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**CITY OF CAPE TOWN**  
**OUTDOOR ADVERTISING AND SIGNAGE BY-LAW**

**BY-LAW NO. 10518**

To provide a set of regulations governing the use of land and buildings for outdoor advertising and signage and for matters incidental thereto.

**PREAMBLE**

The object of this By-Law is to regulate outdoor advertising in the jurisdiction of the City of Cape Town in a manner that is sensitive to the environmental quality of different parts of the City of Cape Town. It seeks to strike a balance between outdoor advertising opportunities and economic development on the one hand, and the conservation of visual, tourist, traffic safety, environmental and heritage characteristics on the other hand. The object of this By—Law is to ensure that outdoor advertising respects the integrity of any site on which it is displayed, and complements the character of the locality in which it is displayed.

The sensitivity of the proposed locality of a sign and its capacity to withstand the visual impact are the most important guiding principles for the control of outdoor advertising. Outdoor advertising signs should only be placed where they are most compatible with the surrounding locality and where they do not impact on visual corridors and/or scenic drives. Signs that compromise protected, unique or sensitive areas will not be allowed.

In addition, outdoor advertising and signs should not compromise the functioning and safety of traffic and should not adversely affect the character of a locality by way of appearance, size or illumination.

Advertising on bridges, towers, telecommunication masts or pylons will not be permitted.

The types of landscapes, signs and areas of control are important factors in the classification concept utilized in this By-Law. This By-Law presumes that the type of sign gives an indication of the potential impact of such a sign on the locality in which it will be displayed. Thus in terms of this By-Law the local character of an area in which a sign is proposed will affect the degree of control applied in that area.

This By-Law recognises that the dynamics between the type of the sign, the sign itself and where it is to be located can most effectively be dealt with by the determination of areas of control. Three areas of control are applied in this By-Law namely maximum, partial and minimum areas of control. The potential for outdoor advertising and the sign types to be considered is therefore determined by permitting certain sign types in certain areas of control. Control measures are applied by means of approval or refusal, and by means of general and specific conditions and requirements.

The following signs are outdoor signs but which, without third party advertising, do not constitute outdoor advertising within the ambit of this By-Law:

- (i) Authorised tourist destination signs as defined by the Roads Traffic Manual
- (ii) Community information/educational boards
- (iii) Any sign required to be displayed by law including road traffic signs erected in terms of any Act of Parliament, Provincial Law or By-Law.

Finally, this By-Law sets out the procedures to be followed and the criteria used when obtaining approval for a sign applicable to outdoor advertising in the City of Cape Town. In doing so, it recognises that there is an extensive amount of technical detail applicable to specific sign types and their effect in specific localities. The specific requirements for specific signs are set out in the Schedules hereto. The Schedules are part of the By-Law. These Schedules are not any less important than the content of the By-Law itself.

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**A. DEFINITIONS**

In this By-Law, unless the context otherwise indicates:

“*Advertising structure*” means any physical structure built or capable of being used to display a sign.

“*Advertisement*” means any representation of a word, name, letter, figure or object or an abbreviation of a word or name, or any symbol; or any light which is not intended solely for illumination or as a warning against any dangers and “*advertising*” has a similar meaning.

“*Aerial sign*” means a sign that is displayed or performed in the air, including but not limited to balloons and blimps that can be viewed from within the Municipality’s area of jurisdiction.

“*Approval*” means approval by the Municipality or by officials, sub-council’s committees or executive councillors by virtue of powers delegated to them; and “*approve*” has a corresponding meaning.

“*Areas of control*” means those areas set out in Schedule 1 of the By-Law; and which may be modified and/or amended from time to time, which amendments and modifications will be graphically depicted by way of maps as prepared by the Municipality from time to time.

“*Banner*” means any material upon which a sign is displayed in such a manner as to be fully legible in windless conditions, attached to one or more ropes, poles or flagstaffs projecting vertically, horizontally or at an angle, or attached to buildings or special structures, but excludes banners carried as part of a procession. A flag which is not displayed on an approved flag pole shall for the purposes of this By-Law, be deemed to be a banner.

“*Billboard*” means any screen or board which stands free and is larger than 4,5 m<sup>2</sup> in total area; which is supported by, or consists of, a structure used, or intended to be used, for the purpose of posting, displaying or exhibiting a sign.

“*Clear height*”, in relation to a sign, means the vertical distance between the lowest edge of the sign and the natural level of the surrounding ground, footway or roadway immediately below the sign.

“*Commercial advertising*” means any words, letters, logos, figures, symbols, pictures relating to the name of a business, trade, partnership, individual, or any information, recommendation or exhortation; in respect of any particular goods manufactured or sold, or any particular services rendered or offered, or any event for commerce or entertainment, including sporting events.

“*Commercially sponsored sign*” means a sign which advertises goods or services; but the erection of which has a secondary purpose, which is to promote or contribute to some recognised public or community goal or function.

“*Common boundary façade*” means any façade of a building which is built abutting a rear or side boundary of an erf and which façade is blank, meaning having no architectural features, which includes windows.

“*Composite sign*” means a single freestanding advertising structure for the display of more than one advertising sign.

“*Consultant*” means a suitably qualified independent person or company that acts on behalf of, or as an agent of, an applicant for approval of a sign in terms of this By-Law.

“*Continuing offence*” means an offence in terms of this By-Law, which continues to exist, after the expiry of the notice period referred to in a notice served in terms of this By-Law.

“*Custom made design*” means the design of any sign, which features special effects such as specialist character cut outs and/or shapes and/or three dimensional presentations or moving parts and which is uniquely designed and/or constructed for erection in a particular location.

“*Designated Metropolitan Road*” means a Class I (freeways and expressways), class 2 (primary arterials), class 3 (secondary arterials) road as depicted graphically from time to time on MAP CMT.R-0007, issued by the Municipality from time to time in terms of The Urban Transport Act No. 78 of 1977.

“*Development board*” means a sign displayed at premises upon which building operations are currently in progress and relating to any services being provided, work being done or goods being supplied in connection with such building operations. This excludes contract boards for building and civil engineering projects as required in terms of the National Building Regulations and Control Act, 103 of 1977 as amended from time to time and defined in terms of the General Conditions of Contract and/or Specifications of the appropriate institutions.

“*Display*” means the display of a sign and includes the erection of any billboard, sign or structure intended solely or primarily for the support of a sign or billboard; and, in addition, includes the display of a sign of a business, trade partnership or individual connected with the contents of the sign or sign; and “*displayed*” has a corresponding meaning.

“*Electronic sign*” means a sign which has an electronically controlled, illuminated display surface which allows all, or a portion, of the sign to be changed, or illuminated in different ways.

“*Environmental Impact Assessment*” (EIA) means an assessment carried out in accordance with the Municipality’s guidelines for outdoor advertising.

“*Estate Agency*” means a person who markets and/or sells properties with or without buildings erected thereon and “*estate agent*” has a corresponding meaning.

“*Existing sign*” means any sign previously approved by the Municipality.

“*Flat sign*” means a sign which is affixed to, or painted directly onto, a wall of a building but not onto, or over, windows or doors or architectural articulations and which at no point projects more than 250 mm in front of the surface of such wall.

“*Freestanding sign*” means any sign or group of signs contained or displayed on one freestanding structure 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 route*” means a prominent route with an entrance to or exit from a specific part of the Municipality’s jurisdiction, consisting of man-made or natural features and creating a strong sense of arrival or departure and which is consistent with city planning and/or development framework plans or policy. These routes may be geographically depicted by way of maps or listed by the Municipality from time to time.

“*Graphic*” includes but is not limited to any component which contributes to the visual appearance or aesthetics of a sign; including its background.

“*Headline poster*” means a temporary poster advertising the contents of a daily or weekly newspaper.

The “*Height of a sign*” is calculated by measuring the vertical distance between the uppermost and lowest parts of the structure.

“*Heritage Impact Assessment*” (HIA) means a visual assessment of the impact that any proposed sign may have on the cultural heritage, whether built or recognised, at the locality where the proposed sign will be displayed.

“*Internally Illuminated Sign*” means an advertisement or structure used to display an advertisement which has been installed with electrical or other power and an artificial light source which is fully or partially enclosed within the structure or sign and which light is intended to illuminate the advertisement or a portion thereof.

“*Law*” means any law, proclamation, ordinance, Act of Parliament or Provincial Legislature, or any other enactment having the force of law.

“*Locality Bound Advertising*” means any sign displayed on a specific erf, premises or building and may include (that subject to a prescribed encroachment fee) such a sign on municipal owned land, adjacent to, abutting on and/or within 5 metres of the aforementioned erf; premises or building which sign refers to an activity product service or attraction; located, rendered or provided on or from that erf or those premises.

“*Loose portable sign*” means a freestanding locality bound notice or advertising board placed or erected in the Road Reserve or in a public open space.

“*Movable sign*” means a sign not permanently fixed and not intended to remain fixed in one position, but does not include any moving part on a fixed permanent sign.

“*Municipality*” means the Municipality of the City of Cape Town and includes any executive councillor, or Committee or Sub-Council established by the Municipality, or any employee thereof, or duly authorised agent thereof acting in connection with this By-Law by virtue of a power vested in the Municipality and delegated to such employee or agent.

“*New sign*” means any sign first displayed after the promulgation of this By-Law;

“*Non-profit body*” is a body established primarily to promote a community goal or benefit without direct or personal financial gain; and may include educational, sporting, medical, municipal departments; bodies as well as charities or community organisations. The Municipality may call for documentary proof, (which may include the production of bank statements) of the non profit status or community benefit objective of the body.

“*Organ of state*” means:

- (a) any department of state or administration in the national, provincial or local sphere of government;
- (b) any other functionary or institution:
  - (i) exercising a power or performing a function in terms of the Constitution or a provincial constitution; or
  - (ii) exercising a public power or performing a public function in terms of any other legislation.

“*Overall height*”, in relation to a sign, means the vertical distance between the uppermost edge of the sign and the finished level of the ground, footway or roadway immediately below the centre point of the sign.

“*Perimeter of an Intersection*” means the perimeter of the area embraced within the prolongation of the road reserve lines of two or more public roads that join one another at any angle, whether or not one such public road crosses the other.

“*Person*” includes:

- (a) any organ of state
- (b) any company incorporated or registered as such under any law
- (c) any body of persons, whether incorporated or not, functioning as a single entity for whatever purpose.

“*Poster*” means temporary signs capable of being attached to the Municipal electrical light standards and/or pasted to fixed structures to advertise events or campaigns, including elections or referenda of limited duration and excluding signs advertising markets, exhibitions or events which are held on a regular basis of more than two days per month.

“*Projected sign*” means any sign projected by a laser projector, video projector, or other apparatus.

“*Projecting sign*” means a sign which is affixed to a wall of a building and which at some point projects more than 250 mm in front of the surface of such wall.

“*Public façade*” means any façade that has windows or other architectural articulation.

“*Public place*” means any public road, public street, thoroughfare, bridge, subway, footway, foot pavement, footpath, sidewalk, (or similar pedestrian portion of a Road Reserve), lane, square, open space, garden, park or enclosed place vested in the Municipality, or other state authority or indicated as such on the Surveyor General’s records, or utilized by the public or zoned as such in terms of the applicable zoning scheme.

“*Public road*” means public road as defined in the National Road Traffic Act 93 of 1996.

“*Road Authority*” means the road authority as defined in Section 2 of the Roads Ordinance (Ordinance 19 of 1976).

“*Road Reserve*” means the area contained within the statutory width of a road, and includes roadways, shoulders and sidewalks and the airspace above such roadways, shoulders and sidewalks and all other areas within the road reserve boundary.

“*Roadway*” means that portion of a road, street or thoroughfare improved, constructed or intended for vehicular traffic as defined in the National Road Traffic Act No 93 of 1996.

“*Roof sign*” means a sign affixed to a roof of a building where the top edge of any point of that sign does not exceed the height of the roof plane to which it is affixed.

“*Scenic Drive*” means a road designated as such on an approved zoning scheme or from which landscapes or features of aesthetic or cultural significance can be seen or viewed as designated by the Municipality from time to time.

“*Security sign*” means an outdoor sign for neighbourhood watch and similar schemes, and a sign containing the name, logo, address and telephone number of a security company contracted to protect, or security system installed to protect, the premises on which the sign is displayed.

“*Service station facility sign*” means freestanding signs at petrol filling stations, roadside rest and service areas and includes service station pylon signs.

“*Shop*” means a building used for retail trade or services.

“*Sign*” means any object, product, replica, advertising structure, mural, device or board which is used to publicly display a sign or which is in itself a sign; and includes a poster and a billboard.

“*Signalized traffic intersection*” means an intersection controlled by traffic signals.

“*Sky sign*” means a sign where the top edge of any point of that sign exceeds the height of the roof plane to which it is affixed.

“*Sponsored sign*” means a sign, the primary purpose of which is not to advertise goods or services but which displays a graphic or content which promotes community or public awareness of a recognised public or community goal.

“*Street name signs*” means pole-mounted, double-sided, internally illuminated or unilluminated signs displayed in combination with names of streets, not exceeding 1 m<sup>2</sup>.

“*Street furniture*” means public facilities and structures which are not intended primarily for advertising and includes but is not limited to seating benches, planters, bins, pole mounted bins, bus shelters, sidewalk clocks, drinking fountains, Telkom boxes, traffic signal controllers, electricity boxes, post boxes and telephone booths, but excludes road traffic signs, traffic signals, street lights or any other road-related structures.

“*Sub-council*” means a metropolitan sub-council referred to in Section 62 of the Local Government: Municipal Structures Act No 117 of 1998.

“*Temporary signs*” means signs which are displayed for a maximum period of 14 days, or such other period as may be approved by the Municipality.

“*Thickness*” in relation to a projecting sign, means the width of such sign measured parallel to the plane of the main wall to which such sign is affixed.

“*Third-party advertising*” means the advertising of goods or services that are not made, procured, sold or delivered from the property on which the sign and/or sign advertising of those goods or services is fixed or placed, and includes advertising which is not locality bound as well as the display of a sign which is made, procured or sold from the property but advertises goods or services which are not made, procured, sold or delivered from that property.

“*Three dimensional sign*” means a sign containing more than 2 dimensions, including product replicas.

“*Traffic Impact Assessment*” (TIA) means a study carried out by a registered Professional Engineer with demonstrable experience in the field of traffic engineering that investigates the impact a proposed sign may have on vehicle/pedestrian/cyclist safety and traffic operation. The study should recommend any mitigating measures that may be required as a result of that impact.

“*Traffic Sign*” means a road traffic sign as prescribed in the National Road Traffic Act No. 93 of 1996.

“*Traffic Signal*” means a road traffic signal as prescribed in the National Road Traffic Act No. 93 of 1996.

“*Transit advertising*” means advertising by means of a movable sign which is capable of being transported by road either on or in conjunction with a motorized vehicle, including trailers primarily used for advertising.

“*Transportation Terminals*” means any area designated by the Municipality as such, where the formal interchange of modes of public transport takes place by the public, including, but not limited to designated railway stations, official taxi terminals and bus terminals.

“*Urban edge line*” means a predetermined point to point boundary line as determined by the Municipality from time to time, which has as its purpose, the containment of urban development.

“*Verandah*” includes a cantilevered canopy and sunblind.

“*Window signs*” means signs which are temporarily or permanently painted on, or attached to the window-glass of a building.

“*Zone*” means a land use zone as set out in the relevant zoning schemes or Town Planning Regulations as amended from time to time and applicable to any erf on which a sign is displayed or intended to be displayed and “*zoning*” has a corresponding meaning.

## **B. SUBMISSION OF APPLICATIONS**

1. Other than those signs referred to in Sections 55 to 62 hereinbelow, no person shall display any advertisement or erect or use any sign or advertising structure for advertising purposes without the Municipality’s approval in terms of this By-Law and any other applicable legislation.
2. Every person intending to display a new sign or to alter or to add to an existing approved sign; or submitting a signage plan in terms of a Site Development Plan proposal, shall apply in writing to the Municipality which application shall be accompanied by the following information in duplicate:
  - 2.1 A site plan showing the site on which it is proposed that the sign is to be erected or displayed, drawn to a scale of not less than 1:200 showing clearly and accurately the position of the sign and the building, if any, to which it is to be attached and showing every building and the existing signs on the site, existing and proposed landscaping, traffic signals and road traffic signs, and the positions, with dimensions, of the sign or sign in relation to the boundaries of the site and the location of the streets abutting the site, together with its existing approved zoning conditions.

- 2.2 A drawing, which complies with the requirements of the National Building and Regulations Standards Act 103 of 1977 and is in sufficient detail to enable the Municipality to consider the appearance of the sign and all relevant construction detail, including a description of the materials of which the sign is to be constructed, the colours to be used, and whether or not the sign is to be illuminated; and in the latter event, the plan shall indicate whether or not the sign is an electronic sign and, if so, full details shall be furnished.
  - 2.3 The drawing referred to in Section 2.2 above shall have detailed drawings of such sign to a scale of not less than 1:20 and a site plan indicating the position of the sign on the site to a scale of not less than 1:50.
  - 2.4 If the proposed graphics of the sign are to be altered or changed at any stage during its proposed period of display, such intention must be specified in the application, together with an undertaking that every proposed change of graphic will be delivered to the Municipality for its prior approval, two weeks prior to the proposed display thereof, failing which only the proposed graphics will be considered for approval.
  - 2.5 If a sign is to be attached to or displayed on the wall or façade of a building, the Municipality may require the submission of an additional drawing showing an elevation of the building in colour, the details and position of the proposed sign and the details and the position of every existing sign on the building drawn to a scale of not less than 1:100, or the Municipality may require a coloured print of or an artist's photographic or computer generated impression of the building with the details of the proposed sign superimposed on such graphic and drawn as nearly as is practicable to the same scale as that of the graphic.
  - 2.6 If the applicant is not the registered owner of the property on which the sign will be erected, the applicant shall obtain the signature of the registered owner of the land or building on which the sign is erected, indicating that person's knowledge of and consent to the application.
  - 2.7 Upon the request of the Municipality; such additional drawings, calculations and other information as is necessary to enable the Municipality to establish the adequacy of the proposed means of securing, fixing or supporting any proposed sign, sign or billboard and its ability to resist all loads and forces to which the sign, advertising or billboard may be exposed and the sufficiency of the margin of safety against failure.
  3. The Municipality may require the submission of an Environmental Impact Assessment (either the 1st stage thereof; being the completion of an Environmental Checklist or in its entirety), Heritage Impact Assessment and/or a Traffic Impact Assessment.
  4. If in the Municipality's opinion, a community or portion thereof or a person will be affected by the proposed sign, it may require a public participation process prior to considering the approval, which public participation process shall comply with the Municipality's policy on public participation.
  5. The Municipality will require a signage master plan in respect of any development where the erection of numerous signs is proposed or the rationalisation of previously approved signs is required so as to allow it to consider a consistent design master plan prior to assessment of any individual sign.
  6. The Municipality shall notify the applicant of any additional requirements it has, within 21 working days of the date of submission of the original application and payment of the application fee.
  7. The Municipality shall be entitled to retain a copy of every document supplied to it as part of an application, but is not obliged to do so.
  8. The Municipality may require written notification, by the applicant or person who erects an approved sign that such sign has been erected.
- C. CHARGES AND GENERAL FACTORS IN CONSIDERING APPROVAL AND/OR AMENDMENTS/CONDITIONS TO APPROVAL**
9. Every person who applies to the Municipality for approval in terms of this By-Law shall, on making application, pay to the Municipality an application fee as determined by the Municipality from time to time. In addition, on approval of an application, an approval fee as determined by the Municipality from time to time shall be paid. No sign shall be erected until such time as both the application and approval fees have been paid in full.
  10. In considering an application for the display of an advertisement or the erection of a sign in terms of this By-Law, or an amendment or condition attaching or to be attached to an approval, the Municipality shall have regard to the following factors:
    - 10.1 The area of control in which the proposed sign is to be erected or displayed are as set out in Schedule 1 annexed hereto. Provided further that if a sign falls into more than one possible area of control or if a proposed sign site located in one area of control may impact on an adjacent area of control, the Municipality shall be entitled to determine the area of control pertaining to that application.
    - 10.2 The type of locality or landscape and the advertising opportunities pertaining to that area of control.
    - 10.3 The number of signs already displayed or proposed to be displayed on the erf and in the area surrounding the erf concerned.
    - 10.4 The findings of any Traffic Impact Assessment, Environmental or Heritage Impact Assessment more specifically any such finding as to whether the proposed sign will be detrimental to the environment or adversely affect the amenity of the locality or neighbourhood or affected properties;
    - 10.5 Locality bound signs must relate to the lawful use of a property provided that no such sign shall be affixed to or placed on residential premises or portions thereof other than is permitted by or for home industries and legal temporary uses.
    - 10.6 The outcome of any process of public participation regarding the proposed sign.
    - 10.7 The provisions of Sections 12 to 40 inclusive, of this By-Law.
    - 10.8 That no sign or advertisement may be designed or displayed that:
      - 10.8.1 will constitute a danger to any person or property;
      - 10.8.2 will display any material or graphic which, whether in form, content or both, may reasonably be expected to cause offence to the public or an identifiable class of persons;
      - 10.8.3 will be detrimental to the environment or amenity of the neighbourhood by reason of either its size, intensity, frequency, illumination, quality of design, material, proposed graphic, locality or for any other reason;

10.8.4 will obscure any other signs approved in terms of this By-Law or its predecessor;

10.8.5 will be detrimental or otherwise negatively impact on the environment, whether artificial or natural.

10.9 In considering a proposal for new graphics in respect of a sign approved in terms of this By-Law, the Municipality will have regard to the factors referred to in Sections 10.4 to 10.8 inclusive.

10.10 The Municipality will only consider an application for the extension of an approval period (in terms of Section 47 on condition that the said sign complies with the provisions of this By-Law as at the date of application for such an extension.

10.11 The Municipality will have regard to the factors referred to in Section 10.4 to 10.8 in assessing an application for an extension of the approval period in terms of Section 47. In the event of the approval period being extended by the Municipality, the extension period shall not exceed a further 5 year period.

10.12 Any application for an extension of an approval period in terms of Section 47 must be accompanied by the fees referred to in Section 9 hereinabove; being both an application and an approved fee.

#### **D. FACTORS RELATING TO SPECIFIC SIGNS, AREAS OF CONTROL AND COMMERCIAL SPONSORED SIGNS**

11. The Municipality shall, in addition to the factors set out hereinabove, apply certain minimum standards to certain specific sign types and proposed localities when an application for approval is made in respect thereof and will apply certain specific criteria to applications for the erection of signs by non-profit bodies. These specific standards and criteria are set out as Schedules to this By-Law. Schedule 1 to this By-Law indicates the areas of control in which certain specific sign types may be permitted, subject always to approval in terms of this By-Law and furthermore subject to any additional requirement pertaining to a specific sign type as set out in the following Schedules:

##### **Schedule**

- Schedule 1 — Areas of Control
- Schedule 2 — Billboards
- Schedule 3 — Locality Bound Freestanding and Composite Signs
- Schedule 4 — Signs attached to walls of buildings — (Flat & Projecting Signs)
- Schedule 5 — Sky signs
- Schedule 6 — Roof signs
- Schedule 7 — Signs on a verandah, balcony, canopy, supporting columns, pillars and posts
- Schedule 8 — Signs on boundary walls, fences and construction sites
- Schedule 9 — Newspaper Headline posters
- Schedule 10 — Banners, flags and balloons
- Schedule 11 — Posters
- Schedule 12 — Estate Agent signs
- Schedule 13 — Loose portable signs
- Schedule 14 — Aerial signs
- Schedule 15 — Transit Advertising
- Schedule 16 — Signs on Municipal Land/Buildings
- Schedule 17 — Signs by/for Non-Profit Bodies

The Municipality may grant an exemption from the terms of this By-Law in respect of the sign types or areas of control set out in Schedules 10, 11 and 12 hereto having regard to:

- (i) the area of control where it is proposed to display the sign/s;
- (ii) nature of the event;
- (iii) duration of the erection/display of the sign;
- (iv) size of the proposed sign;
- (v) any traffic and/or safety and/or environmental or heritage impact assessment
- (vi) the outcome of any public participation process

#### **E. STANDARD CONDITIONS FOR APPROVAL**

##### **STRUCTURAL REQUIREMENTS**

- 12. All signs shall be properly constructed of the requisite strength and shall be secure and shall comply with the requirements pertaining thereto of the National Building Regulations and Standards Act 103 of 1977 as amended from time to time.
- 13. The Applicant to whom approval has been granted and the owner of the property or building to which it is attached shall be jointly and severally liable for the maintenance thereof and shall undertake at least one inspection per year thereof with a view to satisfying themselves as to the safety thereof.
- 14. Where any sign becomes torn or damaged or otherwise falls into a state of disrepair, the applicant to whom the approval has been granted and the owner of the fixture or property which or to which a sign is attached shall within 7 working days of a notice to do so, repair it.
- 15. All signs and their support structures shall be constructed of incombustible, durable materials suited to the function, nature and permanence of the sign.
- 16. All glass used in a sign, other than glass used in illumination, must be safety glass of at least 3 mm thick.



17. Glass panels used in a sign must not exceed 0,9 m<sup>2</sup> in area, each panel being securely fixed in the body of the sign, structure or device independently of all other panels.
18. Every sign and its support structure shall be kept in a state of good repair.
19. No sign may be placed covering any window or opening provided for ventilation of a building or obstruct any stairway or doorway or other means of exit from the building or prevent movement of people from one part of a roof to another.
20. No advertising structure shall be closer to overhead electrical equipment than the minimum distance as prescribed from time to time.

#### **ELECTRICAL REQUIREMENTS**

21. All signs needing an electrical connection must preferably be supplied from the existing electrical supply on the erf where it is to be erected. If this is not possible, application for a metered electricity supply must be made to the relevant authority.
22. Every sign in connection with which electricity is used, shall be provided with suitable capacitors to prevent interference with radio and television reception.
23. Each power cable and conduit containing electrical conductors in respect of a sign shall be so positioned and fixed so that it is safe, unseen, inaccessible and child tamper proof and animal proof.
24. Each interior high-voltage installation that runs unattended (such as a window display) and each exterior high-voltage installation shall have an acceptable type of fireman's switch in accordance with the requirements as stipulated in Sections 6.7.2 and 7.5 of SABS 0142 1993 promulgated in terms of The Occupational Health and Safety Act.

#### **ILLUMINATION REQUIREMENTS**

25. The Municipality may approve an illuminated sign, provided that the provisions of this By-Law are complied with and that such illumination does not constitute a road safety hazard or cause undue light spillage.
26. Signs may not be illuminated if no sign content is displayed.
27. Requirement for internal illumination and/or electronic signs:
  - 27.1 Internally illuminated and electronic signs containing third party advertising may only be displayed in areas of partial and minimum control and must be less than 2,1 m<sup>2</sup>. This size condition may be waived, up to a maximum size of 4,5 m<sup>2</sup> in any such area upon receipt of an Environmental and Heritage Impact Assessment showing no detrimental impact will be caused by the proposed display, or to any larger size specified by the Municipality in an area designated by the Municipality as a district in which illuminated or electronic signs are to be encouraged.
  - 27.2 Electronic signs may not have subliminal flashes.
  - 27.3 Prior to erection, the Municipality may require a Traffic Impact Assessment to be conducted, the results of which must indicate that no detrimental impact on traffic is envisaged. In addition the Municipality may require subsequent traffic monitoring of any internally illuminated or electronic sign.
28. Requirements for external illumination:
  - 28.1 The light source emanating from floodlights shall not be visible to traffic travelling in either direction.
  - 28.2 Floodlights shall not be positioned so as to create any undue light spillage beyond the surface area of the sign.
  - 28.3 Approved wayleaves MUST be obtained from the electricity department prior to any excavations for the installation of signs. This also applies for signs to be erected in the vicinity of overhead power lines.

#### **ROAD TRAFFIC SAFETY REQUIREMENTS**

29. Signs may not be erected in an area where the Roads Authority is of the opinion that they are an unacceptable distraction for drivers or where drivers turn, negotiate curves or traffic merges, diverges or weaves.
30. Electronic signs shall not be permitted if they are visible from a class 1 road, gateway route or a scenic drive unless expressly approved in writing by the Road Authority.
31. Advertising on bridges, towers, telecommunication masts or pylons shall not be permitted.
32. Signs shall not be located within 50m of the perimeter of an intersection of a designated metropolitan road unless expressly approved in writing by the road authority.
33. The graphic content of signs shall not have the potential to be visually interpreted as a road traffic sign, due to any factor, including but not limited to the following:
  - (a) any stylised or pictorial presentation of a road traffic sign or traffic signal;
  - (b) any word, symbol, logo or other device used on a road traffic sign;
  - (c) use of combinations of colours specified for road traffic signs, in a manner likely to lead to confusion;
  - (d) any reflectorised paint or material.

34. Signs may not be erected in an area where the traffic volume, the average following headway or accident history requires a higher than average degree of awareness from drivers.
35. Signs may not be attached to or obscure a road traffic sign or traffic signal specifically provided for in the South African Road Traffic Signs Manual and/or the South African Development Community Road Traffic Signs Manual.
36. Signs may not be erected within the road reserve of any public road unless expressly approved by the road authority.
37. When located at signalized traffic intersections, signs may not have the colours red or yellow or green as main colours and shall not obscure or interfere with any road traffic sign or traffic signal.
38. Electronic signs shall not be permitted within 80 metres of the perimeter of a signalised traffic intersection.
39. Flashing or running messages or variable transition messages that have a message change interval of greater than 0,3 seconds or have transition effects between message changes shall not be permitted if viewable from a public road.
40. Static display, simple transition signs shall display a complete frame for an information cycle length of not less than 60 seconds when visible from a signalised traffic intersection and 30 seconds at other locations.
41. All third-party signs larger than 4,5 m<sup>2</sup> erected adjacent to a public road or in a railway reserve intended to advertise to persons using designated metropolitan roads must be spaced a minimum specified distance from any other sign or road traffic sign, such distance measured parallel to the centre line of the roadway, in accordance with Table 1 below.

**TABLE 1: LINEAR SPACING BETWEEN SIGNS**

Case	Spacing required when visible to traffic on a road with a speed of:		
	< 60 km/h	61–80 km/h	81–120 km/h
Where an advertising sign follows a road sign	380 m	425 m	475 m
Where an advertising sign follows an advertising sign	310 m	360 m	410 m
Where an advertising sign precedes a road sign	40 m	70 m	100 m

42. The abovementioned minimum distances specified in Table 1 above may be decreased by the Municipality if the sign falls within an area of minimum control, or in other areas of control on submission of a TIA motivating a reduction of this spacing to the satisfaction of the Municipality. The Municipality may from time to time prepare a list or map of designated areas in which the abovementioned spacing requirements shall not be applicable.

**LEGAL REQUIREMENTS**

43. All signs to be erected and/or displayed within the area of jurisdiction of the Municipality must, in addition to complying with this By-Law, comply with all other applicable legislation, including any applicable Zoning Scheme Regulations or condition of approval of any departure from the applicable Zoning Scheme Regulations.

**F. APPROVAL**

44. The Municipality may refuse any application or grant its approval subject to conditions relating to the erection and/or use of the sign and including a condition that the owner of any sign or billboard or the land or building on which it is erected or displayed, or both such owners and/or the person whose product and/or services are advertised, indemnify the Municipality against any consequences flowing from the erection, display or mere presence of such sign.
45. The Municipality may, at any time, withdraw an approval granted in terms of this By—Law or its predecessor or amend any condition or impose a further condition in respect of such approval, if a sign or advertising structure is in a state of disrepair, stands empty for more than 90 consecutive days, no longer complies with any provision of this By-Law or is substantially altered from the original approved application by way of either structure or graphic content.
46. Should an approved sign not be erected within 12 months from the date of approval or within such other time as is specified in the approval, such approval shall lapse, unless that period is extended in writing by the Municipality prior to such lapse.
47. Any approval of third party advertising granted by the Municipality in terms of this By-Law, shall endure for a maximum period of 5 years, calculated from the date of approval, unless extended in writing prior to the expiry of the approval period. The Municipality must receive a written application for extension of the approval period at least six calendar months prior to the lapse of the approval period.
48. In the event that the structure supporting such sign is intentionally demolished before the expiry of the approval period, the approval shall lapse and no further sign or supporting structure may be erected or re-erected without the Municipality's prior approval in terms of this By-Law.
49. All decisions by the Municipality regarding applications made in terms of this By-Law shall be in writing and will be provided to Applicants within 90 calendar days of date of submission of a complete application, alternatively, if so required by the Municipality, within 90 calendar days of its receipt of any additional information and/or assessments provided to the Municipality.

**G. APPEAL**

50. Any persons whose rights are affected by a decision made in connection with this By-Law by the Municipality may appeal against that decision by giving written notice of the appeal and reasons to the Municipal Manager within 21 days of the date of the notification of the decision.
51. The Municipal Manager must promptly submit the appeal to the appropriate appeal authority mentioned in Section 53.

52. The appeal authority must consider the appeal, and confirm, vary or revoke the decision, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision.
53. The appropriate appeal authority will be as determined by the Municipal System's Act No. 32, as amended from time to time.
54. An appeal authority must commence with an appeal within six weeks after receipt of the appeal and decide the appeal within a reasonable period.

**H. SUBJECT TO COMPLIANCE WITH THE CONDITIONS PERTAINING THERETO AND/OR SET OUT HEREUNDER, THE MUNICIPALITY'S APPROVAL IS NOT REQUIRED FOR THE FOLLOWING SIGNS**

Should any sign not comply with the conditions relative to each sign type listed below, an application in terms of B shall be required.

Subject to compliance with the conditions relative to each sign type listed hereinbelow, and any other applicable legislation, or condition imposed by the Municipality, no application for approval is required in terms of this By-Law in respect of:

55. Development Boards

55.1 Development boards shall be removed forthwith when the building operations are complete or forthwith if the building operations are discontinued, or when the provisions of the services, the doing of the work, or the supply of the goods to which the sign relates has ceased;

55.2 The Municipality may order the removal of any such sign if the building operations have been substantially completed or discontinued or an Occupancy Certificate has been issued by the Municipality, or the provision of the services, the doing of the work or the supply of the goods to which it relates, has for all practical purposes ceased, and such signs shall thereupon be forthwith removed but no later than 5 days after the date of the order for removal thereof;

55.3 If the premises on which building operations are in progress, are to be used wholly for residential purposes, only one development board shall be displayed and such development board shall not exceed 3 m<sup>2</sup> in total area;

55.4 If the premises are not to be used wholly for residential purposes, no more than two development boards shall be displayed and the aggregate area of both development boards shall not exceed 5 m<sup>2</sup> in total area;

55.5 If the signage, whether on freestanding boards, or flexible building covering material, include any other form of Third Party advertising, such sign must then comply with the provisions of Schedule 8 hereto and Municipal approval for the display thereof must first be obtained in terms of this By-Law.

56. To Let/For Sale Signs

These include any sign not exceeding 400 mm x 500 mm in total area displayed at existing premises or at properties upon which a new building is being erected and relating to accommodation being offered to rent or purchase in the building, on condition that any such sign shall be removed within 60 days after the date upon which the accommodation to which it relates is capable of occupation;

57. On Premises Business Signs

These include any unilluminated sign not projecting over a public road and not exceeding 0,2 m<sup>2</sup> in total area notifying only the types of trade, business, industry or profession lawfully conducted by any occupant or permanent resident of the premises to which it is attached, the name of such occupant, the type of activity, the address and telephone number of such premises and the hours of attendance (if any); provided that only one such sign per occupant may be displayed.

58. Window Signs

These include any locality bound signs which are temporarily or permanently painted on or attached to the window glass of a building used for commercial, office, industrial or entertainment purposes, or any other temporary or permanent sign which is displayed within 2 m of any window or external opening through which it can be seen from the outside such a building, on condition that no window sign shall exceed 4,5 m<sup>2</sup> in an area of maximum control.

59. Signs incorporated in the face of a building

Any sign forming an integral part of the fabric of a building (but excluding a painted sign or a sign affixed in any manner onto the building), on condition that no such sign shall exceed 0,2 m<sup>2</sup> in total area.

60. Signs on Sports Fields

Except when visible from scenic drives, any sign erected around the perimeter of a sports field, to a maximum size of 2 x 1 m each, provided further that larger signs which face inwards onto the field and are not visible from any other public place, shall also be permitted.

61. Security Signs

Any security sign not projecting over a public road and not exceeding 0,2 m<sup>2</sup> in total area indicating either that a security watch scheme is in operation or that a security company has been contracted to protect the premises on which the sign is displayed, on condition that:

61.1 only one such sign is displayed on any public road or each street frontage of such premises and;

61.2 the said sign displays only the name, logo, address and telephone number of a security company contracted to protect the premises on which the sign is displayed.

62. Sponsored, Commercially sponsored and Non-Profit Body Signs: less than 4,5 m<sup>2</sup>:

62.1 Any such sign whether erected by or in connection with a non profit body or not; not exceeding 4,5 m<sup>2</sup> in total area on condition that no more than 5% of the total surface area of the sign is used for third party advertising; and the sign is not illuminated, and furthermore provided that only one such sign shall be permitted per erf.

62.2 Signs which comply with provisions of Section 62.1 shall, when erected on municipal land, only be erected once agreement has been concluded with the Municipality, wherein the extent of the community or public benefit as jointly agreed between the municipal department responsible for the premises and/or land has been agreed and the terms of the erection of the sign agreed, and a copy of the agreement lodged with the environmental management branch or its successor in title, of the Municipality.

62.3 All other sponsored signs are dealt with in Schedules 16 and 17.

63. Advertising on Flags

Advertising flags shall only be displayed on flag poles, provided that no more than 3 flag poles of 3 m each in total height, shall be permitted on any one property on which they are displayed.

64. Advertising on Vehicles

Signs painted or affixed directly onto the body of a motorized vehicle.

**I. DISFIGUREMENT**

65. No person shall destroy, harm, damage or disfigure or deface the front or frontage of any street, road traffic sign, wall, fence, land, rock, tree or other natural feature, or the front or frontage or roof of any building or structure in any manner whatsoever during construction or through the display or use of a sign or the writing or painting of any sign, symbol, letters or numerals. Furthermore, no person shall disfigure any sign legally displayed in terms of this By-Law.

**J. DAMAGE TO MUNICIPAL PROPERTY**

66. No person shall, in the course of erecting or removing any sign, or banner, cause damage to any tree, electric standard or service or other municipal installation or property and street furniture.

**K. ENTRY AND INSPECTIONS**

67. The Municipality shall be entitled, through its duly authorized officers, and following prior written notification to the owner or occupant of a property, to enter into and upon any premises, at a reasonable time for the purpose of carrying out any inspection necessary for the proper administration and enforcement of the provisions of this By-Law.

**L. OFFENCES**

68. Any person who:

68.1 contravenes or fails to comply with any provision of this By-Law;

68.2 contravenes or fails to comply with any requirement set out in a notice served on him in terms of this By-Law;

68.3 contravenes or fails to comply with any condition imposed in terms of this By-Law;

68.4 knowingly makes a false statement in respect of any application in terms of this By-Law,

shall be guilty of an offence and on conviction shall be liable to a fine or imprisonment as set out hereinbelow; and:

69. In the case of a continuing offence, to a fine, as set out hereinbelow, for every day during the continuation of such offence after a written notice has been issued by the Municipality requiring discontinuance of such offence; and

70. For a second or subsequent offence, liable on conviction to a fine or imprisonment as set out hereinbelow.

71. The fines and penalties applicable to offences in terms of this By-Law are:

71.1 upon conviction of a first offence, the guilty party shall be liable to a fine not exceeding R10 000,00 as adjusted in terms of the Adjustment of Fines Act No. 101 of 1991 from time to time, or, in default of payment, to imprisonment for a period not exceeding two months;

71.2 in the case of a continuing offence, the guilty party shall be liable to a further fine not exceeding R500,00 as adjusted in terms of the Adjustment of Fines Act No. 101 of 1991 from time to time, for every day during the continuance of such offence;

71.3 upon conviction of a second or subsequent offence, the guilty party shall be liable to a fine not exceeding R50 000,00 as adjusted in terms of the Adjustment of Fines Act No. 101 of 1991 from time to time or in default of payment, to imprisonment for a period not exceeding 6 months.

72. Notwithstanding the provisions of Sections 68 to 72 hereinabove, in respect of the unauthorised display of posters and/or estate agents' boards, the applicable fines shall be as set out in Schedules 9 and 10 hereto.

73. Unlawful signs removed by the Municipality may be reclaimed from the Municipality on payment in full to it of any costs incurred by the Municipality in the removal of the said sign, as well as payment of the costs of any charges incurred in the storage of such sign within two months. Any unlawful signs removed by the Municipality and not reclaimed within two months of the date of removal shall be disposed of by the Municipality in its sole discretion to defray its removal and/or storage costs.

**M. PRESUMPTIONS**

74. Any person charged with an offence in terms of this By-Law who is:

74.1 alone or jointly with any other person responsible for organizing, or in control of any meeting, function or event, to which a sign or poster relates, shall be deemed, until the contrary is proved, to have knowingly displayed every unlawful sign or poster displayed in connection with such meeting, function or event or to have caused or allowed it to be so displayed;

74.2 the person whose name appears on an unlawful sign or whose product or services are advertised on such sign, shall be deemed, until the contrary is proved, to have displayed such sign, or to have caused or allowed it to be displayed unless the contrary is proved;

74.3 the owner of any land or building on which any unlawful sign was or is displayed, shall be deemed, until the contrary is proved, to have knowingly displayed such sign, or caused or allowed it to be displayed.

#### **N. ENFORCEMENT AND REMOVAL OF SIGNS**

75. If any sign displayed is in contravention of this By-Law, the Municipality may serve a notice 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, calling upon such person to remove such sign or carry out such alteration thereto or do such work as may be specified in such request or notice, within a time frame specified therein. Notwithstanding the service of such notice, it may be withdrawn or varied by the Municipality, by agreement with the person so served, or failing such agreement, by the service of a further notice.

76. Should the Municipality's demands, as set out in the notice, not be carried out within the time period specified therein, the Municipality may, without further notice to the person upon whom the notice was served and after obtaining relief from the appropriate court on an *ex parte* basis, remove or alter the sign or do such work as may be specified in such notice, provided that no court order shall be required, if the unlawful sign is erected or displayed on property belonging to the Municipality, prior to removal or alteration thereof.

77. In the event of the Municipality removing or altering a sign, the Municipality shall be required to compensate any person for any unreasonable loss or damage occasioned by or in respect of such removal or alteration.

78. Any costs incurred by the Municipality in removing signs, or in doing alterations or other works required in terms of a Notice, may be recovered from the person on whom the notice was served.

79. Notwithstanding any other clause in this By-Law, if a sign is, or is reasonably considered to be a danger to life or property, by a duly authorised employee of the Municipality, acting in connection with this By-Law, the Municipality itself may, without prior notice and without a Court Order; carry out or arrange for the removal of such sign. Any costs incurred by the Municipality in carrying out or arranging for the removal of such sign may be recovered from the owner or lessee of the sign, or the landowner on whose land the sign was erected, or the person whose product or services were advertised, jointly and severally.

#### **O. SERVICE OF NOTICES**

80. Where any notice or other document is required by this By-Law to be served on any person, it shall be deemed to have been properly served if served personally on him/her, or any member of his/her household, apparently over the age of 16 years, at his place of residence, or on any person employed by or with him at his place of business, or if posted by registered post to such person's residential or her business address, as it appears in the records of the Municipality, or if such person is a company or closed corporation or a trust, if served on any person apparently employed by that company, closed corporation or a trust, at the registered office thereof, or sent by registered post to such office.

#### **P. MAGISTRATE'S COURT JURISDICTION**

81. Notwithstanding anything to the contrary contained in any law relating to Magistrates' Courts, a Magistrate shall have jurisdiction, on the application of any Local Authority, to make an Order for the enforcement of any of the provisions of this By-Law or of any approval, refusal or condition granted or applicable in terms hereof.

#### **Q. REPEAL OF BY-LAWS**

82. This By-Law repeals the following legislation:

Cape Town Municipality By-Law relating to advertising, billposting, signs etc. and the disfigurement of the front or frontages of streets, etc, number 1959 of 1966 and all amendments thereto;

Cape Town Municipality Outdoor Advertising By-Law, being By-Law number PN 151 of 2000

PN 295 of 1958 Standard Regulations relating to advertising signs and disfigurement of the front and frontages of streets

PN 593 of 1958 Standard Regulations relating to advertising signs and disfigurement of the front and frontages of streets.

Parow Municipality By-Law PN 4258 of 17 March 1983 : Advertising signs and disfigurement on the front or frontage of streets

83. Anything done under or in terms of any provision repealed by this By-Law shall be deemed to have been done under the corresponding provisions of this By-Law and such repeal shall not affect the validity of anything done under the By-Law so repealed.

84. Anything done prior to promulgation of this By-Law, which was not done in terms of a provision repealed in this By-Law and was unlawful, shall in the event of such act or sign still not complying with the provisions of this By-Law, be unlawful.

#### **R. SAVINGS**

85. Any application for the display of any advertisement or erection of any advertising structure for advertising purposes, submitted to the Municipality prior to promulgation of this By-Law and in respect of which a decision has not yet been made by the Municipality prior to promulgation of this By-Law, shall be considered by the Municipality in terms of this By-Law which is applicable thereto.

