are subject to specific criteria and measures of control. The classes and categories of signage which form part of this Policy are summarized below:

### **CLASS 1: BILLBOARDS & OTHER HIGH IMPACT FREE-STANDING SIGNS\_**

- A. Mega billboards
- B. Super billboards

- C. Large billboards
- D. Small billboards
- E. LED-screen and scrolling billboards

#### **CLASS 2: TEMPORARY & GENERAL SIGNS**

- A. Posters and notices
- B. Banners and flags
- C. Estate agents' boards
- D. Auctioneer signboards
- E. Project boards and development advertisements
- F. Neighbourhood watch, security signs and similar schemes
- G. Product replicas and three-dimensional advertising signs
- H. Prototypes of advertising structures
- I. Advertisements on street furniture
- J. Suburb name sign advertisements
- K. Street name advertisements

#### **CLASS 3: SIGNS ON BUILDINGS, STRUCTURES & PREMISES**

- A. Free-standing signs at educational facilities and institutions
- B. Sky signs
- C. Roof signs
- D. Flat signs
- E. Projecting signs
- F. Verandah, balcony, canopy and underawning signs
- G. Advertisements painted on walls, roofs and murals
- H. Window signs
- I. Signs incorporated in the fabric of a building
- J. Advertisements on forecourts of business premises and on sidewalks directly in front of business premises
- K. Miscellaneous signs for residential oriented land use and community services
- L. On-premises business signs
- M. Advertising on towers, bridges and pylons
- N. Advertisings on construction site boundary walls and fences and construction buildings

#### **CLASS 4: SIGNS FOR TOURISTS & TRAVELERS**

- A. Service facility signs
- B. Tourist directional signs
- C. Functional advertisements by public bodies

#### **CLASS 5: MOBILE SIGNS**

- A. Aerial signs
- B. Vehicular advertising
- C. Trailer advertising
- D. Bus advertising

### **11. GENERAL APPRAISAL CRITERIA**

In addition to the identified classes and categories, the policy recognises that several opportunities for outdoor advertising can be utilized to facilitate economic development and generate income for the Windhoek Municipal Council and customers. The Windhoek Municipal Council plays a leading role in land delivery as well as the construction of streets which eventually creates the traffic / market required to create opportunities feasible for outdoor advertising. When outdoor advertising opportunities are identified and applied for, the Windhoek Municipal Council distinguishes and appraises an application based on the following standard criteria:



<p><b>11.1 Type / method of display</b></p>	<p>the potential impact of the type or method chosen for display differs depending on</p> <ul style="list-style-type: none"> <li>i) whether the message is communicated via painted, printed, projected, digital or incised surfaces (<b>medium</b>), or</li> <li>ii) whether internally or externally <b>illuminated</b>, or</li> <li>iii) if <b>animated</b> messages are used which include flashing signs and electronic messages</li> </ul>
<p><b>11.2 Landscape types / receiving environment</b></p>	<p>specific sign classes/categories may only be suitable in</p> <ul style="list-style-type: none"> <li>i) specific <b>landscape types</b> and/or</li> <li>ii) <b>receiving environments</b> (areas of control)</li> </ul>
<p><b>11.3 Degree of appraisal</b></p>	<p>guidelines (rules) and assessment must be appropriate to</p> <ul style="list-style-type: none"> <li>i) the <b>sensitivity of the environment</b>,</li> <li>ii) the <b>sign class/category</b> (size),</li> <li>iii) <b>purpose</b> (first or third party advertising, permanent or temporary) and</li> <li>iv) <b>design</b> (sides single, double, tri-vision, etc.)</li> </ul>
<p><b>11.4 Spread, position (location) and direction/elevation</b></p>	<p>there are varying impacts caused by</p> <ul style="list-style-type: none"> <li>i) various structures (<b>spread</b> in terms of quantity and distances in-between structures) or</li> <li>ii) positions used for display (<b>location on site</b> in terms of physical position versus other infrastructure) or</li> <li>iii) the position used for impact (in terms of <b>direction/elevation</b> versus receiving traffic, pedestrians, etc.)</li> </ul>
<p><b>11.5 Erection and composition of display (site)</b></p>	<p>signs may be erected and displayed on various structures</p> <ul style="list-style-type: none"> <li>i) <b>on buildings</b> e.g. on fascias, windows, walls or roofs, or</li> <li>ii) attached to <b>other existing structures</b> such as street furniture,</li> <li>iii) on a <b>variety of vehicles on land</b>, or</li> <li>iv) can be an <b>aerial display</b></li> <li>v) as <b>stand-alone</b> structures i.e., free-standing signs consisting of frames, panels or boards attached to specially designed advertising structures</li> </ul>

Specific criteria used and the combination thereof to measure and control opportunities offered to the outdoor advertising industry for a select number of categories of signs are illustrated here and form part of this Policy.

**CLASS 1: BILLBOARDS & OTHER HIGH IMPACT FREE-STANDING SIGNS**  
CLASS 1(A-E): THIRD PARTY FREE-STANDING BILLBOARDS/SIGNS

- The Windhoek Municipal Council will encourage free-standing third party billboards in areas of minimum control, where these are safe and where there are no other opportunities to display the signs on existing buildings.
- The Windhoek Municipal Council will discourage billboards where risks to public safety are anticipated, or where they distract drivers from their primary task of driving.
- The Windhoek Municipal Council will provide special concessions for NPOs to have small billboards or to display alternative third party sponsors' signs where these are primarily intended as a means of supporting the primary goals of the NPO.

## **CLASS 2: TEMPORARY AND GENERAL SIGNS**

### CLASS 2(A): POSTERS AND NOTICES

- The Windhoek Municipal Council may make an approved number of light poles and designated poster pillars/sites for the advertising of NPO and political campaigns and events, concerts and performances and expo's, to control clutter and to ensure the organiser's removal of material and ties. The placements will be managed on a first-come-first-serve basis, based on a calendar booking and approval process.
- The Windhoek Municipal Council will discourage pasting of posters on sites which are not designated poster pillars/sites and will charge a removal tariff for campaign and event posters not displayed in terms of the Regulations.
- The Windhoek Municipal Council will provide special temporary concessions for NPOs to have a portion of the graphic displaying sponsors' commercial content or logo.

### CLASS 2(B): BANNERS AND FLAGS

- The Windhoek Municipal Council will encourage the safe use of these as temporary signs for commercial and NPO campaigns and events.
- The Windhoek Municipal Council will encourage swivel banners as city dressing for advertising expo's and NPO special campaigns and events for NPOs on a first-come-first-serve basis and allow a portion of the graphic displaying sponsors' commercial content or logo, and will be managed by a calendar booking and approval process.
- The Windhoek Municipal Council may provide special temporary concessions for NPOs to display swivel banners or sponsors flags to raise funding or support where a site is not suitable for a small sponsored billboard.
- The Windhoek Municipal Council will designate special local sites for NPOs to display temporary small tied banners for local community events.

### CLASS 2(C): ESTATE AGENT'S BOARDS

- The Windhoek Municipal Council will encourage the marketing agent to advertise property for sale, to let, on auction or sold with small signs on the premises being marketed, or will support applications for larger boards where the smaller standard board is not easily visible to prospective clients due to premises being located too far or high from the street or due to topography.
- The Windhoek Municipal Council will require marketing agents wishing to use municipal property for temporary display of directional showhouse boards, to register with the Municipal Council for the concession to utilize an approved number of directional showhouse boards on weekends but will make special concessions for private sellers to market their own properties.

- The Windhoek Municipal Council will discourage these use privileges from being used by property marketers to promote their agency rather than the premises being marketed and will guard against uncontrolled sizes and proliferation of these boards.

#### CLASS 2(E): PROJECT BOARDS AND DEVELOPMENT ADVERTISEMENTS

- The Windhoek Municipal Council will encourage the display of appropriately positioned and dimensioned temporary project board signs giving information about activities or companies involved at a site where development is approved or underway.

#### CLASS 2(F): NEIGHBOURHOOD WATCH, SECURITY SIGNS

- The Windhoek Municipal Council will encourage the display of appropriately positioned and dimensioned security signs to help indicate premises which are protected and/or to indicate that an area is secured by a neighbourhood patrol.

#### CLASS 2(H): PROTOTYPES OF ADVERTISING STRUCTURES

- The Windhoek Municipal Council will encourage loose portable temporary signs displayed on private property, and will issue licenses for concessions to utilize an approved site on municipal land outside commercial premises for the safe display of advertisements.
- The Windhoek Municipal Council will provide special temporary concessions for NPOs to use loose portable sponsors' signs at special event venues.

### **CLASS 3: SIGNS ON BUILDINGS, STRUCTURES AND PREMISES**

#### CLASS 3(B): SKY SIGNS

- The Windhoek Municipal Council will encourage sky signs in industrial areas where buildings are not suited to other sign categories or on specific historical buildings where the original design included a sky sign.
- The Windhoek Municipal Council will discourage sky signs which impact on residential amenity or on scenic vistas.
- The Windhoek Municipal Council will provide special temporary concessions for NPOs which have premises in non-urban areas.

#### CLASS 3(C): ROOF SIGNS

- The Windhoek Municipal Council will encourage locality bound signs affixed to roofs in urban areas where buildings are not suited to other sign categories.
- The Windhoek Municipal Council will discourage the dominating of roofscapes with oversized roof signs.

#### CLASS 3(D-E): FLAT AND PROJECTING SIGNS

- The Windhoek Municipal Council will encourage first party signs on buildings which fit in with the architectural design and augment the character of the area and which help locate and advertise business premises.
- The Windhoek Municipal Council will designate suitable sites such as in commercial / entertainment districts for Class 1(E) signs which are safe, energy efficient, custom-designed and will fit in with the architectural design of the receiving environment and will have a positive impact on the character of the area.
- The Windhoek Municipal Council will discourage signs which detract, clutter or obscure building features, or impact negatively on an area's character, or which are

unsafe, or which involve covering or sealing of building openings or which require fake buildings which have no purpose other than a sign structure.

#### CLASS 3(F): VERANDAHS, BALCONIES, CANOPIES BUILDING

- The Windhoek Municipal Council will encourage parts of a business's verandah, balcony, canopy, awning or colonnade to be used for locality bound signs which fit in with the architectural design and augment the character of the area and which help locate and advertise business premises.
- The Windhoek Municipal Council will discourage signs which detract, clutter or obscure building features, or impact negatively on an area's character, or which are unsafe, or which involve covering or sealing of building openings.

#### CLASS 3(L): ON-PREMISES BUSINESS SIGNS

- The Windhoek Municipal Council will encourage free-standing first party signs where a business needs to advertise its location or entrance and their building is set too far back for a sign on their building to be visible.
- The Windhoek Municipal Council will encourage composite pole signs where these will reduce the clutter of many smaller individual business signs, or where a building's design or heritage value is such that signs will not be suitable on the building itself.
- The Windhoek Municipal Council will discourage these if a business or complex of businesses can reasonably display a sign on the building on the premises.

#### CLASS 3(N): ADVERTISING ON CONSTRUCTION SITE BOUNDARY WALLS

- The Windhoek Municipal Council will encourage the display of appropriately positioned and dimensioned locality-bound and third party signs on construction site boundary walls (wall wrapping) to assist with temporary beautification of a building site, to achieve longer term landscaping contributions or to assist the developer with costs of site screening.
- The Windhoek Municipal Council will discourage entire buildings from being used for the primary or long-term purpose of being utilised as a mega-billboard and where there is no development upgrading underway.

### **CLASS 4: SIGNS FOR TOURISTS & TRAVELERS**

#### CLASS 4(A): SERVICE FACILITY SIGNS

- The Windhoek Municipal Council will encourage service facility signs, which are aimed entirely at the motorist, to have free-standing signs to assist with locating their entrance and to be visible timeously to motorists, taking distances from intersections and layout, etc. into consideration.

### **CLASS 5: MOBILE SIGNS**

#### CLASS 5(A): AERIAL SIGNS

- The Windhoek Municipal Council will encourage the safe display of locality-bound signs on anchored blimps or hot air balloons.
- The Windhoek Municipal Council will provide special concessions for NPOs to display temporary sponsors' messages at a special event venue.

#### CLASS 5(C): TRAILER ADVERTISING

- The Windhoek Municipal Council will issue temporary licenses for concessions to utilize an approved site on municipal land for safely displaying signs on trailers. The placements will be managed on a first-come-first-serve basis, based on a calendar booking and approval process.
- The Windhoek Municipal Council will issue licenses for concessions and special concessions for NPOs to display temporary sponsors' messages on trailers, large moveable signs, container signs and portable digital screens at special event (music, sport, expo's, etc.) venues.

## **12. COMMUNICATION OF THE POLICY**

The Windhoek Municipal Council through the Inter-departmental Outdoor Advertising Technical Committee is responsible to implement and administer the revised Outdoor Advertising and Signage Policy, Tariffs and Regulations. Upon approval by the Windhoek Municipal Council to implement any amendments to the Policy, the Tariffs or the Regulations, the Inter-departmental Outdoor Advertising Technical Committee will inform customers (internal and external) and the general public, via the local media. This Policy once promulgated in the Government Gazette will legally bind the Windhoek Municipal Council and its customers to these provisions.

## **13. MAINTENANCE OF THE POLICY**

Once adopted by the Windhoek Municipal Council, the Outdoor Advertising Policy and Regulations for the control of outdoor advertising and signage will be reviewed every five (5) years. The outdoor advertising tariffs once set under this Policy will form part of the municipal non-metered tariff schedule to be adjusted annually following approval by Council and published in the Schedule of Tariffs.

## **SECTION B: GENERAL CONDITIONS AND AREAS OF CONTROL APPLICABLE TO ALL ADVERTISEMENTS, ADVERTISING SIGNS AND ADVERTISING STRUCTURES**

### **14. GENERAL CONDITIONS APPLICABLE TO ALL ADVERTISING SIGN**

#### **14.1 GENERAL REQUIREMENT**

- 14.1.1 The Windhoek Municipal Council will increase, or decrease the minimum spacing between advertisements, or place further restrictions on the position, size and content of any advertisement if considered necessary, in the interests of road safety or environmental impact.
- 14.1.2 A leased municipal site for a sign is approved for 3 years which may be extended by Windhoek Municipal Council by another 2 years. To extend the license by 2 years and application has to be submitted 5 months before the expiry of the license period.
- 14.1.3 Where a license for a new site and sign is approved the sign must be erected within five (5) months from the date of the approval of the site. Council may grant a further extension of time of one (1) month under special conditions duly motivated by the applicant.
- 14.1.4 Where an approved advertising structure does not display an advertisement or any message for a period of more than two (2) months or as otherwise agreed to by the Windhoek Municipal Council, the Council will serve a notice on the owner requiring him/her, at his own cost, or to display an advertisement or message within a period so specified.
- 14.1.5 Signage which was not categorized and for which provision was not made in this Policy, for which an application is received will be addressed on an ad-hoc basis and considered by the Inter-departmental Outdoor Advertising Technical Committee.
- 14.1.6 The design, construction and maintenance of all advertising signs will adhere to the requirements set out in the Advertising Policy and Regulations.

#### **14.2 ELECTRICAL AND ILLUMINATION**

- 14.2.1 The following maximum luminance levels per square meter are applicable for all categories of advertisements (as permitted by the International Commission on Illumination):

<u>Illuminated area</u>	<u>Maximum luminance</u>
Less than 0.5 m <sup>2</sup>	1 000 candela/m <sup>2</sup>
0.5 m <sup>2</sup> < 2 m <sup>2</sup>	800 candela/m <sup>2</sup>
2 m <sup>2</sup> < 10 m <sup>2</sup>	600 candela/m <sup>2</sup>
10 m <sup>2</sup> or more	400 candela/m <sup>2</sup>

14.2.2 Illumination is permitted on an advertisement or advertising sign only if it does not lead to unsafe driving conditions, or does not have a detrimental effect on the surrounding area and where it is specifically not prohibited.

14.2.3 An advertisement or advertising sign will not be illuminated unless the road is lit by overhead lighting over the full distance within which the advertisement is visible from that road and the source of the illumination is concealed from oncoming traffic.

14.2.4 Before any advertising structure is erected, it must be considered by the Windhoek Municipal Council, whether the illumination of the advertisement or

advertising sign is likely to distract drivers' attention from road traffic signs which are not illuminated.

- 14.2.5 An electronic/digital advertisement or advertising sign will not inhibit the view of or cause discomfort to a driver or pedestrian or be in the direct line of sight of a traffic light.
- 14.2.6 An electronic/digital advertisement must be static for at least 5 seconds per advertisement.
- 14.2.7 Light not intended for illumination will only be utilised if it is in line with the Environmental Policies of Council.
- 14.2.8 No advertisement or advertising structure will, if illuminated, be erected in such a way that it may have a detrimental effect on the amenity of a residential building on a residential zoned erf or, in the opinion of the Windhoek Municipal Council, could be detrimental to the character or amenity of the neighbourhood.

### **14.3 CONTENT, AMENITY AND DECENCY**

- 14.3.1 No sign may in the opinion of the Windhoek Municipal Council
  - a) be detrimental to the environment or to the amenity of a human living environment by reason of size, shape, colour, texture, intensity of illumination, quality of design or materials or for any other reason;
  - b) be in its content objectionable, indecent or suggestive of indecency or prejudicial to the public morals or contravene any of Council's policies or programs;
  - c) unreasonably obscure, partially or wholly, any sign owned by another person previously erected and legally displayed.
- 14.3.2 For advertisements visible by road users on any public road, the bit values will be calculated as follows per element of an advertisement: On any billboard, the number of bits and size of the text may not be in total more than 5 bits and the minimum size and height of letter are 150mm.

Words of up to eight letters, inclusive	1,0 bit
Words of more than eight letters	2,0 bits
Words such as "a, the, than, and, an"	0,25 bits
Numbers of up to four digits, inclusive	0,5 bits
Numbers of five to ten digits	1,5 bits
Symbols and logos	0,5 bit
Background graphics (depending on the destructiveness of the graphic)	1,0 to 3,0 bits

- 14.3.3 For all other category of advertisement signs, the text size will be a minimum of 50mm high, and will be considered by the Council for readability before it can be approved.
- 14.3.4 Street numbers indicating specific premises must have a minimum size of 150mm and a maximum size of 350mm.
- 14.3.5 No message may be spread across more than one advertisement, sign or sign panel.
- 14.3.6 Numbers longer than ten digits are not allowed.

