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PROVINSIE WES-KAAP

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CITY OF CAPE TOWN  
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# CITY OF CAPE TOWN OUTDOOR ADVERTISING BY-LAW, 2023

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

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**To regulate the use of land and buildings for outdoor advertising and signage and for matters incidental thereto; to repeal the Outdoor Advertising and Signage By-law of 2001.**

**PREAMBLE**

**WHEREAS** section 156(2) and (5) of the Constitution of the Republic of South Africa, 1996 provides that a Municipality may make and administer by-laws for the effective administration of matters which it has the right to administer, and to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

Whereas in terms of Part B of Schedule 5 of the Constitution of the Republic of South Africa, 1996, the City has legislative competence relating to Billboards and the display of Advertisements in public places;

**AND THEREFORE, BE IT ENACTED** by the Municipal Council of the City of Cape Town as follows:—

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## DEFINITIONS

1. In this By-law, unless the context otherwise indicates:

**“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 are tied to buildings or other structures located on a premises and which can be viewed from within the City’s area of jurisdiction.

**“Appropriately qualified person or practitioner”** means a person or practitioner who has professional qualifications, training, skills or experience relevant to outdoor advertising and can give authoritative assessment, advice and analysis relative to outdoor advertising using literature, established protocols or objective standards and methods.

**“Approval”** means approval by the City or by its officials, sub-councils, or committees.

**“Areas of control”** means a classification of different landscapes, areas, sites and drives, and reflects the degree of control such as maximum, partial and minimum control, to be applied to these receiving environments as set out in Schedule 1.

**“Authorised official”** means an employee of the City responsible for carrying out a duty or function or exercising any power in terms of this By-law and includes any employee delegated to carry out or exercise the duty, function or power.

**“Balcony”** means a platform enclosed by a wall or balustrade on the outside of a building, with access from an upper-floor window or door.

**“Banner”** means any material upon which a sign is displayed in such a manner as to be fully legible in windless conditions, tied to one or more ropes, poles (excluding City street light poles) or flagstaves projecting vertically, horizontally or at an angle, or tied to buildings or special structures, but excludes banners carried as part of a procession.

**“Billboard”** means any screen or board which stands free and is larger than 4.5m<sup>2</sup> in total advertising 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 third party sign.

**“Candela”** means the standard SI (per Second Luminous Intensity) unit of luminance intensity relating to the illuminating power of a light source in a given direction.

**“City”** means the City of Cape Town, a municipality established by City of Cape Town Establishment Notice No 479 of 2000, issued in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998), and includes any structure or employee, representative or agent thereof, acting in connection with this By-law by virtue of a power vested in the City or such delegated authority.

**“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.

**“Coastal zone”** means ‘coastal zone’ as defined in the National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008).

**“Commercial advertising”** means any words, letters, logos, figures, symbols, or 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, function or event.

**“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, including windows or any other openings.

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

**“Construction site sign”** means a temporary sign containing locality bound or third party advertising displayed on a construction site hoarding, scaffolding, scaffold mesh screen, scaffolding wrap, self-climbing protective screen or freestanding locality bound sign, but excludes property marketing signs and contractors’ boards.

**“Continuing offence”** means when a person convicted of an offence under this By-law who, after conviction, continues with the conduct in respect of which he or she was so convicted.

**“Contractors’ board”** means a temporary sign that is displayed at premises on which building operations, laying of fibre cables, plumbing, electrical, garden landscaping, irrigation, repairs or any other improvements that are being undertaken or are in progress and which advertises only the name, contact details and type of service or product offered and undertaken by the contractor at the premises.

**“Custom-made design”** means the unique design of any sign, which is exclusively designed and constructed for erection in its location and must contain at least one of the following elements:

- (a) special effects such as specialist character cut-outs but excluding LED strip lights where these are the only special effect;
- (b) specialist character shapes;
- (c) three dimensional presentations; or
- (d) moving parts.

**“Designated arterial road”** means a Class 1 Principal Arterial, Class 2 Major Arterial or Class 3 Minor Arterial road as depicted on the Road Masterplan contained in the City of Cape Town Comprehensive Integrated Transport Plan, as amended from time to time.

**“Development board”** means a developer’s temporary sign displayed at premises which has an approved building plan for a proposed development describing the type of development to be carried out or being carried out and may include a pictorial representation or description of the proposed development, the pricing and the name and contact information of the developer, the financial services provider and/or the property marketing agent.

**“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 the sign itself, and “displayed” has a corresponding meaning.

**“Drone”** means a remotely piloted unmanned aircraft excluding model aircraft and toy aircraft.

**“Electronic sign”** means a sign which is electronically controlled and displays static, simple transition advertisements, animation, other special effects, words, symbols, figures or content, that are digitally or electronically changed by remote or by automatic means at different intervals but excludes a projected sign.

**“Electronic screen”** means an electronic visual display device for the presentation of images, text, or video transmitted electronically or for any live streaming or broadcasting. Electronic visual displays include television sets and computer monitors.

**“Environment”** means the receiving context in which a sign is proposed and includes all natural areas as well as areas and structures modified or built by humans, including biodiversity and natural resources, cultural heritage and visual amenity, aesthetics and all factors affecting human health and the quality of human life.

**“Event”** means—

- (a) any sporting, recreational or entertainment event, including live acts;
- (b) any educational, cultural or religious event; or
- (c) any non-profit event, including any conference, organizational or community event.

**“Existing sign”** means any sign erected with or without approval from the City.

**“Flat sign”** means a sign which is affixed to, projected, pasted 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 250mm in front of the surface of such wall, or a sign engraved or moulded into and forming an integral part of the fabric of a building, or a sign affixed flat onto a boundary wall.

**“Freestanding sign”** means any sign or group of signs contained or displayed on one freestanding structure that is not attached to a building or to any structure or object that is not intended to be used for the primary purpose of advertising.

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

**“Heritage Resources Assessment”** (HRA) means an impact assessment on cultural heritage, including a visual assessment considering any impacts of the proposed sign on heritage resources, streetscapes and views.

**“Inflatable sign”** means any sign, the display of which is to some extent reliant on pumped air or gas.

**“Internally illuminated sign”** means a 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, and “illumination” and “illuminated” have a similar meaning.

**“Lamp pole swivel banner”** means a temporary banner displayed by means of a swivel hinged bracket mounting system, erected on street light poles and which advertises functions, events or campaigns or is used for electioneering campaigns or voter registration purposes.

**“Law”** means any law, by-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, which sign refers to the name of the premises or building, the name or logo of the business

being carried out on or from that erf, premises or building, or an activity, product, service or attraction, rendered or provided on or from that erf, premises or building.

**“Light spillage”** means lighting from a light source that illuminates a sign but which light falls outside the area of the sign that is intended to be illuminated.

**“Loose portable sign”** means a freestanding sign not permanently fixed and not intended to remain fixed in one position, either loose standing or held for display.

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

**“Multi-use building”** means a building or site used for both residential and any additional non-residential purposes.

**“Newspaper headline poster”** means a temporary poster advertising the contents of a daily or weekly newspaper that is on sale.

**“Non-profit body”** means a body established primarily to promote a community goal or benefit without direct or personal financial gain; and may include educational, sporting and medical bodies, City departments, as well as charities or community organisations.

**“Non-residential building”** means a building wherein no portion is occupied or used for human habitation whether temporary or permanent.

**“Organ of state”** means—

- (a) any department of state or administration in the national, provincial or local sphere of government; or
- (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; and
- (c) any body of persons, whether incorporated or not, functioning as a single entity for whatever purpose.

**“Posters”** means temporary signs capable of being attached to City street light poles or pasted to fixed structures to advertise events or campaigns of limited duration, including elections or referenda or which posters are used for electioneering campaigns or voter registration purposes, excluding advertising posters for the same event being held on a permanent or 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 but excludes electronic and digital signs.



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

**“Property marketing agent”** means a person who markets and sells properties with or without buildings erected thereon and “Property Marketing Agency” has a corresponding meaning.

**“Property marketing sign”** means a sign displaying information relating to the marketing, selling, auctioning or letting of immovable property to which the advertisement on the sign relates and includes estate agent signs, auctioneer signs and property marketing directional signs or boards.

**“Public façade”** means any façade that has windows, openings or other architectural articulations, which is either a street-facing façade or any other façade set back from a side or rear erf boundary, and which contains designed elevations or which façade is blank.

**“Public place”** means any public road, public parking area, public street, thoroughfare, bridge, subway, footway, foot pavement, footpath, sidewalk, (or similar pedestrian portion of a Road Reserve), lane, square, open space, garden, park, beach or enclosed place vested in the City, 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 a public road as defined in the National Road Traffic Act, 1996 (Act 93 of 1996).

**“Residential building”** means a building or portion of a building or site designed for human habitation whether temporary or permanent, and includes, but is not limited to dwelling houses, dwelling units, flats, guest houses, bed and breakfast establishments, boarding houses, hotels, rooms to let, self-catering units and hostels.

**“Road Authority”** means the municipal or provincial government department responsible for administering a road within a given jurisdiction.

**“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 including reserves in respect of unmade roads.

**“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, 1996 (Act 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 or drive designated as such on either an approved zoning map or within the Municipal Spatial Development Framework, from which landscapes or features of aesthetic or cultural significance can be seen or viewed as designated by the City from time to time.

**“Security sign”** means an outdoor sign for a—

- (a) neighbourhood watch;
- (b) street committee;
- (c) central improvement district; or
- (d) security service;

and which sign may only contain the name, logo, address and telephone number of the above scheme or service.

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

**“Signage Impact Assessment”** (SIA) means an assessment carried out in order to determine whether a proposed sign has the potential to be detrimental to or negatively impact on the environment, whether artificial or natural which includes among other aspects, the social, visual, heritage and traffic safety impacts of the proposed sign.

**“Signage masterplan”** means a submission with drawings, text, and specifications setting out the specifics of the location, arrangement, illumination, and conceptual type and design of signs to be erected and/or existing signs on premises or within a particular area.

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

**“Sign”** includes but is not limited to—

- (a) an object;
- (b) a structure;
- (c) a mural;
- (d) a product replica;
- (e) a logo;
- (f) a device or board;
- (g) a Poster;
- (h) a Banner; or
- (i) a Lamp Pole Swivel Banner

which is used to display an advertisement, or contains an advertisement, or which is in itself an advertisement and “signage” has a corresponding meaning.

**“Sign structure”** means any structure or part thereof, including but not limited to a frame, stand, pole, fabric, board, fastenings, brackets or lighting device, which is used to support or display a sign, whether this is its primary function or not and “advertising structure” has a corresponding meaning.

**“Signalised 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 not exceeding 1m<sup>2</sup>, incorporating advertising, displayed in combination with names of streets.

**“Street furniture”** means City owned 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 or bag dispensers, bus shelters, sidewalk clocks, drinking fountains, telecommunication boxes, wi-fi hubs, interpretive maps and signs, traffic signal controllers, electricity boxes, but excludes road traffic signs, traffic signals, street light poles, or any other road-related structures.

**“Sub-council”** means a metropolitan sub-council established in terms of Section 3 of the City of Cape Town: Cape Town Sub-council By-law, 2003 as amended.

**“Temporary public art”** means artwork or design elements that are temporarily located in a public space and may take various forms, including but not limited to sculptures, paintings, murals, mosaics, land art, photography and digital technologies.

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

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

**“Third party advertising”** means a sign advertising goods or services that are not produced, sold, performed or provided, from the property on which the advertisement is displayed and this includes advertising which is not locality bound.

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

**“Traffic Impact Assessment”** (TIA) means an assessment carried out by a registered Traffic Engineering Practitioner with demonstrable experience in the field of traffic engineering that investigates the impact a proposed sign may have on motorist/pedestrian/cyclist safety and traffic operation in accordance with the City's guidelines for outdoor advertising as may be published by the City from time to time.

**“Traffic sign”** means a road traffic sign as described in the National Road Traffic Act, 1996 (Act 93 of 1996).

**“Traffic signal”** means a road traffic signal as described in the National Road Traffic Act, 1996 (Act 93 of 1996).

**“Transit advertising”** means advertising on or in conjunction with a motorized vehicle or non-motorized vehicle whether such vehicle is of standard design, custom-made, or has been purposely built to accommodate a sign, and, includes watercraft such as boats or other vessels that travel on water whether motorised or not or trailers primarily used for advertising purposes.

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

**“Vehicular advertising”** means advertising on motorised or non-motorised vehicles, which are primarily moving on land including but not limited to bicycles, taxis, buses, and delivery vehicles but excluding vehicles primarily used for advertising purposes.

**“Verandah”** means a roofed platform along the outside of a building, level with the ground floor and includes a cantilevered canopy and sunblind.

**“Window signs”** means locality bound signs which are temporarily or permanently painted, sandblasted, pasted, attached, written on or displayed behind the window glass of shopfronts or commercial, office, industrial, or entertainment units to which window signs relate and do not extend over the window frames, bars, mullions, transoms, sills or lintels of the window in question.

## **2. OBJECTS OF THIS BY-LAW**

The purposes of this By-law are to—

- (1) regulate outdoor advertising in the jurisdiction of the City of Cape Town to ensure that it respects the integrity of any site on which it is displayed, and does not negatively impact on the character of the locality in which it is displayed. In this

regard, the protection of visual, tourist, traffic safety, environmental and heritage characteristics are key considerations;

- (2) create economic opportunities by improving the ease of doing business with the City, reducing red tape and providing for a number of signs that do not require applications to be submitted before they are erected;
- (3) address the regulatory gap created by the introduction of digital and electronic signage technologies and promote the use of such creative technologies;
- (4) determine areas of control to deal with the dynamics between the type of the sign, the sign itself and where it is to be located; and
- (5) set out the procedures to be followed and the criteria to be used when seeking approval for a sign constituting outdoor advertising in the City of Cape Town.

### **3. SIGNS EXEMPT FROM THIS BY-LAW**

The following signs do not require the City's prior approval in terms of this By-law:

- (1) Information signs which are also tourism destination road signs as defined in the Southern African Development Community Road Traffic Signs Manual (SADC RTSM) and the South African Road Traffic Signs Manual (SARTSM).
- (2) Signs required to be displayed in terms of law, including road traffic signs erected in terms of any law.
- (3) National, Provincial or Local Government public works project boards.
- (4) Signs which are not visible from an outdoor public place.
- (5) Signs displayed inside an enclosed space such as a stadium or inside a shopping centre and shopping mall.
- (6) Advertising on clothing.
- (7) National flags hoisted on suitable flag poles, provided that no commercial advertising is added to either the pole or the design of the flag.
- (8) Murals and artwork which do not advertise or are not signs in themselves and which are approved in terms of the City's public artwork permitting system.
- (9) Signs identifying a private residential property's name, street number or street name only.

### **4. SIGNS PROHIBITED IN TERMS OF THIS BY-LAW**

The following signs are not permitted in terms of this By-law:

- (1) Signs on towers, including, but not limited to, cooling towers, water towers and silos; on cranes, overhead gantries, road side gantries, telecommunication masts, and pylons.
- (2) Signs on or over a bridge except when in respect of a temporary event where the roads have been closed and consent has been obtained in terms of the City's event permitting processes.
- (3) Signs and products for commercial events, including promotions, marketing and launching of products and services on or distributed from City land, buildings and infrastructure.

- (4) Electronic screens, television sets and computer monitors which are visible from any public place except when in respect of a temporary event where the roads have been closed and consent has been obtained in terms of the City's event permitting processes.
- (5) Walking advertisements, walking sandwich boards containing advertisements and hand held signs.
- (6) Signs which are displayed for commercial advertising purposes on or in conjunction with:
  - (a) remotely piloted drones or model aircraft in the air;
  - (b) any craft, buoy, platform or boat on water in the coastal zone; and
  - (c) trailers, except as provided for in Schedule 15,if visible from any public place, whether the sign is on the move or not.

#### **5. SUBMISSION OF APPLICATIONS**

- (1) Other than those signs referred to in Section 12, no person shall display any advertisement or erect or use any sign or sign structure for advertising purposes without approval in terms of this By-law and in terms of any other applicable law.
- (2) Every person intending to display a new sign or to alter or to add to an existing approved sign; or submitting a signage application or signage masterplan in terms of this By-law, or submitting an application for a temporary building as envisaged by the provisions of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), confirming the structural safety of the proposed sign and its foundations, shall apply in writing or electronically to the City on the prescribed application form, which application must be accompanied by the following information:
  - (a) A site plan showing the site on which it is proposed that the sign 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 and the sign in relation to the boundaries and building line restrictions and any servitudes registered over the site and the location of the streets abutting the site.
  - (b) A drawing, which complies with the requirements of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) and has sufficient detail to enable the City to consider the appearance of the sign and contains all relevant construction details, 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 if the sign is to be illuminated, the plan shall indicate whether or not the sign is an electronic sign and, if so, full details shall be furnished in terms of Section 5(2)(i) below.
  - (c) The drawing referred to in Section 5(2)(b) above shall include detailed drawings of such sign to a scale of not less than 1:50 and a site plan indicating the position of the sign on the site to a scale of not less than 1:200.
  - (d) When the graphics of an approved third party fixed graphic sign or custom-made design sign are to be changed, at any stage during the approval period, the new graphic must be submitted to the City to check for compliance with the original conditions of approval, prior to the display thereof.

- (e) When only the graphics of an existing approved locality bound sign, whether encroaching or not, are to be changed at any stage, no graphic compliance check or written approval from the City is required prior to the display thereof.
- (f) If a sign is to be attached to or displayed on the wall or façade of a building, the City 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 City may require a coloured print of a 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.
- (g) The City may request such additional drawings, calculations and other information as is necessary to enable the City to establish the adequacy of the proposed means of securing, fixing or supporting any proposed sign, advertisement, or Billboard and its ability to resist all loads and forces to which the sign, advertisement, or Billboard may be exposed and the sufficiency of the margin of safety against failure.
- (h) 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 or owners of the land or building on which the sign is to be erected, or power of attorney from such owner or owners indicating their knowledge of and consent to the application.
- (i) If the proposed sign is an electronic sign or is to be internally illuminated, the following information will be required:
  - (i) full details of all supporting structures, installation details and full electronic screen specifications which must be shown on scaled dimensioned drawings;
  - (ii) if larger than 4.5m<sup>2</sup>, a request for a waiver to a larger size in terms of section 8(4)(h) must be submitted together with the signage application;
  - (iii) for any sign larger than 4.5 m<sup>2</sup>, the City may require the submission of a Signage Impact Assessment, Heritage Resources Assessment, a Traffic Impact Assessment or any other impact assessment that the City may deem necessary, conducted by an appropriately qualified person or practitioner and such assessments should recommend any mitigating measures that may be required as a result of any impacts that are identified.
- (j) If the proposed sign or any part thereof or an associated light fixture is to encroach over or onto an abutting property or properties, permission from the owner or owners of such abutting properties for the intended encroachment is required and may also be required where the sign or light fixture would encroach onto or over City property.
- (k) In the case of sponsored signs by or on behalf of non-profit bodies, documentary proof from the host non-profit body must be submitted showing the nature and extent of the benefit to be received from the erection and display of the sign.
- (l) Documentation requirements in terms of Section 5(2)(a) to (c) above, may be waived or amended by the City in respect of the following signs:

- (i) Newspaper Headline Posters;
- (ii) Banners, Flags, Balloons, Inflatables and Lamp Pole Swivel Banners;
- (iii) Posters;
- (iv) Directional Property Marketing signs and Temporary Property Marketing signs up to 0.3m<sup>2</sup> in size; and
- (v) Loose Portable signs,

which are to be displayed in accordance with the provisions of Schedules 9, 10, 11, 12 and 13 and subject to the requirements set out therein.

#### **PRE-SCRUTINY**

##### **(3) Application pre-submission scrutiny and completeness checklist**

- (a) Applications for Schedules 2 to 17 sign types, and those which do not comply upfront with the conditions set out in Section 12 will be pre-scrutinised, prior to fee calculation, which process forms part of a multi-stage process.
- (b) Applications must pass the pre-submission scrutiny and completeness checklist before a formal application may be processed further.
- (c) As the first stage of a multi-stage process, an application will undergo a pre-submission scrutiny and completeness check to determine, prior to fee calculation, whether—
  - (i) it is complete and complies with the requirements pertaining thereto as contained in Sections 5 and 7;
  - (ii) it complies with the requirements of any applicable sections and schedules;
  - (iii) it is in conflict with any provision of this By-law but is capable of being rectified; and
  - (iv) it is in breach of a non waivable provision of this By-law and therefore cannot be rectified.
- (d) The City must, within 7 working days of the receipt of an application inform the applicant of—
  - (i) the outcome of the pre-submission scrutiny and completeness checklist;
  - (ii) any deficient aspects to be rectified; and
  - (iii) any additional or outstanding information required.
- (e) An applicant must rectify any deficient aspects of an application and must provide any additional information required by the City within 21 working days of notification of the outcome of the above pre-submission scrutiny and completeness checklist.
- (f) An application will not be considered complete and processed further unless it passes the pre-submission scrutiny and completeness checklist.
- (g) Once a pre-submission scrutiny and completeness checklist has been passed in writing by the City, and an invoice for payment of the prescribed application fee has been issued, the application will be processed further. Should the prescribed

application fee not be paid within 21 calendar days of the invoice being issued, the application will be returned to the applicant and the application closed.

- (h) Where an application is determined to be in breach of a non-waivable provision of this By-law as per Section 5(3)(c)(iv) above, it will be refused and the applicant will be advised accordingly.
- (i) Where the application does not pass the pre-submission scrutiny and completeness checklist in terms of Section 5(3)(d) (ii) or (iii) above, for reasons of any deficient aspects needing to be rectified or any additional or outstanding information required, the applicant must rectify such deficient aspects or provide such additional or outstanding information within 21 working days of notification of the outcome of the above pre-submission scrutiny and completeness checklist.
- (j) The passing of the pre-submission scrutiny and completeness checklist by the City does not oblige the City to approve a formal application for the sign in question, nor does it create any legitimate expectation in this respect.

**Applications which have passed pre-submission scrutiny and completeness check**

- (4) Despite the provisions of Sections 5(6) and (7) below, the City may at any stage require the submission of a Signage Impact Assessment, Heritage Resources Assessment or a Traffic Impact Assessment, or any other impact assessment that the City may deem necessary. Such assessments—
  - (a) are to be conducted by appropriately qualified persons or practitioners;
  - (b) should recommend any mitigating measures that may be required as a result of any impacts that are identified; and
  - (c) may be required by the City to be preceded by a heritage, visual or traffic safety checklist.
- (5) If in the City's opinion, the public or a portion thereof, or a person may be affected by the proposed sign, the City may notify such affected party in writing of the application or require that such affected party be notified in writing by the applicant and be provided with a period of 21 working days within which to make written representations to the City. The City may also require the placement of a notice on the proposed site and in local newspapers in order to invite comment from interested and affected parties.
- (6) The City must notify the applicant of any additional requirements it has, within 21 working days of the date of submission of the application and payment of the application fee.
- (7) An applicant must submit any additional requirements to the City within 21 working days of being notified of such additional requirements, provided that this time period may be extended at the request of the applicant where additional studies or specialist information will take an applicant longer to complete.
- (8) The City will retain a copy of every document supplied to it as part of an application.
- (9) In the case of an application for a sign, including a sign structure which exceeds the size, height and weight according to Table 1 below, such sign structure is deemed to be a temporary building and an application must be submitted and an approval obtained in terms of the National Building Regulations and Building Standards Act, (Act 103 of 1977) for a temporary building.



**TABLE 1. SIGNS WHICH REQUIRE TEMPORARY BUILDING APPROVAL IN TERMS OF THE NATIONAL BUILDING REGULATIONS**

<b>SIGN TYPE</b>	<b>HEIGHT</b>	<b>WEIGHT</b>	<b>SIZE</b>	<b>REQUIREMENT</b>
<b>SCHEDULES 2 &amp; 3</b> Third party Billboards and Locality bound Freestanding signs	> 2.4m overall	≥25 kilograms	≥ 4.5m <sup>2</sup>	Upon appointment of a Structural Engineer
<b>SCHEDULE 4</b> Flat, Projecting, Projected and Window signs	N/A	≥25 kilograms	≥ 10m <sup>2</sup>	Upon appointment of a Structural Engineer
<b>SCHEDULE 5</b> Sky signs	>1.5m	≥25 kilograms	≥ 4.5m <sup>2</sup>	Upon appointment of a Structural Engineer
<b>SCHEDULE 6</b> Locality bound Roof signs (only for structures)	>1.5m	≥25 kilograms	≥ 4.5m <sup>2</sup>	Upon appointment of a Structural Engineer
<b>SCHEDULE 7</b> Signs on a Verandah, Balcony, Canopy, Supporting Columns, Pillars and Posts	N/A	≥25 kilograms	≥ 4.5m <sup>2</sup>	Upon appointment of a Structural Engineer
<b>SCHEDULE 8</b> Signs on Boundary Walls and Fences, Construction Site signs and Development Boards	> 2.4m overall	≥25 kilograms	≥ 4.5m <sup>2</sup>	Upon appointment of a Structural Engineer
<b>SCHEDULE 10</b> Advertising on Banners, Flags, Balloons, Inflatables and Lamp Pole Swivel Banners	N/A	≥25 kilograms	≥ 10m <sup>2</sup>	Only if affixed to scaffolding – appointment of a Structural Engineer
<b>SCHEDULE 12</b> Directional Property Marketing signs, and Temporary Property Marketing signs (larger than 0.3m <sup>2</sup> in size)	>2.4m overall	≥25 kilograms	≥ 4.5m <sup>2</sup>	Upon appointment of a Structural Engineer
<b>SCHEDULE 16</b> Signs on City owned land and buildings	>2.4m overall	≥25 kilograms	≥ 4.5m <sup>2</sup>	Upon appointment of a Structural Engineer
<b>SCHEDULE 17</b> Signs erected by or for the benefit of non-profit bodies	>2.4m overall	≥25 kilograms	≥ 4.5m <sup>2</sup>	Upon appointment of a Structural Engineer

### **SIGNAGE MASTERPLAN**

- (10) (a) The City may require and approve a signage masterplan in respect of any development, new or existing, where the erection of numerous signs is proposed or the rationalisation of previously approved signs is required on a consistent design masterplan prior to assessment of any individual sign.
- (b) The signage masterplan must set out the specifics of the location, arrangement, type and design of signs to be erected on a premises or within a particular area. In addition—
- (i) The advertisement concessionaire, property owner or relevant City department responsible, must submit the signage masterplan indicating compliance with the requirements of this section.
  - (ii) The masterplan will be evaluated taking into account the general requirements and factors in this By-law.
  - (iii) Approval of a masterplan may include specific conditions applicable to the signage display which may not exceed such shape, height, numbers, illumination limits, energy efficiency and alternative energy source requirements, duration of display or sign size as stipulated in such masterplan approval
  - (iv) Section 5(2)(d), (g), (k) and (l) documentation requirements may be waived by the City in respect of signage masterplans.
- (c) Signage masterplans may be subject to public consultation in terms of Section 5(5) above.