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## SCHEDULE 1

## AREAS OF CONTROL

NATURAL AREA	MAXIMUM		PARTIAL	MINIMUM
	RURAL AREA (outside Urban edge)	URBAN AREA	URBAN AREA (within Urban Edge)	URBAN AREA (within Urban Edge)
Proclaimed nature reserves	Agricultural areas/zones	Urban conservation areas	Central business districts	Industrial zones
Protected natural environments	Horticultural areas	Heritage sites Graded buildings and places Residential zones and adjacent road and rail reserves	Mixed use commercial and residential areas	Designated transportation terminals
Game reserves	Rural smallholdings	Mobility routes Pedestrian malls and pedestrian squares	Commercial ribbon development and activity corridors	Designated areas within undetermined zones
Proclaimed bird sanctuaries	Large private open spaces (e.g. golf courses)	<i>School sites and institutional zones</i>	Commercial and business districts and adjacent streets and rail reserves	Specific areas or sites designated as minimum control by way of a map prepared by the Municipality
Proclaimed marine reserves	Scenic drives	Scenic features Scenic drives Gateways	Entertainment districts or complexes with commercial zones	
Coast to coast greenway as indicated on plan TP10320 (Cape Town zoning scheme)	Scenic landscapes Scenic features	Declared Metropolitan Open Space in terms of MOSS	Sportsfields and stadia	
Beaches and sea shores	Municipal Parks	Public open spaces Private open spaces Urban smallholdings Intensive urban agriculture areas Subsistence urban agriculture areas	Underdetermined zones (including railway reserves, transport use zones and Victoria and Alfred Waterfront) and including and referred to in the legal succession to SATS Act	
Oceans	Urban edge zones as defined in the Urban Edge Policy	1:100 Year flood plains River corridors Wetlands Community facilities (excluding sports facilities and stadia)	Specific areas or sites designated as partial control by way of a map prepared by the Municipality	
Forestry areas	Agricultural and horticultural areas and adjacent road and rail reserves	Core flora conservation sites as identified by the National Botanical Institute Special business zones		
River corridors	Specific areas or sites designated as maximum rural by way of a map prepared by the Municipality	Residential components of mixed use buildings		
1:100 Year flood plains		Designated metropolitan roads		
Wetlands		Specific areas or sites designated as maximum urban by way of a map prepared by the Municipality		
Cape Peninsula National Park (as proclaimed — 1998 + 1999)				
Scenic Drives				
Greening of city network				
Specific areas or sites designated as maximum natural by way of a map prepared by the Municipality Scenic Drives				

**SCHEDULE "2"****BILLBOARDS**

Subject to approval in terms of this By-Law, the erection and/or display of Billboards, whether custom made or of standard design, is permitted only in areas of minimum control. In addition Billboards shall:

1. If the proposed erf where the billboard is to be erected borders on a designated metropolitan road and furthermore if the buildings on that erf are more than 50 m from the road reserve line, the billboard may not be placed less than 50 m from the road reserve line this same distance to be calculated at 90° to the nearest point of the road reserve. This distance may be waived to a distance no less than the alignment of the public facades of building on the erf or adjacent erven, if such adjacent buildings or if the buildings on the erf are less than 50 m from the road reserve upon receipt of an Environmental Impact Assessment and Traffic Impact Assessment indicating no detrimental impact. If the proposed site of erection of a billboard has been designated as a gateway then no billboards will be permitted within such gateway.
2. Comply with the standard conditions for approval set out in this By-Law.
3. Not encroach over the boundary line of the property on which it is erected, whether such encroachment is aerial or on ground level.
4. Have a minimum clear height of 2,4 m and a sign structure which does not exceed a maximum height of 7,5 m above natural ground level.
5. Not exceed a maximum total size of 36 m<sup>2</sup> provided that on any V-shaped single structure, two such panels may be permitted.
6. Be displayed between the angles of 90° and 60° to the direction of oncoming traffic.
7. Be spaced a minimum distance apart as required by the Road Traffic Safety Requirements sections of the By-Law.
8. Only be externally illuminated.
9. If located at signalized traffic intersections: not be erected or displayed within 50 m of the perimeter of the intersection if unilluminated; and within 80 m of the perimeter of the intersection if illuminated.
10. Any billboard erected along the right hand side of a section of road, such that its graphics are visible to a driver travelling on the left hand side of the road, shall be deemed to have replaced the advertising opportunity that existed on the left hand side of the road.
11. Have a minimum letter or number height of 285 mm.
12. The information content of a proposed advertisement will be measured in "bits". In calculating the information content of a proposed advertisement the bit weights shown in the table below shall be used:—

<b>Elements of the advertisement</b>	<b>Bits per element</b>	
Words	up to 4 letters	0,5
	5 to 8 letters	1,0
	more than 8 letters	2,0
Numbers	up to 4 digits	0,5
	5 to 8 digits	1,0
	more than 8 digits	2,0
Logos, symbols and graphics	smaller than 9 sq metres	0,5
	between 9 and 18 sq metres	1,0
	between 18 and 27 sq metres	1,5
	larger than 27 sq metres	2,0

13. The total bits in a proposed advertisement may not exceed 15.

**SCHEDULE "3"****LOCALITY BOUND FREESTANDING AND COMPOSITE SIGNS**

Subject to approval in terms of this By-Law, the erection and/or display of Locality Bound Freestanding signs are permitted only in Urban areas of maximum, partial and minimum control. In addition:

1. Locality bound freestanding signs shall only be permitted in the following instances:
    - 1.1 Where business premises are set back 15 m or more from the boundary of the road reserve; or
    - 1.2 Where it is not reasonably possible to affix appropriate signs to a building; or
    - 1.3 Where such a sign is necessary to allow the public to locate the entrance to business premises; or
    - 1.4 Where the existence of a freestanding composite sign may prevent the proliferation of signs.
  2. Locality Bound freestanding composite signs may not exceed 7,5 m in height and in addition may not exceed 4,5 m<sup>2</sup> in total area. This provision may be waived to a maximum height of 10 m and a maximum total area of 15 m<sup>2</sup> per side, having regard to the following factors:
    - 2.1 If such increase reduces the number of individual signs facing any one street boundary of the site, thereby minimising the visual impact on the surrounding environment;
    - 2.2 If more than 2 significant roads approach the site in question;
    - 2.3 The number of businesses which will be advertising on such sign;
    - 2.4 The number of approach/exit routes to the site in question;
    - 2.5 The applicable zoning of the area surrounding the site in question. A surrounding residential zone will not accommodate the same size of sign as will a surrounding commercial/industrial zone.
  3. Service Station free standing signs must be locality-bound and may only be erected or displayed at service stations adjacent to and directly accessible from the public road at which such a sign is directed and only one Service Station free standing facility sign per street boundary shall be permitted. This provision may be waived only where these signs are visible from national class 1 routes (N1, N2 and N7).
  4. Service station free standing signs shall not exceed 7,5 m in height and shall not consist of more than 8 advertising panels of 4,5 m<sup>2</sup> each in total area. The provisions of this section may be waived to a maximum height of 16 m and 8 advertising panels not exceeding 6 m<sup>2</sup> each in total area having regard to the factors mentioned in section 2 above.
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**SCHEDULE "4"****SIGNS ATTACHED TO WALLS OF BUILDINGS : FLAT AND PROJECTING SIGNS**

Subject to approval in terms of this By-Law, the erection and/or display of flat and projecting signs are permitted in all areas of maximum, partial or minimum control. In addition, flat and projecting signs shall:

1. Not be allowed within 0,6 m of the edge of a roadway nor shall it extend to within 0,6 m of the edge of a roadway.
2. Not project in front of a wall more than 1,5 m in the case of a sign which has a clear height of more than 7,5 m; or more than 1 m in the case of any lesser clear height.
3. Not project more than 250 mm over a footway unless such sign has more than 2,4 m clear height.
4. Not obstruct the view from any window or any other external opening of any building and no portion of any such sign shall be affixed over or onto any window, door or any other openings.
5. Not exceed 54 m<sup>2</sup> in total area and may not exceed one-quarter of the overall area of the surface to which they are affixed or painted whichever is the lesser. This size restriction may be waived on condition that:
  - 5.1 An Environmental Impact Assessment is submitted to the Municipality indicating no detrimental environmental impact is envisaged; and
  - 5.2 If it is proposed to erect a flat or projecting sign in a conservation area, a Heritage Impact Assessment is submitted indicating no detrimental impact in respect of Heritage resources is envisaged,
  - 5.3 The graphics which are proposed for the said sign will be fixed for the period of display of the sign.
  - 5.4 Such sign shall only display graphics designed and created by a suitably qualified creative consultant.

Be considered for approval on blank common boundary facades of non-residential buildings.

If on public facades of any building, the sign shall:

- 7.1 Be so designed as to become an integral part of the building design;
  - 7.2 When third party, only be permitted if custom-made and subject to the requirements of 5.1 to 5.4 above.
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**SCHEDULE "5"****SKY SIGNS**

Subject to approval in terms of this By-Law, the erection and/or display of sky signs whether custom made or of standard design is permitted in areas of minimum control only. In addition:

1. Sky signs shall:
  - 1.1 be limited to a maximum total size of 4,5 m<sup>2</sup>, provided that this size requirement may be waived up to a maximum of 18 m<sup>2</sup> upon receipt of an Environmental Impact Assessment indicating no detrimental environmental impact is envisaged.
  - 1.2 not obstruct the view from any other building.
2. Sky signs along the top edge of the roof of cultural, historic or architecturally significant buildings will only be permitted if they are locality bound, unilluminated and consist of individual cut-out letters or logos.
3. Have a minimum content of a proposed advertisement and will be measured in "bits" in calculating the information content.

<b>Elements of the advertisement</b>	<b>Bits per element</b>	
Words	Up to 4 letters	0,5
	5 to 8 letters	1,0
	More than 8 letters	2,0
Numbers	Up to 4 digits	0,5
	5 to 8 digits	1,0
	More than 8 digits	2,0
Logos, symbols and graphics	smaller than 9 sq metres	0,5
	Between 9 and 18 sq metres	1,0
	Between 18 and 27 sq metres	1,5
	larger than 27 sq metres	2,0

The information content of a proposed advertisement will be measured in "bits". In calculating the information contents of a proposed advertisement, the bit weights shown in the table above should be used.

4. The total bits in a proposed advertisement may not exceed 15.

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**SCHEDULE "6"****ROOF SIGNS**

Subject to approval in terms of this By-Law, the erection and/or display of Roof signs is permitted in all Urban areas of control except areas zoned for residential purposes in areas of maximum control. In addition:

1. The total area of any roof sign affixed flush onto or painted onto a roof of a building shall not exceed one-quarter of the overall area of the roof to which it is affixed or painted.
  2. When attached to the bottom edge of a roof or vertically midway on the roof of a building, such sign may not exceed 1 m in height and its total area may not exceed 25% of the area to which it is affixed.
  3. It shall be permissible to affix a roof sign along the edge of a roof of a building, if such sign is composed of a single line of individual, cut-out letters, without visible bracing or support but shall not be erected along more than two edges of such roof and shall not exceed 3,6 m<sup>2</sup> in total area (6 x 0,6 m); with a maximum height of 1 m.
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**SCHEDULE "7"****SIGNS ON A VERANDAH, BALCONY, CANOPY, SUPPORTING COLUMNS, PILLARS AND POSTS**

Subject to approval in terms of this By-Law, the erection and/or display of signs on a verandah, balcony, canopy, supporting columns, pillars and posts may be permitted in all areas of control on condition that they also comply with the following conditions:

1. No such signs will be allowed on or over architectural features of buildings.
  2. Such signs may be affixed flat onto or painted on a parapet wall, balustrade or railing of a verandah or balcony, and beam or fascia of a verandah or balcony. In the aforementioned circumstances, the sign may not exceed 1m in height or project above or below or beyond either end of the surface to which it is affixed, or project more than 250 mm in front of the surface to which it is affixed or project over a roadway or within 0,6 m of the edge of a roadway.
  3. Such signs may be affixed flat onto or painted on supporting columns, pillars and posts. In this regard, no sign may project more than 50 mm in front of the surface to which it is affixed and shall not extend beyond any of the extremities of such column, pillar or post. Signs affixed flat onto non-rectangular supporting structures shall be curved to fit the form of such structure. Only one sign shall be allowed per column, pillar or post.
  4. Such signs suspended below the roof of a verandah, canopy or the floor of a balcony shall not exceed 1,8 m in length or 600 mm in height. Every such sign shall be at right angles to the building line. No signs suspended under a canopy shall extend beyond the external edge of the canopy or verandah to which it is attached.
  5. Such signs on the roof of a verandah, canopy or balcony, excluding the main roof of a building, shall be composed of a single line of freestanding, individual, cut-out silhouette letters without visible bracing or other visible means of support and shall not be erected along more than two edges of such roof of a verandah or balcony.
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**SCHEDULE "8"****SIGNS ON BOUNDARY WALLS AND FENCES AND ON CONSTRUCTION SITE HOARDINGS**

Subject to approval in terms of this By-Law, the erection and/or display of signs on boundary walls and fences is permitted only for locality bound signs in Urban areas of maximum, minimum or partial control and in addition:

1. In urban areas of maximum and partial control, the Municipality may approve an application to affix a locality bound sign against a boundary wall only if the sign is indented into the wall or composed of individual, unilluminated cut-out letters or symbols fixed flat on such wall not projecting more than 50 mm from the face of such wall.
  2. In areas of minimum control, the Municipality may approve:
    - 2.1 An application to affix a locality bound sign flat onto a boundary wall only if it does not project more than 50 mm from the face of such wall.
    - 2.2 An application to affix a locality bound flat sign with a maximum size of 0,5 m<sup>2</sup> onto the permanent fence of an erf.
  3. Third party and locality bound advertising on construction site hoardings and fences shall comply with the following conditions:
    - (i) Any one sign shall not exceed a vertical dimension of 3 m and total area of 18 m<sup>2</sup>.
    - (ii) Any such sign shall not project more than 100 mm in front of the hoarding or fence to which it is affixed.
    - (iii) There will be no illumination thereof in areas of maximum and partial control.
    - (iv) There will be no advertising on construction site hoardings and fences within the cone of vision of motorists at signalised traffic intersections.
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**SCHEDULE "9"****HEADLINE POSTERS**

Subject to approval in terms of this By-Law, the erection and/or display of headline posters is permitted in all areas except natural and rural areas of maximum control. In addition:

1. Headline posters may not exceed 0,9 m x 0,6 m in area.
  2. The commercial content of the poster may not exceed 20% of the area of the poster nor may such commercial lettering be larger than the main lettering in the remainder of the poster.
  3. The posters may be attached to Municipal electric light poles only where available and only pasted posters may be affixed to designated structures which are approved by the Municipality for the express purposes of pasting posters. They are not to be affixed to traffic signal poles, or other poles which carry road traffic signs, poles erected for any other purpose, or any other street furniture, wall, fences, trees, rocks or other natural features.
  4. Headline posters may not be pasted on municipal electric light poles but are to be mounted on board and affixed securely with stout string or plastic ties unless a permanent frame has been approved for this purpose.
  5. Only 1 headline poster per pole, regardless of which newspaper group it is, will be permitted.
  6. The number of posters as well as the designated areas for the display of headline posters as submitted by each newspaper group must be strictly adhered to.
  7. All "special events" posters are to comply with the following:
    - 7.1 The name of the newspaper group, the "special event" and the date of the "special event" must appear on the posters in letters not less than 50 mm in height.
    - 7.2 The special event posters may not be displayed more than 7 days before the date of the event and they must be removed within 24 hours after the date of the event shown on the poster.
  8. Headline posters and fastenings are to be removed on a daily basis failing which the posters will be removed, at the newspaper groups' expense, in accordance with the standard charges for removal of posters.
  9. The Municipality may recover the costs of the removal of unauthorised posters, and the reinstatement of the surface from which such posters were removed, from the person/s responsible for the display of such posters or the newspaper group concerned. These costs will be reviewed annually in terms of the annual Schedule of Tariffs.
  10. The Municipality or its agent shall remove any poster displayed in contravention of the abovementioned conditions.
  11. Any poster not removed on a daily basis or a poster relating to a "special event" by due date referred to in Paragraph 7.2 shall be removed by the Municipality or its agent.
  12. The display of unauthorised posters is illegal and the Municipality or its agent will also remove such posters.
  13. The Municipality will determine the costs involved for the removal of unauthorised posters by the Municipality from time to time.
  14. Application must be made on an annual basis by each newspaper group for permission to display such signs subject to an annual fee per newspaper group/per annum or part thereof.
  15. A deposit per newspaper group must be paid annually against which a charge for the removal of any sign which contravenes the By-Law will be levied. In the event of the above deposit being exhausted, permission to display such signage is to be withdrawn until a further deposit is submitted to the Municipality.
  16. Fees may be updated annually by the Municipality and in accordance with a published schedule or tariffs and charges.
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**SCHEDULE "10"****ADVERTISING ON BANNERS, FLAGS AND BALLOONS**

Subject to approval in terms of this By-Law, the erection and/or display of banners, flags or balloons is permitted in all areas except natural and rural areas of maximum control. In addition:

1. Locality bound advertising banners, flags and balloons shall comply with the Municipality's standard conditions relating to the display of banners as set out hereinbelow.
  2. Approval for third party advertising on banners and balloons shall only be granted for a function or event conducted for religious, educational, social welfare, animal welfare, sporting, civic or cultural purposes or to a function or event relating to a Municipal, Provincial or Parliamentary election or referendum. The display of such banners shall comply with the Municipality's standard conditions relating to the display of banners as set out hereinbelow.
  3. The display of banners is prohibited on any bridge or across any public road, and along any road designated by the Municipality from time to time, unless specific consent has been obtained from the Municipality.
  4. Banners may not be attached so as to interfere with or constitute a danger to passing pedestrians or vehicular traffic.
  5. No banner shall be larger than 3 m<sup>2</sup> except with the prior written approval of the Municipality.
  6. No banner may be displayed within 30 m of any road traffic sign or traffic signal.
  7. Banners are not to be affixed to trees, traffic signal poles, electrical or service authority distribution boxes, or other poles which carry road traffic signs, rock, other natural features, street furniture or other Municipal property.
  8. Banners may not be affixed in such a way that they unfairly prejudice other businesses/organisations or obscure any approved existing signs.
  9. Locality bound banners may only be affixed to the premises concerned.
  10. Only one first party advertising banner per premises will be permitted unless the Municipality's written permission is obtained for more than one banner and the applicant is to submit in writing the time frame required for the erection of such banner, which time frame shall not exceed 10 days, unless the Municipality has specified, in its approval, that a longer period has been granted.
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**SCHEDULE "11"****POSTERS**

Subject to approval in terms of this By-Law, the erection and/or display of posters is permitted in all areas of control except natural and rural areas of maximum control. In addition:

1. All posters must be presented to the Municipality in order to be date stamped, with the date upon which the poster is to be removed. This stamp must appear prominently on the front of the poster. Posters must be removed within 3 days of the date stamped onto the poster and must be returned to the Municipality within 4 days of the date stamped on the poster, in order to qualify for a refund of the deposit.
  2. The name of the host organisation, the date of the function and the venue must appear on the posters in letters not less than 50 mm in height.
  3. No more than an aggregate of 1 000 posters per function or group of related functions or event may be displayed at any one time (except election posters) in any area designated by the Municipality.
  4. Posters may not exceed 0,9 x 0,6 m in area.
  5. The commercial content of the poster may not exceed 20% of the area of the poster nor may such commercial lettering be larger than the main lettering in the remainder of the poster.
  6. Posters are to be attached to Municipal electricity light poles where available to a maximum of 3 per pole and pasted posters may only be affixed to designated structures which are approved by the Municipality for the express purpose of pasting posters. Posters are not to be affixed to traffic signal poles, electrical or service authority distribution boxes, or other poles which carry road traffic signs, poles erected for any other purpose, or any other street furniture, walls, fences, trees, rocks or other natural features.
  7. Posters may not be pasted on municipal electric light poles but are to be mounted on board and affixed securely with stout string or plastic fastening unless a permanent frame has been approved for this purpose. (No securing material with a metal content is permitted.)
  8. Only one poster per function (or event) per body may be displayed on any one pole.
  9. No poster may be displayed within 30 m of any road traffic sign or traffic signal.
  10. Posters may not be displayed more than 7 days before the date of the function and must be removed within 3 days from the date of the function or the last day thereof as applicable.
  11. The display of posters is prohibited on any bridge and the Municipality and/or its sub-councils may designate other areas where the display of posters will not be permitted.
  12. The Municipality may recover the costs of and as a result of the removal of illegal posters, and the reinstatement of the surface from which such posters were removed, from the person/s responsible for the display of such posters.
  13. The Municipality or its agent shall remove any poster displayed in contravention of the abovementioned conditions.
  14. Any poster not removed by the date referred to in Section 1 shall be removed by the Municipality.
  15. The display of unauthorised posters is illegal and such posters may also be removed by the Municipality or its agent.
  16. The display of posters purely for commercial advertising is not permitted, provided that any poster erected or displayed by a person, for a commercial advantage, which relates to a sport, the arts, or cultural event may be permitted, despite the display of that poster being purely for commercial advertising.
  17. Each person intending to display a poster shall pay to the Municipality a deposit, per poster and a non-refundable fee which shall entitle that person to display the said poster for a maximum period of 14 days, or such other time as is stipulated by the Municipality, such fee being determined in accordance with the Municipality's Schedule of Tariffs and charges, published from time to time. No poster shall be displayed without such deposit and fee having been paid.
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**SCHEDULE "12"****ESTATE AGENT SIGNS**

Subject to approval in terms of this By-Law, the erection and/or display of estate agent signs is permitted in all areas except natural areas of maximum control. In addition:

1. Estate Agent signs may be displayed only from 12h00 on Saturday to 20h00 on Sundays.
  2. Estate Agent signs are to be attached only to municipal electric light poles where available and only with stout string or plastic ties. No securing material with metal content shall be permitted. Signs may not be affixed to trees, traffic signal poles or other poles which carry road traffic signs, walls, fences, rocks, other natural features or landscaped areas, street furniture or other Municipal property unless such other display is authorised by the Municipality in writing.
  3. Only one sign per agency per light pole may be displayed.
  4. On each sign, the wording "on show" "Showhouse, Showflat or Showplot" with the Agency's name and directional arrow must be displayed. (directional sign)
  5. Where no municipal light poles are available, signs may be displayed on stakes making use of a design approved by the Municipality. Estate Agent signs may not be displayed on concrete, premix or paved surfaces. It is not permissible for stakes to penetrate the ground deeper than 15 cm.
  6. Estate agent signs may not exceed 0,3 m<sup>2</sup> in total area.
  7. Not more than six estate agent directional signs will be permitted in total per showhouse, showplot or block of flats in which a showflat is on display. The definition of one sign shall include the display of two signboards only when such boards are sandwiched back to back around an electric light pole.
  8. Estate agent signs may not be displayed along Scenic Drives and/or on any bridge, public park or public open space.
  9. Only one directional sign per Showhouse/flat/plot may be displayed along any proclaimed main road, excluding roads referred to in 8 above.
  10. No Estate agent sign shall obscure a road traffic sign.
  11. No Estate agent sign shall be erected on centre islands.
  12. No Estate agent sign shall be erected in such a way that any part of it is closer than 1,5 m from a road verge.
  13. Directional signs shall be displayed along main routes only, being the shortest route from a main road to the property.
  14. No Estate agent signs may be erected on any tarred areas of pavements.
  15. "Sold"/"For Sale"/"To let" signs must be erected flush against the fence/wall of the property.
  16. "Sold" signs may be displayed flush against the fence/wall of the property for a maximum of two weeks only.
  17. No signs indicating anything other than property for sale may be erected or displayed by Estate agents or agencies.
  18. Application by each estate agency on an annual basis must be made for permission to display Estate agent signs and approval shall be subject to payment of an annual fee in accordance with the Municipality's Schedule of tariffs and charges published from time to time.
  19. A deposit shall be paid per agency against which a charge for the removal of any sign which contravenes the By-Law will be levied. In the event of the above deposit being exhausted, permission to display such signage will be withdrawn until a further deposit is paid to the Municipality.
  20. Any Estate agent sign unlawfully erected, or in contravention of the provisions of this Schedule, will be subject to a charge by the Municipality, calculated in accordance with the published schedule of tariffs and charges irrespective of whether such sign is removed by the Municipality or not. In the event of the said sign not being removed by the Municipality; photographic evidence of the unlawful sign will be obtained by the Municipality prior to levying the said charge.
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**SCHEDULE "13"****LOOSE PORTABLE SIGNS**

Subject to approval in terms of this By-law, the erection and/or display of loose portable signs is permitted in areas of minimum and partial control as well as designated areas within urban areas of maximum control. In addition:

1. Loose portable signs placed in the Road Reserve or in Public Open Space without the written permission of the Municipality are not permitted in terms of the By-Law.
  2. The Municipality may summarily remove those loose portable signs placed without the Municipality's permission in the Road Reserve or Municipality-owned property. The Municipality will impound these signs. Owners can recover their property on payment of R100,-00 to the Municipality which will be used to defray the cost of removal, storage and transportation.
  3. The Municipality will consider applications to permit the placement, within the Road Reserve or on Municipality owned property of certain loose portable signs which comply with the following requirements:
    - 3.1 The loose portable sign does not pose a hazard in terms of safety to the public and is, in this regard, of appropriate structure and size.
    - 3.2 The loose portable sign does not obstruct or inconvenience the public either by its physical size or location.
    - 3.3 The loose portable sign does not unfairly prejudice other traders.
    - 3.4 The loose portable sign, or proposed number thereof does not detract from the amenity of the local streetscape or local environment.
    - 3.5 The loose portable sign is solely to advertise the name of the business, goods and/or services for sale from the advertiser's premises.
    - 3.6 The maximum dimensions of the proposed loose portable sign shall be 1,20 m (height) x 0,6 m (width).
    - 3.7 The loose portable sign shall be placed directly in front of the advertisers' premises, provided that the above criteria are met.
    - 3.8 A minimum clear footway width of 1,2 m adjacent to the sign must remain clear.
  4. Approved loose portable signs will be allocated to a demarcated area within the Road Reserve or on Municipal property where, during the normal trading hours, applicants may then place the approved loose portable sign. The said loose portable sign must be removed outside normal trading hours and stored away from public view.
  5. The demarcated area for displaying the loose portable signs, will be leased to an applicant at a rate to be set by the Municipality and published in accordance with a Schedule of tariffs and charges to be updated annually by the Municipality, payable in advance for a maximum period of six months.
  6. Applicants will be required to indemnify the Municipality against any claims for third parties that may arise, due to the placement of loose portable signs within the Road Reserve or on municipal property and shall take out third party insurance.
  7. Notwithstanding the above the Municipality may cause the removal or impoundment of the Loose Portable sign/s should the applicant contravene any of the above conditions.
  8. The fees set out herein may be updated annually by the Municipality and in accordance with a published schedule of tariffs and charges.
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**SCHEDULE "14"****AERIAL SIGNS**

Subject to approval in terms of this By-Law, the erection and/or display of aerial signs is permitted only in urban areas of partial or minimum control. In addition:

1. No aerial signs affixed to any building or structure shall be flown at a height of more than 45 m from the surface measured from ground level.
  2. Aerial signs must not be flown above a public road.
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**SCHEDULE "15"****TRANSIT ADVERTISING**

Subject to approval in terms of this By-Law, the erection and/or display of transit advertising signs is permitted only in urban areas of partial or minimum control. In addition:

1. The parking of a transit advertising sign which is visible from a public road or a public place for the purpose of third-party advertising is prohibited, except if it is displayed on a designated display site approved in terms of this By-Law.
  2. Transit advertising signs parked on private property for the purposes of storage shall be positioned in such a manner as not to be visible from a street or public place.
  3. The advertising panel or portion of the vehicle used for transit advertising shall not exceed a cumulative total of 18 m<sup>2</sup> in areas of partial control, which size may be increased to a maximum size of 36 m<sup>2</sup> in areas of minimum control.
  4. The Municipality may designate sites in areas of partial and minimum control for transit advertising and shall publish such sites from time to time.
  5. Notwithstanding any provisions of this By-Law, the Municipality or its authorised agent may without prior notice carry out the removal of any unauthorized transit advertising sign from Municipal property, and, in the case of unauthorized transit advertising on private property, the Municipality or its authorized agent may serve a notice calling for removal in terms of this By-Law.
  6. Transit advertising signs must be fixed to the ground at the parking location.
  7. All such trailers should be registered as mobile transit advertising trailers with the Municipality for ease of law enforcement.
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**SCHEDULE "16"****SIGNS ON MUNICIPAL LAND/BUILDINGS**

Other than as is set out hereinbelow, no signs other than locality bound signs, temporary signs including loose portable sign, estate agents signs, newspaper headline posters and posters (the erection of which must comply with the appropriate schedules pertinent thereto) shall be erected on Municipal owned land.

**A. COMMERCIALY SPONSORED SIGNS, OTHER THAN THOSE REFERRED TO IN SECTION 62**

1. Notwithstanding the area of control within which it is proposed to erect a commercially sponsored sign on municipal land, and subject to compliance with all other provisions of this By-Law, the Municipality may consider a commercially sponsored sign for approval, subject to the following:
  - 1.1 Public or community needs or goals shall be identified by the Municipality and/or adopted by it and if such needs can be addressed either entirely or in part by the granting of concessions to particular persons for the erection of commercially sponsored signs, the Municipality shall be entitled to call for proposals or counter proposals for such public or community needs or goals and the related advertising opportunities.
  - 1.2 In order to identify such public or community needs or goals, the relevant Municipal department and other interested authorities will be consulted prior to proposals being invited, so as to establish conditions, criteria and constraints in respect of such advertising.
  - 1.3 The Procurement Policy will be applied and the extent of involvement of previous disadvantaged persons, small businesses, job creation and empowerment will be considered in any proposal.
  - 1.4 Any proposal will be evaluated based on the requirements of the By-Law and *inter alia* on the best public or community benefit offered, the design contribution, the creativity and public safety and the adherence to the principals and/or stipulations in the By-Law as opposed to the largest advertising opportunity and/or financial gain. In addition, the permanence of the contribution to the public or community goal or need will be taken into account, as will the recovery cost over the period of the erection of the sign. When contributions in kind are to be recovered by the Municipality, a conversion of this to a monetary contribution to the Municipality's income base will be assessed.
  - 1.5 The relevant municipal departments, municipal property branch and the environmental management branch as well as the transport and roads branch (in the case of advertising within the road reserve) shall jointly evaluate the proposal and approval will be given when such evaluation process is complete.
  - 1.6 The Municipality, as landowner, reserves the right not to proceed with any proposal prior to final approval thereof and the call for invitations for proposals in any respect shall not be regarded as decision by the Municipality to proceed with the erection of a sign in respect of a specific site.
  - 1.7 Once accepted, any sign to be erected in terms of this schedule must be the subject matter of a written agreement between the Municipality as landowner and the person responsible for the erection of the sign which agreement will contain the rights and obligations of both parties but which will not derogate from any of the obligations on either party in terms of this By-Law. No sign may be erected or displayed in terms of this schedule until such agreement has been concluded and a signed copy delivered to the environmental management branch of the Municipality.

**B. SPONSORED SIGNS**

2. Notwithstanding the area of control within which it is proposed to erect such a sign on Municipal owned land and subject to compliance with all other provisions of the By-Law, the Municipality may consider a sponsored sign for approval on condition that:
  - 2.1 In the application to be submitted in terms of Section 2 of this By-Law, written details are delivered clearly indicating the recognised public or community goal which will be promoted by the erection and/or display of the proposed sign.
  - 2.2 Signs with a political content will not be permitted.
  - 2.3 No more than 5% of the total surface of the sign is used for third party advertising.
  - 2.4 The maximum size of any such sign is 6 m x 3 m provided in the event of a V-shaped sign being proposed, its maximum size will not exceed two panels of 6 m x 3 m each.
  - 2.5 Applications for billboards to be erected in terms of this section must comply with the requirements as set out in Schedule 2.
  - 2.6 No sign erected in terms of this clause shall be located within 5 m of a property's boundary lines.

**C. NON-PROFIT SIGNS**

Notwithstanding the area of control within which it is proposed to erect a sign, and subject to compliance with all other provisions of this By-Law, the Municipality may consider the erection of a sign by or for the benefit of a non-profit body subject to compliance with the requirements set out in Schedule 17 hereto.

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**SCHEDULE "17"****SIGNS ERECTED BY OR FOR THE BENEFIT OF NON-PROFIT BODIES**

1. Notwithstanding the area of control within which it is proposed to erect a sign by or for the benefit of a non-profit body, and subject to compliance with all other provisions of this By-Law, the Municipality may consider such a sign for approval subject to the following:
    - 1.1 In the application to be submitted in terms of Section 2 of this By-Law, written details from the host non-profit body regarding the nature and extent of the support to be received from the erection or display of the sign must be delivered to the Municipality together with the other information set out in Section 2 of the By-Law.
    - 1.2 The extent of involvement of previous disadvantaged communities, small businesses, job creation and empowerment will be considered in any proposal.
    - 1.3 Any proposal will be evaluated based on the requirements of the By-Law and the public or community goal benefit which is being met, the design contribution, the creativity and public safety and the adherence to the principals and/or stipulations in the By-Law as opposed to the largest advertising opportunity and/or financial gain. In addition, the permanence of the contribution to the goal of the non-profit body will be taken into account.
    - 1.4 In the event of it being proposed that the said sign will be erected on municipal land:
      - 1.4.1 the relevant municipal departments, municipal property branch and the environmental management branch as well as the transport and roads branch (in the case of advertising within the road reserve) shall jointly evaluate the proposal and approval will be given when such evaluation process is complete.
      - 1.4.2 The municipality as landowner reserves the right not to proceed with any proposal prior to final approval thereof;
      - 1.4.3 If accepted, any such sign to be erected in terms of this Schedule, on municipal land must be the subject of a written agreement between the Municipality, the person responsible for the erection of the sign and the non-profit body which agreement contains the rights and obligations of all parties but which will not derogate from any of the obligations on any party in terms of this By-Law. No such sign may be erected until such an agreement has been concluded and a copy delivered to the Environmental Management branch of the Municipality.
  2. In addition the following conditions will apply:
    - 2.1 Signs with a political content will not be permitted.
    - 2.2 The maximum size of any such sign is 6 m x 3 m provided in the event of a V-shaped sign being proposed, its maximum size will not exceed two panels of 6 m x 3 m each.
    - 2.3 Applications for billboards to be erected in terms of this section must comply with the requirements as set out in Schedule 2.
    - 2.4 No sign erected in terms of this clause shall be located within 5 m of a property's boundary lines.
    - 2.5 The name of the non-profit body must be displayed prominently along the top width of the sign with a maximum 300 mm lettering height.
    - 2.6 A public participation process has been held with all parties to be affected by the erection and/or display of such sign.
    - 2.7 The Municipality may require submission of an environmental impact assessment and/or traffic impact assessment and/or heritage impact assessment in accordance with its guidelines thereon.
    - 2.8 No more than two individual signs of 6 m x 3 m each shall be permitted, or alternatively one V-shaped sign with a maximum size of two panels of 6 m x 3 m each on any one property. In addition, only one sign per street frontage will be permitted.
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PO 10518

5 Desember 2001

**STAD KAAPSTAD****VERORDENING INSAKE BUITEREKLAME EN ADVERTENSIE TEKENS****VERORDENING NO. 10518**

Om 'n stel regulasies te voorsien wat die gebruik van grond en geboue vir buitereklaam en advertensietekens en vir aangeleenthede wat daarmee gepaard gaan, bepaal.

**AANHEF**

Die doel van hierdie Verordening is om buitereklaam in die regsgebied van die Stad Kaapstad te reguleer op 'n wyse wat vir die omgewingsgehalte van die verskillende dele van die Stad Kaapstad sensitief is. Die Verordening poog om 'n ewewig te vind tussen geleenthede vir buitereklaam en ekonomiese ontwikkeling aan die een kant, en die bewaring van visuele, toeriste-, verkeersveiligheid, omgewings- en erfeniskenmerke aan die ander kant. Die doel van hierdie Verordening is om te verseker dat buitereklaam die integriteit van enige terrein waarop dit vertoon word, respekteer, en die karakter van die plek waar dit vertoon word, aanvul.

Die sensitiwiteit van die voorgestelde ligging van 'n advertensieteken en sy vermoë om die visuele impak te weerstaan, is die belangrikste leidende beginsels vir die beheer van buitereklaam. Buitereklaametekens moet slegs op plekke geplaas word waar hulle met die omliggende omgewing bestaanbaar is en waar hulle nie 'n impak op visuele korridors en/of uitsigpaaie het nie. Advertensietekens wat beskermede, unieke of sensitiewe gebiede in gevaar stel, sal nie toegelaat word nie.

Daarbenewens moet buitereklaam en advertensietekens nie die funksionering en veiligheid van verkeer in gevaar stel nie en ook nie die karakter van 'n omgewing weens die voorkoms, grootte of verligting van die teken, nadelig beïnvloed nie.

Reklame op brûe, torings, telekommunikasie maste en spanmaste word nie toegelaat nie.

Die tipe landskappe, tekens en beheergebiede is belangrike faktore in die klassifiseringskonsep wat deur hierdie Verordening gebruik word. Hierdie Verordening gaan van die veronderstelling uit dat die tipe teken 'n aanduiding gee van die potensiële impak van sodanige teken op die omgewing waar dit vertoon sal word. Ingevolge hierdie Verordening sal die plaaslike karakter van 'n omgewing waarin 'n advertensieteken vertoon gaan word, die mate van beheer wat in daardie omgewing toegepas word, beïnvloed.

Hierdie Verordening bevestig dat die dinamika tussen die tipe advertensietekens, die advertensie self en waar dit geplaas gaan word, op 'n baie doeltreffende wyse deur die bepaling van gebiede van beheer hanteer kan word. Drie gebiede van beheer word deur hierdie Verordening toegepas, naamlik maksimum, gedeeltelike en minimum gebiede van beheer. Die potensiaal vir buitereklaam en die soort tekens wat oorweeg sal word, word dus bepaal deur sekere soorte tekens in sekere gebiede van beheer toe te laat. Beheermaatreëls word deur middel van goedkeuring of weiering toegepas, en deur middel van algemene en spesifieke voorwaardes en vereistes.

Die volgende advertensietekens is buitereklaam, maar wat sonder derdepartyreklame, nie buitereklaam binne die trefwydte van hierdie Verordening uitmaak nie:

- (i) Gemagtigde toeristebestemmingstekens soos omskryf deur die Padverkeershandleiding.
- (ii) Gemeenskapsinligting-/opvoedkundige naamborde.
- (iii) Enige teken wat ingevolge die wet vertoon moet word, insluitende padverkeerstekens wat ingevolge enige Wet van die Parlement, Provinsiale Wet of Verordening opgerig word.

Ten slotte sit hierdie Verordening die prosedures uiteen wat gevolg moet word en die kriteria wat gebruik moet word wanneer goedkeuring vir 'n teken wat op buitereklaam in die Stad Kaapstad van toepassing is, verkry moet word. Deur dit te doen, bevestig die Verordening dat daar 'n aansienlike hoeveelheid tegniese besonderhede is wat op spesifieke soorte tekens en hulle trefkrag in spesifieke omgewings van toepassing is. Die spesifieke vereistes vir spesifieke tekens word in die Bylaes hierby uiteengesit. Die Bylaes is deel van die Verordening. Hierdie Bylaes is nie minder belangrik as die inhoud van die Verordening self nie.

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## A. WOORDOMSKRYWING

In hierdie Verordening, tensy uit die samehang anders blyk, beteken:

“*aangewese metropolitaanse pad*” ’n klas 1-pad (deurpaai en snelweë), klas 2-pad (hoofverkeersweë) en klas 3-pad (sekondêre verkeersweë) soos van tyd tot tyd grafies uitgebeeld op KAART CMT.R-0007, wat van tyd tot tyd ingevolge die Wet op Stedelike Vervoer (Wet 78 van 1977) deur die Munisipaliteit uitgereik word;

“*aanplakbord*” enige vrystaande skerm of bord wat groter as 4,5 m<sup>2</sup> in totale omvang is; wat ondersteun word deur of uit ’n struktuur bestaan wat gebruik word of bedoel is om vir die aanplak, vertoon of wys van ’n advertensie gebruik te word;

“*advertensie*” enige verteenwoordiging van ’n woord, naam, letter, syfer of voorwerp of ’n afkorting van ’n woord of naam, of enige simbool; of enige lig wat nie uitsluitlik vir verligting of as ’n waarskuwing teen enige gevare bedoel is nie en “*reklame*” het ’n soortgelyke betekenis;

“*banier*” enige materiaal waarop ’n advertensie op so ’n wyse vertoon word dat dit in windstille toestande ten volle leesbaar is, vasgeheg aan een of meer toue, pale of vlagpale wat vertikaal, horisontaal of met ’n hoek uitsteek, of aan geboue of spesiale strukture bevestig is, maar sluit nie baniere in wat as deel van ’n optog gedra word nie. ’n Vlag wat nie op ’n goedgekeurde vlagpaal vertoon word nie, word vir die doeleindes van hierdie Verordening, ’n banier geag te wees.

