

Proposed Amendment of the Mkhambathini Outdoor Advertising Control By-law

Billboards

1. To be added to Section 1, under existing heading "Definitions":

"billboard" means any screen, board, hoarding, fence, wall or free-standing structure used or intended to be used for the purpose of displaying any third-party outdoor advertising sign and which does not exceed 81 m² in area; and includes electronic and digital billboards;

2. To change Chapter 3, Section 5(2)(d) to read:

(d) the prescribed application fee will be in line with the adopted municipal tariff structure, applicable at the time of the application.

[NOTE: It is proposed that an application fee is charged per sqm of display area for a billboard. Within other municipalities, this ranges between R30-R40/sqm.]

2. To be added to Chapter 3, as a new Section under new heading "Billboards" (likely as a new section 7):

(1) A billboard may only be permitted in urban areas and/or along national and provincial routes where the municipality deems as suitable and within areas of minimum control, as may be defined from time to time.

(2) A billboard may not -

(a) an overall structure height in excess of 7.5m in landscape format, or 15m in portrait format, above the surface of the road which it is displayed towards.

(b) have an area in excess of 81 m² in the case of ground signs, for any one of the display faces of a multi-directional structure.

(c) encroach over the boundary line of the property on which it is erected, whether such encroachment is aerial or on ground level.

(3) A billboard must-

(a) be spaced at least 120m; 200m or 300m apart on a road or freeway, where the speed limit is less than 60km/h, between 61-80km/h or greater than 81 km/h respectively;

(b) be spaced and located at a position which is supported by the relevant roads authority, from a road safety perspective;

(c) be displayed between the angles of 90° and 60° to the direction of oncoming traffic.

(d) be externally illuminated;

(4) Any billboard displayed or altered must-

(a) comply with any other applicable law;

(b) not be detrimental to the nature of the environment in which it is located by reason of scale, intensity of illumination or design;

(c) not partially or wholly obscure any approved outdoor advertising sign previously erected and legally displayed;

(d) not constitute a danger to any person or property;

(e) not encroach over the boundary line of the property on which it is erected;

(f) not be erected if considered by an organ of state to be a distraction to drivers, cyclists or pedestrians which could contribute to unsafe traffic conditions;

(g) not have red, amber or green as its main colours when it is located at signalised traffic intersections;

(h) not obscure or interfere with any road traffic light or sign;

(i) not constitute a road safety hazard or cause undue disturbance or where permitted to be illuminated if such illumination, in the opinion of Municipality, constitutes a road safety hazard or causes undue disturbance; and

(j) not impede traffic flow on public roads during their display and maintenance, unless prior permission from the Municipality has been obtained and the necessary precautions have been taken and arranged.

(5) The billboard must, where applicable, display the name of the advertising company who is the lessee of immovable property on which the billboard is displayed.