### **6. CHARGES AND GENERAL FACTORS IN CONSIDERING APPROVAL OR AMENDMENTS TO CONDITIONS OF APPROVAL**

#### **Charges**

- (1) Every person who applies to the City for approval in terms of this By-law must, on making application, pay to the City an application fee as determined by the City in terms of the City's approved Tariffs and Charges.
- (2) On approval of an application for a third party sign, an approval and monitoring fee as determined by the City in terms of the City's approved Tariffs and Charges must be paid.
- (3) No sign shall be erected until such time as both the application and approval and monitoring fees have been paid in full.
- (4) The City will determine the applicable annual encroachment fee in terms of the City's approved Tariffs and Charges published from time to time, which is payable when a sign projects so as to encroach more than 50mm over City land.

#### **General Factors**

- (5) In considering an application for the display of an advertisement or the erection of a sign in terms of this By-law, the City shall have regard to the following factors:
  - (a) The area of control in which the proposed sign is to be erected or displayed as set out in Schedule 1 of this By-law. 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 City may determine the area of control pertaining to that application;
  - (b) The type of locality, landscape and the advertising opportunities pertaining to that area of control;

- (c) The number of advertising signs already displayed or proposed to be displayed on the erf and in the area surrounding the erf concerned;
- (d) The existing or proposed lighting on the erf;
- (e) The findings of any Traffic Impact Assessment, Signage Impact Assessment, or Heritage Resources Assessment and specifically the findings as to whether the proposed sign will be detrimental to the environment or adversely affect the amenity of the locality or surrounding neighbourhood or affected properties;
- (f) 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 buildings or portions thereof, other than permitted for home occupation, building names and legal temporary uses;
- (g) The outcome of any process of public consultation regarding the proposed sign;
- (h) The provisions of Sections 7 and 8;
- (i) Compliance with, and the ability to comply with specific conditions pertaining to specific sign types set out in Schedules 2 to 17, and with the specific conditions set out in Section 12;
- (j) Where a building, structure or part thereof has or is being erected in such a way that the City has reasonable grounds to believe that its primary purpose is to accommodate the display of a sign, the City may regard the building, structure, or part thereof, to be a sign or sign structure which falls within the ambit of this By-law, notwithstanding the fact that other legislation may also apply to such building or structure;
- (k) The City may not approve a sign or advertisement that—
  - (i) will constitute a danger to any person or property;
  - (ii) will be detrimental to the environment or amenity of the surrounding neighbourhood by reason of either its size, intensity, frequency, illumination, quality of design, material, proposed graphic, locality or for any other reason;
  - (iii) will obscure any other signs approved in terms of this By-law or its predecessor and which approvals are still valid;
  - (iv) will be detrimental to or otherwise negatively impact on the environment, whether artificial or natural;
  - (v) will obstruct views or the observation of an area under surveillance by a close circuit TV camera, or its equivalent; and
  - (vi) 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.
- (l) In considering new graphics in respect of a fixed graphic sign or custom-made design sign, the City will have regard to the original conditions of approval prior to the display thereof;
- (m) The City will only consider an application for a further approval period in terms of Section 10(5)(b) on condition that the said sign complies with the provisions of this By-law as at the date of application for such further approval;

- (n) The City will have regard to the factors referred to in Section 5(3)(a) to (j) in assessing an application for a further approval period in terms of Section 10(5)(b); and
- (o) Any application for a further approval period in terms of Section 10(5)(b) will be subject to the payment of an application fee and an approval and monitoring fee as set out in Section 6(1) and (2) above.

#### **7. FACTORS RELATING TO SPECIFIC SIGNS, COMMERCIALY SPONSORED SIGNS AND AREAS OF CONTROL**

- (1) The City shall, in addition to the factors set out in Sections 5, 6, and 8 apply specific standards and requirements to specific sign types and proposed localities when an application for approval is made in respect thereof. The standards and requirements applicable to these specific sign types are set out as Schedules to the By-law.
- (2) The City will also apply specific criteria to applications for the erection of signs by non-profit bodies and commercially sponsored non-profit body signs. These specific standards and criteria are set out in Schedules 16 and 17.
- (3) Schedule 1 to this By-law indicates the areas of control in which specific sign types may be permitted, subject to approval in terms of this By-law and furthermore subject to any additional requirements pertaining to a specific sign type as set out in the Schedules.
- (4) 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 are 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.
- (5) The City may develop and amend an areas of control map to graphically display the following insofar as it relates to outdoor advertising or signage:
  - (a) zoning;
  - (b) where nodes or areas have been rezoned;
  - (c) where roads or routes have been declared as scenic drives;
  - (d) where roads or routes have been designated as prohibited routes; or
  - (e) any other circumstances.
- (6) The City 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 9, 10, 11 and 12 having regard to—
  - (a) the area of control where it is proposed to display the sign/s;
  - (b) the nature of the event, campaign or circumstances;
  - (c) the duration of the erection and display of the sign;
  - (d) the size of the proposed sign;
  - (e) any traffic safety, signage impact or heritage resource assessment; or
  - (f) the outcome of any public consultation process.

**8. STANDARD REQUIREMENTS FOR ASSESSMENT AND STANDARD CONDITIONS FOR APPROVAL**

- (1) The requirements and conditions contained in this section are applicable to all applications and approvals in respect of all signs, including but not limited to the specific sign types set out in Schedules 2 to 17 and Section 12. In the event that a Schedule or Section 12 contains a more specific requirement or condition, the more specific requirement or condition will be applied.

**(2) STRUCTURAL REQUIREMENTS**

- (a) All signs shall be properly constructed and shall be secure and where the requirements of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) are simultaneously applicable, the application must be accompanied by the affixing details as required in Section 5(2)(b).
- (b) Notwithstanding any temporary building plan approval under the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) for a temporary building, being the sign structure, such sign structure may only be utilised if there is a valid signage approval in place which has been granted in terms of this By-law.
- (c) Signs less than 4.5m<sup>2</sup> may require the submission of a structural engineer's appointment form.
- (d) The owner of the sign structure, the media owner, and the owner of the property or building to which a sign is attached or on which it is erected, shall be jointly or severally liable for the maintenance of the sign and sign structure and shall undertake at least two inspections per year as to the safety thereof.
- (e) Where any sign becomes torn or damaged or otherwise falls into a state of disrepair, the owner of the sign structure, the media owner, or the owner of the property or building to which a sign is attached or on which it is erected must effect such repairs or replacement as may be specified in a compliance notice served by the City within a timeframe specified therein.
- (f) All signs and their support structures shall be constructed of durable materials suited to the function, nature, duration and safety of the sign.
- (g) All glass used in a sign, other than glass used in the illumination, must be safety glass of at least 3mm thick.
- (h) Glass panels used in a sign must not exceed 0.9m<sup>2</sup> in area, each panel being securely fixed in the body of the sign, structure or device independently of all other panels.
- (i) Every sign and its support structure shall be kept in a state of good repair.
- (j) No sign may be placed covering any window, or any 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.
- (k) No advertising structure shall be closer to overhead electrical equipment than the minimum distance as prescribed in the Occupational Health and Safety Act, 1993 (Act 85 of 1993) and regulations promulgated in terms thereof.

**(3) ELECTRICAL REQUIREMENTS**

- (a) All signs needing an electrical connection must 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.

- (b) Every sign in respect of which electricity is used, shall be fitted with suitable capacitors to prevent interference with radio and television reception.
- (c) 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, child tamper-proof and animal-proof.
- (d) 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 SABS 0142 1993 promulgated in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993) and which requirements may be amended from time to time.
- (e) In the case of signs on or encroaching onto or over public land, approved wayleave permissions or permits must be obtained from the relevant City service departments or custodians of such land or any other relevant stakeholder for:
  - (i) working near any existing services or other infrastructure on a proposed sign site; and
  - (ii) any excavations, planting of poles, foundation structures or the driving of stakes deeper than 150mm into the ground, including where signs are to be erected in the vicinity of overhead power lines;and such signs must comply with the safety conditions imposed by such wayleaves, permissions or permits.

#### (4) ILLUMINATION REQUIREMENTS

Illuminated signs may be approved provided that the following provisions of this By-law are complied with:

##### **Illumination and energy efficiency requirements**

- (a) Illumination must be designed to ensure maximum energy efficiency including one or more of the following:
  - (i) the use of an alternative energy source, including solar or wind generated power;
  - (ii) low energy lamps and automatic dimmers;
  - (iii) day-night brightness sensors; and
  - (iv) automatic on-off timer switches.
- (b) Signs may not be illuminated if no graphic or sign content is displayed.
- (c) Temporary signs may not be illuminated unless so permitted in the specific rules for the applicable sign type or as set out in the relevant Schedule.
- (d) Illumination may not cause undue light spillage. In addition—
  - (i) All light sources must be shielded with a full cut-off solid barrier.
  - (ii) The angle of beam spread must be controlled to prevent light spillage beyond the advertisement area of the sign.

- (e) Brightness of illuminated and electronic signs must have a proportional relationship to the ambient lighting conditions and full bright sunlight may warrant full luminance on internally illuminated or electronic signs to achieve legible contrast.
- (f) The City may at any stage during an approval period by notice to the holder of an approval—
- (i) limit the times a sign may be illuminated or the luminance thereof;
  - (ii) require the installation of light sensors that detect the luminance of ambient light from outside; or
  - (iii) require the installation of automatic dimmers to—
    - (aa) reduce daytime illumination to 60% luminance for efficiency;
    - (bb) reduce night and overcast conditions' illumination to between 2% and 10% of maximum daytime luminance or other controls on candela, lumens or wattage of such illumination; or
    - (cc) amend, vary or adjust the illumination requirements pertaining to any sign in response to complaints received by the City of light spillage or a nuisance created in this regard and/or when the relevant Road Authority deems the luminance to be a potential road safety hazard.
- (g) The City may at any time, after the erection of an approved internally illuminated or electronic sign, require the owner of such a sign to commission a specialist study to determine the recommended luminance of the sign incorporating any guideline that may be issued by the City from time to time, and to submit such study to the City. The City may require the owner of the sign to immediately adjust the luminance of the sign to a revised luminance level following consideration of such study.

**Requirements for internally illuminated and electronic signs**

- (h) Internally illuminated and electronic signs containing either locality bound or third party advertising may be displayed in all urban areas of control and may be displayed up to a maximum size of 4.5m<sup>2</sup>. This size restriction may be waived to a larger size, subject to Section 5(2)(i)(i) to(iii) and;
- (i) following the consideration of assessments of the impact on road and traffic safety, heritage resources, scenic resources, residential amenities and the environment as may be requested by the City, indicating the potential impacts of the proposed waiver together with recommendations for mitigation of those impacts. These assessments must be conducted by appropriately qualified persons or practitioners.
- (i) The waiver in (h) above does not apply to Billboards. These are regulated in terms of Schedule 2 and may not exceed 36m<sup>2</sup> per panel.
- (j) Electronic signs shall not have subliminal flashes, animation or contain other special effects including flashing lights, running lights, revolving panels or similar panels or display flashing, running or variable transition messages or have transition effects between successive messages or display a continuation of a single theme or message on multiple display pages. However—

- (i) The City may grant an exemption from the requirements in Section 8(4)(j) in respect of temporary events where specific written consent has been obtained from the City for the event.
- (ii) The City may also grant an exemption from the requirements in Section 8(4)(j) for special areas determined by the City as areas where electronic signs may contain such effects or displays following a public consultation process as may be required by the City and the City:
  - (aa) must, in considering such areas for approval, also take into consideration the impact on road and traffic safety, heritage resources, scenic resources, residential amenities and the environment, together with the potential for the area to accommodate such signs;
  - (bb) must develop a process to determine such special areas; which areas will have a maximum approval period of 7 years; and
  - (cc) may re-evaluate the special area prior to the lapsing of the approval period in (bb) above for consideration of a further approval period of up to 7 years.
- (k) Any electronic sign must incorporate luminance sensors that measure ambient light at the sign and technology that enables the luminance of the sign to automatically adjust relative to the measured ambient light levels.
- (l) The following maximum luminance levels in the table below shall be applicable to all advertising signs where any form of illumination is permitted.

**TABLE 2: LUMINANCE REQUIREMENTS**

<b>Illuminated area</b>	<b>Maximum luminance</b>
Less than 0.5m <sup>2</sup>	1000 candela per m <sup>2</sup>
0.5 to 2.0m <sup>2</sup>	800 candela per m <sup>2</sup>
2.0 to 10m <sup>2</sup>	600 candela per m <sup>2</sup>
10m <sup>2</sup> or more	400 candela per m <sup>2</sup>

- (m) The sign owner, media owner or lessee of the sign must demonstrate with the aid of a luminance meter, that the approved luminance levels in Table 2 above are complied with when called upon by the City to do so.
- (n) The sign owner, media owner or lessee of the sign must—
  - (i) on the request of the City provide a certificate from an appropriately qualified independent person verifying the electronic sign's luminance; and
  - (ii) retain the certificate and accompanying records for six months after the recordings were made.
- (o) In the event that an electronic sign or any part thereof malfunctions, the City may by way of a written compliance notice to the land owner, sign owner, media owner or lessee of the sign, require that the sign cease any form of visual output within a timeframe specified in such compliance notice or until the malfunction is repaired.



**Requirements for external illumination**

- (p) The light source emanating from floodlights or other similar devices in respect of any sign must not be visible to vehicular traffic travelling in either direction past the sign, nor be a visible source of nuisance to surrounding residences.
- (q) Floodlights must not be positioned so as to create any undue light spillage beyond the surface area of the sign.
- (r) External illumination must be down-lit, unless there will be no greater impact on the surrounding environment if an alternative fully shielded lighting direction is used.

**(5) ROAD TRAFFIC SAFETY REQUIREMENTS**

- (a) Signs must not constitute an obstruction of any form including, but not limited to, obstruction of a road traffic sign or road traffic signal or an obstruction of the line of sight of a road user necessary to permit safe and efficient use of the road.
- (b) Signs may not be erected in an area in which the relevant Road Authority is of the opinion that they are an unacceptable distraction—
  - (i) for drivers or other road users; or
  - (ii) where drivers turn, negotiate curves or traffic merges, diverges or weaves.
- (c) Electronic signs may be permitted if they are visible from a Class 1 Principal Arterial road provided that such signs are supported in writing by the relevant Road Authority.
- (d) No advertising signs may be displayed or erected on—
  - (i) towers, including but not limited to cooling towers and water towers;
  - (ii) silos;
  - (iii) cranes;
  - (iv) overhead gantries;
  - (v) roadside gantries;
  - (vi) telecommunication masts;
  - (vii) pylons;
  - (viii) any electrical infrastructure;
  - (ix) any substation fence; or
  - (x) bridges, except when in respect of a temporary event where the roads have been closed and approval for the sign has been obtained from the City.
- (e) Signs shall not be located within 50m of the perimeter of an intersection of a designated arterial road unless supported in writing by the relevant Road Authority.
- (f) 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:
  - (i) any stylised or pictorial presentation of a road traffic sign or traffic signal;

- (ii) any word, symbol, logo or other device used on a road traffic sign;
  - (iii) use of a combination of colours specified for road traffic signs, in a manner likely to lead to confusion; and
  - (iv) any reflectorised paint or material.
- (g) Signs may not be attached to or obscure a road traffic sign or traffic signal specifically provided for in the Southern African Development Community Road Traffic Signs Manual (SADC RTSM) and the South African Road Traffic Signs Manual (SARTSM).
- (h) Signs may not be erected within the road reserve of any public road unless approved by the relevant Road Authority.
- (i) When located at signalized traffic intersections, signs may not have the colours red, yellow or green as main colours and shall not obscure or interfere with any road traffic sign or road traffic signal.
- (j) Electronic flat signs shall not be permitted within 80m of the perimeter of a signalised traffic intersection except where such signs are positioned at a level higher than 9m on a building, measured from the level of the roadway at the point at which the sign will be displayed.
- (k) The City may, at any stage, after the erection of an approved internally illuminated or electronic sign, require the owner of such a sign to undertake a study of the impact of the sign on traffic flow, traffic safety or both in accordance with generally accepted traffic engineering practice or any guideline that may be issued by the City from time to time. As a result of such study, the City may require the luminance of the sign to be adjusted to a revised luminance level as specified by the City for reasons of traffic safety or brightness due to the glare from the sign.
- (l) Illumination may not constitute a road safety hazard or potential road safety hazard, and the City may at any stage by notice to the holder of an approval require the illumination of an approved sign to be amended, varied or adjusted in any way, in order to address road safety concerns.
- (m) Electronic signs shall not have subliminal flashes, animation or contain other special effects including flashing lights, running lights, revolving panels or similar panels or display flashing, running or variable transition messages or have transition effects between successive messages if visible from a public road unless an exemption has been granted in terms of Section 8(4)(j)(i) or (ii).
- (n) The continuation of a single theme or message must not be displayed on multiple display pages of any electronic sign unless an exemption has been granted in terms of Section 8(4)(j)(i) or (ii).
- (o) 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 15 seconds at other locations.
- (p) The sign must not dazzle or distract road users due to its colouring, luminance or contrast.
- (q) The transition from one message to another on an electronic sign shall occur within a maximum of 0.3 seconds and fading effects are not permitted.
- (r) Third party signs, including all electronic signs, larger than 4.5m<sup>2</sup> erected adjacent to a public road or in a railway reserve, intended to advertise to

persons using designated arterial roads, must be spaced a minimum specified distance from any third party sign, any free-standing locality bound sign larger than 4.5m<sup>2</sup> located on the same property and displaying more information than just the name and contact information of the occupants of the property or any road traffic sign, such distance measured parallel to the centre line of the roadway, in accordance with Table 3 below.

**TABLE 3: LINEAR SPACING BETWEEN SIGNS**

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

- (s) The City or the relevant Road Authority may—
  - (i) consider an application to reduce the minimum spacing specified in Table 3; and
  - (ii) require the applicant to motivate such reduction in minimum spacing through the submission of an assessment of the impact on traffic and road safety, conducted by an appropriately qualified traffic engineering practitioner. The assessment of impact must be to the satisfaction of the City and/or relevant Road Authority in line with the methodology prescribed by the City and/or relevant Road Authority.
  
- (t) The information content of all locality bound and third party signs larger than 4.5m<sup>2</sup> that is visible to drivers using a public road, measured in “bits” of information calculated in accordance with Table 4 below, shall not exceed 15.

**TABLE 4: BITS OF INFORMATION**

Elements of the advertisement		Bits per element
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 9m <sup>2</sup>	0.5
	between 9 and 18m <sup>2</sup>	1.0
	between 18 and 27m <sup>2</sup>	1.5
	larger than 27m <sup>2</sup>	2.0

## 9. LEGAL REQUIREMENTS

All signs to be erected or displayed within the area of jurisdiction of the City must, in addition to complying with this By-law, comply with all other applicable legislation.

## 10. APPROVAL

- (1) The City may grant its approval, subject to conditions, or refuse any application submitted in terms of this By-law.
- (2) Despite any approval being granted by the City or any act issued or performed in terms of this By-law—
  - (a) the City will not be liable to any person for any loss, damage, injury or death resulting from, or arising out of, or in any way connected with the manner in which such sign or sign structure was designed, erected, displayed, demolished or altered or the material used in the erection of such sign or sign structure or the quality of workmanship in the design, erection, display, demolition or alteration of such sign or sign structure; and
  - (b) the owner of the sign or sign structure, the media owner, and the owner of the property or building to which a sign or sign structure is attached shall not be exempted from the duty to take care and to ensure that such sign or sign structure is designed, erected, displayed, maintained and used or demolished or altered in accordance with the provisions of this By-law.
- (3) The City 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—
  - (a) in a state of disrepair;
  - (b) standing empty or is not in operation for more than 90 consecutive days;
  - (c) no longer compliant with any provision of this By-law;
  - (d) substantially altered from the original approved application by way of either structure, graphic content or illumination; or
  - (e) located on City owned land or on privately owned land, on a site or in an area that is required to be used by the City for any operational reasons and in such instance the City will not be liable for any loss of income as a result thereof.
- (4) 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 City prior to such period lapsing.
- (5) (a) Any approval of third party advertising granted by the City in terms of this By-Law, shall endure for a maximum period of 7 years, calculated from the date of approval.
  - (b) A new application may be submitted prior to the lapsing of the approval period, for a further approval period of up to 7 years.

- (6) In the event that the structure supporting the sign is intentionally demolished before the expiry of the approval period, the approval will lapse and no further sign or supporting structure may be erected or re-erected without the City's prior written approval in terms of this By-law.
- (7) Subject to Section 10(8) below, all decisions by the City regarding applications made in terms of this By-law shall be in writing and the City will provide a decision within—
- (a) 70 calendar days of the date of submission of a complete third party sign application and invoice being issued for payment of application fee;
  - (b) 45 calendar days of the date of submission of a complete locality bound sign application and invoice being issued for payment of application fee where such application is subject to internal City Departmental circulation;
  - (c) 15 calendar days of the date of submission of a complete locality bound application and invoice being issued for payment of application fee where such application is not subject to internal City Departmental circulation;
  - (d) 10 calendar days of the date of submission of a complete temporary sign application or event signage application and invoice being issued for payment of application fee, or
  - (e) 7 calendar days of the date of submission of a complete poster application and invoice being issued for payment of application fee;

provided that if the application is subject to public consultation or additional information or assessments are required by the City, the above decision-making periods are suspended and shall resume once the public consultation process is concluded or the required information or assessments are provided to the City.

- (8) The City will only issue a decision within the abovementioned timeframes if payment of the abovementioned invoices has been made and verified and in the case of third party sign applications, when payment of an invoice in respect of approval and monitoring fees has been made and verified.
- (9) All third party signs must clearly display the sign owner's name or logo and the sign owner's site number on the sign structure.
- (10) All signage approvals with the exception of Schedules 9, 10, 11, 12 and 13 signs, will be issued to the property owners.
- (11) The applicable encroachment fee for locality bound and third party projecting signs which encroach over City land must be paid annually.
- (12) If an application submitted in terms of Section 5 has been refused in terms of subsection 10(1) above, no further application may be submitted in respect of the same sign type or sign position, for a period of two years from the date of such refusal if the reasons why the City refused the application have not changed. Where there has been a change in circumstances or the further application is for a different sign type or sign position, a motivation must be submitted in writing to the City indicating such changes.
- (13) The sign owner will be required to—
- (a) indemnify the City against any claims by third parties that may arise, due to the erection of any sign within the Road Reserve or on or over City owned property; and
  - (b) take out public liability insurance in respect of signs referred to in Section 10(13) (a) above.

## 11. APPEAL

Any persons whose rights are affected by a decision made in terms of this By-law may appeal against that decision in terms of section 62 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) by giving written notice of the appeal and reasons to the City Manager within 21 days of the date of the notification of the decision.

## 12. SIGNS FOR WHICH APPROVAL IS NOT REQUIRED

- (1) Should any sign not comply with the conditions for each sign type listed below, an application must be submitted in terms of Section 5 unless an application for that specific sign type is specifically excluded in terms of this By-law.
- (2) No application is required for the following signs provided that the signs comply with the following conditions, the factors and requirements set out in Sections 7 and 8 and other applicable legislation—

### Contractors' Boards

- (3) (a) Contractors' Boards must only be displayed on the property on which work is being undertaken provided that Contractors' Boards—
  - (i) in areas of maximum and partial control, must not exceed 0.3m<sup>2</sup> and are limited to the display of one sign per contractor;
  - (ii) in areas of minimum control, must not exceed 1.5m<sup>2</sup> and are limited to the display of one sign per contractor;
  - (iii) must be flush with, or behind the property boundary;
  - (iv) must not display any information other than the name of the company, name of the contractor, contact details, and type of service or product offered and undertaken by the contractor at the premises;
  - (v) must be unilluminated and non-reflective; and
  - (vi) must be removed immediately once the work being undertaken is complete.
- (b) No application for a deviation from the above provisions relating to Contractors' Boards is permitted in terms of any provision of this By-law.

### Development Boards

- (4) (a) Development Boards must only be displayed on the premises in respect of which a building plan or site development plan has been approved for a proposed development and provided that Development Boards—
  - (i) must be unilluminated and non-reflective;
  - (ii) must not display any information other than the following—
    - (aa) the name and contact information of the developer, financial services provider and property marketing agent;
    - (bb) a pictorial representation of the proposed development;
    - (cc) a description of the proposed development;
    - (dd) the words "launching soon", "coming soon", "new development" or "redevelopment"; and

- (ee) the words "for sale", "to let", "now selling", "sold" or similar information and any pricing information; and
- (iii) must not be erected more than three months before the start of the development.
- (b) Development Boards must be removed when building operations are substantially complete or when the building operations are discontinued, or an Occupancy Certificate has been issued by the City. The City may serve a compliance notice for the removal of the sign within a period stipulated in the compliance notice should the requirements of this subsection not be complied with.
- (c) Development Boards on building sites to be wholly used for single dwelling residential purposes must not exceed 3m<sup>2</sup> in total area, 2.4m in overall height and must have a minimum clear height of 1m. In addition—
  - (i) no application for a deviation from this provision relating to development boards in areas of maximum control is permitted in terms of any provision of this By-law; and
  - (ii) only one Development Board is allowed per premises.
- (d) Development Boards on building sites not to be wholly used for residential purposes must be less than 4.5m<sup>2</sup> in total area, 2.4m in overall height and must have a clear height of 1m; and
  - (i) no more than two Development Boards, one per street frontage, are allowed per premises.

#### **Property Marketing Signs**

- (5) (a) "To Let" and "For Sale" signs not exceeding 0.3m<sup>2</sup> are permitted provided that these signs must be displayed on the property concerned or flush against the fence or wall of the property concerned, and no signs other than "To Let" and "For Sale" signs may be displayed by property marketing agents or agencies on the property concerned.
- (b) "Sold" signs not exceeding 0.3m<sup>2</sup> in total area, must be displayed on the property that has been sold or must be displayed flush against the fence or wall of the property and must not be displayed for longer than 30 days from the date of display.
- (c) No application for a deviation from subsection (b) relating to "Sold" signs is permitted in terms of any provision of this By-law.
- (d) One "On Show" sign not exceeding 0.3m<sup>2</sup> is permitted on the property being shown on the day of the show house.
- (e) In addition, one of the following four options is permitted:
  - (i) an additional 0.3m<sup>2</sup> show house sign board;
  - (ii) bunting;
  - (iii) one Balloon or Inflatable Sign not exceeding 3m in height and 3m in width; or
  - (iv) three Feather Flags not exceeding 3m<sup>2</sup> each;

provided that these signs are displayed on the show property during weekend hours and the signs in sub-section (5)(e)(ii) to (iv) above must be removed by 18h00 on each day of the weekend.

**On Premises Home Occupation Signs, Bed and Breakfast Signs, House Shop Signs And Home Child Care Signs**

- (6) (a) Any unilluminated On Premises Home Occupation advertising sign not projecting over a public road and not exceeding 0.2m<sup>2</sup> in total area indicating 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) is permitted; provided that only one such sign per occupant may be displayed.
- (b) Only one unilluminated Bed and Breakfast advertising sign is permitted which shall be affixed to the wall of the house and not project over a public street and shall not exceed 0.5 m<sup>2</sup> in area.
- (c) Only one unilluminated House Shop advertising sign is permitted which shall be affixed to the wall of the House Shop and not project over a public street and shall not exceed 0.5 m<sup>2</sup> in area.
- (d) Only one unilluminated Home Child Care advertising sign is permitted which shall be affixed to the wall of the house and not project over a public street and shall not exceed 0.5 m<sup>2</sup> in area.