“*bestaande advertensie*” enige advertensieteken wat voorheen deur die Munisipaliteit goedgekeur is;

“*beweegbare advertensie*” ’n advertensie wat nie permanent bevestig is nie en nie bedoel is om in een posisie bevestig te bly nie, maar sluit nie enige bewegende deel op ’n permanent bevestigde advertensie in nie;

“*dakadvertensie*” ’n advertensie wat op die dak van ’n gebou aangebring is waar die boonste rand van enige punt van daardie advertensie nie die hoogte van die dakvlak waarop dit aangebring is, oorskry nie;

“*derdepartyreklame*” die reklame van goedere of dienste wat nie vervaardig, verkry, verkoop of afgelewer word vanaf die eiendom waarop die advertensie en/of teken wat daardie goedere of dienste adverteer, aangebring of geplaas is nie, en sluit reklame in wat nie liggingsgebonde is nie asook die vertoning van ’n advertensie wat op die eiendom gemaak, verkry of verkoop word maar goedere of dienste adverteer wat nie op daardie eiendom gemaak, verkry, verkoop of afgelewer word nie;

“*diensstasiefasiliteitsadvertensie*” vrystaande advertensies by petrolvulstasies, rus- en diensplekke langs die pad en sluit diensstasiepiloonaadvertensies in;

“*dikte*” met betrekking tot ’n uitsteekadvertensie, die wydte van sodanige advertensie parallel gemeet met die vlak van die hoofmuur waarop sodanige advertensie aangebring is;

“*doelgemaakte ontwerp*” die ontwerp van enige teken met spesiale effekte soos spesialiskarakteruitsnedes en/of figure en/of driedimensionele voorstellings of bewegende dele en wat eenmalig vir oprigting op ’n spesifieke plek ontwerp en/of gebou word;

“*driedimensionele advertensie*” ’n advertensie wat meer as 2 dimensies bevat, insluitende produkreplikas;

“*eiendomsagentskap*” ’n persoon wat eiendomme bemark en/of verkoop met of sonder geboue wat daarop opererig is en “*eiendomsagent*” het ’n ooreenstemmende betekenis;

“*elektroniese advertensie*” ’n advertensie met ’n elektronies beheerde, verligte oppervlak wat toelaat dat die hele advertensie, of ’n gedeelte van die advertensie op verskillende maniere verander of verlig kan word;

“*Erfenisimpakbeoordeling*” (EIB) ’n visuele beoordeling van die impak wat enige voorgestelde advertensie op die kulturele erfenis kan hê, hetsy gebou of erken, by die plek waar die voorgestelde advertensie vertoon sal word;

“*gebiede van beheer*” daardie gebiede wat in Bylae 1 van die Verordening uiteengesit word; en wat van tyd tot tyd verander en/of gewysig kan word, welke veranderinge en wysigings grafies uitgebeeld sal word by wyse van kaarte wat van tyd tot tyd deur die Munisipaliteit voorberei word;

“*geborgde advertensie*” ’n advertensie wie se primêre doel nie die advertering van goedere of dienste is nie maar wat ’n grafiek of inhoud vertoon wat gemeenskaps- of openbare bewustheid van ’n erkende openbare of gemeenskapsdoelwit bevorder;

“*gemeenskaplike grensfasade*” enige fasade van ’n gebou wat aangrensend aan die agterkant of sygrens van ’n erf gebou word en welke fasade blind is. Dit beteken dat dit geen boukundige kenmerke, insluitende vensters, het nie;

“*geprojekteerde advertensie*” enige advertensie wat deur ’n laserprojektor, videoprojektor of ander apparaat geprojekteer word;

“*gesinjaleerde verkeerskruising*” ’n kruising wat deur verkeerseine beheer word;

“*goedkeuring*” goedkeuring deur die Munisipaliteit of deur beamptes, subrade se komitees of uitvoerende raadslede uit hoofde van magte wat aan hulle gedelegeer is; en “*goedkeur*” het ’n ooreenstemmende betekenis;

“*grafiek*” sluit enige komponent in wat tot die visuele voorkoms of estetika van ’n advertensie bydra, insluitende die agtergrond daarvan, maar is nie daartoe beperk nie;

“*handelsreklame*” enige woorde, letters, logos, syfers, simbole, prentjies wat met die naam van ’n besigheid, bedryf, vennootskap, individu verband hou, of enige inligting, aanbeveling of waarskuwing; ten opsigte van enige bepaalde goedere wat vervaardig of verkoop word, of enige bepaalde dienste wat gelewer of aangebied word, of enige gebeurtenis vir handel of vermaak, insluitende sportbyeenkomste;

“*hoofopskrifplakkaat*” ’n tydelike plakkaat wat die inhoud van ’n dagblad of weeklikse koerant adverteer;

Die “*hoogte van ’n advertensie*” word bereken deur die vertikale afstand tussen die boonste en laagste gedeeltes van die struktuur te meet. “*intern verligte advertensie*” ’n advertensie of struktuur wat gebruik word om ’n advertensie te vertoon wat met elektriese of ander krag geïnstalleer is en ’n

kunsmatige ligbron wat ten volle of gedeeltelik in die struktuur of advertensie ingesluit is en welke lig bedoel is om die advertensie of 'n gedeelte daarvan te verlig;

*"kimteken"* 'n advertensie waar die boonste rand van enige punt van daardie advertensie die hoogte van die dakvlak waarop dit aangebring is, oorskry;

*"kommersieel geborgde advertensie"* 'n advertensie wat goedere of dienste adverteer; maar waarvan die oprigting 'n tweede doel dien, naamlik om een of ander erkende openbare of gemeenskapsdoelwit of —funksie te bevorder of daartoe by te dra;

*"konsultant"* 'n paslik gekwalifiseerde onafhanklike persoon of maatskappy wat namens of as agent optree van 'n aansoeker om goedkeuring van 'n advertensie ingevolge hierdie Verordening;

*"liggingsgebonde reklame"* enige advertensie wat op 'n spesifieke erf, perseel of gebou vertoon word en kan (onderhewig aan 'n voorgeskrewe oorskrydingsgeld) sodanige advertensie op grond in munisipale besit, naby of aangrensend aan en/of 5 meter vanaf die bogenoemde erf, perseel of gebou insluit; welke advertensie na 'n aktiwiteit, produk, diens of attraksie verwys, geleë, verskaf of voorsien op of van daardie erf of daardie perseel;

*"los draagbare advertensie"* 'n vrystaande liggingsgebonde kennisgewing of reklamebord wat in 'n padreservaat of openbare oop ruimte geplaas of opgerig word;

*"lugadvertensie"* 'n advertensie wat in die lug vertoon of uitgevoer word, insluitende maar nie beperk nie tot ballonne en ballonskepe wat vanaf die Munisipaliteit se regsgebied gesien kan word;

*"Munisipaliteit"* die Munisipaliteit van die Stad Kaapstad en sluit enige uitvoerende raadslid, of komitee of subraad in wat deur die Munisipaliteit daargestel is, of enige werknemer daarvan, of behoorlik gemagtigde agent daarvan wat in verband met hierdie Verordening optree uit hoofde van die bevoegdheid wat by die Munisipaliteit berus en aan sodanige werknemer of agent gedelegeer is;

*"nie-winsgewende liggaam"* 'n liggaam wat hoofsaaklik daargestel is om 'n gemeenskapsdoelwit of voordeel sonder direkte of persoonlike finansiële wins te bevorder; en kan opvoedkundige, sport-, mediese en munisipale departemente, liggames sowel as liefdadigheids- of gemeenskapsorganisasies insluit. Die Munisipaliteit kan op dokumentêre bewys (wat die voorlegging van bankstate kan behels) van die nie-winsgewende status of gemeenskapsvoorbedoelwit van die liggaam aandring;

*"nuwe advertensie"* enige advertensie wat vir die eerste keer na die afkondiging van hierdie Verordening vertoon word;

*"Omgewingsimpakbeoordeling"* (OIB) 'n beoordeling wat ingevolge die Munisipaliteit se riglyne vir buiterekame onderneem word;

*"ontwikkelingsbord"* 'n advertensie wat op 'n perseel vertoon word waar boubedrywighede huidiglik aan die gang is en wat met enige dienste verskaf, werk onderneem, of goedere wat in verband met sodanige boubedrywighede voorsien word, verband hou. Dit sluit egter nie kontrakborde vir gebou- en siviele ingenieursprojekte soos vereis ingevolge die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977) soos van tyd tot tyd gewysig en omskryf ingevolge die Algemene Kontrak- en/of Spesifikasievoorwaardes van die paslike instellings in nie;

*"openbare plek"* enige openbare pad, openbare straat, deurgang, brug, duikweg, looppad, sypaadjie, voetpad, voetgang (of soortgelyke voetgangergedeelte van 'n padreservaat), laan, plein, oop ruimte, tuin, park of ingeslote plek wat by die Munisipaliteit of ander staatsowerheid berus, of as sodanig op die landmeter-generaal se rekords aangedui word, of deur die publiek gebruik word of as sodanig ingevolge die toepaslike soneringskema gesoneer is;

*"openbare fasade"* enige fasade wat vensters of ander boukundige geledinge het;

*"openbare pad"* 'n openbare pad soos omskryf in die Nasionale Padverkeerswet, 1996 (Wet 93 van 1996);

*"padowerheid"* die padowerheid soos omskryf in Artikel 2 van die Paaie-ordonnansie (Ordonnansie 19 van 1976);

*"padreservaat"* die gebied wat binne die statutêre breedte van 'n pad geleë is, en sluit ryvlakke, skouers en sypaadjies in en die lugruimte bokant sodanige ryvlakke, skouers en sypaadjies en al die ander gebiede binne sodanige padreservaatgrens;

*"perimeter van 'n kruising"* die perimeter van die gebied wat ingesluit word by die verlenging van die padreservaatlyne van twee of meer openbare paaie wat met enige hoek by mekaar aansluit, hetsy sodanige openbare pad die ander een kruis al dan nie;

*"persoon"* sluit die volgende in:

- (a) enige staatsinstelling
- (b) enige maatskappy wat as sodanig ingevolge enige wet ingelyf of geregistreer is
- (c) enige liggaam van persone, hetsy ingelyf al dan nie, wat as 'n enkelentiteit vir watter doel ook al funksioneer.

*"plakkaat"* enige tydelike advertensies wat aan die Munisipaliteit se elektriese liggale vasgemaak kan word en/of op vaste strukture opgeplak word om byeenkomste of veldtogte te adverteer, insluitende verkiesings of referendums van beperkte duur maar nie advertensies insluit wat markte, uitstallings of byeenkomste adverteer wat op 'n gereelde grondslag vir meer as twee dae per maand gehou word nie;

*"plat advertensie"* 'n advertensie wat aan 'n muur van 'n gebou bevestig of direk daarop gevef is, maar nie op of oor vensters of deure of boukundige geledinge nie, en wat nêrens meer as 250 mm voor die oppervlak van sodanige muur uitsteek nie;

*"poortroete"* 'n prominente roete met 'n ingang tot of uitgang van 'n spesifieke gedeelte van die Munisipaliteit se jurisdiksie, bestaande uit kunsmatige of natuurlike terreingesteldhede en wat 'n sterk sin van aankoms of vertrek skep en in ooreenstemming met stadsbeplanning en/of ontwikkelingsraamwerkplanne en -beleid is. Hierdie roetes kan geografies uitgebeeld word by wyse van kaarte of van tyd tot tyd deur die Munisipaliteit gelys word;

*"reklamestruktuur"* enige fisiese struktuur wat gebou is of in staat is om 'n advertensieteken te vertoon;

*"ryvlak"* daardie gedeelte van 'n pad, straat of deurgang wat verbeter, gebou of vir voertuigverkeer bedoel is soos omskryf in die Nasionale Padverkeerswet, 1996 (Wet 93 van 1996);

“*samegestelde advertensie*” ’n enkel, vrystaande reklamestruktuur vir die vertoning van meer as een advertensieteken;

“*sekuriteitsteken*” ’n buite-advertensie vir buurtwag- en soortgelyke skemas, en ’n advertensie wat die naam, logo, adres en telefoonnommer van ’n sekuriteitsmaatskappy bevat wat gekontraakteer, of sekuriteitstelsel wat geïnstalleer is om die perseel waarop die teken vertoon word, te beskerm;

“*sone*” ’n grondgebruiksone soos uiteengesit in die betrokke soneringskemas of Stadsbeplanningsregulasies soos van tyd tot tyd gewysig en van toepassing op enige erf waarop ’n advertensie vertoon word of waarskynlik vertoon sal word en “*sonering*” het ’n ooreenstemmende betekenis;

“*Staatsinstelling*”:

(a) enige staatsdepartement of administrasie in die nasionale, provinsiale of plaaslike sfeer van regering;

(b) enige ander funksionaris of instelling:

(i) wat ingevolge die Grondwet of ’n provinsiale grondwet ’n bevoegdheid uitoefen of ’n funksie verrig; of

(ii) ingevolge enige ander wetgewing ’n openbare bevoegdheid uitoefen of ’n openbare funksie verrig.

“*stadsgrensllyn*” ’n vooraf bepaalde punt-tot-punt grensllyn soos van tyd tot tyd deur die Munisipaliteit bepaal, met die doel om stedelike ontwikkeling in toom te hou;

“*straatmaamtekens*” tekens wat op ’n paal gemonteer en dubbelsydig is, intern verlig of onverligte tekens wat in kombinasie met name van strate vertoon word, en nie 1 m<sup>2</sup> oorskry nie;

“*straatuitrusting*” openbare fasiliteite en strukture wat nie hoofsaaklik vir reklame bedoel is nie en sluit sitbanke, planthouers, blikke, blikke wat aan ’n paal gemonteer is, buskuilings, sypaadjehorlosies, drinkspuite, Telkom-kaste, verkeerseinbeheerders, elektristeitskaste, posbusse en telefoonhokkies in, maar is nie daartoe beperk nie, met uitsluiting van padverkeerstekens, verkeerseine, straatligte of enige ander padverwante strukture;

“*subraad*” ’n metropolitaanse subraad bedoel in Artikel 62 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998);

“*teken*” enige voorwerp, produk, replika, reklamestruktuur, muurskildering, toestel of bord wat gebruik word om ’n advertensie in die openbaar te vertoon of wat op sigself ’n advertensie is; en sluit ’n plakkaat en ’n aanplakbord in;

“*totale hoogte*” met betrekking tot ’n advertensie, die vertikale afstand tussen die boonste rand van die advertensie en die afgewerkte vlak van die grond, looppad of rypad onmiddellik onder die middelpunt van die advertensie;

“*transito-reklame*” reklame deur middel van ’n beweegbare advertensie wat padlangs op of tesame met ’n gemotoriseerde voertuig vervoer kan word, insluitende sleepwaens wat hoofsaaklik vir reklame gebruik word;

“*tydelike advertensies*” advertensies wat vir ’n maksimum tydperk van 14 dae vertoon word, of sodanige ander tydperk wat deur die Munisipaliteit goedgekeur mag word;

“*uitsigpad*” ’n pad wat as sodanig in ’n goedgekeurde soneringskema aangewys is of waarvandaan landskappe of kenmerke van estetiese of kulturele betekenis gesien of besigtig kan word, soos van tyd tot tyd deur die Munisipaliteit aangewys;

“*uitsteekadvertensie*” ’n advertensie wat aan ’n muur van ’n gebou bevestig word en wat by een of ander punt meer as 250 mm voor die oppervlak van sodanige muur uitsteek;

“*vensteradvertensies*” advertensies wat tydelik of permanent op die vensterglas van ’n gebou gevef of daaraan bevestig is;

“*veranda*” sluit ’n vrydraende sondak en sonblinding in;

“*verkeersein*” ’n padverkeersein soos bepaal in die Nasionale Padverkeerswet, 1996 (Wet 93 van 1996);

“*Verkeersimpakbeoordeling*” (VIB) ’n studie wat deur ’n geregistreerde Professionele Ingenieur met bewysbare ondervinding op die gebied van verkeersingenieurswese onderneem is en wat die impak van ’n voorgestelde teken op voertuig-/voetganger-/fietsryersveiligheid en verkeersbedryf ondersoek. Die studie moet enige versagtende maatreëls wat as gevolg van daardie impak vereis mag word, aanbeveel;

“*verkeersteken*” ’n padverkeersteken soos bepaal in die Nasionale Padverkeerswet, 1996 (Wet 93 van 1996);

“*vertoon*” die vertoon van ’n advertensieteken en sluit die oprigting van enige aanplakbord, teken of struktuur in wat uitsluitlik of hoofsaaklik vir die ondersteuning van ’n teken of aanplakbord bedoel is; en daarbenewens, sluit dit die vertoon van ’n advertensieteken van ’n besigheid, handelsvennootskap of individu in wat met die inhoud van die teken of die teken self verband hou; en “*vertoning*” het ’n ooreenstemmende betekenis;

“*vervoerderminusse*” enige gebied wat deur die Munisipaliteit as sodanig aangewys is, waar die formele verwisseling van openbare vervoermittele deur die publiek plaasvind, insluitende maar nie beperk nie tot aangewese spoorwegstasies, amptelike taxi- en busterminusse;

“*voordurende misdryf*” ’n misdryf ingevolge hierdie Verordening wat na die verstryking van die kennistydperk bedoel in ’n kennisgewing wat ingevolge hierdie Verordening beteken is, voortduur;

“*vryhoogte*” met betrekking tot ’n advertensie, die vertikale afstand tussen die laagste kant van die advertensie en die natuurlike vlak van die omliggende grond, looppad of rypad onmiddellik onder die teken;

“*vrystaande advertensie*” enige advertensie of groep advertensies wat op een vrystaande struktuur vertoon word of daarin vervat is, welke struktuur nie aan ’n gebou of enige ander struktuur of voorwerp wat nie vir die primêre doel van reklame beoog word, bevestig is nie;

“*wet*” enige wet, proklamasie, ordonnansie, Wet van die Parlement of Provinsiale Wetgewing, of enige ander wetsvoorskrif wat geldig is;

“*winkel*” ’n gebou wat vir kleinhandel of -dienste gebruik word;

**B. INDIENING VAN AANSOEKE**

1. Behalwe vir daardie advertensies bedoel in Artikel 55 tot 62 hieronder, mag niemand enige advertensie vertoon of enige teken of reklamestruktuur vir advertensiedoeleindes oprig of gebruik sonder die Munisipaliteit se goedkeuring ingevolge hierdie Verordening of enige ander toepaslike wetgewing nie.
2. Elkeen wat voornemens is om 'n nuwe advertensie te vertoon of 'n bestaande, goedgekeurde teken te verander of iets daartoe by te voeg; of 'n plan vir advertensietekens ingevolge 'n Terreinontwikkelingsplanvoorstel indien, moet skriftelik by die Munisipaliteit aansoek doen, welke aansoek van die volgende inligting in tweevoud versesel moet word:
  - 2.1 'n Terreinplan wat die terrein aantoon waarop die advertensie opgerig of vertoon gaan word, geteken op 'n skaal van nie minder nie as 1:200 wat die posisie van die advertensie en die gebou, indien enige, waaraan dit bevestig gaan word duidelik en akkuraat aantoon en elke gebou en bestaande advertensies op die perseel, huidige en voorgestelde terreinuitleg, verkeerseine en padverkeerstekens, en die posisie met afmetings van die advertensie of die advertensie in verhouding tot die grense van die terrein en die ligging van die strate aangrensend aan die terrein, tesame met sy bestaande goedgekeurde soneringsvoorwaardes aantoon.
  - 2.2 'n Tekening wat aan die vereistes van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977) voldoen en voldoende besonderhede toon om die Munisipaliteit in staat te stel om die voorkoms van die advertensie en al die betrokke konstruksiebesonderhede te oorweeg, insluitende 'n beskrywing van die materiaal waaruit die advertensie gemaak gaan word, die kleure wat gebruik gaan word, en of die advertensie verlig gaan word al dan nie; en in laasgenoemde geval moet die plan aandui of die advertensie 'n elektroniese advertensie is of nie, en indien wel, moet volledige besonderhede verstrek word.
  - 2.3 Die tekening bedoel in Artikel 2.2 hierbo, moet gedetailleerde tekeninge van sodanige advertensie insluit op 'n skaal van nie minder nie as 1:20 en 'n terreinplan wat die posisie van die advertensie op die terrein aandui op 'n skaal van nie minder nie as 1:50.
  - 2.4 Indien die voorgestelde grafieke van die advertensie op enige stadium gedurende die voorgestelde vertoontydperk gewysig of verander moet word, moet sodanige voorneme in die aansoek gespesifiseer word, tesame met 'n onderneming dat elke voorgestelde verandering van die grafieke twee weke voor die voorgestelde vertoning daarvan vir vooraf goedkeuring by die Munisipaliteit ingedien sal word, by versuim waarvan slegs die voorgestelde grafieke vir goedkeuring oorweeg sal word.
  - 2.5 Indien 'n advertensie aan die muur of fasade van 'n gebou bevestig of vertoon gaan word, kan die Munisipaliteit vereis dat 'n addisionele tekening ingedien moet word wat 'n aansig van die gebou in kleur, die besonderhede en posisie van die voorgestelde advertensie en die besonderhede en posisie van elke bestaande advertensie op die gebou aantoon, geteken op 'n skaal van nie minder nie as 1:100, of die Munisipaliteit kan 'n kleurafdruk of 'n kunstenaar se fotografiese of rekenaargegenereerde afdruk van die gebou vereis met die besonderhede van die voorgestelde advertensie wat op sodanige grafiek gesuperponeer word en wat so na as wat prakties moontlik is op dieselfde skaal as dié van die grafiek geteken is.
  - 2.6 Indien die aansoeker nie die geregistreerde eienaar van die eiendom waarop die advertensie opgerig gaan word is nie, moet die aansoeker die handtekening van die geregistreerde eienaar van die grond of gebou waarop die advertensie opgerig is en wat daardie persoon se kennis van en toestemming tot die aansoek aandui, verkry.
  - 2.7 Op versoek van die Munisipaliteit; sodanige addisionele tekeninge, berekeninge en ander inligting wat nodig mag wees om die Munisipaliteit in staat te stel om die geskiktheid te bepaal van die voorgestelde manier waarop enige voorgestelde advertensie, teken of aanplakbord bevestig, aangebring of gestut gaan word en die vermoë daarvan om alle laste en kragte waaraan die advertensie, reklame- of aanplakbord blootgestel mag word, te weerstaan, en die toereikendheid van die veiligheidsgrens teen defek.
3. Die Munisipaliteit kan vereis dat 'n Omgewingsimpakbeoordeling (óf die 1ste stadium daarvan, synde die voltooiing van 'n Omgewingsoorsiglys, óf in sy geheel), Erfenisimpakbeoordeling en/of 'n Verkeersimpakbeoordeling ingedien word.
4. Indien volgens die mening van die Munisipaliteit, 'n gemeenskap of gedeelte daarvan, of 'n persoon deur die voorgestelde advertensie geraak gaan word, kan 'n openbare deelnameproses voor die oorweging van goedkeuring vereis word, welke openbare deelnameproses aan die Munisipaliteit se beleid rakende openbare deelname moet voldoen.
5. Die Munisipaliteit sal 'n reklamehoofplan vereis ten opsigte van enige ontwikkeling waar die oprigting van verskeie advertensies voorgestel word of waar die rasionalisering van voorheen goedgekeurde advertensies vereis word om hom in staat te stel om 'n stelselmatige ontwerphoofplan voor die beoordeling van enige afsonderlike advertensie te oorweeg.
6. Die Munisipaliteit moet die aansoeker van enige addisionele vereistes binne 21 werksdae vanaf die datum waarop die oorspronklike aansoek ingedien is en die betaling van die aansoekgeld in kennis stel.
7. Die Munisipaliteit is daarop geregtig om 'n afskrif van elke dokument wat aan hom as deel van 'n aansoek voorsien word, te behou, maar is nie verplig om dit te doen nie.
8. Die Munisipaliteit kan skriftelike kennisgewing vereis van die aansoeker of persoon wat 'n goedgekeurde advertensie oprig, dat sodanige advertensie opgerig is.

**C. GELDE EN ALGEMENE FAKTORE WANNEER GOEDKEURING EN/OF WYSIGING/VOORWAARDES VAN GOEDKEURING OORWEEG WORD**

9. Elkeen wat by die Munisipaliteit om goedkeuring ingevolge hierdie Verordening aansoek doen, moet by aansoek 'n aansoekgeld aan die Munisipaliteit betaal wat van tyd tot tyd deur die Munisipaliteit bepaal word. Daarbenewens moet by goedkeuring van 'n aansoek, 'n goedkeuringsgeld betaal word wat van tyd tot tyd deur die Munisipaliteit bepaal word. Geen advertensie sal opgerig word tot tyd en wyl beide die aansoek- en goedkeuringsgeld ten volle betaal is nie.
10. Wanneer 'n aansoek vir die vertoning van 'n advertensie of die oprigting van 'n advertensie ingevolge hierdie Verordening oorweeg word, of 'n wysiging of voorwaarde wat by 'n goedkeuring voorgeskryf is of voorgeskryf gaan word, moet die Munisipaliteit die volgende faktore in ag neem:
  - 10.1 Die gebied van beheer waarin die voorgestelde advertensie opgerig of vertoon gaan word soos uiteengesit in Bylae 1 wat hierby aangeheg is. Verder met dien verstande dat indien 'n advertensie in meer as een moontlike gebied van beheer val of indien 'n voorgestelde advertensiegebied wat in een gebied van beheer geleë is 'n impak op 'n aanliggende gebied van beheer kan hê, het die Munisipaliteit die reg om die gebied van beheer wat op daardie aansoek betrekking het, te bepaal;

- 10.2 Die tipe ligging of landskap en die reklamegeleenthede wat op daardie gebied van beheer betrekking het;
- 10.3 Die aantal advertensies wat reeds op die erf en in die omliggende gebied van die betrokke erf vertoon word of vertoon gaan word;
- 10.4 Die bevindings van enige Verkeersimpakbeoordeling, Omgewingsimpak- of Erfenisimpakbeoordeling, maar meer spesifiek enige sodanige bevinding of die voorgestelde advertensie nadelig vir die omgewing sal wees of die gerief of ligging of buurt of geraakte eiendom, nadelig sal beïnvloed;
- 10.5 Liggingsgebonde advertensies moet verband hou met die wettige gebruik van 'n eiendom; met dien verstande dat geen sodanige advertensie op woonpersele of gedeeltes daarvan aangebring of daarop geplaas mag word nie behalwe soos deur of vir tuisnywerhede en wettige tydelike gebruike toegelaat word nie;
- 10.6 Die uitkoms van enige prosens van openbare deelname rakende die voorgestelde advertensie;
- 10.7 Die bepalings van Artikel 12 tot 40 inklusief, van hierdie Verordening;
- 10.8 Dat geen advertensie of reklame so ontwerp of vertoon word nie:
  - 10.8.1 dat dit 'n gevaar vir enige persoon of eiendom inhou;
  - 10.8.2 dat dit enige materiaal of grafiek sal vertoon wat, weens die gestalte, inhoud of albei, redelik waarskynlik aanstootlik vir die publiek of 'n identifiseerbare klas van persone sal wees;
  - 10.8.3 dat dit nadelig vir die omgewing of gerief van die buurt is vanweë sy grootte, intensiteit, herhaling, verligting, gehalte van die ontwerp, materiaal, voorgestelde grafiek, ligging, of om enige ander rede;
  - 10.8.4 dat dit enige ander advertensies wat ingevolge hierdie Verordening of sy voorganger goedgekeur is, sal belemmer;
  - 10.8.5 dat dit nadelig sal wees of andersins 'n nadelige impak op die omgewing sal hê, hetsy kunsmatig of natuurlik.
- 10.9 Wanneer 'n voorstel vir nuwe grafieke ten opsigte van 'n advertensie wat ingevolge hierdie Verordening goedgekeur is, oorweeg word, moet die Munisipaliteit die faktore bedoel in Artikel 10.4 tot 10.8 inklusief, in ag neem.
- 10.10 Die Munisipaliteit sal slegs 'n aansoek om verlenging van die goedkeuringstydperk (ingevolge Artikel 47) oorweeg op voorwaarde dat die genoemde advertensie aan die bepalings van hierdie Verordening soos op die datum van aansoek om sodanige verlenging, voldoen.
- 10.11 Die Munisipaliteit moet die faktore bedoel in Artikel 10.4 tot 10.8 in ag neem wanneer 'n aansoek om 'n verlenging van die goedkeuringstydperk ingevolge Artikel 47 oorweg word. Waar die goedkeuringstydperk deur die Munisipaliteit verleng word, moet die verlengingstydperk nie 'n verdere tydperk van 5 jaar oorskry nie.
- 10.12 Enige aansoek om 'n verlenging van 'n goedkeuringstydperk ingevolge Artikel 47 moet vergesel word van die gelde bedoel in Artikel 9 hierbo; wat beide 'n aansoek- en goedkeuringsgeld is.

#### **D. FAKTORE WAT MET SPESIFIEKE ADVERTENSIES, GEBIEDE VAN BEHEER EN KOMMERSIEEL GEBORGDE ADVERTENSIES VERBAND HOU**

11. Die Munisipaliteit moet, benewens die faktore wat hierbo uiteengesit word, sekere minimum standaarde op sekere spesifieke advertensietipes en voorgestelde liggings toepas wanneer 'n aansoek om goedkeuring ten opsigte daarvan gedoen word en moet sekere spesifieke kriteria op aansoeke vir die oprigting van advertensies deur nie-winsgewende liggame toepas. Hierdie spesifieke standaarde en kriteria word as Bylaes tot hierdie Verordening uiteengesit. Bylae 1 tot hierdie Verordening dui die gebiede van beheer aan waarin sekere spesifieke advertensietipes toegelaat kan word, maar altyd onderhewig aan goedkeuring ingevolge hierdie Verordening en verder onderhewig aan enige addisionele vereiste wat betrekking het op 'n spesifieke advertensietipe soos in die volgende Bylaes uiteengesit:

##### **Bylae**

- Bylae 1 — Gebiede van beheer
- Bylae 2 — Aanplakborde
- Bylae 3 — Liggingsgebonde vrystaande en samestelde advertensies
- Bylae 4 — Advertensies wat op mure van geboue aangebring word — (plak en uitsteekadvertensies)
- Bylae 5 — Kimtekens
- Bylae 6 — Dakadvertensies
- Bylae 7 — Advertensies op 'n veranda, balkon, sondak, op steunkolomme, pilare en pale
- Bylae 8 — Advertensies op grensmure, heinings en bouterreine
- Bylae 9 — Plakkate met koerantopskrifte
- Bylae 10 — Baniere, vlage en ballone
- Bylae 11 — Plakkate
- Bylae 12 — Eiendomsagenttekens
- Bylae 13 — Los draagbare advertensies
- Bylae 14 — Lugadvertensies
- Bylae 15 — Transito-reklame
- Bylae 16 — Advertensies op munisipale grond/geboue
- Bylae 17 — Advertensies deur/vir nie-winsgewende liggame

Die Munisipaliteit kan 'n vrystelling van die voorwaardes van hierdie Verordening toestaan ten opsigte van die soorte advertensies of gebiede van beheer soos uiteengesit in Bylae 10, 11 en 12 hiervan met betrekking tot:

- (i) die gebied van beheer waar die advertensie(s) vertoon gaan word;
- (ii) die aard van die byeenkoms;

- (iii) die duur van die oprigting/vertoning van die advertensie;
- (iv) die grootte van die voorgestelde advertensie;
- (v) enige verkeers- en/of veiligheids- en/of omgewings- of erfenisimpakbeoordeling
- (vi) die uitkomst van enige openbare deelnameproses

#### **E. STANDARDVOORWAARDES VIR GOEDKEURING**

##### **STRUKTURELE VEREISTES**

12. Alle advertensies moet behoorlik gebou word en van die vereiste sterkte wees, veilig wees en aan die vereistes van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977) wat daarop betrekking het en soos van tyd tot tyd gewysig, voldoen.
13. Die aansoeker aan wie goedkeuring verleen is en die eienaar van die eiendom of die gebou waarop dit aangebring word, is gesamentlik en afsonderlik aanspreeklik vir die instandhouding daarvan en moet minstens een inspeksie daarvan per jaar onderneem met die oog daarop om hulle van die veiligheid daarvan te vergewis.
14. Waar enige advertensie skeur of beskadig raak of andersins bouvallig word, moet die aansoeker aan wie goedkeuring verleen is en die eienaar van die toebehoorsel of eiendom waaraan of waarop 'n advertensie aangebring is, dit binne 7 werksdae vanaf 'n kennisgewing om dit te doen, regmaak.
15. Alle advertensies en hulle steunstrukture moet uit onbrandbare, duursame materiaal wat vir die funksie, aard en permanensie van die advertensie geskik is, gebou word.
16. Alle glas wat vir 'n advertensie gebruik word, behalwe glas wat vir verligting gebruik word, moet veiligheidsglas wees wat minstens 3 mm dik is.
17. Glaspaneel wat vir 'n advertensie gebruik word mag nie 0,9 m<sup>2</sup> in oppervlakte oorskry nie, en elke paneel moet stewig aan die romp van die advertensie, struktuur of toestel los van al die ander panele bevestig word.
18. Elke advertensie en sy steunstruktuur moet in 'n goeie toestand gehou word.
19. Geen advertensie mag so geplaas word dat dit enige venster of opening wat vir ventilasie van 'n gebou voorsien word, bedek nie, of enige trap of deur of ander uitgangsmiddel van die gebou belemmer nie, of die beweging van mense van een deel van 'n dak na 'n ander verhinder nie.
20. Geen advertensiestruktuur mag nader as die minimum afstand wat van tyd tot tyd voorgeskryf word aan oorhoofse elektriese toerusting wees nie.

##### **ELEKTRIESE VEREISTES**

21. Alle advertensies wat 'n elektriese aansluiting benodig moet verkieslik vanaf die bestaande elektriese toevoer op die erf waarop dit opgerig gaan word, voorsien word. Indien dit nie moontlik is nie, moet daar by die betrokke owerheid om elektrisiteitstoevoer wat met 'n meter gemeet word, aansoek gedoen word.
22. Elke advertensie in verband waarmee elektrisiteit gebruik word, moet van gepaste kapasitore voorsien word om steuring met radio- en televisie-ontvangs te voorkom.
23. Elke kragkabel en leipyp wat elektriese geleiers ten opsigte van 'n advertensie bevat, moet so geplaas word en so bevestig word dat dit veilig, onsigbaar, ontoeganklik en kinder- en diereveilig is.
24. Elke interne hoëspanningsinstallasie wat sonder toesig werk (soos 'n vensteruitstalling) en elke eksterne hoëspanningsinstallasie moet 'n aanvaarbare tipe brandweerskakelaar hê in ooreenstemming met die vereistes soos bepaal in Artikel 6.7.2 en 7.5 van SABS 0142 1993, afgekondig ingevolge die Wet op Beroepsgeondheid en Veiligheid.

##### **VERLIGTINGSVEREISTES**

25. Die Munisipaliteit kan 'n verligte advertensie goedkeur; met dien verstande dat daar aan die bepalings van hierdie Verordening voldoen word en dat sodanige verligting nie 'n padveiligheidsgevaar uitmaak of oormatige ligverspilling veroorsaak nie.
26. Advertensies mag nie verlig word as geen advertensie-inhoud vertoon word nie.
27. Vereistes vir interne verligting en/of elektroniese advertensies:
  - 27.1 Intern verligte en elektroniese advertensies wat derdepartyreklame bevat mag slegs in gebiede van gedeeltelike en minimum beheer vertoon word en moet minder as 2,1 m<sup>2</sup> wees. Daar kan van die voorwaarde ten opsigte van die grootte tot 'n maksimum grootte van 4,5 m<sup>2</sup> in enige sodanige gebied afgesien word by ontvangs van 'n Omgewings- en Erfenisimpakbeoordeling wat aandui dat geen nadelige impak deur die voorgestelde vertoning veroorsaak sal word nie, of tot enige ander grootte wat deur die Munisipaliteit gespesifiseer word in 'n gebied wat deur die Munisipaliteit as 'n distrik aangewys word waarin verligte of elektroniese advertensies aangemoedig word.
  - 27.2 Elektroniese advertensies mag nie subliminale flitse hê nie.
  - 27.3 Die Munisipaliteit kan voor die oprigting vereis dat 'n Omgewingsimpakbeoordeling onderneem word, welke resultate moet aandui dat geen nadelige impak op verkeer verwag word nie. Daarbenewens kan die Munisipaliteit latere verkeersmonitering van enige intern verligte of elektroniese advertensie vereis.
28. Vereistes vir eksterne verligting:
  - 28.1 Die ligbron wat van spreiligte afkomstig is moet nie vir verkeersbeweging in ieder rigting sigbaar wees nie.
  - 28.2 Spreiligte mag nie so geplaas word dat hulle enige oormatige ligverspilling verby die oppervlakte van die advertensie veroorsaak nie.

28.3 Goedgekeurde gebruiksregte MOET van die elektrisiteitsdepartement verkry word voordat enige uitgrawings vir die installering van advertensies gedoen word. Dit is ook van toepassing op advertensies wat in die omgewing van oorhoofse kragpale opgerig word.

### VERKEERSVEILIGHEIDSVEREISTES

29. Advertensies mag nie in 'n gebied opgerig word waar hulle volgens die mening van die Padowerheid 'n onaanvaarbare afleiding vir bestuurders is, of waar bestuurders draai, deur kurwes of verkeersamevloeiings, uiteenlopiings of dwalings gaan nie.
30. Elektroniese advertensies word nie toegelaat waar hulle vanaf 'n klas 1-pad, poortroete of uitsigspad sigbaar is tensy dit uitdruklik, skriftelik deur die Padowerheid goedgekeur word nie.
31. Reklame op brûe, torings, telekommunikasiemaste of pilone sal nie toegelaat word nie.
32. Advertensies mag nie binne 50 m van die perimeter van 'n kruising van 'n aangewese metropolitaanse pad geleë wees tensy dit uitdruklik skriftelik deur die Padowerheid goedgekeur word nie.
33. Die grafiese inhoud van 'n advertensie moet nie die potensieel hê om visueel as 'n padverkeersteken vertolk te word nie, vanweë enige faktor, insluitende maar nie beperk nie tot die volgende:
  - (a) enige gestileerde of prente-uitbeelding van 'n padverkeersteken of verkeersein;
  - (b) enige woord, simbool, logo of ander toestel wat op 'n padverkeersteken gebruik word;
  - (c) die gebruik van kombinasies van kleure wat vir padverkeerstekens gespesifiseer is, op 'n manier wat waarskynlik tot verwarring sal lei;
  - (d) enige weerkaatsende verf of materiaal.
34. Advertensies mag nie in 'n gebied opgerig word waar die verkeersvolume, die gemiddelde volgfstand of ongeluksgeskiedenis 'n hoër as die gemiddelde bewustheidsgraad van bestuurders vereis nie.
35. Advertensies mag nie aan 'n padverkeersteken of verkeersein waarvoor daar spesifiek in die Suid-Afrikaanse Padverkeerstekenhandleiding en/of die Suid-Afrikaanse Ontwikkelingsgemeenskap se padverkeerstekenhandleiding voorsiening gemaak word, aangebring word of dit belemmer nie.
36. Advertensies mag nie binne 'n padreservaat van enige openbare pad opgerig word tensy dit uitdruklik deur die padowerheid goedgekeur is nie.
37. Waar advertensies by gesinjaleerde kruisings geplaas word, mag daar nie van die kleure rooi of geel of groen as die hoofkleur gebruik gemaak word nie en mag die advertensies nie enige padverkeersteken of verkeersein belemmer nie.
38. Elektroniese advertensies word nie binne 80 meter van die perimeter van 'n gesinjaleerde verkeerskruising toegelaat nie.
39. Flitsende of bewegende boodskappe of veranderlike oorgangsbodskappe met 'n boodskapsveranderingstussenpose van meer as 0,3 sekondes of wat oorgangseffekte tussen die verandering van boodskappe het, sal nie toegelaat word indien dit van 'n openbare pad sigbaar is nie.
40. Eenvoudige oorgangsadvertensies met statiese vertonings moet 'n volledige raamwerk vir 'n inligtingsikluslengte van nie minder nie as 60 sekondes vertoon wanneer dit van 'n gesinjaleerde verkeerskruising signaar is en 30 sekondes by ander liggings.
41. Alle derdeparty-advertensies wat groter as 4,5 m<sup>2</sup> is en langs 'n openbare pad of in 'n spoorwegreservaat opgerig word met die doel van reklame vir persone wat die aangewese metropolitaanse paaie gebruik, moet 'n minimum gespesifiseerde afstand van enige ander advertensie of padverkeersteken gespasieer word, welke afstand parallel met die middellyn van die rypad in ooreenstemming met Tabel 1 hieronder gemeet moet word.

**TABEL 1: LINEÛRE RUIMTE TUSSEN ADVERTENSIES**

Geval	Vereiste ruimte wanneer sigbaar vir verkeer op 'n pad met 'n spoed van:		
	≤ 60 km/u	61–80 km/u	81–120 km/u
Waar 'n advertensieteken 'n padteken volg	380 m	425 m	475 m
Waar 'n advertensieteken 'n advertensieteken volg	310 m	360 m	410 m
Waar 'n advertensieteken 'n padteken voorafgaan	40 m	70 m	100 m

42. Die bogenoemde minimum afstande wat in Tabel 1 hierbo gespesifiseer word, kan deur die Munisipaliteit verminder word indien die advertensie binne 'n gebied van minimum beheer val, of in ander gebiede van beheer by indiening van 'n Verkeersimpakbeoordeling (VIB) wat 'n vermindering van hierdie spasiering ten genoeë van die Munisipaliteit ondersteun. Die Munisipaliteit kan van tyd tot tyd 'n lys of kaart van aangewese gebiede voorberei waarin die bogenoemde spasieringsvereistes nie van toepassing is nie.

### WETLIKE VEREISTES

43. Alle advertensies wat opgerig en/of binne die regsgebied van die Munisipaliteit vertoon gaan word, moet benewens dat hulle aan hierdie Verordening moet voldoen, aan alle ander toepaslike wetgewing voldoen, insluitende enige toepaslike Soneringskemaregulasies of goedkeuringsvoorwaarde of enige afwyking van die toepaslike Soneringskemaregulasies.

### F. GOEDKEURING

44. Die Munisipaliteit kan enige aansoek weier of goedkeur onderhewig aan die voorwaardes wat met die oprigting en/of gebruik van die advertensie verband hou en insluitende 'n voorwaarde dat die eienaar van enige advertensie of aanplakbord of die grond of gebou waarop die opgerig of

vertoon word, of beide sodanige eienaars en/of die persoon wie se produk en/of dienste geadverteer word, die Munisipaliteit teen enige gevolge wat uit die oprigting, vertoning of blote teenwoordigheid van sodanige advertensie ontstaan, vrywaar.

45. Die Munisipaliteit kan te eniger tyd, die goedkeuring wat ingevolge hierdie Verordening of sy voorloper verleen is, terugtrek of enige voorwaarde wysig of 'n verdere voorwaarde ten opsigte van sodanige goedkeuring oplê, indien 'n advertensie of reklamestruktuur bouvallig is, vir meer as 90 opeenvolgende dae nie gebruik word nie, nie meer aan enige bepaling van hierdie Verordening voldoen nie, of aansienlik van die oorspronklike goedgekeurde aansoek verander word wat óf die struktuur óf die grafiese inhoud daarvan betref.
46. Indien 'n advertensie nie binne 12 maande vanaf die datum van goedkeuring of binne sodanige ander tyd wat in die goedkeuring voorgeskryf word, opgerig word nie, verval sodanige goedkeuring tensy daardie tydperk voor sodanige verstryking skriftelik deur die Munisipaliteit verleng word.
47. Enige goedkeuring van derdepartyreklame wat ingevolge hierdie Verordening deur die Munisipaliteit verleen is, is vir 'n maximum tydperk van 5 jaar geldig, bereken van die datum van goedkeuring, tensy dit skriftelik voor die verstryking van die goedkeuringstydperk verleng is. Die Munisipaliteit moet minstens ses kalendermaande voordat die goedkeuringstydperk verstryk, 'n skriftelike aansoek om verlenging van die goedkeuringstydperk ontvang.
48. Indien die struktuur wat sodanige advertensie ondersteun, voor die verstryking van die goedkeuringstydperk opsetlik afgebreek word, verval die goedkeuring en geen verdere advertensie of ondersteuningstruktuur mag opgerig op heropgerig word sonder die Munisipaliteit se vooraf verkreeë goedkeuring ingevolge hierdie Verordening nie.
49. Alle besluite deur die Munisipaliteit rakende aansoeke wat ingevolge hierdie Verordening gedoen is, moet skriftelik wees en binne 90 kalenderdae vanaf die datum waarop 'n volledige aansoek ingedien is, aan die aansoekers voorsien word, of anders, indien dit deur die Munisipaliteit vereis word, binne 90 kalenderdae van die ontvangs van enige addisionele inligting en/of beoordelings wat aan die Munisipaliteit voorsien word.

#### **G. APPÈL**

50. Enigiemand wie se regte deur 'n besluit wat in verband met hierdie Verordening deur die Munisipaliteit geneem is, geraak word kan teen daardie besluit appelleer deur binne 21 dae van die datum van die kennisgewing van die besluit skriftelike kennis van die appèl en redes aan die Stadsbestuurder te gee.
51. Die Stadsbestuurder moet die appèl onmiddellik aan die paslike appèlowerheid wat in Artikel 53 genoem word, voorlê.
52. Die appèlowerheid moet die appèl oorweeg, en die besluit bevestig, verander of terugtrek, maar geen sodanige verandering of terugtrekking van 'n besluit mag enige regte wat as gevolg van die besluit ontstaan het, verminder nie.
53. Die paslike appèlowerheid word bepaal deur die Plaaslike Regering: Wet op Munisipale Stelsels (Wet 32 van 2000), soos van tyd tot tyd gewysig.
54. 'n Appèlowerheid moet binne ses weke na ontvangs van die appèl met die appèl begin en die appèl binne 'n redelike tydperk beslis.

#### **H. ONDERHEWIG AAN DIE NAKOMING VAN DIE VOORWAARDES WAT DAAROP BETREKKING HET EN/OF HIERONDER UITEENGESIT WORD, WORD DIE MUNISIPALITEIT SE GOEDKEURING NIE VIR DIE VOLGENDE ADVERTENSIES BENODIG NIE**

Indien enige teken nie aan die voorwaardes met betrekking tot elke advertensietipe wat hieronder gelys word, voldoen nie, word 'n aansoek ingevolge B vereis.

Onderhewig aan die voorwaardes met betrekking tot elke tipe advertensie wat hieronder gelys word, en enige ander toepaslike wetgewing, of voorwaarde wat deur die Munisipaliteit opgelê word, word geen aansoek om goedkeuring ingevolge hierdie Verordening ten opsigte van die volgende vereis nie:

55. Ontwikkelingsborde
  - 55.1 Ontwikkelingsborde moet onmiddellik verwyder word wanneer boubedrywighede voltooi is of onmiddellik verwyder word wanneer boubedrywighede beëindig word, of wanneer die verskaffing van die dienste, die doen van die werk of die voorsiening van die goedere waarop die teken betrekking het, opgehou het;
  - 55.2 Die Munisipaliteit kan die verwydering van enige sodanige teken gelas indien die boubedrywighede naasteby voltooi of beëindig is of 'n Bewoningssertifikaat deur die Munisipaliteit uitgereik is, of die verskaffing van die dienste, die doen van die werk of die voorsiening van die goedere waarop dit betrekking het, vir alle praktiese doeleindes opgehou het, of waarvoor regte nog nie goedgekeur is nie, en sodanige tekens moet dan onmiddellik verwyder word maar nie later nie as 5 dae na die datum van die opdrag om dit te verwyder;
  - 55.3 Indien die perseel waarop boubedrywighede aan die gang is, heeltemal of gedeeltelik vir woondoeleindes gebruik gaan word, mag slegs een ontwikkelingsbord vertoon word en sodanige ontwikkelingsbord mag nie 3 m<sup>2</sup> in totale oppervlakte oorskry nie;
  - 55.4 Indien die perseel nie heeltemal of gedeeltelik vir woondoeleindes gebruik gaan word nie, mag nie meer as twee ontwikkelingsborde vertoon word nie en die gesamentlike oppervlakte van beide ontwikkelingsborde mag nie 5 m<sup>2</sup> in totale oppervlakte oorskry nie, en indien enige afwykings van die bogenoemde vrystelling voorgestel word, moet daar skriftelik om sodanige afwykings aansoek gedoen word;
  - 55.5 Indien die advertensie, hetsy op vrystaande borde of buigsame boubedrywighede, enige ander vorm van derdepartyreklame insluit, moet sodanige advertensie aan die bepalings van Byale 8 hiervan voldoen en munisipale goedkeuring vir die vertoning daarvan moet eers ingevolge hierdie Verordening verkry word.

#### **56. Te Huur-/Te Koop-tekens**

Dit sluit enige teken in wat nie 400 mm x 500 mm in totale oppervlakte vertoon by die bestaande perseel of op eiendomme waarop 'n nuwe gebou opgerig word, oorskry nie en wat met huisvesting wat te huur of te koop in die gebou aangebied word, verband hou, op voorwaarde dat enige sodanige advertensie binne 60 dae na die datum waarop die huisvesting waarop dit betrekking het vir bewoning gereed is, verwyder word;



## 57. Besigheidsadvertensies op die perseel

Hierdie advertensies sluit enige verligte teken in wat nie oor 'n openbare pad uitsteek nie en nie 0,2 m<sup>2</sup> in totale oppervlakte oorskry nie en slegs die tipe handel, besigheid, nywerheid of beroep wat wettig onderneem word deur enige bewoner of permanente inwoner van die perseel waarop dit aangebly word, die naam van sodanige bewoner, die tipe aktiwiteit, die adres en telefoonnommer van sodanige perseel en die diensure (indien enige) bekend maak; met dien verstande dat slegs een sodanige teken per bewoner vertoon mag word.