#### 14.4 ROAD POSITIONING AND SIZE CONCERNING SAFETY AND TRAFFIC CONSIDERATIONS

Before any advertising structure is erected, it must be considered by the Windhoek Municipal Council, whether:

- 14.4.1 the size of the advertising structure / advertisement, together with other advertising structures / advertisements in the area, if any, will affect the notice-ability of road traffic signs by virtue of potential visual clutter;
- 14.4.2 the number of road traffic signs and advertisements in any area constitute a driving hazard, due to the attention of drivers of vehicles being deviated from the task of driving and leading to unsafe driving conditions;
- 14.4.3 the speed limit, and the measure of the traffic's adherence thereto, the traffic volume, the average following headway and accident history of the road demand more stringent control of outdoor advertising;
- 14.4.4 the position of the advertisement or advertising sign will negatively affect the visibility of, sight distance to or efficiency of any road traffic sign, or series of such signs;
- 14.4.5 the position of an advertisement or advertising sign would disrupt the flow of information from road traffic signs to drivers who encounter a series of road traffic signs intended for traffic regulation, warning or guidance;
- 14.4.6 the position of any advertisement or advertising sign would potentially distract drivers' attention at places where traffic turns, negotiates curves, merges or diverges, or in the area of intersections or interchanges, or where drivers' uninterrupted attention to the driving task is important for road safety.

#### 14.5 AREAS OF CONTROL

All areas under the jurisdiction of the Windhoek Municipal Council will be classified under a specific area of control. There are three areas of control, areas of minimum control, areas of partial control and areas of minimum control.

If an area has not been designated, for whatever reason, it will be deemed to be an area of maximum control, until considered and otherwise classified by Windhoek Municipal Council.

The land-use categories described below are generic and do not refer to a specific Town Planning Scheme. When an application is evaluated, the approved land use rights and Town Planning Scheme applicable to that specific erf must be consulted for specific zoning details. Notwithstanding the designation of the areas of control, the Windhoek Municipal Council may approve the erection of an advertising sign on Municipal owned land if there is no major impact on surrounding areas, and if the surrounding land uses can accommodate that specific category of sign.

The following type of land uses will be classified under the areas of control, as listed below, according to the Town Planning Scheme:

Control Measures	Erven with the land-use zoning of:	Including the following localities:
<b>14.5.1 Minimum control</b>	<ul style="list-style-type: none"> <li>i) business,</li> <li>ii) restricted business,</li> </ul>	<ul style="list-style-type: none"> <li>• Central commercial areas</li> <li>• Commercial enclaves</li> </ul>



	<ul style="list-style-type: none"> <li>iii) garage,</li> <li>iv) industrial and</li> <li>v) erven zoned special with business or industry as the primary activities.</li> </ul>	<p>and shopping centers</p> <ul style="list-style-type: none"> <li>• Industrial areas and industrial parks</li> <li>• Entertainment districts or complexes</li> </ul>
<b>14.5.2 Partial control</b>	<ul style="list-style-type: none"> <li>i) office,</li> <li>ii) institutional,</li> <li>iii) undetermined,</li> <li>iv) municipal,</li> <li>v) government,</li> <li>vi) private open space</li> <li>vii) cemetery or</li> <li>viii) transport and communications.</li> </ul>	<ul style="list-style-type: none"> <li>• Commercial enclaves or centers in residential areas</li> <li>• Commercial ribbon development</li> <li>• Schools/education institutions</li> <li>• Sports fields and stadia</li> <li>• Institutional/government enclaves</li> <li>• Transport nodes</li> </ul>
<b>14.5.3 Maximum control</b>	<ul style="list-style-type: none"> <li>i) conservation</li> <li>ii) heritage buildings as listed in the Windhoek Town Planning Scheme, and</li> <li>iii) erven with the land-use zoning of <ul style="list-style-type: none"> <li>a. residential or</li> <li>b. general residential.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Conservation and natural features</li> <li>• Passive recreational areas</li> <li>• Scenic features and areas</li> <li>• Historical and architectural features and areas</li> <li>• All residential areas</li> <li>• Plots, urban and rural small holdings (proclaimed)</li> <li>• Un-proclaimed township areas</li> </ul>
<b>14.5.4 Land use reservations</b>	<p>Examples of uses for which Council land is reserved for future use and as considered by Council on a case to case basis:</p> <p>public open spaces,  new streets and widening of existing streets,  government purposes,  cemeteries  transport and communication purposes, etc.</p>	

When an application is appraised, the Town Planning Scheme applicable to the specific erf in question must be made available and will be assessed as per latest zoning details. In addition to the above defined areas of partial control, a minimum band of 50 meters of an area of partial control between maximum and minimum control. This band will be measured from the edge of the area of maximum control into the area of minimum control.

Any sites with a zoning not covered by this Policy, will be considered by the Windhoek Municipal Council specifically and where required, for whatever reason, the surrounding area, adjacent properties, or the current legal use may provide guidance when determining the area of control.

Considering the natural hilly characteristics, which are unique to the capital, the Windhoek Municipal Council will also over rule these stipulated areas of control if in a sensitive area or environment and must be seen in conjunction with the potential interaction between basic landscape sensitivity and advertising sign impact. In addition, traffic safety is taken into consideration when it comes to the determination of an area of control. The Windhoek Municipal Council will discourage all intrusive signs and billboards in rural or urban natural landscapes, which will be deemed areas of maximum control.

## SECTION C: CRITERIA FOR DIFFERENT CLASSES / CATEGORIES OF ADVERTISING SIGNS AND AIA

Specific technical detail, criteria and requirements for different categories of advertising signs and the completion of the AIA are specified in this Policy.

### 15 CLASS 1: BILLBOARDS AND OTHER HIGH IMPACT FREE-STANDING SIGNS

- The following criteria on areas and roads where it should be located, size and height will apply for billboards and other high impact signs, as included in **Table 1**:

**Table 1: Location, Size and Height**

Type of Sign	Mega Billboards	Super Billboards	Large Billboards	Small Billboards
Area of control	Minimum	Minimum / Partial	Minimum / Partial	Minimum / Partial
Size of advertisement	>81 - 150m <sup>2</sup>	>40 – 81m <sup>2</sup>	>24 – 40m <sup>2</sup>	≤24 m <sup>2</sup>
Total Height	25m	15m	12.5m	10.5m
1. The total height as specified above may not be exceeded, unless specifically approved by the Council. 2. Billboards can be allowed inside road reserve or on other Council owned land, with specific attention to: <ul style="list-style-type: none"> <li>○ Road safety,</li> <li>○ Combination and clutter of advertising,</li> <li>○ Environment impact, and</li> <li>○ Areas of maximum control.</li> </ul>				

- Any billboard or high impact signs must be spaced and positioned no closer than:
  - Subject to provisions as per (c), (d), (e) and (f), 200m to other billboards on arterial roads and 150m on collector roads, per direction of travel;
  - 50m to directional road signs, or any other high impact or necessary / important road signs, subject to available space and position of existing traffic signs and signals;
  - 75m (new applications) from the centre of any and all intersections irrespective of the road classification for all Mega, Super, Large and Small Billboards. An AIA may be required;
  - 100m from the centre of any and all intersections irrespective of the road classification for all LED-screen and Scrolling Billboards, subject to available space and position of existing traffic signs and signals. An AIA may be required;
  - Any two Super Billboards, or two LED-screen Billboards or Super and LED-screen Billboards shall be spaced at least 500m apart. This spacing may be increased depending on the influence on the environment, visibility constraints between signs and final Council consideration. An AIA may be required;
  - Any two Mega Billboards, or Mega and Super Billboards or Mega and LED-screen Billboards shall be spaced at least 1km apart. This spacing may be increased depending on the influence on the environment, visibility constraints between signs and final Council consideration. An AIA may be required.

#### 15.1 CLASS 1(A): MEGA BILLBOARDS

- This type consists of billboards larger than 81m<sup>2</sup> but not exceeding a maximum size of 150m<sup>2</sup>.

2. No mega billboard shall be erected within a band of 100m from the edge of any area of maximum control.
3. General requirements, as stated in Paragraph 14 of the Outdoor Advertising and Signage Policy, shall apply.
4. The Council may grant approval for display, on payment of an amount as determined by the Council, for a period of three (3) years. Before the date of expiry, a request for the extension of the approval for display can be submitted to the Council for a maximum period of another two (2) years. Subsequent renewals for the same sign will be considered as new applications as per provisions of this clause. Any applications for extension / renewal should reach the Council five (5) months before expiry. Failing to apply for extension / renewal, the approval for display shall expire. Such approval for display shall not be transferable to any third party.
5. The advertising structure must be erected within five (5) months from date of approval. Application to extend such time for another one (1) month can be submitted to the Council for consideration.
6. An approved structure must display an advertisement or message within two (2) months after erection.
7. The clear height of the advertising sign may not be less than 2.4m.
8. An advertising impact assessment (AIA) shall be required for this class of billboards.

#### **15.2 CLASS 1(B): SUPER BILLBOARDS**

1. This type consists of billboards larger than 40m<sup>2</sup> and equal up to 81m<sup>2</sup>.
2. No super billboard may be erected within a band of 50m from the edge of any area of maximum control.
3. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, shall apply.
4. The Council may grant approval for display, on payment of an amount as determined by the Council for a period of three (3) years. Before the date of expiry, a request for the extension of the approval for display can be submitted to the Council for a maximum period of another two (2) years. Subsequent renewals for the same sign will be considered as new applications as per provisions of this clause. Any applications for extension / renewal should reach the Council five (5) months before expiry. Failing to apply for extension / renewal, the approval for display shall expire. Such approval for display shall not be transferable to any third party.
5. The advertising structure must be erected within five (5) months from date of approval. Application to extend such of time for another one (1) month can be submitted to the Council for consideration.
6. An approved structure must display an advertisement or message within two (2) months after erection.
7. The clear height of the advertising sign may not be less than 2.4m.
8. An advertising impact assessment (AIA) shall be required for this class of billboards.
9. Illumination is only allowed if the road along where a super billboard is located is illuminated, and only if it does not constitute a road safety hazard or cause undue disturbance.

### **15.3 CLASS 1(C): LARGE BILLBOARDS**

1. This type consists of billboards with a size larger than 24m<sup>2</sup> and equal up to 40m<sup>2</sup>.
2. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, shall apply.
3. The Council may grant approval for display, on payment of an amount as determined by the Council for a period of three (3) years. Before the date of expiry, a request for the extension of the approval for display can be submitted to the Council for a maximum period of another two (2) years. Subsequent renewals for the same sign will be considered as new applications as per provisions of this clause. Any applications for extension / renewal should reach the Council five (5) months before expiry. Failing to apply for extension / renewal, the approval for display shall expire. Such approval for display shall not be transferable to any third party.
4. The advertising structure must be erected within five (5) months from date of approval. Application to extend such of time for another one (1) month can be submitted to the Council for consideration.
5. An approved structure must display an advertisement or message within two (2) months after erection.
6. The clear height of the advertising sign shall not be less than 2.4 m.
7. Illumination is only allowed if the road along where this large billboard is located is illuminated, and only if it does not constitute a road safety hazard or cause undue disturbance.

### **15.4 CLASS 1(D): SMALL BILLBOARDS**

1. This type consists of billboards equal or smaller than 24m<sup>2</sup>.
2. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, shall apply.
3. The Council may grant approval for display, on payment of an amount as determined by the Council for a period of three (3) years. Before the date of expiry, a request for the extension of the approval for display can be submitted to the Council for a maximum period of another two (2) years. Subsequent renewals for the same sign will be considered as new applications as per provisions of this clause. Any applications for extension / renewal should reach the Council five (5) months before expiry. Failing to apply for extension / renewal, the approval for display shall expire. Such approval for display shall not be transferable to any third party.
4. The advertising structure must be erected within five (5) months from date of approval. Application to extend such of time for another one (1) month can be submitted to the Council for consideration.
5. An approved structure must display an advertisement or message within two (2) months after erection.
6. The clear height of the advertising sign may not be less than 2.4 m.
7. Illumination is only allowed if the road along where this billboard is located is illuminated, and only if it does not constitute a road safety hazard or cause undue disturbance.

### **15.5 CLASS 1(E): LED-SCREEN AND SCROLLING BILLBOARDS**

1. This type consists of billboards with a size larger than 24m<sup>2</sup> which electronically display multiple advertisers' messages either continuously or intermittently.
2. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, shall apply.
3. The Council may grant approval for display, on payment of an amount as determined by the Council for a period of three (3) years. Before the date of expiry, a request for the extension of the approval for display can be submitted to the Council for a maximum period of another two (2) years. Subsequent renewals for the same sign will be considered as new applications as per provisions of this clause. Any applications for extension / renewal should reach the Council five (5) months before expiry. Failing to apply for extension / renewal, the approval for display shall expire. Such approval for display shall not be transferable to any third party.
4. The advertising structure must be erected within five (5) months from date of approval. Application to extend such of time for another one (1) month can be submitted to the Council for consideration.
5. An approved structure must display an advertisement or message within two (2) months after erection.
6. The clear height of the advertising sign shall not be less than 2.4 m.
7. An advertising impact assessment (AIA) shall be required for this class of billboards.

## **16 CLASS 2: TEMPORARY AND GENERAL SIGNS**

### **16.1 CLASS 2(A): POSTERS AND NOTICES**

1. This type will be allowed in areas of maximum, partial and minimum control.
2. This type consists of three types of posters namely:
  - a) Event and Parliament Posters: Posters erected to advertise public and charitable events, functions, occasions, meetings or campaigns of a religious, educational, cultural, political, social, sporting or recreational nature. This category includes posters erected to advertise an auction as well as public awareness and community based campaigns and notices of a public meeting. It also includes posters for parliamentary or municipal elections, by-elections, referenda and registration process.
  - b) Commercial Posters: Posters erected in this category may be used for commercial advertising on structures for which specific provision has been made for by the Council.
  - c) Newspaper Posters: Posters displayed in this category may display selected news headlines of a specific edition of a newspaper.
3. The size and height of signs allowed in this type are as follows:
  - a) **EVENT, HEADLINE AND PARLIAMENT POSTERS:**

Size:	<u>Parliament posters:</u> 0.9m x 0.6m (A1 size)
	One direction: ≤ 0.54m <sup>2</sup>
	More directions: ≤ 1.08m <sup>2</sup>
	<u>Event posters:</u> 0.9m x 0.6m (A1 size)
	One direction: ≤ 0.54m <sup>2</sup>
	More directions: ≤ 1.08m <sup>2</sup>

Height: Minimum Height (Clearance): 2,4m  
At least 2m below light fixtures

**b) COMMERCIAL POSTERS:**

Size: One direction:  $\leq 1.08\text{m}^2$   
More directions:  $\leq 2.16\text{m}^2$   
Typical posters: 1.2m x 0.9m (A0 size)

Height: Minimum Height (Clearance): 2,4m  
At least 2m below light fixtures

**c) NEWSPAPER POSTERS:**

Size: One direction:  $\leq 0.32\text{m}^2$   
More directions:  $\leq 0.64\text{m}^2$   
Typical posters: 0.7m x 0.45m (A2 size)

Height: Minimum Height (Clearance): 2,4m  
At least 2m below light fixtures

4. The position and general requirements for this type of signs are as follows:

- a) General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
- b) No poster may be affixed to a lamp post, if it was not tested and certified by a structural engineer that the lamp post will be able to carry the poster and will be able to resist all loads and forces to which these signs may be exposed.
- c) Standardized pole mounted posters will be allowed only where they will not have a negative visual impact on the streetscape and the character of an area.
- d) Only permitted on electric light standards or other structures, which are provided for the express purpose of pasting or affixing posters and notices.
- e) May not be attached to power line standard, power masts, road traffic sign or signal, traffic circle, traffic island or median, wall, column or post of a verandah or balcony, fencing, electricity box or sub-stations, tree or bridge.
- f) No sign may be mounted on a short (4,5m) streetlight pole.
- g) Not to cover municipal markings / stripes on lampposts.
- h) No limitations to the colour and texture of signs.
- i) No steel or aluminum ladders may be placed against the standards on which the posters are to be erected.
- j) No posters allowed on a lamp post with a dustbin affixed to it.
- k) These signs may not be illuminated or animated.
- l) Signs may not have any letters smaller than 50mm in height.
- m) If so required by the Council, the content is subject to the Council approval.
- n) The Council may in the absence of legislative prescriptions determine the number and display format of posters in this category.

- o) No poster or other advertisement may be placed in a street or other public place unless the appropriate sums determined by special Council resolution have been paid.
  - p) Any person who, having displayed or caused to be displayed any advertisement or advertising sign, fails to remove it or cause it to be removed within the periods prescribed will be guilty of an offence and may pay a penalty imposed upon him.
  - q) The Council is entitled, without giving notice to anyone, itself to remove and destroy any poster or advertisement displayed without its permission having been obtained or in contravention of any provision of this section of which has not been removed within the period specified.
5. Conditions applicable to Event and Parliament Posters:
- a) Posters may be fixed to electric light standards and fixed receptacles by means of a suitable cord and no metal clamps or wire may be used.
  - b) May not be used to advertise a commercial event or product or any third party advertisement.
  - c) At least 50m from the centre of an intersection.
  - d) Posters may be erected only 14 days prior to the event, if relevant.
  - e) All posters, backing boards and cord or string must be removed within 3 days of the passing of the event.
  - f) A maximum of one poster per post or standard, except for parliament posts where a maximum of three posters per post or standard is allowed.
  - g) An applicant will submit a street list indicating positions of posters erected within 3 days after approval is granted.
  - h) Poster signs aimed at the road used may not be less than 120m apart.
  - i) Every poster and notice, for which permission is granted, must be marked with a municipal sticker and only signs marked with a reference number may be displayed.
  - j) No posters relating to a parliamentary or municipal election, referendum or registration process may be displayed for longer than the period extending from the beginning of the date of proclamation in the Government Gazette of an upcoming referendum or election to the end of the fourteenth day after the date of such election or referendum.
  - k) Public awareness and community-based campaigns may also be erected on the event posters.
6. Conditions applicable to Commercial Posters:
- a) Posters must be fixed to electric light standards by means of removable brackets or strapping. No drilling or welding of poles will be allowed.
  - b) At least 50m from the centre of an intersection, but not on the first two posts closest to the intersection.
  - c) A maximum of one per post or standard.