**Window Signs**

- (7) (a) Window Signs displayed on the ground floor of a building lawfully used for business, commercial, office, industrial or entertainment purposes or by non-profit bodies are permitted in all areas of control, provided that Window Signs—
- (i) are Locality Bound Signs, and are limited to the windows of the unit occupied by the individual business entity to which the Locality Bound advertising relates;
  - (ii) do not extend over window frames, bars, mullions, transoms, sills or lintels;
  - (iii) do not extend onto or over the walls of the building plane in which the windows are positioned;
  - (iv) must not exceed 25% of the glazed area or 4.5m<sup>2</sup> in total area, whichever is the lesser, of the cumulative total area of advertising per individual business entity in an area of maximum control;
  - (v) must not exceed 18m<sup>2</sup> of the cumulative total area of advertising per individual business entity in areas of partial or minimum control; and
  - (vi) are not placed over any windows provided for ventilation or lighting of a building.



**Perimeter Advertising Signs On Sports Fields**

- (8) (a) Any unilluminated Perimeter Advertising sign not exceeding 2m x 1m erected around the perimeter of a sports field must face inwards or onto the field and must not advertise to any other public place or scenic drive.
- (b) No application for a deviation from (a) above relating to Perimeter Advertising Signs on sports field is permitted in terms of any provision of this By-law.
- (c) Signs may be painted temporarily on the horizontal playing surface or turf of a sports field for a sporting event.

**Security Signs On Premises**

- (9) (a) Unilluminated Security Signs not projecting over the property boundary and not exceeding 0.3m<sup>2</sup> each are permitted, provided that such signs indicate either that—
- (i) a neighbourhood watch scheme is in operation;
  - (ii) a security company has been contracted to protect the premises;
  - (iii) a street committee is in existence; or
  - (iv) a Central Improvement District is in operation in the area.
- (b) Only one Security Sign per category (or service provider) listed in (a) above is permitted per premises.
- (c) Security Signs displayed on premises for the category of services listed in subsection (a) above may only display the following details—
- (i) name;
  - (ii) logo; and
  - (iii) telephone number.
- (d) No application for a deviation from the above provisions relating to Security Signs is permitted in terms of any provision of this By-law.

**Sponsored, Commercially Sponsored And Non-Profit Body Signs Less Than 4.5m<sup>2</sup>**

- (10) (a) Any sign whether erected by or in connection with a non-profit body on the premises of the non-profit body may be permitted provided that—
- (i) such sign must not exceed 4.5m<sup>2</sup> in total area;
  - (ii) no more than one third of the total surface area of the sign is used for third party sponsorship;
  - (iii) such sign must be unilluminated; and
  - (iv) only one such sign shall be permitted per erf.
- (b) Signs which comply with the provisions of 10(a) above, when erected on City land, must follow the process set out in Schedule 16.

**Locality Bound Flags Or Feather Flags On Commercial Premises**

- (11) (a) Locality Bound advertising on Flags may only be displayed on the premises concerned and only on flag poles, provided that—
- (i) no more than four flag poles of 3m each in height for the purpose of displaying advertising on Flags may be displayed per premises;
  - (ii) four Feather Flags of 3m<sup>2</sup> each may be displayed per premises; and

- (iii) such Flags and Feather Flags must not project over the property boundary.

#### **Vehicular Advertising**

- (12) (a) Unilluminated signs are permitted to be painted or affixed directly onto or attached to the body of a motorised or non-motorised vehicle and which vehicle is being used for—
  - (i) the conveyance of goods or passengers;
  - (ii) the sale of goods or food and beverages from such vehicle in terms of a valid permit; or
  - (iii) the offering of services from such vehicle in terms of a valid permit;
 and such vehicle is not parked or used for the primary purpose of advertising.
- (b) Vehicular Advertising signs must not be electronic nor must they include any reflective or retro-reflective materials.
- (c) No application for a deviation from the above provisions relating to vehicular advertising is permitted in terms of any provision of this By-law.

#### **Community Information Signs**

- (13)(a) Community Information Signs are permitted provided that such signs—
  - (i) do not contain any commercial advertising, commercial sponsorship or commercial advertising campaigns;
  - (ii) do not exceed a maximum of 3m<sup>2</sup>;
  - (iii) are not illuminated or electronic; and
  - (iv) when freestanding, have a minimum clear height of 2.1m and do not exceed a maximum overall height of 3m.

#### **Community Information Posters**

- (14) (a) Community Information Posters not exceeding A4 size, which are not for public events or campaigns are permitted provided that such posters—
  - (i) only relate to missing pets and missing persons;
  - (ii) are only tied on the City's electric light poles;
  - (iii) are not placed within 30m of a traffic signal; and
  - (iv) are removed by the responsible person within 90 calendar days from the date of display.
- (b) No application for a deviation from the above provisions relating to Community Information Posters is permitted in terms of any provision of this By-law.

#### **Locality Bound Tied Commercial Banners**

- (15) (a) The following is permitted as a Locality Bound Tied Commercial Banner:
  - (i) One unframed banner which is not freestanding and is tied with strings to the building, wall or boundary fence of the premises concerned, with a total maximum advertisement area of 3m<sup>2</sup>, and which may only be displayed for a period not exceeding 14 days per calendar month.

- (b) In the case of shopping centres or shopping malls, only one unframed banner per street frontage may be displayed in relation to the shopping centre or shopping mall concerned, with a total maximum advertisement area of 3m<sup>2</sup>, and which may only be displayed for a period not exceeding 14 days per calendar month.
- (c) Locality Bound Tied Commercial Banners may not—
- (i) be attached so as to interfere with or constitute a danger to passing pedestrians or vehicular traffic;
  - (ii) be displayed within 30m of any road traffic sign or traffic signal and shall not obstruct any sight triangles for side roads or vehicle access points;
  - (iii) be affixed to traffic signal poles, or other poles which carry road traffic signs, electrical or service authority distribution boxes, street furniture, rocks, trees, other natural features or other City property;
  - (iv) be affixed in such a way that they unfairly prejudice other businesses or organisations or obscure any approved existing signs; and
  - (v) be affixed to any premises other than the premises concerned.

#### **Locality Bound Signs**

- (16)(a) One unilluminated Locality Bound Flat Sign is permitted per business premises not projecting over a public street and not exceeding 2m<sup>2</sup> in cumulative total area of advertising per individual business entity, displayed on the outside walls of buildings at ground or first floor level, provided that this does not obscure architectural articulations or cover windows or openings.
- (b) One Locality Bound Roof Sign painted onto a roof of a building, up to a maximum of 4.5m<sup>2</sup> in size or one quarter of the overall area of the roof on which it is painted, whichever is the lesser, is permitted in areas of partial and minimum control.
- (c) One Building Name Sign is permitted in addition to the street number and street name displayed on the building per street frontage, for purposes of identifying the premises, either as a flat, indented, engraved, moulded, painted or cut-out letter sign not exceeding 3m<sup>2</sup>, provided it is unilluminated.
- (d) One Locality Bound Boundary Wall Sign not exceeding 1m<sup>2</sup> may be indented into the wall, painted or composed of individual, cut-out letters or symbols fixed flush on such wall and shall not project more than 50mm from the face of the wall.

#### **Aerial Signs**

- (17) Aerial Signs in any urban area of control on either one balloon or one blimp may be flown up to a maximum height of 9m measured from ground level, provided that—
- (a) the advertisement panel on each visible face must not exceed 1.5m<sup>2</sup> in size;
  - (b) the total size of the balloon or blimp permitted is a maximum of 3m wide, measured in any direction;
  - (c) these provisions are restricted to—
    - (i) a locality bound on-premises shop sale;
    - (ii) an opening event;

- (iii) a non-profit body event with or without sponsor's content; or
- (iv) a sport event with or without sponsor's content.
- (d) the duration of the display is for a maximum of 3 consecutive days for such event;
- (e) Aerial Signs must not be flown above a public road;
- (f) Aerial Signs must only be displayed during daylight hours; and
- (g) with the exception of subsections (c)(iii) and (iv) above, Aerial Signs must not display any third party advertising.

**Temporary Event Signs For Non-Profit Bodies**

- (18) (a) Temporary Banners, Flags, Posters, Inflatable Signs, Transit Signs, Aerial Signs and Loose Portable Signs are permitted for events hosted by a non-profit body.
- (b) Temporary Event Signs for non-profit bodies may contain a maximum of 10% third party sponsors' content, per sign.
- (c) These signs may be displayed by non-profit bodies on the host non-profit body premises or on private property where the event is being hosted, for the duration of the event.
- (d) Where such event occurs on or partly on City property or infrastructure, including any City hosted or sponsored event, an application must be submitted in terms of Section 5 and the applicable Schedules.
- (e) When displayed on City property, these signs may not be staked into any concrete, tar or paved surfaces.

**Locality Bound Loose Portable Signs On Private Property**

- (19) (a) A maximum of two Locality Bound Loose Portable Signs may be displayed on private property, provided that these do not exceed 1.2m x 0.6m in size and do not pose a safety hazard to the public.
- (b) No application for a deviation from the above provisions relating to Loose Portable Signs is permitted in terms of any provision of this By-law.

**Posters On Poster Pillars**

- (20)(a) All poster types referred to in terms of Schedule 11 may be pasted to assigned structures at sites allocated by the City for the express purpose of pasting posters, provided that—
  - (i) only one poster per function, campaign or event per non-profit body may be pasted on any one pillar; and
  - (ii) no posters purely for commercial events, including promotions, launching of products and services are permitted.
- (b) No application for a deviation from the above provisions relating to Posters on Poster Pillars is permitted in terms of any provision of this By-law.

### **Temporary Directional Arrow Signs For Film Shoots**

- (21)(a) Temporary Directional Arrow Signs for film shoots may only be placed on the City's electric light poles in accordance with the City's Street Lighting Policy, indicating to film crews and film services the location of a specific film set.
- (b) Temporary Directional Arrow Signs for film shoots—
- (i) must not be affixed to trees, traffic signal poles or other poles which carry road traffic signs, street furniture or other City property;
  - (ii) must comply with all relevant legislation, policies and guidelines and the applicable filming permit;
  - (iii) must not exceed a total size of 0.3m<sup>2</sup> each;
  - (iv) are limited to one sign per pole or two signs which may be sandwiched back-to-back; and
  - (v) must be removed within one day of conclusion of the film shoot.
- (c) No application for a deviation from the above provisions relating to Temporary Directional Arrow Signs is permitted in terms of any provision of this By-law unless authorised by the City in writing.

### **Temporary Public Art**

- (22) (a) An unilluminated artwork containing or displaying a sign which is an advertisement, is permitted where—
- (i) the artwork is in itself not an advertisement;
  - (ii) the advertisement portion does not exceed 5% or 2.5m<sup>2</sup> of the total artwork content, whichever is the lesser; and
  - (iii) the artwork has a valid temporary public art permit approved in terms of the City's public artwork permitting system.
- (b) Artwork with advertising will be permitted on multi-use buildings, but only where these are positioned on the exterior of the non-residential levels.
- (c) Artwork with advertising will not be permitted on any residential buildings, residential boundary walls and ancillary structures.
- (d) The City may call for documentary proof of a valid sponsorship agreement which has been entered into between the artist, the commissioning party (where relevant) and the sponsor.
- (e) No application for a deviation from the above provisions relating to temporary Public Art is permitted in terms of any provision of this By-law.

### **Election Posters**

- (23) Posters for electioneering campaigns and political events, not exceeding a maximum size of 0.9m x 0.6m, displayed on the City's electric light poles during official election and voter registration periods may be permitted, subject to any requirements pertaining thereto or conditions issued by the City.

## **13. DISFIGUREMENT**

- (1) Other than where written approval is obtained from the City or where certain sign types are permitted in terms of this By-law, no person may destroy, harm, damage, disfigure or deface any street frontage, road traffic sign, wall, fence, land, rock, tree

or other natural feature, or any part 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, letter or numeral.

- (2) No person may destroy, harm, damage, disfigure or deface any sign legally displayed in terms of this By-law.

#### **14. DAMAGE TO CITY PROPERTY**

No person may, in the course of erecting or removing any sign, cause damage to any tree, the City's electric light poles or any other City installation, property or street furniture and any costs incurred by the City in repairing such damage will be recovered from the persons responsible for, or who caused the damage, in terms of the City's Credit Control and Debt Collections Policy and By-law.

#### **15. ENTRY AND INSPECTIONS**

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

#### **16. OFFENCES**

- (1) A person who—

- (a) erects, uses or displays a sign, erects any signage structure, uses any signage structure to display a sign, or alters or adds to an existing sign or signage structure, in contravention of any provision of this By-law;
- (b) contravenes or fails to comply with any provision, condition, requirement or condition of approval imposed or deemed to have been imposed in terms of this By-law;
- (c) contravenes or fails to comply with any requirement set out in a compliance notice served on him or her in terms of this By-law;
- (d) knowingly or willfully makes a misrepresentation, false statement, forges, counterfeits or fraudulently replicates a document or permit in respect of any application or approval, or pertaining to any requirement or authorisation in terms of this By-law;
- (e) purposefully obstructs access to any property by an authorised official carrying out an inspection or interferes or hinders such official when conducting such inspection in terms of or under this By-law; or
- (f) threatens, resists, interferes with or obstructs any authorised official in the performance of official duties or functions in terms of or under this By-law;

shall be guilty of an offence and upon conviction shall be liable to a fine or imprisonment as set out in Section 17(1)(a) and (c).

- (2) In the case of a continuing offence, such person shall be liable upon conviction to a fine or imprisonment as set out in Section 17(1)(b) and (c) for every day during the continuation of such offence and may be liable to a second or subsequent offence on conviction.

#### **17. FINES AND PENALTIES**

- (1) The following fines and penalties are applicable to a person who has contravened this By-law—

- (a) Upon conviction by a court, of a first offence, the guilty party shall be liable to a fine, or, in default of payment, to imprisonment for a period not exceeding 6 months.
  - (b) In the case of a continuing offence, the guilty party shall be liable to a further fine, for every day during the continuance of such offence.
  - (c) Upon conviction of a second or subsequent offence, the guilty party shall be liable to a fine or imprisonment for a period not exceeding 6 months.
- (2) Unlawful signs removed by the City may be reclaimed from the City within 3 months of the date of removal, on payment in full of any costs incurred by the City in the removal of the said signs, as well as payment of the costs of any charges incurred in the transportation and storage of such signs.
  - (3) Any unlawful signs removed and impounded by the City and not reclaimed within 3 months of the date of removal shall be forfeited to the City and shall be disposed of by the City at its sole discretion.
  - (4) If any sign is erected in contravention of this By-law, and an application is submitted to rectify the contravention, an additional amount, by way of an administrative penalty will be imposed in terms of the City's approved Tariffs and Charges, published from time to time, upon submission of the application.
  - (5) Should the administrative penalty not be paid by the date determined by the City—
    - (a) the application will not be processed further and will be returned to the applicant; and
    - (b) the applicant will not be permitted to submit a further application for the same site for a period of 2 years from the date of such application having been returned to the applicant.
  - (6) The City may levy, receive or charge any administrative penalty fees in terms of any other law in respect of any sign that is erected in contravention of this By-law.
  - (7) The imposition of the above administrative penalty does not prevent the City from initiating criminal or civil proceedings for the removal of the sign erected in contravention of this By-law while the application to rectify is being determined.

## **18. PRESUMPTIONS**

- (1) A person charged with an offence in terms of this By-law who is—
  - (a) alone or jointly with any other person responsible for organising, or in control of any meeting, function or event, to which a sign relates, shall be deemed, until the contrary is proven, to have knowingly displayed every unlawful sign displayed in connection with such meeting, function or event or to have caused or allowed it to be so displayed;
  - (b) 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 proven, to have knowingly displayed such sign, or to have caused or allowed it to be displayed;
  - (c) a sign owner, media agent, or person who benefits or has benefited from the display of an unlawful sign, either alone or jointly with any other person, shall be deemed, until the contrary is proven, to have knowingly displayed such sign, or caused or allowed it to be displayed; and

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

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

- (1) If any sign is displayed or is in the process of being erected in contravention of this By-law, or any provision, condition, requirement or condition of approval imposed or deemed to have been imposed in terms of this By-law, the City may serve a written compliance notice on one or more of the following persons—
- (a) the sign owner or lessee of the sign;
  - (b) the land owner or tenant on whose land, building or premises the sign is erected;
  - (c) a person whose products or services are advertised on the sign;
  - (d) a person whose name or image appears on the sign;
  - (e) a person or company who erected the sign;
  - (f) the media agent, authorised agent; or
  - (g) any other party responsible for or who benefits from the display of the sign.
- (2) The City shall call upon such persons to—
- (a) obtain approval for the said unauthorised sign subject to the applicable administrative penalty being paid;
  - (b) cease the erection of such sign; or
  - (c) remove such sign or carry out any alteration thereto.
- (3) The City may call upon such persons to undertake any other action as may be specified in a compliance notice, within a timeframe specified therein.
- (4) Notwithstanding the service of such compliance notice, it may be withdrawn or varied by the City.
- (5) Should the City's demands, as set out in the compliance notice, not be carried out within the timeframe specified therein, the City may, without further notice to the person upon whom the compliance 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 compliance notice. No court order shall, however, be required prior to the removal or alteration of an unlawful sign if it is erected or displayed on property belonging to the City.
- (6) If the unlawful sign is displayed or to be displayed on property owned or controlled by the City, including any land leased by or from the City, the City may—
- (a) remove the sign or sign structure, without first serving a compliance notice in respect thereof and without a court order; or
  - (b) limit the exposure of the unlawful sign by means of rendering such unlawful sign inaccessible, illegible or unintelligible.
- (7) Where the City or its agents act to remove, impound and store signs, or alter or do any other work in respect of unauthorised signage, whether preceded by or in terms of a compliance notice or not, the City will not be liable for reasonable or unavoidable damage to the subject property including the signs and structures



themselves in undertaking such actions and will not be liable for any claims arising in this regard.

- (8) Any costs incurred by the City in removing, impounding and storing signs, or signage structures from City property, or in doing alterations or other works required in terms of a compliance notice, may be recovered from one or more of the following persons responsible for the display of the sign, or on whom the compliance notice was served, in terms of the Credit Control and Debt Collection Policy and By-law—
- (a) the sign owner or lessee of the sign;
  - (b) the land owner or tenant on whose land, building or premises the sign is erected;
  - (c) a person whose products or services are advertised on the sign;
  - (d) a person whose name or image appears on the sign;
  - (e) a person or company who erected the sign;
  - (f) the cession holder, media agent, authorised agent; or
  - (g) any other party responsible for or who benefits from the display of the sign.
- (9) Notwithstanding any other clause in this By-law, if a sign whether on City property or on private property is, or is reasonably considered to be a danger to life or property by a duly authorised official of the City acting in connection with this By-law, the City may, without prior notice and without a Court Order, carry out or arrange for the removal of such sign. Any costs incurred by the City in carrying out or arranging for the removal and storage of such sign may be recovered from any of the persons listed in subsection (8) above.

## **20. SERVICE OF COMPLIANCE NOTICES**

- (1) Where any compliance 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—
- (a) served personally on them or any member of their household, apparently over the age of 16 years, at their place of residence, or on any person employed by or with them at their place of business;
  - (b) posted by registered post to such person's residential or their business address, as it appears in the records of the City;
  - (c) sent by electronic mail;
  - (d) such person is a company or closed corporation or a trust, and it is served on any person apparently employed by that company, closed corporation or trust, at the registered office thereof, or sent by registered post to such office; or
  - (e) pasted or affixed in a visible position onto the sign, advertisement or sign structure.

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

- (1) Notwithstanding anything to the contrary contained in any law relating to magistrate's courts, a magistrate shall have jurisdiction, on the application of the City, to make an order prohibiting any person from commencing or proceeding with the erection of any sign or to make an order for any person to remove a sign or authorising the City to remove such sign if such magistrate is satisfied that such erection is contrary to or does not comply with the provisions of this By-law or any approval or authorisation granted or required hereunder.

- (2) Notwithstanding anything to the contrary in any other law, a Magistrate's Court will have jurisdiction to impose any sentence provided for in this By-law.

## **22. GUIDELINES**

The City may from time to time issue a Cape Town Manual for Outdoor Advertising Control, relevant guidelines, information brochures or any other material relating to this By-law.

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

- (1) This By-law repeals the following legislation—
- (a) City of Cape Town Outdoor Advertising and Signage First Amended By-Law 2013, By-Law no.10518 Provincial Gazette no. 7219, dated 17 January 2014; and
  - (b) City of Cape Town Outdoor Advertising and Signage By-Law 2001, and By-Law no.10518 Provincial Gazette no. 5801, dated 5 December 2001;
- (2) 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.
- (3) Anything done prior to promulgation of this By-law, which was not done in terms of a provision repealed by this By-law and which was unlawful, shall in the event of such act or sign still not complying with the provisions of this By-law, be unlawful.
- (4) Any approval, consent, right or instruction issued, granted or in force in terms of a by-law repealed by this By-law and which was in existence immediately before the commencement of this By-law, remains in force and where applicable is regarded to have been issued, granted or occurred in accordance with this By-law, subject to the conditions under which it was issued and is valid for the period granted under the repealed by-law.
- (5) Conduct in contravention of a by-law repealed by this By-law is regarded as a contravention of this By-law and the penalties in this By-law apply where the conduct would constitute an offence in terms of this By-law.

## **24. SAVINGS**

- (1) Any application for the display of any advertisement or erection of any sign or sign structure for advertising purposes, submitted to the City prior to promulgation of this By-law and in respect of which a decision has not yet been made by the City prior to promulgation of this By-law, shall be considered by the City in terms of the by-law that was applicable at the time of the submission of the application.
- (2) Any approval or authorisation granted either by the City or its predecessors in terms of previous laws, by-laws, policies or contracts for the display of—
- (a) Third party signs, where no period for the duration of approval was specified therein, and where the sign in question was displayed in accordance with all the conditions of that approval or authorisation as the case may be, will automatically lapse after a maximum period of 5 years calculated from the date of the promulgation of this By-law.
  - (b) Signs on City property in terms of contracts entered into with the City or its predecessors, will lapse or have lapsed in accordance with the contract's lapse terms, and are not extended by the promulgation of this By-law.

## **25. SHORT TITLE**

This By-law is called the City of Cape Town Outdoor Advertising By-Law 2023.

**SCHEDULE 1**  
**AREAS OF CONTROL**

MAXIMUM			PARTIAL	MINIMUM
NATURAL AREA	RURAL AREA	URBAN AREA	URBAN AREA	URBAN AREA
<ul style="list-style-type: none"> <li>• Proclaimed nature reserves</li> <li>• Protected natural areas</li> <li>• Conservation Areas</li> <li>• Game reserves</li> <li>• Proclaimed bird sanctuaries</li> <li>• Proclaimed marine reserves</li> <li>• Beaches, sea shores, coastal public property and coastal zones</li> <li>• Oceans</li> <li>• Forestry areas</li> <li>• River corridors</li> <li>• Wetlands</li> <li>• Table Mountain National Park and World Heritage Site</li> <li>• Scenic Drives</li> <li>• The Cape Town Bioregional Plan and the Biodiversity Network</li> <li>• Specific areas or sites designated as maximum</li> </ul>	<ul style="list-style-type: none"> <li>• Agricultural areas/zones</li> <li>• Horticultural areas</li> <li>• Rural small holdings</li> <li>• Large private open spaces (e.g. golf courses)</li> <li>• Scenic Drives</li> <li>• Scenic / cultural landscapes</li> <li>• Scenic features</li> <li>• City parks</li> <li>• Agricultural and horticultural areas and adjacent road and rail reserves</li> <li>• Specific areas or sites designated as maximum rural by way of a map prepared by the City</li> <li>• Cultural &amp;</li> </ul>	<ul style="list-style-type: none"> <li>• Heritage Protection Overlay Zones (HPOZ)</li> <li>• Heritage sites</li> <li>• Provincial Heritage Areas in terms of Section 31 of the National Heritage Resources Act, 1999 (Act 25 of 1999) (NHRA)</li> <li>• Graded buildings, places and sites as provided for in terms of the NHRA</li> <li>• Residential zones and adjacent roads</li> <li>• Mobility routes</li> <li>• Pedestrian malls and pedestrian squares</li> <li>• School and institutional sites</li> <li>• Scenic features</li> <li>• Scenic drives</li> </ul>	<ul style="list-style-type: none"> <li>• Central business districts</li> <li>• Mixed use commercial and residential areas</li> <li>• Commercial development nodes and activity corridors</li> <li>• Commercial and business districts and adjacent streets</li> <li>• Mobility routes</li> <li>• Entertainment districts or complexes with commercial zones</li> <li>• Sportsfields and stadia</li> <li>• Specific areas or sites designated as partial control by way of a map prepared by the City</li> </ul>	<ul style="list-style-type: none"> <li>• Industrial zones</li> <li>• Designated transportation terminals</li> <li>• Railway stations and rail reserves</li> <li>• Designated areas within Limited Use Zones</li> <li>• Specific areas or sites designated as minimum control by way of a map prepared by the City</li> </ul>

<p>natural by way of a map prepared by the City</p>	<p>Recreational Resources Zones</p>	<ul style="list-style-type: none"><li>• Open Space systems and ecological corridors in terms of Bioregional Plans and Green Infrastructure Network</li><li>• Public open spaces</li><li>• Private open spaces</li><li>• Urban smallholdings</li><li>• Intensive urban agriculture areas</li><li>• Subsistence urban agriculture areas</li><li>• River corridors</li><li>• Wetlands</li><li>• Community facilities (excluding sports facilities and stadia)</li><li>• Special business zones</li><li>• Residential buildings</li><li>• Designated Arterial roads</li><li>• Specific areas or sites designated as maximum urban by way of a map prepared by the City</li></ul>		
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## SCHEDULE 2

### **THIRD PARTY BILLBOARDS AND THIRD PARTY FREESTANDING SIGNS UP TO 3M<sup>2</sup>**

Subject to approval in terms of this By-law, the erection and/or display of Billboards larger than 4.5m<sup>2</sup>, whether of custom-made design or of standard design, is permitted only in areas of minimum control. In addition Billboards must—

1. if the proposed erf where the Billboard is to be erected borders on a designated arterial road, and furthermore if the buildings on that erf are more than 50m from the road reserve line, not be placed less than 50m from the road reserve line, this same distance to be calculated at 90° to the nearest point of the road reserve.
  - 1.1 This distance may be waived to a distance no less than the alignment of the public facades of buildings on the erf or adjacent erven, if such adjacent buildings or if the buildings on the erf are less than 50m from the road reserve upon receipt of a Signage Impact Assessment and Traffic Impact Assessment indicating the potential impacts of the proposed waiver together with the recommendations for mitigation of those impacts.
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 they are erected, whether such encroachment is aerial or on ground level;
4. have a minimum clear height of 2.4m and a sign structure which does not exceed a maximum height of 7.5m above natural ground level, except for portrait format Billboards where a maximum height of 9m above natural ground level is permitted.