## 58. Vensteradvertensies

Hierdie advertensies sluit enige liggingsgebonde tekens in wat tydelik of permanent op die vensterglas van 'n gebou wat vir kommersiële, kantoor-, nywerheids- of vermaaklikheidsdoeleindes gebruik word, gevef of bevestig is, of enige ander tydelike of permanente advertensie wat binne 2 m van enige venster of eksterne opening vertoon word waardeur dit van die buitekant van sodanige gebou sigbaar is, op voorwaarde dat geen vensteradvertensie 4,5 m<sup>2</sup> in 'n gebied van maksimum beheer mag oorskry nie.

## 59. Advertensies wat deel vorm van die voorkant van 'n gebou

Enige advertensie wat 'n integrale deel van die materiaal van 'n gebou vorm (met uitsluiting van 'n gevefde advertensie of 'n advertensie wat op enige manier aan die gebou bevestig is), op voorwaarde dat geen sodanige advertensie 0,2 m<sup>2</sup> in totale oppervlakte mag oorskry nie.

## 60. Advertensies op sportvelde

Behalwe wanneer dit vanaf uitsigpaaie sigbaar is, sal enige advertensie wat om die perimeter van 'n sportveld opgerig word, tot 'n maksimum grootte van 2 x 1 m elk; verder met dien verstande dat groter advertensies waarvan die voorkant op die veld uitkyk en nie van enige ander openbare plek sigbaar is nie, ook toegelaat word.

## 61. Sekuriteitstekens

Enige sekuriteitsteken wat nie oor 'n openbare pad uitsteek nie en nie 0,2 m<sup>2</sup> in totale oppervlakte oorskry nie en wat aandui dat 'n sekuriteitswagskema in werking is of dat 'n sekuriteitsmaatskappy gekontrakteer is om die perseel waarop die teken vertoon word, te beskerm, op voorwaarde dat:

61.1 slegs een sodanige advertensie op enige openbare pad of elke straatvoorkant van sodanige perseel vertoon word; en

61.2 die genoemde advertensies slegs die naam, logo, adres en telefoonnommer van 'n sekuriteitsmaatskappy vertoon wat gekontrakteer is om die perseel waarop die advertensie vertoon word, te beskerm.

62. Geborgde, kommersiële geborgde advertensies en advertensies van nie-winsgewende liggame: minder as 4,5 m<sup>2</sup>.

62.1 Enige sodanige advertensie, hetsy dit deur of in verband met 'n nie-winsgewende liggaam opgerig word al dan nie; wat nie 4,5 m<sup>2</sup> in totale oppervlakte oorskry nie op voorwaarde dat nie meer as 5% van die totale oppervlakte van die advertensie vir derdepartyreklame gebruik word nie; en die advertensie nie verlig is nie en verder op voorwaarde dat slegs een sodanige advertensie per erf toegelaat word.

62.2 Advertensies wat aan die bepalinge van Artikel 62.1 voldoen, moet wanneer dit op munisipale grond opgerig word, eers opgerig word wanneer 'n ooreenkoms met die Munisipaliteit aangegaan is waarin daar ooreengekom is oor die omvang van die gemeenskaps- of openbare voordeel daarvan soos gesamentlik besluit tussen die munisipale departement wat vir die perseel en/of grond verantwoordelik is, en daar oor die voorwaardes rakende die oprigting van die advertensie ooreengekom is, en 'n afskrif van die ooreenkoms by die omgewingsbestuurtak of sy regsopvolger van die Munisipaliteit ingedien is.

62.3 Alle geborgde advertensies word in Bylae 16 en 17 behandel.

## 63. Advertensies op vlage

Reklamevlage mag slegs op vlagpale vertoon word, met dien verstande dat nie meer as 3 vlagpale van 3 m elk in totale hoogte op enige enkele eiendom waarop dit vertoon word, toegelaat sal word.

## 64. Advertensies op voertuie

Advertensies moet regstreeks op die bak van 'n gemotoriseerde voertuig gevef of bevestig word.

**I. ONTSIERING**

65. Niemand mag die voorkant of front van enige straat, padverkeersteken, muur, heining, grond, rots, boom of ander natuurlike verskynsel, of die voorkant of front of dak van enige gebou of struktuur op enige wyse hoegenaamd gedurende konstruksie of deur die vertoning of gebruik van 'n advertensie of die skryf of verf van enige teken, simbool, letters of syfers, vernietig, skade aandoen, beskadig, skend of ontsier nie. Daarbenewens mag niemand enige advertensie wat ingevolge hierdie Verordening wettiglik vertoon word, ontsier nie.

**J. SKADE AAN MUNISIPALE EIENDOM**

66. Niemand mag met die oprigting of verwydering van enige advertensie of banier, skade aan enige boom, elektriese paal of diens of ander munisipale installasie of eiendom en straattoerusting veroorsaak nie.

**K. TOEGANG EN INSPEKSIES**

67. Die Munisipaliteit het die reg, deur sy behoorlik gemagtigde beamptes, en nadat vooraf skriftelike kennis aan die eienaar of bewoner van 'n eiendom gegee is, om enige perseel op 'n redelike tyd te betree met die doel om enige inspeksie uit te voer wat vir die behoorlike bestuur en toepassing van die bepalinge van hierdie Verordening nodig mag wees.

**L. MISDRYWE**

68. Enigiemand wat:

- 68.1 enige bepaling van hierdie Verordening oortree of versuim om daaraan te voldoen;
- 68.2 enige vereiste wat in 'n kennisgewing uiteengesit is wat aan hom ingevolge hierdie Verordening beteken is, oortree of versuim om daaraan te voldoen;
- 68.3 enige voorwaarde wat ingevolge hierdie Verordening opgelê is, oortree of versuim om daaraan te voldoen;
- 68.4 wetens 'n vals verklaring ten opsigte van enige aansoek ingevolge hierdie Verordening maak, is skuldig aan 'n misdryf en by skuldigbevinding aanspreeklik vir 'n boete of gevangenisstraf soos hieronder uiteengesit; en:
69. In die geval van 'n voortdurende misdryf, aan 'n boete soos hieronder uiteengesit, vir elke dag gedurende die voortdurende van sodanige misdryf nadat 'n skriftelike kennisgewing deur die Munisipaliteit uitgereik is wat staking van sodanige misdryf vereis; en
70. Vir 'n tweede of daaropvolgende misdryf, by skuldigbevinding aanspreeklik vir 'n boete of gevangenisstraf soos hieronder uiteengesit.
71. Die boetes en strawwe wat ingevolge hierdie Verordening op misdrywe van toepassing is, is soos volg:
- 71.1 by 'n eerste skuldigbevinding, is die skuldige party aanspreeklik vir 'n boete wat nie R10 000,00 oorskry nie soos van tyd tot tyd aangepas ingevolge die Wet op die Aanpassing van Boetes, 1991 (Wet 101 van 1991), of by versuim om te betaal, vir gevangenisstraf vir 'n tydperk wat nie twee maande oorskry nie;
- 71.2 in die geval van 'n voortdurende misdryf, is die skuldige party aanspreeklik vir 'n verdere boete wat nie R500,00 oorskry nie, soos van tyd tot tyd aangepas ingevolge die Wet op die Aanpassings van Boetes, 1991 (Wet 101 van 1991), vir elke dag gedurende die voortdurende van sodanige misdryf;
- 71.3 by 'n tweede of daaropvolgende skuldigbevinding, is die skuldige party aanspreeklik vir 'n boete wat nie R50 000,00 oorskry nie, soos van tyd tot tyd aangepas ingevolge die Wet op die Aanpassings van Boetes, 1991 (Wet 101 van 1991), of by versuim om te betaal, vir gevangenisstraf vir 'n tydperk wat nie 6 maande oorskry nie.
72. Nieteenstaande die bepalings van Artikel 68 tot 72 hierbo, is die toepaslike boetes ten opsigte van die ongemagtigde vertoon van plakkaat en/of eiendomsagentborde, soos uiteengesit in Bylae 9 en 10 hiervan.
73. Onwettige advertensies wat deur die Munisipaliteit verwyder word, kan van die Munisipaliteit teruggeëis word by volle betaling aan die Munisipaliteit van enige koste wat deur die Munisipaliteit met die verwydering van die genoemde advertensie aangegaan is, asook betaling binne twee maande van enige gelde wat vir die bewaring van sodanige advertensie opgeloop het. Enige onwettige advertensies wat deur die Munisipaliteit verwyder word en nie binne twee maande van die datum van verwydering teruggeëis word nie, sal deur die Munisipaliteit na goeddunke van die hand gesit word om die verwyderings- en/of bewaringskoste te bestry.

#### M. VERMOEDES

74. Enigiemand wat ingevolge hierdie Verordening van 'n misdryf beskuldig word en:
- 74.1 alleen of gesamentlik met enige ander persoon vir die organisering van enige vergadering, funksie of byeenkoms waarmee 'n advertensie of plakkaat verband hou, verantwoordelik is of in beheer daarvan is, word totdat die teendeel bewys word, geag wetens elke onwettige advertensie of plakkaat wat in verband met sodanige vergadering, funksie of byeenkoms vertoon word, te vertoon of veroorsaak of toelaat dat dit so vertoon word;
- 74.2 die persoon wie se naam op 'n onwettige advertensie verskyn of wie se produk of dienste op sodanige advertensie geadverteer word, word totdat die teendeel bewys word, geag sodanige advertensie te vertoon, of veroorsaak of toelaat dat dit vertoon word tensy die teendeel bewys word.
- 74.3 die eienaar van enige grond of gebou waarop enige onwettige advertensie vertoon is of vertoon word, word totdat die teendeel bewys word, geag wetens sodanige advertensie te vertoon, of veroorsaak of toelaat dat dit vertoon word.

#### N. TOEPASSING EN VERWYDERING VAN ADVERTENSIES

75. Indien enige advertensie wat vertoon word strydig is met hierdie Verordening, kan die Munisipaliteit 'n kennisgewing aan die eienaar of huurder van die advertensie, of die grondeienaar op wie se grond die advertensie opgerig is of vertoon word, of die persoon wie se produk of dienste geadverteer word, beteken en 'n beroep op sodanige persoon doen om binne 'n gespesifiseerde tydperk sodanige advertensie te verwyder of sodanige verandering daaraan aan te bring, of sodanige werk te doen wat in sodanige versoek of kennisgewing gespesifiseer word. Ondanks die betekening van sodanige kennisgewing, kan dit deur die Munisipaliteit teruggetrek of verander word met toestemming van die persoon aan wie dit beteken is, of by versuim van sodanige toestemming, met die betekening van 'n verdere kennisgewing.
76. Indien die eise van die Munisipaliteit soos in die kennisgewing uiteengesit, nie binne die daarin gespesifiseerde tydperk uitgevoer word nie, kan die Munisipaliteit sonder verdere kennis aan die persoon aan wie die kennisgewing beteken is en na verkryging van bystand op 'n *ex parte*-grondslag van die toepaslike hof, die advertensie verwyder of verander of sodanige werk doen wat in sodanige kennisgewing gespesifiseer mag word, met dien verstande dat geen hofbevel vereis word nie indien die onwettige advertensie voor die verwydering of verandering daarvan op eiendom wat aan die Munisipaliteit behoort, opgerig of vertoon word nie.
77. Waar die Munisipaliteit 'n advertensie verwyder of verander, moet die Munisipaliteit enige persoon vir enige onredelike verlies of skade wat deur sodanige verwydering of verandering veroorsaak word, vergoed.
78. Enige koste wat deur die Munisipaliteit met die verwydering van advertensies, of deur veranderinge of ander werk te doen wat ingevolge 'n kennisgewing vereis word, aangegaan word, kan van die persoon aan wie die kennisgewing beteken is, verhaal word.
79. Ondanks enige bepalings van hierdie Verordening, indien 'n advertensie 'n gevaar vir lewe of eiendom is, of redelik beskou word om dit te wees, kan die Munisipaliteit self, sonder vooraf kennisgewing en sonder 'n hofbevel, deur 'n behoorlik gemagtigde werknemer van die Munisipaliteit wat ooreenkomstig hierdie Verordening optree, die verwydering van sodanige advertensie onderneem of reëlings daarvoor tref. Enige koste wat deur die Munisipaliteit vir die verwydering of reëlings vir die verwydering van sodanige advertensie aangegaan word, kan van die eienaar of huurder

van die advertensie, of die grondeienaar op wie se grond die advertensie opgerig is, of die persoon wie se dienste geadverteer is, gesamentlik of afsonderlik verhaal word.

#### **O. BETEKENING VAN KENNISGEWINGS**

80. Waar enige kennisgewing of ander dokument ingevolge hierdie Verordening aan enige persoon beteken moet word, word dit geag behoorlik beteken te wees indien dit persoonlik aan hom/haar beteken is, of enige lid van sy/haar huishouding, klaarblyklik bo die ouderom van 16 jaar, by sy verblyfplek, of aan enige persoon wat deur hom by sy besigheidsplek in diens geneem is, of indien dit met aangetekende pos aan sodanige persoon se woon- of besigheidsadres soos dit in die rekords van die Munisipaliteit verskyn, gepos is, of indien sodanige persoon 'n maatskappy, beslote korporasie of 'n trust is, indien dit aan enige persoon beteken is wat klaarblyklik deur daardie maatskappy, beslote korporasie of trust in diens geneem is, by die geregistreerde kantoor daarvan, of deur aangetekende pos aan sodanige kantoor gestuur is.

#### **P. JURISDIKSIE VAN DIE LANDDROSHOF**

81. Ondanks enige andersluidende bepaling wat in enige wet met betrekking tot die landdroshof vervat is, het 'n landdros jurisdiksie om by aansoek deur enige Plaaslike Owerheid, 'n bevel vir die toepassing van enige van die bepalings van hierdie Verordening te maak, of van enige goedkeuring, weiering of voorwaarde wat ingevolge daarvan verleen of van toepassing is.

#### **Q. HERROEPING VAN VERORDENINGE**

82. Hierdie Verordening herroep die volgende wetgewing:

Die Munisipaliteit van Kaapstad se Verordening insake reklame, die aanplak van plakkate, advertensies ens. en die ontsiering van die voorkant of fronte van strate ens. No. 1959 van 1966 en alle wysigings daartoe;

Die Munisipaliteit van Kaapstad se Verordening insake Buitereklame, naamlik Verordening No. PK 151 van 2000.

PK 295 van 1958, Standaardregulasies rakende advertensies en ontsiering van die voorkant en fronte van strate.

PK 593 van 1958, Standaardregulasies rakende advertensies en ontsiering van die voorkant en fronte van strate.

Verordening PK 4258 van 17 Maart 1983 van die Parow Munisipaliteit: Advertensies en die ontsiering aan die voorkant of fronte van strate.

83. Enigiets wat uit hoofde of ingevolge van enige bepaling wat deur hierdie Verordening herroep word, gedoen word, sal geag word as gedoen te word uit hoofde van die ooreenstemmende bepalings van hierdie Verordening en sodanige herroeping sal nie die geldigheid van enigiets wat uit hoofde van die Verordening wat as sodanig herroep is, raak nie.
84. Enigiets wat voor die afkondiging van hierdie Verordening gedoen word, wat nie ingevolge 'n bepaling gedoen is wat in hierdie Verordening herroep is nie en onwettig was, sal in die geval waar sodanige daad of advertensie nie aan die bepalings van hierdie Verordening voldoen nie, onwettig wees.

#### **R. VOORBEHOUDE**

85. Enige aansoek om die vertoning van enige advertensie of oprigting van enige reklamestruktuur vir reklamedoeleindes, wat by die Munisipaliteit voor die afkondiging van hierdie Verordening ingedien word en ten opsigte waarvan 'n besluit nog nie deur die Munisipaliteit voor die afkondiging van hierdie Verordening geneem is nie, sal deur die Munisipaliteit ingevolge hierdie Verordening wat daarop van toepassing is, oorweeg word.
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## BYLAE 1

## GEBIEDE VAN BEHEER

MAKSIMUM		GEDEELTELIK		MINIMUM
NATUURLIKE GEBIED	LANDELIKE GEBIED (buite stadsrand)	STEDELIKE GEBIED	STEDELIKE GEBIED (binne stadsrand)	STEDELIKE GEBIED (binne stadsrand)
Geproklameerde natuurreservate	Landbougebiede/-sones	Stedelike bewaringsgebiede	Sentrale sakedistrikte	Nywerheidsone
Beskermdede natuurlike omgewings	Tuinboukundige gebiede	Erfenisterreine	Gemengde gebruik handels- en residensiële gebiede	Aangewese vervoerterminusse
Wildreservate	Landelike kleinhoewe	Gegradeerde geboue en plekke	Handelsstrookontwikkeling en aktiwiteitskorridors	Aangewese gebiede binne onbestemde sones
Geproklameerde voëlparke	Groot private oop ruimtes (bv. gholfbane)	Residensiële sones en aangrensende pad- en spoorwegreservate	Handels- en sakedistrikte en aangrensende strate en spoorwegreservate	Spesifieke gebiede of terreine aangewys as minimum beheer by wyse van 'n kaart wat deur die Munisipaliteit voorberei is
Geproklameerde mariene reservate	Uitsigpaaie	Voertgangerdeurlope en voertgangerpleine	Vermaaklikheidsdistrikte of komplekse met handelssones	
Kus-tot-kus-groenstrook soos aangetoon op plan TP.10320 (Kaapstadse Soneringskema)	Natuurskoon	Skoolterreine en institusionele sones		
Strande en seestrande	Landskapskenmerke			
Oseane	Munisipale parke	Landskapskenmerke	Sportvelde en stadions	
Bosbougebiede	Stedelike randsone of soos omskryf in die Stedelike Randbeleid	Uitsigpaaie	Onbestemde sones (insluitende spoorwegreservate, vervoergebruiksone en V&A Waterfront) en insluitende en waarna daar in regsopvolging in die Wet op die Regsopvolging van Suid-Afrikaanse Vervoerdienste verwys word	
Rivierkorridors	Landboukundige en tuinboukundige gebiede en aangrensende pad- en spoorwegreservate	Poorte		
1:100 Jaar-vloedvlaktes	Spesifieke gebiede of terreine wat as maksimum landelik aangewys is by wyse van 'n kaart wat deur die Munisipaliteit voorberei is	Verklaarde Metropolitaanse Oop Ruimte ingevolge MOSS		
Moeraslande		Openbare oopruimtes		
Kaapse Skiereiland Nasionale Park (soos geproklameer — 1998 + 1999)		Private oopruimtes		
Uitsigpaaie		Stedelike kleinhoewe		
Vergroening van stadsnetwerk		Intensiewe stedelike landbougebiede		
Spesifieke gebiede of terreine aangewys as maksimum natuurlik by wyse van 'n kaart wat deur die Munisipaliteit vir Uitsigpaaie voorberei is		Selfversorgende stedelike landbougebiede		
		1:100 Jaar-vloedvlaktes		
		Rivierkorridors		
		Moeraslande		
		Gemeenskapsfasiliteite (met uitsluiting van sportfasiliteite en stadions)		
		Kernflorabewaringsterreine soos deur die Nasionale Botaniese Instituut geïdentifiseer		
		Spesiale sakesones		
		Woonkomponente van gemengde gebruikgeboue		
		Aangewese metropolitaanse paaie		
		Spesifieke gebiede of terreine wat as maksimum stedelik aangewys is by wyse van 'n kaart wat deur die Munisipaliteit voorberei is		

**BYLAE "2"****AANPLAKBORDE**

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van aanplakborde, hetsy doelgemaak of van 'n standaardontwerp, slegs in gebiede van minimum beheer toegelaat. Daarbenewens moet aanplakborde:

1. Indien die voorgestelde erf waar die aanplakborg opgerig gaan word aan 'n aangewese metropolitaanse pad grens, en voorts indien die geboue op daardie erf meer as 50 m van die padreservaatlyn is, mag die aanplakbord nie minder nie as 50 m van die padreservaatlyn geplaas word nie en dieselfde afstand moet bereken word teen 90° tot die naaste punt van die padreservaat. Daar kan van hierdie afstand afgesien word tot 'n afstand nie minder nie as die lynrigting van die openbare fasades van geboue op die erf of aangrensende erwe, indien sodanige aangrensende geboue of indien die geboue op die erf minder as 50m van die padreservaat is wanneer 'n Omgewingsimpakbeoordeling en Verkeersimpakbeoordeling ontvang word wat geen nadelige impak aandui nie. Indien die voorgestelde terrein waarop 'n aanplakbord opgerig gaan word as 'n poort aangewys is, word geen aanplakborde binne sodanige poort toegelaat nie;
2. Aan die standaardvoorwaardes vir goedkeuring wat in hierdie Verordening uiteengesit word, voldoen;
3. Nie die grenslyn van die eiendom waarop dit opgerig is, oorskry, hetsy sodanige oorskryding in die lug of op grondvlak is nie;
4. 'n Minimum vryhoogte van 2,4 m en 'n advertensiestruktuur hê wat nie 'n maksimum hoogte van 7,5 m bokant die natuurlike grondvlak oorskry nie;
5. Nie 'n maksimum totale grootte van 36 m<sup>2</sup> oorskry nie, met dien verstande dat twee sodanige panele op enige V-vormige enkelstruktuur toegelaat word;
6. Tussen die hoeke van 90° en 60° tot die rigting van aankomende verkeer vertoon word;
7. 'n Minimum afstand van mekaar gespaseer word soos vereis deur die artikels van die Verordening wat met Padverkeersveiligheidsvereistes te doen het;
8. Slegs ekstern verlig wees;
9. Indien dit by gesinjaleerde verkeerskruisings geplaas word, nie binne 50 m van die perimeter van die kruising opgerig of vertoon word indien dit nie verlig is nie; en binne 80 m van die perimeter van die kruising indien dit verlig is;
10. Enige aanplakbord wat aan die regterkant van 'n gedeelte van 'n pad opgerig word sodat sy grafieke vir 'n bestuurder wat aan die linkerkant van die pad ry, sigbaar is, sal geag word die reklamegeleentheid wat aan die linkerkant van die pad bestaan het, te vervang.
11. 'n Minimum letter- of nommerhoogte van 285 mm hê.
12. Die inligtingsinhoud van 'n voorgestelde advertensie sal in "bis" gemeet word. Wanneer die inligtingsinhoud van 'n voorgestelde advertensie bereken word, sal die bisgewigte wat in die onderstaande tabel getoon word, gebruik word:

<b>Elemente van die advertensie</b>		<b>Bis per element</b>
Woorde	tot 4 letters	0,5
	5 tot 8 letters	1,0
	meer as 8 letters	2,0
Getalle	tot 4 syfers	0,5
	5 tot 8 syfers	1,0
	meer as 8 syfers	2,0
Logos, simbole en grafieke	kleiner as 9 vk meter	0,5
	tussen 9 en 18 vk meter	1,0
	tussen 18 en 27 vk meter	1,5
	groter as 27 vk meter	2,0

13. Die totale bis in 'n voorgestelde advertensie mag nie 15 oorskry nie.

**BYLAE "3"****LIGGINGSGEBONDE VRYSTAANDE EN SAMEGESTELDE ADVERTENSIES**

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van liggingsgebonde vrystaande advertensies slegs in stedelike gebiede van maksimum, gedeeltelike en minimum beheer toegelaat. Daarbenewens:

1. Word liggingsgebonde vrystaande advertensies slegs in die volgende gevalle toegelaat:
    - 1.1 waar sakepersele 15 m of meer van die grens van 'n padreservaat inspring; of
    - 1.2 waar dit nie redelikerwyse moontlik is om gepaste advertensies aan 'n gebou aan te bring nie; of
    - 1.3 waar sodanige advertensie nodig is sodat die publiek die ingang tot sakepersele kan vind; of
    - 1.4 waar die bestaan van 'n vrystaande samegestelde advertensie die proliferasie van advertensies sal verhinder.
  2. Mag liggingsgebonde, vrystaande samegestelde advertensies nie 7,5 m in hoogte oorskry nie en mag daarbenewens nie 4,5 m<sup>2</sup> in totale oppervlakte oorskry nie. Daar kan van hierdie bepaling tot 'n maksimum hoogte van 10 m en 'n maksimum totale oppervlakte van 15 m<sup>2</sup> per kant afgesien word, met inagneming van die volgende faktore:
    - 2.1 Indien sodanige verhoging die aantal afsonderlike advertensies wat op enige afsonderlike straatgrens van die terrein uitkyk, verminder om sodoende die visuele impak op die omliggende omgewing te minimaliseer;
    - 2.2 Indien meer as 2 belangrike paaie die betrokke terrein nader;
    - 2.3 Die aantal besighede wat op sodanige advertensie gaan adverteer;
    - 2.4 Die aantal toegangs-/uitgangsroetes tot die betrokke terrein;
    - 2.5 Die toepaslike sonering van die gebied rondom die betrokke terrein. 'n Omliggende residensiële sone sal nie dieselfde grootte teken as 'n omliggende handels-/nywerheidssone akkommodeer nie.
  3. Moet diensstasie- vrystaande advertensies liggingsgebonde wees en mag slegs opgerig of vertoon word by diensstasies aangrensend aan en wat regstreeks van die openbare pad waar sodanige advertensie opgerig word, toeganklik is, en slegs een diensstasie- vrystaande fasiliteitsadvertensie per straatgrens sal toegelaat word. Daar kan slegs van hierdie bepaling afgesien word waar hierdie advertensies vanaf nasionale klas 1-roetes (N1, N2 en N7) sigbaar is;
  4. Mag diensstasie- vrystaande advertensies nie 7,5 m in hoogte oorskry nie en mag nie uit meer as 8 advertensiepanele van 4,5 m<sup>2</sup> elk in totale oppervlakte bestaan nie. Daar kan van die bepaling van hierdie artikel afgesien word tot 'n maksimum hoogte van 16 m en 8 advertensiepanele wat nie 6 m<sup>2</sup> elk in totale oppervlakte oorskry nie met inagneming van die faktore genoem in artikel 2 hierbo.
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**BYLAE "4"****ADVERTENSIES WAT AAN MURE VAN GEBOUE BEVESTIG WORD: PLAT EN UITSTEEKADVERTENSIES**

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van plat en uitsteekadvertensies in alle gebiede van maksimum, gedeeltelike of minimum beheer toegelaat. Plat en uitsteekadvertensies:

1. Word nie binne 0,6 m van die rand van 'n pad toegelaat nie en mag ook nie tot binne 0,6 m van die rand van 'n pad uitsteek nie;
  2. Mag nie meer as 1,5 m voor 'n muur uitsteek nie in die geval van 'n advertensie met 'n vryhoogte van meer as 7,5 m; of meer as 1 m in die geval van enige vryhoogte wat minder is nie;
  3. Mag nie meer as 250 mm oor 'n voetpad uitsteek nie tensy sodanige advertensie 'n vryhoogte van meer as 2,4 m het nie;
  4. Mag nie die uitsig uit enige venster of enige ander eksterne opening van enige gebou belemmer nie en geen gedeelte van enige sodanige advertensie mag oor of op enige venster, deur of enige openinge aangebring word nie;
  5. Mag nie 54 m<sup>2</sup> in totale oppervlakte oorskry nie en nie een kwart van die algehele oppervlakte waarop hulle aangebring of geverf is, oorskry nie, watter een ook al die minste is. Daar kan van hierdie groottebeperking afgesien word op voorwaarde dat:
    - 5.1 'n Omgewingsimpakbeoordeling aan die Munisipaliteit voorgelê word wat aandui dat geen nadelige omgewingsimpak verwag word nie; en
    - 5.2 Indien dit die voorneme is om 'n plat of uitsteekadvertensie in 'n bewaringsgebied op te rig, 'n Erfenisimpakbeoordeling ingedien word wat aandui dat geen nadelige impak ten opsigte van erfenishulpbronne verwag word nie;
    - 5.3 Die grafieke wat vir die genoemde advertensie voorgestel word, vir die vertoontydperk van die advertensie onveranderd bly;
    - 5.4 Sodanige advertensie slegs grafieke sal vertoon wat deur 'n paslik gekwalifiseerde skeppende konsultant ontwerp en geskep is.
  6. Sal vir goedkeuring op oop gemeenskaplike grensfasades van nie-wooneiendomme oorweeg word;
  7. Indien die advertensie op openbare fasades van enige gebou verskyn, moet dit:
    - 7.1 So ontwerp wees dat dit 'n integrale deel van die ontwerp van die gebou word;
    - 7.2 Indien dit 'n derdeparty-advertensie is, word dit slegs toegelaat indien dit doeltreffend is en onderhewig aan die vereistes van 5.1 tot 5.4 hierbo.
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**BYLAE "5"****KIMTEKENS**

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van kimtekens, hetsy doeltreffend of van 'n standaardontwerp, slegs in gebiede van minimum beheer toegelaat en daarbenewens:

## 1. Moet kimtekens:

1.1 tot 'n maksimum totale grootte van 4,5 m<sup>2</sup> beperk word, met dien verstande dat daar van hierdie groottevereiste tot 'n maksimum van 18 m<sup>2</sup> afgesien kan word by ontvangs van 'n Omgewingsimpakbeoordeling wat aandui dat geen nadelige omgewingsimpak verwag word nie;

1.2 nie die uitsig van enige ander gebou belemmer nie.

## 2. Word kimtekens langs die boonste rand van die dak van geboue van kulturele, historiese of argitektoniese belang slegs toegelaat indien dit liggingsgebonde, onverligte advertensies is en uit afsonderlik uitgesnyde letters of logos bestaan.

## 3. Moet kimtekens 'n minimum inhoud van 'n voorgestelde advertensie hê en wat in "bis" gemeet sal word wanneer die inligtingsinhoud bereken word.

<b>Elemente van die advertensie</b>	<b>Bis per element</b>	
Woorde	tot 4 letters	0,5
	5 tot 8 letters	1,0
	meer as 8 letters	2,0
Getalle	tot 4 syfers	0,5
	5 tot 8 syfers	1,0
	meer as 8 syfers	2,0
Logos, simbole grafieke	kleiner as 9 vk meter	0,5
	tussen 9 en 18 vk meter	1,0
	tussen 18 en 27 vk meter	1,5
	groter as 27 vk meter	2,0

Die inligtingsinhoud van 'n voorgestelde advertensie word in "bis" gemeet. Wanneer die inligtingsinhoud van 'n voorgestelde advertensie bereken word, moet die bostaande tabel getoon word, gebruik word.

## 4. Die totale bis in 'n voorgestelde advertensie mag nie 15 oorskry nie.



**BYLAE "6"****DAKADVERTENSIES**

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van dakadvertensies in alle stedelike gebiede van beheer toegelaat behalwe gebiede wat vir residensiële doeleindes in gebiede van maksimum beheer gesoneer is. Daarbenewens:

1. Moet die totale oppervlakte van enige dakadvertensie wat gelykvakkig op 'n dak van 'n gebou aangebring of daarop gevef is, nie een kwart van die algehele oppervlakte van die dak waarop die aangebring of gevef is, oorskry nie;
  2. Wanneer dit aan die onderrand van 'n dak of vertikaal halfpad op die dak van 'n gebou bevestig word, mag sodanige advertensie nie 1 m in hoogte oorskry nie en sy totale oppervlakte mag nie 25% van die oppervlakte waaraan dit bevestig is, oorskry nie;
  3. Sal 'n dakadvertensie langs die rand van 'n dak van 'n gebou bevestig kan word, indien sodanige advertensie uit 'n enkellyn van afsonderlik, uitgesnyde letters bestaan, sonder sigbare verspanning of ondersteuning maar dit mag nie langs meer as twee rande van sodanige dak opgerig word nie en mag nie  $3,6 \text{ m}^2$  in totale oppervlakte ( $6 \times 0,6 \text{ m}$ ) oorskry nie; met 'n maksimum hoogte van 1 m.
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**BYLAE "7"****ADVERTENSIES OP 'N VERANDA, BALKON, SONDAK OF OP STEUNKOLOMME, PILARE EN PALE**

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van advertensies op 'n veranda, balkon, sondak of op steunkolomme, pilare en pale in alle gebiede van beheer toegelaat op voorwaarde dat hulle ook aan die volgende voorwaardes voldoen:

1. Geen sodanige advertensie word op of oor argitektoniese kenmerke van geboue toegelaat nie;
2. Sodanige advertensies kan plat op 'n borsweringsmuur, balustrade of reling van 'n veranda of balkon, balk of fassie van 'n veranda of balkon aangebring of gevef word. In die voornoemde omstandighede mag die advertensie nie 1 m in hoogte oorskry nie of bokant of onder ieder end van die oppervlakte waarop dit aangebring is, uitsteek nie, of meer as 250 mm voor die oppervlakte waarop dit aangebring is of oor 'n pad of binne 0,6 m van die rand van 'n pad uitsteek nie;
3. Sodanige advertensies kan plat op steunkolomme, pilare en pale aangebring of gevef word. In hierdie verband mag geen advertensie meer as 50 mm voor die oppervlakte waarop dit aangebring is, uitsteek nie en mag ook nie verby enige van die endpunte van sodanige kolom, pilaar of paal uitsteek nie. Advertensies wat plat op nie-reghoekige steunstrukture aangebring word, moet gerond wees om by die vorm van sodanige struktuur te pas. Slegs een advertensie per kolom, pilaar of paal sal toegelaat word;
4. Sodanige advertensies wat onder die dak van 'n veranda, sondak of die vloer van 'n balkon opgehang word, mag nie 1,8 m in lengte of 600 mm in hoogte oorskry nie. Elke sodanige advertensie moet reghoekig tot die boulyn wees. Geen advertensies wat onder 'n sondak opgehang word mag verby die eksterne rand van die sondak of veranda waaraan dit bevestig is, uitsteek nie;
5. Sodanige advertensies op die dak van 'n veranda, sondak of balkon, die hoofdak van 'n gebou uitgesluit, moet uit 'n enkellyn van vrystaande, afsonderlik uitgesnyde silhoeëtletters sonder sigbare verspanning of enige ander sigbare ondersteuningsmiddels bestaan en mag nie langs meer as twee rante van sodanige dak van 'n veranda of balkon opgerig word nie.

**BYLAE "8"****ADVERTENSIES OP GRENSMURE EN HEININGS EN OP BOUTERREINSKUTTINGS**

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van advertensies op grensmure en heinings slegs vir liggingsgebonde advertensies in stedelike gebiede van maksimum, minimum of gedeeltelike beheer toegelaat en daarbenewens:

1. In stedelike gebiede van maksimum en gedeeltelike beheer, kan die Munisipaliteit 'n aansoek om 'n liggingsgebonde advertensie teen 'n grensmuur aan te bring, slegs goedkeur indien die advertensie in die muur ingekeep word of uit afsonderlike, onverligte, uitgesnyde letters of simbole bestaan wat plat op sodanige muur aangebring word en nie meer as 50 mm van die voorwerk van sodanige muur uitsteek nie;
  2. In gebiede van minimum beheer, kan die Munisipaliteit die volgende goedkeur:
    - 2.1 'n Aansoek om 'n liggingsgebonde advertensie plat op 'n grensmuur aan te bring slegs indien dit nie meer as 50 mm van die voorwerk van sodanige muur uitsteek nie;
    - 2.2 'n Aansoek om 'n liggingsgebonde plat advertensie met 'n maksimum grootte van 0,5 m<sup>2</sup> op die permanente heining van 'n erf aan te bring.
  3. Moet derdeparty- en liggingsgebonde reklame op bouterreinskuttings en -heinings aan die volgende voorwaardes voldoen:
    - (i) Enige afsonderlike advertensie mag nie 'n vertikale afmeting van 3 m en 'n totale oppervlakte van 18 m<sup>2</sup> oorskry nie;
    - (ii) Enige sodanige advertensie mag nie meer as 100 mm voor die skutting of heining waarop dit aangebring word, uitsteek nie;
    - (iii) Dit mag nie in gebiede van maksimum en gedeeltelike beheer verlig word nie;
    - (iv) Geen reklame mag op bouterreinskuttings en—heinings wat binne die blikveld van motoriste by gesinjaleerde kruisings is, opgerig word nie.
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**BYLAE "9"****PLAKKATE MET HOOFOPSKRIFTE**

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van plakkate met hoofopskrifte in alle gebiede behalwe natuurlike en landelike gebiede van maksimum beheer toegelaat. Daarbenewens:

1. Mag plakkate met hoofopskrifte nie 0,9 m x 0,6 m in oppervlakte oorskry nie;
2. Mag die kommersiële inhoud van die plakkaat nie 20% van die oppervlakte van die plakkaat oorskry nie en die kommersiële letters mag nie groter as die hoofletterwerk in die res van die plakkaat wees nie;
3. Kan die plakkate aan munisipale elektriese liggale bevestig word slegs waar dit beskikbaar is en slegs aangeplakte plakkate mag aan aangewese strukture wat deur die Munisipaliteit goedgekeur is vir die uitdruklike doel om plakkate daarop aan te plak, bevestig word. Hulle mag egter nie aan verkeerseinpale, of ander pale wat padverkeerstekens dra, pale wat vir enige ander doel opgerig word of enige ander straatuitrusting, muur, heinings, bome, rotse of ander natuurlike verskynsels bevestig word nie;
4. Mag plakkate met hoofopskrifte nie op munisipale elektriese liggale geplak word nie maar moet op 'n bord gemonteer word en met sterk tou of plastiese bindbande stewig vasgemaak word tensy 'n permanente raam vir hierdie doel goedgekeur is;
5. Word slegs 1 plakkaat met hoofopskrifte per paal toegelaat, ongeag watter koerantgroep dit is;
6. Moet daar streng aan die aantal plakkate asook die aangewese gebiede vir die vertoning van plakkate met hoofopskrifte soos deur elke koerantgroep ingedien, voldoen word;
7. Moet alle "spesiale gebeurtenis"-plakkate aan die volgende voldoen:
  - 7.1 die naam van die koerantgroep, die "spesiale gebeurtenis" en die datum van die "spesiale gebeurtenis" moet op die plakkate in letters wat nie minder as 50 mm in hoogte is nie, verskyn;
  - 7.2 die plakkate vir spesiale gebeurtenisse mag nie meer as 7 dae voor die datum van die gebeurtenis vertoon word nie en moet binne 24 uur van die datum van die gebeurtenis wat op die plakkaat verskyn, verwyder word.
8. Moet plakkate met hoofopskrifte en hulle hegstukke op 'n daaglikse grondslag verwyder word, by versuim waarvan die plakkate op die koerantgroep se onkoste in ooreenstemming met die standaardgelde vir die verwydering van plakkate verwyder sal word;
9. Kan die Munisipaliteit die koste vir die verwydering van ongemagtigde plakkate en die herstel van die oppervlakte waarvan sodanige plakkate verwyder is, van die persoon/persone wat vir die vertoning van sodanige plakkate verantwoordelik is, of die betrokke koerantgroep verhaal. Hierdie koste sal jaarliks ingevolge die jaarlikse Tariefbylae hersien word;
10. Sal die Munisipaliteit of sy agent enige plakkaat wat strydig met die bogenoemde voorwaardes vertoon word, verwyder;
11. Sal enige plakkaat wat nie op 'n daaglikse grondslag verwyder word nie of 'n plakkaat wat met 'n "spesiale gebeurtenis" met die vervaldatum bedoel in paragraaf 7.2 verband hou, deur die Munisipaliteit of sy agent verwyder word;
12. Is die vertoning van ongemagtigde plakkate onwettig en die Munisipaliteit of sy agent sal sodanige plakkate verwyder;
13. Sal die Munisipaliteit die koste wat by die verwydering van ongemagtigde plakkate deur die Munisipaliteit van tyd tot tyd betrokke is, bepaal;
14. Moet aansoek deur elke koerantgroep om toestemming om sodanige advertensies te vertoon op 'n jaarlikse grondslag gedoen word onderhewig aan 'n jaarlikse geld per koerantgroep / per jaar of deel daarvan;
15. Moet 'n deposito jaarliks per koerantgroep betaal word waarteen 'n koste vir die verwydering van enige advertensie wat met die die Verordening strydig is, gehef sal word. In die geval waar die bogenoemde deposito verbruik is, moet toestemming om sodanige advertensies te vertoon, teruggetrek word totdat 'n verdere deposito by die Munisipaliteit ingedien is;
16. Kan gelde jaarliks deur die Munisipaliteit in ooreenstemming met 'n gepubliseerde bylae van tariewe en gelde bygewerk word.

**BYLAE "10"****REKLAME OP BANIERE, VLAE EN BALLONNE**

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van baniere, vlae of ballonne in alle gebiede toegelaat behalwe in natuurlike en landelike gebiede van maksimum beheer. Daarbenewens:

1. Moet liggingsgebonde advertensiebaniere, vlae en ballonne aan die Munisipaliteit se standaardvoorwaardes met betrekking tot die vertoning van baniere soos hieronder uiteengesit, voldoen;
  2. Sal goedkeuring vir derdepartyreklame op baniere en ballonne slegs vir 'n funksie of byeenkoms vir godsdienstige, opvoedkundige, maatskaplike welsyns-, dierewelsyns-, sport-, burgerlike of kulturele doeleindes verleen word, of aan 'n funksie of byeenkoms wat met 'n munisipale, provinsiale of parlementêre verkiesing of referendum verband hou. Die vertoning van sodanige baniere moet aan die Munisipaliteit se standaardvoorwaardes met betrekking tot die vertoning van baniere soos hieronder uiteengesit, voldoen;
  3. Word die vertoning van baniere op enige brug of oor enige openbare pad verbied, en langs enige pad wat van tyd tot tyd deur die Munisipaliteit aangewys word, tensy spesifieke toestemming van die Munisipaliteit verkry is;
  4. Mag baniere nie so bevestig word dat dit verbygaande voetgangers of voertuigverkeer belemmer of 'n gevaar vir hulle inhou nie;
  5. Mag geen banier mag groter as 3 m<sup>2</sup> wees behalwe met die vooraf verkreë skriftelike goedkeuring van die Munisipaliteit nie;
  6. Mag geen banier binne 30 m van enige padverkeersteken of verkeersein vertoon word nie;
  7. Mag baniere nie aan bome, verkeerseinpale, elektriese of diensowerheidsdistribusiekaste, of ander pale wat verkeerstekens dra, rotse ander natuurlike verskynsels, straatuitrusting of ander munisipale eiendom bevestig word nie;
  8. Mag baniere nie op so 'n manier bevestig word dat hulle ander besighede/organisasies op 'n onregverdige wyse sal benadeel of enige goedgekeurde bestaande advertensies sal belemmer nie;
  9. Mag liggingsgebonde baniere slegs op die betrokke persele aangebring word;
  10. Sal slegs een eerste-partyreklamebanier per perseel toegelaat word tensy die Munisipaliteit se skriftelike toestemming vir meer as een banier verkry word en die aansoeker moet skriftelik die tydraamwerk indien wat vir die oprigting van sodanige banier vereis word, welke tydraamwerk nie 10 dae mag oorskry nie tensy die Munisipaliteit in sy goedkeuring bepaal het dat 'n langer tydperk toegestaan is.
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**BYLAE "11"****PLAKKATE**

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van plakkaat in alle gebiede van beheer toegelaat behalwe natuurlike en landelike gebiede van maksimum beheer. Daarbenewens:

1. Moet alle plakkaat aan die Munisipaliteit voorgelê word sodat hulle van 'n datumstempel voorsien kan word met die datum waarop die plakkaat verwyder moet word. Hierdie stempel moet opsigtelik op die voorkant van die plakkaat verskyn. Plakkate moet binne 3 dae van die datum wat op die plakkaat gestempel is, verwyder word en binne 4 dae van die datum wat op die plakkaat gestempel is aan die Munisipaliteit terugbesorg word ten einde vir 'n terugbetaling van die deposito in aanmerking te kom;
2. Moet die naam van die gasheerorganisasie, die datum van die funksie en die plek op die plakkaat in letters van nie minder nie as 50 mm in hoogte verskyn;
3. Mag nie meer as 'n gemiddeld van 1 000 plakkaat per funksie of groep of verwante funksies of byeenkoms (behalwe verkiesingsplakkate) te eniger tyd in enige gebied wat deur die Munisipaliteit aangewys word, vertoon word nie;
4. Mag plakkaat nie 0,9 x 0,6 m in oppervlakte oorskry nie;
5. Mag die kommersiële inhoud van die plakkaat nie 20% van die oppervlakte van die plakkaat oorskry nie en sodanige kommersiële letterwerk mag nie groter wees as die hoofletterwerk op die res van die plakkaat nie;
6. Moet plakkaat aan munisipale elektrisiteitsligpale, waar beskikbaar, tot 'n maksimum van 3 plakkaat per paal bevestig word en aangeplakte plakkaat mag slegs aan aangewese strukture aangebring word wat deur die Munisipaliteit vir die uitdruklike doel om plakkaat aan te plak, goedgekeur is. Plakkate mag nie op verkeerseinpale, elektriese of diensowerheidsdistribusiekaste, of enige pale wat verkeerstekens dra, pale wat vir enige ander doel opgerig word of enige straatuitrusting, mure, heinings, bome, rotse of ander natuurlike verskynsels aangebring word nie;
7. Mag plakkaat nie op munisipale elektriese ligpale geplak word nie maar moet op bord gemonteer word en met sterk tou of plastiese bindstukke stewig vasgemaak word tensy 'n permanente raam vir hierdie doel goedgekeur is. (Geen vasmaakmateriaal met 'n metaalinhoud word toegelaat nie.);
8. Mag slegs een plakkaat per funksie (of byeenkoms) per liggaam, op enige enkele paal vertoon word;
9. Mag geen plakkaat binne 30 m van enige padverkeerstekens of verkeersein vertoon word nie;
10. Mag plakkaat nie meer as 7 dae voor die datum van die funksie vertoon word nie en moet binne 3 dae vanaf die datum van die funksie of die laaste dag daarvan, soos van toepassing, verwyder word;
11. Word die vertoning van plakkaat op enige brug verbied en die Munisipaliteit en/of sy subrade kan ander gebiede aanwys waar die vertoning van plakkaat nie toegelaat word nie;
12. Kan die Munisipaliteit die koste vir en as gevolg van die verwydering van onwettige plakkaat en die herstel van die oppervlakte waarvan sodanige plakkaat verwyder is van die persoon/persone wat vir die vertoning van sodanige plakkaat verantwoordelik is, verhaal;
13. Sal die Munisipaliteit of sy agent enige plakkaat wat strydig met die bogenoemde voorwaardes vertoon word, verwyder;
14. Sal enige plakkaat wat nie teen die datum bedoel in Artikel 1 verwyder is nie, deur die Munisipaliteit verwyder word;
15. Is die vertoning van ongemagtigde plakkaat onwettig en sodanige plakkaat kan ook deur die Munisipaliteit of sy agent verwyder word;
16. Word die vertoning van plakkaat uitsluitend vir kommersiële reklame nie toegelaat nie, met dien verstande dat enige plakkaat wat deur 'n persoon vir 'n kommersiële voordeel vertoon word wat met 'n sport, die kunste of 'n kulturele gebeurtenis verband hou, toegelaat kan word ten spyte daarvan dat die vertoning van daardie plakkaat uitsluitend vir kommersiële reklame is;
17. Moet elkeen wat voornemens is om 'n plakkaat te vertoon, 'n deposito per plakkaat en 'n nie-terugbetaalbare geld aan die Munisipaliteit betaal wat daardie persoon die reg gee om die genoemde plakkaat vir 'n maksimum tydperk van 14 dae te vertoon, of sodanige ander tydperk wat deur die Munisipaliteit bepaal word; sodanige geld word ooreenkomstig die Munisipaliteit se Bylae van Tariewe en Gelde wat van tyd tot tyd gepubliseer word, bepaal. Geen plakkaat mag sonder dat sodanige deposito en geld betaal is, vertoon word nie.