- d) All signs may be double-sided, dependant on traffic flow or where such a need exists.
  - e) More creative and visually pleasant structures should be used for displaying large posters than standardized pole mounted structures in order to make a positive contribution to streetscaping.
  - f) The Council will determine the number and display format of posters in this category.
7. Conditions applicable to Newspaper Posters:
- a) Posters must be fixed to electric light standards by means of removable brackets or strapping. No drilling or welding of poles will be allowed.
  - b) May not be used to advertise a commercial event.
  - c) May be displayed along specific main traffic routes with the specific consent of the Council.
  - d) May be displayed for 24 hours only.
  - e) A maximum of one per post or standard.
  - f) The Council will determine the number and display format of posters in this category.

## **16.2 CLASS 2(B): BANNERS AND FLAGS**

1. This type consists of advertisements in the form of banners and flags. Flags are attached to a single flagstaff projecting vertically from a premises or projecting vertically, horizontally or at an angle from a building. Banners may be attached to buildings or to special streetscaping structures provided for this purpose, or boundary fences / walls on approved sites.
2. This type will be allowed in areas of maximum, partial and minimum control.
3. Banners on private land may be used for commercial advertising, but then only in areas of partial and minimum control.
4. The size and height of signs allowed in this type, are as follows:

Maximum control:	Maximum size:	5m <sup>2</sup>	
	Maximum total display area per street front:	10m <sup>2</sup>	
Partial / Minimum control:	Maximum size:		6m <sup>2</sup>
	Maximum total display area per street front:	12m <sup>2</sup>	
5. The position and spacing requirements for this type of signs are as follows:
  - a) Attached to flagstaffs, buildings or special streetscaping structures.
  - b) Maximum control: Maximum of 2 banners or flags per street front.
  - c) Partial and Minimum control: Maximum of 10 banners or flags per street front.
  - d) On the site of the function / event or on boundary fences/walls of approved sites.
  - e) Minimum distance from the centre of an intersection: 50m.
  - f) Minimum distance from road signs: 50m.

- g) No advertisement may be displayed for more than four weeks before the date of the function or event advertised and no such advertisement may be permitted to remain in position for more than three days after the conclusion of such function or event.
  - h) No banner or flag may be affixed to a lamp post, if it was not tested and certified by a structural engineer that the lamp post will be able to carry the banner or flag and will be able to resist all loads and forces to which these signs may be exposed.
6. These signs may not be illuminated or animated.
  7. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
  8. Banners and flags on Council land may be used only for the following purposes:
    - a) Advertising functions and events conducted for religious, educational, social, welfare, animal welfare, sporting, civic or cultural purpose, or functions or events relating to municipal, regional or parliamentary elections, referenda or registration process.
    - b) Displaying the name, corporate symbol and nature of enterprises.
    - c) Streetscaping areas such as pedestrian malls, gateways and at pre-defined positions within the road reserve.
  9. Only locality-bound banners and flags may be used for advertising enterprises, except when incorporated in a streetscaping project. These banners may be displayed against boundary fences / walls following approval by Council.
  10. National flags of any country are excluded from this type and may therefore be displayed in all areas of control provided they do not carry any advertisement or subject matter additional to the design of the flag or flagstaff.
  11. Banners and flags carried through the streets as a part of a procession are not included in this type.
  12. Every banner or flag will be attached to or suspended between poles or other supports on the site or against the building where the function or event is to be held or where the enterprise is located or on such other site as allowed.
  13. Banners and flags are permitted within road reserves, but banners may only be suspended across a road or street as part of a streetscaping project or if allowed by Council.
  14. Banners may only be placed in positions within the road reserve as determined by the Council.
  15. Every banner or flag has to be attached so as not to interfere with or constitute a danger to passing vehicular or pedestrian traffic.
  16. Banners advertising a function and events conducted for religious, educational, social, welfare, animal welfare, sporting, civic or cultural purposes, or functions or event relating to municipal, regional or parliamentary elections, referenda or registration process are permitted, to be displayed against a boundary wall or fence following approval by Council.

### 16.3 CLASS 2(C): ESTATE AGENTS' BOARDS

1. This type consists of signs which are temporarily displayed to advertise the fact that land, premises, development or any other form of real estate is for sale, to let, sold or on show.
2. This type will be allowed in all areas of control.
3. The requirements for signs allowed in this type, are as follows:
  - Non-residential vacant erf:
    - Maximum size: 6m<sup>2</sup>
    - Height: Less than 3m high
  - All other signs:
    - Maximum size: 0.3m<sup>2</sup>
    - Height: Less than 1m high, measured from the mean ground level below the sign.
  - No sign may obscure the sight lines or view of any motorist.
  - No sign may have supports which are driven through a tarred or paved surface.
4. The position and spacing requirements for this type of signs are as follows:
  - a) Placed close to a boundary fence or within boundary of the relevant erf on sale.
  - b) Maximum one sign per agent.
  - c) Maximum three signs per erf.
  - d) Non-residential vacant erf will not be permitted in the road reserve.
5. These signs may not be illuminated or animated.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. All signs in this type may contain only the words 'For Sale', 'To Let', 'Sold' or 'On Show' and they must contain at least the name of the agency and selling or letting agent.
8. The erection of 'On Show' estate agents' boards on streets reserves may be permitted from 48 hours prior to the show and should be removed no later than 48 hours after the show, and the specific date and show time must appear on the board.
9. A sign may consist of a single sign or two duplicate signs joined at an angle of 120°.
10. Any estate agents board exceeding 2,8m<sup>2</sup> may require the submission of a special application.
11. The signs may be placed at or fixed to the building concerned, or attached to the boundary fence of the premises concerned, or displayed within the boundaries of such premises, or displayed on the sidewalks to a minimum of 1,5 metres away from the edge of the roadway.
12. "On Show" estate agent's boards may be allowed to be displayed within the road reserve in the event of the sign being a residential sign. Signs may not be displayed on road islands or medians. "On Show" boards may be displayed from the nearest lower order road intersecting with a major road, with no less than 60m intervals between the signs, preferably only where direction changes, and no more than 5 signs being displayed at any one time. A maximum of 10 signs may be allowed, only if

there are two accesses from major roads from different directions, to the same property.

13. No sign may project at any point more than 1.3m from the wall of the building or structure to which it is affixed.
14. No limitations to the colour and texture of signs.
15. All 'For Sale' and 'To Let' boards will be removed no later than 3 days after completion of the sale or granting of the tenancy.
16. 'Sold' boards may be displayed for a period not exceeding 30 days after completion of sale.
17. 'On Show' boards for new developments may be erected on the specific site for a period of 6 months where after an extension of an additional 6 months may be obtained at the discretion of the Council.

#### **16.4 CLASS 2(D): AUCTIONEER SIGNBOARDS**

1. This type consists of signs announcing the sale of goods or livestock on land or on premises not normally used for commercial purposes. It may include auction sales of furniture and other household goods on residential premises or an auction of livestock or game on a farm.
2. This type will be allowed in all areas of control.
3. The size and height of signs allowed in this type, are as follows:

Size:	Maximum or Partial Control:	2m <sup>2</sup>
	Minimum Control:	2.8m <sup>2</sup>
Height:	Maximum height:	3m
4. The position and spacing requirements for this type of signs are as follows:
  - a) Not on road reserve or road reserve boundary.
  - b) Maximum of one sign per sale facing a road.
  - c) Only on premises / property or attached to boundary fence of property.
  - d) May be displayed 14 days prior to the event and should be taken down within 3 days after the event.
  - e) These signs may not be affixed to a land post.
5. These signs may not be illuminated or animated.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. No limitations to the colour and texture of signs.

#### **16.5 CLASS 2(E): PROJECT BOARDS AND DEVELOPMENT ADVERTISEMENTS**

1. Project boards consists of signs displaying the involvement of contractors and consultants in minor or major construction projects or alterations to existing structures or facilities and the development advertisements describes the type of development.

2. This type will be allowed in all areas of control.
3. The size and height of signs allowed in this type, are as follows:
  - a) Project Boards:
    - i) Maximum size: 1.5m<sup>2</sup> per consultant.
    - ii) Total Maximum size: 9m<sup>2</sup>.
    - iii) Maximum height: 3m.
  - b) Development Advertisements:
    - i) Maximum size: 6m<sup>2</sup> in maximum control area.
    - ii) Maximum size: 12m<sup>2</sup> in partial and minimum control area.
    - iii) Maximum height: 3m.
4. The position and spacing requirements for this type of signs are as follows:
  - a) Project boards:
    - i) One sign per streetfront per site.
    - ii) Not in road reserve.
    - iii) Only road construction sign will be allowed within the road reserve.
  - b) Development advertisements:
    - i) Only one advertisement per development.
    - ii) Only while relevant development is taking place.
    - iii) Not in road reserve.
5. Project boards may not be illuminated or animated. Development advertisements may be illuminated, only if the road is illuminated, but may not be animated.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. The sign may describe only the building or structure being erected or other work or activity being carried out during the duration of the project, and the names of the contractors or consultants concerned in such work or activity. The branches of the industry or the professions of the contractors or consultants may be listed.
8. Also included are signs describing the type of development being carried out on a site and giving details such as the type of accommodation being provided, floor space available and the name, address and telephone number of the developer or his agent.
9. Individual or single signs may be displayed only if no other consultants or contractors are involved or if a combined project board has already been erected.
10. Only one advertisement per contractor or consultant will be permitted per street frontage of a site, while in natural areas, only one advertisement per contractor or consultant per project may be allowed.
11. In all cases only one sign describing the type of development will be allowed per development.
12. Project boards concerning road construction may be positioned in any road reserve.
13. No limitations to the colour and texture of signs.
14. Project boards will be displayed only during the period when the construction works are actually taking place on the site.
15. A formal application has to be submitted to Council for this type of signs.

## **16.6 CLASS 2 (F): NEIGHBOURHOOD WATCH, SECURITY SIGNS AND SIMILAR SCHEMES**

1. This type consists of outdoor signs for neighbourhood watch, security signs and similar watch schemes indicating that a watch scheme / security company is in operation in the area or responsible for the security of that specific site. It also makes provision for signs containing the name, address and telephone number of a security company contracted to protect the premises on which the sign is displayed. Signs may refer only to the existence and operation of a commercial security service, burglar alarm system or neighbourhood watch or similar system or scheme.
2. This type will be allowed in all areas of control.
3. The size and height of signs allowed in this type, are as follows:
  - a) Size: Security signs: Maximum area: 0.35m<sup>2</sup>  
Neighbourhood and farm watch: Maximum area 1.5m<sup>2</sup>
  - b) Height: Maximum height: 3m
4. The position and spacing requirements for this type of signs are as follows:
  - a) Security signs: Urban area:
    - i) In urban areas only one sign per street boundary of a stand or subdivision will be permitted and such sign must be firmly affixed to the building, boundary wall, fence or gates on the street frontage or must be displayed within the boundaries of the stand.
    - ii) Minimum spacing of one per 30m length of street boundary.
  - b) Neighbourhood watch:  
A neighbourhood or farm watch sign may be erected within a road reserve, at the point where the watch area is entered. However, such signs may not be positioned on a road island or road median or inside a restricted area.
5. These signs may not be illuminated or animated.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. Not on a road island or median.
8. No limitations to colour and texture are imposed.
9. No formal application need to be submitted to Council for this type of signs.

## **16.7 CLASS 2 (G): PRODUCT REPLICAS AND THREE-DIMENSIONAL ADVERTISING SIGNS**

1. This type consists of product replicas and other three-dimensional devices used for the purpose of advertising and may be free-standing or attached to a building. This sign type must be associated only with shopping centres or other commercial areas or with entertainment or industrial areas.
2. These signs can function as on-premises business advertisements or as third party advertisements.
3. If it functions as an on-premises business advertisement, it must adhere to all the criteria of on-premises business advertisements.

4. If it functions as a third-party advertisement, it must adhere to the criteria as specified in Paragraph 2 and to the criteria for Small Billboards in Paragraph 2.4. No sign in this type may exceed the size of a small billboard in advertising space.
5. The size and height of signs allowed in this type, are as follows:
  - a) Size: Partial Control: Vertical Maximum:1.5m  
Diametre Maximum: 1m  
Minimum Control: Vertical Maximum:2m  
Diameter Maximum: 1.3m
  - b) Height: Partial Control: 3m  
Minimum Control: 4m
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. Signs attached to buildings or displayed on individual premises will be limited to one sign per enterprise.
8. Signs attached to buildings may not be displayed above the bottom edge of the second floor window and may not extend above the level of the underside of the eaves or gutter of any building.
9. The above conditions on position do not apply to entertainment districts.
10. No limitations to colour and texture are imposed.
11. Product replicas may not dominate prominent architectural features of any building with the exception of buildings in entertainment districts.

#### **16.8 CLASS 2(H): PROTOTYPES OF ADVERTISING STRUCTURES**

1. This type consists of prototypes of new advertising structures which the industry intends to introduce to the market used for the purpose of advertising and may be free-standing or attached to a building.
2. These signs can function as on-premises business advertisements or as third party advertisements.
3. If it functions as an on-premises business advertisement, is must adhere to all the criteria of on-premises business advertisements.
4. If it functions as a third-party advertisement, it must adhere to the criteria as specified in Paragraph 2 and to the criteria for Small Billboards in Paragraph 2.4. No sign in this type may exceed the size of a small billboard in advertising space.
5. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
6. No limitations to colour and texture are imposed.
7. Product replicas may not dominate prominent architectural features of any building with the exception of buildings in entertainment districts.
8. No temporary prototype of and advertising structure may be erected without the approvals from the Council.

## 16.9 CLASS 2(I): ADVERTISEMENTS ON STREET FURNITURE

1. This type consists of advertising on public facilities and structures which are not intended primarily for advertising but which are provided for pedestrians and commuters and may include seating benches, planters, pavement litter bins, pole-mounted bins, bus shelters, pavement clocks and drinking fountains.
2. This type will be allowed in areas of maximum, partial and minimum control.
3. The size and height of signs allowed in this class, are as follows:

Size:	Maximum 2.2m <sup>2</sup>
Height:	Maximum 4m
Clearance height:	2.4m (if applicable)
Distance from road edge:	Minimum 0.3m

### For Bus and Public / Pavement shelters:

Size:	≤ 3m <sup>2</sup> per side panel
Size:	≤ 5m <sup>2</sup> per back panel

4. The position and spacing requirements for this type of signs are as follows:
  - a) Allowed inside road reserve.
  - b) No closer than 1.8m from road edge or 0.3m of cycle path, footpath or sidewalk.
  - c) Spacing of street furniture will be decided on by Council on a case to case basis.
  - d) Not to obstruct pedestrian movement.
  - e) May not in any way interfere with the sight distances of motorists.
5. These signs may be illuminated but may not be animated.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. Street furniture and advertising furniture higher than 3m may be used only as focal points.
8. It provides ample opportunity for third-party advertising along roads and streets inside road reserves as well as opportunities for third-party advertising in public spaces and in other pedestrian-orientated areas at shopping centers, shopping malls and at transport nodes.
9. Street furniture may not be used or positioned for the primary or sole purpose of advertising, but the location of street furniture will be determined by the need for the specific structure, and will be at locations as determined by or approved by the Council.
10. This type provides opportunities for making creative and positive contributions to streetscapes.
11. Bus Shelters may be constructed in accordance to the Council requirements and designs approved by the Council.

## 16.10 CLASS 2 (J): SUBURB NAME SIGN ADVERTISEMENT

1. This type consists of pole mounted location signs (road traffic sign) at entrances to suburbs, carrying an advertising sign beneath the suburb name.



2. This type will be allowed in areas of maximum, partial and minimum control.
3. The size and height of signs allowed in this type, are as follows:
  - Size: Not wider than suburb sign and rectangular in shape.  
Should be less conspicuous than the suburban name.  
Maximum height of the advertisement: 0.8m, or the same height as the suburb name, whichever is the lesser.
4. The position and spacing requirements for this type of signs should be according to Council specifications.
5. These signs may not be illuminated or animated, unless approved by the Council.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. Suburban ads are permitted within road reserves, as determined by Council.
8. As these signs are attached to *suburb name sign*, which are road traffic signs, their positioning must be dependent on the positioning of the *suburb name sign*. However *suburb name signs* positioned on road islands, medians and within the restricted area may not be used to carry suburban ads, except if so considered by the Council.
9. No colours that may cause confusion with road traffic signs may be used.
10. The background of the advertising sign may not be retro-reflective or fluorescent.

#### **16.11 CLASS 2(K): STREET NAME ADVERTISEMENTS**

1. This sign type consists of pole-mounted, double-sided, internally illuminated advertisements displayed in combination with *street name signs* in the urban environment.
2. This type will be allowed in area of maximum, partial and minimum control.
3. The size and height of signs allowed in this type, are as follows:
  - a) Size: Maximum Area: 1m<sup>2</sup>
  - b) Height: Clear height: At least 2.1m and not more than 3.0m to the street name.
4. The position and spacing requirements for this type of signs are as follows:
  - a) Street name section below advertising section, but not closer than 200mm.
  - b) May not extend over the road surface.
  - c) Maximum of two illuminated advertising signs per intersection, preferably on diagonal corners of the intersection.
  - d) Inside road reserve but not on road medians or islands.
5. These signs may be illuminated as follows:
  - a) Static illumination, if in view of a signalized intersection, the advertisement may not contain predominantly red, amber or green colours.
  - b) Static illumination not exceeding luminance of street name section.

- c) Internal illumination only with the proviso that the degree of illumination intensity is equal for both parts of the sign.
  - d) Illuminated portion should be higher than the standard traffic signals.
  - e) These signs may not be animated and may not flash.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
  7. These signs will constitute an important service to both the motorist and the pedestrian in locating such facilities and functions.
  8. The street name must be in black letters on a white background.
  9. Any street name on the advertising space must be smaller and less conspicuous than the street name on the actual street name panel. The layout of the advertising panel must be such that there is not any confusion with the street name on the street name panel of the sign.