These heights may be waived subject to the following—

- 4.1 a waiver may be applied for where a Billboard is proposed on a property adjacent to an elevated section of road or bridge;
  - 4.2 such waiver may be applied for to increase the metre heights specified above, such that the sign's clear height extends no more than 1m above the top of a parapet wall or other pedestrian or vehicle restraining device installed adjacent to the elevated roadway or bridge, measured at the point on the roadway nearest to the sign;
  - 4.3 the increased height may not exceed an additional 5 metres in each case of the metre heights specified above and such Billboards may only be displayed in a landscape format; and
  - 4.4 the waiver application must be motivated with a topographical survey and scaled 2- and 3-dimensional graphic renderings demonstrating the necessity for the height waiver.
5. not exceed a maximum total size of 36m<sup>2</sup> provided that on any V-shaped or back-to-back single structure, two such panels may be permitted. The size of Billboards which face onto roads with a speed limit of 120km/h, may however be increased to two panels of 81m<sup>2</sup> each, either V-shaped or back-to-back and may only be in a landscape format, externally illuminated and may not exceed a maximum height of 10m above natural ground level;
  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 in Sections 8(5)(r) and (s) of this By-law;
  8. if internally illuminated or electronic, be displayed up to a maximum of 36m<sup>2</sup> provided that on any V-shaped or back-to-back single structure, two such 36m<sup>2</sup> panels may be permitted following assessments of the impact on road and traffic safety, heritage resources and the environment, conducted by appropriately qualified persons or practitioners, indicating no detrimental impact thereon;

9. if located near any intersection of roads, at signalised or non-signalised traffic intersections, or near a pedestrian crossing, not be erected or displayed within 50m of the perimeter of the traffic intersection or pedestrian crossing if unilluminated; and within 80m of the perimeter of the traffic intersection or pedestrian crossing if illuminated;
10. when 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, be deemed to have replaced the advertising opportunity that existed on the left hand side of the road.

**THIRD PARTY FREESTANDING SIGNS UP TO 3M<sup>2</sup>**

11. Third Party Freestanding Signs up to 3m<sup>2</sup> may be permitted in urban areas of maximum, partial and minimum control located at shopping centres and service stations. In addition, Third Party Freestanding Signs up to 3m<sup>2</sup> must—
  - 11.1 be located in the parking forecourt of a shopping centre or service station forecourt provided that they are aimed at customers on the premises and that their graphics are not visible;
    - (a) from the adjacent street;
    - (b) from residential premises in the vicinity;
    - (c) to traffic on abutting/adjacent streets; and
    - (d) to motorists entering or exiting the shopping centre or service station premises.
  - 11.2 not encroach over the boundary line of the property on which they are erected, whether such encroachment is aerial or on ground level;
  - 11.3 not be an obstruction or pose a hazard to the safety of any person;
  - 11.4 have a clear height of 2.4m if over any area used by pedestrians and may not exceed a maximum overall height of 4m above natural ground level.
12. Third Party Freestanding Signs up to 3m<sup>2</sup> may be internally illuminated or electronic but must not create visual or light pollution.
13. Third Party Freestanding Signs up to 3m<sup>2</sup> may be a single-sided, two-sided, V-shaped, or three-sided single structure. In addition—
  - (a) only one such sign at a service station will be permitted; and
  - (b) where multiple third party freestanding signs, with a cumulative total advertisement area of more than 36m<sup>2</sup> are being proposed at shopping centres, a masterplan must be submitted in terms of Section 5(10).

**SCHEDULE 3****LOCALITY BOUND FREESTANDING AND FREESTANDING COMPOSITE SIGNS, LOCALITY BOUND FARM SIGNS AND SERVICE STATION SIGNS**

Subject to approval in terms of this By-law, the erection and display of Locality Bound Freestanding signs, Freestanding Composite signs, and Service Station signs are permitted in urban areas of maximum, partial and minimum control.

1. Locality Bound Farm signs and Conservation Facility signs are permitted in natural and rural areas of maximum control.

1.1 In the case of Farm signs and Conservation Facility signs—

- (i) Entrance gates, gate structures or boundary walls may be considered for the display of locality bound banners or flags, or for having sign panels attached to, placed against, or painted on them, as a means of display.
- (ii) Custom-made signage on devices such as wine barrels and farm implements will be permitted.

2. Locality Bound Freestanding signs and Freestanding Composite signs are only permitted at the entrance to a property—

- (i) where the buildings are set back 15m or more from the boundary of the road reserve;
- (ii) where it is not reasonably possible to affix appropriate signs to a building; and
- (iii) where the existence of a Freestanding Composite sign will prevent the proliferation of signs;

provided that where there is more than one entrance per premises only one sign per street frontage will be permitted.

3. Locality Bound Freestanding and Freestanding Composite signs, Locality Bound Farm signs and Conservation Facility signs may not exceed 7.5m in height and in addition may not exceed 4.5m<sup>2</sup> in total area. This provision may be waived to a maximum height of 10m and a maximum total area of 15m<sup>2</sup> per side, having regard to the following factors—

- (i) whether 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;
- (ii) the number of businesses, farm activities or conservation facility activities which will be advertising on such sign;
- (iii) the number of approach/exit routes to the site in question; and
- (iv) the applicable land use of the area surrounding the site in question.

4. Service Station Freestanding Pylon 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 the N1, N2 and N7 Designated Arterial Roads.

5. Service Station Freestanding Pylon Signs shall not exceed 7.5m in height and shall not consist of more than 8 advertising panels of 4.5m<sup>2</sup> in total area per side. This provision may be waived to a maximum height of 16m and 8 advertising panels of 6m<sup>2</sup> each in total area per side having regard to the factors mentioned in clause 3 above. Service Station Freestanding Pylon Signs may be internally illuminated or electronic subject to the requirements of Section 8(4)(h).

6. The electronic display on a Freestanding Locality Bound Service Station Pylon Sign must not make use of combinations of colours in a manner which, in the opinion of the Road Authority, is likely to lead to confusion for road users or which may constitute a road traffic safety hazard.



#### **SCHEDULE 4**

##### **FLAT, PROJECTING, PROJECTED AND WINDOW SIGNS**

Subject to approval in terms of this By-law, the erection and display of Flat, Projecting, Projected and Window signs are permitted in all areas of maximum, partial or minimum control.

1. The City will not approve any third party signs on any residential building except as specifically provided for in this By-law.

##### **Flat and Projecting signs**

2. Locality Bound and third party Flat and Projecting signs must—
  - 2.1 not be erected within 0.6m of the edge of a roadway;
  - 2.2 not project in front of a wall more than 1.5m in the case of a sign which has a clear height of more than 7.5m, or more than 1m in the case of any lesser clear height;
  - 2.3 not project more than 250mm over a footway unless such sign has more than 2.4m clear height;
  - 2.4 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, in front of, or onto any window, door or any other openings or architectural features;
  - 2.5 not be erected over the position of existing or sealed up windows or openings, where the sealing or closing up serves no purpose except to facilitate the display of a sign;
  - 2.6 not project above the top of any wall of a building or beyond either end of any wall of a building to which it is attached;
  - 2.7 not be displayed on a fake building which serves no purpose other than to display a sign and which itself constitutes an advertising structure;
  - 2.8 be designed so as to become an integral part of the building design.
3. The City may consider applications for signs on the lift machine room, lift shaft, service block or parking level portions on non-residential buildings.
4. The City may consider applications for Locality Bound building names on non-residential and residential buildings, which signs must not be electronic.
5. Flat and Projecting Locality Bound and Third Party signs must not exceed 54m<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 the following conditions—
  - 5.1 A Signage Impact Assessment must be submitted to the City indicating no detrimental environmental impact or where a detrimental impact has been identified, recommending any mitigating measures that may be required to minimise the impact.
  - 5.2 If it is proposed to erect a Flat or Projecting sign in a Heritage Protection Overlay Zone, a Heritage Resources Assessment must be submitted indicating no detrimental impact in respect of heritage resources or where a detrimental impact has been identified, recommending any mitigating measures that may be required to minimise the impact.
  - 5.3 Other than for electronic signs, the graphics which are proposed for the said sign must be fixed for the duration of the approval of the sign.

6. The City may consider applications for Locality Bound and Third Party internally illuminated and electronic signs up to a maximum size of 4.5m<sup>2</sup> or one-quarter of the overall area of the surface to which they are affixed, whichever is the lesser. This size restriction may be waived subject to the requirements of Section 8(4)(h).

#### **Non-Electronic Signs**

7. The City may consider applications for Locality Bound and Third Party signs on blank common boundary facades of—
- (a) non-residential buildings; and
  - (b) multi-use buildings but only where such signs are positioned on the exterior of the non-residential levels.
8. The City may consider applications for Locality Bound and Third Party signs on public facades of—
- (a) non-residential buildings;
  - (b) multi-use buildings, but only where such signs are positioned on the exterior of the non-residential levels; and
  - (c) when third party, the signs to be erected on the facades of the buildings in clause 8(a) and (b) must be custom-made design signs, in that they must be exclusively designed and constructed for erection in their location and must contain at least one of the following elements—
    - (i) special effects such as specialist character cut-outs but excluding LED strip lights where these are the only special effect;
    - (ii) specialist character shapes;
    - (iii) three dimensional presentations; or
    - (iv) moving parts.

#### **Electronic Signs**

9. Subject to the requirements of Section 8(4)(h), the City may consider applications for Locality Bound and Third Party electronic signs on blank common boundary facades of—
- (a) non-residential buildings; and
  - (b) multi-use buildings but only where such signs are positioned on the exterior of the non-residential levels.
10. Subject to the requirements of Section 8(4)(h), the City may consider applications for Locality Bound and Third Party electronic signs on public facades of—
- (a) non-residential buildings; or
  - (b) multi-use buildings but only where such signs are positioned on the exterior of the non-residential levels; and
- when third party, such signs must take the shape of a unique feature on the facade or wall of the buildings on which they are to be erected and the design of the frame must contain one or more of the following design elements—
- (i) uniquely designed cladding around the frame which matches the building elevation design or architectural features;
  - (ii) a pattern either printed onto or cut out on the frame;

- (iii) an artistic feature alongside or around the display surface but which stands alone and is not part of the advertising display; or
- (iv) internal illumination or backlighting.

### **Projected signs**

11. Locality Bound and Third Party projected signs may be considered for approval on blank common boundary facades of non-residential buildings and multi-use buildings only where such signs are positioned on the exterior of the non-residential levels. The following conditions apply—
  - (a) Locality Bound and Third Party projected signs must not exceed 54m<sup>2</sup> in total area and must not exceed one-quarter of the overall area of the surface to which they are projected, whichever is the lesser. This size restriction may be waived subject to clauses 5.1 to 5.3 of this Schedule.
  - (b) The graphic content must not exceed 15 bits of information in total in terms of section 8 (5)(f) and Table 4 contained therein.
  - (c) The graphics must be fixed for the duration of the approval of the sign.
  - (d) The graphics which are proposed must not contain any animation, multiple graphics, moving features or any other special effects or displays prohibited in terms of Section 8(4)(j) unless an exemption has been granted in terms of Section 8(4)(j)(ii).
12. Projected signs may be displayed over windows on public facades of non-residential buildings and multi-use buildings only where such signs are displayed on the exterior of the non-residential levels for temporary events relating to international, national or local sports or arts and culture provided that—
  - (a) projected signs shall only be displayed at the event venue for the duration of the event; and
  - (b) the City may consider the approval of multiple static graphics but projected signs shall not contain any animation, moving features or any other special effects or displays prohibited in terms of Section 8(4)(j) unless an exemption has been granted in terms of Section 8(4)(j)(i).
13. Projected signs on City land, buildings and infrastructure may be permitted for temporary non-profit body events or community, cultural or sports related events, for the hours during which the event is open to the public, and must be turned off when the event ends daily provided that—
  - (a) projected signs shall only be displayed at the event venue for the duration of the event, and such signs may be projected over windows; and
  - (b) the City may consider the approval of multiple static graphics but projected signs shall not contain any animation, moving features or any other special effects or displays prohibited in terms of Section 8(4)(j) unless an exemption has been granted in terms of Section 8(4)(j)(i).

### **Window Signs**

14. Window signs displayed on a shopfront, business, commercial, office, industrial or entertainment unit and which are larger than the limits provided in Section 12(7)(a) (iv) and (v) or which are to be displayed on a unit between the first and fourth storeys of a building, may be permitted in all areas of control, provided that window signs—

- (a) are Locality Bound signs, and are limited to the windows of the unit occupied by the enterprise to which the Locality Bound advertising relates;
- (b) do not extend over window frames, bars, mullions or transoms;
- (c) do not extend onto or over the walls of the building plane in which the windows are positioned;
- (d) may be required to be made up as individual sign writing elements, or be displayed on a transparent material for reasons of aesthetics, heritage or natural lighting within the unit;
- (e) when displayed between the first and fourth storeys of a building, may not exceed 25% of the glazed area or 54m<sup>2</sup> in total area, whichever is the lesser;
- (f) may not be displayed above the fourth storey of any building; and
- (g) when located on windows which are glass cladding or are exterior walls of a facade made of glass, and where such glazing is deemed to be a glass wall, will be considered by the City under the provisions for Flat, Projecting and Projected signs and not as Window signs.

**SCHEDULE 5****SKY SIGNS**

Subject to approval in terms of this By-law, the erection and display of Sky signs whether of custom-made or of standard design are permitted only in areas of minimum control. In addition—

1. Sky signs must—
  - (a) be limited to a maximum total size of 4.5m<sup>2</sup>, provided that this size requirement may be waived up to a maximum of 18m<sup>2</sup> per panel upon receipt of a Signage Impact Assessment, indicating no detrimental environmental impact is envisaged and such study should recommend any mitigating measures that may be required as a result of any other impact. Such sign may be a single-sided, two-sided or V-shaped structure;
  - (b) not obstruct the view from any other building; and
  - (c) be either unilluminated, internally or externally illuminated, or electronic.

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, non-electronic and consist of individual cut-out letters or logos.

**SCHEDULE 6****LOCALITY BOUND ROOF SIGNS**

Subject to approval in terms of this By-law, the erection and display of Locality Bound Roof signs are permitted in all urban areas of control except areas zoned for residential purposes in areas of maximum control. In addition—

1. Roof signs larger than 4.5m<sup>2</sup>, may be affixed flush onto or painted onto a roof of a building and must not exceed 25% 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 must not exceed 1m in height and its total area must 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 such sign shall not—
  - (a) be erected along more than two edges of such roof;
  - (b) exceed 3.6m<sup>2</sup> in total area; and
  - (c) exceed a maximum height of 1m.

**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 display of signs on a Verandah, Balcony, Canopy, Supporting Columns, Pillars and Posts may be permitted in all areas of control on condition that such signs comply with the following conditions—

1. Signs will not be allowed on or over architectural features of buildings.
2. Signs may be affixed flat onto or painted on a parapet wall, balustrade or railing of a verandah, balcony or canopy, and beam or fascia of a verandah, balcony or canopy and must not—
  - (a) exceed 1m in height;
  - (b) project above, or below or beyond either end of the surface to which they are affixed;
  - (c) project more than 250mm in front of the surface to which they are affixed;
  - (d) project over a roadway; or
  - (e) be within 0.6m of the edge of a roadway.
3. Signs may be affixed flat onto or painted on supporting columns, pillars and posts of buildings. No sign may project more than 50mm in front of the surface to which it is affixed and shall not extend beyond any of the extremities of such columns, pillars or posts. Signs affixed flat onto non-rectangular supporting structures shall be curved to fit the form of such structures. Only one sign shall be allowed per column, pillar or post.
4. Signs suspended below the roof of a verandah, canopy or the floor of a balcony shall not exceed 1.8m in length or 600mm in height. Every such sign shall be either parallel to or at right angles to the building line. No such sign shall extend beyond the external edge of the verandah, canopy or balcony to which it is attached and must have a clear height of 2.4m.
5. Signs on the roof of a verandah, canopy or balcony, excluding the main roof of a building—
  - (a) must be composed of a single line of freestanding, individual, cut-out silhouette letters without visible bracing or other visible means of support;
  - (b) must not be erected along more than two edges of such roof of a verandah, balcony or canopy; and
  - (c) must not exceed 1m in height.

**SCHEDULE 8****SIGNS ON BOUNDARY WALLS AND FENCES, CONSTRUCTION SITE SIGNS AND DEVELOPMENT BOARDS****1. Locality Bound Signs On Boundary Walls and Fences**

Subject to approval in terms of this By-law, the erection and display of Signs on Boundary Walls and Fences is permitted only for locality bound advertising in urban areas of maximum, partial or minimum control. In addition—

- 1.1 In areas of maximum and partial control, the City may approve:
- (a) applications to affix locality bound signs of up to 3m<sup>2</sup> each against a boundary wall, but cumulatively not exceeding 10% of the visible overall area of the surface of the boundary wall to which they are affixed, if the said signs are—
    - (i) displayed as flat signs on such wall; or
    - (ii) composed of individual cut-out letters or symbols and fixed flat on the wall; and
    - (iii) not projecting more than 50mm from the face of the wall.
  - (b) applications to affix locality bound signs each larger than 3m<sup>2</sup> against a boundary wall, but cumulatively not exceeding 10% of the visible overall area of the surface of the boundary wall to which they are affixed, if the said signs are—
    - (i) indented into the wall or composed of individual cut-out letters or symbols; or
    - (ii) fixed flat on the wall, not projecting more than 50mm from the face of such wall.
  - (c) such signs provided that they do not cover the upper or side edges of the wall or fence surface to within 300mm of such edge;
  - (d) such signs if externally illuminated or if comprised of individual cut-out letters which may be illuminated by halo lighting.
- 1.2 In areas of minimum control, the City may approve—
- (a) applications to affix locality bound signs with a maximum total advertisement area not exceeding 25% of the visible overall area of the surface of the boundary wall to which they are affixed if—
    - (i) displayed as flat signs or painted signs or composed of individual, cut-out letters or symbols;
    - (ii) fixed flat on such wall not projecting more than 50mm from the face of the wall to which they are affixed or painted; and
    - (iii) such signs do not cover the upper or side edges of the wall or fence surface to within 300mm of such edge.
  - (b) such signs if externally illuminated or if comprised of individual cut-out letters which may be illuminated by halo lighting;
  - (c) unilluminated locality bound flat signs with a maximum size of 1m<sup>2</sup> on the permanent fence of an erf but cumulatively not exceeding 25% of the visible overall area of the surface of the fence. The structural stability and



wind load capacity of the fence is to be ascertained by the applicant to the satisfaction of the City.

## **2. Construction Site Signs**

Subject to approval in terms of this By-law, the erection and display of third party and locality bound advertising on Construction Site Signs are permitted in all areas of control.

2.1 Locality bound and third party advertising on construction site hoardings shall comply with the following conditions—

- (a) Any one sign shall not exceed a vertical dimension of 3m in height and a total area of 18m<sup>2</sup> and a repeat of the same graphic and pictorial representation with blank spaces between, may be permitted subject to support in writing from the relevant Road Authority.
- (b) Any such sign shall not project more than 100mm in front of the hoarding to which it is affixed.
- (c) No illumination thereof is permitted in areas of maximum and partial control.
- (d) No advertising on construction site hoardings is permitted behind a signalised traffic intersection where such advertising is within the cone of vision of motorists.
- (e) Such signs shall only be permitted when the construction site hoardings are required to be erected for legal, safety or construction reasons, and have not been erected solely or primarily for the purposes of advertising.
- (f) In addition to any certificate required regarding structural safety, the City may require the applicant to furnish copies of any additional permits in terms of any applicable legislation.
- (g) The City may require a projected project timeline or programme to be provided by the applicant, indicating the project commencement date or construction start date and completion date.
- (h) Advertising on construction site hoardings may only be erected one week prior to construction commencement on site and must be removed within one week of completion date.

2.2 Locality bound and third party advertising on self-climbing protective screens which provide a secure working environment when working at height, on scaffolding, on scaffold mesh screens, and on scaffolding wraps, shall comply with the following conditions—

- (a)(i) only one sign not exceeding a total advertising area of 54m<sup>2</sup> may be displayed per street frontage;
- (ii) the display of an artwork that is not related to the sign or the depiction of the architectural representation of the development may be permitted;
- (iii) no illumination is permitted in areas of maximum and partial control; and
- (iv) such signs shall only be permitted when the self-climbing protective screens, scaffolding, scaffold mesh screens and scaffolding wraps are required to be erected for legal, safety or construction reasons, and have not been erected solely or primarily for the purposes of advertising.
- (b) In addition to any certificate required regarding structural safety, the City may require the applicant to furnish copies of any additional permits in terms of any applicable legislation.

- (c) The City may require a projected project timeline or programme indicating the project commencement or construction start date and project completion date to be furnished by the applicant.
- (d) Advertising on self-climbing protective screens, scaffolding, scaffold mesh screens and scaffolding wraps may only be erected one week prior to construction commencement on site and must be removed within one week of completion date.

2.3 Freestanding locality bound construction site signs shall comply with the following conditions—

- (a) in areas of maximum control, the size of the sign must not exceed a total of 4.5m<sup>2</sup>;
- (b) in areas of partial control, the size of the sign must not exceed a total of 9m<sup>2</sup>;
- (c) in areas of minimum control, the size of the sign must not exceed a total of 18m<sup>2</sup>;
- (d) such sign must not exceed an overall height of 5.5m;
- (e) only one sign may be displayed per street frontage;
- (f) such signs must not be illuminated in areas of maximum and partial control;
- (g) such signs must not display any information other than the name and contact information of the construction company;
- (h) the City may require a projected project timeline or programme indicating the project commencement date or construction start date and completion date to be furnished by the applicant; and
- (i) advertising on construction site signs may only be erected one week prior to construction commencement on site and must be removed within one week of completion date.

### 3. Development Boards

3.1 Subject to approval in terms of this By-law, the erection and display of Development Boards other than those mentioned in Section 12(4) will be permitted on the development site in respect of which a building or site development plan has been approved for a proposed development. In addition—

- (a) If the site on which building operations are in progress, is not to be used wholly for residential purposes in areas of maximum control, only one Development Board may be displayed per street frontage and such Development Board must—
  - (i) not exceed 6m<sup>2</sup> in total area;
  - (ii) not exceed 5.5m in overall height; and
  - (iii) have a clear height of 2.1m.
- (b) If the site on which building operations are in progress is not to be used wholly for residential purposes in areas of partial control, only one Development Board per street frontage may be displayed and such Development Board must—
  - (i) not exceed 18m<sup>2</sup> in total area;
  - (ii) not exceed 5.5m in overall height; and
  - (iii) have a clear height of 2.1m.

- (c) If the site on which building operations are in progress, is to be used wholly for residential purposes in areas of maximum and partial control, and relate to a new development of three or more residential dwelling units, the size of such Development Board may be considered up to a maximum of 18m<sup>2</sup> in total area and 5.5m in overall height; and the number of boards limited to one per street frontage having regard to the following factors—
    - (i) the size of the development;
    - (ii) the number of entrances to the site being developed; and
    - (iii) the visual impact on the surrounding environment.
  - (d) If the site on which building operations are in progress, is in an area of minimum control, such Development Board shall not exceed 36m<sup>2</sup> in total area and 7.5m in overall height, and—
    - (i) must have a clear height of 2.4m; and
    - (ii) two Development Boards may be displayed on a premises, one per street frontage.
  - (e) Development Boards may not be erected more than three months before the start of the development.
  - (f) As part of the application for a Development Board, the applicant must submit a projected project timeline indicating the project commencement date and estimated completion date.
  - (g) Development Boards must be unilluminated and non-reflective.
  - (h) Development Boards may only display the following information—
    - (i) the name and contact information of the developer, financial services provider or property marketing agent;
    - (ii) a pictorial representation of the proposed development;
    - (iii) a description of the proposed development;
    - (iv) the words "for sale", "to let", "now selling", "sold", "launching soon", "coming soon", "new development" or "redevelopment"; and
    - (v) any pricing information.
- 3.2 The City may serve compliance notices requiring the removal of any Development Boards if the building operations have been substantially completed or discontinued, or an Occupancy Certificate has been issued by the City, and such signs must be removed within the timeframes specified in such compliance notices.

**SCHEDULE 9****NEWSPAPER HEADLINE POSTERS**

Subject to approval in terms of this By-law, the erection and display of Newspaper Headline Posters is permitted in all urban areas of control and on allocated permitted routes in natural and rural areas of maximum control. In addition—

1. Application for registration must be made on an annual basis by each newspaper group for permission to display such Newspaper Headline Posters on City land subject to an annual registration fee in terms of the City's approved Tariffs and Charges published from time to time.
2. Only Newspaper Headline Posters for newspapers that are on sale on a daily or weekly basis are permitted to be displayed on the City's electric light poles.
3. When considering an application, the City may limit the number of posters on allocated routes to prevent the proliferation of Newspaper Headline Posters. These numbers may be reviewed by the City from time to time.
4. The content of Newspaper Headline Posters displayed on City property shall be limited to headlines, stories or features contained in the newspapers on sale on a particular day and no third party advertising content will be permitted.
5. Newspaper Headline Posters may not be used as, or for, temporary campaign and event posters.
6. Newspaper Headline Posters may not exceed 0.9m x 0.6m in size.
7. Newspaper Headline Posters may not be pasted on the City's electric light poles but are to be mounted on board and affixed securely with stout string or plastic ties.
8. The commercial content of the Newspaper Headline 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.
9. Newspaper Headline Posters may not be affixed to traffic signal poles, other poles which carry road traffic signs or poles erected for any other purpose, other than City electric light poles mentioned in clause 7 above, or to any other street furniture, walls, fences, trees, rocks or other natural features located on City property.
10. Only 1 Newspaper Headline Poster per City electric light pole, regardless of which newspaper group it is, will be permitted.
11. Newspaper Headline Posters and fastenings are to be removed on a daily basis, failing which, the posters and fastenings will be removed by the City or its authorised agent, at the expense of the person/s responsible for the display of such Newspaper Headline Posters or the Newspaper Group.
12. No Newspaper Headline Poster may be displayed within 30m of any road traffic sign or traffic signal, unless such distance has been exempted, or conditionally exempted, in a designated area in terms of Section 7(6).
13. The City will determine the costs involved for the removal by the City or its authorised agent of unauthorised Newspaper Headline Posters, those displayed in contravention of any provision in this Schedule and those not removed on a daily basis in terms of the City's approved Tariffs and Charges, as published from time to time. These costs will be reviewed annually in terms of these Tariffs and Charges.

14. Unauthorised Newspaper Headline Posters, those displayed in contravention of any provision in this Schedule and those not removed on a daily basis will be removed by the City or its authorised agent. In addition to recovering the costs of the removal of these Newspaper Headline Posters, the City may recover the costs of the reinstatement of the surface from which these Newspaper Headline Posters were removed, from the person/s responsible for the display of such Newspaper Headline Posters or the Newspaper Group.