**BYLAE "12"****EIENDOMSAGENTTEKENS**

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van eiendomsagenttekens in alle gebiede behalwe natuurlike gebiede van maksimum beheer toegelaat. Daarbenewens:

1. Mag eiendomsagenttekens slegs van 12:00 op Saterdag tot 20:00 op Sondag vertoon word;
  2. Mag eiendomsagenttekens slegs aan munisipale elektriese liggale, waar beskikbaar, en net met sterk tou of plastiese bindband bevestig word. Geen vasmaakmateriaal met 'n metaalinhoud word toegelaat nie. Tekens mag nie aan bome, verkeerseinpale of ander pale wat verkeerstekens dra, mure, heinings, rotse, ander natuurlike verskynsels of verfraaide gebiede, straatuitrusting of ander munisipale eiendom bevestig word tensy sodanige ander vertoning skriftelik deur die Munisipaliteit gemagtig word nie;
  3. Mag slegs een teken per agentskap per ligpaal mag vertoon word;
  4. Moet die bewoording "Op Skou", "Toonhuis, Toonwoonstel of Toonerf" met die agentskap se naam en rigtingspyltjie op elke teken vertoon word (rigtingsaanwyser);
  5. Waar geen munisipale liggale beskikbaar is nie, kan tekens op penne vertoon word deur 'n ontwerp te gebruik wat deur die Munisipaliteit goedgekeur is. Eiendomsagenttekens mag nie op beton-, voormengsel- of geplaveide oppervlaktes vertoon word nie. Die penne mag nie dieper as 15 cm in die grond ingedryf word nie;
  6. Mag eiendomsagenttekens nie 0,3 m<sup>2</sup> in totale oppervlakte oorskry nie;
  7. Word nie meer as ses eiendomsagentrigtingsaanwysers per toonhuis, toonerf of woonstelblok waarin 'n toonwoonstel vertoon word, toegelaat nie. Die definisie van een teken sluit die vertoning van twee uithangborde in slegs wanneer sodanige borde met hulle rugkante teenmekaar rondom 'n elektriese ligpaal bevestig is;
  8. Mag eiendomsagenttekens nie langs uitsigpaaie en/of op enige brug, in 'n openbare park of openbare oop ruimte vertoon word nie;
  9. Mag slegs een rigtingsteken per toonhuis/-woonstel/-erf langs enige geproklameerde hoofpad vertoon word, met uitsluiting van paaie bedoel in 8 hierbo;
  10. Mag geen eiendomsagentteken 'n padverkeersteken belemmer nie;
  11. Mag geen eiendomsagentteken op middeleilande vertoon word nie;
  12. Mag geen eiendomsagentteken op so 'n wyse opgerig word dat enige gedeelte daarvan nader as 1,5 m van 'n straatrand is nie;
  13. Moet rigtingsaanwysers slegs langs hoofroetes vertoon word wat die kortste roete van 'n hoofweg na die eiendom is;
  14. Mag geen eiendomsagenttekens op enige geteerde gedeeltes van sypaadjies opgerig word nie;
  15. Moet "Verkoop"/"Te Koop"/"Te Huur"- tekens gelykvakkig teen die heining/muur van die eiendom opgerig word;
  16. Kan "Verkoop"-tekens gelykvakkig teen die heining/muur van die eiendom vir 'n maksimum tydperk van slegs twee weke vertoon word;
  17. Mag geen tekens wat enigiets anders behalwe eiendom te koop aandui, deur eiendomsagente of —agentskappe opgerig of vertoon word nie;
  18. Moet elke eiendomsagentskap op 'n jaarlikse grondslag aansoek doen om toestemming om eiendomsagenttekens te vertoon en goedkeuring is onderhewig aan betaling van 'n jaarlikse geld ooreenkomstig die Munisipaliteit se Bylae van Tariewe en Gelde wat van tyd tot tyd gepubliseer word;
  19. Moet 'n deposito per agentskap betaal word waarteen die koste vir die verwydering van enige advertensie wat met die Verordening strydig is, gehef sal word. In die geval waar die bogenoemde deposito verbruik is sal toestemming om sodanige reklame te vertoon, teruggetrek word totdat a verdere deposito aan die Munisipaliteit betaal is;
  20. Is enige eiendomsagentteken wat onwettig of in stryd met die bepalings van hierdie Bylae opgerig word, onderhewig aan 'n koste deur die Munisipaliteit wat ooreenkomstig die gepubliseerde Bylae van Tariewe en Gelde bereken word ongeag of sodanige teken deur die Munisipaliteit verwyder word al dan nie. In die geval waar die genoemde teken nie deur die Munisipaliteit verwyder word nie sal fotografiese bewys van die onwettige teken deur die Munisipaliteit verkry word voordat die genoemde koste gehef word.
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**BYLAE "13"****LOS DRAAGBARE ADVERTENSIES**

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van los draagbare advertensies in gebiede van minimum en gedeeltelike beheer asook aangewese gebiede binne stedelike gebiede van maksimum beheer toegelaat. Daarbenewens:

1. Word los draagbare advertensies wat in die padreservaat of in 'n openbare oop ruimte sonder die skriftelike toestemming van die Munisipaliteit geplaas word, nie ingevolge die Verordening toegelaat nie;
  2. Kan die Munisipaliteit daardie los draagbare advertensies wat sonder die Munisipaliteit se goedkeuring in die padreservaat of op eiendom in die Munisipaliteit se besit geplaas word, sonder meer verwyder. Die Munisipaliteit sal op hierdie advertensies beslag lê. Eienaars kan hulle eiendom by betaling van R100,00 aan die Munisipaliteit terugkry, welke bedrag gebruik sal word om die koste van verwydering, bewaring en vervoer te dek;
  3. Sal die Munisipaliteit aansoeke om die plasing van sekere los draagbare advertensies binne 'n padreservaat of op eiendom in munisipale besit toe te laat, oorweeg indien dit aan die volgende vereistes voldoen:
    - 3.1 Dat die los draagbare advertensie nie 'n gevaar ten opsigte van veiligheid vir die publiek inhou nie en in hierdie verband van 'n paslike struktuur en grootte is;
    - 3.2 Dat die los draagbare advertensie nie die publiek weens die fisiese grootte of die ligging van die advertensie, belemmer of verontref nie;
    - 3.3 Dat die los draagbare advertensie nie ander handelaars onregverdig benadeel nie;
    - 3.4 Dat die los draagbare advertensie of die voorgestelde aantal daarvan nie aan die gerief van die plaaslike straatlandskap of plaaslike omgewing afbreuk doen nie;
    - 3.5 Dat die los draagbare advertensie alleenlik gebruik word om die naam van die besigheid, goedere en/of dienste te koop vanaf die adverteerder se perseel, te adverteer;
    - 3.6 Die maksimum afmetings van die voorgestelde los draagbare advertensie 1,20 m (hoog) x 0,6 m (wyd) is;
    - 3.7 Die los draagbare advertensie moet direk voor die adverteerder se perseel geplaas word, met dien verstande dat daar aan die bogenoemde kriteria voldoen word;
    - 3.8 'n Minimum onbelemmerde looppadwydte van 1,2 m aangrensend aan die advertensie, moet oopgehou word.
  4. Sal 'n afgebakende gebied in die padreservaat of op munisipale eiendom sal vir los draagbare tekens toegewys word, waar aansoekers dan die goedgekeurde los draagbare teken gedurende die gewone handelsure kan plaas. Die genoemde los draagbare advertensie moet buite die gewone handelsure verwyder word en bewaar word waar dit nie deur die publiek gesien kan word nie;
  5. Sal die afgebakende gebied vir die vertoning van los draagbare advertensies aan 'n aansoeker verhuur word teen 'n tarief wat deur die Munisipaliteit bepaal sal word en ooreenkomstig 'n Bylae van Tariewe en Gelde wat jaarliks deur die Munisipaliteit bygewerk word, gepubliseer word, vooruit betaalbaar vir 'n maksimum tydperk van ses maande;
  6. Moet aansoekers die Munisipaliteit teen enige eise vir derde partye wat weens die plasing van los draagbare advertensies in die padreservaat of op munisipale eiendom mag ontstaan, vrywaar en moet derdepartyversekering uitneem;
  7. Ondanks die bogenoemde, kan die Munisipaliteit die verwydering of beslaglegging van die los draagbare teken(s) veroorsaak indien die aansoeker enige van die bogenoemde voorwaardes oortree;
  8. Kan die gelde wat hierin uiteengesit word jaarliks deur die Munisipaliteit en in oorstemming met 'n gepubliseerde Bylae van Tariewe en Gelde bygewerk word.
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**BYLAE "14"****LUGADVERTENSIES**

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van lugadvertensies slegs in stedelike gebiede van gedeeltelike of minimum beheer toegelaat. Daarbenewens:

1. Mag geen lugadvertensies wat aan enige gebou of struktuur bevestig is teen 'n hoogte van meer as 45 m van die oppervlakte wat vanaf die grondvlak gemeet word, vertoon word nie.
  2. Mag lugadvertensies nie bokant 'n openbare pad vertoon nie.
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**BYLAE "15"****TRANSITO-REKLAME**

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van transito-reklame slegs in stedelike gebiede van gedeeltelike of minimum beheer toegelaat. Daarbenewens:

1. Word die parkering van 'n transito-advertensieteken wat van 'n openbare pad of 'n openbare plek vir die doel van derdepartyreklame sigbaar is, verbied behalwe indien dit op 'n aangewese reklameterrein vertoon word wat ingevolge hierdie Verordening goedgekeur is;
  2. Moet transito-advertensietekens wat op private eiendom vir stoordoeleindes geparkeer word, so geplaas word dat dit nie van 'n straat of openbare plek sigbaar is nie;
  3. Mag die advertensiepaneel of gedeelte van die voertuig wat vir transito-reklame gebruik word nie 'n kumulatiewe totaal van 18 m<sup>2</sup> in gebiede van gedeeltelike beheer oorskry nie, welke grootte tot 'n maksimum grootte van 36 m<sup>2</sup> in gebiede van minimum beheer verhoog kan word;
  4. Kan die Munisipaliteit terreine in gebiede van gedeeltelike en minimum beheer vir transito-reklame aanwys en sodanige terreine van tyd tot tyd adverteer;
  5. Ondanks enige bepalings van hierdie Verordening, kan die Munisipaliteit of sy gemagtigde agent sonder vooraf kennisgewing enige ongemagtigde transito- advertensieteken van munisipale eiendom verwyder, en in die geval van ongemagtigde transito-reklame op private eiendom, kan die Munisipaliteit of sy gemagtigde agent ingevolge hierdie Verordening 'n kennisgewing vir die verwydering beteken;
  6. Moet transito-advertensietekens op die grond by die plek waar dit geparkeer word, vasgemaak word;
  7. Moet alle sodanige sleepwaens as mobiele transito-reklamesleepwaens by die Munisipaliteit geregistreer word om wetstoepassing te vergemaklik.
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**BYLAE "16"****ADVERTENSIES OP MUNISIPALE GROND/GEBOUE**

Behalwe soos hieronder uiteengesit, mag geen advertensies behalwe liggingsgebonde, tydelike advertensies insluitende los draagbare advertensies, eiendomsagenttekens, koerantopskrifplakkate en plakkate (welke oprigting aan die paslike bylaes wat daarmee verband hou, moet voldoen) op grond in munisipale besit opgerig word nie.

**A. KOMMERSIEEL GEBORGDE ADVERTENSIES, BEHALWE DIÉ BEDOEL IN ARTIKEL 62**

1. Ondanks die gebied van beheer waarin daar beoog word om 'n kommersieel geborgde advertensie op munisipale grond op te rig, en onderhewig aan die nakoming van al die ander bepalings van hierdie Verordening kan die Munisipaliteit 'n kommersieel geborgde advertensie vir goedkeuring onderhewig aan die volgende oorweeg:
  - 1.1 Openbare of gemeenskapsbehoefte moet deur die Munisipaliteit geïdentifiseer word en/of deur hom aanvaar word en indien sodanige behoeftes geheel en al of gedeeltelik aangespreek kan word deur vergunnings aan spesifieke persone vir die oprigting van kommersieel geborgde advertensies toe te staan, kan die Munisipaliteit voorstelle of teenvoorstelle vir sodanige openbare of gemeenskapsbehoefte of -doelwitte en die verwante reklamegeleenthede, aanvra;
  - 1.2 Ten einde sodanige openbare of gemeenskapsbehoefte of -doelwitte te identifiseer, sal die betrokke munisipale departement of ander belangstellende owerhede geraadpleeg word voordat die voorstelle aangevra word, ten einde die voorwaardes, kriteria en beperkings ten opsigte van sodanige reklame te bepaal;
  - 1.3 Die Verkrygingsbeleid sal toegepas word en die omvang van betrokkeheid deur voorheen benadeelde persone, klein sake, werkskepping en bemagtiging sal by enige voorstel oorweeg word;
  - 1.4 Enige voorstel sal op grond van die vereistes van die Verordening en, onder andere, die beste openbare of gemeenskapsvoordeel wat dit bied, die ontwerpbydrae, die kreatiwiteit en openbare veiligheid en voldoening aan die beginsels en/of bepalings van die Verordening in teenstelling met die grootste reklamegeleentheid en/of finansiële wins, geëvalueer word. Daarbenewens sal die permanensie van die bydrae tot die openbare of gemeenskapsdoelwit of —behoefte, asook die verhalingskoste oor die oprigtingstydperk van die advertensietekens in aanmerking geneem word. Wanneer in natura bydrae deur die Munisipaliteit verhaal moet word, sal 'n omrekening hiervan tot 'n geldelike bydrae tot die Munisipaliteit se inkomstebasis bepaal word;
  - 1.5 Die betrokke munisipale departemente, munisipale eiendomstak en die omgewingsbestuurstak asook die vervoer- en paaietak (in die geval van reklame in 'n padreservaat) sal die voorstel gesamentlik oorweeg en goedkeuring verleen wanneer sodanige evalueringsproses voltooi is;
  - 1.6 Die Munisipaliteit as grondeienaar, behou die reg om nie met enige voorstel voor die finale goedkeuring daarvan voort te gaan nie en die uitnodiging vir voorstelle, in enige opsig, sal nie as 'n besluit deur die Munisipaliteit beskou word om met die oprigting van 'n advertensietekens ten opsigte van 'n spesifieke terrein voort te gaan nie;
  - 1.7 Wanneer dit aanvaar is, moet enige advertensie wat ingevolge hierdie Bylae opgerig gaan word, die onderwerp wees van 'n skriftelike ooreenkoms tussen die Munisipaliteit as grondeienaar en die persoon wat vir die oprigting van die advertensie verantwoordelik is, welke ooreenkoms die regte en verpligtinge van beide partye bevat maar nie op enige van die verpligtinge van ieder party ingevolge hierdie Verordening inbreuk sal maak nie. Geen advertensie mag ingevolge hierdie bylae opgerig of vertoon word totdat sodanige ooreenkoms aangegaan is en 'n ondertekende afskrif by die Omgewingsbestuurstak van die Munisipaliteit afgelewer is nie.

**B. GEBORGDE TEKENS**

2. Nietenstaande die gebied van beheer waarin sodanige teken op grond in munisipale besit opgerig gaan word en onderhewig aan voldoening aan al die ander bepalings van die Verordening, kan die Munisipaliteit 'n geborgde teken vir goedkeuring oorweeg op voorwaarde dat:
  - 2.1 In die aansoek wat ingevolge artikel 2 van hierdie Verordening ingedien moet word, skriftelike besonderhede verstrekkend word wat die erkende openbare of gemeenskapsdoelwit wat deur die oprigting en/of vertoning van die voorgestelde advertensietekens bevorder sal word, duidelik aandui;
  - 2.2 Advertensies met 'n politieke inhoud nie toegelaat sal word nie;
  - 2.3 Nie meer as 5% van die totale oppervlakte van die teken vir derdepartyreklame gebruik word nie;
  - 2.4 Die maksimum grootte van enige sodanige advertensie 6 m x 3 m is, met dien verstande dat waar 'n V-vormige advertensie voorgestel word sy maksimum grootte nie twee panele van 6 m x 3 m elk sal oorskry nie;
  - 2.5 Aansoeke vir die oprigting van aanplakborde ingevolge hierdie artikel aan die vereistes soos in Bylae 2 uiteengesit, voldoen;
  - 2.6 Geen advertensie wat ingevolge hierdie klousule opgerig word binne 5 m van 'n eiendom se grenslyne geleë is nie.

**C. NIE-WINSGEWENDE TEKENS**

Nietenstaande die gebied van beheer waarin 'n teken opgerig gaan word en onderhewig aan voldoening aan al die ander bepalings van hierdie Verordening, kan die Munisipaliteit die oprigting van 'n advertensie deur of ten bate van 'n nie-winsgewende liggaam oorweeg onderhewig aan nakoming van die vereistes wat in Bylae 17 hiervan uiteengesit word.

**BYLAE "17"****ADVERTENSIES WAT DEUR OF TEN BATE VAN NIE-WINSGEWENDE LIGGAME OPPERIG WORD**

1. Nieteenstaande die gebied van beheer waarin 'n advertensie deur of ten bate van 'n nie-winsgewende liggaam opgerig gaan word, en onderhewig aan voldoening aan al die ander bepalings van hierdie Verordening, kan die Munisipaliteit sodanige teken vir goedkeuring onderhewig aan die volgende oorweeg:
  - 1.1 Dat in die aansoek wat ingevolge artikel 2 van hierdie Verordening ingedien moet word, skriftelike besonderhede van die gasheer nie-winsgewende liggaam rakende die aard en omvang van die ondersteuning wat na aanleiding van die oprigting of vertoning van die teken ontvang sal word, aan die Munisipaliteit verstrekkend word tesame met die ander inligting wat in artikel 2 van die Verordening uiteengesit word;
  - 1.2 Die omvang van betrokkenheid van voorheen benadeelde gemeenskappe, klein sake, werkskepping en bemagtiging sal by enige voorstel oorweeg word;
  - 1.3 Enige voorstel sal op grond van die vereistes van die Verordening en die openbare of gemeenskapsdoelwit waarin dit voorsien, die ontwerpbydrae, die kreatiwiteit en openbare veiligheid en voldoening aan die beginsels en/of bepalings van die Verordening in teenstelling met die grootste reklamegeleentheid en/of finansiële wins, geëvalueer word. Daarbenewens sal die permanensie van die bydrae tot die doelwit van die nie-winsgewende liggaam in aanmerking geneem word;
  - 1.4 Indien daar voorgestel word dat die genoemde advertensie op munisipale grond opgerig moet word;
    - 1.4.1 sal die betrokke munisipale departemente, munisipale eiendomstak en die omgewingsbestuurstak asook die vervoer- en paaietak (in die geval van reklame in 'n padreservaat) die voorstel gesamentlik oorweeg en goedkeuring verleen wanneer sodanige evalueringsproses voltooi is;
    - 1.4.2 behou die munisipaliteit as grondeienaar die reg om nie met enige voorstel voor die finale goedkeuring daarvan voort te gaan nie;
    - 1.4.3 indien dit aanvaar is, moet enige sodanige advertensie wat ingevolge hierdie Bylae op munisipale grond opgerig gaan word, die onderwerp wees van 'n skriftelike ooreenkoms tussen die Munisipaliteit, die persoon wat vir die oprigting van die teken verantwoordelik is en die nie-winsgewende liggaam, welke ooreenkoms die regte en verpligtinge van alle partye bevat maar nie op enige van die verpligtinge van enige party ingevolge hierdie Verordening inbreuk sal maak nie. Geen sodanige advertensie mag opgerig word totdat sodanige ooreenkoms aangegaan is nie en 'n afskrif by die Omgewingsbestuurstak van die Munisipaliteit afgelewer is nie.
2. Daarbenewens is die volgende voorwaardes van toepassing:
  - 2.1 Advertensies met 'n politieke inhoud sal nie toegelaat word nie;
  - 2.2 Die maksimum grootte van enige sodanige advertensie is 6 m x 3 m, met dien verstande dat waar 'n V-vormige advertensie voorgestel word sy maksimum grootte nie twee panele van 6 m x 3 m elk oorskry nie;
  - 2.3 Aansoeke vir die oprigting van aanplakborde ingevolge hierdie artikel moet aan die vereistes soos uiteengesit in Bylae 2 voldoen;
  - 2.4 Geen advertensie wat ingevolge hierdie klousule opgerig word mag binne 5 m van 'n eiendom se grenslyne geleë wees nie;
  - 2.5 Die naam van die nie-winsgewende liggaam moet prominent langs die boonste wydte van die teken met 'n maksimum letterhoogte van 300 mm vertoon word;
  - 2.6 'n Openbare deelnameproses moet met al die partye wat deur die oprigting en/of vertoning van sodanige advertensie geraak word, gehou word;
  - 2.7 Die Munisipaliteit kan vereis dat 'n Omgewingsimpakbeoordeling en/of Verkeersimpak- en/of Erfenisimpakbeoordeling ooreenkomstig sy riglyne daarvoor, ingedien moet word;
  - 2.8 Nie meer as twee afsonderlike advertensies van 6 m x 3 m elk sal toegelaat word nie, of anders, een V-vormige advertensie met 'n maksimum grootte van twee panele van 6 m x 3 m elk op enige spesifieke eiendom. Daarbenewens sal slegs een advertensie per straatvoorkant toegelaat word.

LA 10518

5 kuDisemba 2001

**ISIXEKO SASEKAPA****INTENGISO YANGAPHANDLE KUNYE NOMTHETHO WEMIQONDISO****UMTHETHO ONGUNOMBOLO 10518**

*Ukubonelela iseti yemithetho ejongane nokusetyenziswa komhlaba nezakhiwo zentengiso yangaphandle nemiqondiso kunye neminye imiba emalunga noko.*

**ISIHLOMELELO**

Injongo yalo mthetho kukubonelela intengiso yangaphandle phantsi kolawulo lweSixeko saseKapa ngendlela ekhethekileyo zendawo ezahlukileyo zomgangatho wobume bendawo zeSixeko saseKapa. Lo Mthetho ufuna ukwenza uyondelelwano phakathi kwamathuba entengiso yangaphandle kunye nokhuphulo loqoqosho kwelinye icala, nolondolozo lwemiboniso, ukhenketho, ubume bezokhuseleko lwezithuthi, ubume bendawo kunye neempawu zamafa kwelinye icala. Injongo yalo mthetho kukuqinisekisa ukuba intengiso yangaphandle iyayihlonipha ingqiqo yale ndawo ixhonywe kuyo, yaye iyangqinelana nobume bendawo exhonywe kuyo.

Uvakalelo lwesandulelo sendawo sophawu kunye nomgomo waso sokongamela indlela ebonwa ngalo zezona zikhokelo ezibalulekileyo zokongamela intengiso yangaphandle. Amaphawu entengiso yangaphandle kufuneka abekwe kuphela apho afaneleke khona kunye nendawo leyo ayinqongileyo nalapho angathintelaniyo nendawo ezibonakalayo zokuhamba kunye/okanye ezokuqhuba. Amaphawu angangqinelaniyo nendawo ezikhuselekileyo, ezigqibeleleyo okanye iindawo ezibuthathaka akayi kuvunyelwa.

Kwakhona, intengiso yangaphandle kunye neempawu akufuneki zingangqinelani nokusebenza kunye nokhuseleko lwezithuthi kunye nendlela yokusebenza, yaye akufuneki ukuba zithintelane nobume bendawo ngenxa yendlela ezikhangeleka ngayo, isayizi okanye ukhanyiso.

Intengiso phezu kwomthantatho, ithawa, ingcingo zefoni okanye iipayiloni ayivumelekanga.

Iindidi zokwahluka komhlaba iimpawu kunye neendawo zolawulo zibalulekile ekwahluleni ekuthi kusetyenziswe ngulo mthetho. Lo mthetho uthi uvume ukuba udidi lophawu lunika indlela oluthi lubonwe ngalo kwindawo leyo oluthi luboniswe kulo. Kungoko ngalo mthetho ubume bendawo apho uphawu lundululwa khona lunokuphazamisa ulawulo olusetyenziswayo kulo ndawo.

Lo mthetho uyanakana ukuba iimfuno phakathi kodidi lophawu kunye nophawu ngokunokwalo kunye nendawo ebekwe kulo inokuthi iphunyezwe ngokujonga ulawulo lwendawo leyo. Iindawo ezintathu zolawulo zisetyenziswe kulo mthetho ezi zezi, iqondo eliphezulu, iqondo eliphakathi kunye neqondo eliphantsi lolawulo lwendawo. Indlela yentengiso yangaphandle kunye neendidi zamaphawu eziza kujongwa ziza kubonelelwa ngokuvumela ezinye iindidi zamaphawu kwiindawo ezithile zolawulo. Indlela zolawulo ziyakuthi zisetyenziswe ngokuthi zivunye okanye zingavunywa, kunye nokubeka imiqathango, nemiyalelo jikelele okanye ethe nqo.

Ezi mpawu zilandelayo zimpawu zangaphandle kodwa zithi, ngaphandle kwentengiso yomntu wesithathu, zingathi zivumelane nokubizwa njengentengiso yangaphandle ngaphantsi kolawulo lalomthetho:

- (i) Iimpawu eziguqunisiweyo zendawo zabakhenkethi njengoko zichaziwe kwincwadi zezithuthi zendlela
- (ii) Inkcazelo yasekuhlaleni/Iibhodi zokufundisa
- (iii) Naluphi uphawu olufunwa ukuboniswa ngokomthetho oiubandakanya indlela, iimpawu zendlela zezithuthi ezakhiwe phantsi komthetho wePalamente, wePhondo okanye Iomthetho.

Okokugqibela, lo mthetho siseko uchaza imiqathango eza kulandelwa kunye nomgomo osetyenziswayo xa ufuna imvume malunga nophawu olungqamane nentengiso yangaphandle phantsi kweSixeko saseKapa. Ngokwenza njalo, lo mthetho siseko uyanakana ukuba kukho ubugcisa obukhulu obufumaneka kwiindidi ezithile zeempawu kunye nenkangeleko yendawo leyo ekuyo. Iimfuneko ezithile zeempawu ezithile zithe zadweliswa kwisheduli elapha. Iisheduli ziyinxalenye yomthetho siseko. Ezi Sheduli nazo ukubaluleka kwazo akukho ngaphantsi kwenkcazelo yalo mthetho siseko ngokunokwawo.

**UMBONISO WOMTHAMO**

- A. Inkcazelo
- B. Ungeniso lwezicelo  
Icandelo: 1 ukuya ku-8
- C. Izimangalo kunye nemiba jikelele efuna ukuqwalaselwa  
Icandelo: 9 ukuya ku-10
- D. Imiba ejongene neendidi zempawu ezithile/Iindawo zolawulo kunye nempawu zoqoqosho ezixhasiweyo ngemali  
Icandelo: 11
- E. Umgangatho weemeko ezifuna ukuqwalaselwa  
Icandelo: 12 ukuya ku-43
- F. Uqwalaselo  
Icandelo: 44 ukuya ku-49
- G. Isibheni  
Icandelo: 50 ukuya ku-54

- H. Iimpawu apho uqwalaselo lungafunekiyo khona  
Icandelo: 55 ukuya ku-64
- I. Ukususwa kwisimo  
Icandelo: 65
- J. Umonakalo empahleni yebhunga  
Icandelo: 66
- K. Ilungelo lebhunga ledolophu ekungeneni nasekuhlolweni  
Icandelo: 67
- L. Amatyala  
Icandelo: 68 ukuya ku-73
- M. Ucingelo  
Icandelo: 74
- N. Ukunyanzelisa nokushenxisa  
Icandelo: 75 ukuya ku-79
- O. Ukunikezelwa kweNotisi  
Icandelo: 80
- P. Umda wolawulo  
Icandelo: 81
- Q. Ukuguqula  
Icandelo: 82 ukuya ku-84
- R. Usindiso  
Icandelo: 85

### IISHEDYULI

- Ishedyuli 1 — Indawo zolawulo
- Ishedyuli 2 — Iibhilibhodi
- Ishedyuli 3 — Iibhodi ezikhululekileyo ezixunyekwayo
- Ishedyuli 4 — Iimpawu ezincanyathiselwe ezindongweni zezakhiwo — Iimpawu ezimcaba kunye nezivelayo
- Ishedyuli 5 — Iimpawu zesibhakabhaka
- Ishedyuli 6 — Iimpawu zophahla
- Ishedyuli 7 — Iimpawu zeeveranda, iibalkhoni, iikhenopi, iikholamns ezixhasileyo, iipilari neposti.
- Ishedyuli 8 — Iimpawu kumadonga ebhawundri, iingcingo kunye namabala ezakhiwo
- Ishedyuli 9 — Imifanekiso zentloko zomhlathi wephepha-ndaba
- Ishedyuli 10 — Iibhenari, iiflegi neebhaluni
- Ishedyuli 11 — Imifanekiso
- Ishedyuli 12 — Iimpawu umenzeli wezindlu
- Ishedyuli 13 — Iimpawu ezikhululekileyo ezinokuphathwa
- Ishedyuli 14 — Iimpawu zasemoyeni
- Ishedyuli 15 — Intengiso ejikelezayo
- Ishedyuli 16 — Iimpawu ezikumhlaba webhunga/izakhiwo
- Ishedyuli 17 — Iimpawu ezenziwa ziindawo ezingajonganga ngeniso.

## A. IINKCAZELO

Kulo mthetho, ngaphandle kokuba umqolo uthetha okungokunye:

*“Isakhiwo sokuthengisa”* sithetha nasiphi isakhiwo esakhiweyo okanye esinako ukusentyenziswa ukubonakalisa uphawu.

*“Intengiso”*, ithetha nayiphi indlela yokubizwa kwagama, igama, ileta, umfanekiso okanye into okanye ushwankathelo lwagama okanye igama, okanye naluphi uphawu, okanye nasiphi isibane esingenzelwanga ukukhanyisa kuphela okanye njengesilumkiso sayo nayiphi ingozi kunye *“nokuthengisa”* kuqulathe intsingiselo efanayo.

*“Uphawu lwasemoyeni”* luthetha uphawu oluxhonywe okanye olwenziwe emoyeni, lubandakanya kodwa lungaphelelanga kwibhaluni kunye neblimps ezinokuthi zibonwe ngaphantsi kwebhunga ledolophu yomda wolawulo.

*“Uqwalaselo”* kuthetha ukuqwalasela libhunga ledolophu okanye amagosa, iikomiti zekhawunsile okanye amalungu aphezulu ekhawunsile ngenxa yamagunya abawanikiweyo, kunye nokuqwalasela kuqulathe intsingiselo efanayo.

*“Indawo zolawulo”* zithetha ezondawo zidwelisiweyo kwiSheduli 1 yalo mthetho yaye kwakhona zinokuthi ziqwalaselwe kunye/okanye zitshintshwe ngokokuhamba kwamaxesha, olo tshintsho kunye noqwalaselo luya kuboniswa ngokushicilelwa ngendlela yeemephu njengoko lulingiselelwe libhunga ledolophu ngokokuhamba kwamaxesha.

*“Ibhena”* ithetha nayiphi impahla apho uphawu linokuthi lubonise khona ngendlela apho linokuthi lubonakale ngokwendlela olubonise ngayo, luxokomezelwe kwintambo enye okanye kwintambo ezininzi, ezipalini okanye kwiflegi ezibonisa ngendlela ethe nkqo, mtyaba okanye ngangayiphi indlela okanye exokomezelwe kwisakhiwo okanye kwizakhiwo ezikhethekileyo, kodwa ingabandakanyi ibhena ezenzelwe umngcelele. Iflegi engaboniswa kwipali yeflegi ephunyeziweyo iyakuthi ngokwalo mthetho, ibandakanywe nayo njengebhena.

*“Ibhilibhodi”* ithetha nayiphi indawo ebonisayo okanye ibhodi ethi izimele yaye inobukhulu obu ngaphezulu kwe 4,5 m<sup>2</sup>, ethi ixhaswe, okanye iquathe, isakhiwo esenzelwe, okanye esinokuthi sisetyenziselwe, injongo yokuncamathisela, ukubonisa okanye sibonise uphawu.

*“Ubude obumhlophe”*, ngokumalunga nophawu, buthetha umgama othe nkqo phakathi kwencamu ephantsi yophawu kunye nomgangatho wenwomhlaba ongqongileyo, indawo yokuhamba yenyawo okanye indawo esendleleni ekufutshane ngaphantsi kophawu olo.

*“Intengiso yoqoqosho”* ithetha nawaphi amagama, iileta, iilogo, amanani, amagama, imifanekiso ebhekiselele kwigama loshishino, urwebo, ipartnership, umntu oyedwa, okanye nayiphi inkcazelo, isiphakamiso, okanye i-exhortation, ebhekiselele nakweziphi impahla ezithi zenziwe okanye zithengiswe, okanye naluphi ushishino oluthi lunikwe okanye lwenziwe, okanye naluphi ushishino oluthi lunike okanye lwenziwe okanye nasiphi isiganeko soqoqosho okanye sokuzonwabisa, nolubandakanya iziganeko zemidlalo.

*“Uphawu lezoqoqosho oluxhasiweyo ngemali”* luthetha uphawu oluthengisa iimpahla okanye iinkonzo; kodwa ulwakhiwo lwalo lunenjongo eyeyenye ekukunye okanye ukunikezela kubantu abathile abakhankanyiweyo okanye kwinjongo yabahlali okanye isisusa.

*“Umda wefaçade oqhelekileyo”* ithetha nayiphi ifaçade yesakhiwo eyakhiwe yaxokomezela emva okanye ecaleni kwi-bhawundri yesiza yaye nefaçade leyo engenanto, ntoleyo ethetha ukuba ayinazimpawu zobugcisa, eziqukanisa iifestile.

*“Uphawu olujongeneyo”* luthetha isakhiwo sentengiso eyodwa ezimeleyo lokubonisa uphawu lokuthengisa olungaphezulu kwesinye.

*“Umcebisi”* ithetha umntu oqeqeshekileyo ngokufananelekileyo ozimeleyo okanye inkampani ethi yenze umsebenzi ngokuqeshwa, okanye njenge arhente okanye uMenzi Sicelo olindele isiphumezo sophawu ngokwalo mthetho.

*“Ityala elithi liqhubeke”* lithetha ityala ngokwalo mthetho, elithi liqhubeke, emva kokuphela kwethuba elinikiweyo yinotisi eququlathwe kwintotisi enikwe ngokwalo mthetho.

*“Umzobo wezamasiko”* uthetha nawuphi umzobo, obonakalisa izinto ezizodwa ezinjengo mlinganiswa oyedwa osikiweyo kunye/okanye imiboniso eneedimensional ezintathu okanye amasebe ahambayo kunye nezenziwe ngokukodwa kunye/okanye ezenzelwe ulwakhiwo kwindawo ethile.

*“Indlela ezinyuliweyo zeMetropolitan”* zithetha udidi 1 (ifreeway kunye ne-expressways), udidi 2 (I-arterials zokuqala), udidi 3 (i-arterials zesibini) indlela njengoko ziboniswa nge grafu ngokokuhamba kwamaxesha kwi-Mephu uCMT.R-0007, enikezelwa libhunga ledolophu ngokokuhamba kwamaxesha ngokomthetho obizwa ngokokuba yi-Urban Transport Act No.78 ka1977.

*“IiBhodi zokhuphulo”* zithetha naluphi uphawu oluboniswa kwindawo apho ulwakhiwo luqhubeke khona kunye nokumalunga naziphi iinkonzo ezithi zinikezwe, umsebenzi othi wenziwe okanye iimpahla ezithi zinikezwe malunga nesakhiwo eso. Lonto leyo ayibandakanyi ibhodi zekontraki zokwakha okanye iprojekti ze-civil engineering njengoko ziququlathwe kumthetho obizwa ngokuba yi-National Building Regulation kunye ne-Control Act, 103 ka1997 njengoko ithe yaguqulwa ngokokuhamba kwamaxesha yaye ichaziwe ngokwezizathu jikelele zomthetho wekontraki kunye/okanye imigomo yemithetho ngemithetho.

*“Ukubonisa”* ukubonisa uphawu yaye oko kuqulathe ulwakhiwo lwayo nayiphi ibhilibhodi, uphawu okanye isakhiwo esenzelwe okukodwa okanye okukakhulu ukuxhasa uphawu okanye ibhilibhodi, yaye ukongezelela kubandakanya ukubonisa uphawu loshishino, urwebo, ipartnership okanye umntu oyedwa obandakanyeka nokuqulathwe ngumthamo wophawu okanye uphawu; yaye *“ukuboniselela”* kuqulathe intsingiselo efanayo.

*“Uphawu lombane”* luthetha uphawu olulawulwa ngumbane, ubuso bomboniso ocacisiweyo ovumela konke, okanye isabelo sephawu oluzakutshintshwa, okanye sicacise ngeendlela ezahlukileyo.

*“Uvavanyo lomgomo wobume bendawo”* luthetha uvavanyo oluthatyathwe malunga nezikhokelo ezibekwe libhunga ledolophu ngentengiso yangaphandle.

*“Iiofisi zoomenzeli”* zithetha umntu oququzela intengiso kunye/okanye othengisa izindlu ezinesakhiwo okanye ezingena sakhiwo esakhiweyo kuso yaye *“umenzeli wezindlu”* inentsingiselo efanayo.

*“Uphawu oluselukhona”* luthetha naluphi uphawu obesele luqwalaselwe ngaphambili libhunga ledolophu.

*“Uphawu olumcaba”* luthetha uphawu oluthi luxunyekwe, okanye lupeyintwe ngokuthe nkqo, eludongweni lwesakhiwo kodwa lungekho nkqo okanye phezulu, kwifestile okanye amacango okanye kubugcisa obukhoyo yaye lungaveli ngaphezulu kwe 250 mm kumphezulu wobuso lodonga olo.

“*Uphawu oluzimeleyo*” luthetha naluphi uphawu okanye iqela lamaphawu oluqulathwe okanye oluboniswe kwesinye sesakhiwo esizimeleyo esingaxomezelelwanga kwisakhiwo okanye nasiphi isakhiwo okanye into engalungiselelwanga ukuba mayi setyenziselwe njengenjongo yokuqala yokuthengisa.

“*Indlela ephumelayo*” ithetha indlela edandalazayo enendlebe yokungena okanye yokuphuma kwindawo ethile ephantsi kolawulo lweSixeko saseKapa ebandakanya okwenziwe ngumntu okanye iimpawu zendalo yaye ibonise ngokukakhulu indlela yokufikela okanye yokuhambela evumelana nendlela yobugcisa beSixeko okanye uphahla locebo lophuhliso okanye ipolisi. Ezi ndlela zinokuthi ziboniswe ngokobume bomhlaba ngemephu okanye zichazwe libhunga ledolophu ngokokuhamba kwamaxesha.

“*Umzobo*” uquka kodwa ungaphelisi nakweliphi isebe elivumela ukubonakala komboniso okanye umtsalane wephawu, iquka nekamva.

“*Imifanekiso ebonisa umqolo oyintloko*” zithetha umfanekiso wexeshana ethengisa umthamo wemihla ngemihla okanye iphepha ndaba leveki.

“*Ukuphakama kophawu*” luthi lubalwe ngokulinganisa umgama othe nkqo ophakathi kwindawo ephakamileyo kunye nendawo esezantsi yesakhiwo.

“*Uvavanyo lwenxaxheba lophuhliso lwezithethe*” luthetha umboniso wovavanyo onokuthi ubene nxaxheba nakweliphi uphawu olucetywayo elinokuthi lubenalo kwisiko lwendawo, nokuba luyanakanwa, kwindawo apho uphawu olucetywayo luboniswa khona.

“*Uphawu olukhanyisa ngaphakathi*” luthetha intengiso okanye isakhiwo esisetyenziselwa ukubonisa intengiso efakelwe ngombane okanye ugesi kunye nesikhanyisi esingesiso esombane esivaliweyo sonke okanye isiqingatha saso kwisakhiwo okanye uphawu apho ukukhanya benzelwe ukukhanyisa intengiso okanye isiqingatha sayo.

“*Umthetho*” uthetha nawuphi umthetho, iproclamation, i-ordinance, umthetho wasePalamente okanye uMenzi Mthetho wePhondo, okanye nawuphi umthetho osekiweyo onebango lomthetho.

“*Intengiso esendaweni esisigxina*” ithetha naluphi uphawu olubonisiweyo kwisiza esisodwa, kwindawo okanye isakhiwo yaye sinokuquka (ukuba kuthi kwahlawulwa ixabiso lwe-encroachment) olo phawu olusemhlabeni webhunga, ngokugudlene, ngokuxokomezwe kunye/okanye ngaphakathi komgama oyi-5 metres yesiza eso; indawo okanye isakhiwo uphawu olubhekisele kulo, umsebenzi, imveliso, inkonzo okanye umtsalane; onikiweyo okanye obonelelweyo kwisiza eso, okanye kwindawo leyo.

“*Uphawu olukhululekileyo oluphathekayo*” luthetha inotisi ezimeleyo okanye ibhodi yoku thengisa ebekwe okanye eyakhiwe kwindlela elibekela okanye kwindawo evulekileyo.

“*Uphawu oluhambayo*” luthetha uphawu olungabekwanga ngokusisigxina nolungenzelwanga ukuba lube sisigxina endaweni enye, kodwa lungakuqi nasiphi isahlulo esihambayo esibekwe kwiphawu olusisigxina.

“*Ibhunga ledolophu*” lithetha ibhunga ledolophu lweSixeko saseKapa yaye liquka nayiphi iCouncillor yoqondo oluphezulu, okanye ikomiti okanye isekela Councillor esekwe libhunga ledolophu, okanye nawuphi umqeshwa, okanye i-arhente egunyazisiweyo yalo esebenza malunga nalo mthetho ngaphantsi kwamagunya athe wawanikwa libhunga ledolophu kunye nagunyazisiweyo kumqeswa lowo okanye i-arhente.

“*Uphawu olutsha*” luthetha naluphi uphawu oluboniswa okokuqala emva kokumiselwa kwalo mthetho.

“*Iqumrhu elingenzi ngeniso*” liqumrhu elisekwe kuqala ukunyusa iimfuneko zoluntu okanye ungeniselo ngaphandle kokuthi nqo okanye inzuzo; kunye kunokuqukanisa ezemfundo, ezemidlalo, ezobugqira, amasebe ebhunga; amaqumru kunye nendawo zesisisa okanye indawo zoluntu. Ibhunga ledolophu linokubiza iincwadi zokuqinisekisa, (ezinokuthi ziquke ukubonisa amaphelaphela ebhanki) abonisa ukuba akukho ngeniso ethi ifumaneke okanye injongo yengeniso yoluntu.