## **17 CLASS 3: SIGNS ON BUILDINGS, STRUCTURES AND PREMISES**

### **17.1 CLASS 3(A): FREE-STANDING SIGNS AT EDUCATIONAL FACILITIES AND INSTITUTIONS**

1. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, shall apply.
2. Free-standing signs at educational facilities and institutions shall indicate the name and nature of the facility or institution. The sponsor may not take up more than 50% of the area of the advertisement.
3. The top height of free-standing signs at educational facilities and at institutions may not exceed 7.5 m.
4. A maximum total display area of 36m<sup>2</sup> per street front is allowed. Such display area can be divided into numerous signs of equal size, form and construction, provided distances between signs are maintained as per provision of Paragraph 2.
5. Free-standing signs at educational facilities and at institutions may only be displayed on property boundaries adjacent to public roads.
6. No free-standing signs at educational facilities and at institutions may be placed on or next to property boundaries adjacent to parks, municipal-landscaped areas, traffic circles and other areas as determined by the Council.
7. Free-standing signs and supporting structures at educational facilities and institutions must either form an aesthetic and integral part of a substantive architectural element or must harmonize with buildings, boundary walls or nearby and other structures on the premises as far as materials, color, texture, form, style and character are concerned and be placed on the street frontage boundary to the satisfaction of the Council.
8. Illumination may be considered, and an Advertising Impact Assessment may be requested.

9. Free-standing signs at educational facilities and at institutions may not, in any way detrimentally affect the residential character and amenity of the neighbourhood or any other amenities of the area and/or the surroundings.

## **17.2 CLASS 3(B): SKY SIGNS**

1. This type consists of very large signs between 75m<sup>2</sup> and 300 m<sup>2</sup> on top of sky scrapers in metropolitan areas. It may also include any sign consisting of a single line of free-standing, individual, cut-out, silhouetted letters, symbols or emblems. Sky signs can be important landmarks in larger urban centres.
2. This type will be allowed in city centre areas or in other areas as determined by the Council.
3. The size and height of signs allowed in this type, are as follows:
  - a) Size: 75m<sup>2</sup> – 300m<sup>2</sup> per building
  - b) Height: Depend on height of building, or to be considered by the Council
4. The position and spacing requirements for this type of signs are as follows:
  - a) Maximum of 5 signs / city centre, or as determined by an AIA to the satisfaction of the Council. The maximum may be increased by Council to 10 signs / city centre, after careful consideration.
  - b) May not project in front of a main wall of host building, so as to extend beyond the roof of such a building in any direction.
  - c) May not obstruct the view from other building.
  - d) Sign to be set against a screen.
5. These signs may be illuminated, but not animated.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. No limitations to colour and texture are imposed.
8. All sky signs must be designed by a structural engineer.
9. Approval for display will not be granted for an indefinite period. Approval can be granted for a period of three (3) years. After this three (3) years have expired, a request for the extension of the approval period for a maximum of another two (2) years can be submitted to the Council, with the first right of refusal to the existing structure owner. The advertising structure must be erected within five (5) months after approval. Extend of time may be considered by Council for another one (1) month, with good motivation and formal application for extend of time, from the applicant to the Council. The requirement for the extension of time from the applicant should reach the Council prior to the expiry of these five (5) months. If not, the approval will lapse and a new application will need to be submitted.
10. An approved structure must display an advertising sign or message within two (2) months after erection.

## **17.3 CLASS 3(C): ROOF SIGNS**

1. This type consists of signs which are fixed to the roofs of buildings lower than 10 floors and used or partly used for commercial, office, industrial or entertainment purposes.
2. This type will be allowed in areas of partial and minimum control.

3. The size of signs allowed in this type, are as follows:
  - a) Size: Maximum area for locality bound signs, if the sign is:
    - <6m above ground: 2m<sup>2</sup>
    - 6m<9m above ground: 4m<sup>2</sup>
    - 9m<12m above ground: 8m<sup>2</sup>
    - 12m<18m above ground: 12m<sup>2</sup>
    - 18m+ above ground: 18m<sup>2</sup>
    - Bottom of sign not more than 120mm above roof, or any reasonable distance, as approved by Council.
  - b) Size: Maximum area for non-locality bound signs, if the sign is:
    - <6m above ground: 6m<sup>2</sup>
    - 6m<9m above ground: 12m<sup>2</sup>
    - 9m<12m above ground: 24m<sup>2</sup>
    - 12m<18m above ground: 36m<sup>2</sup>
    - 18m+ above ground: 56m<sup>2</sup>
    - Bottom of sign not more than 120mm above roof, or any reasonable distance, as approved by Council.
4. The position, spacing and general requirements for this type of signs are as follows:
  - a) For non-locality bound signs, the criteria specified in Paragraph 2 should be adhered to.
  - b) Maximum one sign per building.
  - c) Not project in front of a main wall of host building.
  - d) In a partial control area, it must be placed below the ridges of pitched roofs, and not be part of the skyline.
5. These signs may be illuminated, but not animated.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. Signs fixed to roofs of verandahs or balconies are not included in this type.
8. The main purpose of the locality bound signs in this type is to provide an opportunity for indicating important commercial, office, industrial or entertainment functions in a more prominent manner or for indicating commercial, office, industrial or entertainment functions or enterprises where the structure of a building hinders or prohibits the application of any other appropriate sign type.
9. Roof signs may also include any sign consisting of a single line of free-standing, individual, cut-out, silhouetted letters, symbols or emblems.
10. A roof sign must be constructed in a straight line, except in the case of a V-construction. In the case of a V-construction, the two sides forming the sides of the V must be of equal length. Furthermore, the distance between the sides at the open end (furthest from the apex of the V) must not exceed the length of the sides.
11. The sign may not exceed 300 mm in thickness, except in the case of a V-construction sign.
12. An advertising impact assessment may be required for any roof sign in excess of 40m<sup>2</sup>.
13. No limitations to colour and texture are imposed.

14. Approval for display will not be granted for an indefinite period. Approval can be granted for a period of three (3) years. After this three (3) years have expired, a request for the extension of the approval period for a maximum of another two (2) years can be submitted to the Council, with the first right of refusal to the existing structure owner. The advertising structure must be erected within five (5) months after approval. Extend of time may be considered by Council for another one (1) month, with good motivation and formal application for extend of time, from the applicant to the Council. The requirement for the extension of time from the applicant should reach the Council prior to the expiry of these five (5) months. If not, the approval will lapse and a new application will need to be submitted.
15. An approved structure must display an advertisement or message within two (2) months after erection.

#### **17.4 CLASS 3(D): FLAT SIGNS**

1. This type consists of signs which are affixed to any external or main wall of a building used for commercial, office, industrial or entertainment purposes, excluding a parapet wall, balustrade or railing of a verandah or balcony of such a building.
2. This type will be allowed in the following areas of control:
  - a) Areas of maximum control: Only in suburban nodes, then only on commercial, office, industrial and entertainment buildings, and only locality-bound;
  - b) Areas of partial control;
  - c) Areas of minimum control.
3. The size of signs allowed in this type, are as follows:
 

a) Locality-bound:	<u>Maximum control area:</u> Size: <20% of ground floor facade. <u>Partial &amp; Minimum control area:</u> Size: <30% of ground floor facade.
Third-party:	<u>Shopping centres:</u> Size: < 30% of specific facade. <u>Size:</u> Maximum of 150m <sup>2</sup> or a maximum of 70% of the wall area, whichever is the lesser.
4. The position and spacing requirements and some general conditions for this type of signs are as follows:
  - a) Locality-bound: Front walls of buildings, or any other wall.
  - b) Third-party: Only to side and back walls of buildings with maximum one per wall.
  - c) Maximum control: One per enterprise.
  - d) Partial & minimum control: Two per enterprise.
  - e) Not to extend above top / beyond either end of wall.
  - f) Where third-party flat signs are erected, it should adhere to the criteria for Class 1 structures.
5. These signs may be illuminated but not animated.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.

7. Such signs may at no point project more than 300 mm from the surface of the main wall.
8. A flat sign may consist of a panel/sheet or of individual numbers, letters or symbols.
9. A distinction can be drawn between:
  - a) Locality-bound flat signs which are attached to the front walls of buildings but which may also be attached to side and back walls.
  - b) Third-party flat signs which may be much larger and may be attached only to the side and back walls of buildings which do not fulfill the function of a building facade.
10. This sign type is not applicable to buildings used for residential purposes or for community services or community institutions, small enterprises and practices on residential premises, or small scale residential-oriented accommodation.
11. In areas of minimum and partial control flat signs may be allowed rather freely at ground and first floor level in accordance with the commercial, industrial or entertainment character of such areas. Necessary control must be applied with regard to third-party flat signs and flat signs above first-floor level.
12. An advertising impact assessment may be required for any flat sign in excess of 40m<sup>2</sup>.
13. The maximum projection of any part of a flat sign over footway or ground level must be 75mm where such sign is less than 2,4m above the sidewalk or ground level immediately below such sign and 300mm where such sign is more than 2,4m above such footway or ground level.
14. The above conditions on position do not apply to entertainment areas.
15. No limitations to colour and texture are imposed.
16. Wall units to display flat signs at shopping centres must be designed in such way as to form a structural and architectural whole with such buildings.
17. Approval for display will not be granted for an indefinite period. Approval can be granted for a period of three (3) years. After this three (3) years have expired, a request for the extension of the approval period for a maximum of another two (2) years can be submitted to the Council, with the first right of refusal to the existing structure owner.

### **17.5 CLASS 3(E): PROJECTING SIGNS**

1. This type consists of signs which are affixed to an external or main wall of a building used for commercial, office, industrial or entertainment purposes and which projects more than 300mm from the surface of the main wall and which is affixed at right angles to the street line.
2. This type will be allowed in the following areas of control:
  - a) Areas of maximum control (only centers of economic activity, buildings utilized for commercial, office, industrial, entertainment, accommodation).
  - b) Areas of partial control.
  - c) Areas of minimum control.

3. The size and height of signs allowed in this type, are as follows:

<b>AREAS OF MAXIMUM CONTROL</b>		
	Clear height of sign	
	Below 6m	Above 6m
Maximum size	1,2m <sup>2</sup>	4,0m <sup>2</sup>
Maximum horizontal dimension	1,0m	1,5m
Maximum vertical dimension	1,5m	3,0m
<b>AREAS OF PARTIAL AND MINIMUM CONTROL</b>		
	Clear height of sign	
	Below 6m	Above 6m
Maximum size	2,4m <sup>2</sup>	8,0m <sup>2</sup>
Maximum horizontal dimension	1,5m	2,0m
Maximum vertical dimension	3,0m	5,0m

4. The position and spacing requirements for this type of signs are as follows:
- a) Only one per enterprise façade.
  - b) Right angles to street line.
  - c) Vertical distance between sidewalk and sign must be more than 0.46m from vertically projected kerblines.
5. These signs may be illuminated but not animated.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. This sign type is not applicable to buildings used for residential purposes or for community services of community institutions, small enterprises and practices on residential premises, or small-scale residential-oriented accommodation.
8. Only locality-bound projecting signs will be allowed in all areas with the exception of entertainment areas.
9. A projecting sign may not be fixed at a clear height of less than 2.4m nor exceed 300mm in thickness.
10. In areas of minimum and partial control projecting signs may be allowed rather freely below the lower edge of visible second-floor windows in accordance with the commercial, industrial or entertainment character of such areas.
11. Necessary control will be applied with regard to signs above the lower edge of visible second-floor windows.
12. A projecting sign may not extend beyond the top of the main wall to which it is affixed or above the level of the top of any parapet wall, or above the level of the underside of the eaves or gutter of a building from which the sign projects.
13. Projecting signs may be suspended above sidewalks and therefore above road reserves.
14. A sign with a clear height of less than 6m may not project at any point more than 1 800mm from the surface of the main wall to which it is affixed, or more than one half of the width of the sidewalk immediately below such sign, whichever is the smaller dimension.

15. The sign may not be fixed in any way other than the top and the bottom of the sign being in the same vertical plane.
16. No limitations to colour and texture are imposed.
17. Signs supports must be neatly constructed as an integral part of the design of the sign or otherwise it must be concealed from view.
18. Structural drawings must be submitted for all projecting signs with a clear height of more than 6m.

#### **17.6 CLASS 3(F): VERANDAH, BALCONY, CANOPY AND UNDERAWNING SIGNS**

1. This type consists of:
  - a) Signs affixed flat onto or painted on a parapet wall, balustrade or railing of a verandah or balcony.
  - b) Signs affixed flat onto or painted on the fascia of a verandah or beam over verandah columns.
  - c) Signs affixed flat onto or painted on the fascia of a roof structure without walls such as a roof covering petrol pumps at a filling station.
  - d) Signs suspended below the roof of a verandah or balcony (under awning signs).
  - e) Signs placed on top of the roof of a verandah.
  - f) Signs affixed to or painted on a pillar, column or post supporting a verandah, balcony or a roof structure without walls.
  - g) Signs painted or printed on the fabric of a canopy or blind.
2. This type will be allowed in the following areas of control:
  - a) Areas of maximum control (only centers of economic activity).
  - b) Areas of partial control.
  - c) Areas of minimum control.
3. The size and height of signs allowed in this type, are as follows:
  - a) Maximum vertical dimensions: 0.75m
  - b) Maximum horizontal dimensions: 2.4m
  - c) Projection: 100mm from surface
  - d) Under awning signs:  
Clear height: Min 2.4m  
Maximum horizontal dimensions: 2m  
Maximum sign area: 1m<sup>2</sup> per face  
Maximum total area: 2m<sup>2</sup>
  - e) Signs on top of verandah roofs:  
Maximum area: 1m<sup>2</sup>
  - f) Signs on pillar / column / post:  
At filling station:



Maximum sign area: 1m<sup>2</sup> per face  
Maximum total area: 2m<sup>2</sup>  
Projecting: < 50mm

- g) Under verandahs, canopy OR on verandahs, canopy over street:  
Clear height: Min 2.4m  
Top of sign: <1m below top of canopy / verandah  
Maximum horizontal dimensions: 1m
  - h) Verandahs and canopies over street:  
Maximum horizontal dimensions: 0.6m
4. The position and spacing requirements for this type of signs are as follows:
- a) Only on commercial, office, industrial or entertainment premises.
  - b) Not to extend beyond any extremity of wall, balustrade, railing, beam, fascia.
  - c) One sign per enterprise.
  - d) For an enterprise with a facade exceeding 20m in length, more than one sign may be allowed but such signs must be spaced at a minimum of 6m intervals and the sign length (horizontal dimension) per enterprise facade must be limited to 4m.
  - e) May be suspended above sidewalks.
  - f) Balcony signs: Not above lower edge of 2<sup>nd</sup> floor window.
  - g) Under awning signs: Aimed at pedestrians.
  - h) Signs on top of verandah roofs: Aligned with signs on adjacent buildings, parallel to end of verandah, not cover window / obstruct view
  - i) Under verandahs, canopy OR on verandahs, canopy over street: Not to extend beyond outer edge of verandah or canopy.
5. These signs may be illuminated as follows:
- a) Illuminated only if the clear height at street intersection is > 6m
  - b) Verandahs and canopies over street: No illumination at intersections for canopies over street
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. Only verandahs, balconies and canopies which form part of buildings used for commercial, office, industrial or entertainment purposes or roofed structures without walls which are situated on premises used for such purpose will be of relevance to this type.
8. The following will be relevant with regard to signs affixed flat onto or painted on a parapet wall, balustrade or railing of a verandah or balcony; affixed flat onto or painted on the fascia of a verandah or beam over verandah columns or affixed flat onto or painted on a fascia of a roof structure without walls.
9. No sign may extend above or below or beyond any of the extremities of a parapet wall, balustrade, railing, beam or fascia.
10. No more than one sign per enterprise facade will be allowed.

11. Signs on balconies must not be displayed above the lower edge of any visible second-floor window.
12. The following is applicable with regard to signs on top of verandah roofs:
  - a) Signs may be placed on top of verandah roofs only where such a verandah does not have an appropriate parapet wall, balustrade, railing, fascia or beam on which a sign may be affixed.
  - b) Signs on adjacent buildings must be aligned with each other in order to form a straight line.
  - c) Signs must be set parallel to the end of the verandah that faces the street or as near thereto as the configuration of the verandah roof will permit.
  - d) Signs must not exceed beyond the extremities of the verandah roof nor project beyond the rear of any verandah roof gutter.
  - e) A sign may not cover any window or obstruct the view from any such window.
  - f) Only one sign per enterprise facade will be allowed.
13. The following is applicable with regard to supporting columns, pillars or posts:
  - a) All signs must be painted on or affixed flat onto the supporting column, pillar or post. Projecting signs may be affixed only to columns, pillars or posts supporting a roof over fuel pumps at a filling station or roadside service area.
  - b) No sign affixed flat onto a supporting column, pillar or post may project more than 50mm from the surface to which it is affixed.
  - c) No sign affixed flat onto a supporting column, pillar or post may extend beyond any of the extremities of such column, pillar or post. Signs affixed flat onto non-rectangular supporting structures must be curved to fit the form of such a structure.
  - d) Only one sign per pillar, post or column will be allowed, including signs projecting from pillars, posts or columns supporting a roof at fuel pumps.
  - e) No posters or placards may be pasted onto any supporting column, pillar or post.
14. The following is applicable with regard to canopy signs:
  - a) The advertisement must form an integral part of the canopy or blind without domination of the canopy structure or blind.
  - b) Any canopy must complement the architecture and visual appearance of the building to which it is affixed and must not dominate such building.
15. Signs may be suspended above sidewalks and therefore above road reserves.
16. No limitations to colour and texture are imposed.
17. No illuminated sign or sign designed to reflect light may be attached to or displayed on any splayed or rounded corner of a verandah, canopy or balcony at a street intersection, unless the bottom of such sign is a minimum of 6m above the street immediately below.

### **17.7 CLASS 3(G): ADVERTISEMENTS PAINTED ON WALLS, ROOFS AND MURALS**

1. This type consists of signs painted directly on the main walls or roofs of a building used for commercial, office, industrial or entertainment purposes.
2. This type will be allowed only in areas of minimum and partial control.
3. The size of signs allowed in this type, are as follows:
  - a) < 20 % of ground floor façade of the enterprise
  - b) On side or back walls: < 36 m<sup>2</sup>
  - c) Maximum 30% of total wall area
4. The position and spacing requirements and some general conditions for this type of signs are as follows:
  - a) Painted on walls of building used for commercial, office, industrial or entertainment purposes and only on roofs of industrial buildings.  
  
Locality bound:  
One sign per enterprise.  
Allowed on facade walls, roofs, side and back walls.  
On facade: Below lower edge of second floor window.  
  