**SCHEDULE 10****ADVERTISING ON TIED BANNERS, FLAGS, BALLOONS, INFLATABLES AND LAMP POLE SWIVEL BANNERS**

Subject to approval in terms of this By-law, the erection or display of Tied Banners, Flags, Balloons, Inflatables and Lamp Pole Swivel Banners is permitted in all areas of control except natural and rural areas of maximum control and is subject to the City's standard conditions relating to the display thereof as set out below.

**Tied Banners, Flags, Balloons and Inflatables**

1. Approval for locality bound advertising on Tied Banners, Flags, Balloons and Inflatables shall only be granted for a function or event conducted for religious, educational, social welfare, animal welfare, sporting, civic, cultural or voter registration purposes or for political party events.
2. Approval for community information tied banners up to 4.5m<sup>2</sup> which are displayed by an organ of state on public land and which displays public messages, may be granted provided that such tied banners—
  - (a) contain no commercial advertising, commercial sponsorship or commercial advertising campaigns;
  - (b) if freestanding, have a minimum clear height of 2.1m and do not exceed a maximum overall height of 4.5m; and
  - (c) are not illuminated.
3. Only one locality bound advertising Tied Banner, Flag, Balloon or Inflatable per premises will be permitted unless the City's written permission is obtained to display more than one of these signs and the applicant is to submit in writing the timeframe required for the erection of such Tied Banner, Flag, Balloon or Inflatable, which timeframe shall not exceed 10 days, unless the City has specified, in its approval, that a longer period has been granted.
4. Tied Banners, Flags, Balloons and Inflatables may not—
  - (a) be displayed on any bridge or across any public road unless specific consent has been obtained from the City;
  - (b) be attached so as to interfere with or constitute a danger to passing pedestrians or vehicular traffic;
  - (c) be larger than 4.5m<sup>2</sup> except with the prior written approval of the City;
  - (d) be displayed within 30m of any road traffic sign or traffic signal;
  - (e) be affixed to traffic signal poles, or other poles which carry road traffic signs, electrical or service authority distribution boxes, street furniture, rocks, trees, other natural features, or other City property;
  - (f) be affixed in such a way that they unfairly prejudice other businesses/organisations or obscure any approved existing signs;
  - (g) be illuminated unless in an area allocated for illumination within an event footprint or venue; and
  - (h) be affixed to any premises other than the premises concerned and shall not obstruct any sight triangles for side roads or vehicle access points.

**Lamp Pole Swivel Banners**

5. Lamp Pole Swivel Banners are only permitted for functions or events conducted for religious, educational, social welfare, animal welfare, sporting, civic or cultural purposes or for a function, or event relating to a City, Provincial or Parliamentary election or referendum, or for electioneering campaigns or voter registration purposes. No Lamp Pole Swivel Banners are permitted for any other types of functions, events or purposes. In addition—
  - (a) Lamp Pole Swivel Banners may not be larger than 1.2m x 2.7m.
  - (b) Third party sponsors' names and logos may not exceed 5% of the banner area except with the prior written approval of the City.
  - (c) The display is limited to allocated routes and allocated City electric light poles.
  - (d) Only specified temporary lamp pole swivel brackets (bracket details, swivel hinge, mounting system) approved by the City may be used.
  - (e) Lamp Pole Swivel Banners may not be displayed within 30m of any road traffic sign or traffic signal.
  - (f) The name of the event must be larger than the third party sponsors' names and logos.
  - (g) Lamp Pole Swivel Banners may be displayed 7 days prior to the event, or such other time as approved by the City and must be removed within 3 days after the event.
6. The City will recover the cost of the removal of any unauthorised Tied Banners, Flags, Balloons, Inflatables and Lamp Pole Swivel Banners, as well as the cost of the reinstatement of the surface from which such Tied Banners, Flags, Balloons, Inflatables and Lamp Pole Swivel Banners were removed, from the person/s responsible for the display of such banners.
7. Each person intending to display Tied Banners, Flags, Balloons Inflatables and Lamp Pole Swivel Banners shall pay to the City a fee per Tied Banner, Flag, Balloon, Inflatable and Lamp Pole Swivel Banner in terms of the City's approved Tariffs and Charges published from time to time, which is non-refundable and shall entitle that person to display the Tied Banners, Flags, Balloons, Inflatables and Lamp Pole Swivel Banners only for a period stated in the letter of approval.

**SCHEDULE 11****POSTERS**

Subject to approval in terms of this By-law, the erection and 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 City in order to obtain a City-issued permit approval sticker, which contains the date on which the poster may be erected on the City's electric light poles and the date on which the poster is to be removed. This printed permit approval sticker must appear prominently on the front of the poster. Posters and all fastening ties must be removed on or before the removal date printed onto the poster permit approval sticker.
2. The name of the event, the host organisation, the date of the event or campaign and the venue must appear on the Posters in letters not less than 50mm in height.
3. The size of the lettering and logo of the commercial content of the poster must not be larger than the size of the main lettering in clause 2 above.
4. No more than a total of 2000 Posters per event or campaign, or group of related events or campaigns, with the exception of election posters, may only be displayed on the City's electric light poles at any one time.
5. Posters may not exceed 0.9m x 0.6m in size.
6. Posters are permitted as Category A where the host or organizer is a non-profit body and the event or campaign is for—
  - (a) non-profit and community events or campaigns, live theatre productions or art exhibitions, with up to a maximum of 10% commercial sponsorship content, provided that the non-profit body is the actual campaign organiser, host or co-host and has not merely permitted its name/logo to be displayed on the poster, and is not solely a supporter or beneficiary of the event/campaign.
7. Posters are permitted as Category B where the host or organiser is not a non-profit body and the event or campaign is for—
  - (a) a trade expo (exposition, trade exhibition, consumer show, trade fair or trade show) open to the general public;
  - (b) national or international entertainers or performers live "in concert";
  - (c) a non-profit purpose (i.e. primarily for fundraising or awareness raising) or relating to a sport, the arts, education, health or culture, despite the display of that poster being of a secondary commercial nature;
  - (d) private school and private college events and open days;
  - (e) temporary non-profit body events and campaigns with up to a maximum of 20% commercial sponsorship content; and
  - (f) community markets and cultural events that are not held more than twice a month.
8. Posters are not permitted in respect of the following—
  - (a) commercial advertising or for the advertising of commercial events, shops'/shopping centres'/malls' sales, in-store promotions, factory sales, commercial services/products offered, private book sales, auctions of goods, product launches, competitions, film releases and film or photo-shoots, music launches, private parties, motivational speakers, "work from home" and private training;



- (b) daily, weekly or occasional live performances and DJ appearances (notwithstanding a change of the performer/s) which are held at private clubs, nightclubs, bars, lounges, hotels, shopping centres/malls and restaurants;
  - (c) markets or exhibitions, which are held on a regular basis of more than twice per month; and
  - (d) purely for commercial purposes and commercial activations.
9. Posters are to be tied to the City's electric light poles where available and pasted. Posters may only be pasted on designated structures which are approved by the City for the express purpose of pasting Posters. Posters are not to be attached to traffic signal poles, other poles which carry road traffic signs, poles erected for any other purpose, electrical service authority distribution boxes, or any other street furniture, walls, fences, trees, rocks or other natural features, located on City property.
  10. Posters may not be pasted on the City's electric light poles but are to be mounted on board and affixed securely with stout string or plastic fastening. No securing material with a metal content is permitted.
  11. Only one Poster per function (or event) may be displayed on any one City electric light pole.
  12. No Poster may be displayed within 30m of any road traffic sign or traffic signal, unless such distance has been exempted, or conditionally exempted, in terms of Section 7(6).
  13. Posters may not be displayed more than 7 days before the date of the function or event and must be removed within 3 days after the date of the function or event.
  14. The display of Posters is prohibited on any bridge and in any other areas that have been prohibited in terms of any by-law that has been repealed by this By-law.
  15. The City or its authorised agent shall remove any unauthorised Posters, Posters displayed in contravention of any provision in this Schedule and any Posters not removed by the date referred to in clause 1.
  16. The City may recover the costs resulting from the removal of the posters in clause 15 above, as well as the costs for the reinstatement of the surface from which such Posters were removed, from the person/s responsible for the display of such Posters or the person/s responsible for organising, or in control of any meeting, function or event, to which such posters relate.
  17. 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.
  18. Each person intending to display a Poster located on City property shall pay to the City a non-refundable fee per poster 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 City, such fee being determined in terms of the City's approved Tariffs and Charges published from time to time. No Poster shall be displayed without such fee having been paid.
  19. The City may call for documentary proof of the non-profit body status of a non-profit body and any other relevant documentation as may be required by the City.

**SCHEDULE 12****DIRECTIONAL PROPERTY MARKETING SIGNS UP TO 0.3M<sup>2</sup> AND TEMPORARY PROPERTY MARKETING SIGNS LARGER THAN 0.3M<sup>2</sup> IN SIZE**

Subject to approval in terms of this By-law, the erection and display of Directional Property Marketing Signs, including auctioneer signs and Temporary Property Marketing Signs (larger than 0.3m<sup>2</sup> in size), are permitted in all areas of control, except natural areas of maximum control. In addition—

1. Directional Property Marketing Signs may only be displayed from 06h00 on Saturdays to 20h00 on Sundays. Such signs may only be displayed on City property, as provided for in this Schedule, when they lead to a property that is on show.
2. Directional Property Marketing Signs may not exceed 0.3m<sup>2</sup> in total area.
3. Directional Property Marketing Signs—
  - (a) may only be attached to the City's electric light poles where available;
  - (b) may only be fastened with stout string or plastic ties and no securing material with metal content is permitted;
  - (c) may not be affixed to trees, traffic signal poles or other poles which carry road traffic signs, walls, fences, rocks, other natural features or to any street furniture or other City property unless authorised by the City in writing; and
  - (d) may not contain any third party advertising.
4. Where no City electric light poles are available, Directional Property Marketing Signs may be displayed on stakes. Such signs may not be staked into any concrete, tar or paved surfaces and stakes shall not penetrate the ground deeper than 15cm.
5. Only one Directional Property Marketing Sign per agent per City electric light pole may be displayed. Two signboards sandwiched back-to-back around a City electric light pole shall be deemed to be one sign.
6. On the front of each Directional Property Marketing Sign, in addition to the wording "On show" or "Show House", "Auction", "To Let", or similar, only the following information may be displayed—
  - (a) the original permit sticker issued by the City;
  - (b) the property marketing agent, auctioneer, and/or property agency's name and their telephone number or contact details;
  - (c) in the case of private sellers, the words "Private Seller", together with their telephone number or contact details;
  - (d) a directional arrow; and
  - (e) a QR code.
7. No signs indicating anything other than the property being marketed may be erected or displayed by property marketing agents or agencies.
8. Not more than six Directional Property Marketing or directional auctioneer permit stickers will be issued per property marketing agent or auctioneer, and no more than six directional Property Marketing Signs will be permitted in total per property being marketed, including show houses, show plots and blocks of flats in which a flat is on show.
9. Directional Property Marketing Signs may not be displayed along Scenic Drives, on any bridge, in any public park or public open space and in any other areas that have been prohibited in terms of any by-law repealed by this By-law.

10. Only two Directional Property Marketing Signs per Show house/flat/plot/auction may be displayed along any proclaimed main road, excluding roads referred to in clause 9 above.
11. No Directional Property Marketing Sign shall obscure a road traffic sign.
12. No Directional Property Marketing Sign shall be erected on traffic circles.
13. No Directional Property Marketing Sign may encroach over the road verge and Directional Property Marketing Signs shall not obstruct sight triangles for side roads or vehicle access points.
14. Directional Property Marketing Signs shall be displayed along the shortest route from a main road to the property.
15. Application by each individual property marketing agent or auctioneer on an annual basis must be made to the City for permission to display Directional Property Marketing Signs.
16. Approval to display Directional Property Marketing Signs shall only be granted following payment of an annual fee for registration and a permit fee for six directional permit stickers, in terms of the City's approved Tariffs and Charges as published from time to time, provided that in the case of—
  - (a) property marketing agents and letting agents, principal agents, non-principal agents and full status agents may register, and other property marketing agency staff, and house-sitters may not register;
  - (b) auctioneers; only qualified auctioneers who are members of a recognised institute of auctioneers may register, and other auction company staff, valuers, or house-sitters, may not register;
  - (c) private sellers; where no property marketing agents are involved, private sellers can make an ad-hoc application for 3 permit stickers.
17. Any Directional Property Marketing Sign or auctioneers' sign displayed in contravention of the provisions of this Schedule, will be removed by the City or its authorised agents and may be subject to a removal charge by the City, calculated in terms of the City's approved Tariffs and Charges, as published from time to time. In addition to recovering the costs of the removal of these signs, the City may recover the costs of the reinstatement of the surface from which these signs were removed.
 

In the event that the City is unable to remove a sign due to its inaccessibility, photographic evidence of the sign in contravention of the provisions of this Schedule will be obtained by the City and a non-compliance fee will be charged in accordance with the above Tariffs and Charges. The City further reserves the right to institute criminal proceedings in respect of such signs.
18. **TEMPORARY LOCALITY BOUND PROPERTY MARKETING SIGNS LARGER THAN 0.3m<sup>2</sup> IN SIZE**
  - 18.1 Applications for signs larger than 0.3m<sup>2</sup> in size must include a motivation and will only be approved if the City is satisfied that a sign up to 0.3m<sup>2</sup>—
    - (a) is inadequately exposed or obscured by a building, trees or other features on or outside the subject property;
    - (b) is not very clear as a result of the viewing distance;
    - (c) is to be erected or affixed where the building is set back more than 1.5m from the property's street boundary; or
    - (d) is obscured from visibility from the opposite side of an abutting dual carriageway road.

**Flat and Projecting Signs**

- 18.2 If a 0.3m<sup>2</sup> sign would not provide adequate exposure, larger signs may be applied for as flat or projecting signs—
- (a) up to a maximum size of 1m<sup>2</sup>, in the case of residential properties and single unit flats;
  - (b) up to a maximum size of 1.5m<sup>2</sup> in the case of commercial properties and multi-units or flats; and
  - (c) up to a maximum size of 4.5m<sup>2</sup> in the case of properties in industrial areas.
- 18.3 Flat or projecting signs may not exceed a display period of 3 months, and re-application will be required if the property is still on the market after 3 months.
- 18.4 When erected as flat or projecting signs, such signs may not cover any windows, other openings or architectural features of a building, must be to the satisfaction of the City, fit within the fascia of balconies, canopies or verandahs and may not project above, below or beyond the edge of such balconies, canopies or verandahs.
- 18.5 Only one flat or projecting sign per street frontage is permitted, which restriction may be waived up to a maximum of two signs per street frontage but only if one sign will not provide adequate exposure.
- 18.6 Such flat or projecting signs must contain the main wording "For Sale", "Now Selling", "To Let", or "Auction".
- 18.7 A "Sold", "Gone" or "Fully Let" sticker may be placed over any approved temporary locality bound property marketing sign larger than 0.3m<sup>2</sup> indicating "For Sale", "Now Selling", "To Let" or "Auction" which sign must be removed by the expiration of the 3 month approval period or within two weeks after the sale or letting of the property. The period of display shall not be extended to accommodate a "Sold", "Gone" or "Fully Let" sign and no new such sign may be erected.

**Freestanding Signs**

- 18.8 If a 0.3m<sup>2</sup> sign would not provide adequate exposure, larger signs may be applied for as freestanding signs—
- (a) up to a maximum size of 1m<sup>2</sup>, in the case of residential properties and single unit flats;
  - (b) up to a maximum size of 1.5m<sup>2</sup> in the case of commercial properties and multi-units or flats; and
  - (c) up to a maximum size of 4.5m<sup>2</sup> in the case of properties in industrial areas.
19. Freestanding signs will only be permitted where there are no boundary walls or fences at any residential, commercial or industrial premises or on vacant erven, and subject to conditions on inadequate exposure set out in clause 18.1 above.
- 19.1 Only 1 Freestanding Sign or one V-shaped sign will be considered per property per street frontage.
- 19.2 Such Freestanding Signs shall not exceed a display period of 3 months, and re-application will be required if the property is still on the market after 3 months.
- 19.3 Such Freestanding Signs may not obscure municipal road signs, street names or traffic signals and shall not obstruct sight triangles for side roads or vehicle access points.
- 19.4 Such Freestanding Signs may not project over the property's boundary.

- 19.5 Such Freestanding Signs must contain the main wording "For Sale", "Now Selling", "To Let", or "Auction".
- 19.6 A "Sold", "Gone" or "Fully Let" sticker may be placed over any approved temporary locality bound property marketing sign larger than 0.3m<sup>2</sup> indicating "For Sale", "To Let" or "Auction" which sign must be removed by the expiration of the 3 month approval period or within two weeks after the sale or letting of the property. The period of display shall not be extended to accommodate a "Fully Let", "Sold" or "Gone" sign and no new such sign may be erected.

**SCHEDULE 13****LOOSE PORTABLE SIGNS**

Subject to approval in terms of this By-law, the erection and display of Loose Portable signs is permitted in all urban areas of control. In addition—

1. Loose Portable signs placed in the Road Reserve or on City-owned property without the written permission of the City are not permitted in terms of this By-law.
2. The City may summarily remove Loose Portable signs placed without the City's permission in the Road Reserve or on City-owned property and may impound these signs.
3. The City will consider applications to permit the placement, within the Road Reserve or on City owned property, of one Loose Portable sign per business which must comply with the following requirements—
  - (a) The Loose Portable sign must not pose a hazard to public safety.
  - (b) The Loose Portable sign must not obstruct or inconvenience the public either by its physical size or location.
  - (c) The Loose Portable sign must not unfairly prejudice other traders.
  - (d) The Loose Portable sign must not detract from the amenity of the local streetscape or local environment.
  - (e) The Loose Portable sign is to be solely used to advertise the name of the business, and goods for sale or services rendered from the advertiser's premises.
  - (f) The maximum dimensions of the Loose Portable sign shall be 1.2m (height) x 0.6m (width).
  - (g) The Loose Portable sign shall be placed flush against the advertisers' premises, provided that the above criteria are met.
  - (h) A minimum clear footway width of 1.2m adjacent to the sign must remain clear and such sign may not obstruct sight triangles.
4. Approved Loose Portable signs will be allocated to an area within the Road Reserve or on City-owned property where, during normal trading hours, advertisers may then place the approved Loose Portable signs within the allocated area. The said Loose Portable signs must be removed outside normal trading hours and stored away from public view.
5. The allocated area for displaying the Loose Portable signs will be subject to an encroachment fee to be paid by the advertiser at a rate to be set by the City in terms of the City's approved Tariffs and Charges published from time to time.
6. Notwithstanding the above, the City may cause the removal or impoundment of any Loose Portable sign should such sign be displayed in contravention of any provision of this Schedule and the City may recover the costs of the removal or impoundment of such signs from the person/s responsible for its display in terms of the above-mentioned Tariffs and Charges.

**SCHEDULE 14****AERIAL SIGNS**

Subject to approval in terms of this By-law, the erection and display of Aerial Signs may be considered for approval as temporary locality bound signs and may be permitted only in urban areas of partial or minimum control except as otherwise stated below. In addition—

1. Any Aerial Sign affixed to any building or structure located on a property may not exceed a maximum height of 45m measured from the ground level.
2. Aerial Signs affixed to any building or structures must be fixed in such a way that they are not flown above a Public Road.
3. An aerial advertisement may not exceed 36m<sup>2</sup> in overall area.
4. Applications for Aerial Signs attached to a building shall be accompanied by a structural engineer's appointment form and engineering details as to how the Aerial Sign will be affixed.
5. Only one Aerial Sign per property will be approved for a display period not exceeding 14 days per calendar month.
6. Aerial Signs may not be flown above a Public Road unless the road is temporarily closed for a non-profit body event and such signs are displayed in terms of a signage masterplan.
7. Aerial Signs may only be erected or displayed during daylight hours.
8. The City may approve more than one Aerial Sign in any area of control for a non-profit body event or sports event with or without third party sponsor's content provided that these are displayed at the event venue, footprint or along the event route.
9. Aerial Signs that incorporate the use of drones or model aircraft to transport or display any form of event advertising or sponsors' advertising may be permitted subject to the City's event permitting requirements and will be limited to the event venue, footprint or along the event route.
10. Other than as permitted in clause 9 above, Aerial Signs that incorporate the use of drones or model aircraft to transport or display any form of third party advertising are prohibited.
11. Aerial Signs may not be illuminated or electronic and no animation of any format shall be allowed on Aerial Signs.

**SCHEDULE 15****TRANSIT ADVERTISING SIGNS FOR NON-PROFIT EVENTS**

Subject to approval in terms of this By-law, the erection and display of Transit Advertising signs is permitted in all urban areas of control as set out below. In addition—

1. The conveyance of a Transit Advertising Sign is not permitted unless it is only for transportation purposes and not for third party advertising purposes.
2. 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 when displayed at a non-profit body event venue for the duration of the event in any urban area of control and in terms of the positions allocated in an event footprint signage masterplan.
3. Transit Advertising Signs parked on private property for the purposes of storage shall be positioned in such a manner so as not to be visible from a public street or public place.
4. Side advertising panels of the Transit Advertising Sign shall not exceed a maximum size of 18m<sup>2</sup> each and the front and rear advertising panels shall not exceed a maximum size of 6m<sup>2</sup> each.
5. Notwithstanding any provisions of this By-law, the City or its authorised agents may without prior notice carry out the removal of any unauthorised Transit Advertising Sign from City property, and, in the case of unauthorised transit advertising on private property, the City may serve a compliance notice calling for removal in terms of this By-law.
6. Transit Advertising Signs must be securely fixed to the ground at the parking location.
7. Transit Advertising Signs may only be illuminated or electronic if these are parked at a City approved non-profit body event venue or footprint.
8. Transit Advertising Signs may not be displayed on or from any craft, buoy, platform or boat on water for the primary purpose of advertising if visible from any public place.
9. Any Transit Advertising Sign unlawfully parked on City-owned land or which is in contravention of any of the above provisions of this Schedule, will be removed by the City or its authorised agents, and will be subject to a removal and storage charge by the City, calculated in terms of the City's approved Tariffs and Charges published from time to time.



**SCHEDULE 16****SIGNS ON CITY-OWNED LAND, BUILDINGS OR INFRASTRUCTURE**

1. The City may from time to time make its land, buildings and street furniture available for permitting thereon the erection and display of advertising signs, for non-profit or commercially sponsored signage purposes, and may grant concessions to particular persons or organisations for such purposes, whether occupied by the City or by a tenant of the City, provided that—
  - (a) The City's applicable procurement policy and asset management processes and procedures must be followed when doing so.
  - (b) The City shall set out the specifications for signs on City land prior to calling for proposals.
  - (c) Such signs must comply with the provisions of this By-law, including those pertaining to the particular sign types.
  - (d) The erection and display of such signs must also serve an identified public or community need, benefit or goal.
  - (e) Signs with political content will not be permitted unless provided for elsewhere in this By-law.
  - (f) The City, 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 a decision by the City to proceed with the erection of a sign in respect of a specific site.
2. Temporary event related signage, on City land, buildings and infrastructure is limited to the benefit of non-profit bodies, community, cultural or sports events only, including sports events hosted by other entities which are free and accessible to the general public.
3. Temporary signage purely for commercial events, including promotions, marketing and commercial activations, launching of products and services, are not permitted on City land, buildings and infrastructure.

**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 City may consider such a sign for approval, subject to the following:
  - (a) In the application to be submitted in terms of Section 5 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 provided to the City together with the other information set out in Section 5.
  - (b) The specific requirements of each particular sign type set out in this By-law must also apply to signs by or for the benefit of non-profit bodies.
  - (c) Such signs are only permitted on land controlled and used by such non-profit body.
2. In addition to the conditions set out in the Schedule applicable to the type of sign applied for, the following conditions will apply:
  - (a) Signs with a political content will not be permitted.
  - (b) The name of the non-profit body must be displayed prominently along the top of the sign with a minimum 300mm lettering height.
  - (c) Only one Billboard or Flat Sign up to 6m x 3m each will be permitted per street or rail reserve frontage, or when erected as a Billboard, one V-shaped or back-to-back sign with a maximum size not exceeding two panels of 6m x 3m each per such frontage on any one property.
  - (d) Internally illuminated or electronic Billboards or Flat Signs may be displayed up to a maximum of 18m<sup>2</sup> per panel if a waiver is granted in terms of section 8(4)(h). In considering such waiver, the City will have regard to assessments of the impact on road and traffic safety, heritage resources, scenic resources, residential amenities and the environment as may be requested by the City, indicating the potential impacts of the proposed waiver together with recommendations for mitigation of those impacts. These assessments must be conducted by appropriately qualified persons or practitioners.
  - (e) Where a non-profit body proposes a sign on state owned land, the original or a certified copy of the written authorisation from the relevant Organ of State must accompany the application submission, in which the Organ of State authorises the use of its land for income generating purposes from an advertising concession and which authorisation includes the approval of the nature and extent of the benefit to the non-profit body.
  - (f) The City may require submission of a Signage Impact Assessment, Traffic Impact Assessment or Heritage Resources Assessment, conducted by appropriately qualified persons or practitioners, indicating no negative impact thereon.
  - (g) The City may call for documentary proof of the non-profit body status of the non-profit body and any other relevant documentation as may be required by the City.



CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD

Making progress possible. Together.

# STAD KAAPSTAD VERORDENING OP BUITEREKLAME, 2023

**STAD KAAPSTAD**  
**VERORDENING OP BUITEREKLAME**

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Om regulasies neer te lê vir die gebruik van grond en geboue vir buiterekame en advertensietekens, en vir aangeleenthede wat daarmee saamgaan, en om die Verordening insake Buiterekame en Advertensietekens van 2001 te herroep.