“*Ilungu likaRulumente*” lithetha:

- (a) Naliphi isebe likarulumente okanye ulawulo jikelele, lophondo okanye ulawulo lwengingqi karulumente;
- (b) Naliphi olunye isebe okanye iziko:
  - (i) elusebenzisa amandla okanye lusenza umsebenzi ngokuqulathwe ngumgaqo siseko okanye umgaqo siseko wephondo; okanye
  - (ii) elusebenzisa amandla ka wonke-wonke okanye lisenza umsebenzi ka wonke-wonke ngokuqulathwe nangawuphi umthetho ongomnye.

“*Ubude obungaphezulu*”, ngokubhekisele kuphawu buthetha umgama othe nqo, phakathi kohlangothi oluphezulu lophawu kunye nomgangatho ogqityiweyo osemhlabeni, indlela yenyawo okanye endleleni kufutshane ngaphantsi kombindi wophawu.

“*Umjikelezo wendlela ongaphumeliyo*” ithetha umjikelezo wendawo ongqongwe ngaphakathi eyoluliweyo yendlela engumbeko eyemigca emibini okanye ngaphezulu kwindlela kawonke-wonke edibanisa ezinye kwigophe, nokuba okanye loo ndlela kawonke-wonke ithi inqumle enye.

“*Umntu*” uqukanisa:

- (a) naliphi ilungu likarulumente
- (b) nayiphi inkampani esekiweyo ngokwasemthethweni okanye ebhalisiweyo ngokunjalo ngokwasemthethweni
- (c) naliphi ilungu labantu, nokuba lisekiwe ngokusemthethweni okanye ngokungenjalo, lusebenza njenge lungu elilodwa ukufezekisa naziphi injongo.

“*Umfanekiso*” uthetha iimpawu zexeshana ezinako ukuthi zibekwe kwipali zombane zebhunga kunye/okanye zigxunyekwe kwindawo zesigxina ezenziweyo ukuthengisa iziganeko okanye icampaigns, uquka unyulo okanye inreferenda yexeshana yaye kungabandakanyi iimpawu ezisentengisweni, imiboniso okanye iziganeko ezibanjwa roqo ngaphezu kwesinye enyangeni.

“*Uphawu oluphumeleyo*” luthetha naluphi uphawu olukhutshwa yi-laser okanye nasiphi isixhobo.

“*Uphawu oluphumisayo*” luthetha uphawu oluthi lugxunyekwe eludongweni lwesakhiwo kunye ngelinye ithuba oluphumeleyo ngaphezu kwe 250 mm ngaphambili kobuso bolo donga.



*"iFaçade yoluntu"* ithetha nayiphi ifaçade enefestile okanye obunye ubugcisa bomcebi sakiwo.

*"Indawo kawonke-wonke"* ithetha indlela kawonke-wonke, isitalato sika wonke-wonke, indawo yokudlula, ibhulorho; isub-way, indlela yenyawo, ipavemente yenyawo, indlela yokuhamba (okanye isiqingatha sabahambi ngenyawo efanayo ekwindlela engumbeko), ilane, ucande, indawo evulekileyo, igadi, ipaka okanye indawo evalekileyo ephantsi kolawulo lebhunga ledolophu, okanye abanye orulumente okanye eboniswe njalo kwiincwadi zika surveyor general, okanye isetyenziswa ngu wonke-wonke okanye ezotywe ngokunjalo phantsi kwesicheme sokuzotywa.

*"Indlela kawonke-wonke"* ithetha indlela kawonke-wonke njengoko ibhaliwe kumthetho oyi-National Road Traffic Act 93 ka1996.

*"Igunya lendlela"* lithetha igunya eligunyazisiweyo njengoko kuqulathiwe kwi-Candelo 2 lwe-Ordinance yezendlela (Ordinance 19 ka1976).

*"Indlela engumbeko"* ithetha indawo equkathwe ngaphakathi komgomo obanzi wendlela, yaye iquka indlela zokuhamba, imikhono kunye neendlela zokuhamba ezisecaleni kunye nesithuba somoya esingaphezu kwezondlela zokuhamba, imikhono kunye neendlela zokuhamba ezisecaleni kunye nazo zonke iindawo ezingaphakathi kwebhawundri yendlela engumbeko.

*"Indlela yokuhamba"* ithetha isiqingatha sendlela, indlela okanye indawo yokunqumla evunyiweyo, eyakhiweyo okanye eyenzelwe izithuthi njengoko kubhaliwe kumthetho obizwa ngokuba yi-National Road Traffic Act inombolo 93 ka 1996.

*"Uphawu oluseluphahleni"* luthetha uphawu olugxunyekwe eluphahleni lwesakiwo apho umphezulu nowayiphi indawo yelophawu ingadluli kubude bophahla apho igxunyekwe khona.

*"Scenic Drive"* ithetha indlela eboniswe njalo kwizone scheme eqwalaselweyookanye apho kuvela ilandscapes okanye iimpawu ze-aesthetic okanye ukubaluleka kwamasiko kunokubonwa okanye kujongwe khona njengoko kuchongiwe libhunga ledolophu ngokokuhamba kwamaxesha.

*"Uphawu lokhuseleko"* luthetha uphawu lwangaphandle loku jonga okuqhubekayo ebumelwaneni kunye nezischemes ezifana nalo, kunye nophawu oluqalathe igama elo, ilogo, idilesi kunye nenombolo yomnxeba yenkampani yezokhuseleko eqashelwe ukukhusela isakiwo eso apho uphawu luboniswe khona.

*"Uphawu olukwisikhululo sokutha ipetroli"* luthetha iimpawu ezizimeleyo kwindawo zokutha ipetroli, indawo zokuphumla ezi secaleni kwendlela kunye neendawo zokuthengisa yaye kuquka neempawu ze-pyloni ezi kwisikhululo sokutha ipetroli.

*"Ivenkile"* ithetha isakiwo esisetyenziselwa urhwebo okanye ukuthengisa.

*"Uphawu"* luthetha nayiphi into, imveliso, ireplika, isakiwo sokuthengisa, udonga oluzotyweyo, idevice okanye ibhodi esetyenziselwa ukubonisa kuwonke-wonke uphawu okanye yona ngokwayo iluphawu, yaye iquka uphawu, umfanekiso, kunye nebhilibhodi.

*"Iimpawu eziphakathi kwendlela ezilawula izithuthi"* zithetha indlela ephakathi eluwulwa ziimpawu zokhuseleko zezithuthi.

*"Uphawu olusesibhakabhakeni"* luthetha uphawu apho uphondo oluphezulu lwayo nayiphi indawo yophawu lungekho ngaphezulu kobude bophahla apho lugxunyekwe khona.

*"Iimpawu ezixhasiweyo ngemali"* zithetha uphawu, injongo yokuqala ingekuko ukuthengisa iimpahla okanye iinkonzo kodwa ibonisa igrafiki okanye umthamo onyusela uluntu okanye ukuvuselela uwonke-wonke kuluntu olutyunjweyo okanye umgomo woluntu.

*"Amaphawu amagama ezitalato"* athetha iimpawu ezisecaleni, amacala aphindiweyo, iimpawu ezikhanyisayo ngaphakathi okanye ezingakhanyisiyo eziboniswa ngokudityaniswa kunye namagama ezitalato, ezingekho ngaphezu kwe-1 m<sup>2</sup>.

*"Ifenishala yesitalato"* ithetha iindawo zokusetyenziswa nguwonke-wonke kunye nezakhiwo ezingalungiselwanga ukusetyenziselwa ukuthengisa yaye ziquka kodwa zingaphelelanga kwizitulo zokuhlala, iplanters, indawo yokulahlela inkunkuma, iindawo zokulahlela inkunkuma eziqatyelise epalini, iindawo zokulindela ibhasi, iindawo zokujonga ixesha ezisecaleni kwendlela, amachibi okusela amanzi, ibhokisi zikaTelkom, iimpawu zokulawula izithuthi, iibhokisi zeposi, kunye neendawo ezakhiweyo zefowuni, kodwa zingabandakanyi iimpawu zendlela zezithuthi, iimpawu zezithuthi, izibane zezitalato okanye naziphi na izakhiwo ezinxulumene nokusetyenziswa kwendlela.

*"Singa-khawunsile"* ithetha usinga-khawunsile weMetropolitan njengoko kubhekisiwe kwiCandelo 62 kaRhulumente wokuhlala:Municipal Structures Act No.117 ka 1998.

*"Iimpawu zexeshana"* zithetha iimpawu ezithi zibonise ixesha elingange ntsuku eziyi-14, okanye naliphina ixesha elinokuthi livunywe libhunga ledolophu.

*"Ukutyebe"* ngokubhekiselele kuphawu oluvelayo, kuthetha ububanzi bophawu olo ngokulinganisiwe ngokujongeneyo neplane yedonga oluyintloko apho uphawu lugxunyekwe khona.

*"Ukuthengisa komntu wesithathu"* kuthetha ukuthengisa kwempahla okanye iinkonzo ezingeziwanga, ezinonophelwe okanye ezithulwe kwisakiwo apho uphawu kunye/okanye uphawu lokuthengisa ezo mpahla okanye iinkonzo zikhona okanye zibekiweyo, yaye ziquka intengiso engasekwanga ndaweni inye kunye nokuboniswa kophawu olwenziwe, ezinonophelwe okanye luthengiswa kwisakiwo kodwa luthengisa iimpahla okanye iinkonzo ezingenziwanga, ezinonophelwe, ezithengiswa okanye ezithulwe kweso sakiwo.

*"Uphawu olunemigqaliselo ezintathu"* luthetha uphawu olunemigqaliselo engaphezu kwesibini (2), ziquka imveliso efanayo.

*"Uvavanyo lweqondo lwezithuthi"* luthetha isifundo esithatyathwe ngumntu oqeqeshiweyo oyinjini onamava kwicala lokujonga izithuthi oluphanda uqondo lophawu olucetywayo olunokuthi lubenalo kwizithuthi/kubahambi ngenyawo/kukhuseleko labahambi ngebhayisekile kunye nokusebenza kwezithuthi. Esi sifundo kufuneka siphakamise nayiphi imilinganiselo yokuzicengezela eyakuthi ifuneka ngenxa yeliqondo.

*"Uphawu lwezithuthi"* luthetha uphawu lwendlela lwezithuthi njengoko kubhaliwe kwi—National Road Traffic Act No. 93 ka 1996.

*"Ulawulo lwezithuthi"* luthetha uphawu lokukhombisa indlela njengoko kubhaliwe kwi—National Road Traffic Act No. 93 ka 1996.

*"Intengiso ejikelezayo"* ithetha ukuthengisa ngokusebenzisa uphawu oluhambayo onokuthi uluhambise ngokusebenzisa indlela nokuba okanye nesithuthi esihambayo, iquka inqwelo ezirhuqwayo ezisetyenziselwa ukuthengisa.

*“Indawo zezithuthi zokuthutha abantu”* zithetha indawo echongiweyo ngokunjalo libhunga ledolophu, apho utshintsho lwezinto zokukhwela zika wonke-wonke luthi luqhubeka khona, iquka, kodwa kungabhekisi kuphela kwizikhululo zikaloliwe, kwindawo ezisemthethweni zoku lindela itekisi kunye nendawo zebhasi.

*“Umgca osencamini yedolophu”* uthetha uqondo noqondo lomgca womda njengoko usekiwe libhunga ledolophu ngokokuhamba kwamaxesha, olunjongo yalo, ikukujonga ukhuphulo lwedolophu.

*“iVerandah”* iquka ikhenopi evaliweyo kunye nezivalo zelanga.

*“Iimpawu ezisefestileni”* zithetha iimpawu ezibekwe okwexeshana okanye isigxina ngokuthi zipeyintwe, okanye zixokomezelwe kwigilasi yefestile yesakhiwo.

*“Ummandla”* uthetha ummandla ngokokusetyenziswa komhlaba njengoko kudwelisiwe kwischemes zommandla okanye kwimithetho yokucetywa kweSixeko njengoko uguqulwa ngokokuhamba kwamaxesha yaye usebenza nakwesiphi isiza apho uphawu luboniswa kuso okanye sijonge ukuba sibonise kuso yaye *“ummandla”* unentsingiselo efanayo.

## **B. UKUNIKEZELWA KWE ZICELO**

1. Ngaphandle kwezompawu kubhekiswe kuzo kwicandelo 55 ukuya ku-62 apha ngaphantsi, akukho mntu uyakuthi abonise nayiphi intengiso okanye akhe okanye asebenzise naluphi uphawu okanye isakhiwo sokuthengisa ngeenjongo zokuthengisa ngaphandle kwemvume yebhunga ledolophu equkathwe ngulomthetho kunye nawuphi omnye umthetho obandakanyekayo.
2. Umntu ngamnye ofuna ukubonisa uphawu olutsha okanye ukutshintsha okanye ukongeza kuphawu olukhoyo olusele luqwalaselwe; okanye ukunikezela iplani yophawu ngaphantsi koqwalaselo lwe-Site Development Plan uyakuthi angenise isicelo esibhaliweyo kwibhunga ledolophu, isicelo eso siyakukhatshwa yile nkcazelo ilandelayo enikezwe bubini:
  - 2.1 Iplani yendawo ebonisa indawo apho kucetywa ukuba uphawu luzakuthi lwakhiwe okanye lubonise khona, sakhelwe emgameni ongekho ngaphantsi kwe 1:200 ebonisa kakuhle nangokuchanekileyo indawo yophawu kunye nesakhiwo, ukuba sikhona, apho sizakuthi sibotshelelwe khona kunye sibonise sonke isakhiwo kunye neempawu ezikhoyo kweli bala, ezikhoyo kunye nomhlaba osacetywayo, imiqondiso yezithuthi, kunye neempawu zendlela yezithuthi, kunye neendawo ezinemigqaliselo, zophawu okanye uphawu ngokubhekisela kumda webala kunye nokusekwa kwezitalato ezingqongile ibala, kunye nemigomo evunyiweyo yommandla okhoyo.
  - 2.2 Umzobo, ovumelana nemiqathango ye-National Building kunye neRegulations Standard Act 103 ka 1977 yaye ichazwe ngokupheleleyo ukwenzela ibhunga ledolophu liqwalasele ukujongeka kophawu kunye nazo zonke iimfuno zesakhiwo, iquka, ukuchazwa kwezinto zokusebenza apho uphawu lizakuthi lugxunyekwe khona, imibala ezakusetyenziswa, kunye nokuba uphawu liza kukhanyisa, kunye nokuba kwesi siganeko. sokugqibela, iplani iyakuthi ibonise ukuba okanye uphawu luphawu lombane kunye, ukuba kunjalo, inkcukacha zonke ziyakuthi zinikwe.
  - 2.3 Umzobo okubhekiswe kuwo kumhlathi u-2.2 apha ngentla iyakuba nemizobo egqibeleleyo yophawu olo obonisa uluhlu olungekho ngaphantsi kwe-1:20 kunye neplani yebala ebonisa indawo yophawu kwibala kuluhlu olingekho ngaphantsi kwe1:50.
  - 2.4 Ukuba ngaba esi sindululo somzobo wophawu sizakuthi silungiswe okanye sitshintshwe nangaliphi ixesha elicetyiweyo lokubonisa kwalo, loo mcamango mawucaciswe ngokuthi ubhalwe phantsi kwisicelo, kunye nesiqinisekiso sokuba nasiphi isindululo sokutshintsha imizobo siyakuthi sibhekiswe kwibhunga ledolophu ukuba lisiqwalasele, iiveki ezimbini phambi kokuba sibonise, ukuba akwenzekanga oko isindululo somzobo kuphela siyakuthi siqwalaselwe.
  - 2.5 Ukuba ngaba uphawu lizakubotshelelwa okanye lubonise eludongeni okanye kwifaçade yesakhiwo, ibhunga ledolophu linokuthi lifune ukuba kunikwe umzobo ongomnye obonisa ubume besakhiwo ngokombala, iinkcukacha kunye nendawo yophawu olwandululwayo kunye nenkcukacha kunye nendawo yophawu olukhoyo kwisakhiwo esizotywe kuluhlu olungekho ngaphantsi kwe1:100, okanye ibhunga ledolophu linokuthi lifune umbhalo onemibala okanye umfanekiso womzobi okanye umfanekiso owenziwe yikhomputa yendlela esizakubonakala ngaso isakhiwo xa ngaba uphawu olo lwenziwe kulo mzobo yaye luzotywe lube kufutshane kakhulu noluhlu lomzobo lowo xa usele ugqityiwe.
  - 2.6 Ukuba ngaba uMenzi Sicelo akanguye umnini wesakhiwo apho uphawu luzakuthi lwakhiwe khona, uMenzi Sicelo uyakuthi afumane ingxelo etyikityiweyo yomnini mhlaba okanye isakhiwo apho uphawu lwakhiwe khona, ebonisa ukuba abanini ndawo banolwazi yaye bayavuma ukuba isicelo senziwe.
  - 2.7 Ukuba ngaba ibhunga ledolophu liyacela; imizobo eyongezelweyo, izibalo kunye nanye inkcazelo njengoko kuyimfuneko ukulungiselela ibhunga ledolophu ukuba lifumane ngokupheleleyo indlela ezibandakanyiweyo zokukhusela, ukulungisa, okanye ukuxhasa naluphi uphawu olucetywayo, uphawu okanye ibhilibhodi kunye nobuchule bokuxhathisa yonke imithwalo kunye nezinto apho uphawu, intengiso okanye ibhilibhodi inokuthi ithiyilwe kunye nokuphumelelisa udini lokhuseleko kwinto enokuthi yehle.
3. Ibhunga ledolophu linokuthi ligunyazise ukunikezelwa kovavanyo loqondo lobume bendawo (nokuba liqondo lokuqala lwalo; ibhekisele ekugqityweni koluhlu lokujonga ubume bendawo okanye yonke), uvavanyo loqondo lwe—heritage kunye/okanye uvavanyo loqondo lwezithuthi.
4. Ukuba ibhunga ledolophu linoluvo lokuba, uluntu okanye isiqingatha salo okanye umntu uzakuchaphazeleleka luphawu olucetywayo, unokugunyazisa uwonke—wonke ukuba athathe inxaxheba phambi kokuvumela uqwalaselo, inxaxheba kawonke-wonke iyakuthi ingqinelane nepolisi yebhunga ledolophu yokuthatyathwa kwenxaxheba nguwonke-wonke.
5. Ibhunga ledolophu uyakuthi ufune iplani yemiqondiso eyintloko malunga naluphi uphuhliso apho ulwakhiwo lweempawu ezahlukeneyo lucetywayo okanye kuqwalaselwe iimpawu ebezithe zaqwalaselwa ngaphambili nto leyo ezakuthi ivumele ukuba iplani eyintloko ingqinelane phambi kovavanyo kophawu olulodwa.
6. Ibhunga ledolophu liyakuthi lazise uMenzi Sicelo ngazo naziphi izizathu ezongezelweyo eziphawulileyo, ngaphantsi kwentsuku eziyi-21 zosuku lokunikezelwa kwesicelo sokuqala kunye nokuhlulwa komvuzo wesicelo.
7. Ibhunga ledolophu livumelekile ukuba ligcine ikopi yamaphepha onke anikezelweyo kuwo njengesahlulo sesicelo, kodwa akanyanzelekanga enze njalo.

8. Ibhunga ledolophu linokuthi lifune isaziso esibhaliweyo nguMenzi Sicelo okanye umntu owakha uphawu olugunyazisiweyo sokuba uphawu olo lwakhiwe.

#### AMAXABISO

9. Wonke umntu owenza isicelo kwibhunga ledolophu soqwalaselo phantsi kwalo mthetho, ngokwenza isicelo, uyakuthi ahlawule kwibhunga ledolophu intlawulo yokwenza isicelo njengoko kugunyazisiwe libhunga ledolophu ngokokuhamba kwamaxesha. Ukongeza, xa isicelo eso sivunyiwe, ixabiso lokuvunywa njengoko kugunyazisiwe libhunga ledolophu ngokokuhamba kwamaxesha liyakuthi lihlawulwe. Alukho uphawu olunokwakhiwa kude isicelo eso kunye nentlawulo yokuliphumekeza ibe ihlawulwe ngokupheleleyo.

#### C. IZIZATHU JIKELELE ZOKU JONGA UQWALASELO KUNYE/OKANYE IZILUNGISO/IMFUNENKO ZOQWALASELO

10. Ukujonga isicelo sokubonisa intengiso okanye ukwakha uphawu ngokwalo mthetho, okanye izilungiso okanye imfuneko ezibophelela okanye ezizaku bophelela uqwalaselo, ibhunga ledolophu liyakuthi liqwalasele lemiqathango ilandelayo:

- 10.1 Iindawo zolawulo apho uphawu olucetywayo luza kwakhiwa khona okanye luboniswe khona njengoko kudwelisiwe kwiSheduli 1 esisi xokomezelo apha. Mhlawumbi phambili ukuba uphawu luwela kwindawo zolawulo ezingaphezulu kunesinye okanye ibala lophawu olusacetywayo lusekelwe kwindawo yolawulo enye linokuthi liphazamise enye indawo yolawulo oluyingqungileyo, ibhunga ledolophu liyakuthi livumeleke ukuba lijonge indawo yolawulo ejongene kunye neso sicelo.
- 10.2 Indawo leyo esekwe kuyo okanye umhlaba kunye namathuba entengiso abhekiselele kwindawo yolawulo.
- 10.3 Amanani eempawu esele zibonisiwe okanye ezicetywo ukuba zibonisiwe kwisiza kunye nendawo engqunge isiza eso.
- 10.4

Iziphumo zalo naluphi uvavanyo loqondo lwezithuthi, ubume bendawo okanye uvavanyo loqondo lwamafa ngakumbi ukuba uphawu olusacetywayo luyakuthi lungagqinelani nobume bendawo okanye luyakuthi luchase ubume bendawo okanye ubumelwane okanye izindlu ezithi zithinteke.

- 10.5 Iimpawu ezibekwe endaweni kufuneka zingqinelane nokusetyenziswa ngokusemthethweni kwesakhiwo ngaphandle kokuba olo phawu aluyi kugxunyekwa okanye lubekwe kwindawo ehlala abantu okanye isiqingatha salo njengoko sivumelekile okanye ushishino lwezindlu kunye ukusetyenziswa kwexeshana ngokusemthethweni.
- 10.6 Isiphumo sayo nayiphi inxaxheba kawonke-wonke ngokubhekisele kuphawu olucetywayo.
- 10.7 Oko kuqulathwe kwiCandelo 12 ukuya ku-40 ngokukonke, kulo mthetho.
- 10.8 Ukuba akukho phawu okanye intengiso enokuthi yenziwe okanye iboniswe:
- 10.8.1 enokuthi yenze ingozi kuwo nawuphi umntu okanye indawo
- 10.8.2 enokuthi ibonise nayiphi imaterial okanye umzobo, nokuba ngokomgomo, umthamo okanye zombini, zinokuthi zicaphukise uwonke-wonke okanye abantu abathile;
- 10.8.3 enokuthi ingakhohiseki kubume bendawo okanye indawo esebumelwaneni ngesizathu sobungakanani, iintensity, ukuhamba kwamaza, ukukhanyisa umgangatho wedesign, imaterial, umzobo ocetywayo, ubume okanye nasiphi isizathu;
- 10.8.4 enokuthi ingabonisi nazo naziphi iimpawu eziqwalaselweyo ngokwalo mthetho okanye olandelayo;
- 10.8.5 enokuthi ingakhohiseki okanye ingavumelani nobume bendawo, nokuba ngokwendalo okanye ngokwenziwa.
- 10.9 Xa kujongwa uqwalaselo lwemizobo emitsha ngokubhekiselele kuphawu oluvunyiweyo ngokwalo mthetho, ibhunga ledolophu liyakuthi lijonge ezo zizathu kubhekiswe kuzo kwiCandelo 10.4 ukuya ku-10.8.
- 10.10 Ibhunga ledolophu liyakuthi lijonge kuphela isicelo sokongezelela kwexesha loqwalaselo ngokweCandelo 47 phantsi kwesizathu sokuba uphawu luyangqinelana nokubhaliweyo kulo mthetho njengoko kuceliwe ngemini yokucelwa kwesongezelelo sexesha.
- 10.11 Ibhunga ledolophu liya kuthi liqwalasele oimiqathango ekubhekiswe kuyo kwiCandelo 10.4 ukuya ku-10.8 ukuqwalasela isicelo sokongezelela ixesha loqwalaselo phantsi kweCandelo 47. Xa ixesha lokuqwalasela isicelo lithe landiswa libhunga ledolophu, eli xesha landisiweyo liya kuthi lungadluleli kwiminyaka engaphezulu kwesihlanu.
- 10.12 Nasiphi isicelo sokongezelela ixesha loqwalaselo phantsi kweCandelo 47 luya kuthi likhatshwe yintlawulo ekubhekiswe kuyo kwiCandelo 9 ngentla apha; intlawulo leyo yesicelo kunye nentlawulo ebekiweyo.

#### D. AMANQAKU ABHEKISELE KWINDIDI EZITHILE ZEEMPAWU IINDAWO ZOLAWULO KUNYE NEEMPAWU ZOQOQOSHO EZIXHASIWEYO NGEMALI

11. Ibhunga ledolophu liya, ukongezelela kwimiqathango ebekwe ngaphezulu apha, kusebenzisa imigomo emincinane ethile kwiindidi zeempawu ezithile kunye neendawo ezicetywayo xa isicelo sokuqwalasela senziwe ngokubhekisele koko yaye uyaku sebenzisa ungom othile kwizicelo zokwakha iimpawu zeendawo ezingajonganga nzuzo. Le migangatho ethile kunye nemigomo zidwelisiwe kwiSheduli yalo mthetho. USheduli 1 walo mthetho ubonisa iindawo zolawulo apho khona indidi zamaphawu athile zinokuthi zivunyelwe, kodwa ke ngalo lonke ixesha ngokuthi kuvunywe ngokwalo mthetho yaye ngaphezu koko ngokwezizathu ezongezelelweyo ezimalunga nodidi oluthile lophawu njengoko kudwelisiwe kwezi Sheduli ezilandelayo:

#### IShedyuli

- Ishedyuli 1 — Iindawo zolawulo
- Ishedyuli 2 — Ibhilbhodi
- Ishedyuli 3 — Iibhodi ezikhululekileyo ezixunyekwayo
- Ishedyuli 4 — Iimpawu ezixunyekwe ezidongweni zezakhiwo (Iimpawu ezimcaba nezivelayo)
- Ishedyuli 5 — Iimpawu zesibhakabhaka
- Ishedyuli 6 — Iimpawu zophahla
- Ishedyuli 7 — Iimpawu zeeveranda, iibalkhoni, iikhenopi, iikholamns ezixhasileyo, iipilari neposti
- Ishedyuli 8 — Iimpawu kwiindonga zomda, iingcingo kunye namabala ezakhiwo
- Ishedyuli 9 — Imifanekiso yemihlati oyintloko wephepha-ndaba

- Ishedyuli 10 — Iibhenari, iiflegi nebhhaluni  
 Ishedyuli 11 — Imifanekiso  
 Ishedyuli 12 — Iimpawu umenzeli wezindlu  
 Ishedyuli 13 — Iimpawu ezikhululekileyo ezinokuphathwa  
 Ishedyuli 14 — Iimpawu zasemoyeni  
 Ishedyuli 15 — Intengiso ejikelezayo  
 Ishedyuli 16 — Iimpawu ezisemhlabeni/izakhiwo zebhunga ledolophu  
 Ishedyuli 17 — Iimpawu ezenziwa ziindawo ezingajonganga nzuzo.

Ibhunga ledolophu linokunika isaphulelo kwimigomo ebekiweyo ngulo mthetho malunga neendidi zeempawu okanye iindawo zolawulo ezidwelisiweyo kwiShedyuli 10, 11 no12 apha uthabathela iingqalelo:

- (i) indawo yolawulo apho uphawu okanye iimpawu ezicetywayo zizakuthi ziboniswe khona;
- (ii) ubume besiganeko;
- (iii) ixesha lokwakha okanye ukuboniswa kophawu;
- (iv) ubukhulu bophawu olucetywayo;
- (v) naziphi izithuthi kunye/okanye ukhuseleko kunye/okanye ubume bendawo okanye uvavanyo lweqondo lwamafa;
- (vi) naziphi iziphumo apho uwonke-wonke athe wathabatha inxaxheba

#### **E. UMGANGATHO WEMFUNeko EZIYA KUTHI ZIQWALASELWE**

##### **IIMFUNeko ZOLWAKHIWO**

12. Zonke iimpawu ziya kuthi zenziwe ngokufanelekileyo nangamandla achanekileyo kunye nokhuseleko kunye nokuhambisana neemfuneko ezimalunga nokubekiweyo kwiNational Building Regulations kunye nemigomo ongu-103 ka1977 njengoko uguqulwa ngokokuhamba kwamaxesha.
13. UMenzi Sicelo lowo uthe isicelo sakhe savunywa kunye nomnini wendawo okanye apho izakubotshelwa khona bayakuthi bathwale ixanduva bobabini kwananjalo lokugcina usemgangathweni isakhiwo eso yaye benze uhlobo kube kanye ngonyaka lesakhiwo eso ukwenzela ukuqinisekisa ukuba isakhiwo sikhuselekile.
14. Xa uphawu luthe lakrazuka okanye lonakale okanye lutshabalale, uMenzi Sicelo lowo uthe wanikezwa imvume kunye nomnini wento okanye indawo apho uphawu luyakuthi lubotshelwe khona, baya kuthi ngaphakathi kweentsuku ezisixhenxe (7) zokusebenza zenotisi, balilungise.
15. Zonke iimpawu kunye nezixhaso zazo ziya kuthi zakhiwe zomelele, ngezixhobo ezingonakaliyo ezilungele umsebenzi lowo, iindawo kunye nobume bophawu olo.
16. Zonke igilasi ezithi zisetyeziselwe uphawu, ezingezizo igilasi ezisetyenziselwa ukhanyiso, kufuneka zibe zikhuselekile ngokuthi zibenokutyeba okungama 3mm.
17. Iphaneli zegilasi ezisetyenziselwa uphawu akufunekanga zidlule ku-0,9 m<sup>2</sup> kwindawo, iphaneli nganye kufuneka ifakwe ngokuchanekileyo kumzimba wophawu, kwisakhiwo okanye kwindawo ezimeleyo kuzo zonke iiphaneli.
18. Zonke iimpawu kunye nezakhiwo ezizixhasayo ziyakuthi zigcinwe kumgangatho okhuselekileyo.
19. Akukho phawu luya kuthi lubekwe lugqume nayiphi ifestile okanye indawo evulekileyo yokuphefumla yesakhiwo okanye luvale indawo yokuhamba okanye umnyango okanye nayiphi indlela yokuphuma kwisakhiwo okanye luthintele indawo yokuhamba abantu kwindawo ethile yophahla ukuya kwenye.
20. Akukho sakhiwo sentengiso siya kuthi sibekufutshane nezixhobo zombane kumgama omncinane oyakuthi usekwe ngokokuhamba kwamaxesha.

##### **IIMFUNO ZOMBANE**

21. Zonke iimpawu ezifuna ukufakela umbane kukhuthazwa ukuba kufuneka zinikwe umbane osele ukho kwisiza apho zizakwakhiwa khona. Ukuba ngaba lonto ayinako ukwenzeka, isicelo sombane obalayo kufuneka senziwe kwibhunga lolawulo elibandakanyekayo.
22. Lonke uphawu apho umbane usetyenziswe khona, kufuneka lubenengcingo ezifanelekileyo ukukhusela ukusebenza kakuhle kuka nomathotholo kunye nomabona kude.
23. Intontelo ende eyomeleleyo yombane nganye kunye nesihambisi esinezilawuli zombane ezimalunga nophawu, ziya kuthi zibekwe yaye zenziwe zikhuseleke, zingabonakali, zingafikeleleki yaye zikhuseleke ebantwaneni kunye nasezilwanyaneni.
24. Ukufakela nganye ngaphakathi kwe-voltage ephezulu ehamba ingananzwanga mntu (njengomboniso osefestileni) kunye nokufakelwa nganye ngaphandle kwe—voltage ephezulu, iyakuba nodidi olwamkelekileyo lweswitshi yomcimi mlilo ehambelana neemfuneko ezichaziweyo kwicandelo 6.7.2 kunye no7.5 ye SABS 0142 1993 oshicilelwe ngaphantsi kwe Occupational Health kunye neSafety Act.

##### **IIMFUNeko ZOKUKHANYISA**

25. Ibhunga ledolophu linokuvumela uphawu olukhanyisayo, xa ngaba okuqulathwe ngulo mthetho kuthe kwathotyelwa yaye ukukhanyisa oko akuphazamisani nokhuseleko lwezindlela okanye lenze nakuphi ukukhanya okuphazamisayo.
26. Iimpawu azinakukhanyiswa xa kungekho phawu luboniswayo.
27. Imfuneko yokukhanyisa ngaphakathi kunye/okanye iimpawu zombane:
  - 27.1 Iimpawu ezikhanyisa ngaphakathi kunye nezombane eziqulathe intengiso yomntu wesithathu zinokuboniswa kwindawo zolawulo olwahlulelayo okanye oluncinane yaye kufuneka zibe ngaphantsi kwe-2,1 m<sup>2</sup>. Ubume bobukhulu bunokushenxiswa, kude kube ngaphezu kwe-4,5 m<sup>2</sup> xa kuthe kwafunyanwa uvavanyo lobume bendawo kunye ne-heritage obubonisa ukuba akukho ngozi eya kuthi yenzeke xa uphawu lunokuboniswa, okanye nabuphi ubukhulu obukhulu obuchaziweyo libhunga ledolophu endaweni echongiweyo libhunga ledolophu njengendawo apho iimpawu ezikhanyisayo okanye ezombane ziya khuthazwa.

27.2 Iimpawu zombane akufunekanga zimenyezele ngokugqithisileyo.

27.3 Phambi kwesakhiwo, ibhunga ledolophu linokufuna uvavanyo lobume bezithuthi luthatyathwe, iziphumo zalo kufuneka zibonise ukuba izithuthi azizo kuphazamiseka. Ukongezelela ibhunga ledolophu linokufuna ukuba emva koko izithuthi zijongwe akukho naluphi ukhanyiso lwangaphakathi okanye iimpawu zombane.

28. Imfuneko zoku khanyisa ngaphandle:

28.1 Ukhanyiso oluvela kwizibane ezi khanyisa ngamandla akufunekanga lubonakale kwizithuthi ezi hamba kwindlela zombini.

28.2 Izibane ezikhanyisa ngamandla azinakubekwa endaweni apho ziza kukhanyisa ngokungafanelekanga zibe ngaphaya kobuso bophawu.

28.3 Iwayleaves ezivunyiweyo kufuneka zifunyanwe kwisebe lezombane phambi kokuba kufakelwe iimpawu. Lonto leyo ibandakanya iimpawu eziza kwakhiwa kwindawo engqongwe ziingcingo zombane.

**IIMFUNEKO ZOKHUSELEKO LWEZITHUTHI ZENDLELA**

29. Iimpawu akufunekanga zakhiwe kwindawo apho Umlawuli Wezendlela acinga ukuba azifanelekanga yaye zithintela abaqhubi okanye apho abaqhubi bajika khona, kwindawo ezigoso okanye izithuthi zidibana, zohlukana okanye ziphothana khona.

30. Impawu zombane azizo kuvunyelwa ukuba ziya bonakala kwindlela yodidi lokuqala, indlela ephumelayo yokuhamba okanye iscenic drive ngaphandle kokuba kugunyazisiwe ngumlawuli wezendlela ngokubhalwe phantsi.

31. Intengiso kumthantatho, iitower, itelecommunication masts okanye ipylons azivumelekanga.

32. Iimpawu azina kubekwa ngaphantsi kwe 50m yomjikelezo yendlela engenelayo echongiweyo yeMetropolitan ngaphandle kokuba oko kugunyazisiwe ngumlawuli wezendlela ngokubhalwe phantsi.

33. Umthamo womzobo weempawu akufunekanga lutolike ngokwenkangeleko njengephawu lwendlela lwezithuthi, ngentla yayiphi into, iquka kodwa ingaphelelisi kwezi zilandelayo:

- (a) nasiphi isitayile okanye ukuboniswa komfanekiso wophawu lwendlela lwezithuthi okanye imiqondiso yezithuthi.
- (b) Naliphi igama, umlinganiselo, ilogo okanye nayiphi into esetyenziswe njengophawu lwendlela lezithuthi.
- (c) Ukusetyenziswa kwemibala edibeneyo ekhankanyelwe iimpawu zendlela zezithuthi, ngendlela ezakuthi yenze ubhidano.
- (d) Nayiphi ipeyinti ekrakrayo okanye isixhobo.

34. Iimpawu akufunekanga zakhiwe kwindawo apho uninzi lwezithuthi, indlela elingeneyo yokulandela kwezithuthi okanye imbali yezithuthi ifuna umgomo opezulu wononophelo lwabaqhubi.

35. Iimpawu azina kubotshelwa okanye zithintele uphawu lwezithuthi zendlela okanye umqondiso wezithuthi onikezwe ngokukodwa kwincwadi yoMzantsi Afrika yeempawu zezithuthi zendlela kunye/okanye kwincwadi yoMzantsi Afrika yeempawu zezithuthi zendlela zokhuphulo loluntu.

36. Iimpawu akufunekanga zakhiwe ngaphakathi kwendlela engumbeko esekwe nakweyiphi indlela kawonke-wonke ngaphandle kokuba ibonelelwe ngokukodwa ngumlawuli wezendlela.

37. Xa ngaba iimpawu zibekwe kwindlela engenelayo yezithuthi, akufanelekanga zibenemibala ebomvu okanye ethyeli okanye eluhlaza njengemibala eyintloko yaye akufunekanga zivale okanye zithintele naluphi uphawu lwendlela lwezithuthi okanye imiqondiso yezithuthi.

38. Iimpawu zombane azivumelekanga ngaphakathi kwe-80 m yomjikelezo yemiqondiso yezithuthi ezingenelayo.

39. Imiyalezo emenyazelayo okanye ebalekayo okanye imiyalezo ehambayo eyahlukileyo enomyalezo otshintshayo ngekhofu engaphezu kweziqingatha eyi—0,3 okanye enotshintsho phakathi komyalezo ayivumelekanga ukuba iboniswa kwindlela kawonke-wonke.

40. Imiboniso emileyo, iimpawu ezilula ezihambayo zobonisa uphahla olugcweleyo benkcazelo yobude bomjikelo ongekho ngaphantsi kweziqingatha eziyi-60 xa ibonakala kwindawo yezithuthi eneempawu ezingenelayo kunye neziqingatha eziyi-30 kwezinye iindawo.

41. Zonke iimpawu zomntu wesithathu ezingaphezu kwe-4,5 m<sup>2</sup> ezakhiwe zagudlana nendlela kawonke-wonke okanye kwindawo engumbeko kaloliwe eyenzelwe ukuthengisa kwindlela ezinyuliweyo zeMetropolitan kufuneka zibe nokubhekelelana bomgama omncinane obekiweyo ukusukela nakweliphi uphawu okanye uphawu lwezithuthi zendlela, lo mgama uyakuthi ulinganiselwe unxuse umda ophakathi wesango lwendlela, njengoko kubonisiwe kwiTable 1 ngaphantsi apha.

**TABLE 1: UKUBHEKELELANA PHAKATHI KWEEMPAWU**

Ingxowa	Ukubhekelelana okufunekayo xa kubonakalayo kwindlela yezithuthi enesantya esi:		
	< 60 km/h	61–80km/h	81–120 km/h
Apho uphawu lwentengiso lulandela uphawu lwendlela	380 m	425 m	475 m
Apho uphawu lwentengiso lulandela uphawu lokuthengisa	310 m	360 m	410 m
Apho uphawu lwentengiso lukhokhela uphawu lwendlela	40 m	70 m	100 m

42. Le migomo yemigama emincinane engentla apha ekhankanyiweyo kwitafle 1 inokuncitshiswa libhunga ledolophu ukuba uphawu lukumgangatho yendawo yolawulo oluncinane, okanye kwezinye iindawo zolawulo ngokunikezelwa kwe TIA ecacisa ukuncitshiswa kokubhekelelana ngokweemfuno zebhunga ledolophu. Ibhunga ledolophu inokuthi ngokokuhamba kwamaxesha yenze uludwe okanye imephu yeendawo ezichongiweyo apho olubhekelelwano lungentla lungazokusebenza khona.

**IMFUNeko ZOMTHETHO**

43. Zonke iimpawu ezizakuthi zakhiwe kunye/okanye ziboniswe kwindawo yolawulo lebhunga ledolophu kufuneka, ukongezelela ukuvumelana nalo mthetho, zivumelane nayo yonke imithetho elawulayo, iquka nawuphi umthetho we-Zoning Scheme.

**F. UQWALASELO**

44. Ibhunga ledolophu linokusikhaba nasiphi isicelo okanye lunike isigqibo solwamkelo phantsi kwemiqathango ebhekiselele ekwakhiweni kunye/okanye ekusetyenzisweni kophawu yaye iquka umgangatho umnini walo naluphi uphawu okanye ibhilibhodi okanye umhlaba okanye isakhiwo apho sakhelwe okanye siboniswe khona, okanye bobabini umnini kunye/okanye umntu ekuthengiswa imveliso yakhe kunye /okanye iinkonzo, akhusele ibhunga ledolophu kuzo naziphi iziphumo zolwakhiwo, ukuboniswa okanye ubukho nje bolo phawu.
45. Ibhunga ledolophu linokuthi nangaliphi ixesha lisikhabe isigqibo solwamkelo osele lusivumile phantsi kwalo mthetho okanye imithetho engaphambili okanye lutshintshe nayiphi imigaqo okanye lubeke imigaqo eyenye malunga nolwamkelo, ukuba ngaba uphawu okanye indawo yentengiso ikumgangatho ongaginyisi mathe yaye asinanto ngangethuba olungaphezulu kweentsuku eziyi-90 ezilandeelanayo, yaye asisavumelani nokubekiweyo kulo mthetho okanye sijikiwe kakhulu kwisicelo sokuqala ebesele sivunyiwe ngesakhiwo okanye umthamo womzobo.
46. Ukuba ngaba uphawu oluvunyiweyo alukhange lwakhiwe ngaphantsi kweenyanga ezilishumi elinambini ukusukela kusuku lokuvunywa okanye ngaphantsi kwalo naliphi ixesha elibekiweyo kwisigqibo solwamkelo, olo lwamkelo luya kuphela ngaphandle kokuba ixesha elo landisiwe ngokubhalwe phantsi libhunga ledolophu phambi kokuba siphele.
47. Naluphi uqwalaselo lwentengiso womntu wesithathu oluvunyiweyo libhunga ledolophu ngokwalo mthetho, luya kuthi luhlale ubukhulu iminyaka emihlanu, ebalwe ukusukela kwimini yokuvuma, ngaphandle kokokuba oko kuya kwandiswa ngokubhalwe phantsi phambi kokuphela kwexesha elibekiweyo lokuvuma isicelo eso. Ibhunga ledolophu kufuneka lifumane isicelo esibhaliweyo sokwandisa uqwalaselo phambi kwenyanga ezintandathu zokuphela kwexesha loqwalaselo.
48. Ukuba ngaba isakhiwo esivumela uphawu siye sadilizwa ngebom phambi kokuphela kwexesha loqwalaselo, uqwalaselo luya kuthi luphele yaye akukho phawu lungolunye okanye isakhiwo esivumela uphawu sinokuthi sakhiwe okanye sakhiwe kwakhona ngaphandle kwemvume yebhunga ledolophu enikezwe phantsi kwalo mthetho.
49. Zonke izigqibo zebhunga ledolophu ezimalunga nezicelo ezenzwe phantsi kwalo mthetho ziya kuthi zibhalwe phantsi kunye ziya kunikwa kuBenzi Zicelo ngaphakathi kweentsuku eziyi-90 emva kokwenza isicelo, okanye, ukuba ngaba ibhunga ledolophu lifuna njalo, ngaphantsi kweentsuku eziyi-90 emveni kokuba lifumane inkcazelo eyongezelelweyo kunye/okanye uvavanyo olunikwa libhunga ledolophu.

**G. ISIBHENO**

50. Nawuphi umntu othe amalungelo akhe ahlukunyezwa ngenxa yokuthathwa kwesi sigqibo salo mthetho libhunga ledolophu unokwenza isibheno kwisigqibo ngokunika inotisi ebhaliweyo yesibheno kunye nezizathu kwiManejala yeBhunga ngaphantsi kweentsuku eziyi-21 yosuku lokunika inotisi yesigqibo.
51. Umphathi yebhunga kufuneka inikezele isibheno ngokukhawulezileyo kubantu abafanelekileyo abakhankanywe kwiCandelo 53.
52. Umlawuli sibheno kufuneka eqwalasele isibheno, yaye avume, atshintshe okanye ajike isigqibo, kodwa utshintsho okanye ukujikwa kwesigqibo lunokujika nawuphi amalungelo athe wawafumana ngenxa yesi sigqibo.
53. Umlawuli sibheno ofanelekileyo uya kuba ngulowo uchongwe yi- Municipal System's Act No. 32, njengoko iguqulwa ngokokuhamba kwamaxesha.
54. Umlawuli sibheno kufuneka aqalise nesibheno ngaphantsi kweeveki ezintandathu emva kokufumana isibheno yaye enze isigqibo sesibheno ngexesha elifanelekileyo.

