

What you need to know about eThekweni's new outdoor advertising by-laws

By [Graeme Phillips](#)

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The eThekweni Municipality's new outdoor advertising by-law has come into force, effective 4 July 2019.



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The by-law, the primary aim of which is the regulation of outdoor advertising within the eThekweni Municipality area, prohibits the display of an outdoor advertising sign unless authorised by a permit issued by the Municipality. For purposes of the by-law “an outdoor advertising sign” is widely defined and includes, in particular, contractors’ boards, estate agents’ boards and all outdoor advertising signs. The exemptions, which do not require a permit, are listed in Section 6 of the by-law and include:

- a sign which bears only the name of the business, which is situated outside the premises of that business, provided that the board does not exceed 0.6 square metres and does not project onto the road;
- a sign incorporated into the face of the building, and which forms an integral part of the fabric of the building;
- an outdoor advertising sign which is displayed in an arcade and which is not aimed at road users; and
- an outdoor advertising sign, which is displayed inside a building and which is more than 2 metres away from a window or any other opening.

Chapter 6 of the by-law deals specifically with estate agents’ boards and contractors’ boards, and states that an estate agent or contractor may not display a board unless a specific permit authorising the display of such board has been issued by the Municipality. In the case of estate agents, each individual estate agent (as opposed to an estate agency), must hold a permit which is valid for a period of 12 months. Further, estate agents’ boards are required to show the name of the agency to which the estate agent belongs, the logo of the agency, the name of the estate agent, the estate agent’s contact details and the individual estate agent’s fidelity fund certificate number.

Schedule 13 to the by-law outlines specifications for estate agents' boards and contractors' signage, including specifying the number of boards that may be displayed per property, the period for which they may be displayed and the size of the board in question.

There are 19 schedules in all dealing with specifications of all types of signage, including, inter alia, billboards, posters, home business signs, signs at school, sports stadia, roof signs, community policing and conservancy signs and flags displayed on private property.

Section 49 of the by-law states that should an outdoor advertising sign have been erected prior to the commencement of this by-law, without formal approval, which advertising board in terms of this by-law, requires a permit, the owner of the advertisement must apply to the Municipality for approval within 90 days of the date of commencement of this by-law, failing which, the advertisement or advertising sign must be removed immediately.

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