**AANHEF**

**AANGESIEN** artikel 156(2) en (5) van die Grondwet van die Republiek van Suid-Afrika, 1996, bepaal dat 'n munisipaliteit verordeninge kan uitvaardig en administreer vir die doeltreffende administrasie van die aangeleenthede wat hy die reg het om te administreer, en enige bevoegdheid kan uitoefen met betrekking tot 'n aangeleentheid wat redelikerwys nodig is vir, of verband hou met, die doeltreffende verrigting van sy werksaamhede; en

**AANGESIEN** die Stad kragtens deel B van bylae 5 by die Grondwet van die Republiek van Suid-Afrika, 1996, oor wetgewende bevoegdheid beskik ten opsigte van reklameborde en die vertoon van advertensies op openbare plekke;

**VERORDEN** die munisipale raad van die Stad Kaapstad nou soos volg:—

**INHOUDSOPGAWE**

1. Woordomskrywing
2. Oogmerke van hierdie verordening
3. Tekens wat vrygestel is van hierdie verordening
4. Tekens wat verbode is ingevolge hierdie verordening
5. Indiening van aansoeke
6. Heffings, en algemene oorwegings vir goedkeuring of vir die wysiging van goedkeuringsvoorwaardes
7. Oorwegings met betrekking tot spesifieke advertensietekens, kommersieel geborgde tekens en beheergebiede
8. Standaardbeoordelingsvereistes en -goedkeuringsvoorwaardes
9. Wetsvereistes
10. Goedkeuring
11. Appèl
12. Tekens waarvoor goedkeuring nie vereis word nie
13. Ontsiering
14. Skade aan Stadseiendom
15. Toegang en inspeksies
16. Misdrywe
17. Boetes en strawwe
18. Aannames
19. Wetstoepassing en die verwydering van advertensietekens
20. Betekening van voldoeningkennisgewings
21. Regsbevoegdheid van landdroshof
22. Riglyne
23. Herroeping van verordeninge
24. Voorbehoude
25. Kort titel

**Bylaes**

<b>Bylae 1</b>	<b>Beheergebiede</b>
<b>Bylae 2</b>	<b>Derdepartyreklameborde, en derdeparty- losstaande advertensietekens van tot 3 m<sup>2</sup></b>
<b>Bylae 3</b>	<b>Plekgebonde losstaande en losstaande saamgestelde advertensietekens, plekgebonde plaastekens en diensstasietekens</b>
<b>Bylae 4</b>	<b>Plat, uitsteek-, geprojekteerde en vensteradvertensietekens</b>
<b>Bylae 5</b>	<b>Kimtekens</b>
<b>Bylae 6</b>	<b>Plekgebonde daktekens</b>
<b>Bylae 7</b>	<b>Advertensietekens op 'n veranda, balkon, afdak, steunkolomme, pilare en pale</b>
<b>Bylae 8</b>	<b>Advertensietekens op grensmure en -heinings, bouterreintekens en ontwikkelingsborde</b>
<b>Bylae 9</b>	<b>Koerantopskrifplakkate</b>
<b>Bylae 10</b>	<b>Reklame op vasgebinde baniere, vlae, ballonne, opblaastekens en lamppaaldraibanier</b>
<b>Bylae 11</b>	<b>Plakkate</b>
<b>Bylae 12</b>	<b>Rigtingtekens vir eiendomsbemarking van tot 0,3 m<sup>2</sup> en tydelike eiendomsbemarkingstekens groter as 0,3 m<sup>2</sup></b>
<b>Bylae 13</b>	<b>Los draagbare advertensietekens</b>
<b>Bylae 14</b>	<b>Lugtekens</b>
<b>Bylae 15</b>	<b>Transito-advertensietekens vir geleenthede sonder winsoogmerk</b>
<b>Bylae 16</b>	<b>Advertensietekens op Stadsgrond, -geboue of -infrastruktuur</b>
<b>Bylae 17</b>	<b>Advertensietekens wat deur of tot die voordeel van liggame sonder winsoogmerk opgerig word</b>

**WOORDOMSKRYWING**

1. In hierdie verordening, tensy die samehang anders aandui, het die terme hier onder die aangeduide betekenis—

“**Aangewese verkeersweg**” beteken 'n klas 1-deurpad, 'n klas 2-hoofpad of 'n klas 3-sekondêre pad wat uitgebeeld word in die padmeesterplan in die Stad Kaapstad se omvattende geïntegreerde vervoerplan, wat van tyd tot tyd gewysig kan word.

“**Advertensie**” beteken enige voorstelling van 'n woord, naam, letter, figuur of voorwerp, of 'n afkorting van 'n woord of naam, of enige simbool, of enige lig wat nie uitsluitlik vir verligting of as waarskuwing teen enige gevare bedoel is nie, en “reklame” het 'n soortgelyke betekenis.

“**Advertensietekens**” sluit onder andere in—

- (a) 'n voorwerp;
- (b) 'n struktuur;
- (c) 'n muurskildery;
- (d) 'n produkreplika;
- (e) 'n logo;
- (f) 'n toestel of bord;
- (g) 'n plakkaat;
- (h) 'n banier; of
- (i) 'n lamppaaldraibanier;

wat gebruik word om 'n advertensie te vertoon, of wat 'n advertensie bevat, of wat op sigself 'n advertensie is, en “reklameteken” en “teken” het 'n ooreenstemmende betekenis.

“**Balkon**” beteken 'n platform aan die buitekant van 'n gebou wat deur 'n muur of balustrade ingesluit word en waartoe toegang vanuit 'n venster of 'n deur op 'n hoër verdieping bekom word.

“**Banier**” beteken enige materiaal waarop 'n advertensieteken op so 'n manier vertoon word dat dit ten volle leesbaar is in windstil weer en wat vasgemaak is aan een of meer toue, pale (wat die straatlamppale van die Stad uitsluit) of vlagpale wat vertikaal, horisontaal of skuins loop, of aan geboue of spesiale strukture, maar sluit baniere uit wat as deel van 'n optog gedra word.

“**Beheergebiede**” verwys na 'n klassifikasiesistelsel van verskillende landskappe, gebiede, terreine en roetes wat aandui watter mate van beheer, naamlik maksimum, gedeeltelike of minimum beheer, op hierdie omgewings toegepas moet word, soos wat bylae 1 uiteensit.

“**Bestaande advertensieteken**” beteken enige teken wat met of sonder die Stad se goedkeuring opgerig is.

“**Bouterreinteken**” beteken 'n tydelike teken met plekgebonde of derdepartyreklame wat vertoon word teen die afskortings, die steierwerk, die maassif of omhulsel van steierwerk of 'n hysplatform by 'n bouterrein, of 'n losstaande plekgebonde advertensieteken by 'n bouterrein, maar sluit eiendomsbemarkingstekens en kontrakteursborde uit.

“**Buitegrens van 'n kruising**” beteken die buitegrens van die oppervlakte wat omsluit word deur die verlenging van die padreserwelyne van twee of meer openbare paaie wat teen enige hoek by mekaar aansluit, ongeag of sodanige openbare pad die ander kruis of nie.

“**Dak-advertensieteken**” beteken 'n teken wat op 'n dak van 'n gebou aangebring word waar die bokant van enige punt van sodanige teken nie die hoogte van die dakvlak waarop dit aangebring is, oorskry nie.

“**Dienstasiefasiliteitstekens**” beteken losstaande tekens by petrolstasies, russtasies langs die pad, diensareas en tekens op dienstasiemaste.

“**Dikte**”, ten opsigte van 'n uitsteekteken, beteken die breedte van sodanige teken wat gemeet word parallel met die vlak van die muur waarteen die teken aangebring is.

“**Derdepartyreklame**” beteken 'n teken wat goedere of dienste adverteer wat nie vervaardig, verkoop, uitgevoer of voorsien word by of vanaf die eiendom waarop die advertensie vertoon word nie, en sluit nieplekgebonde reklame in.

“**Driedimensionele teken**” beteken 'n teken wat uit meer as twee dimensies bestaan, wat produkreplikas insluit.

“**Eiendomsbemarkingsagent**” beteken 'n persoon wat eiendomme met of sonder geboue daarop bemark en verkoop, en “eiendomsbemarkingsagentskap” het 'n ooreenstemmende betekenis.

“**Eiendomsbemarkingsteken**” beteken 'n teken wat inligting bevat oor die bemarking, verkoop, veiling of verhuring van onroerende eiendom waarop die advertensie op die teken betrekking het en sluit die tekens van eiendomsagente, afslaaers sowel as rigtingstekens of -borde vir eiendomsbemarking in.

“**Elektroniese advertensieteken**” beteken 'n teken wat elektronies beheer word en wat statiese advertensies met eenvoudige oorgange, animasie, ander spesiale effekte, woorde, simbole, figure of inhoud vertoon wat met verskillende tussenposes digitaal of elektronies met 'n afstandbeheer of outomatiese middele verander word, maar sluit 'n geprojekteerde teken uit.

**“Elektroniese skerm”** beteken 'n elektroniese sigvertoontoestel vir die aanbieding van beelde, teks of video wat elektronies oorgedra word, of vir enige regstreekse stroming of uitsending. Elektroniese sigvertoontoestelle sluit televisiestelle en rekenaarskerms in.

**“Erfenishulpbronnebeoordeling”** beteken 'n beoordeling van impak op kultuurerfenis, waaronder 'n visuele beoordeling wat ag slaan op enige impak wat 'n voorgestelde teken op erfenishulpbronne, straataansigte en uitsigte kan hê.

**“Geborgde teken”** beteken 'n teken wat nie hoofsaaklik bedoel is om goedere of dienste te adverteer nie, maar wat grafika of inhoud vertoon wat die gemeenskap of publiek van 'n erkende openbare of gemeenskapsdoelwit bewus maak.

**“Geleentheid”** beteken—

- (a) enige sport-, ontspannings- of vermaaklikheidsgeleentheid, wat lewende optredes insluit;
- (b) enige opvoedkundige, kultuur- of godsdienstige geleentheid; of
- (c) enige geleentheid sonder winsoogmerk, waaronder enige konferensie of organisatoriese of gemeenskapsgeleentheid.

**“Gemagtigde amptenaar”** beteken 'n werknemer van die Stad wat daarvoor verantwoordelik is om ooreenkomstig hierdie verordening 'n plig of werksaamheid te verrig of enige bevoegdheid uit te oefen, wat insluit enige werknemer aan wie sodanige plig, werksaamheid of bevoegdheid gedelegeer is.

**“Gemeenskaplikegrensfasade”** beteken enige fasade van 'n gebou wat aan 'n agter- of sygrens van 'n erf grens en wat blind is en dus geen boukundige eienskappe, waaronder vensters of enige ander openinge, bevat nie.

**“Geprojekteerde advertensieteken”** beteken enige teken wat met behulp van 'n laserprojektor, videoprojektor of ander apparaat geprojekteer word, maar sluit elektroniese en digitale tekens uit.

**“Goedkeuring”** beteken goedkeuring deur die Stad of sy amptenare, subrade of komitees.

**“Grafika”** behels onder andere enige komponent wat tot die visuele voorkoms of estetika van 'n advertensieteken bydra, wat die agtergrond van die teken insluit.

**“Hommeltuig”** beteken 'n afstandbeheerde onbemande vliegtoestel, wat model- en speelgoedvliegtuie uitsluit.

**“Intern verligte advertensieteken”** beteken 'n struktuur wat gebruik word om 'n advertensie te vertoon en wat toegerus is met elektriese of ander krag en 'n kunsmatige ligbron wat hetsy ten volle of gedeeltelik deur die struktuur of teken omsluit word, welke lig bedoel is om die advertensie of 'n gedeelte daarvan te verlig, en “verligting” en “verlig” het 'n soortgelyke betekenis.

**“Kandela”** beteken die standaard SI-eenheid van ligsterkte (per sekonde ligintensiteit) van 'n ligbron wat in 'n bepaalde rigting skyn.

**“Kimteken”** beteken 'n advertensieteken waarvan enige bopunt die hoogte van die dakvlak waarop dit aangebring is, oorskry.

**“Koerantopskrifplakkaat”** beteken 'n tydelike plakkaat wat die inhoud van 'n dag- of weekblad wat te koop is, adverteer.

**“Kommersieel geborgde advertensieteken”** beteken 'n teken wat goedere of dienste adverteer, maar waarvan die oprigting ook 'n sekondêre doel het, naamlik om 'n erkende

openbare of gemeenskapsdoelwit, -byeenkoms of -geleentheid te bevorder of daartoe by te dra.

**“Kommersiële reklame”** beteken enige woorde, letters, logo's, figure, simbole of prente met betrekking tot die naam van 'n onderneming, saak, vennootskap of individu, of enige inligting, aanbeveling of aansporing ten opsigte van enige bepaalde goedere wat vervaardig of verkoop word, of enige bepaalde dienste wat gelewer of aangebied word, of enige geleentheid vir handel of vermaak, wat sportbyeenkomste insluit.

**“Kontrakteursbord”** beteken 'n tydelike teken wat vertoon word by 'n perseel waar bouwerk, die lê van veselkabel, loodgieters, elektriese werk, tuinontwerp, besproeiingsinstalling, herstelwerk of enige ander verbeteringe aangebring of aan die gang is en wat slegs die kontrakteur se naam, kontakbesonderhede en soort diens of produk adverteer wat by die perseel gelewer en onderneem word.

**“Kussone”** beteken dieselfde as in die Wet op Nasionale Omgewingsbestuur: Geïntegreerde Kusbestuur, Wet 24 van 2008.

**“Lamppaaldraibanier”** beteken 'n tydelike banier wat met behulp van draaiskarnierarms gemonteer en teen straatlamppale aangebring word om byeenkomste, geleenthede of veldtogte te adverteer óf vir die doel van verkiesingsveldtogte of kieserregistrasie.

**“Liggaam sonder winsoogmerk”** beteken 'n liggaam wat hoofsaaklik tot stand gebring is om 'n gemeenskapsdoelwit of -voordeel te bevorder sonder direkte of persoonlik finansiële gewin, en kan opvoedkundige, sport- en mediese liggame, Stadsdepartemente sowel as liefdadigheid- en gemeenskapsorganisasies insluit.

**“Ligstorting”** beteken verligting vanaf 'n ligbron wat 'n advertensieteken verlig, maar wat ook buite die area van sodanige teken val.

**“Los draagbare advertensietekens”** beteken 'n losstaande teken wat nie permanent op een plek vasgemaak is of bedoel is om op een plek vasgemaak te bly nie, en wat hetsy op sy eie staan of vasgehou word.

**“Losstaande advertensietekens”** beteken enige teken of groep tekens wat in een losstaande struktuur vervat is of daarop vertoon word en wat nie vas is aan 'n gebou of aan enige struktuur of voorwerp wat nie hoofsaaklik vir reklame bedoel is nie.

**“Lugteken”** beteken 'n advertensieteken wat in die lug vertoon of uitgevoer word, wat onder meer insluit ballonne en ballonskepe wat aan geboue of ander strukture op 'n perseel vasgemaak is en van binne die Stad se regsgebied gesien kan word.

**“Luminansie”** is 'n maatstaf van hoe helder die oppervlakte van 'n verligte advertensieteken vir die menslike oog is en word in kandela/m<sup>2</sup> gemeet.

**“Multigebruikgebou”** beteken 'n gebou of terrein wat vir sowel residensiële as enige bykomende nieresidensiële doeleindes gebruik word.

**“Nieresidensiële gebou”** beteken 'n gebou waarvan geen gedeelte hetsy tydelik of permanent vir menslike bewoning beset of gebruik word nie.

**“Omgewing”** beteken die konteks waar die aanbring of oprigting van 'n advertensieteken voorgestel word en sluit in alle natuurgebiede sowel as gebiede en strukture wat deur mense aangepas of gebou is, met inbegrip van biodiversiteits- en natuurlike hulpbronne, kultuurerfenis en visuele aantreklikheid, estetika en alle faktore wat mense se gesondheid en die gehalte van menselewens beïnvloed.



**“Ontwikkelingsbord”** beteken die tydelike teken van 'n ontwikkelaar wat vertoon word by 'n perseel waarvoor daar 'n goedgekeurde bouplan vir 'n voorgestelde ontwikkeling bestaan, welke teken beskryf watter soort ontwikkeling daar onderneem word of sal word, en wat 'n prentevorstelling of beskrywing van die voorgestelde ontwikkeling, pryse en die naam en kontakbesonderhede van die ontwikkelaar, die finansiëlediensteverkaffer en/of die eiendomsbemarkingsagent kan insluit.

**“Opblaasteken”** beteken enige teken wat 'n mate van gepompte lug of gas vereis om te vertoon.

**“Openbare fasade”** beteken enige fasade wat vensters, openinge of ander boukundige artikulasies bevat, welke fasade hetsy op die straat uitkyk of teruggeset is van 'n sy- of agtergrens van die erf, en wat ontwerpte aansigte insluit, of 'n fasade wat blind is.

**“Openbare pad”** beteken 'n openbare pad soos wat die Nasionale Padverkeerswet, Wet 93 van 1996, dit omskryf.

**“Openbare plek”** beteken enige openbare pad, openbare parkeerterrein, openbare straat, deurgang, brug, duikweg, looppad, geplaveide voetgangerarea, voetpad, sypaadjie (of soortgelyke voetgangergedeelte van 'n padreserwe), laan, plein, openbare ruimte, tuin, park, strand of ingeslote plek onder die Stad of 'n ander staatsowerheid se beheer, of wat as sodanig op die landmeter-generaal se rekords aangedui word, of wat deur die publiek benut word, of wat as sodanig in die tersaaklike soneringskema gesoneer is.

**“Padowerheid”** beteken die munisipale of provinsiale regeringsdepartement wat daarvoor verantwoordelik is om 'n pad in 'n bepaalde regsgebied te administreer.

**“Padreserwe”** beteken die gebied binne die statutêre breedte van 'n pad, wat insluit ryvlakke, padskouers en sypaadjies, en die lugruimte bo sodanige ryvlakke, padskouers en sypaadjies, en alle ander areas binne die padreserwegrens, waaronder reserwes van paai wat nog nie gebou is nie.

**“Pasgemaakte ontwerp”** beteken die unieke ontwerp van enige teken wat uitsluitlik vir oprigting op 'n bepaalde plek ontwerp en gemaak word en wat ten minste een van die volgende elemente bevat—

- (a) Spesiale effekte soos gespesialiseerde karaktersnymodelle, maar nie LED-strookligte waar dit die enigste spesiale effek is nie;
- (b) Gespesialiseerde karaktervorms;
- (c) Driedimensionele aanbiedings; of
- (d) Bewegende dele.

**“Persoon”** sluit in—

- (a) enige staatsorgaan;
- (b) enige maatskappy wat kragtens enige wet as sodanig ingelyf of geregistreer is; en
- (c) enige groep persone, hetsy ingelyf of nie, wat om watter rede ook al as 'n enkele entiteit funksioneer.

**“Plakkate”** beteken tydelike tekens wat teen straatlamppale van die Stad aangebring of teen vaste strukture opgesit kan word om geleentheid of veldtogte van 'n beperkte tydsduur, waaronder verkiesings of referendums, te adverteer, of wat vir die doeleinde van verkiesingsveldtogte of kieserregistrasie gebruik word, maar sluit uit reklameplakkate vir dieselfde geleentheid wat op 'n permanente of gereelde grondslag op meer as twee dae per maand gehou word.

**“Plat advertensieteken”** beteken 'n teken wat direk teen 'n muur van 'n gebou aangebring of daarop geprojekteer, geplak of gevef is, maar nie op of oor vensters of deure of boukundige artikulasies nie, en wat op geen punt verder as 250 mm van die oppervlak van

sodanige muur uitsteek nie, of 'n teken wat in die gebou self ingegraveer of gevorm is en 'n integrale deel van die gebou uitmaak, of 'n teken wat plat teen 'n grensmuur aangebring is.

**“Plekgebonde reklame”** beteken enige teken wat op 'n bepaalde erf, perseel of gebou vertoon word en wat verwys na die naam van die perseel of gebou, die naam of logo van die saak wat op of vanaf daardie erf, perseel of gebou bedryf word, of 'n aktiwiteit, produk, diens of attraksie wat op of vanaf daardie erf, perseel of gebou gelewer of voorsien word.

**“Reklamebord”** beteken enige losstaande skerm of bord met 'n totale reklameoppervlakte van meer as 4,5 m<sup>2</sup> wat gestut word deur, of bestaan uit, 'n struktuur wat gebruik word of bedoel is vir die aanbring, vertoning of tentoonstelling van 'n derdeparty-advertensieteken.

**“Residensiële gebou”** beteken 'n gebou of gedeelte van 'n gebou of terrein wat vir hetsy tydelike of permanente menslike bewoning ontwerp is, en sluit onder andere in woonhuise, wooneenhede, woonstelle, gastehuse, bed-en-ontbytondernemings, losieshuise, hotelle, kamers te huur, selfsorgeenhede en hostelle.

**“Ryvlak”** beteken daardie gedeelte van 'n pad, straat of deurgang wat vir voertuigverkeer verbeter, gebou of bedoel is, soos wat die Nasionale Padverkeerswet, Wet 93 van 1996, dit omskryf.

**“Saamgestelde advertensietekens”** beteken 'n enkele losstaande tekenstruktuur vir die vertoning van meer as een advertensie.

**“Sekuriteitstekens”** beteken 'n buitereklaametekens vir 'n—

- (a) buurtwag;
- (b) straatkomitee;
- (c) sentrale verbeteringsdistrik; of
- (d) sekuriteitsdiens;

welke teken slegs die naam, logo, adres en telefoonnommer van die bogenoemde skema of diens mag bevat.

**“Staatsorgaan”** beteken—

- (a) enige staatsdepartement of administrasie in die nasionale, provinsiale of plaaslike regeringsfeer; of
- (b) enige ander funksionaris of instelling—
  - (i) wat 'n bevoegdheid uitoefen of 'n werksaamheid verrig ingevolge die Grondwet of 'n provinsiale grondwet; of
  - (ii) wat 'n openbare bevoegdheid uitoefen of 'n openbare werksaamheid verrig ingevolge enige ander wetgewing.

**“Stad”** beteken die Stad Kaapstad, 'n munisipaliteit wat ingestel is deur die Stad Kaapstadstigtingskennisgewing No. 479 van 2000, wat ingevolge artikel 12 van die Wet op Plaaslike Regering: Munisipale Strukture, Wet 117 van 1998, uitgereik is, en sluit in enige struktuur of werknemer, verteenwoordiger of agent van die Stad wat in verband met hierdie verordening optree ingevolge 'n bevoegdheid of gedelegeerde bevoegdheid van die Stad.

**“Straatmeubels”** beteken openbare fasiliteite en strukture van die Stad wat nie hoofsaaklik vir reklame bedoel is nie, en sluit onder andere in sitbanke, planthouers, vullisdromme, paalgesteelde vullisdromme of vullissakhouders, busskuilings, sypaadjehorlosies, waterfonteine, telekommunikasiekaste, Wi-Fi-kolle, verduidelikende kaarte en tekens, verkeersligbeheerders en elektrisiteitskaste, maar sluit uit padverkeerstekens, verkeersligte, straatligte of enige ander padverwante strukture.

**“Straatnaamtekens”** beteken paalgemonteerde, dubbelkant-, intern verligte óf nieverligte tekens van hoogstens 1 m<sup>2</sup> wat reklame insluit, welke reklame saam met straatname vertoon word.

**“Subraad”** beteken 'n metropolitaanse subraad wat ingestel is ingevolge artikel 3 van die Stad Kaapstad: Verordening op Subrade, 2003, soos gewysig.

**“Tekens-impakbeoordeling”** beteken 'n beoordeling om te bepaal of 'n voorgestelde advertensietekens 'n nadelige of negatiewe impak op die kunsmatige of natuurlike omgewing kan hê, wat onder meer insluit die sosiale, visuele, erfenis- en verkeersveiligheidsimpak van die voorgestelde tekens.

**“Tekensmeesterplan”** beteken 'n voorlegging met sketse, teks en spesifikasies wat die besonderhede uiteensit van die ligging, uitleg, verligting en konseptuele tipe en ontwerp van die voorgestelde tekens en/of bestaande tekens op 'n perseel of in 'n bepaalde gebied.

**“Tekensstruktuur”** beteken enige struktuur of deel daarvan, wat onder andere insluit 'n raam, staander, paal, materiaal, bord, hegstukke, stutarms of verligtingstoestel, wat gebruik word om 'n advertensietekens te stut of te vertoon, ongeag of dit die struktuur of onderdeel se primêre doel is of nie, en “advertensiestruktuur” en “reklamestruktuur” het 'n ooreenstemmende betekenis.

**“Toepaslik gekwalifiseerde persoon of praktisyn”** beteken 'n persoon of praktisyn wat oor professionele kwalifikasies, opleiding, vaardighede of ervaring met betrekking tot buiterekame beskik en aan die hand van literatuur, gevestigde protokolle of objektiewe standaarde en metodes gesaghebbende beoordelings, advies en ontledings ten opsigte van buiterekame kan voorsien.

**“Totale hoogte”**, ten opsigte van 'n advertensietekens, beteken die vertikale afstand tussen die hoogste kant van die tekens en die afgewerkte vlak van die grond, looppad of verkeersweg reg onder die middelpunt van die tekens.

**“Transito-advertensietekens”** beteken advertensietekens op of in samehang met 'n gemotoriseerde of niegemotoriseerde voertuig, ongeag of sodanige voertuig van 'n standaardontwerp is of pasgemaak of doelgebou is om vir 'n tekens voorsiening te maak, en sluit in vaartuie soos bote of ander vervoermiddele wat op water beweeg, hetsy gemotoriseer of nie, of sleepwaens wat hoofsaaklik vir reklamedoeleindes gebruik word.

**“Tydelike openbare kuns”** beteken kunswerke of ontwerp-elemente wat tydelik in 'n openbare ruimte geleë is en verskeie vorme kan aanneem, wat onder andere insluit beeldhouwerke, skilderye, muurskilderye, mosaïekwerk, landkuns, fotografie en digitale tegnologieë.

**“Tydelike tekens”** beteken tekens wat vertoon word vir hoogstens 14 opeenvolgende dae of sodanige ander tydperk as wat die Stad op aanvraag kan goedkeur.

**“Uitsigpad”** beteken 'n pad of roete wat hetsy op 'n goedgekeurde soneringskaart of in die munisipale raamwerk vir ruimtelike ontwikkeling as sodanig aangewys is en van waar landskappe of esteties of kultureel belangrike kenmerke wat die Stad van tyd tot tyd aanwys, gesien of besigtig kan word.

**“Uitsteekteken”** beteken 'n tekens wat teen 'n muur van 'n gebou aangebring is en wat op 'n sekere punt verder as 250 mm van die oppervlak van sodanige muur uitsteek.

**“Vensteradvertensietekens”** beteken plekgebonde tekens wat tydelik of permanent geverf, gesandstraal, geplak, aangebring of geskryf word op, of vertoon word agter, die vensterglas van winkelfronte of die kommersiële, kantoor-, nywerheids- of vermaaklikheidsseenhede waarop die venstertekens betrekking het en wat nie oor die rame, hoofstyle, tussenstyle, kalwe, banke of lateie van die betrokke vensters strek nie.

“**Veranda**” beteken 'n oordekte platform wat aan die buitekant van 'n gebou gelyk met die grondvlak geleë is en sluit 'n vrydraende afdak en sonblinding in.

“**Verkeersimpakbeoordeling**” beteken 'n beoordeling wat uitgevoer word deur 'n geregistreerde verkeersingenieurspraktisyn met bewese ervaring op die gebied van verkeersingenieurswese om te bepaal watter impak 'n voorgestelde teken op die veiligheid van motoriste, voetgangers en fietsryers en op verkeersbedrywighede kan hê, ooreenkomstig die riglyne vir buitereklaam wat die Stad van tyd tot tyd kan publiseer.

“**Verkeerslig**” beteken 'n padverkeerslig of -sein soos wat die Nasionale Padverkeerswet, Wet 93 van 1996, dit beskryf.

“**Verkeersligkruising**” beteken 'n kruising wat met behulp van verkeersligte beheer word.

“**Verkeersteken**” beteken 'n padverkeersteken soos wat die Nasionale Padverkeerswet, Wet 93 van 1996, dit beskryf.