Third-party sign:  
One per wall.  
Only on side or back walls.
5. These signs may not be illuminated or animated.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. Mural advertisements (artistic designed figures) may be considered by the Council on a merit basis and can at the most include a logo of a third party, of which the size should be limited to no more than 20% of the total area of the advertisement. No illumination or animation will be allowed for mural advertising.
8. The actual size of such sign will depend on the size of the side or back wall concerned and on factors such as the character and appearance of the building and the streetscape as a whole.
9. No more than one sign per enterprise will be allowed while no more than one non-locality-bound sign per wall must be allowed.
10. Third-party signs will be limited to the side or back walls of buildings which do not fulfill the function of building facades. Third-party signs must adhere to the criteria for billboards as in Paragraph 2.
11. No limitations to the colour and texture are imposed.
12. In areas of maximum control no internally illuminated sign inside a building may be visible from outside the building.

### **17.8 CLASS 3(H): WINDOW SIGNS**

1. This type consists of signs which are permanently painted on or attached to the window-glass of a building used for commercial, entertainment, office or industrial purposes or any other permanent sign which is displayed within two metres of any

window or other external opening through which it can be seen from outside such a building. These signs are used mainly for sales promotions and other advertisements which are aimed at attracting the attention of both road users and pedestrians. Non locality bound products, activities and services may also be included in this type. Price tickets on items inside such buildings which are smaller than 0,01m<sup>2</sup> must be excluded from this type.

2. This type will be allowed in the following areas of control:
  - a) Areas of maximum control (only centers of economic activity, only on ground floor windows);
  - b) Areas of partial control;
  - c) Areas of minimum control.
3. The size and height of signs allowed in this type, are as follows:
  - a) Natural and maximum control:  
Area: <10% of ground floor window area.
  - b) Rural and Partial control:  
Area: <25% of ground floor window area.
  - c) Minimum control:  
Area: <50% of ground floor window area.
4. The position and spacing requirements for this type of signs are as follows:
  - a) The building should be used for commercial, entertainment, office, or industrial purposes.
  - b) No signs allowed above ground-floor level.
5. In areas of maximum control, no internally illuminated signs inside the building should be visible from outside the building.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. Colours must be in harmony with the rest of the building and the general streetscape in areas of maximum control.

### **17.9 CLASS 3(I): SIGNS INCORPORATED IN THE FABRIC OF A BUILDING**

1. This type consists of advertisement incorporated in and forming an integral part of the fabric of a building.
2. This type will be allowed in all areas of control.
3. These signs may be illuminated if allowed by the Council, but not animated.
4. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
5. Some general conditions for this type of signs are as follows:
  - a) Mostly historical buildings, but may also apply to modern buildings.
  - b) Building, structure / external face of building should not be used principally for display of signage.

6. An advertisement fixed to or painted on a building is not included in this type.
7. This type applies mostly to historical buildings but may also apply to modern buildings and structures such as farm gates.
8. No specific limitations are set provided the building or structure or any external face of it is not used principally for the display of advertisements.
9. Such advertisements must also be in balance with the scale of the building and must be visually and architecturally integrated in the building or structure.
10. No sign displayed may, in the opinion of the Council, distract the attention of a driver in a manner likely to lead to unsafe driving conditions.
11. No sign may, in the opinion of the Council, be displayed in such a manner as to be detrimental or have a negative aesthetic impact on the urban design, streetscape or character of the environment.
12. All signs must be maintained properly.

**17.10 CLASS 3(J): ADVERTISING SIGNS ON FORECOURTS OF BUSINESS PREMISES AND ON SIDEWALKS DIRECTLY IN FRONT OF BUSINESS PREMISES**

1. This type consists of notices, signs and advertisements displayed in forecourts of business and on sidewalks in front of business premises to draw attention to any commercial services, goods for sale, or other services available at the premises.
2. This type will be allowed in the following areas of control:
  - a) Areas of maximum control (only centers of economic activity);
  - b) Areas of partial control;
  - c) Areas of minimum control.
3. The size and height of signs allowed in this type, are as follows:
  - a) Size:
 

Maximum area:	Single sided: 0.75m <sup>2</sup>
	Double sided: 1.5m <sup>2</sup>
	Maximum total area per forecourt frontage / premises: 3m <sup>2</sup>

  
 Filling stations & roadside service areas:  
 Maximum total area per forecourt frontage / premises: 8m<sup>2</sup>
4. The position and spacing requirements and some general conditions for this type of signs are as follows:
  - a) In forecourts (outdoor area as functional part of a building) of businesses.
  - b) Free-standing.
  - c) No further than 10m from the forecourt area.
  - d) A forecourt sign may, in the opinion of the Council, not be positioned in such a way as to interfere with pedestrian circulation.
  - e) Forecourt signs must be aimed at passing pedestrians and the users of the forecourt space concerned and must not be aimed at passing motorists.

5. These signs may be illuminated but not animated.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. A forecourt is an outdoor area which forms a functional part of a building, housing an enterprise and may include the area at a filling station where the pumps are situated, a terrace in front of a restaurant or café, a sidewalk café, etc.
8. Any enclosing fence, wall, screen or similar structure will form part of a forecourt.
9. Signs complying with the guidelines given below may be displayed on forecourts in urban areas and on forecourts in centres of economic activity in natural and rural areas and on sidewalks directly in front of business.
10. Provision may also be made for additional non-free-standing signs at filling stations and service areas attached to fuel pumps, vending machines and similar non-advertising structures which must have a maximum size of 0,15 m<sup>2</sup> per sign.
11. A maximum of one sidewalk sign is permitted per business during business hours only and complies with the same specifications of that of a forecourt sign.
12. As this type permits advertisement on the forecourts of business premises and sidewalks, signs or advertisements must be free-standing with the exception of additional signs at filling stations and roadside service areas attached to fuel pumps and similar non-advertising structures.
13. No limitations to the colour and texture are imposed.
14. Hand-written messages are allowed on boards provided for this purpose.

**17.11 CLASS 3(K): MISCELLANEOUS SIGNS FOR RESIDENTIAL ORIENTED LAND USE AND COMMUNITY SERVICES**

1. This type consists of a variety of smaller notices and signs to be displayed on buildings or premises utilised for residential-oriented purposes and community services. This type is aimed primarily at urban residential areas and community services but it includes places of residence in natural and rural environments such as farms and smallholdings and community services such as farm schools.
2. This type will be allowed in all areas of control for home undertakings and community institutions.
3. The size and height of signs allowed in this type, are as follows:
  - a) Size:
    - i) Direction/warning sign:  
Area: 0.5m<sup>2</sup>  
More entrances to premises: Area: 0.5m<sup>2</sup> per frontage  
Max area: 1m<sup>2</sup>
    - ii) Name of enterprise/practice/ accommodation / partner:  
Area: 1.5m<sup>2</sup>  
More entrances:  
Max area: 1.5m<sup>2</sup> for 2 ads
    - iii) Solid structure for above 2 types  
Area: 3m<sup>2</sup>, 50% usage of area

- iv) Combination ad:  
Area: 1m<sup>2</sup> per farm/enterprise
  - v) Name of institution & other community facilities:  
Max area: 3m<sup>2</sup> / enterprise  
More entrances:  
Max area: 3m<sup>2</sup> for 2 ads
  - vi) Solid structure for above type:  
Area: 6m<sup>2</sup>, 50% usage of area  
Combination ad:  
Area: 2m<sup>2</sup> per institution
  - vii) Street numbers:  
Letter size: > 150mm < 350mm
  - viii) Free standing signs:  
Max height: 3m  
Max height: Combination sign: 4m
  - ix) Name / logo of Sponsor:  
Only on name of farm/ smallholding: < 1/3 of area
4. The position and spacing requirements and some general conditions for this type of signs are as follows:
- a) Only on premises referred to, on boundary wall, fence, and gates.
  - b) Small holdings signs: Next to entrance of access road or on gate of entrance.
  - c) Freestanding only when not possible to fix to building / wall / boundary fence.
  - d) Not in road reserve.
  - e) One per street frontage.
  - f) Home undertakings:
    - i) Must form integral part of architecture of wall on street frontage.
    - ii) Sign mainly to indicate name.
    - iii) <30% to indicate nature of undertaking.
  - g) Community Institutions / facilities:
    - i) No product ads / sales ads.
    - ii) <20% name / logo of sponsor.
    - iii) Not painted on boundary walls.
5. These signs may not be illuminated in natural and rural areas of control. These signs may not be animated.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. This type will be limited to the following:
- a) Identification, direction and warning with regard to place or residence, e.g.:
    - i) Street numbers and names of houses, flat complexes, farms and smallholdings.
    - ii) Notices and signs such as “Beware of the dog”, “No parking please”, “Close the gate”, and “No entrance”.
    - iii) Nature of farms/smallholding and main activity on farm smallholdings.

- b) Small business, enterprises and practices on urban residential premises (including urban smallholdings but excluding rural smallholdings) or in buildings that were originally constructed and used for residential purposes or for community services (i.e. residential areas where office and commercial encroachment has taken place.) The name and nature of the business, practice or enterprise. The name(s) of the owner, practitioner or partners.
  - c) Small-scale urban accommodation facilities with a residential and neighbourhood character such as guest houses, bed and breakfast facilities, boarding houses and smaller hotels. Name and nature of the facility/enterprise. Name(s) of the proprietor or partners.
  - d) Community services and institutions such as religious, educational; cultural, recreational and certain medical and similar institutions.
    - i) Name and nature of institution.
    - ii) Name(s) of practitioner(s).
    - iii) Nature and extent of service, opening times, etc.
8. A variety of signs, which differ in appearance and character, may be used in this type, such as:
- a) Signs affixed flat onto or painted on a building and other existing structures such as boundary walls, gates and gate structures.
  - b) Pole-mounted signs.
  - c) Signs which include more solid and elaborate supporting structures that form a visual border around the sign panel.
9. It may be necessary to have building plans approved for certain supporting structures.
10. Direction and warning signs and notices such as “Beware of the dog” and “Close the gate” may not exceed a total area of 0,5m<sup>2</sup> per premises, but if there is more than one entrance to the premises on different road frontages, a total sign area of 1 m<sup>2</sup> may be displayed (with not more than 0,5m<sup>2</sup> per frontage).
11. Name and nature of enterprise, practice, accommodation facility and place of residence as well as name of proprietor, partner or practitioner.
12. In cases where more than one farm or smallholding share the same unnumbered or private access route or more than one enterprise share the same premises, a combination sign or collective board may be provided which will allow for 1 m<sup>2</sup> per farm, smallholding or enterprise.
13. Where several smallholdings are sharing the same access road a smaller sign indicating the property numbers in question only may be considered instead of a larger combination sign indicating property names and names of owners.
14. Signs on buildings used for residential purposes other than dwelling-houses.
15. 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 400mm brass or other metal plate displaying the name of the company owning or managing such building, its logo and telephone number, may be displayed.
16. Street numbers: One sign per road frontage of each premise is allowed with a minimum letter size of 150mm and a maximum letter size of 350mm.



17. The name or logo of the sponsor of a sign will be allowed only on the name signs of farms and smallholdings and must not occupy more than one third of the total area of the sign.
18. All signs in this type will be allowed only on the premises to which they specifically refer or on the boundary wall or fence or gate of such premises.
19. Farm or smallholding name signs may be displayed next to the entrance of the access road to the homestead or alternatively it must be affixed to the gate at the entrance of such access road.
20. If any official traffic sign bearing a destination or route number is displayed at the entrance to such access road, no farm/smallholding name signs will be allowed.
21. Free standing signs in this type will be allowed only when it is not practical or visually acceptable to attach a sign to a building, boundary wall, boundary fence, gate or gate structure.
22. No animation is allowed in natural and rural areas.
23. Signs and, especially, supporting structures should harmonise with the buildings and other structures on the premises as to materials, colour, texture, form, style and character, wherever possible.
24. A standardized name sign (colour, form and letter type) for all smallholdings in a specific area, indicating, the name of the smallholding, the name of the owner as well as the property number, is preferable.
25. No formal application need to be submitted to Council for this type of signs.

#### **17.12 CLASS 3(L): ON-PREMISES BUSINESS SIGNS**

1. This type consists of locality-bound signs which are aimed at identifying and locating businesses, enterprises and industries in urban areas, businesses and enterprises at centres of economic activity in natural and rural areas, including farm stalls and other enterprises on farms and smallholdings.
2. This type will be allowed in all areas of control.
3. The size and height of signs allowed in this type, are as follows:
  - a) Size: Maximum control: Maximum area: 6m<sup>2</sup>  
 Partial / Minimum control: Maximum area: 12m<sup>2</sup>
  - b) Height: Maximum control: Maximum height: 7m  
 Partial / Minimum control: Maximum height: 7.5m (may be increased to 10m if allowed in town planning scheme)
  - c) Sponsor name/logo: Maximum of 50% of total sign area
4. The position and spacing requirements for this type of signs are as follows:
  - a) Only locality bound ads.
  - b) Individual free-standing on business premises only for specific conditions.
  - c) One sign / one panel per enterprise or one per entrance (max two).

- d) Placed close to enterprise or if not close or visible from road, then at the entrance road to the relevant property.
5. Preference will be given to combination signs.
6. These signs may be illuminated but not animated.
7. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
8. This sign type will include only the following:
  - a) Individual free-standing signs on specific business premises.
  - b) Signs on appropriate structures on specific premises, such as boundary walls, gates and gate structures.
  - c) Combination signs which indicate several businesses or enterprises and which are provided at shopping centres, industrial areas and parking areas shared by several enterprises. In this case the concept of locality-bound is broadened so that premises include the shopping centre or industrial estate as a whole for a communal parking area, together with related enterprises.
9. This type will not include small businesses on urban residential sites or in buildings that were originally constructed for residential or community purposes.
10. This type does not cater for all business, but will only be provided in the following instances.
  - a) Where the building housing an enterprise is situated relatively far back from the road or street onto which it faces and passing motorists or pedestrians may have difficulty in noticing any signs affixed to such a building.
  - b) In cases where it is not structurally possible or visually feasible to affix appropriate signs.
  - c) Where such a sign is needed to locate the entrance to business premises or the private access road to a business.
  - d) Where a free-standing combination sign may prevent the proliferation of signs.
11. Only one sign or advertising panel on a combination sign will be allowed per enterprise.
12. If there is more than one entrance to premises on different road frontages, two signs or advertising panels may be allowed per enterprise, each on a different road frontage.
13. No sign may extend above or beyond any of the extremities of the structure to which it is affixed.
14. Signs may not have in their design any letters, figure, symbols or similar features over 0,75m in height in areas of partial and minimum control, and over 0,35m in areas of maximum control.
15. A sign permitted by this type may not serve as an advance sign and must be displayed only on the premises where the business is conducted.
16. Where a business or enterprise such as a stall or guest house is situated on a large property such as a farm the sign must be placed in the immediate vicinity of the

enterprise where such an enterprise is adjacent to or visible from a public road; if the enterprise is not adjacent to or visible from a public road the sign must be placed at the entrance of the private access road to the enterprise.

17. Signs indicating roadside enterprises such as farm stalls or roadside cafés may not be closer than 5m from the road reserve fence. Such enterprises must have direct access to the public road.
18. Combination signs at shopping centres and industrial areas which contains large amount of information, must be designed and located so as not to create a traffic safety hazard resulting from an information overload in the opinion of the Council.
19. No sign may obstruct the view from any adjacent building.
20. No limitations to the colour and texture are imposed.
21. Internal and external illumination is permitted in areas of minimum and partial control, while only external illumination is permitted in areas of maximum control.
22. Signs in this type may refer only to the name and nature of the business or enterprise on the premises; the brand name and nature of the goods for sale or goods produced; the nature of services provided; and the name of the person(s) or firm who own(s) the business or provide(s) the goods or services at the premises.
23. In order to prevent the proliferation of signs at shopping centres or at other premises or access roads housing or leading to several enterprises, individual on-premises business signs must be incorporated in combination signs. The design of such combination signs must be of a high standard and must, in the opinion of the Council, harmonise with the architecture of the shopping centre or other buildings or structures such as entrance gates. Messages on the individual panels or boards of combination signs must be as concise and legible as possible.
24. On-premises business signs at access roads to farms or smallholdings must be co-ordinated with signs indicating farm/smallholding names in order to form a single combination sign. The necessary harmony must be obtained by using the same form, letter type and colour for the various parts of the combination sign.
25. No formal application need to be submitted to Council for this type of signs if sign is less than 12m<sup>2</sup>.

#### **17.13 CLASS 3(M): ADVERTISING ON TOWERS, BRIDGES AND PYLONS**

1. This type consists of signs affixed to or painted on towers and bridges not used primarily for advertising purposes. Included here are signs on cellular telephone base station towers, water towers, radio towers, silos, pylons and similar structures.
2. This type will be allowed in areas of partial and minimum control.
3. The size and height of signs allowed in this type, are as follows:

Size: Maximum total area: 100% of the face of the structure may be used, but may not be painted directly on the structure and a separate advertising structure has to be affixed to the existing structure, if the structure is strong enough to carry a separate structure.

a) Height:

- i) Pylon sign: Wholly within a notional vertical cylindrical figure; Diametre: 6m, Height: 12m
- ii) Clear height: 2.4m (if sign is protruding from pylon)

iii) Clear height: Bridge sign: 5.2m

4. Some general conditions for this type of signs are as follows:
  - a) May not extend beyond top of tower, or above, below or beyond extremities of bridge.
  - b) Not projecting more than 0.3m from main wall of tower / bridge.
  - c) Also included: cellular telephone base stations, water towers, radio towers, silos, pylons, masts.
  - d) No sign will be allowed on any electrical transmission pylon.
  - e) Illumination is only allowed if the road along where this large billboard is located or focused on is illuminated, and only if it does not constitute a road safety hazard or cause undue disturbance.
5. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
6. Where third-party signs are erected it must adhere to the criteria for Class 1 structures.
7. An AIA may be required for an advertisement of 40m<sup>2</sup> or larger.
8. No limitations to the colour, however, no sign on bridges may obstruct the view of pedestrians thus the material used on bridges must be transparent (see-through).
9. Any sign permitted by this type must be affixed to the tower, pylon or bridge in a manner which has been designed and erected to the satisfaction of the Council. The Council may require an Engineering Certificate and building plans.
10. Every pylon must be independently supported and, for this purpose, properly secured to an adequate foundation in the ground and entirely self-supporting without the aid of guys, stays, brackets or other restraining devices.
11. No sign must be affixed to any electrical transmission pylon.
12. Approval for display will not be granted for an indefinite period. Approval can be granted for a period of three (3) years. After this three (3) years have expired, a request for the extension of the approval period for a maximum of another two (2) years can be submitted to the Council, with the first right of refusal to the existing structure owner.
13. An approved structure must display an advertisement or message within two (2) months after erection.