**H. XA KUVUMELANA NEMIGAQO EHAMBELANA NOKO KUNYE/OKANYE NOKUDWELISWE NGEZANTSI APHA, UQWALASELO LWEBHUNGA ALUFUNEKI KWEZI MPAWU ZILANDELAYO**

Xa kuvumelana nemigaqo ejongene nodidi lophawu ngalunye oludwelisiwe apha ngezantsi, kunye nawuphi umthetho obandakanyekayo, okanye imigaqo ethi inikwe libhunga ledolophu, akukho sicelo soqwalaselo lebhunga sifunekayo phantsi kwalo mthetho malunga:

55. Ibhodi zophuhliso
- 55.1 Ibhodi zophuhliso ziya kuthi zisuswe xa ulwakhiwo lugqityiwe okanye ulwakhiwo luyekisiwe, okanye ukunikezwa kweenkonzo; ukwenziwa komsebenzi, okanye ukunikezelwa kwempahla uphawu olo lubhekiselele kulo luyekiwe.
- 55.2 Ibhunga ledolophu linokuthi ligunyazise ukususwa kophawu olo ukuba ngaba ulwakhiwo olo selugqityiwe okanye luyekisiwe okanye isatifiketi sokuhlala sesigunyazisiwe libhunga ledolophu, okanye ukunikezelwa kweenkonzo, ukwenziwa komsebenzi okanye ukunikezelwa kweempahla, sele nazo zonke injongo luyekiwe, kunye neempawu ezo ziya kuthi zisuswe kodwa hayi khona ngaphezulu kweentsuku ezintlanu emva kosuku lokuyalela ukuba zisuswe.
- 55.3 Ukuba ngaba indawo leyo iza kusetyenziswa yonke okanye isiqingatha sayo ngenjongo zokuhlala, akuyi kubakho ngaphezulu kophawu olunye olubhekiselele kwinkonzo ezithile, umsebenzi okanye iimpahla eziya kuthi ziboniswe yaye uphawu olo aluyi kuba ngaphezulu kwe-3 m<sup>2</sup> ngokweqonga elipheleleyo.
- 55.4 Ukuba ngaba indawo leyo ayizo kusetyenziswa yonke okanye isiqingatha sayo njengendawo yokuhlala, akuyi kubakho ngaphezulu kweempawu ezimbini ezimalunga neenkonzo ezithile, umsebenzi okanye iimpahla eziya kuthi ziboniswe okanye, iqonga le ndawo leempawu zombini aluyi kuba ngaphezulu kwe 5 m<sup>2</sup> umgomo walo, yaye naluphi uphambuko olucetywayo kwesi sinqumo singentla, olo phambuko luya kufuneka lwenziwe ngokuthi kwenziwe isicelo esibhalwe phantsi;
- 55.5 Ukuba ngaba umqondiso, nokuba ukwibhodi ezimeleyo, okanye kwisakhiwo esivumelana nokwambathiswa impahla, iquka nayiphi intengiso yomntu wesithathu, elo phawu kufuneka lungqinelane nokuqulathe kwiSheduli 8 apha yaye uqwalaselo lebhunga lokuboniswa kophawu olo kufuneka kuqala lunikwe ngokwalo mthetho.

## 56. Impawu zoqeshisa/nezokuthengisa

Ezi ziquka naluphi uphawu ubume balo obugcweleyo obungekho ngaphezulu kwe-400 mm x 500 mm oluboniswayo kwindawo ekhoyo okanye kwizindlu apho isakhiwo esitsha siza kuthi sakiwe khona yaye sibhekisele kwindawo yokuhlala erentiswayo okanye ethengiswayo, phantsi kwemiqathango yokuba naluphi olo phawu luyakuthi lusususwe ngentsuku eziyi-60 emva kosuku apho indawo leyo yokuhlala iyakuthi ifumane umntu wokuyihlala.

## 57. Impawu Zoshishino ezkwisakhiwo

Ezi ziquka naluphi uphawu olungakhanyisiyo olungaveliyo kwindlela kawonke—wonke yaye lingekho ngaphezu kwe-0,2 m<sup>2</sup> ubume balo obugcweleyo lusazisa kuphela iindidi zorwebo, ushishino, inkuthalo okanye uqeqesho oluqhutywa ngokusemthethweni ngumhlali okanye umnikazi wendawo leyo olubotshelelwe kuyo, igama lomhlali lowo, udidi lwento leyo, idilesi kunye nenombolo yomnxeba yalo ndawo kunye neeyure zokusebenza (ukuba zikhona), yonke lonto leyo ixhomekeke ekubeni kuboniswe uphawu lube linye ngomhlali ngamnye.

## 58. Impawu zefestile

Ezi ziquka naziphi iimpawu ezibekwe endaweni ziipeyintwe okwexeshana okanye isigxina okanye zincanyathiselwe kwigilasi yefestile yesakhiwo esi setyenziselwa uqoqosho, i-ofisi, iinkuthalo, okanye ukuzonwabisa, okanye naluphi uphawu lwexeshana okanye isigxina oluboniswa ngaphantsi kwe 2 m yefestile okanye indawo evulekileyo engaphandle apho kunokuthi kubonwe khona isakhiwo ngaphandle, yonke lonto leyo ixhomekeke ukuba uphawu lungadluleli kwi-4,5 m<sup>2</sup> yobume befestile leyo kwindawo yolawulo oluphezulu.

## 59. Impawu ezixokonyezelelwe kubuso besakhiwo

Naluphi uphawu olwenza ubume besakhiwo (kodwa lungabandakanyi uphawu olupeyintiweyo okanye uphawu olugxunyekeiweyo nangayiphi indlela kwisakhiwo), phantsi komqathango wokuba uphawu olo lunga gqitheli kwi-0,2 m<sup>2</sup> ubume balo obugcweleyo.

## 60. Impawu ezikumabala emidlalo

Ngaphandle kokuba luya bonakala kwiscenic drives, naluphi uphawu olakhiwe kwibala lemidlalo, ubume balo obufika kwi-2 x 1 m lilinye, ngaphandle kokuba iimpawu ezinkulu ezijonge ngaphakathi ebaleni yaye azibonakali nakweyiphi indawo kawonke-wonke, ziya kuthi nazo zivumeleke.

## 61. Impawu zokhuseleko

Naluphi uphawu lokhuseleko olungaveliyo kwindlela kawonke-wonke yaye lungadluleli kwi-0,2 m<sup>2</sup> ubume balo obugcweleyo bubonisa ukuba ukujongwa kokhuseleko luya qhubeka okanye inkampani yezokhuseleko ithe yaqeshwa ukuba ikhusele indawo leyo apho uphawu luboniswa khona, phantsi kwale miqathango:

61.1 Uphawu olunye kuphela olubonisayo kwindlela kawonke-wonke okanye indawo nganye engaphambili endleleni yeso sakhiwo kunye;

61.2 Uphawu olo lubonisa igama, ilogo, idilesi kunye nenombolo yomnxeba yenkampani yezokhuseleko eqashiweyo ukuba ikhusele isakhiwo eso apho uphawu luboniswa khona.

62. Impawu ezixhasiweyo ngemali, nezoshishino oluxhasiweyo ngemali kunye neempawu zamaqumru angenzi ngeniso: ezingaphantsi kwe-4,5 m<sup>2</sup>

62.1 Naluphi olo uphawu nokuba lwakhiwe ngu okanye nokubhekiselele nequmru elingajonganga ngeniso okanye olungelulo; olungekho ngaphezulu kwe-4,5 m<sup>2</sup> ubume balo obugcweleyo phantsi kwesizathu sokuba alizo kuba ngaphezu kwe-5% ubume bobuso balo obuza kuthi busetyenziselwe intengiso yomntu wesithathu; yaye uphawu olo alunasikhanyisi, yaye phezu koko kuya kuthi kuvunyelwe uphawu lube lunye kwisiza ngasinye.

62.2 Iimpawu ezithi zivumelane nokuqulathwe kwi Candelo 62.1 ziya kuthi, xa zakhiwe kumhlaba webhunga, zakhiwe kuphela xa isivumelwano senziwe kunye nebhunga ledolophu, apho umgomo woxhawulo loluntu okanye uwonke-wonke njengoko kuvunyelwene phakathi kwamasebe ebhunga anoxanduva lwezakhiwo kunye/okanye umhlaba bevumelene yaye imiqathango yolwakhiwo lophawu ivunyiwe, nekopi yesivumelwano ingenisiwe kwisebe lezolawulo lobume bendawo okanye abalandeli balo, bebhunga ledolophu.

62.3 Zonke ezinye iimpawu ezixhasiweyo ngemali ziya kuthi ziqwalasele ngokweeSheduli 16 no17.

## 63. Intengiso kwiiflegi

Iiflegi zokuthengisa okanye ipali zeflegi ziya kuthi ziboniswe kwipali zeflegi, yonke lonto iya kuxhomekeka ukuba ipali zeflegi azikho ngaphezu kwesithathu kwe-3m inye ubude balo, eziya kuthi zivunyelwe, kumzi ngamnye apho ziboniswa khona.

## 64. Intengiso ekwizithuthi

Iimpawu eziipeyintwe okanye ezigxunyekwe nkqo kumzimba wesithuthi esihambayo.

**I. UKUSUSWA ESIMENI**

65. Akukho mntu oya kuthi atshabalalise, onakalise, enze umonakalo, okanye asuse esimeni okanye asuse esimeni ubuso okanye umphambili wesitalato, uphawu lwezithuthi zendlela, udonga, ucingo, umhlaba, ilitye, umthi okanye naziphi izinto zendalo, okanye umphambili okanye ubuso okanye uphahla lwaso nasiphi isakhiwo okanye isakhiwo nangayiphi indlela ngexesha lokwakhiwa okanye lokuboniswa kophawu okanye lokusetyenziswa okanye ukubhala okanye ukupeyinta uphawu, igama, ileta okanye amanani. Ngaphezu koko, akukho mntu oya kuthi asuse esimeni naluphi uphawu olugunyazisiwe ngokwasemthethweni ukuba maluboniswe nguwo lo mthetho.

**J. UKONAKALISWA KWEMPAHLA YEBHUNGA**

66. Akukho mntu oya kuthi xa esakha okanye esusa naluphi uphawu, okanye ibhena, enze umonakalo nakowuphi umthi, umgangatho wombane okanye iinkonzo okanye ezinye izinto ezifakelwe libhunga okanye izakhiwo kunye nempahla yesitalato.

**K. UKUNGENA KUNYE NOHLOLO**

67. Ibhunga ledolophu livumelekile ukuba ligunyazise amagosa alo, emva kokunika inotisi ebhaliweyo kumnini okanye umhlali wendawo, ukuba angene nakwesiphi isakhiwo, ngexesha elifanelekileyo ngeenjongo zokuqhubeka naluphi uhlolo olufanelekileyo ukwenzela ukuqhubeka kakuhle kunye nokuhambisana nokuqulathwe ngulo mthetho.

**L. AMATYALA**

68. Nawuphi umntu othi:

68.1 atyeshela okanye angaphumeleli ukuhambisana nokuqulathwe ngulo mthetho;

68.2 atyeshela okanye angaphumeleli ukuhambisana nayiphi imfuneko edwelisiweyo kwinotisi ethi inikezelwe kuye phantsi kwalo mthetho;

68.3 atyeshela okanye angaphumeleli ukuhambisana nemiqathango ebekiweyo phantsi kulo mthetho;

68.4 enze ingxelo engeyo nyani esazi, malunga nasiphi isicelo phantsi kwalo mthetho,

uya kufunyaniswa enetyala yaye xa athe wagwetywa kuya kufuneka ahlawule intlawulo yemali okanye aye entilongweni njengoko kudwelisiwe ngezantsi apha, yaye:

69. Ukuba ngaba ityala elo liya qhubeka, intlawulo mali njengoko kudwelisiwe ngezantsi apha, ngayo yonke imini ityala elo liqhubeka emva kwenotisi ebhaliweyo ethe yanikezwa libhunga ledolophu lifuna ukuba ityala elo lingaqhubeki; yaye:
70. Ityala lesibini okanye elilandela elo, umntu lowo uya kuthi agwetywe anikwe isigwebo sentlawulo mali okanye agwetyelwe ngaphakathi njengoko kudwelisiwe ngezantsi apha.
71. Intlawulo mali kunye nezohlwayo ezinikwayo kumatyala ngokwalo mthetho zezi:

71.1 Xa ugwetyiwe kwityala lokuqala, umntu onetyala uyakuhlulwa intlawulo mali engekho ngaphezulu kwe-R10 000,00 njengoko ithi ihlenga-hlengiswe phantsi kwe-Adjustment ye Fines Act No. 101 ka 1991 ngokokuhamba kwamaxesha, okanye xa uthe wasilela ngentlawulo, uya kuvalelwa entolongweni ixesha elingekho ngaphezulu kweenyanga ezimbini.

71.2 Xa ngaba ityala elo lithi liqhubeka, umntu lowo unetyala uya kuthi ohlwaye intlawulo yemali engekho ngaphezulu kwamakhulu amahlanu (R500,00) njengoko ithi ihlenga-hlengiswe phantsi kwe-Adjustment ye Fines Act No.101 ka 1991 ngokokuhamba kwamaxesha, yonke imihla xa ityala elo lisaqhubeka.

71.3 Xa ngaba uthe wagwetywa netyala lesibini okanye elilandela elo, umntu onetyala uya kuthi ahlawule intlawulo yemali engekho ngaphezulu kwe R50 000,00 njengoko ithi ihlenga-hlengiswe phantsi kwe-Adjustment ye Fines Act No.101 ka 1991 ngokokuhamba kwamaxesha okanye xa uthe wasilela ngentlawulo, uya kuvalelwa entolongweni ixesha elingekho ngaphezulu kweenyanga ezintandathu.

72. Nangona okuqulathwe kwiCandelo 68 ukuya ku-72 ngaphezulu apha, malunga nokuboniswa kwemifanekiso e\*ngavumelekanga kunye/okanye iibhodi ze—arhente zabathengisi bezindlu, intlawulo yemali eza kusetyenziswa zezidwelisiwe kwiiSheduli 9 no10 apha.
73. Iimpawu ezingekho mthethweni ezisusiweyo libhunga ledolophu zinokuthi zibangwe kwibhunga ledolophu xa kuhlawulwe iindleko ezipheleleyo ezenziweyo libhunga ledolophu ekususweni kolo phawu, kunye nentlawulo yeendleko ezenziweyo elugcinweni kolo phawu ngaphantsi kweenyanga ezimbini. Naziphi iimpawu ezingekho mthethweni ezisusiweyo libhunga ledolophu nezingakhange zibangwe kwithuba elingaphantsi kweenyanga ezimbini losuku ezisuswe ngayo ziya kubhangiswa libhunga ledolophu ngendlela ekholeke kwibhunga ukukhawulelana nokuhlulwa iindleko zokuzisusa kunye/okanye zokusigcina.

**M. IZITHEKELELO**

74. Nawuphi umntu obekwa ityala ngaphantsi kwalo mthetho:

74.1 oyedwa okanye ngokudibeneyo kunye nawuphi na umntu onelungelo lokubizwa, okanye olawula intlanganiso, umbhuyo okanye isiganeko, uphawu olo okanye umfanekiso obhekisele kulo, uyakucingelwa de kuveliswe okungokunye ukuba uthe esazi wabonisa lonke uphawu olungekho mthethweni okanye obonisiweyo malunga nalo ntlanganiso, umbhuyo okanye isiganeko okanye uye wenza okanye wawumela ukuba libonise njalo.

74.2 umntu lowo igama lakhe libhalwe kuphawu olo lungekho mthethweni okanye imveliso okanye iinkonzo zakhe zithengiswa luphawu olo, liya kucingelwa kude kube kuveliswe okungokunye ukuba ubonise olo phawu okanye wenze okanye uvumele ukuba libonise ngaphandle kokuba ubungqina obungobunye buvelisiwe.

74.3 ongumnini womhlaba okanye isakhiwo apho uphawu olungekho mthethweni laluboniswa khona okanye lusaboniswa khona, kuya kucingelwa, ngaphandle kokuba kufunyaniswa ngokungaphandle koko, ukuba uthe esazi wabonisa uphawu, okanye wenza okanye wawumela ukuba libonise.

**N. ULAWULO KUNYE NOKUSUSWA KWEEMPAWU**

75. Ukuba ngaba naluphi uphawu olubonisiweyo alungqinelani nalo mthetho, ibhunga ledolophu liya kunika inotisi kumnini okanye umqeshi wophawu, okanye umnini mhlaba okanye umntu wemveliso okanye weenkono ezithengiswayo, ubiza loo mntu ukuba asuse elo phawu okanye enze elo tshintsho kulo okanye enze loo msebenzi onokuthi uchazwe kuso isicelo okanye inotisi, ngelo xesha liza kuthi limiselwe.
76. Ukuba ngaba iifundo zebhunga ledolophu njengoko zidwelisiwe kwinotisi zinga fezekiswa ngexesha elibekiweyo apha, ibhunga ledolophu linokuthi ngaphandle komyalelo wenkundla lususe okanye lutshintshe uphawu okanye lenze loo msebenzi njengoko kuchaziwe kwinotisi, yonke lonto yomyalelo wenkundla ayiyomfuneko xa ngaba olo phawu lubonisiweyo okanye elakhiweyo lukumhlaba webhunga ledolophu, phambi kokuba lususe.
77. Xa ngaba ibhunga ledolophu lisusa okanye lujika uphawu, ibhunga ledolophu liza kufuneka lihlawule nawuphi umntu malunga nayiphi ilahleko engekho ngqondweni okanye umonakalo owenziwe okanye omalunga nokususwa okanye ukujikwa.



78. Naziphi iindleko ezenziwe libhunga ledolophu ukususa iimpawu, okanye ukwenza izilungiso okanye omnye umsebenzi ofunekayo ngokwenotisi, ziya kuthi zifunwe kumntu lowo onikwe inotisi.
79. Kungakhange kube kuqwalasele okuqulathwe kulo mthetho, ukuba ngaba uphawu luyingozi okanye lujongeka luyingozi ebomini okanye kwimpahla, ibhunga ledolophu ngokunokwalo luya kuthi ngaphandle kwenotisi; lususe okanye lenze amalungiselelo wokususa elo phawu.

#### **O. UKUNIKEZELWA KWEENOTISI**

80. Apho inotisi okanye naliphi iphepha kufuneka linikiwe ngokwalo mthetho nakuwuphi umntu, kuya kucingelwa ukuba linikwe ngokufanelekileyo ukuba linikwe umntu lowo ubuqu, okanye nawuphi na umntu ongumhlali kwindlu leyo, lo mntu lowo kuya kufuneka abe ngaphezulu kweminyaka eyi-16 kwindawo yakhe yokuhlala, okanye nakowuphi umntu oqeshwe nguye kwindawo yakhe yokuphangela, okanye ukuba ithunyelwe kuye ngesiqinisekiso seposi kwindawo yakhe yokuhlala okanye kwidilesi yakhe yokuphangela, njengoko iqulathwe kwiincwadi zeebhunga ledolophu, okanye ukuba ngaba umntu lowo yinkampani okanye yi close corporation okanye itrust, iya kunikwa nawuphi umntu osebenza kulo nkampani, close corporation okanye itrust. Ukuba ngaba inikwe loo mntu kwi-ofisi zayo zokusebenzela, okanye ithunyelwe ngesiqinisekiso seposi kulo ofisi.

#### **P. ULAWULO LWENKUNDLA YENKQILA**

81. Kungakhange kubekho nayiphi into engenye equlathwe nakuwuphi umthetho obhekisele kwiiNkundla zenkqila, uMantyi uya kuthi abe nolawulo ekusebenzeni kolawulo lebhunga, enze nawuphi umyalelo wokulawula oqulathwe ngulo mthetho okanye naluphi uqwalasele, ukungavunywa okanye imiqathango ethi inikwe okanye isetyenziswe kulo mthetho.

#### **Q. UKUTSHINTSWA KWALO MTHETHO**

82. Lo mthetho utshintsha lee mithetho ilandelayo:

IBy-Law yeBhunga yeDolophu yaseKapa ebhekisele kwintengiso, ibillposting, iimpawu njalo-njalo kunye nokususwa ebumeni bomphambili okanye imiphambili yezitalato njalonjalo, engunombolo 1959 ka1966 kunye nazo zonke izilungiso ezikuyo;  
 IBy-Law yeBhunga yeDolophu yaseKapa yentengiso yangaphandle, engu By—Law nombolo PN 151 ka 2000  
 PN 295 ka1958 Standard Regulations ebhekisele kwintengiso yeempawu kunye nokususwa ebumeni bomphambili kunye neemiphambili yezitalato  
 PN 593 ka1958 Standard Regulations ezibhekisele kwintengiso yeempawu kunye nokususwa ebumeni bomphambili kunye neemiphambili yezitalato

IBy-Law yebhunga ledolophu yaseParow PN 4258 ye 17 Matshi ka1983: Iimpawu zentengiso kunye nokususwa esimeni komphambili okanye imiphambili yezitalato

83. Nayiphi into eyenziwe phantsi okanye ngokuqulathwe lutshintsho lwalo mthetho kuya kucingelwa ukuba yenziwe phantsi kokuqulathwe kokufanayo kulo mthetho yaye olo tshintsho aluyi kuchaphazela ubunyani bayo nayiphi into ephantsi kotshintsho lwalo mthetho.
84. Nayiphi into eyenziwe phambi kokushicilelwa kwalo mthetho, engenziwanga ngaphantsi kokuqulathwe lutshintsho lwalo mthetho yaye engekho mthethweni, iya kuthi ukuba ngaba lo nto okanye uphawu olo lusahleli lungangqinelani nokuqulathwe kulo mthetho, aluyi kubasemthethweni.

#### **R. UKHUSELEKO**

85. Nasiphi isicelo sokuboniswa sayo nayiphi intengiso okanye ulwakhiwo lwayo nayiphi indawo yokuthengisa ngenjongo zokuthengisa, enikezelwe kwibhunga ledolophu phambi kokusekwa kwalo mthetho kunye malunga nesigqibo esingekenziwa libhunga ledolophu phambi kokusekwa kwalo mthetho, siya kuthi sibonelelwe phantsi kwalo mthetho obandakanyekayo koko.

## SHEDYULI YOKU-1

## IINDAWO ZOLAWULO

UBUKHULU		INXALENYE		UBUNCINANE
UMMANDLA WENDALO	UMMANDLA WAMAPHANDLE (inye engaphandle kommandla wedolophu)	UMMANDLA WASEDOLOPHINI	UMMANDLA WASEDOLOPHINI (ophakathi kwenye yedolophu)	UMMANDLA WASEDOLOPHINI (ophakathi kwenye yedolophu)
<p>Iindawo ezibekelwe bucala ezizezendalo Nezibhengeziweyo.</p> <p>Imimandla yendalo ekhuselweyo.</p> <p>Amaziko ezilwanyana</p> <p>Iindawo ekugcinelwa kuzo iintaka</p> <p>Amaziko ezilwanyana zolwandle</p> <p>Abhengeziweyo.</p> <p>Uhlaza olusuka kolu unxweme luye Koluya njengoko lubonakaliswe kwiplani engu-TP10320 (Isikimu sokwahlulwa — hlulwa)</p> <p>Unxweme lweelwandle</p> <p>Iilwandlekazi.</p> <p>Imimandla yamahlathi</p> <p>Iipaseji eziphumela imilambo</p> <p>Amathafa ezikhukhula eminyaka</p> <p>Esukela kwi-1: ukuya kwi-100</p> <p>Imigxobhozo.</p>	<p>Inyele engaphandle kommandla wedolophu)</p> <p>Imimandla ekulinywa imifuno</p> <p>Neentyatyambo kuyo.</p> <p>Iifama ezincinane ezisemaphandleni.</p> <p>Iziza ezikhulu nezivulekileyo zabucala</p> <p>(Umz. Amabala egalufa)</p> <p>Izithabazi ezibukekayo.</p> <p>Amathambeka namaxethuka abukekayo.</p> <p>Iipaki namabala kaMasopala.</p>	<p>Imimandla yolondolozo yasezidolophini.</p> <p>Amaziko akulilifa.</p> <p>Izakhiwo neendawo ezihleliweyo zokuhlala kunye</p> <p>Neendlela ezikufuphi neendlela zoololiwe ezibekelwe</p> <p>Bucala</p> <p>Iindlela zokuhamba hamba.</p> <p>Iindawana zabahamba ngeenyawo kunye nezikwere Zabahamba ngeenyawo.</p> <p>Imihlaba yesikolo kunye nemihlaba eyabelwe amaziko.</p> <p>Iindawo ezibukekayo.</p> <p>Iindawo ezinomdla nezibukekayo zokuhanjelwa.</p> <p>Iindawo eziyimiphumela.</p> <p>Iindawo ezivulekileyo ezisekwe ngokwezicwangciso Ze-MOSS.</p> <p>Iindawo zikawonke wonke ezivulekileyo ezingamabala.</p> <p>Iindawo ezivulekileyo.</p> <p>Iifamana zasezidolophini.</p> <p>Imimandla elinywa ngokukhulu esezidolophini.</p> <p>Imimandla yokulinywa ebonelelwa ngoncedo esezidolophini.</p> <p>Amathafa empuphuma eminyaka esukela kwi-1: ukuya kwi-100</p> <p>Iipaseji eziphumela imilambo</p> <p>Imigxobhozo.</p> <p>Iindawo zoluntu ezinezinto yinto (ngaphandle kwamabala emidlalo namabala amakhulu)</p> <p>Amaziko angundoqo ezolondolozo njengoko echongiwe liziko likaZwelonke lezeziTyalo.</p> <p>Iindawo zezoshishino ezizodwa ezibekelwe bucala</p>	<p>Iingingqi/imimandla yezoshishino esedolophini.</p> <p>Imimandla exubeneyo yezorhwebo neyokuhlaliwa.</p> <p>Iipaseji zemisebenzi yezorhwebo kunye neyophuhliso.</p> <p>Iziphaluka zezorhwebo nezoshishino kunye nezitalato ezikufuphi nezilungiselelwe umgaqo kaloliwe.</p> <p>Iziphaluka ezilungiselelwe ezolonwabo okanye izakhiwo ezikhulu ezilungiselelwe urhwebo.</p> <p>Amabala emidlalo kunye namabala amakhulu emidlalo.</p>	<p>Iziphaluka ezilungiselelwe ushishino</p> <p>Izikhululo zezothutho</p> <p>Iifestile zeevenkile zoshishino ezibonakalayo kwiindawo zikawonke wonke.</p> <p>Imimandla engamiselwanga nto.</p> <p>Imimandla elungiselelwe ushishino ephakathi kweendawo</p>
Ummandla wendalo	Iindawo ezo zinga ngcolanga ngaphakathi kunye nangaphandle kummandla wasedolophini ezinjenge paki zesizwe, iindawo ezibekelwe bucala ezizezendalo, amaziko ezilwanyana zolwandle, kunye nemimandla yendalo ekhuselweyo.			
Ummandla wamaphandle	Utshintsho phakathi kummandla wasedolophini ezilungisiweyo kunye neendawo zendalo ezinga ngcolanga. Iindlela ezisemqoka zokusetyenziswa komhlaba emaphandleni ziquka ugonyamelo lwezolimo, ezolimo, kunye neperi-urban smallholdings zasemaphandleni ezinoluntu oluncinane. Ngokwenjongo zalo mthetho ilandscape yasemaphandleni iya kuqulatha iindawo ezingaphandle konxweme ledolophu.			
Ummandla wasezidolophini	Iindawo esedolophini okanye nayiphi inxalenye yendawo esedolophini. Ngokwenjongo zalo mthetho ilandscape yasedolophini iphakathi konxweme ledolophu.			

**ISHEDYULI "2"****IBHILIBHODI**

Kuxhomekeke kuqwalaselo ngokwalo mthetho, ukwakhiwa kunye/okanye ukuboniswa kweBhilibhodi, nokuba zenziwe ngokusesikweni okanye ngolwakhiwo jikelele, kuvumelekile kuphela kwindawo zolawulo oluphantsi. Ukongeza ibhilibhodi ziya:

1. Ukuba ngaba isiza esicetywayo apho ibhilibhodi eza kuthi yakhelwe iibhoda phezu kwendlela eyiliweyo yeMetropolitan kunye ngaphezu koko izakhiwo kweso siza zingaphezu kwe-50 m ukuya kumgca wendlela engumbeko, ibhilibhodi aziyi kubekwa ngaphantsi kwe-50 m yomgca wendlela engumbeko lo mgama ufanayo uyakuthi ubalwe kube yi90° kwindawo ekufutshane yendlela engumbeko. Lo mgama uyakuthi ungathathelwa ngqalelo kumgama ongekho ngaphantsi koyondelelwano lwefacade kawonke-wonke yesakhiwo esikwisiza okanye kwiziza ezigudleneyo, ukuba ezo zakhiwo ezigudleneyo okanye ukuba ngaba izakhiwo kweso siza zingaphantsi kwe-50 m kwindlela engumbeko emva kokufumana uvavanyo loqondo lobume bendawo kunye novavanyo loqondo lwezithuthi oluchaza ukuba akukho bungozi. Ukuba ngaba ibala elicetywayo ukwakha ibhilibhodi lenziwe njengendlela yokuphumela akuyi kubakho ibhilibhodi zivunyelwa ngaphakathi kwalo ndlela yokuphumela.
2. Kuvumelana nemiqathango jikelele yoqwalaselo equlathwe ngulo mthetho.
3. Kuthi zinga xanananzi phezu komgca webhawundri yomhlaba eyakhiwe kuwo nokuba oloxananazo lungaphezulu okanye lungaphantsi komhlaba.
4. Kuba nobude obuncinane obuphelele kwi-2,4 m kunye nesakhiwo sophawu olungekho ngaphezulu kobude obungaphezulu kwe-7,5 m obungaphezulu komgangatho wendalo womhlaba, ngaphandle kokuba indlela ezisikwayo zenziwe, ngoko ke uphawu luya kuthi lube ngaphezulu kobude obungaphezu kwe 9 m ngaphezu komgangatho wendalo womhlaba.
5. Ukuthi zingadluli kubume obungaphezulu kwi-36 m<sup>2</sup> ngaphandle kokuba kwisakhiwo ngasinye esingu-V, iipaneli ezimbini ziya kuvunyelwa.
6. Kubonisa phakathi kwecala eliyi 90° kunye ne-60° kwindlela yezithuthi ezizayo.
7. Kubhekelelana ubuncinane bomgama phakathi kwazo njengoko kubhekisiwe kwicandelo lemiqathango yokhuseleko lwezithuthi zendlela yalo mthetho.
8. Kukhanyisa ngaphandle kuphela.
9. Ukuba ngaba zibekwe kwindawo ezinempawu zezithuthi ezingenelenayo: aziyi kwakhiwa okanye ziboniswa ngaphantsi kwe50 m yomjikelezo wendlela ongenelayo ukuba ayikhanyisi; yaye ingaphantsi kwe80 m yomjikelezo wendlela ongenelayo ukuba iyakhanyisa.
10. Nayiphi ibhilibhodi eyakhiwe kwisandla sasekunene secandelo lendlela, ngohlobo apho imizobo yalo iyabonakala kumqhubi ohamba ngesandla sasekunene sendlela, kuya kucingelwa ukuba ithabatha indawo yentengiso ekhoyo kwisandla sasekhohlo sendlela.
11. Kuba namagama amancinane okanye inombolo yobude obuyi-285 mm.
12. Umthamo wenkcazelo wentengiso eqwalaselwayo iyakulinganiswa nge"bits". Ukubala umthamo wenkcazelo yentengiso ubunzima be bits obubonakalisiweyo kule tafle ingezantsi iya kusetyenziswa:

<b>Izinto zentengiso</b>		<b>Iintwana ngokwento</b>
Amagama	Ukuya kumagama ayi-4	0,5
	5 ukuya kumagama ayi-8	1,0
	Ngaphezu kwamagama ayi-8	2,0
Amanani	Ukuya kwamanani ayi-4	0,5
	5 ukuya kwamanani ayi-8	1,0
	Ngaphezu kwamanani ayi-8	2,0
Iilogo, umlinganiselo kunye nemizobo	Ngaphantsi kwe-9sq metres	0,5
	Phakathi kwe-9 kunye ne18 sq metas eziyi-18	1,0
	Phakathi kwe-18 ne27 sq metres	1,5
	Ngaphezu kwe 27sq metres eziyi 27	2,0

13. Iintwana zizonke kwintengiso ecetywayo aziyi kuba ngaphezu kwe 15.

**ISHEDYULI "3"****IIMPAWU EZIZIMELEYO EZIGXUNYEKWAYO KUNYE NEZIJONGENEYO**

Kuxhomekeke kuqwalaselo ngokwalo mthetho ulakhiwo kunye/okanye ukuboniswa kweempawu ezizimeleyo ezigxunyekwayo zivumelekile kuphela kwiindawo zedolophu zolawulo oluphezulu, oluphakathi kunye noluncinane. Ukongezelela:

1. Iimpawu ezizimeleyo ezigxunyekwayo ziya kuvumeleka kuphela kwezi zihlandlo zilandelayo:
  - 1.1 Apho iindawo zoshishino zibuyele umva nge-15 m okanye ngaphezulu kwebhawundri yendlela engumbeko; okanye
  - 1.2 Apho kungenakho ukugxumeka uphawu olufanelekileyo kwisakhiwo; okanye
  - 1.3 Apho uphawu lufuneka khona ukubonisa uwonke-wonke apho isango lokungena lendawo zoshishino lingakhona, okanye
  - 1.4 Apho ubukho bophawu oluzimeleyo ngokujongeneyo luthintele I—proliferation yeempawu.
2. Iimpawu ezizimeleyo ezijongeneyo aziyi kuba ngaphezu kwe-7,5 m<sup>2</sup> ubude yaye ngaphezu koko aziyi kuba ngaphezu kwe-4,5 m<sup>2</sup> ummandla ogcweleyo. Oku kuqulathe kulo mhlathi kunokujikwa ukuya kubude obungaphezu kwe-10m kunye nobungaphezulu kwe 15 m<sup>2</sup> wommandla ogcweleyo, uthabathela ingqalelo lemicamango ilandelayo:
  - 2.1 Ukuba ngaba ulwandiso lunciphisa inani lee mpawu ezizodwa ezijonge nasiphi isitalato sebhawundri yebala, zinciphisa uqondo lomboniso kubume bendawo eyingqongileyo;
  - 2.2 Ukuba ngaba zingaphezu kwesibini iindlela ezinentsingiselo ezijonge ibala elo;
  - 2.3 Inani lamashishini eliza kuthengisa elo phawu;
  - 2.4 Inani lweendlela eziphambukayo neziphumelayo kwibala elo;
  - 2.5 Izoning ebandakanyekayo kwindawo engqonge uphawu olo. Indawo engqongileyo yokuhlala ayinakho ukuthwala ubukhulu obufanayo bophawu njengendawo engqongileyo yezoqoqosho okanye yezoshishino.
3. Iimpawu ezizimeleyo kwisikhululo sokutha ipetrol kufuneka zime endaweni eyodwa yaye zinokwakhiwa okanye ziboniswe kwizikhululo zokutha ipetrol ezigudleneyo kunye nezifumaneka nkqo nendlela kawonke-wonke apho uphawu lubonisa khona yaye kuvumeleke kuphela uphawu olunye kumda wesitalato wesikhululo sokutha ipetrol. Oku kuqulathwe apha kunokutshintshwa kuphela apho ezi mpawu zibonakala khona kwiindlela zodidi lokuqala zelizwe (N1, N2 kunye no-N7).
4. Iimpawu ezizimeleyo kwisikhululo sokutha ipetrol aziyi kuba ngaphezu kwe-7,5 m ubude yaye aziyi kuqulatha ngaphezu kwepaneli ezyi-8 zentengiso ye-4,5 m<sup>2</sup> ubume obugcweleyo bendawo. Oku kuqulathe kulo mhlathi kunokujikwa ukuya kubude obungaphezulu kwe-16 m kunye neepaneli zentengiso eziyi-8 ezingekho ngaphezu kwe-6 m<sup>2</sup> lulunye ubume bendawo egcweleyo uthabathela ingqalelo imiqathango ekubhekiswe kuyo kumhlathi wesibini ngentla apha.

**ISHEDYULI "4"****IIMPAWU EZIBOTSHELELWE ELUDONGWENI LWESAKHIWO: EZIMCABA KUNYE NEZIVELAYO**

Kuxhomekeke kuqwalaselo ngokwalo mthetho, ulakhiwo kunye/okanye ukuboniswa kweempawu ezimcaba kunye nezivelayo luvumelekile kwiindawo zonke zolawulo oluphezulu, oluphakathi okanye oluncinane. Ukongezelela, iimpawu ezimcaba kunye nezivelayo:

1. Azivumelekanga ngaphantsi kwe-0,6 m lonxweme lwendlela yaye ingabikho ngaphezu kwe-0,6 m lonxweme lwendlela.
  2. Aziyi kuvela ngaphambili kodonga ngaphezu kwe-1,5 m xa ngaba uphawu olo lunobude obumhlophe obungaphezulu kwe-7,5; okanye ngaphezu kwe-1 m kwisihlandlo esingaphantsi kobude obumhlophe.
  3. Aziyi kuvela ngaphezu kwe-250 mm ngaphezu kwendlela ngaphandle kokuba uphawu lunobude obumhlophe obungaphezu kwe-2,4 m.
  4. Aluyi kuthintela ukujonga nakweyiphi ifestile okanye nayiphi indawo evulekileyo ngaphandle saso nasiphi isakhiwo yaye akukho siqingatha salo naluphi uphawu luya kugxunyekwa phezu okanye nakweyiphi ifestile, ucango okanye nazo naziphi iindawo ezivulekileyo.
  5. Aziyi kuba ngaphezu kwe-54 m<sup>2</sup> ubume bendawo egcweleyo yaye aziyi kuba ngaphezu kwe-kota enye yobuso bendawo leyo apho igxunyekwe khona okanye ipeyintwe khona nayiphi encinane. Esi sithintelo sobukhulu sinokujikwa phantsi kwale miqathango:
    - 5.1 Uvavanyo loqondo lobume bendawo lunikezelwe kwibhunga ledolophu olubonisa ukuba uqondo lobume bendawo aluyi kuthinteleka, kunye
    - 5.2 Ukuba ngaba kucetywa ukwakhiwa kophawu olumcaba okanye oluvelayo kwindawo yendalo, uvanvanyo loqondo lweheritage kufuneka lufakiwe oluchaza ukuba akukho thintelo oluza kuthi lube khona malunga nobume belifa;
    - 5.3 Imizobo ecetywayo malunga nolu phawu iyakugxunyekwa ngexesha olu phawu luza kuboniswa ngalo.
    - 5.4 Olo phawu luya kubonisa kuphela imizobo eyenziwe ne qulunqwe ngumcebisi onemfundo efanelekileyo.
  6. Ziya kujongelwa uqwalaselo kwi bhawundri yefacade engenanto yezakhiwo ezingezizo ezokuhlala abantu.
  7. Ukuba ngaba zikwifacade kawonke-wonke saso nasiphi isakhiwo, uphawu luya:
    - 7.1 Kwakhiwa ngendlela oluya kuthi lube yinxalenye yesakhiwo eso;
    - 7.2 Xa ngaba umntu wesithathu, evumeleka kuphela ukuba yenziwe ngokusesikweni yaye phantsi kokuqulathwe kumhlathi u-5.1 no5.4 ngentla apha.
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**ISHEDYULI "5"****IIMPAWU EZISESIBHAKABHAKENI**

Kuxhomekeke kuqwalaselo ngokwalo mthetho, ulwaxhiwo, kunye/okanye ukuboniswa kweempawu ezisesibhakabhakeni nokuba zenziwe ngokusesikweni okanye ngohlobo oluqhelekileyo luvumelekile kwindawo zolawulo oluncinane kuphela. Ukongezelela:

1. Iimpawu ezisesibhakabhakeni ziya:
  - 1.1 kuncitshiswa zibe nobukhulu obuyi 4,5 m<sup>2</sup>, yonke lonto ixhomeke ukuba imfuneko yobukhulu inokuyekwa de kufikelelwe kwiqondo eliphezulu eliyi-18 m<sup>2</sup> emva kokufumana uvavanyo loqondo lobume bendawo olubonisa ukuba akukho kuphazamiseka bobume bendawo.
  - 1.2 kuthi zingathinteli ukubona kuso nasiphi isakhiwo.
2. Iimpawu ezisesibhakabhakeni ezigudle umphezulu wephahla lenkqubo yesizwe, ezantlalo okanye izakhiwo zobugcisa ziya kuthi zivunyelwe kuphela ukuba ngaba zime endaweni, azikhanyisi yaye ziqulathe amanani asikwe odwa okanye iilogo.
3. Ziya kuba nomthamo omncinane wentengiso ecetywayo eyakulinganiselwa ngokweentwana. Ukubala inkcazelo yomthamo:

<b>Izinto zentengiso</b>		<b>Iintwana ngokwento</b>
Amagama	Ukuya kumagama ayi-4	0,5
	5 ukuya kumagama ayi-8	1,0
	Ngaphezu kwamagama ayi-8	2,0
Amanani	Ukuya kwamanani ayi-4	0,5
	5 ukuya kwamanani ayi-8	1,0
	Ngaphezu kwamanani ayi-8	2,0
Iilogo, umlinganiselo kunye nemizobo	Ngaphantsi kwe-9sq metres	0,5
	Phakathi kwe-9 kunye ne18 sq metas eziyi-18	1,0
	Phakathi kwe-18 ne27 sq metres	1,5
	Ngaphezu kwe 27sq metres eziyi 27	2,0

Inkcazelo yomthamo wentengiso ecetywayo iyakulinganiselwa ngeentwana. Ukubala inkcazelo yemithamo yentengiso ecetywayo, ubunzima bomlinganiselo oboniswe kwitafle engentla iyakusetyenziswa.

4. Umlinganiselo ogcweleyo wentengiso ecetywayo akufunekanga ibe ngaphezulu kwe-15.

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**ISHEDYULI "6"****IIMPAWU ZOPHAHLA**

Kuxhomekeke kuqwalaselo ngokwalo mthetho, ulwakhiwo kunye/okanye ukuboniswa kweempawu zophahla luvumelekile kuzo zonke iindawo zolawulo ezisedolophini ngaphandle kweendawo ezilungiselwe ukuhlala abantu kwiindawo zolawulo oluphezulu. Ukongezelela:

1. Ummandla ogcweleyo wophawu lophahla olugxunyekwe phezu okanye lupeyintwe phezu kophahla lwesakhiwo aluyi kuba ngaphezu kwe-kota enye yommandla wonke wophahla apho lugxunyekwe khona okanye lupeyintweyo.
  2. Xa luthelabotshelwa kumzantsi wencamu yophahla okanye nkqo phakathi eluphahleni lwesakhiwo, olo phawu akufunekanga ludlule kwi—1m ubude yaye ummandla ogcweleyo akufunekanga udlule kwi-25% yendawo apho lugxunyekwe khona.
  3. Kuvumelekile ukuba kugxunyekwe uphawu lophahla ecaleni kwencamu yophahla lwesakhiwo, ukuba ngaba uphawu olo lenziwe ngomgca owodwa, amanani asikiweyo, ngaphandle kwe-bracing ebonakalayo okanye inkxaso kodwa ayiyi kwakhiwa ecaleni kwencamu ezingaphezu kwesibini sophahla yaye ayiyi kuba ngaphezu kwi-3,6 m<sup>2</sup> ummandla ogcweleyo (6 x 0,6 m); ibe noqondo oluphezulu lobude oluyi-1 m.
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**ISHEDYULI “7”****IIMPAWU EZIKWI-VERANDA, IBALKONI, IKENOPI, IIKHOLAMN EZIXHASILEYO, IINTSIKA KUNYE NEEPOSTI**

Kuxhomekeke kuqwalaselo ngokwalo mthetho, ulwakhiwo kunye/okanye ukuboniswa kweempawu kwiveranda, ibalkoni, ikenopi, iikhholamn ezixhasileyo, iintsika kunye neepali ziya kuvunyelwa kuzo zonke iindawo zolawulo phantsi komqathango wokuba ziya vumelana kunye nale miqathango ilandelayo:

1. Akukho phawu olunjalo oluya kuvunyelwa phezu okanye phezu kobuchule bobugcisa besakhiwo.
2. Ezo mpawu zinokuthi zigxunyekwe mcaba phezu okanye ziyeziintwe kudonga lweeparapet, ibalustrade okanye kwirailing yeveranda okanye ibalkoni, kunye nomqadi okanye ifascia yeveranda okanye ibalkoni. Kwezi zizathu zibekwe ngentla apha, uphawu aluyi kuba ngaphezu kwe—1m ubude okanye luvele ngaphezulu okanye ngaphantsi okanye ngaphaya nokuba ngowuphi umphelo wobuso apho lugxunyekwe khona, okanye luvele ngaphezu kwe-250 mm ngaphezu kobuso apho lungxunyekwe khona okanye luvele ngaphaya kwendlela yokuhamba okanye ngaphakathi kwe-0,6 m yencamu yendlela yokuhamba.
3. Ezo mpawu zinokugxunyekwa zibemcaba phezu okanye ziyeziintwe kwiikhholamn ezixhasileyo, iintsika, kunye neeposti. Kulo mba, akukho phawu luya kuthi luvele ngaphezu kwe-50 mm ngaphambili kobuso apho lugxunyekwe khona yaye lungabi ngaphaya kweqondo lwe kholam, iintsika okanye iposti. Iimpawu ezigxunyekwe mcaba phezu kwento exhasileyo eluxande, ziya kujikwa zifanele ubume bendawo leyo. Uphawu olunye kuphela luya kuthi luvunyelwe kwi kholam nganye, ipilari okanye iposti.
4. Ezo mpawu zixhonywe ngaphantsi kwephahla lweveranda, ikhenopi, okanye umgangatho webalkoni awuyi kuba ngaphezu kwe-1,8 m ubude okanye 600 mm ukuphakama. Lonke olo phawu luya kuba kwigophe lasekunene nommgca wesakhiwo. Akukho phawu luxhonywe phantsi kwe-khenopi oluya kwanda ngaphaya kwencamu engaphezulu yekhenopi okanye iveranda apho lugxunyekwe khona.
5. Ezo mpawu ezikwiphahla leveranda, ikhenopi okanye ibalkoni, ngaphandle kophahla olungundoqo lwesakhiwo, luya kuba nomgca omnye ozimeleyo, ngokunokukodwa, usikiwe ngamanani esilhouette ngaphandle kwebracing ebonakalayo okanye ezinye iindlela ezibonakalayo zokuxhasa yaye azinakwakhiwa ecaleni kwencamu ezingaphezu kwesibini zophahla lweveranda okanye ibalkoni.