“**Vertoon**” beteken die vertoon van 'n advertensieteken, wat insluit die oprigting van enige reklamebord of teken, of 'n struktuur wat uitsluitlik of hoofsaaklik bedoel is om 'n reklamebord of teken te stut, sowel as die vertoon van 'n teken van 'n onderneming, saak of vennootskap waarop, of individu op wie, die inhoud van die teken of die teken self betrekking het, en “vertoning” het 'n ooreenstemmende betekenis.

“**Vervoerterminusse**” beteken gebiede wat die Stad as sodanig aanwys en waar die publiek formeel van openbare vervoer verwissel, wat onder andere insluit aangewese treinstasies, amptelike taxistaanplekke en busterminusse.

“**Voertuigadvertensietekens**” beteken advertensietekens op gemotoriseerde of niegemotoriseerde voertuie wat hoofsaaklik oor land beweeg, wat onder andere insluit fietse, taxi's, busse en afleweringvoertuie, maar wat voertuie uitsluit wat primêr vir reklamedoeleindes gebruik word.

“**Voortgesette misdryf**” beteken die optrede van 'n persoon wat ná skuldigbevinding aan 'n misdryf ingevolge hierdie verordening voortgaan met die gedrag wat tot sodanige skuldigbevinding gelei het.

“**Vryhoogte**”, ten opsigte van 'n advertensieteken, beteken die vertikale afstand tussen die laagste kant van die teken en die natuurlike vlak van die omliggende grond, looppad of verkeersweg reg onder die teken.

“**Wet**” beteken enige wet, verordening, uitvaardiging, ordonnansie, nasionale of provinsiale wetgewing of enige ander voorskrif wat regsrag het.

“**Winkel**” beteken 'n gebou wat vir kleinhandel of dienste gebruik word.

## 2. OOGMERKE VAN HIERDIE VERORDENING

Die doel van hierdie verordening is om—

- (1) buitereklaam in die regsgebied van die Stad Kaapstad te reguleer om te sorg dat dit die integriteit respekteer van enige terrein waarop dit vertoon word, en nie die karakter van die plek waar dit vertoon word negatief beïnvloed nie. Die beskerming van visuele, toeriste-, verkeersveiligheids-, omgewings- en erfeniseienskappe is belangrike oorwegings in dié verband;
- (2) ekonomiese geleenthede te skep deur dit makliker te maak om met die Stad sake te doen, administratiewe rompslomp te verminder, en voorsiening te maak vir 'n aantal tekens wat sonder 'n aansoek opgerig kan word;

- (3) die reguleringsleemte te oorbrug wat as gevolg van nuwe digitale en elektroniese tekentegnologieë ontstaan het, en die gebruik van sodanige kreatiewe tegnologieë aan te moedig;
- (4) beheergebiede te bepaal om die dinamiek tussen die tekentipe, die teken self en die voorgestelde ligging te hanteer; en
- (5) 'n uiteensetting te bied van die prosedures en kriteria wat die Stad Kaapstad sal volg en toepas ten opsigte van 'n aansoek om goedkeuring vir 'n teken wat as buitereklaamte beskou word.

### **3. TEKENS WAT VRYGESTEL IS VAN HIERDIE VERORDENING**

Die volgende tekens vereis nie die Stad se vooraftoestemming ingevolge hierdie verordening nie—

- (1) Inligtingstekens wat ook toeristebestemmingspadtekens is, soos wat die padverkeerstekenhandleidings van onderskeidelik die Suider-Afrikaanse Ontwikkelingsgemeenskap en Suid-Afrika dit omskryf;
- (2) Tekens wat volgens wet vertoon moet word, waaronder padverkeerstekens wat ingevolge enige wet opgerig word;
- (3) Openbarewerke-projekborde van nasionale, provinsiale of plaaslike regering;
- (4) Tekens wat nie vanaf 'n openbare buitelugplek sigbaar is nie;
- (5) Tekens wat binne-in 'n ingeslote ruimte soos 'n stadion of 'n winkelsentrum of -wandelhal vertoon word;
- (6) Reklame op kledingstukke;
- (7) Nasionale vlag wat teen gepaste vlagpale gehys word, mits geen kommersiële reklame hetsy op die paal aangebring of by die ontwerp van die vlag ingesluit word nie;
- (8) Muurskilderye en kunswerk wat nie iets adverteer of op sigself advertensietekens is nie en wat ingevolge die Stad se permitstelsel vir openbare kunswerk goedgekeur word; en
- (9) Tekens wat slegs die naam, straatnommer of straatnaam van 'n privaat residensiële eiendom identifiseer.

### **4. TEKENS WAT VERBODE IS INGEVOLGE HIERDIE VERORDENING**

Die volgende tekens is verbode ingevolge hierdie verordening:

- (1) Tekens op torings, wat onder andere insluit koeltorings, watertorings en silo's, sowel as tekens op hyskrane, oorhoofse stellases, padstellases, telekommunikasiemaste en traliemaste;
- (2) Tekens op of oor 'n brug, buiten ten opsigte van 'n tydelike geleentheid waar die paaie gesluit is en toestemming ingevolge die Stad se geleentheidspemitprosesse bekom is;
- (3) Tekens en produkte vir kommersiële geleenthede, waaronder vir die bevordering, bemerking en bekendstelling van produkte en dienste op, of vir die verspreiding daarvan vanaf, Stadsgrond, -geboue en -infrastruktuur;

- (4) Elektroniese skerms, televisiestelle en rekenaarskerms wat sigbaar is vanaf enige openbare plek, buiten ten opsigte van 'n tydelike geleentheid waar die paaie gesluit is en toestemming ingevolge die Stad se geleentheidspersmitprosesse bekom is;
- (5) Lopende advertensies, dubbelkantlyfborde met advertensies op, en tekens wat met die hand vasgehou word; en
- (6) Tekens wat vir kommersiële reklamedoeleindes vertoon word op of in samehang met—
  - (a) afstandbeheerde hommeltuie of modelvliegtuie in die lug;
  - (b) enige vaartuig, boei, platform of boot op water in die kussone; en
  - (c) sleepwaens, buiten in omstandighede waarvoor bylae 15 voorsiening maak;

indien dit vanaf enige openbare plek sigbaar is, ongeag of die teken aan die beweeg is of nie.

#### **5. INDIENING VAN AANSOEKE**

- (1) Afgesien van daardie tekens waarna artikel 12 verwys, mag geen persoon enige advertensie vertoon of enige teken of tekenstruktuur vir reklamedoeleindes oprig of gebruik sonder goedkeuring ingevolge hierdie verordening en enige ander tersaaklike wet nie.
- (2) Elke persoon wat beplan om 'n nuwe teken te vertoon of om wysigings te maak aan, of iets by te voeg by, 'n bestaande goedgekeurde teken, of wat 'n tekenaansoek of tekenmeesterplan ingevolge hierdie verordening indien, of 'n aansoek om 'n tydelike gebou ooreenkomstig die bepalings van die Wet op Nasionale Bouregulasies en Boustandaarde, Wet 103 van 1977, wat die struktuurveiligheid van 'n voorgestelde teken en sy onderbou bevestig, moet skriftelik of elektronies op die voorgeskrewe vorm by die Stad aansoek doen en moet die volgende inligting by die aansoek insluit—
  - (a) 'n Terreinplan van die terrein waar die aansoeker die teken wil oprig of vertoon, welke plan op 'n skaal van minstens 1:200 geteken is en die posisie van die teken en, indien van toepassing, die gebou waaraan die teken vasgeheg sal wees duidelik en akkuraat aandui, sowel as elke gebou en bestaande teken op die terrein, bestaande en voorgestelde buiteontwerp, verkeersligte en padverkeerstekens, die posisie en afmetings van die teken, die teken in verhouding tot die grense en boulynbepelings en enige serwitute wat oor die terrein geregistreer is, en die ligging van die strate wat die terrein begrens.
  - (b) 'n Skets wat aan die vereistes van die Wet op Nasionale Bouregulasies en Boustandaarde, Wet 103 van 1977, voldoen en genoeg besonderhede bevat om die Stad in staat te stel om die voorkoms van die teken te oorweeg, sowel as alle tersaaklike konstruksiebesonderhede, waaronder 'n beskrywing van die materiale waarvan die teken gemaak sal word, die kleure wat gebruik sal word, of dit 'n verligte teken sal wees, en indien wel, of dit 'n elektroniese teken is, en indien wel, volledige besonderhede ingevolge artikel 5(2)(i) hier onder.
  - (c) Die skets waarna artikel 5(2)(b) hier bo verwys, moet detailsketse van die voorgestelde teken insluit op 'n skaal van minstens 1:50, en 'n terreinplan op 'n skaal van minstens 1:200 wat die posisie van die teken op die terrein aandui.
  - (d) Indien die grafika van 'n goedgekeurde derdepartyteken met hetsy vaste grafika of 'n pasgemaakte ontwerp in enige stadium gedurende die

goedkeuringstydperk verander, moet die aansoeker die nuwe grafika by die Stad indien voordat dit vertoon word om na te gaan dat dit steeds aan die oorspronklike goedkeuringsvoorwaardes voldoen.

- (e) Indien slegs die grafika van 'n bestaande goedgekeurde plekgebonde teken in enige stadium verander, ongeag of daar oorskryding is of nie, word geen voldoeningkontrole of skriftelike goedkeuring van die Stad vereis voordat dit vertoon word nie.
- (f) Indien 'n teken teen die muur of fasade van 'n gebou aangebring of vertoon sal word, kan die Stad vereis dat 'n bykomende skets ingedien word met 'n gebouaansig in kleur, die besonderhede en posisie van die voorgestelde teken, en die besonderhede en posisie van elke bestaande teken op die gebou, welke skets op 'n skaal van minstens 1:100 geteken is, of 'n kleurfoto of -rekenaarbeeld van die gebou waarop die besonderhede van die voorgestelde teken gesuperponeer is op 'n skaal so na as redelikerwys moontlik aan dié van die foto of beeld.
- (g) Die Stad kan sodanige bykomende sketse, berekeninge en ander inligting aanvra as wat nodig is om te bepaal of die voorgestelde metodes om enige teken, advertensie of reklamebord te verstewig, vas te maak of te stut voldoende sal wees, sowel as vir die bepaling van die weerstandsvermoë teen alle laste en kragte waaraan die teken, advertensie of reklamebord blootgestel kan word, en die veiligheidsgrens teen faling of onklaarraking.
- (h) Indien die aansoeker nie die geregistreerde eienaar is van die eiendom waarop die teken opgerig sal word nie, moet die aansoeker die handtekening bekom van die geregistreerde eienaar(s) van die grond of gebou waarop die teken opgerig sal word, of volmag van sodanige eienaar(s) wat bevestig dat hulle bewus is van, en toestem tot, die aansoek.
- (i) Indien die voorgestelde teken 'n elektroniese teken is of intern verlig sal word, word die volgende inligting vereis—
  - (i) Volledige besonderhede van alle steunstrukture, installasiebesonderhede en volledige spesifikasies van die elektroniese skerm, wat aangedui moet word op 'n skets met die regte skaaldimensies.
  - (ii) Vir 'n teken groter as 4,5 m<sup>2</sup> moet 'n versoek vir vergunning vir 'n groter teken ingevolge artikel 8(4)(h) saam met die tekenaansoek ingedien word.
  - (iii) Vir enige teken groter as 4,5 m<sup>2</sup> kan die Stad aandrang op die indiening van 'n tekenimpakbeoordeling, erfenishulpbronnebeoordeling, verkeersimpakbeoordeling of enige ander impakbeoordeling wat die Stad dalk nodig ag, wat deur 'n toepaslik gekwalifiseerde persoon of praktisyn onderneem moet word en enige temperingsmaatreëls moet aanbeveel wat nodig kan wees as gevolg van enige impak wat 'n beoordeling identifiseer.
- (j) Indien die voorgestelde teken of enige deel daarvan of 'n gepaardgaande ligtoebehoorsel oor of op 'n aangrensende eiendom of eiendomme oorskry, moet die toestemming van die eienaar(s) van sodanige aangrensende eiendom(me) vir die beoogde oorskryding bekom word, en toestemming kan ook vereis word waar die voorgestelde teken of ligtoebehoorsel op of oor Stadseiendom oorskry.

- (k) In geval van geborgde tekens deur of vir liggame sonder winsoogmerk moet die gasheerliggaam dokumentêre bewys indien van die aard en omvang van die voordeel wat uit die oprigting en vertoning van die teken ontvang sal word.
- (l) Die Stad kan die dokumentvereistes in artikel 5(2)(a) tot (c) hier bo laat vaar of wysig ten opsigte van—
  - (i) koerantopskrifplakkate;
  - (ii) baniere, vlag, ballonne, opblaastekens en lamppaaldraaibaniere;
  - (iii) plakkate;
  - (iv) rigtingtekens vir eiendomsbemarking en tydelike eiendomsbemarkingstekens van tot 0,3 m<sup>2</sup>; en
  - (v) los draagbare advertensietekens;

wat ooreenkomstig die bepalings van bylae 9, 10, 11, 12 en 13 vertoon moet word en onderworpe is aan die vereistes daarin.

## VOORAF-EVALUERING

### (3) Vooraf-evaluering en -volledigheidskontrole van aansoeke

- (a) Aansoeke om die tekenipes wat in bylae 2 tot 17 beskryf word, en aansoeke wat nie uit die staanspoor aan die voorwaardes in artikel 12 voldoen nie, sal vóór fooiberekening aan vooraf-evaluering onderwerp word, wat deel uitmaak van 'n meefaseproses.
- (b) Aansoeke moet die vooraf-evaluering en -volledigheidskontrole slaag voordat 'n formele aansoek verder verwerk kan word.
- (c) As die eerste fase in 'n meefaseproses, sal 'n aansoek vóór fooiberekening 'n vooraf-evaluering en -volledigheidskontrole ondergaan om te bepaal of—
  - (i) dit volledig is en aan die tersaaklike vereistes in artikel 5 en 7 voldoen;
  - (ii) dit aan die vereistes van enige ander toepaslike artikels en bylaes voldoen;
  - (iii) daar enige strydigheid is met 'n bepaling van hierdie verordening wat reggestel kan word; en
  - (iv) daar strydigheid is met 'n absolute vereiste in hierdie verordening, wat dus nié reggestel kan word nie.
- (d) Die Stad moet die aansoeker binne sewe werksdae ná ontvangs van 'n aansoek in kennis stel van—
  - (i) die uitslag van die vooraf-evaluering en -volledigheidskontrole;
  - (ii) enige tekortkominge wat reggestel moet word; en
  - (iii) enige bykomende of uitstaande inligting wat vereis word.



- (e) 'n Aansoeker moet binne 21 werksdae na kennisgewing van die uitslag van die vooraf-evaluering en -volledigheidskontrole enige tekortkominge in 'n aansoek regstel en enige bykomende inligting wat die Stad vereis, voorsien.
- (f) 'n Aansoek sal nie as volledig beskou en verder verwerk word tensy dit die vooraf-evaluering en -volledigheidskontrole slaag nie.
- (g) Sodra die Stad skriftelik bevestig dat die aansoek die vooraf-evaluering en -volledigheidskontrole geslaag het, en 'n faktuur vir die betaling van die voorgeskrewe aansoekfooit uitreik, sal die aansoek verder verwerk word. Indien die voorgeskrewe aansoekfooit nie binne 21 kalenderdae na die uitreiking van die faktuur betaal word nie, word die aansoek teruggestuur na die aansoeker en gesluit.
- (h) Indien daar bevind word dat 'n aansoek strydig is met 'n absolute vereiste in hierdie verordening soos wat artikel 5(3)(c)(iv) hier bo beskryf, sal die aansoek geweier en die aansoeker dienoooreenkomstig in kennis gestel word.
- (i) Indien 'n aansoek nie die vooraf-evaluering en -volledigheidskontrole ingevolge artikel 5(3)(d)(ii) of (iii) hier bo slaag nie omdat tekortkominge reggestel of enige bykomende of ontbrekende inligting vereis word, moet die aansoeker binne 21 werksdae na kennisgewing van die uitslag van die vooraf-evaluering en -volledigheidskontrole sodanige tekortkominge regstel of sodanige bykomende of ontbrekende inligting voorsien.
- (j) Die slaag van die Stad se vooraf-evaluering en -volledigheidskontrole plaas geen verpligting op die Stad om 'n formele aansoek om die betrokke teken goed te keur nie, en skep ook geen regmatige verwagting in dié verband nie.

#### **Aansoeke wat die vooraf-evaluering en -volledigheidskontrole slaag**

- (4) Ondanks die bepalings van artikel 5(6) en (7) hier onder, kan die Stad in enige stadium aandrang op die indiening van 'n tekenimpakbeoordeling, erfenishulp-bronnebeoordeling, verkeersimpakbeoordeling of enige ander impakbeoordeling wat die Stad dalk nodig ag. Sodanige beoordelings—
  - (a) moet deur toepaslik gekwalifiseerde persone of praktisyns onderneem word;
  - (b) moet enige temperingsmaatreëls aanbeveel wat dalk nodig kan wees as gevolg van enige impak wat 'n beoordeling identifiseer; en
  - (c) moet dalk voorafgegaan word deur 'n erfenis-, visuele of verkeersveiligheids-kontrolelys, indien die Stad so versoek.
- (5) Indien die publiek, 'n gedeelte van die publiek óf 'n persoon na die Stad se mening moontlik deur die voorgestelde teken geraak word, kan die Stad sodanige geaffekteerde partye skriftelik van die aansoek in kennis stel, of vereis dat die aansoeker sodanige geaffekteerde partye in kennis stel, en moet die geaffekteerde partye 21 werksdae gegun word om skriftelike verhoë aan die Stad te rig. Die Stad kan ook vereis dat 'n kennisgewing op die voorgestelde terrein en in plaaslike koerante geplaas word wat belangstellende en geaffekteerde partye nooi om kommentaar te lewer.
- (6) Die Stad moet die aansoeker binne 21 werksdae na die indieningsdatum van die aansoek en die betaling van die aansoekfooit van enige bykomende vereistes in kennis stel.
- (7) 'n Aansoeker moet aan enige sodanige bykomende Stadsvereistes voldoen binne 21 werksdae nadat die aansoeker daarvan in kennis gestel is, op voorwaarde dat hierdie tydperk op versoek van die aansoeker verleng kan word indien die aansoeker

meer tyd nodig het om bykomende beoordelings te onderneem of spesialisering te bekom.

- (8) Die Stad sal 'n afskrif bewaar van elke dokument wat as deel van 'n aansoek by die Stad ingedien word.
- (9) In geval van 'n aansoek om 'n teken, waaronder 'n tekenstruktuur, wat die grootte, hoogte en gewig in tabel 1 hier onder oorskry, word sodanige teken as 'n tydelike gebou beskou, en moet 'n aansoek om 'n tydelike gebou ingevolge die Wet op Nasionale Bouregulasies en Boustandaarde (Wet 103 van 1977) ingedien en goedkeuring daarvoor bekom word.

**TABEL 1: ADVERTENSIE TEKENS WAT GOEDKEURING VIR 'N TYDELIKE GEBOU INGEVOLGE DIE NASIONALE BOUREGULASIES VEREIS**

TEKENTYPE	HOOGTE	GEWIG	GROOTTE	VEREISTE
<b>BYLAE 2 &amp; 3</b> Derdepartyreklameborde en plekgebonde losstaande tekens	>2,4 m in totaal	≥25 kilogram	≥4,5 m <sup>2</sup>	Aanstelling van 'n struktuuringenieur
<b>BYLAE 4</b> Plat, uitsteek-, geprojekteerde en venstertekens	n.v.t.	≥25 kilogram	≥10 m <sup>2</sup>	Aanstelling van 'n struktuuringenieur
<b>BYLAE 5</b> Kimtekens	>1,5 m	≥25 kilogram	≥4,5 m <sup>2</sup>	Aanstelling van 'n struktuuringenieur
<b>BYLAE 6</b> Plekgebonde daktekens (slegs vir strukture)	>1,5 m	≥25 kilogram	≥4,5 m <sup>2</sup>	Aanstelling van 'n struktuuringenieur
<b>BYLAE 7</b> Tekens op 'n veranda, balkon, afdak, steunkolomme, pilare en pale	n.v.t.	≥25 kilogram	≥4,5 m <sup>2</sup>	Aanstelling van 'n struktuuringenieur
<b>BYLAE 8</b> Tekens op grensmure en -heining, bouterreintekens en ontwikkelingsborde	>2,4 m in totaal	≥25 kilogram	≥4,5 m <sup>2</sup>	Aanstelling van 'n struktuuringenieur
<b>BYLAE 10</b> Reklame op baniere, vlae, ballonne, opblaastekens en lamppaaldraaibanier	n.v.t.	≥25 kilogram	≥10 m <sup>2</sup>	Slegs indien dit aan steierwerk vasgemaak word – aanstelling van 'n struktuuringenieur

<b>BYLAE 12</b> Rigtingtekens vir eiendomsbemarking en tydelike eiendomsbemarkingstekens (groter as 0,3 m <sup>2</sup> )	>2,4 m in totaal	≥25 kilogram	≥4,5 m <sup>2</sup>	Aanstelling van 'n struktuuringenieur
<b>BYLAE 16</b> Tekens op Stadgrond en -geboue	>2,4 m in totaal	≥25 kilogram	≥4,5 m <sup>2</sup>	Aanstelling van 'n struktuuringenieur
<b>BYLAE 17</b> Tekens wat deur of tot die voordeel van liggame sonder winsoogmerk opgerig word	>2,4 m in totaal	≥25 kilogram	≥4,5 m <sup>2</sup>	Aanstelling van 'n struktuuringenieur

### TEKENMEESTERPLAN

- (10)(a) Die Stad kan 'n tekenmeesterplan vereis en goedkeur ten opsigte van enige nuwe of bestaande ontwikkeling waar die oprigting van verskeie tekens voorgestel óf die rasionalisering van vorige goedgekeurde tekens op 'n konsekwente ontwerpmeesterplan vereis word, voordat die Stad enige individuele teken oorweeg.
- (b) Die tekenmeesterplan moet 'n uiteensetting bied van die besonderhede van die ligging, uitleg, tipe en ontwerp van die tekens wat op 'n perseel of in 'n bepaalde gebied opgerig sal word. Daarbenewens is die volgende van toepassing—
- (i) Die tekenmeesterplan moet deur die advertensiekonsessiehouer, eiendomseienaar of betrokke verantwoordelike Stadsdepartement ingedien word en moet voldoening aan die voorskrifte in hierdie artikel aandui.
  - (ii) Die meesterplan sal met inagneming van die algemene vereistes en oorwegings in hierdie verordening beoordeel word.
  - (iii) Meesterplangoedkeuring kan bepaalde voorwaardes insluit ten opsigte van die vertoning van die teken, wat nie die voorgeskrewe vorm, hoogte, hoeveelhede, verligtingsperke, energiedoeltreffendheids- en alternatiewe-energievereistes, vertoontydperk of tekengrootte in sodanige meesterplangoedkeuring mag oorskry nie.
  - (iv) Die Stad kan die dokumentvereistes in artikel 5(2)(d), (g), (k) en (l) ten opsigte van tekenmeesterplanne laat vaar.
- (c) Tekemeesterplanne kan ingevolge artikel 5(5) hier bo aan openbare oorlegpleging onderwerp word.

## **6. HEFFINGS, EN ALGEMENE OORWEGINGS VIR GOEDKEURING OF VIR DIE WYSIGING VAN GOEDKEURINGSVOORWAARDES**

### **Heffings**

- (1) Elke persoon wat 'n aansoek om goedkeuring ingevolge hierdie verordening by die Stad indien, moet ten tyde van die aansoek 'n aansoekfooï aan die Stad betaal wat die Stad ingevolge sy goedgekeurde tariewe en heffings bepaal.
- (2) Wanneer 'n aansoek om 'n derdepartyteken goedgekeur word, is 'n goedkeuring- en moniteringsfooï betaalbaar wat die Stad ingevolge sy goedgekeurde tariewe en heffings bepaal.
- (3) Geen teken mag opgerig word voordat sowel die aansoek- as die goedkeuring- en moniteringsfooï ten volle betaal is nie.
- (4) Die Stad sal ingevolge sy goedgekeurde tariewe en heffings wat van tyd tot tyd gepubliseer word, die toepaslike jaarlikse oorskrydingsfooï bepaal wat betaalbaar is wanneer 'n uitsteekteken met meer as 50 mm op Stadgrond oorskry.

### **Algemene oorwegings**

- (5) Die Stad sal die volgende faktore in ag neem in die oorweging van 'n aansoek om die vertoning van 'n advertensie of die oprigting van 'n advertensieteken ingevolge hierdie verordening—
  - (a) Die beheergebied waarin die voorgestelde teken opgerig of vertoon sal word, welke gebiede in bylae 1 by hierdie verordening uiteengesit word, op voorwaarde dat indien 'n teken in meer as een moontlike beheergebied val, of indien 'n voorgestelde tekenterrein in een beheergebied dalk 'n aanliggende beheergebied sal beïnvloed, die Stad kan bepaal watter beheergebied van toepassing is.
  - (b) Die ligging, landskap en reklamegeleenthede van daardie beheergebied.
  - (c) Die getal advertensietekens wat reeds op die erf en in die omgewing van die erf vertoon word of vir vertoning voorgestel word.
  - (d) Die bestaande of voorgestelde verligting op die erf.
  - (e) Die bevindinge van enige verkeersimpak-, tekenimpak- of erfenishulpbronne-beoordeling, en veral die bevindinge oor of die voorgestelde teken nadelig sal wees vir die omgewing of 'n negatiewe uitwerking op die gerief van die spesifieke plek, omliggende buurt of geaffekteerde eiendomme sal hê.
  - (f) Plekgebonde tekens moet met die regmatige gebruik van 'n eiendom verband hou, op voorwaarde dat geen sodanige teken op residensiële geboue of gedeeltes daarvan aangebring of geplaas mag word nie, buiten toelaatbare tekens vir tuisberoepe, gebouname en regmatige tydelike gebruike.
  - (g) Die uitslag van enige proses van openbare oorlegpleging oor die voorgestelde teken.
  - (h) Die bepalings van artikel 7 en 8.
  - (i) Voldoening aan, en die vermoë om te voldoen aan, spesifieke voorwaardes met betrekking tot die spesifieke teken tipes wat in bylae 2 tot 17 uiteengesit word, en aan die spesifieke voorwaardes in artikel 12.
  - (j) Waar 'n gebou, struktuur of deel daarvan so opgerig is of word dat die Stad redelike gronde het om te glo dat die primêre doel van die gebou of struktuur is

om vir die vertoning van 'n teken voorsiening te maak, kan die Stad die gebou, struktuur of deel daarvan beskou as 'n teken of tekenstruktuur waarop hierdie verordening betrekking het, selfs al is ander wetgewing dalk ook op sodanige gebou of struktuur van toepassing.