#### **17.14 CLASS 3(N): ADVERTISEMENTS ON CONSTRUCTION SITE BOUNDARY WALLS, FENCES (WRAPPING) AND CONSTRUCTION BUILDINGS**

1. The type consists of signs fixed flat against or on top of any fence or wall where such fence or wall forms the boundary of a site where construction work is being carried out. Walls of buildings are excluded from this type.
2. This type will be allowed in areas of partial and minimum control.
3. The size and height of signs allowed in this type will be considered by the Council, depending on the type of construction taking place, surrounding environment and the

type of sign to be erected. If such sign reach the size and have the same impact as a billboard, it should be considered under the same criteria as for billboards.

4. The position and spacing requirements and some general conditions for this type of signs are as follows:
  - a) Not on top of fence or wall.
  - b) Not project more than 0.1m to front of wall or fence.
  - c) Only for duration of construction.
  - d) May not be painted / pasted directly on site boundary wall.
5. These signs may not be illuminated or animated.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. These signs can be erected on condition that such signs will conceal an unsightly condition arising out of the use to which the property is lawfully being put, and on condition that such signs must be making a positive contribution to the visual environment.
8. The sign may not be placed on the top of a fence or wall if it is not positioned to rest directly thereon.
9. No limitations to the colour and texture are imposed.
10. Poster signs in this type must be enclosed with definite panels, which must be uniform in size and level.
11. Signs and fence or wall must be treated as a visual unity. Wherever possible, project boards should also be incorporated in this unified design.
12. Construction site signs should always make a positive contribution to a particular streetscape.
13. These signs may be erected only for the duration of the construction work.

## **18 CLASS 4: SIGNS FOR THE TOURIST AND TRAVELER**

### **18.1 CLASS 4(A): SERVICE FACILITY SIGNS**

1. This category consists of combination signs displayed at filling stations and roadside service areas (rest and service areas) which may provide a variety of services such as fuel pumps, workshops, restrooms, car washes, shops, accommodation facilities, restaurants, fast food outlets and auto tellers.
2. This type will be allowed in all areas of control.
3. The size, height and specifications of signs allowed in this type, are as follows:
  - a) Maximum width of total sign: 2m,
  - b) Maximum height of total sign: 7m,
  - c) A maximum of 8 panels/combo sign will be allowed,
  - d) One business or enterprise per panel will be allowed.

4. The position and spacing requirements for this type of signs are as follows:
  - a) Only at service facilities adjacent and directly accessible from the road where sign is.
  - b) One combination sign per site.
  - c) Located according to requirements of Council.
  - d) Only one per direction of traffic flow.
  - e) Not in road median or on island.
  - f) If the sign cannot be located on the site and has to be located in the road reserve, specific approval has to be obtained from the Council. It must then be located as close as possible to the access and in front of the service facility site.
5. These signs may be illuminated, but no animation is allowed.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. Advertisements on such combination signs must refer only to the name or logo of a business, company or person providing a service or must indicate the type of service provided. Only signs for locality-bound services must be allowed.
8. Signs in this type must be limited to service facilities adjacent to and directly accessible from the public road at which such a sign is directed.
9. Signs in this type must be positioned in strict accordance with the requirements of the Council.
10. No limitations to the colour and texture are imposed.
11. Supplementary signs at roadside service areas, which do not form part of a combination sign permitted under this type, must be used for internal direction and orientation only and must not be aimed at passing motorists.
12. Internal rest and service “totem” signs could play an important role with regard to internal direction and orientation at such roadside service areas.
13. No service facility signs may be erected without the approvals from the Council.

## **18.2 CLASS 4(B): TOURIST’S DIRECTIONAL SIGNS (BROWN)**

1. This category provides a standardised, safe, functional and environmentally acceptable way of transferring directional information regarding a diversity of localities, facilities, activities and services which might be of interest to the tourist and traveler.
2. These signs serve to inform and guide tourists in the final stages of their journeys and to assist road users to identify tourism attractions (museums, craft markets, etc.), emergency services (hospitals, police stations, fire brigade, etc.), places of worship as well as accommodation establishments (B&B, hotels, etc.). Tourist’s directional signs fulfill a required function as the only advance and non-locality-bound sign permitted in natural and rural environments. This sign type also plays an important role in urban areas by alleviating the need for inappropriate advance signs and advertisements.

3. This class forms part of and must comply with the specification of tourism directional signs in terms of the Road Traffic and Transport Act (Act No. 22 of 1999). The Act must therefore serve as the main guidelines for the provision of this category of signs.
4. In terms of the above Act, the sign must
  - a. be coloured brown, semi-matt, and contain a white retro-reflective border, legend, arrow and symbol (GFS C1-1 to GFS C1-10).
  - b. have a distinct shape (mostly trapezoidal) and colour (white on brown) with only a few exceptions and the legend include the name of the respective establishment
  - c. in order to ensure conformity, utilize the type of lettering DIN 1451 Part 2, Style "B". [The size of the sign, arrow and symbol can be calculated by factoring all dimensions derived from the 175/125 letter size.]
  - d. use, to a large extent, symbols in order to reduce the need for text on sign faces.
5. Signs in this category must be positioned in strict accordance with the requirements of the Act and at least 100m from a street intersection, subject to available space and position of existing traffic signs and signals on arterial and collector roads and zones of partial control.
6. Signs erected in zones of maximum control be placed at street corners and be subject to written consent from adjacent erf owners.
7. The establishment to which directions are given must be within a radius of 1 500m.
8. Only three signs are permissible per establishment.
9. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
10. Where more than one establishment wishes to erect a sign along the same street or intersection, combined or stacked boards be recommended. Such stacked signs are to have the same width.
11. The surface area of the sign may not exceed 2 m<sup>2</sup>.
12. The sign is to be manufactured, erected and dismantled at the cost of the applicant.
13. The maintenance and appearance of the sign remains the responsibility of the applicant and should the sign become dilapidated, it must be removed and/or replaced at the cost of the applicant.
14. This category of sign does not cover kindergardens, schools, institutions of higher learner, private clinics, doctors and dentists.

### **18.3 CLASS 4(C): FUNCTIONAL ADVERTISEMENTS BY PUBLIC BODIES**

1. This type consists of functional signs of the local authorities and other statutory undertakers such as utilities and public transport operators, displayed wholly for the purpose of announcement or direction in relation to any of the functions of the Council or to the operation of a statutory undertaking which is reasonably required to be displayed for the safe or efficient performance of those functions or operation of that undertaking, and cannot be displayed under any other type.
2. This type will be allowed in all areas of control.
3. The size and height of signs allowed in this type, are as follows:

- a) Size: Maximum area: < 0.55m<sup>2</sup>  
Larger signs may be allowed by the Council  
Letter sizes: > 0.2m in height
- 4. These signs will be allowed inside all road reserves other than national roads.
- 5. These signs may be illuminated if needed to be read after dark.
- 6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
- 7. These signs may include a notice board at a municipal swimming pool, a bus or rail timetable, a warning notice at an electricity substation, and the display of by-laws for recreation grounds or open space.
- 8. Signs in this type may not be misused for the purpose of commercial and competitive advertising.
- 9. No limitations to the colour and texture are imposed.

## **19 CLASS 5: MOBILE SIGNS**

### **19.1 CLASS 5(A): AERIAL SIGNS**

- 1. This type consists of aerial signs painted on, attached to or produced by an aircraft, such as a captive balloon, a kite, an unmanned free balloon, a manned free balloon, an airship (moored), an airplane (banner towing or smoke signals), a craft for parasailing, a hang-glider, a model- or radio-controlled aircraft, and a aircraft towed behind a vehicle or vessel for the purpose of flight.
- 2. This type will be allowed in areas of partial and minimum control.
- 3. The size and height of signs allowed in this type, are as follows:
  - a) Size: No shape or size restrictions.
  - b) Height: ≤45m (except if approved by Civil Aviation Authority).
- 4. The position and spacing requirements for this type of signs are as follows:
  - a) No closer than 5 nautical miles from the aerodrome reference point of an aerodrome.
  - b) Not above a public road (except if towed behind a vehicle).
- 5. These signs may be illuminated but not animated.
- 6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
- 7. Except with the written permission of the Civil Aviation Authority, no captive balloon, craft for parasailing, kite, hang-glider, model or radio-controlled aircraft or any aircraft towed behind a vehicle or vessel for the purpose of flight must be flown:
  - a) closer than the distance as specified by the Civil Aviation Authority from the aerodrome reference point of an aerodrome;
  - b) above a public road and in the case of an aircraft towed behind a vehicle or vessel such aircraft must not take off from or land on a public road.



8. No colour or texture limitations are imposed for aerial signs.
9. With the exception of moored airships, aerial signs may be displayed in daylight hours only or as approved by Council.
10. No captive or unmanned free balloon must be flown without the special written permission of the Civil Aviation Authority.
11. Approval for flying a captive balloon will be considered by the Civil Aviation Authority only after permission by the Council including the safety and security department has been granted.
12. Manned free balloons have to meet certain conditions before they may be flown within controlled airspace.
13. Airplanes and airships must not be flown below a certain minimum height, as stipulated by aviation regulations, without special permission.
14. A formal application needs to be submitted to Council for this type of signs.

## **19.2 CLASS 5(B): VEHICULAR ADVERTISING**

1. This type consists of advertisements on self-driven vehicles normally including taxis, buses, trains and delivery vehicles, but excluding aircraft.
2. This type will be allowed in all areas of control.
3. These signs may not extend from the edges of the vehicle.
4. The position requirements and some general conditions for this type of signs are as follows:
  - a) Vehicle may not be used for sole purpose of advertising.
  - b) The advertisement should be affixed in a proper way which has to be approved by Council.
  - c) Should be mobile at all times.
  - d) May not be parked for third party advertising.
5. These signs may be illuminated internally. No animation is allowed. Retro-reflective signs with the colours red to the back, yellow to the side and white to the front of a vehicle will also be allowed.
6. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
7. No formal application need to be submitted to Council for this type of signs, except if it is third-party advertising, an application have to be launched at Council.

## **19.3 CLASS 5(C): TRAILER ADVERTISING**

1. This type consists of advertisements displayed on trailers.
2. This type will only be allowed on Council property and on sites designated by the Council in advance.
3. The size of signs allowed in this type, are as follows:
  - a) Maximum vertical dimensions: 3m

- b) Maximum horizontal dimensions: 6m
- 4. Only one trailer per site will be allowed, as indicated by Council. It must be properly secured at both ends in order to withstand strong winds.
- 5. It may not be towed with the primary purpose to display the advertisement, except to and from the designated site (and then only before 07:00 or after 18:00).
- 6. The name and phone number of the owner, and an identity number or disc as provided by Council, must be displayed on all advertisement trailers.
- 7. These signs may be illuminated but limited to retroflective signs (red at back, yellow to side, white to front of trailer). No animation allowed.
- 8. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
- 9. Advertisement trailers are of a relatively light construction, carry double-sided "billboard-class" advertisements and are parked at strategic locations for the sole purpose of advertising.
- 10. Advertisements may also be displayed on heavier *transport trailers* used for the primary purpose of transporting goods and towed by trucks, vans or similar vehicles. Transport trailers are not used for the primary purpose of advertising.
- 11. Advertisements displayed on *trailers used for the transportation* of goods must be limited to heavier trailers, which are able to resist cross winds of up to 30m per second.
- 12. Advertisements displayed on a *transport trailer* must be painted or attached to the sides of the trailer in a permanent manner.
- 13. No *transport trailer* may be used for the sole purpose of advertising.

#### **19.4 CLASS 5(D): BUS ADVERTISING**

- 1. This type consists of advertisements displayed on municipal buses.
- 2. This type will be allowed in all areas of control.
- 3. These signs may not extend from the edges of the vehicle.
- 4. The position requirements and some general conditions for this type of signs are as follows:
  - a) The advertisement should be affixed in a proper way which has to be approved by Council.
  - b) The advertisement must be non-permanent.
  - c) The advertisement may not cover the windows or emergency exits.
- 5. General requirements, as stated in Paragraph 14 of the Outdoor and Signage Policy, apply.
- 6. A formal application needs to be submitted to Council for this category of advertising.

## **20 PERMITTED SIGNAGE AND NEW CATEGORIES**

The Windhoek Municipal Council only recognizes signage as set out in the technical specifications, under Section C Detailed Criteria for Different Categories of Advertising Signs, and as stipulated in the Outdoor Advertising Regulations.

Special sensitivity must be shown where signs affect “heritage buildings”. Heritage buildings are listed in Table H of the Windhoek Town Planning Scheme or are situated on Government owned land and have been maintained (restored) so as to enhance the attractive appearance of the City. Views of these buildings must not be obscured.

The Policy, however, recognizes that prototypes or new categories / types of signs are continuously being developed and will from time to time be introduced to the market and/or to test the market. Council also recognizes that changes in the market, urban development and planning may make the use of or position of existing signs undesirable over time.

Where new advertising categories arise, the Windhoek Municipal Council will seek an adaptive approach to applying this Policy recognizing:

- (a) Temporary signs such as prototypes,
- (b) Rapidly changing technology,
- (c) Innovation and creativity.

If a unique sign category is proposed for which the Regulations or Policy do not directly address, the Municipal Council will deem it to fall within the nearest appropriate category and type and may prescribe conditions applicable to the sign or the display of the sign.

Any person who intends to display a sign for which no provision is made in this Policy or which does not fall within any of the categories of signs provided for in this Policy must, before such a sign is displayed, apply for approval of the sign and for the display of the sign, and Windhoek Municipal Council. The policy recognizes that temporary prototypes of new types of signs will also be introduced to test the market. Any new advertising signage, will be considered by the Windhoek Municipal Council specifically and where required, for whatever reason, the nature (temporary or permanent) of, the receiving area and the nearest appropriate category may provide guidance when appraising the application.

Windhoek Municipal Council will by notice in writing require a person who is displaying a sign, the display of which is found by it to be undesirable or in contravention of relevant legislation, Policies, Regulations, procedures and/or programs, to remove or cease the display of the sign.

## **21 EXEMPTED AND PROHIBITED SIGNS**

### **21.1 EXEMPTED SIGNS**

The following signs are exempted from the provisions of this Policy:

- a) Any advertising sign displayed inside a sports stadium which is not visible from outside the stadium.

- b) Any sign displayed in an arcade or building which is not aimed at road users that is signs which are not visible from a public street.
- c) Any national flag hoisted on a suitable flag pole provided that no advertisement or any subject matter is added to the flag or flag staff.
- d) Any banner or flag carried through the streets as part of a procession.
- e) For specific categories of signs, an application to Windhoek Municipal Council is not needed, as specified in Section C, although the specifications and requirements for that category of sign as specified in this Policy and in Section C, must be adhered to.

## **21.2 PROHIBITED SIGNS**

No person will erect or display any of the following signs or cause or allow any such sign to be erected or displayed:

- a) Any sign painted on, attached to, or fixed between the columns or posts of a verandah.
- b) Any signs to be suspended across a street, except at locations as determined by the Windhoek Municipal Council.
- c) Any sign which contravenes any law and/or public awareness campaign which is applicable to and endorsed by the Windhoek Municipal Council.
- d) Any sign which obscures the viewing of a thing or place which has been declared a national monument in terms of Section 10 of the National Monuments Act, 1969 (Act No. 28 of 1969), unless permission to erect or display that advertisement has been obtained from the National Monuments Council established under that Act, or which interferes with the enjoyment of the environment or obscure viewing of a place or thing which the Council will determine.
- e) Any sign which obscures an advertisement which was lawfully erected or displayed by another person, unless that other person consents to the erection or display of that advertisement.
- f) Any sign which is dangerous to any person, animal or property.
- g) Any sign, by affixing it to, or by placing it onto, a vehicle unless the owner of that vehicle consents to the erection or display of that advertisement onto the vehicle.
- h) Any sign intruding into the mountainous skyline or obscure heritage buildings, as listed in Table H of the Windhoek Town Planning Scheme, or intrude with Government or Council land that was restored and maintained so as to enhance the attractive appearance of the City.
- i) Any signs which will obscure a road traffic sign or which will be mistaken for or cause confusion with or interfere with the functioning of a road traffic sign.

- j) Any sign which will obstruct any window or opening provided for the ventilation of a building or which obstructs any stairway or doorway or other means of exit from a building or which will prevent the movement of persons from one part of a roof to another part thereof.
- k) Any animated or flashing sign where the frequency, or the animations or flashes, or other intermittent alterations which disturbs the residents, or occupants of any building, or is a source of nuisance to the public.
- l) Any illuminated sign where the illumination disturbs the residents or occupants of any building or is a source of nuisance to the public.
- m) Any swinging sign, which is a sign not rigidly and permanently fixed.
- n) Any sign displayed on land not in accordance with the relevant zoning or approved consent use as per applicable Town Planning Scheme.
- o) Any advertisement or sign other than exempted sign, for which neither a license nor approval has been obtained.
- p) Any poster pasted otherwise than on an advertising structure legally erected for the purpose of accommodating such poster.
- q) Any sign painted on a boundary wall or fence in a maximum and partial control area.
- r) Any advertising sign which in the opinion of the Windhoek Municipal Council, is suggestive of anything indecent or will prejudice the public morals.
- s) Any sign which relates to a business which is conducted on an erf or land which has not been zoned for that specific purpose.

## **SECTION D: ADMINISTRATIVE PROVISIONS AND PROCESSES**

### **22 ADMINISTRATIVE AND CONTROL PROCESSES**

1. This Policy, as well as the Outdoor Advertising Regulation, are to be effectively and consistently administered, schedule inspections of signage are to be conducted and offenders are to be fined or prosecuted.
2. Non-compliance, such as the pasting of advertisements on surfaces in such a manner as to make the removal of such notices almost impossible, should be identified and clearly stipulated in this policy and the Outdoor Advertising Regulations.
3. Where there is insufficient internal staff capacity, the Windhoek Municipal Council may appoint, within the framework of the law, private contractors to assist with the removal of illegal advertisements
4. Outdoor advertising is an essential income-generating function including assessing/approving applications and enforcement of the Outdoor Advertising Policy and Regulations. This is a unit within the Department of Economic Development and Community Services. The Delegated powers of this Department in terms of outdoor advertising are to the Strategic Executive: Economic Development and Community Services.