**ISHEDYULI "8"****IIMPAWU EZIKWINDONGA ZEBHAWUNDRI KUNYE NEENGCINGO, KUNYE NESAKHIWO SEBALA LOQWEBO**

Kuxhomekeke kuqwalaselo ngokwalo mthetho, ulwakiwo, kunye/okanye ukuboniswa kweempawu womda zeendonga kunye neengcingo kunye nesakhiwo lwebala loqwebo luvumelekile kuphela kwiindawo ezise dolophini zeqondo eliphezulu, elincinane okanye eliphakathi lolawulo kunye ukongezelela:

1. Kwindawo ezisezidolophini zolawulo oluphezulu kunye noluphakathi, ibhunga ledolophu linokuvumela isicelo sokugxumeka uphawu lendawo emileyo kwidonga lomda kuphela ukuba uphawu lungqamane nedonga okanye lenziwe lazimela, lunamagama asikwe ngaphandle angakhanyisiyo okanye isimboli ezigxunyekwe mcaba kwelodonga yaye zingaphumeli ngaphezu kwe 50 mm ebusweni bolo donga.
  2. Kwiindawo zolawulo oluphantsi, ibhunga ledolophu linokuvumela:
    - 2.1 Isicelo sokugxumeka uphawu olume endaweni olumcaba kwidonga lebhawundri kuphela ukuba aluveli ngaphezu kwe-50 mm ebusweni belo donga.
    - 2.2 Isicelo sokugxumeka uphawu olume endaweni olumcaba olunobukhulu obungaphezu kwe 0,5 m<sup>2</sup> ngaphezu kocingo olusisigxina lwesiza.
  3. Intengiso kumabala wesakhiwo soqwebo kunye neengcingo ziya kuvumelana nale miqathango ilandelayo:
    - (i) Naluphi uphawu olunye aliya kuba ngaphezulu kwedimension ethe nkqo kwi-3 m kunye nommandla ogcweleyo we-18 m<sup>2</sup>.
    - (ii) Naluphi olo phawu alinakuvela ngaphezu kwe-100 mm ngaphambi kwoqwebo okanye ucingo apho lugxunyekwe khona.
    - (iii) Akuyi kubakho lukhanyiso lwalo kwindawo zolawulo loqondo oluphezulu kunye noluphakathi.
    - (iv) Akuyi kubakho ntengiso kwibala lesakhiwo seenqwebo kunye neengcingo ngaphakathi kwecone yombono wabaqhubi kwindawo engenelayo yezithuthi ezilawula zimpawu.
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**ISHEDYULI "9"****IMIFANEKISO ZOMHLATHI OYINTLOKO**

Kuxhomekeke kuqwalaselo ngokwalo mthetho, ulwakhiwo kunye/okanye ukuboniswa kwemifanekiso yomhlathi oyintloko luvumelekile kuzo zonke iindawo ngaphandle kweendawo zolawulo loqondo oluphezulu lendalo kunye nendawo zolawulo loqondo oluphezulu olusemaphandleni. Ukongezelela:

1. Imifanekiso yemimhlathi eyintloko aziyi kuba ngaphezulu kwe-0,9 m x 0,6 m kummandla wazo.
2. Umthamo wezoqoqosho womfanekiso awuyi kudlula kwi-20% yommandla womfanekiso okanye amagama ezoqoqosho abemakhulu kunondoqo wamagama aqulathwe kokulandelayo kumfanekiso.
3. Imifanekiso inokuthi ibotshelwe kwiipali zebhunga zombane kuphela apho zifumaneka khona yaye imifanekiso inokuthi incamathiselwe kuphela kwiindawo ezikhethiweyo ezivunyiweyo libhunga ledolophu ngenjongo zokuba kuncanyathiselwe leyo mifanekiso. Aziyi kuthi zigxunyekwe kwiipali zendlela zezithuthi okanye ezinye iipali eziqulathe iimpawu zendlela zezithuthi, iipali ezakhelwe nayiphi injongo, okanye nayiphi ifenitshala yesitalato, udonga, iingingo, imithi, amatye okanye ezinye iimpawu zendalo.
4. Imifanekiso yemihlathi eyintloko ayi kuncanyathiselwa kwiipali zombane zebhunga kodwa ziya kuthi ziqatyelise kwibhodi kunye zingxunyekwe ngokukhuselekileyo zibotshwe ngentambo okanye zibotshwe ngeplastiki ngaphandle kokuba uphahla olu sisigxina luvunyiwe ukufezekisa le njongo.
5. Kuvumeleke imifanekiso yomhlathi oyintloko zibembini kuphela kwipali, nokuba ngowuphi na umzi wamaphephandaba othi wenze lo nto.
6. Amanani yemifanekiso kunye nendawo eziyiliweyo ukubonisa imifanekiso yomhlathi oyintloko njengoko zinikiwe ngumzi wamaphephandaba kufuneka zithotyelwe ngokukodwa.
7. Yonke imifanekiso "ezinganeko ekhethekileyo" iya kuthi ivumelane noku kulandelayo:
  - 7.1 Igama lephepha ndaba elo, "isiganeko esikhethekileyo", kunye nosuku lwe-"siganeko esikhethekileyo" kufuneka lubonise kwimifanekiso ngama gama angekho ngaphantsi kwe-50 mm ubude.
  - 7.2 Imifanekiso yesiganeko esikhethekileyo azinakuboniswa ngaphezu kweentsuku ezisixhenxe phambi kosuku lwesiganeko eso kunye kufuneka zisuswe ngaphambi kweyure eziyi-24 emva kosuku lwesiganeko esibonise kwimifanekiso.
8. Imifanekiso yemihlathi eyintloko kunye nezinto eziziqamangeleyo ziya kususwa mihla le ukuba ngaba lonto leyo ayenziwanga imifanekiso iya kususwa. Iphepha-ndaba elo liya kuthi lihlawule iindleko zokususa imifanekiso leyo.
9. Ibhunga ledolophu linokuthi luzibize iindleko zokususa umfanekiso ongekho mthethweni, kunye nokubuyiselwa esimeni kwendawo leyo apho iumfanekiso bezisuswe khona, kumntu okanye abantu abathe baxhoma imifanekiso leyo okanye kumzi wephephandaba elo. Ezo ndleko ziya kuthi ziqwalaselwe minyaka le ngaphantsi kweSheduli yendleko.
10. Ibhunga ledolophu okanye i-arhente zalo ziya kususwa nawuphi umfanekiso obonise ngokungagqinelaniyo nemiqathango ebekwe ngaphezulu apha.
11. Nawuphi umfanekiso ongakhange ususwe mihla le okanye umfanekiso obhekiselele "kwisiganeko esikhethekileyo" ngosuku elibekiweyo okubhekiswe kulo kumhlathi u-7.2 ziya kuthi zisuswe libhunga ledolophu okanye umezeli walo.
12. Ukuboniswa kwemifanekiso engavumelekanga akukho mthethweni yaye ibhunga ledolophu okanye umenzeli walo uza kuthi kwakhona asuse imifanekiso leyo.
13. Ibhunga ledolophu liya kuthi lijonge iindleko zokususa imifanekiso engavumelekanga libhunga ledolophu ngokokuhamba kwamaxesha.
14. Isicelo kufuneka senziwe minyaka le ngumzi ngamnye wephepha-ndaba semvume sokubonisa iimpawu kuxhomekeke ekuhlawuleni ngonyaka liphepha-ndaba komvuzo obekiweyo okanye isiqingatha sawo.
15. Iphepha-ndaba kufuneka likhuphe idipozithi yonyaka ukulungiselela intlawulo yokususa naluphi uphawu olungavumelekanga ngokwalo mthetho. Xa ngaba le dipozithi ithe yaphela, imvume yokubonisa lo miqondiso iyakuthi ipheliswe de idipozithi eyenye ikhutshwe kwibhunga ledolophu.
16. Umvuzo uya kuthi uhlaziye minyaka le libhunga ledolophu kunye nokuvumelana nokubhekiswe kwi-Sheduli okanye kwimirhumo kunye nentlawulo.

**ISHEDYULI "10"****INTENGISO KWIIBHENA, IIFLEGI KUNYE NEEBHALUNI**

Kuxhomekeke kuqwalaselo ngokwalo mthetho, ulakhiwo kunye/okanye ukuboniswa kweebhena, iiflegi okanye ibhaluni kuvumelekile kwindawo zonke ngaphandle kwindawo zolawulo lweqondo lwendalo kunye nendawo zolawulo loqondo oluphezulu olusemaphandleni. Ukongezelela:

1. Iibhena zentengiso ezigxunyekwe endaweni, iiflegi kunye nebhalauni ziya kuthi zivumelane nemiqathango yomgangatho webhunga ledolophu ebhekiselele ekubonisweni kweebhena njengoko kudwelisiwe ngezantsi apha.
2. Uqwalaselo lwentengiso yomntu wesithathu kwiibhena kunye nebhalauni liya kuthi luvunywe kwimisebenzi okanye kwisiganeko esiqhutyelwa ezakalizwi, ezemfundo, ezentlalo-ntle, ezezilwanyana, ezemidlalo, ezoluntu okanye injongo zesizwe okanye umsebenzi okanye isiganeko esibhekisele kwibhunga ledolophu, iphondo okanye kulonyulo lwepalamente okanye ireferandum. Ukuboniswa kwezo bhena kuya kuthi kuvumelane nemiqathango yebhunga ledolophu ebhekiselele ekubonisweni kweebhena njengoko kudwelisiwe ngezantsi apha.
3. Ukuboniswa kweebhena akuvumelekanga nakweyiphi ibhuloro okanye nangaphaya kwayiphi indlela kawonke-wonke, kunye nesecaleni kwendlela esekiweyo libhunga ledolophu ngokokuhamba kwamaxesha, ngaphandle kokuba imvume eyodwa ithe yafumaneka kwibhunga ledolophu.
4. Iibhena aziyi kubotshelwa ukuze zithinte okanye zenze ingozi kubahambi ngenyawo abadlulayo kwindlela yezithuthi.
5. Akukho bhena eyakuba ngaphezu kwe-3 m<sup>2</sup>] ngaphandle kokuba imvume ebhaliweyo yebhunga ledolophu ithe yafumaneka phambi koko.
6. Akukho bhena eya kuboniswa ngaphakathi kwe-30 m yophawu lwezithuthi zendlela okanye umqondiso wezithuthi.
7. Iibhena akufunekanga zigxunyekwe emithini, kwipali zemiqondiso yezithuthi, ibhokisi zombane okanye ibhokisi ezinelungelo zokuthi zinike iinkonzo, okanye ezinye ipali eziqulathe iimpawu zezithuthi zendlela, amatye, nezinye iimpawu zendalo, ifenitshala yesitalato okanye nezinye iimpahla zebhunga.
8. Iibhena akufunekanga zigxunyekwe ngendlela apho zithi zithintele amanye amaziko/noshishino okanye zithinte naluphi uphawu oluqwalaselweyo olukhoyo.
9. Iibhena ezibekwe endaweni zinokuthi zigxunyekwe kuphela kwindawo ezo.
10. Kuya kuthi kuvumeleke kuphela ibhena yentengiso yomntu wokuqala ngesakhiwo ngaphandle kokuba ibhunga ledolophu liye lanikezela imvume ebhaliweyo egunyazisa ukuba iibhena ezingaphezu kwesinye zinokuthi zibekwe kunye umenzi sicelo kufuneka anike ngokubhaliweyo anike imigomo yamaxesha efunekayo yokwakha lo bhena, ixesha elo aliya kuba ngaphezulu kweentsuku ezilishumi (10), ngaphandle kokuba ibhunga ledolophu lithe labongoza, ekuqwalaseleni, ukuba ixesha elongezelelweyo liya nikwa.

**ISHEDYULI "11"****IMIFANEKISO**

Kuxhomekeke kuqwalaselo ngokwalo mthetho, ulwakhiwo kunye/okanye ukuboniswa kwemifanekiso kuvumelekile kuzo zonke iindawo zolawulo ngaphandle kwendawo zolawulo loqondo lwendalo kunye nendawo zolawulo loqondo oluphezulu olusemaphandleni. Ukongezelela:

1. Yonke imifanekiso kufuneka inikezelwe kwibhunga ledolophu ukwenzela ukuba ifakwe isitampu, esinosuku apho umfanekiso lowo uyakuthi ususwe. Eso sitampu kufuneka siboniswe ngokucacileyo ngaphambili kwimifanekiso. Imifanekiso kufuneka isuswe ngaphakathi kweentsuku ezintathu zestampu esibekiweyo kwimifanekiso yaye kufuneka zibuyiselwe kwibhunga ledolophu ngaphakathi kweentsuku ezine zestampu esibekiweyo kwimifanekiso, ukwenzela ukuba kufumaneka idipozithi.
2. Igama lombutho lowo ongumququzeli, umhla wombhiyozo kunye nendawo kufuneka ubonakale kwimifanekiso ngamagama angekho ngaphantsi kwe-50 mm ubude.
3. Akukho ngaphezulu kwesongezelelo se-1 000 yemifakeso ngombhiyozo ngamnye okanye iqumrhu lombhiyozo oqhubekayo, okanye isiganeko nangaliphi ixesha elinye esiya kuthi siboniswe (ngaphandle kwemifanekiso yolonyulo) nakweyiphi indawo esekiweyo libhunga ledolophu.
4. Imifanekiso ayi kuba ngaphezu kwe 0,9 x 0,6 m kummandla.
5. Umthamo woqoqosho wemifanekiso awuyi kuba ngaphezu kwe-20% wommandla wemifanekiso okanye lo magama oqoqosho akayi kuba ngaphezulu kondoqo wamagama akwintsalela yomfanekiso.
6. Imifanekiso iya kuthi ibotshelwe kwipali zombane zebhunga lwedolophu apho zifumaneka khona ukuya kwiqondo eliphezulu lepali ezine kunye nemifanekiso encanyatheliweyo kuphela enokuthi igxunyekwe kwizakhiwo ezikhankanyiweyo ezithe zavunyelwa libhunga ledolophu ngenjongo zokuba imifanekiso incanyathiselwe. Imifanekiso ayi kuncanyathiselwa kwipali zemiqondiso zezithuthi, zombane okanye kwiibhokisi zokunikezela ulawulo lweenkonzo, okanye ezinye iipali ezinophawu lwendlela lwezithuthi, iipali ezakhelwe nayiphi injongo, okanye nayiphi enye ifenitshala yesitalato, iindonga, iingcingo, imithi, amatye, okanye ezinye iimpawu zendalo.
7. Imifanekiso iya kuncanyathiselwa kwiipali zombane zebhunga kodwa ziya kuqatyeliswa kwibhodi yaye zigxunyekwe ngokukhuselekileyo ngentambo okanye ngesibopheleli seplastiki ngaphandle kokuba uphahla olusisigxina lugunyaziselwe loo njongo. (akukho zixhobo zokukhusela ezinomthamo wentsimbi zivumelekileyo).
8. Umfanekiso ibenye kuphela yombhiyozo okanye (isiganeko) lwequmrhu ngalinye elinokuboniswa nakweyiphi ipali eyodwa.
9. Akukho umfanekiso inokuboniswa ngaphakathi kwe-30 m yalo naluphi na uphawu lwezithuthi zendlela okanye imiqondiso yezithuthi.
10. Imifanekiso ayinokuboniswa ngaphezu kweentsuku ezisixhenxe phambi komhla wombhiyozo yaye kufuneka zisusiwe ngaphakathi kweentsuku ezintathu ukusukela kulo mhla wombhiyozo okanye usuku lokugqibela lwalo njengoko kugunyazisiwe.
11. Ukuboniswa kwemifanekiso akuvumelekanga nakweyiphi ibhuloro yaye ibhunga ledolophu kunye/okanye osinga-khawunsile banokutyumba ezinye iindawo apho ukuboniswa kwemifaneko kungavumelekanga khona.
12. Ibhunga ledolophu linokufumana iindleko zalo kunye ngenxa yokususwa kwemifanekiso engekho mthethweni, kunye nokubuyiselwa kwendawo apho imifanekiso isuswe khona, kumntu okanye abantu abanoxanduva lokuboniswa kwemifanekiso.
13. Ibhunga ledolophu okanye umenzeli walo liya kususa nayiphi umfanekiso eboniswe ngokungagqinelaniyo nemiqathango ekhankanyiwe ngentla apha.
14. Nawuphi umfanekiso ongakhange ususwe ngomhla okubhekiswe kuwo kwi—Candelo1 iya kususwa libhunga ledolophu.
15. Ukuboniswa kwemifanekiso engavumelekanga akukho mthethweni kunye leyo mifanekiso iyakususwa libhunga ledolophu okanye umenzeli walo.
16. Ukuboniswa kwemifanekiso ngenjongo yentengiso yezoqoqosho aluvumelekanga, ngaphandle kokuba nawuphi umfanekiso owakhiweyo okanye ebonisiweyo ngumntu, ukwenzela uncedo lezoqoqosho, ebhekiselele kwezemidlalo, ezobugcisa, okanye isiganeko senkqubo yesizwe inokuvunyelwa, nokuba umfanekiso ubonisiwe ngenjongo yentengiso yezoqoqosho.
17. Umntu ngamnye ofuna ukubonisa uphawu uyakuhlulwa kwibhunga ledolophu idipozithi ngomfanekiso ngamnye kunye nentlawulo engabuyiswayo eyokuvumela ukuba abonise loo mifanekiso iintsuku ezikwiqondo eliphezulu eziyi-14, okanye nalo naliphi ixesha njengoko kuyiliwe libhunga ledolophu, loo ntlawulo iyakugunyaziswa ngokweSheduli yebhunga ledolophu yoluhlu lwamaxabiso kunye neentlawulo, epapashwe ngokokuhamba kwamaxesha. Akukho umfanekiso oyakuboniswa ngaphandle kwedipozithi kunye nentlawulo.

**ISHEDYULI "12"****IIMPAWU ZOMENZELI WEZINDLU**

Kuxhomekeke ngokwalo mthetho, ulwakhiwo kunye/okanye ukuboniswa kweempawu umenzeli wezindlu kuvumelekile kuzo zonke iindawo ngaphandle kweendawo zoqondo oluphezulu lwendalo. Ukongezelela:

1. Iimpawu zomenzeli wezindlu ziya kuboniswa kuphela ukususela ngo-12h00 ngomGqibelo ukuya ku-20h00 ngeCawa.
2. Iimpawu zomenzeli wezindlu ziya kubotshelelwa kuphela kwiipali zombane zebhunga ledolophu apho zifumanekayo kunye ziya kubotshelelwa ngentambo eqinisayo okanye iplastiki. Akukho nto yokukhusela eyenziwe ngomthamo wentsimbi eya kuthi ivumeleke. Iimpawu azizo kugxunyekwa emithini, ipali zemiqondiso yezithuthi okanye ezinye ipali eziqulathe iimpawu zezithuthi zendlela, iindonga, iingcingo, amatye, nezinye izinto zendalo okanye iindawo zomhlaba ohlayo, ifenitshala yesitalato okanye ezinye iimpahla zebhunga ngaphandle kokuba omnye umboniso ugunyazisiwe libhunga ledolophu ngokubhalwe phantsi.
3. Kunokuboniswa uphawu lubelinye kuphela liqumrhu ngepali enye.
4. Kuphawu ngalinye, amagama "kuyaboniswa" "Indlu yokubonisa, ifleti yokubonisa okanye isiza sokubonisa elinegama lequmrhu leagente kunye nesikhombisi kufuneka sibonisiwe. (uphawu lwesikhombisi)
5. Apho kungekho khona iipali zogesi zebhunga, iimpawu zinokuthi zibonise kwiziteki kusetyenziswe indlela evunyiweyo lebhunga ledolophu. Iimpawu zeagente zezindlu aziyikuboniswa kwinkonrithi, ipremix okanye indawo ephantsi yesamente. Akvumelekanga ukuba iziteki zingene ndzulu emhlabeni malunga ne-15 cm.
6. Iimpawu zomenzeli wezindlu aziyi kudlula kwi-0,3 m<sup>2</sup> kummandla ogcweleyo.
7. Akukho zimpawu zokukhomba zomenzeleli wezindlu eziyakuba ngaphezu kwesithandathu ziyakuvumeleka ngendlu nganye yokubonisa. Isiza sokubonisa okanye ulude lweflati apho iflathi yokubonisa ibonisiwe khona. Ukuchaza kophawu olunye luyakubandakanya ukuboniswa kwebhodi zeempawu ezibini kuphela, xa ezobhodi zidibenene ngomva ngokujikelezayo kunye nepali yombane.
8. Iimpawu zomenzeli wezindlu aziyi kuboniswa ecaleni kwe Scenic Drives okanye kwiblorho, okanye kwipark zikawonke wonke kunye neendawo ezivulekileyo zika wonke wonke okanye nayiphi na indlela esekwe libhunga ledolophu.
9. Kuyakuthi kubonisiwe iphawu libelinye kuphela ngendlu yokubonisa/iflathi/isiza ecaleni kwendlela engundoqo esikiweyo.
10. Iphawu lomenzeli wezindlu aliya kubekwa ngendlela ethintela uphawu lwezithuthi zendlela.
11. Iphawu lomenzeli wezindlu aliya kwakhiwa kumbindi wentaba yendlela.
12. Iphawu lomenzeli wezindlu alunokwakhiwa ngendlela apho naliphi ilungu lalo likufutshane nge-1,5 m ekupheleni kwendlela.
13. Iimpawu ezizikhombisi ziya kuthi zakhiwe ecaleni kweendlela ezingundoqo kuphela, ziya kuba yindlela emfuntshane ezivela kwindlela engundoqo eya kwisakhiwo.
14. Iimpawu zomenzeli wezindlu azinokwakhiwa kwindawo ezinetha zepavimente.
15. Iimpawu ezibhalwe "Ithengisiwe" kufuneka zakhiwe ecaleni kocingo/udonga lwesakhiwo.
16. Iimpawu ezibhalwe "Ithengisiwe" zinokuboniswa ecaleni kocingo/udonga lwesakhiwo, iiveki ezimbini kuphela.
17. Akukho zimpawu ezibonisa into engeyiyo intengiso yezindlu ezinokwakhiwa okanye zibonisiwe ngoomenzeli bezindlu okanye amaqumrhu azo.
18. Isicelo semvume sequmrhu le-arhente yezindlu nganye minyaka le kufuneka senziwe sokubonisa iimpawu zomenzeli wezindlu kunye noqwalaselo luya kuthi lwenziwe xa kuhlawulwe intlawulo yonyaka njengoko kubhaliwe kwiSheduli yebhunga ledolophu yoluhlu lwamaxabiso kunye neentlawulo epapashwe ngokokuhamba kwamaxesha.
19. Idipozithi iyakuthi ihlawulwe liqumrhu ngalinye apho kuya kuthi khona intlawulo yokususa naluphi uphawu elite labekwa ngokungangqinelaniyo nalo mthetho liya kuhlawulelwa. Ukuba ngaba le dipozithi itha yaphela, imvume yokubonisa lo mqondiso iyaku yekiswa de-idipozithi eyenye ibe ihlawulwe kwibhunga ledolophu.
20. Naluphi uphawu lomenzeli wezindlu olwakhiwe ngokungekho mthethweni, okanye olungavumelaniyo nokuqulathwe kwiSheduli, luya kuthi luhlawulelwe kwibhunga ledolophu, ngokubalwe malunga nokubhaliweyo kwisheduli yoluhlu lwamaxabiso kunye neentlawulo nokuba ngaba uphawu olo lususiwe libhunga ledolophu okanye akwenzekanga oko. Ukuba ngaba uphawu olo alususwanga libhunga ledolophu, inkcazelo efotiweyo yophawu olo lungekho mthethweni iyakuthi ifunyanwe libhunga ledolophu phambi kokuba kunikwe intlawulo.

**ISHEDYULI "13"****IIMPAWU EZIPHATHEKAYO EZIKHULULEKILEYO**

Kuxhomekeke kuqwalaselo ngokwalo mthetho, ulwakhiwo kunye/okanye ukuboniswa kweempawu eziphathekayo ezikhululekileyo luvumelekile kwindawo zonke zolawulo loqondo oluncinane kunye noluphakathi kunye neendawo eziyiliweyo ngaphakathi kweendawo ezisedolophini zolawulo loqondo oluphezulu. Ukongezelela:

1. Iimpawu eziphathekayo ezikhululekileyo ezibekwe kwindlela engumbeko okanye kwindawo evulekileyo ka wonke-wonke ngaphandle kwemvume ebhaliweyo yebhunga ledolophu aziyi kuvunyelwa ngokungaphantsi kwalo mthetho.
2. Ibhunga ledolophu linokuthi lisuse lingakhange lube lunike inotisi, ezompawu ziphathekayo zikhululekileyo zibekwe ngaphandle kwemvume yebhunga ledolophu kwindlela engumbeko okanye kwindawo ephantsi kolawulo yebhunga ledolophu. Ibhunga ledolophu liya kuthi lizisuse ezi mpawu. Abanini baya kuthi baze kuthabatha izinto zabo emva kokuhlawula imali engage R100,00 kwibhunga ledolophu mali leyo eya kuthi isetyenziselwe ukuhlawula iindleko zokususa, zokugcina kunye nezokuthutha.
3. Ibhunga ledolophu liya kuthi lujonge izicelo ukuvumela ukubekwa, ngaphakathi kwindlela engumbeko okanye kumhlaba ophantsi kolawulo lebhunga ledolophu ezinye iimpawu eziphathekayo ezikhululekileyo ezivumelanayo nale miqathango elandelayo:
  - 3.1 Iimpawu eziphathekayo ezikhululekileyo aziyo ngozi ngokokhuselo kuwonke-wonke kunye nesakhiwo esilungileyo kunye nobukhulu.
  - 3.2 Iimpawu eziphathekayo ezikhululekileyo azithinti okanye zingaphathi kakuhle uwonke-wonke ngenxa yobume bobukhulu okanye indawo ezibekwe kuyo.
  - 3.3 Uphawu oluphathekayo olukhululekileyo aluthi luphazamise abanye abarwebi.
  - 3.4 Uphawu oluphathekayo olukhululekileyo, okanye inombolo ecetywayo lalo aluphambuki kwinkonzo yengingqi yesitalato sekapa okanye ubume bendawo bengingqi.
  - 3.5 Uphawu oluphathekayo olukhululekileyo lusetyenziswa kuphela ukuthengisa igama leshishini, iimpahla kunye/okanye iinkonzo ezithengiswayo kwisakhiwo somthengisi.
  - 3.6 Uqondo oluphezulu lwemigqaliso lophawu olucetywayo oluphathekayo nolukhululekileyo luya kuba yi-1,20 m (ubude) x 0.6 m (ububanzi).
  - 3.7 Uphawu oluphathekayo olukhululekileyo luya kubekwa nkqo ngaphambi kwesakhiwo somthengisi, ukuba ngaba ezi mfuneko zithe zalandelwa.
  - 3.8 Uqondo oluncinane lendlela emhlophe oluyi 1,2 m egudlene nophawu kufuneka ihlale imhlophe.
4. Iimpawu eziphathekayo ezikhululekileyo ezivunyiweyo ziya kwabelwa indawo engqongileyo ngaphakathi kwindlela engumbeko okanye kwisakhiwo sebhunga apho, ngeyure zesiqhelo zorhwebo, abenzi sicelo baya kuthi ngoko babeke uphawu oluphathekayo olukhululekileyo oluvunyiweyo. Olu phawu oluphathekayo lukhululekileyo kufuneka lususe ngaphandle kweeyure zesiqhelo zorhwebo kunye lugcinwe kude kwindawo ebonakalayo kawonke-wonke.
5. Iindawo engqongileyo yokubonisa iimpawu eziphathekayo ezikhululekileyo, ziya kuthi ziqeshiselwe umenzi sicelo ngentlawulo eya kuthi ibekwe libhunga ledolophu kunye ipapashwe ngokwe-Shedule yoluhlu lwamaxabiso kunye neentlawulo eya kuthi iqwalaselwe ngonyaka libhunga ledolophu, intlawulo yalo enikwa kuqala yeqondo eliphezulu leenyanga ezintandathu.
6. Abenzi zicelo kuza funeka bangasoli ibhunga ledolophu kumabango wabantu besithathu xa anokuba khona ngenxa yokubekwa kweempawu eziphathekayo ezikhululekileyo ngaphakathi kwindlela engumbeko okanye kwisakhiwo sebhunga kunye baya kuthabatha i-inshorensi yomntu wesithathu.
7. Kungakhange kwabe kuthatyathelwe ingqalelo okubhalwe ngaphezulu ibhunga ledolophu linokususa okanye lithabathele kulo iimpawu eziphathekayo ezikhululekileyo ukuba ngaba umenzi sicelo uthe akathobela imiqathango engentla apha.
8. Intlawulo ebhalwe apha iya kuthi ivavanywe ngonyaka libhunga ledolophu kunye ngokubhekisele kokupapashwe kwisheduli yoluhlu lwamaxabiso kunye neentlawulo.

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**ISHEDYULI "14"****IIMPAWU ZASEMOYENI**

Kuxhomekeke kuqwalaselo ngokwalo mthetho, ulwakiwo, kunye/okane ukuboniswa kweempawu zesibhakabhaka kuvumelekile kuphela kwiindawo zolawulo oluphakathi ezidolophini okanye kwiindawo zolawulo loqondo oluphantsi. Ukongezelela:

1. Akuyi kubakho uphawu lwasemoyeni olugxunyekwe nakwesiphi isakhiwo okanye indawo luya kubhajiswa kubude obungaphezulu kwe-45 m yomphezulu olinganiselwe kwiqondo lomhlaba.
  2. Iimpawu zasemoyeni akufunekenga zibhajiswe ngaphezu kwendlela kawonke-wonke.
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**ISHEDYULI "15"****INTENGISO EHAMBAYO**

Kude kube kuqwalaselwe ngokwalo mthetho, ulwakiwo kunye /okanye ukuboniswa kweempawu zentengiso ehambayo luvumelekile kuphela kwiindawo ezisedolophini zolawulo oluphakathi noluncinane. Ukongezelela:

1. Ukupakwa kophawu lwentengiso ehambayo olubonakalayo kwindlela kawonke—wonke okanye kwindawo kawonke-wonke ngenjongo yentengiso yomntu wesithathu aluvumelekanga, ngaphandle kokuba luboniswe kwindawo econgweyo egunyaziswe ngokwalo mthetho.
  2. Iimpawu zentengiso ehambayo epakwe kwisakhiwo sangasese ngenjongo zokuligcina luya kubekwa ngendlela apho luya kuthi lungabonakali endleleni okanye kwindawo kawonke-wonke.
  3. Ipaneli yentengiso okanye isiqingatha sesithuthi esisetyenziselwe intengiso ehambayo ayinakuba ngaphezulu kwe-18 m<sup>2</sup> kwindawo zolawulo oluphakathi, ubukhulu obo bunokwandiswa ukuya kwiqondo oluphezulu oluyi-36 m<sup>2</sup> kwiindawo zolawulo oluncinane.
  4. Ibhunga ledolophu lunokutyumba amabala wentengiso ehambayo kunye aya kupapasha loo mabala ngokokuhamba kwamaxesha.
  5. Kungakhange kube kuqwalaselwe nakuphi okuqulathwe kulo mthetho, ibhunga ledolophu okanye emenzile walo eligunyazisiweyo linokuthi ngaphandle kokunika inotisi zisuse naluphi uphawu lwentengiso ehambayo olungekho mthethweni kumhlaba webhunga, kunye, ukuba ngaba kukho intengiso ehambayo engekho semthethweni kumhlaba wangasese, ibhunga ledolophu okanye i-arhente zalo ezigunyazisiweyo zinokunika inotisi yokuba kususwe uphawu olo ngokwalo mthetho.
  6. Iimpawu zentengiso ehambayo kufuneka zigxunyekwe emhlabeni kwindawo yokupaka.
  7. Zonke ezo trailer kufuneka zibhaliswe njengetrailer ezihambayo zentengiso ehambayo nebhunga ledolophu ukwenzela ukub uqwalaselo lo mthetho lube lula.
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**ISHEDYULI "16"****IIMPAWU EZI KUMHLABA WE BHUNGA/NEZAKHIWO**

Ngaphandle kokudweliswe ngezantsi apha, akukho zimpawu ngaphandle kwezibekiweyo endaweni, iimpawu zexeshana eziquka uphawu oluphathekayo olukhululekileyo, iimpawu ze-zomenzeli wezindlu, imifanekiso yomhlathi oyintloko wephepha-naba kunye nemifanekiso (ulwakhiwo lwazo kufuneka lungqinelane neesheduli ezilungele okungqinelana noko) ziya kwakhiwa kumhlaba webhunga.

**A. IIMPAWU ZOQOQOSHO EZIXHASIWEYO NGEMALI, NGAPHANDLE KWEZO KUBHEKISWE KUZO KWICANDELO 62**

1. Kungakhange kuqwalaselwe indawo yolawulo ngaphakathi apho kucetywa ulakhiwo lo phawu loqoqosho oluxhasiweyo ngemali kumhlaba webhunga, kunye nongqinelwano nako konke okuqulathwe kulo mthetho, ibhunga ledolophu linokujonga uphawu loqoqosho oluxhaswe ngemali ngenjongo zokuliphumeza, phantsi koku kulandelayo:
  - 1.1 Iimfuno kunye nemigomo kawonke-wonke okanye abahlali ziya kuqanjwa libhunga ledolophu kunye/okanye zivunye lulo kunye ukuba ezo mfuno zinokuqwalaselwa zonke okanye ezinye zazo ngokunika imigomo enganeno kubantu abathile ukuba kwakhiwe iimpawu zoqoqosho ezixhasiweyo ngemali, ibhunga ledolophu luvumelekile ukuba libize izindululo zeemfuno nemigomo kawonke-wonke okanye wabahlali kunye neentengiso ezibhekisele kuzo.
  - 1.2 Xa kufuna ukuqanjwa iimfuno nemigomo kawonke-wonke okanye abahlali, isebe lebhunga elibandakanyekayo kunye nabanye abalawuli ababandakanyekayo baya kuthi baxelelwe phambi kokuba isindululo senziwe, ukwenzela ukuqwalasela imiqathango, indlela kunye nezithinteli ezimalunga nentengiso.
  - 1.3 Ipolisi yeProcurement iyakusetyenziswa yaye intsetyenziswano nabantu abebejongelwe phantsi ngaphambili, oosomashishini abancinane, ulwenziwo lwemisebenzi kunye nokuxhotyiiswa kuya kujongwa nakwesiphi isindululo.
  - 1.4 Nasiphi isindululo siya kuqwalaselwa phantsi kwemiqathango yalo mthetho kunye kwezinye izinto kujongwe ngokukodwa ingeniso kawonke-wonke okanye abahlali, unikelo lwemizobo; ubugcisa kunye nokhuseleko luka wonke-wonke kunye nokuthotyelwa kwemiqathango kunye/okanye okuqulathwe kulo mthetho ngoku phikisanayo namathuba amakhulu entengiso kunye/okanye indzuzo yemali. Ukongezelela, isigxina segalelo somgomo kawonke-wonke okanye abahlali okanye iimfuno zabo ziya kuthatyathelwa ingqalelo kunye nokubuyekenza kwentlawulo ngexesha lolwakhiwo lophawu. Xa iminikelo ngenye indlela izakufunwa libhunga ledolophu, uguqulelo lwalo kunikelo ngemali kwiinkonzo zezemali lebhunga ledolophu luya kuqwalaselwa.
  - 1.5 Amasebe ebhunga abandakanyekayo, isebe lezokwakha lebhunga kunye nesebe lolawulo lobume bendawo kunye nesebe lezithuthi kunye nele zendlela (xa kubandakanyeka intengiso engaphakathi kwendlela engumbeko) ziza kusebenzisana ukuphonononga isindululo kunye nolwamkelo luya kunikwa xa elo phononongo luqityiwe.
  - 1.6 Ibhunga ledolophu njengomni linelungelo lokuba lungaqhubeki naso nasiphi isindululo phambi kwesigqibo soqwalaselo lokugqibela kunye nokubiza kwezi memo zezindululo nangoluphi uhlobo aluzo kwaziwa njengesigqibo sebhunga ledolophu lokuqhubeka nolwakhiwo lophawu malunga nebala elithile.
  - 1.7 Emva kokuba sivunyiwe, naluphi uphawu oluza kwakhiwa ngokwalesheduli kufuneka lube yimvumelwano ebhaliweyo phakathi kwebhunga ledolophu njengomni kunye nomntu ozakwakha uphawu olo isivumelwano eso siya kuqulatha amalungelo kunye nezinto ezingafanelekanga zabo bobabini ababandakanyekayo kodwa zingenakho ukugqithela nakwezaphi izinto ezingafanelekanga kumntu ngamnye ngokwalo mthetho. Akukho phawu lunokwakhiwa okanye luboniswe ngokwalesheduli kude isivumelwano sigqityiwe kunye nekopi etyikityiweyo ibhekiswe kwisebe lolawulo lobume bendawo yebhunga ledolophu.

**B. IIMPAWU EZIXHASIWEYO NGEMALI**

2. Kungakhange kwabe kuqwalaselwe indawo yolawulo ngaphakathi apho kucetywa ulwakhiwo lwalo uphawu kumhlaba webhunga kunye lude lungqinelane nako konke okuqulathwe kulo mthetho, ibhunga ledolophu luya kujonga uphawu oluxhasiweyo ngemali ngenjongo yokuliphumeza phantsi kwale miqathango:
  - 2.1 Kwisicelo esiza kunikezelwa ngokweCandelo 2 lwalo mthetho, iinkcukacha ezibhaliweyo zinikwe ngokucacileyo ezichaza imigomo womntu wonke obandakanyekayo kunye nabahlali eza kuphunyezwa ngolwakhiwo kunye/okanye ezakuboniswa luphawu olucetywayo.
  - 2.2 Iimpawu ezinomthamo wepolitiki azivumelekanga.
  - 2.3 Akuvumelekanga ukuba kusetyenziswe ngaphezu kwe-5% bobume obugcweleyo bobuso bophawu ngentengiso yomntu wesithathu.
  - 2.4 Ubume beqondo eliphezulu balo naluphi olo phawu buyi-6 m x 3 m olunikiweyo ngophawu olunobume obungu-V olucetywayo, iqondo eliphezulu lobukhulu balo akufunekanga lube ngaphezulu kweepaneli ezimbini eziyi-6 m x3 m inye.
  - 2.5 Izicelo zeebhilbhodi eziza kwakhiwa ngokwelicandelo kufuneka zivumelane nemigomo njengoko ibekiwe kwiSheduli 2.
  - 2.6 Akukho phawu elakhiwe ngokwalo mhlathi liza kubekwa ngaphakathi kwe-5 m yemigca yebhawundri yesakhiwo.

**C. IIMPAWU EZINGEZIZO EZENGENISO**

Kungakhange kwabe kuqwalaselwe indawo yolawulo ngaphakathi apho kucetywa ulwakhiwo lophawu, kunye lude lungqinelane nako konke okuqulathwe kulo mthetho, ibhunga ledolophu luya kuphonononga ulwakhiwo lophawu okanye ukwenzela ingenelo yequmrhu elingenzi maliphantsi kokungqinelana nemiqathango edweliswe kwi-Sheduli 17 apha.

**ISHEDYULI "17"****IIMPAWU EZAKHIWE NGAMAQUMRHU ANGENGAWO ENZA INDZUZO OKANYE OKHELWE INGENISO YAWO**

1. Kunga khangе kwabe kuqwalaselwe indawo yolawulo ngaphakathi apho kucetywa ulwakhiwo lophawu lwequmrhu elingenzi ndzuzo okanye ingeniso yalo, kunye nongqinelwano nako konke okuqulathwe kulo mthetho, ibhunga ledolophu luya kuphonononga olo phawu ngenjongo zokuliphumeza phantsi kwalimiqathango:
  - 1.1 Kwisicelo esiza kunikezelwa ngokweCandelo 2 lwalo mthetho, iinkcukacha ezibhaliweyo ezivela kummeli wequmrhu elingajonganga ndzuzo malunga nobume kunye nobukhulu benxaso ezakufumaneka ekwakhiweni okanye ekubonisweni kophawu kufuneka ibhekiswe kwibhunga ledolophu, kunye nenye inkcazelo edweliswe kwiCandelo 2 yalo mthetho.
  - 1.2 Umgomo wentsebenziswano nabantu abasuka kwindawo ebezijongelwe phantsi, amashishini amancinane, ulwakhiwo lwemisebenzi kunye noxhotyiso luya kuphononongwa nakwesiphi isindululo.
  - 1.3 Nasiphi isindululo siya kuphononongwa ngokubhekisele kwimqathango yalo mthetho kunye nomgomo wabahlali okanye ingeniso, unikelo lwemizobo, ubuchule kunye nokhuseleko lukawonke-wonke kunye nokuthotyelwa kwemiqathango kunye/okanye okuqulathwe kulo mthetho ngokuchaseneyo namathuba amakhulu entengiso kunye/okanye ingeniso yemali. Ukongezelela, isigxina senxaxheba kwinjongo yequmrhu elingenzi ndzuzo liya kuthatyathelwa inxaxheba.
  - 1.4 Xa ngaba kucetywa ukuba uphawu olo luya kwakhiwa kumhlaba webhunga;
    - 1.4.1 Amasebe ebhunga abandakanyekayo, isebe lezindlu lebhunga kunye nesebe lolawulo lobume bendawo kunye nolwezithuthi kunye nolwezindlela (xa ngaba intengiso ingaphakathi kwindlela egumbeko) aya kuthi onke aphonononge isindululo kunye noqwalaselo luya kunikwa xa ngaba uphononongo olo lugqityiwe.
    - 1.4.2 Ibhunga ledolophu njengomnini lunelungelo lokuba lungaqhubekiki naso nasiphi isindululo phambi koqwalaselo lokugqibela.
    - 1.4.3 Ukuba luvunyiwe, nalo naluphi uphawu oluza kwakhiwa phantsi kwaleSheduli, kumhlaba webhunga kufuneka lube yimvumelwano ebhalwe phantsi phakathi kwebhunga ledolophu, nomntu obandakanyekayo elwakhiweni lophawu kunye nequmrhu elingenangeniso isivumelwano eso siqulathe amalungelo kunye nemiqathango yabantu bonke abandakanyekayo kodwa izinto ezo zingenakusuka kokuqulathwe kulo mthetho. Uphawu olo alunakwakhiwa de isivumelwano sibe sigqityiwe kunye nexwebhu lwaso lunikezelwe kwisebe lezolawulo lobume bendawolebhunga ledolophu.
2. Ukongezelela, lemiqathango ilandelayo iyakusebenza:
  - 2.1 Iimpawu ezinomthamo wepolitiki azivumelekanga.
  - 2.2 Ubume beqondo eliphezulu lwalo nolunjani olophawu luyi-6 m x 3 m xa ngaba uphawu olo lucetywayo lunobume obungu-V , iqondo eliphezulu lobukhulu balo akufunekanga lube ngaphezulu kweepaneli ezimbini eziyi-6 m x 3 m inye.
  - 2.3 Izicelo zeebhilikhodi eziza kukwakhiwa ngokweli-candelo kufuneka zivumelane nemiqathango njongoko ibekiwe kwiSheduli 2.
  - 2.4 Akukho phawu lwakhiwe ngokwalo mhlathi liya kuba ngaphakathi kwe-5m yemigca yomda wesakhiwo.
  - 2.5 Igama lequmrhu elingenzi ndzuzo, kufuneka liboniswe ngokucacileyo ecaleni kumphezulu wobubanzi bephawu ngamagama obude obungaphezulu obuyi 300 mm.
  - 2.6 Indibano kawonke-wonke kufuneka iqhubeka kunye nabo bonke abantu abandakanyekayo lulwakhiwo kunye/okanye ukuboniswa kophawu.
  - 2.7 Ibhunga ledolophu linokufuna unikezelo lovavanyo lobume bendawo kunye/okanye uvavanyo lobume bezithuthi kunye/okanye uvavanyo lweqondo lweheritage malunga nokuqulathwe kwimiqathango yalo.