### **23 APPLICATIONS FOR THE MUNICIPAL COUNCIL'S CONSIDERATION**

1. No person may display or erect any advertisement sign or use any sign or use any structure or device as a sign without first having the written approval of the Council. The provisions shall not apply to signs deemed exempt or prohibited.
2. No sign displayed with the approval of the Council may, in any way, be altered, moved, re-erected, and no alteration may be made to the electrical wiring system of such sign except for the purposes of renovating and maintenance, without the approval of the Council.
3. It should be ensured by the applicant that the correct site information according to the Town Planning Scheme is provided as part of the application. A Title Deed of Transfer of the specific erf should accompany the application, as well as the land owners consent, if on private land. The consent of all the adjacent land owners should also be obtained by the applicant and to be included as part of the application for a Class 1 sign being erected in the road reserve, or at location as deemed necessary by Council.
4. It should be noted that application procedures may differ between different categories of customers, classes and categories of structures and type of application as far as requirements are concerned. The below criteria do not apply to all applications. For temporary advertisements such as posters, banner, trailers, etc. the Windhoek Municipal Council will specify the appropriate criteria and documentation for submission of applications, which may be determined administratively. Other signs cannot be applied for, but will be put out on tender by Council if found administratively beneficial to Council, such as suburb sign boards, advertisements on street furniture, illuminated street name boards, semi-permanent lamp pole receptacles, etc., on Council specifications.
5. The procedure for application to erect a sign must adhere to the guidelines below to ensure that an application will be processed timeously:
  - (a) All applicants must fill in an application form which can be obtained from the outdoor advertising office;
  - (b) All outdoor applications must be handed in at the outdoor advertising office;
  - (c) No applications will be processed without all required documentations as outlined in the application and the Outdoor Advertising Policy;

- (d) No application will be processed in the absence of the application form being signed by the owner of the proposed sign and by the owner of the land or building on which the sign is to be erected or displayed or by his agent authorized in writing by such owner.
- (e) No application will be processed if the application fee is not paid and shall be accompanied by the following documents with the following criteria and requirements as set out for signs to be erected within the area of jurisdiction of the Windhoek Municipal Council:

Documentation and minimum requirements	New/Upgrade	Renewal
i) <b>Application form</b> duly signed (see xi below) and dated	√	√
ii) Copy of <b>receipt</b> as proof of payment of application fee - as per the gazetted Tariffs which is non-refundable	√	√
iii) A <b>locality plan</b> indicating where the structure will be situated in relation to and indicating the distance from the nearest intersection and from other outdoor advertising signage (available on internet or from our Urban Planning Division at the Customer Care Centre) (aerial view)	√	
iv) A <b>site plan</b> of the site, including the relevant erf number and contours (1m), on which the advertising sign or advertising structure is to be erected or displayed, <u>drawn to a scale of not less than 1:500</u> showing every building on the site, position of any Municipal water, sewerage, storm water drainage, electricity installation, or any other installation situated on the site, and the position with dimensions of the advertising sign or advertising structure in relation to the boundaries of the site	√	
v) A <b>clear drawing of sign / structure plan</b> with sufficient detail to enable the Council to consider the appearance of the advertising sign or advertising structure and all relevant construction detail, and elevations (including clear height) and sections to a scale of 1:100	√	
vi) A structural engineer, professionally registered in terms of the Engineering Profession Act, 1986 (Act 18 of 1986), must take full written responsibility for all structural work contemplated by the applicant (technical specifications of structure), the <b>letter / certificate must confirm the structural integrity of sign</b> and be submitted with the application. Including a full description of the materials and finishes to be employed must be provided on the structure plan and approved by a structural engineer	√	
vii) An <b>artist's impression of the final product in its setting</b> from one or both sides of direction of travel whichever is applicable (i.e. a photo of the site with a	√	

	superimposed structure on it – as close as possible to the correct scale and size of the sign)		
	viii) Certified proof (Town Planning Zone Certificate) from the Windhoek Municipal Council the land-use rights (land use zoning) in terms of the relevant Town Planning Scheme as amended from time to time	√	√
	ix) Windhoek Municipal Council will require the GPS points of the exact location of the structure	√	
	x) A power of attorney and signed agreement / consent letter by the owner of the land on which the sign is to be erected or displayed or by his agent authorized in writing (on letterhead of owner, indicating applicable erf number and occupancy period) by such owner together with copies of the applicable Title Deed, on request	√	Only if changed
	xi) Copy of ID of the person with signatory powers of Company accompanied by a Company Resolution with regard to signing powers.	√	Only if changed
	xii) Copy of the Company Registration Certificate (Registrar of Companies) of applicant if company	√	
xiii)	Latest Municipal Business Fitness Certificate	√	√
	xiv) Comments of affected property owners, where applicable	√	
	xv) The applicant shall satisfy the Council that cognizance has been taken of the relevant statutory provisions regarding the environmental impact of the proposed form of outdoor advertising by submitting an Advertising Impact Assessment (AIA), where applicable	√	

The above technical criteria for submissions are essential in order to effectively evaluate the application in question on both environmental and technical grounds. It is also intended to expedite the assessment and approval of applications on the grounds that the provision of comprehensive information is an aid to effective decision-making.

6. If a sign is attached to or displayed on the façade of a building, the Windhoek Municipal Council may require the submission of an additional drawing showing and elevation of the building in colour, the details and position of the proposed sign and the details and position of every existing sign on the building drawn to scale of not less than 1:100, or Council may require a coloured photograph of the building with details of the proposed sign superimposed on such photograph.
7. Every application, plan, drawing and other document submitted in terms of this section shall on approval be retained by the Windhoek Municipal Council.
8. Any sign for which approval has been granted shall be erected and displayed in accordance with any sign, drawing or other document approved by Council and any condition imposed in terms of the relevant subsection; the Windhoek Municipal Council must be notified once any approved sign has been erected.



9. The Windhoek Municipal Council shall register every sign or advertising structure approved by it and allocate to it a registration number which shall be displayed on the sign in a suitable, clearly visible position by the owner thereof and if necessary in the opinion of Council, in another place and in a manner to the satisfaction of the Windhoek Municipal Council.
10. Every approval given by Council will be approved and given for a specific period.
11. If the advertising sign will be visible from a national road, the approval shall be subject to the approval of Roads Authority. Even if the approval of the Council was obtained, but the approval of the Roads Authority is not yet / not obtained, such as sign may not be erected, and will be deemed illegal if it is erected without both parties' formal approval.
12. All relevant documentation regarding the application and approval of a sign or advertising structure shall be retained by the owner of the property on which such sign or advertising structure is displayed and shall present such documentation to the Windhoek Municipal Council upon request thereof.

# Outdoor Advertising Process

## Guidelines for processing outdoor advertising applications

(1)

- All new applicants must fill in an application form available from the Customer Care Centre (CCC)
- Renewal application forms must be handed in three (3) months prior to expiry of existing license

- *Renewal application forms must be handed in three (3) months prior to expiry of existing license*

(2) All outdoor applications must be handed in at the outdoor advertising desk (CCC) and signed into receipt book

(3)

- No applications will be processed without all required documentation
- Outdoor Advertising Officer confirms receipt of all required documents
- OA Office issues Sundry Tax Invoice

(4)

- No application will be processed if the application fee is not paid
- Applicant pays Sundry Invoice and provides Outdoor Advertising (OA) Official with receipt (proof of payment)
- Date of receipt represents submission date of application

(5) All relevant documents have to be submitted for an application to be processed (see i – xv)

(6) File opened, application checked against Policy and pre-appraised by the Outdoor Advertising Unit

(7) Comments sheet prepared and Application circulated for technical comments to IOATC

(8) IOATC meet monthly and application recommended to be approved/refused by “Council”/IOATC

## **24 ADVERTISING IMPACT ASSESSMENT (AIA) PROVISIONS**

Windhoek Municipal Council will require an AIA for certain categories of signs or for certain locations. An AIA means a report requested by the Windhoek Municipal Council from the applicant wherein the impact of the advertising sign on the receiving environment is assessed and discussed. The AIA will therefore:

- (1) include a clear description of the site and sign/structure to be erected and operated to assess its suitability as well as the need for such an outdoor sign;
- (2) inform interested and affected parties (I&APs) and relevant authorities of the details of the proposed sign to be erected and to provide them with an opportunity to raise issues and concerns;
- (3) assess and comment on the significance of issues and concerns raised;
- (4) compile and submit a scoping/summary report detailing all identified issues and possible impacts, stipulating the way forward.
- (5) outline management guidelines in the report to minimize and/or mitigate potentially negative impacts of such a structure on the receiving environment.

The AIA will address aspects such as, but will not be limited to, the environmental impact, visual impact, illumination of the advertising sign, and road safety impact of an advertising sign. Windhoek Municipal Council will apply the following criteria to determine if an AIA is required or not:

- (6) Size of sign (structures above 40m<sup>2</sup>)
- (7) Location/topography e.g. elevated locations e.g. on a hill ecologically sensitive site
- (8) All Class 1(E) structures will be required to submit AIA's
- (9) Area of control (if the structure borders on or is located in an area of maximum control, a AIA will be required, while it might be required for structures located in a partial control area).

In addition to the above the Advertising Impact Assessment must contain:

- (1) A description of the proposed erf where the advertisement will be constructed
- (2) Erf number and township
- (3) Street number
- (4) Zoning (supported by zoning certificate)
- (5) Existing use (residential/institutional/office, industrial/business, etc.)

(6) Locality map of erf

The proposed location and description of the sign:

- (1) A site plan showing the location of the existing buildings, boundary walls accesses and proposed location of the sign/structure
- (2) A detailed description of the sign/structure (height, width, size, illuminated or not, sound effects or not)
- (3) Road safety impact
- (4) Engineers drawing of structure
- (5) Content of the proposed advertisement
- (6) An evaluation of the visual effects

An evaluation of the effects / impact of high-impact outdoor advertising structures on their receiving environment include but is not limited to the following criteria which is included in the Policy to guide applicants in their measurement of the significance of the effects of any structure.

To provide for transparency and standardization the Policy includes in the table below the criteria to be used to determine the significance of the impact of structures:

<b>CRITERIA</b>	<b>DESCRIPTION</b>
<b>Nature</b>	This criteria indicates whether the proposed activity has a <b>positive</b> or <b>negative</b> impact on the environment (environment comprises both socio-economic and biophysical aspects).
<b>Extent</b>	This criteria measures whether the impact will be site specific; local (limited to within 15 km of the area); regional (limited to about 100 km radius); national (limited to within the borders of Namibia) or international (beyond Namibia's borders).
<b>Duration</b>	This criteria looks at the lifetime of the impact, as being short (days, less than a month), medium (months, less than a year), long (years, less than 10 years), or permanent (more than 10 years).
<b>Intensity</b>	This criteria is used to determine whether the magnitude of the impact is destructive and whether it exceeds set standards, and is described as none (no impact); low (where the environmental functions are negligible affected); medium (where the environment continues to function but in a noticeably modified manner); or high (where environmental functions and processes are altered such that they temporarily or permanently cease).
<b>Probability</b>	Considers the likelihood of the impact occurring and is described as improbable (low likelihood), probable (distinct possibility), highly probable (most likely) or definite (impact will happen regardless of prevention measures).

CRITERIA	DESCRIPTION
<b>Degree of confidence in prediction</b>	This is based on the availability of information and knowledge used to assess the impacts.

The measure (rating) and definition of the significance of impacts are described in the table below:

SIGNIFICANCE RATING	CRITERIA
<b>Low</b>	Where the impact will have a negligible influence on the environment and no mitigations are required.
<b>Medium</b>	Where the impact could have an influence on the environment, which require some modifications on the proposed project design and/or alternative mitigation.
<b>High</b>	Where the impact could have a significant influence on the environment and, in the case of a negative impact, the activity causing it, should not be permitted.

The provision of the above criteria and significance rating in this Policy aims to provide a common understanding of, standards and a guiding format to report on the impact of outdoor advertising structures on receiving environment.

Using the criteria above when assessing the visual effects of a sign/structure, the evaluation may look like the following example

IMPACT	NATURE	EXTENT	DURATION	INTENSITY	PROBABILITY	DEGREE OF CONFIDENCE	SIGNIFICANCE		
							PRE MITIGATION	PRESCRIBED MITIGATION	POST MITIGATION
Impact on visual properties of the area	The residential buildings might have a negative impact on the visual quality of the area.	Local	Permanent	Low	Probable	Medium	Low	Blending the built structures with the natural surrounding will maintain the natural aesthetic value of the area e.g. painting with earth colours instead of bright colours.  All buildings to be subjected to IOATC committee approval.	Low

In addition, the AIA must show proof of public consultation:

- (1) Proof of advertising in at least two (2) newspapers circulating in the area (City/Municipal boundaries) that has been running for two (2) consecutive weeks and the notice must be of a size not less than 75mm X 200mm.
- (2) Written comments from land owners and/or tenants of properties neighbouring within 50m of line of site to sign/structure (standard comment sheet is available from the Outdoor Advertising Unit).

The AIA must contain all information that is necessary for the Inter-departmental Outdoor Advertising Technical Committee to consider and to make a decision on the application, and must include –

- (1) A completed Outdoor Advertising application form;
- (2) detailed description of the proposed listed outdoor advertising activity;
- (3) a description of the environment that will be affected by the activity and the manner in which the physical, biological, social, economic and cultural aspects of the environment will be affected by the proposed activity;
- (4) a description of the need and desirability of the proposed listed activity and identified potential alternatives to the proposed listed activity, including advantages and disadvantages that the proposed activity or alternatives will have on the environment and the community that will be affected by the activity;
- (5) a short summary and assessment of the objections/comments received;
- (6) a description and comparative assessment of all alternatives identified during the assessment process;
- (7) a description of all environmental issues that were identified during the assessment process, an assessment of the significance of each issue and an indication of the extent to which the issue could be addressed by the adoption of mitigation measures;
- (8) an assessment of each identified potentially significant effect (as defined above), including:
  - (a) cumulative effects;
  - (b) the nature of the effects;
  - (c) the extent and duration of the effects;
  - (d) the probability of the effects occurring;
  - (e) the degree to which the effects can be reversed;
  - (f) the degree to which the effects will cause irreplaceable loss of resources;

- (g) the degree to which the effects can be mitigated;
- (9) a description of any assumptions, uncertainties and gaps in knowledge;
- (10) and if the opinion is that it must be authorised, any conditions that must be made in respect of that authorisation;
- (11) a short Advertising Structure Impact Management Plan (ASIMP) to ensure that the impacts identified during the assessment are properly mitigated or managed. The ASIMP will cover the Planning Phase of the proposed structure, the Construction Phase as well as the Operational Phase and has to give guidance to the parties planning, constructing and operating the structure.
- (12) a non-technical summary (executive summary) of the information;
- (13) a Road Safety Audit may be required, if the Inter-departmental Outdoor Advertising Technical Committee is of the opinion that the proposed site is located in an area of high incidents of accidents or the application is for a structure to be erected on a site which is spaced and positioned closer than the permissible provisions for Class 1 high-impact billboards.

Finally, based on the assessment of the significance of impacts the AIA must formulate and outline management guidelines to minimize and/or mitigate potentially/identified negative impacts of such a structure on the receiving environment.

## **25 WITHDRAWAL OR AMENDMENT OF COUNCIL'S APPROVAL AND APPEAL PROCESS**

1. The Windhoek Municipal Council may refuse, withdraw or amend any condition or impose a further condition in respect of such approval at any time if in the opinion of Council:
  - (1.1) It will be or becomes detrimental to the environment or the amenity of the neighbourhood by reason of size, intensity of illumination, quality of design or materials or for any other reason;
  - (1.2) It will constitute or become a danger to any person or property;
  - (1.3) If the sign is in a state of disrepair or does not comply with this Policy;
  - (1.4) It will obliterate other signs, natural features, architectural features or visual lines of civic or historical interest;
  - (1.5) The advertisement does not comply with this Policy; or does not conform to the initial approved application and
  - (1.6) The application was erected on the wrong site / erf according to the information as provided to the Windhoek Municipal Council in the application.

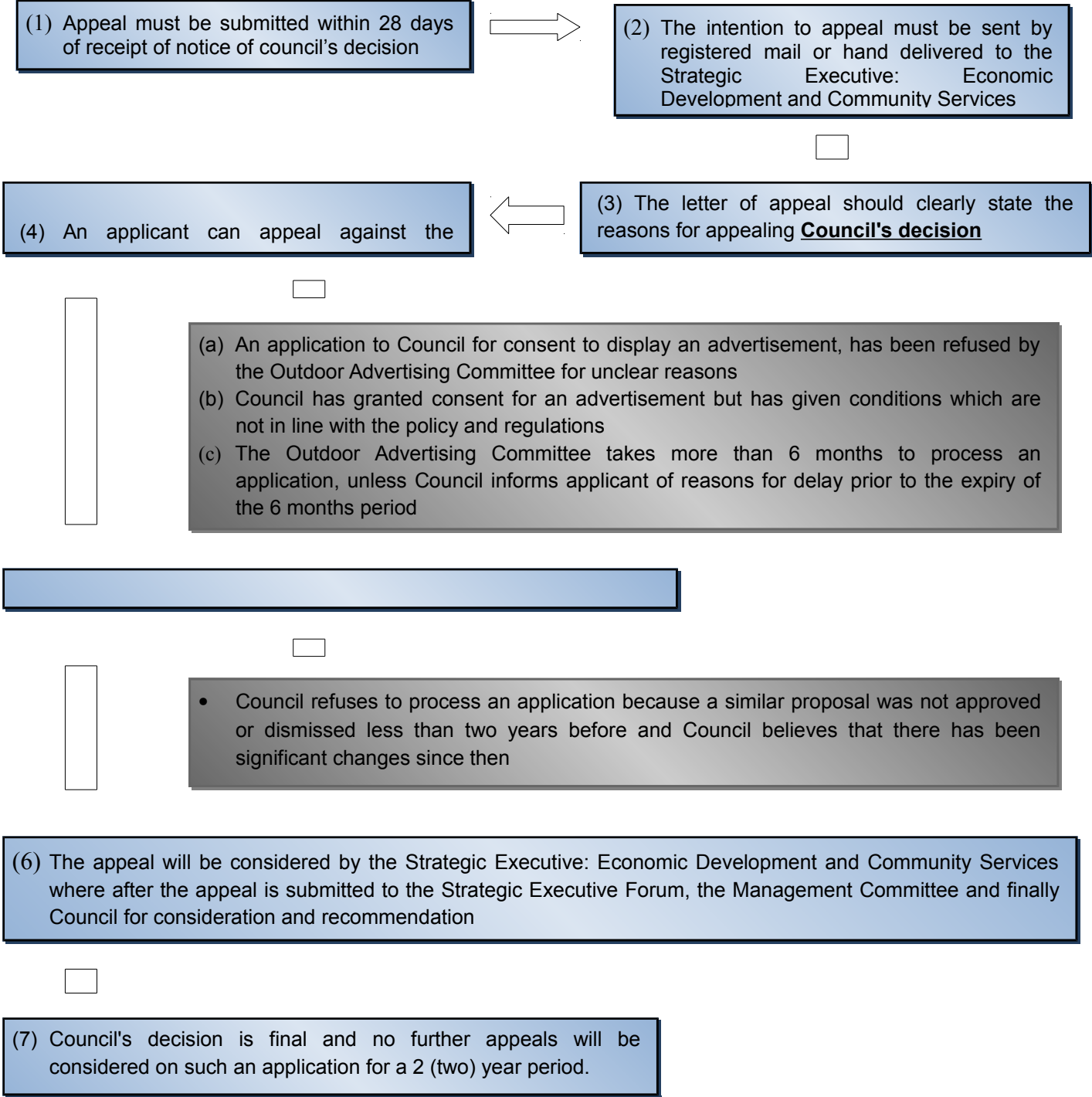
2. Appeal provisions and procedure:

- (2.1) Any person may appeal to Windhoek Municipal Council against a disapproval of an application in terms of this Policy by the Inter-departmental Outdoor Advertising Technical Committee, within twenty-eight (28) days of receipt of notice of such decision. The intension to appeal must be sent by registered mail or hand delivered to the Strategic Executive Economic Development and Community Services.
- (2.2) The letter of appeal will clearly state the reasons for appealing Council's decision.
- (2.3) An applicant can appeal against Council's decision when:
  - (a) When an application to the Windhoek Municipal Council for consent to display an advertisement, has been refused by the Outdoor Advertising Committee.
  - (b) The Windhoek Municipal Council has granted consent for an advertisement but has given conditions which are not in line with the policy.
  - (c) When the Outdoor Advertising Committee takes more than 6 months in processing of the application, unless Windhoek Municipal Council informs applicant on reasons of delay.
- (2.4) An applicant cannot appeal if Council refuses to deal with the application because a similar proposal was presented to Council and dismissed on appeal less than two (2) years before and the Windhoek Municipal Council believes that there have not been significant changes since then.
- (2.5) The appeal will be considered by the Strategic Executive: Economic Development and Community Services where after a recommendation is submitted to the Strategic Executive Forum and the Management Committee of Council for consideration and recommendation. Council's decision is final and no further appeals will be considered on such an application.



See below flow chart clarifying the appeals process.

## Outdoor Advertising Appeal Process



f) **Public complaints:**

Any complaints from the public (excluding the applicants who are entitled to the appeal procedure in section above) regarding the Policy may be directed to the Council via the Chief Executive Officer of the Windhoek Municipal Council; and the Council shall furnish a reply in writing to the complainant.

## **26 DELEGATION**

The Windhoek Municipal Council by resolution CR 241/08/2010 delegated the power which is to be applied to applications and processing of applications for outdoor advertising on Council land to the Strategic Executive: Economic Development and Community Services. Further delegation to approve applications will be awarded by the Strategic Executive: Economic Development and Community Services to the relevant officials.

## **27 ERECTION AND MAINTENANCE OF SIGNS AND ADVERTISING STRUCTURES**

If in the opinion of the Windhoek Municipal Council, any sign 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 an owner requiring him at his own cost, to remove the sign or do other work specified in the notice within a period as specified.

The Windhoek Municipal Council may, if in its opinion an emergency exists, instead of serving notice, or if such notice has been complied with within the period specified therein, itself carry out the removal of a sign or do other work which it may deem necessary and may recover the cost thereof from the owners, jointly and severally.

## **28 DAMAGE TO COUNCIL PROPERTY**

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

## **29 ENTRY AND INSPECTION**

The Windhoek Municipal Council shall be entitled, through its duly authorized officers, to enter into any premises and upon any advertising structure, at a reasonable time for the purpose of carry out any inspection necessary for the proper administration and enforcement of this Policy.

## **30 REMOVAL OF SIGNS**

- (1) If any sign is displayed so that in the opinion of the Windhoek Municipal Council is detrimental to the environment or to the amenities of the neighbourhood, or otherwise in contravention of any requirements of this Policy, Council on recommendation of the Inter-departmental Outdoor Advertising Technical Committee may serve a notice via a duly authorized officer on the owner or lessee of the sign, or the land owner on whose land the sign is erected or displayed, or person whose product or services are advertised on the sign to remove such sign or carry out such alterations thereto or do such work as may be specified in such notice, within 7 days from the date of the notice. Notwithstanding the service of such notice, it will be withdrawn or varied by the Windhoek Municipal Council, by agreement with the person so served, or failing such agreement, by the service of a further notice.

- (2) If a person to whom a notice has been given fails to comply with the direction contained in such notice with the period therein specified, the Windhoek Municipal Council may at any time after the expiration of that period, enter upon the land upon which the notice relates and remove such a sign or advertising structure or effect the alteration prescribed in the notice.
- (3) The Windhoek Municipal Council shall, in removing or altering a sign, under such circumstances not be required to compensate any person in respect of such sign in any way for loss or damage resulting from its removal or alteration.
- (4) Any costs incurred by the Windhoek Municipal Council in removing a sign or in doing alterations or other necessary works required in terms of a notice, will be recovered from the person on whom the notice was served as per the set of Tariffs under this Policy, or if a deposit has been paid in respect of such sign the costs may be deducted from the deposit.
- (5) Notwithstanding the foregoing provisions of this section, if a sign constitutes a danger to life on property or is obscene, the Windhoek Municipal Council itself may, without serving any notice and without a Court Order, carry out or arrange for the removal of such sign and/or advertising structure.

### **31 OFFENCES**

Any person who:

- (1) Contravenes or fails to comply with any provisions of this Policy
- (2) Contravene or fails to comply with any requirement set out in a notice issued and served on him in terms of this Policy
- (3) Contravenes or fails to comply with any conditions imposed in terms of the Policy
- (4) Knowingly makes a false statement in respect of any application in terms of the Policy

Shall be guilty of an offence and shall on conviction be liable to a fine not exceeding N\$2000,00 or, in default of payment, to imprisonment for a period not exceeding six months, and in the case of a continuing offence to a fine not exceeding N\$ 2000,00 for every day during the continuance of such offence after a written notice has been issued by the Windhoek Municipal Council requiring discontinuation of such offence, and for a second or subsequent offence he shall be liable on conviction to a fine not exceeding N\$ 2000,00 or, in default of payment, to imprisonment for a period not exceeding six months.

### **32 INDEMNITY**

The Windhoek Municipal Council may refuse any application submitted or grant its approval to any condition which it may deem expedient, including a condition that the owner of any sign or the owner of the land or building on which such sign is to be erected and displayed, or both such owners, indemnify the Windhoek Municipal Council to its satisfaction against any consequences flowing from the erection, display or mere presence of such sign.

### **33 RESPONSIBLE PERSON**

If any person is charged with an offence referred to in the Regulations relating to any sign, advertising structure or poster:

- (1) it shall be deemed that such person either displayed the sign, advertising structure or poster or caused or allowed it to be displayed,
- (2) the owner of any land or building on which any sign, advertising structure or poster was displayed, shall be deemed to have displayed such a sign, advertising structure or poster, or caused or allowed it to be displayed;
- (3) 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 have displayed every sign or poster displayed in connection with such meeting, function or event or to have caused or allowed it to be displayed; and
- (4) any person whose name, brand, product or service appears on a sign, advertising structure or poster shall be deemed to have displayed such sign, advertising structure or poster or to have caused or allowed it to be displayed, unless the contrary is proved.

### **34 SERVING OF NOTICE**

- (1) Where any notice or other document is required by this Policy to be served on any person, it shall be deemed to have been properly served if
  - (a) served personally on him or any member of his household apparently over the age of sixteen years;
  - (b) served at his place of residence or on any person employed by him or her at his place of business; or if
  - (c) sent by registered post to such persons residential or business address as it appears in the records of the Windhoek Municipal Council; or
  - (d) if such person is a company, if served on an officer of that company at its registered office or sent by registered post to such office.
- (2) When enforcing this Policy any staff member of the Windhoek Municipal Council may exercise the powers conferred by section 91 of the Act.
- (3) A notice required to be served under this Policy must be served in compliance with section 93 of the Act.

### **35 TRANSITIONAL PROVISIONS**

- (1) Any sign which was legally erected and displayed prior to the promulgation of this Policy is exempted from these regulations provided that such sign was legally erected and not moved, altered or re-erected and is also maintained in a satisfactory condition, until the contract or relevant agreement expires.
- (2) If no approval period was agreed or referred to either in the contract with the Windhoek Municipal Council or on the approval or consent given by the Council, a period should be agreed with the Council.

- (3) Every owner of land including building on land on which a sign was erected before the promulgation of this reviewed Policy shall, or any advertisement that was erected or displayed on the date of commencement of this Policy that is prohibited by these provisions, and is not an advertisement for which the Council may grant approval, must be removed within 90 days of such date of commencement.
- (4) Where an advertisement has been erected or displayed on the date of commencement of this Policy, which, in terms of these provisions, may not be so erected or displayed without the approval of the Council, the owner of the advertisement must apply to the Windhoek Municipal Council, as the case may be, for such approval, within 90 days of such date of commencement, failing which the advertisement must be removed forthwith. No such application may be made in respect of an advertisement contemplated in Sub-section 3.
- (5) If approval of an advertisement contemplated in Sub-section 4 has been refused, the owner must remove in within 30 days of receipt of notification of such refusal. Where such a notification has been posted by registered mail, the owner will be deemed to have received it eight (8) days after posting thereof.

### **36 TARIFF STRUCTURE**

The Windhoek Municipal Council, under its Outdoor Advertising Policy, adopted a set of Tariffs for the various services rendered under its Outdoor Advertising Policy.

It is acceptable that tariffs can differentiate between different classes and categories of structures, land ownership and type of application as far as requirements are concerned. The Tariffs are listed in a separate document which is attached to this Policy.

The Policy takes cognizance of the fact that the tariffs must include the cost associated with rendering of the service, namely: capital, operating, maintenance, administration, replacement and interest charges. Thus, an application submitted under this Policy has to pay an application fee with the application before it will be considered by Windhoek Municipal Council.

The Tariffs make provision for:

- (1) 'application fees' to process the application,
- (2) 'approval fees' for approving the application,
- (3) 'registration fees' to the annual registration of estate agents,
- (4) 'admin fees' to seize and confiscate signs (excluding costs to dismantle, remove and store signs and penalties) and
- (5) Annual 'license fees'.
- (6) Fees to appeal Council decisions.

The fees, included in the set of Tariffs, as determined by the policy and approved by Council, will be reviewed annually when the Windhoek Municipal Council's budget is reviewed and will form part of the municipal non-metered tariff schedule to be adjusted annually following approval by Council and published in the Schedule of Tariffs.

The Tariff structure must further be applied with recognition of the impact on economic development and wherever possible, promote local economic development.

## **SCHEDULE 1: SCHEDULE OF ARTERIAL AND COLLECTOR ROADS**

The below schedule of thirty (30) arterial and collector roads are defined for the purpose of this Policy and may be updated by the Windhoek Municipal Council from time to time, as and when required.

1	Abraham Mashego Street
2	Andimba Toivo ya Toivo Street
3	Auas Road
4	Bach Street
5	Bismarck Street
6	David Hosea Meroro Road
7	Dortmund Street
8	Florence Nightingale Street
9	Frankie Fredericks Drive
10	Frans Indongo Street (former name: Bülow Street)
11	General Murtala Ramat Muhammed Avenue
12	Hans Dietrich Genscher
13	Harvey Street
14	Hendrik Witbooi Drive
15	Hosea Kutako Drive
16	Independence Avenue
17	Jan Jonker Road
18	John Meinert Street
19	Lazarette Street
20	Mahatma Gandhi Street
21	Mandume Ndemufayo Avenue
22	Michelle McLean Street
23	Monte Christo Road
24	Moses Garoëb Street (former name: Auswarts Str)
25	Nelson Mandela Drive
26	Otjomuise Road
27	Pasteur Street
28	Robert Mugabe Avenue
29	Sam Nujoma Drive
30	Sean McBride Road

## SCHEDULE 2: TARIFF STRUCTURE FOR OUTDOOR ADVERTISING AND SIGNAGE

Category	Nr	Type	Description	Period	Tariff Excl. VAT (From 1 July - 30 June)
Billboards and other high impact free-standing signs	1	Mega Billboards	Advertising Structures / Signs, Billboards >81m <sup>2</sup>	Per application / billboard	Application Fees: N\$ 1 500.00 Approval Fees: N\$ 6 500.00, excluding 1 <sup>st</sup> year licence fee
	2	Super Billboards	Advertising Structures / Signs, Billboards 40m <sup>2</sup> to 81m <sup>2</sup>	Per application / billboard	Application Fees: N\$ 1 100.00 Approval Fees: N\$ 5 500.00, excluding 1 <sup>st</sup> year licence fee
	3	Large Billboards	Advertising Structures / Signs, Billboards 24m <sup>2</sup> to 40m <sup>2</sup>	Per application / billboard	Application Fees: N\$ 850.00 Approval Fees: N\$ 4 500.00, excluding 1 <sup>st</sup> year licence fee
	4	Small Billboards	Advertising Structures / Signs, Billboards: ≤24m <sup>2</sup>	Per application / billboard	Application Fees: N\$ 850.00 Approval Fees: N\$ 2 000.00, excluding 1 <sup>st</sup> year licence fee
	5	LEDs	Advertising Structures with Electronic Display	Per application / billboard	Application Fees: N\$ 2500.00 Approval Fees: N\$ 9500, excluding 1 <sup>st</sup> year licence fee
Posters and general signs	6	Banners	Banners	Per event / banner	N\$ 500.00 / banner/per two week period An additional N\$ 350.00 per week will be applicable for each consecutive week
	7	Auction Signs	Any other signs such as signs for sale of goods or livestock, projecting signs, etc.	Per event/maximum 30 days	N\$ 350.00/sign
	8a	Estate Agents Boards License Fee	Estate Agent Advertising Licence Fee/ annum for display of 'on show/for sale' boards	Twelve months	N\$ 6 000.00/agent Payable on renewal of advertising license
	8b	Large Estate Agents Boards	For larger boards for premises away from the street: max size 9m <sup>2</sup>	Maximum 3 months	Application Fees: N\$ 850.00 Approval Fees: N\$ 2000.00
	9	Event Posters	Event Posters/Headline Posters	Per event, per poster maximum 30 days	N\$ 15.00/poster
Mobile signs	10	Aerial Signs	Aerial Signs	24-hour day	N\$ 500.00
	11	Trailer Advertising	Trailer Advertising	24-hour day	N\$ 69.00
	12	Vehicular Advertising	Vehicular Advertising (3rd Party)	24-hour day	N\$ 130.00
	13	Bus Advertising	Advertising on busses Back advertising Full bus advertising	Per bus per month	N\$ 400.00 N\$ 1 500.00
Signs on buildings, structures and	14	Construction Project Sign	Construction Project Signs of ≤12m <sup>2</sup> (describing the project with list of professionals)	Per street front during construction	N\$ 15 000.00/once off/sign



Category	Nr	Type	Description	Period	Tariff Excl. VAT (From 1 July - 30 June)
premises	15	Construction Site Development Sign	Construction Site development signs of $\leq 12\text{m}^2$ (advertising the development/units for sale)	Per street front during construction	N\$ 27 000.00/once off/sign
	16	Construction Site Hoardings	Construction Site Hoardings	Per street front during construction	N\$ 25 000.00/once off/street front
	17	Wall/Building Wrapping	Wall/Building Wrapping	Per street front of display, not exceeding 6 months	N\$ 19 000.00/once off/street front
Fees (licensing and annual)	18	Auctioneer's Fees	Auctioneer's Notice Registration fee / annum	Twelve months	N\$ 7 500.00
	19	Fee Seizing of Signs	Admin fee: Seizing and Confiscation of signs (excluding removal/dismantling costs, excluding any other fines): - Signs $\geq 24\text{m}^2$ - Signs $\leq 24\text{m}^2$ - Any other signs such as estate agent boards, posters, on-premises signs, leaflets, pamphlets, brochure etc.; cost per sign Lamp poles, bus shelter and tender advertisements	Per event	N\$ 5 500.00
	19 a			Per event	N\$ 2 750.00
	19 b			Per event	N\$ 450.00/sign
	19 c				N\$ 15.00/leaflet/pamphlet/brochure
	19 d			Per sign	Rate of 1.5%
	20	Licence Fee Static Display	License fee/annum: Approved Billboards (Static display)	Twelve months	N\$ 100.00/m <sup>2</sup> display area (total m <sup>2</sup> of display area)/annum)
	21	Licence Fee Scrolling Display	License fee/annum: Approved Billboards (Scrolling Display)	Twelve months	N\$ 200.00/m <sup>2</sup> display area/annum
22	Licence Fee Electronic Display	License fee/annum: Approved Billboards (LED- Electronic Display)	Twelve months	N\$ 1 500.00/m <sup>2</sup> display area/annum	
	23	Tourist's Directional Signs Fees (Brown)	Tourist's Directional Signs Registration fee / annum	Twelve months	N\$ 2 500.00/m <sup>2</sup> display area/annum
Electricity	24	Electricity Consumption Fees	Electricity fee / m <sup>2</sup> / annum	Twelve months	N\$ 27 /m <sup>2</sup> display area/annum
Appeals	25		Appeals	Per appeal	N\$ 3 000.00

Note:

- Building plan approval fees for approval of the structure, Height relaxation fees, Building line relaxation as per schedule of the Department of Urban and Transport Planning
- The fees under Number 18 do not refer to the fees for 'tendered advertisements', i.e. advertisements put out on tender by Council and awarded under a fixed contract. These fees are for the seizing of illegally displayed signs covered under 'tendered advertisements'
- 50% rebate on NPO's tariffs (proof of welfare registration is required)
- Electricity consumption fees for structures less than 1m<sup>2</sup> totals N\$27.00 / display area / annum