- (k) Die Stad mag nie 'n teken of advertensie goedkeur wat —
- (i) 'n gevaar vir enige persoon of eiendom sal inhou nie;
  - (ii) as gevolg van sy grootte, intensiteit, gereeldheid, verligting, ontwerpgehalte, materiaal, voorgestelde grafika, ligging of enigiets anders nadelig sal wees vir die omgewing of die gerief van die omliggende buurt nie;
  - (iii) enige ander tekens sal verberg wat ingevolge hierdie verordening of sy voorganger goedgekeur is en welke goedkeuring nog geld nie;
  - (iv) nadelig sal wees vir, of 'n negatiewe invloed sal hê op, die kunsmatige of natuurlike omgewing nie;
  - (v) uitsigte of die waarneming van 'n gebied wat met 'n geslotekringteleviesiekamera of iets soortgelyk bewaak word, sal belemmer nie; en
  - (vi) enige materiaal of grafika sal bevat wat, hetsy in vorm, inhoud of albei, na redelike verwagting aanstootlik sal wees vir die publiek of 'n identifiseerbare klas persone nie.
- (l) In die oorweging van nuwe grafika vir 'n teken met hetsy vaste grafika of 'n pasgemaakte ontwerp sal die Stad die oorspronklike goedkeuringsvoorwaardes in ag neem voordat die nuwe grafika vertoon word.
- (m) Die Stad sal slegs 'n aansoek om 'n verdere goedkeuringstydperk ingevolge artikel 10(5)(b) oorweeg mits die betrokke teken op die datum van die aansoek om sodanige verdere goedkeuringstydperk aan die bepalings van hierdie verordening voldoen.
- (n) Die Stad sal die oorwegings in artikel 5(3)(a) tot (j) in ag neem in die beoordeling van 'n aansoek om 'n verdere goedkeuringstydperk ingevolge artikel 10(5)(b).
- (o) Enige aansoek om 'n verdere goedkeuringstydperk ingevolge artikel 10(5)(b) sal onderworpe wees aan die betaling van die aansoekfooi en die goedkeuring- en moniteringsfooi waarna artikel 6(1) en (2) hier bo verwys.

#### **7. OORWEGINGS MET BETREKKING TOT SPESIFIEKE ADVERTENSIE TEKENS, KOMMERSIEEL GEBORGDE TEKENS EN BEHEERGEBIEDE**

- (1) Benewens die oorwegings in artikel 5, 6 en 8, pas die Stad ook spesifieke standaarde en vereistes op spesifieke tekentipes en voorgestelde liggings toe wanneer 'n aansoek om goedkeuring daarvoor ingedien word. Die standaarde en vereistes van toepassing op hierdie spesifieke tekentipes word in die bylaes by hierdie verordening uiteengesit.
- (2) Die Stad sal ook spesifieke kriteria toepas op aansoeke om die oprigting van tekens deur liggame sonder winsoogmerk en kommersieel geborgde tekens vir liggame

sonder winsoogmerk. Hierdie spesifieke standaarde en kriteria word in bylae 16 en 17 uiteengesit.

- (3) Bylae 1 by hierdie verordening dui die beheergebiede aan waarin spesifieke tekentipes toegelaat kan word, onderworpe aan goedkeuring ingevolge hierdie verordening en aan enige bykomende vereistes met betrekking tot 'n spesifieke tekentipe wat in die bylaes vervat word.
- (4) Drie beheergebiede word in hierdie verordening toegepas, naamlik gebiede van maksimum, gedeeltelike en minimum beheer. Die moontlikheid dat buiterekame en spesifieke tekentipes oorweeg sal word, hang dus af van die toelaatbaarheid van sekere tekentipes in sekere beheergebiede. Beheermaatreëls word toegepas deur middel van goedkeuring of weiering sowel as algemene en spesifieke voorwaardes en vereistes.
- (5) Die Stad kan 'n beheergebiedkaart saamstel en wysig om 'n grafiese voorstelling te bied van die volgende in soverre dit met buiterekame of advertensietekens verband hou—
  - (a) Sonering;
  - (b) Nodusse of gebiede wat hersoneer is;
  - (c) Paaie of roetes wat tot uitsigpaaie verklaar is;
  - (d) Paaie of roetes wat as verbode roetes aangewys is; of
  - (e) Enige ander omstandighede.
- (6) Die Stad kan vrystelling van die bepalings van hierdie verordening toestaan ten opsigte van die tekentipes of beheergebiede wat in bylae 9, 10, 11 en 12 beskryf word, met inagneming van—
  - (a) die beheergebied waarin die voorgestelde teken(s) vertoon sal word;
  - (b) die aard van die geleentheid, veldtog of omstandighede;
  - (c) die duur van die oprigting en vertoning van die teken;
  - (d) die grootte van die voorgestelde teken;
  - (e) enige verkeersveiligheids-, tekenimpak- of erfenishulpbronnebeoordeling; of
  - (f) die uitslag van enige proses vir openbare oorlegpleging.

#### **8. STANDAARDBEOORDELINGSVEREISTES EN -GOEDKEURINGSVOORWAARDES**

- (1) Die vereistes en voorwaardes in hierdie artikel is van toepassing op alle aansoeke en goedkeurings ten opsigte van alle tekens, wat onder andere insluit die spesifieke tekentipes in bylae 2 tot 17 en artikel 12. Ingeval 'n bylae of artikel 12 'n meer spesifieke vereiste of voorwaarde bevat, word die meer spesifieke vereiste of voorwaarde toegepas.
- (2) **STRUKTUURVEREISTES**
  - (a) Alle tekens moet behoorlik gemaak word en stewig wees, en waar die vereistes van die Wet op Nasionale Bouregulasies en Boustandaarde (Wet 103 van 1977) terselfdertyd van toepassing is, moet die aansoek die besonderhede in artikel 5(2)(b) insluit.
  - (b) Ondanks enige goedkeuring vir 'n tydelike gebou ingevolge die Wet op Nasionale Bouregulasies en Boustandaarde (Wet 103 van 1977), kan sodanige

tydelike gebou slegs as 'n tekenstruktuur gebruik word indien 'n geldige tekengoedkeuring kragtens hierdie verordening toegestaan word.

- (c) Vir tekens kleiner as 4,5 m<sup>2</sup> kan die Stad vereis dat die aanstellingsvorm van 'n struktuuringenieur ingedien word.
- (d) Die eienaar van die tekenstruktuur, die media-eienaar en die eienaar van die eiendom of gebou waaraan 'n teken vasgeheg of waarop dit opgerig is, is gesamentlik en afsonderlik aanspreeklik vir die instandhouding van die teken en tekenstruktuur, en moet ten minste twee keer per jaar die veiligheid daarvan inspekteer.
- (e) Indien enige teken skeur, beskadig word of andersins verval, moet die eienaar van die tekenstruktuur, die media-eienaar of die eienaar van die eiendom of gebou waaraan 'n teken vasgeheg of waarop dit opgerig is sodanige herstelwerk of vervanging laat doen as wat aangedui word in 'n voldoeningskennisgewing van die Stad, binne die tyd wat die kennisgewing voorskryf.
- (f) Alle tekens en gepaardgaande steunstrukture moet van duursame materiaal gemaak word wat geskik is vir die doel, aard, gebruiksduur en veiligheidsvereistes van die teken.
- (g) Alle glas wat in 'n teken gebruik word, buiten glas vir verligting, moet veiligheidsglas van ten minste 3 mm dik wees.
- (h) Glaspanele in 'n teken mag nie 0,9 m<sup>2</sup> in oppervlakte oorskry nie, en elke paneel moet stewig in die hoofgedeelte van die teken, struktuur of toestel pas, onafhanklik van alle ander panele.
- (i) Elke teken en sy steunstruktuur moet in 'n goeie toestand gehou word.
- (j) Geen teken mag oor enige venster of enige opening vir die ventilasie van 'n gebou geplaas word, of enige trappe, deuropeninge of ander uitgang van 'n gebou versper, of keer dat mense van een deel van 'n dak na 'n ander beweeg nie.
- (k) Geen reklamestruktuur mag nader aan oorhoofse elektriese toerusting wees as die minimum afstand wat die Wet op Beroepsgesondheid en -veiligheid (Wet 85 van 1993) en die regulasies ingevolge daarvan voorskryf nie.

### (3) ELEKTRIESE VEREISTES

- (a) Alle tekens wat 'n elektrisiteitsverbinding vereis, moet van elektrisiteit voorsien word vanaf die bestaande kragpunt op die betrokke erf. Indien dít nie moontlik is nie, moet 'n aansoek om 'n meterkragpunt by die tersaaklike owerheid ingedien word.
- (b) Elke teken ten opsigte waarvan elektrisiteit verbruik word, moet met gepaste kapasitors toegerus word om te keer dat dit met radio- en televisieontvangs inmeng.
- (c) Elke kragkabel en leipyp wat elektriese geleiers bevat en met 'n teken verband hou, moet so geplaas en vasgemaak word dat dit veilig, buite sig, ontoeganklik en sowel kinder- as dierebestand is.
- (d) Elke hoëspanninginstallasie wat sonder toesig werk binne 'n gebou (soos 'n vensteruitstalling) sowel as elke hoëspanninginstallasie buite moet toegerus wees met 'n aanvaarbare tipe brandskakelaar ooreenkomstig die vereistes van SABS 0142 van 1993, wat kragtens die Wet op Beroepsgesondheid en -veiligheid

(Wet 85 van 1993) uitgevaardig is, welke vereistes van tyd tot tyd gewysig kan word.

(e) In geval van tekens wat op openbare grond opgerig is of daarop of daarvoor oorskry, moet goedgekeurde deurgangsregte, toestemmings of permitte van die tersaaklike Stadsdiensdepartemente, bewaarders van sodanige grond of enige ander tersaaklike rolspeler bekom word om—

- (i) naby enige bestaande dienste of ander infrastruktuur op 'n voorgestelde tekenterrein te werk; en
- (ii) enige uitgrawings te doen, pale te plant, fondamentstrukture te bou of penne in te slaan dieper as 150 mm in die grond, wat insluit waar tekens in die omgewing van oorhoofse kraglyne opgerig word;

en moet sodanige tekens voldoen aan die veiligheidsvoorwaardes wat deur sodanige deurgangsregte, toestemmings of permitte opgelê word.

#### (4) VERLIGTINGSVEREISTES

Verligte tekens kan goedgekeur word, mits die volgende bepalings van hierdie verordening nagekom word:

##### **Verligting- en energiedoeltreffendheidsvereistes**

(a) Verligting moet ontwerp word om maksimum energiedoeltreffendheid te verseker, wat een of meer van die volgende insluit—

- (i) Die gebruik van 'n alternatiewe energiebron, waaronder son- of windkrag;
- (ii) Lae-energielampe en outomatiese ligverdownwers;
- (iii) Dag-nag-helderheidsensors; en
- (iv) Outomatiese aan-af-tydskakelaars.

(b) Tekens mag nie verlig word indien dit geen grafika of tekeninhoud bevat nie.

(c) Tydelike tekens mag nie verlig word nie, tensy die spesifieke reëls vir die betrokke tekentipe dit toelaat of die betrokke bylae so bepaal.

(d) Verligting mag nie oormatige ligstorting veroorsaak nie. Daarbenewens moet—

- (i) alle ligbronne met 'n soliede, volle ligskerm toegerus wees (*full cut-off*); en
- (ii) die straalspreiingshoek beheer word om ligstorting buite die reklameoppervlakte van die teken te verhoed.

(e) Die helderheid van verligte en elektroniese tekens moet eweredig wees aan die omringende lig, en vol, helder sonlig kan as regverdiging dien vir volle luminansie van intern verligte of elektroniese tekens om 'n sigbare kontras te skep.

(f) Die Stad kan in enige stadium gedurende 'n goedkeuringstydperk 'n kennisgewing aan die houer van 'n goedkeuring uitreik om—

- (i) die verligtingstye of die luminansie van 'n teken te beperk;



- (ii) te vereis dat ligsensors geïnstalleer word wat die luminansie van omringende lig van buite af vasstel; of
- (iii) te vereis dat outomatiese ligverdoowers geïnstalleer word om—
  - (aa) verligting bedags ter wille van doeltreffendheid tot 60% luminansie te verlaag;
  - (bb) verligting saans en wanneer dit bewolk is tot tussen 2% en 10% van maksimum dagluminansie te verlaag, of ander kontroles om die kandela, lumen of wattverbruik van sodanige verligting te beheer; of
  - (cc) die verligtingsvereistes met betrekking tot enige teken te wysig, te verander of aan te pas in reaksie op klagtes oor ligstorting of 'n stoornis in dié verband wat die Stad ontvang en/of indien die tersaaklike padowerheid die luminansie as 'n moontlike padveiligheidsgevaar beskou.
- (g) Die Stad kan in enige stadium nadat 'n goedgekeurde intern verligte of elektroniese teken opgerig is, van die eenaar van sodanige teken vereis om 'n spesialisstudie te laat doen om die aanbevole luminansie van die teken te bepaal met inagneming van enige riglyn wat die Stad van tyd tot tyd kan uitreik, en om sodanige studie by die Stad in te dien. Na oorweging van sodanige studie kan die Stad die eenaar van die teken versoek om die luminansie van die teken onverwyld aan te pas.

#### **Vereistes vir intern verligte en elektroniese tekens**

- (h) Intern verligte en elektroniese tekens wat hetsy plekgebonde of derdepartyreklame bevat, mag in alle stedelike beheergebiede en tot 'n maksimum grootte van 4,5 m<sup>2</sup> vertoon word. 'n Vergunning vir 'n groter teken kan toegestaan word, onderworpe aan artikel 5(2)(i)(i) tot (iii) en—
  - (i) na oorweging van beoordelings van die impak op pad- en verkeersveiligheid, erfenishulpbronne, uitsigpaaie en -hulpbronne, residensiële geriewe en die omgewing, na gelang van wat die Stad dalk aanvra, welke beoordelings die moontlike impak van die voorgestelde vergunning sowel as aanbevelings vir die tempering van sodanige impak moet aandui. Hierdie beoordelings moet deur toepaslik gekwalifiseerde persone of praktisyns onderneem word.
- (i) Die vergunning in (h) hier bo is nie van toepassing op reklameborde nie. Reklameborde val onder bylae 2 en mag nie 36 m<sup>2</sup> per paneel oorskry nie.
- (j) Elektroniese tekens mag nie subliminale flitse, animasie of ander spesiale effekte, waaronder flitsende ligte, bewegende ligte, draai- of soortgelyke panele, bevat, of flitsende, bewegende of wisselende-oorgangsboodskappe vertoon, of oorgangseffekte tussen opeenvolgende boodskappe hê, of 'n enkele tema of boodskap oor verskeie vertoonblaaië laat vervolg nie. Nogtans is die volgende van toepassing—
  - (i) Die Stad kan 'n vrystelling van die vereistes in artikel 8(4)(j) toestaan ten opsigte van tydelike geleenthede waar die Stad se spesifieke skriftelike toestemming vir die geleentheid bekom word.
  - (ii) Die Stad kan ook 'n vrystelling van die vereistes in artikel 8(4)(j) toestaan vir spesiale gebiede wat die Stad aanwys as gebiede waar elektroniese

tekens sodanige effekte of inhoud mag bevat, na 'n proses van openbare oorlegpleging wat die Stad dalk kan vereis, en die Stad—

- (aa) moet in die oorweging van sodanige gebiede ook die impak op pad- en verkeersveiligheid, erfenishulpbronne, uitsigpaaie en -hulpbronne, residensiële geriewe en die omgewing in ag neem, sowel as die potensiaal om in die gebied vir sodanige tekens voorsiening te maak;
  - (bb) moet 'n proses ontwikkel om sulke spesiale gebiede aan te wys, welke gebiede vir hoogstens sewe jaar as sodanig goedgekeur sal word; en
  - (cc) kan die spesiale gebied voor die verstryking van die goedkeuringstydperk in (bb) hier bo herbeoordeel om 'n verdere goedkeuringstydperk van tot sewe jaar te oorweeg.
- (k) Enige elektroniese teken moet luminansiesensors insluit wat omringende lig by die teken meet, sowel as tegnologie wat die luminansie van die teken outomaties by die gemete omringende ligvlakke laat aanpas.
- (l) Die maksimum luminansievlakke in die tabel hier onder is van toepassing op alle advertensietekens waar 'n vorm van verligting toegelaat word.

**TABEL 2: LUMINANSIEVEREISTES**

Verligte oppervlakte	Maksimum luminansie
Kleiner as 0,5 m <sup>2</sup>	1 000 kandela per m <sup>2</sup>
0,5 tot 2,0 m <sup>2</sup>	800 kandela per m <sup>2</sup>
2,0 tot 10 m <sup>2</sup>	600 kandela per m <sup>2</sup>
10 m <sup>2</sup> of groter	400 kandela per m <sup>2</sup>

- (m) Wanneer die Stad so versoek, moet die eienaar van die teken, die eienaar van die media of die huurder van die teken met behulp van 'n luminansiemeter toon dat die goedgekeurde luminansievlakke in tabel 2 hier bo nagekom word.
- (n) Die eienaar van die teken, die eienaar van die media of die huurder van die teken moet—
- (i) op versoek van die Stad 'n sertifikaat van 'n toepaslik gekwalifiseerde onafhanklike persoon voorsien wat die luminansie van die elektroniese teken bevestig; en
  - (ii) die sertifikaat en gepaardgaande inligting vir ses maande nadat die metings gedoen is, bewaar.
- (o) Ingeval 'n elektroniese teken of enige deel daarvan foutief werk, kan die Stad 'n skriftelike voldoeningskenningsgewing aan die grond-, teken- of media-eienaar of die huurder van die teken uitreik wat vereis dat enige vorm van visuele lewering deur die teken gestaak word binne 'n tydperk wat in sodanige voldoeningskenningsgewing bepaal word of totdat die fout herstel is.

**Vereistes vir eksterne verligting**

- (p) Waar vloedligte of ander, soortgelyke toestelle gebruik word om enige teken te verlig, mag die lig nie sigbaar wees vir voertuigverkeer wat in enige rigting verby die teken beweeg óf 'n sigbare bron van stoornis vir omliggende wonings wees nie.
- (q) Vloedligte mag nie so geplaas word dat dit enige oormatige ligstorting buite die oppervlakte van die teken veroorsaak nie.
- (r) Eksterne verligting moet van bo wees, tensy dit geen groter impak op die omliggende omgewing sal hê indien 'n alternatiewe verligtingsrigting met volledige afskerming gebruik word nie.

**(5) PADVERKEERSVEILIGHEIDSVEREISTES**

- (a) Tekens mag nie enigsins belemmerend wees nie, wat onder andere insluit die verberging van 'n padverkeersteken of verkeerslig, of die versperring van die nodige siglyn om 'n pad veilig en doeltreffend te gebruik.
- (b) Tekens is verbode in 'n gebied waar die tersaaklike padowerheid van mening is dat dit 'n onaanvaarbare afleiding is—
  - (i) vir bestuurders of ander padgebruikers; of
  - (ii) waar bestuurders moet draai, op 'n kronkelpad moet bestuur, of waar verkeer ineenvloei, uiteenvloei of heen en weer tussen bane vleg.
- (c) Elektroniese tekens kan toegelaat word indien dit sigbaar is vanaf 'n klas 1-deurpad, mits die tersaaklike padowerheid sodanige tekens skriftelik ondersteun.
- (d) Die vertoon of oprigting van advertensietekens is verbode op—
  - (i) torings, wat onder andere insluit koel- en watertorings;
  - (ii) silo's;
  - (iii) hyskrane;
  - (iv) oorhoofse stellasies;
  - (v) padstellasies;
  - (vi) telekommunikasiemaste;
  - (vii) traliemaste;
  - (viii) enige elektrisiteitsinfrastruktuur;
  - (ix) enige substasieheinings; of
  - (x) brûe, buiten ten opsigte van 'n tydelike geleentheid waar die paaië gesluit is en goedkeuring vir die teken van die Stad bekom is.
- (e) Tekens mag nie nader as 50 m aan die buitegrens van die kruising van 'n aangewese verkeersweg geleë wees nie, tensy die tersaaklike padowerheid dit skriftelik ondersteun.
- (f) Die grafiese inhoud van tekens moet op geen manier visueel as 'n padverkeersteken vertolk kan word nie, wat onder andere insluit as gevolg van—
  - (i) enige gestileerde of prentevoorstelling van 'n padverkeersteken of verkeerslig;

- (ii) enige woord, simbool, logo of ander toestel wat op 'n padverkeersteken gebruik word;
  - (iii) die gebruik van 'n kleurkombinasie wat gewoonlik op padverkeerstekens verskyn, op 'n manier wat waarskynlik verwarring sal veroorsaak; en
  - (iv) enige weerkaatsverf of -materiaal.
- (g) Tekens mag nie vasgeheg word aan, of belemmerend wees vir, 'n padverkeersteken of verkeerslig waarvoor daar spesifiek voorsiening gemaak word in die padverkeerstekehandleidings van die Suider-Afrikaanse Ontwikkelingsgemeenskap en Suid-Afrika nie.
- (h) Tekens mag nie binne die padreserwe van enige openbare pad opgerig word nie, tensy die tersaaklike padowerheid dit goedkeur.
- (i) Indien tekens by verkeersligkruisings geleë is, mag dit nie rooi, geel of groen as hoofkleure bevat of enige padverkeersteken of verkeerslig verberg of daarmee inmeng nie.
- (j) Elektroniese plat tekens word nie nader as 80 m aan die buitengrens van 'n verkeersligkruising toegelaat nie, buiten waar sodanige tekens hoër as 9 m teen 'n gebou aangebring word, gemeet vanaf die vlak van die ryvlak op die punt waar die teken vertoon sal word.
- (k) Die Stad kan in enige stadium nadat 'n goedgekeurde intern verligte of elektroniese teken opgerig is, van die eienaar van sodanige teken vereis om 'n studie te laat doen om die impak van die teken op verkeersvloei, verkeersveiligheid of albei te bepaal ooreenkomstig algemeen aanvaarde verkeersingenieurspraktyk of enige riglyn wat die Stad van tyd tot tyd kan uitreik. Na aanleiding van sodanige studie kan die Stad versoek dat die luminansie van die teken aangepas word soos wat die Stad aandui, hetsy ter wille van padveiligheid of om die skerp skynsel van die teken te temper.
- (l) Verligting mag nie 'n padverkeersgevaar of moontlike padverkeersgevaar inhoud nie, en die Stad kan in enige stadium 'n kennisgewing aan die houer van 'n goedkeuring uitreik wat vereis dat die verligting van 'n goedgekeurde teken op enige bepaalde manier gewysig, verander of aangepas word om padveiligheidskwessies die hoof te bied.
- (m) Elektroniese tekens mag nie subliminale flitse, animasie of ander spesiale effekte, waaronder flitsende ligte, bewegende ligte, draai- of soortgelyke panele, bevat, of flitsende, bewegende of wisselende-oorgangsboodskappe vertoon, of oorgangseffekte tussen opeenvolgende boodskappe hê, indien dit vanaf 'n openbare pad sigbaar is nie, tensy 'n vrystelling ingevolge artikel 8(4)(j)(i) of (ii) toegestaan word.
- (n) Dit is verbode om 'n enkele tema of boodskap oor verskeie vertoonblaaie van enige elektroniese teken te laat vervolg, tensy 'n vrystelling ingevolge artikel 8(4)(j)(i) of (ii) toegestaan word.
- (o) Tekens met statiese inhoud en eenvoudige oorgange moet 'n volledige eenraambeeld vertoon vir 'n inligtingsiklus van minstens 60 sekondes indien dit sigbaar is vanaf 'n verkeersligkruising, en 15 sekondes op ander plekke.
- (p) Die kleurgebruik, luminansie of kontras van 'n teken mag nie padgebruikers verblind of verwar nie.

- (q) Die oorgang tussen boodskappe op 'n elektroniese teken moet binne 0,3 sekondes plaasvind, en uitdooeffekte is verbode.
- (r) Derdeparty-advertensietekens groter as 4,5 m<sup>2</sup>, waaronder elektroniese tekens, wat langs 'n openbare pad of in 'n spoorwegreserwe opgerig is en afgestem is op persone wat aangewese verkeersweë gebruik, moet op 'n minimum afstand geplaas word van enige ander derdepartytekens, enige vrystaande plekkegebonde tekens groter as 4,5 m<sup>2</sup> wat op dieselfde eiendom geleë is en meer inligting vertoon as net die naam en kontakinligting van die okkupante van die gebou, of enige padverkeerstekens, welke afstand parallel met die middellyn van die ryvlak gemeet word, ooreenkomstig tabel 3 hier onder.

**TABEL 3: LINEÛRE SPASIËRING TUSSEN TEKENS**

Scenario	Vereiste spasiëring indien sigbaar vir verkeer op 'n pad met 'n snelheidsgrens van:		
	<60 km/h	61–80 km/h	81–120 km/h
Waar 'n advertensieteken ná 'n padteken verskyn	380 m	425 m	475 m
Waar 'n advertensieteken ná 'n ander advertensieteken verskyn	310 m	360 m	410 m
Waar 'n advertensieteken vóór 'n padteken verskyn	40 m	70 m	100 m

- (s) Die Stad of die tersaaklike padowerheid kan—
- (i) 'n aansoek oorweeg om die minimum spasiëring in tabel 3 te verminder; en
  - (ii) vereis dat die aansoeker sodanige vermindering in minimum spasiëring motiveer deur die indiening van 'n beoordeling van die impak op verkeers- en padveiligheid, wat deur 'n toepaslik gekwalifiseerde verkeersingenieurspraktisyn onderneem word. Die impakbeoordeling moet tot die bevrediging van die Stad en/of tersaaklike padowerheid wees, in pas met die metodologie wat die Stad en/of padowerheid voorskryf.
- (t) Die inligtingsinhoud van alle plekkegebonde en derdepartytekens groter as 4,5 m<sup>2</sup> wat sigbaar is vir voertuigbestuurders op 'n openbare pad is beperk tot 15 'inligtingsbrokkies', wat gemeet en bereken word ooreenkomstig tabel 4 hier onder.

**TABEL 4: INLIGTINGSBROKKIES**

Elemente van die advertensie	Brokkies per element	
Woorde	tot en met 4 letters	0,5
	5 tot 8 letters	1,0
	meer as 8 letters	2,0

Getalle	tot en met 4 syfers	0,5
	5 tot 8 syfers	1,0
	meer as 8 syfers	2,0
Logo's, simbole en grafika	kleiner as 9 m <sup>2</sup>	0,5
	tussen 9 en 18 m <sup>2</sup>	1,0
	tussen 18 en 27 m <sup>2</sup>	1,5
	groter as 27 m <sup>2</sup>	2,0

## 9. WETSVEREISTES

Alle tekens wat in die regsgebied van die Stad opgerig of vertoon word, moet benewens hierdie verordening, ook aan alle ander toepaslike wetgewing voldoen.

## 10. GOEDKEURING

- (1) Die Stad kan enige aansoek ingevolge hierdie verordening op bepaalde voorwaardes goedkeur, of dit van die hand wys.
- (2) Ondanks enige goedkeuring wat die Stad toestaan of enige handeling wat ingevolge hierdie verordening onderneem of uitgevoer word—
  - (a) is die Stad nie teenoor enigeen aanspreeklik vir enige verlies, skade, besering of sterfte wat spruit of ontstaan uit, of op enige manier verband hou met, die manier waarop 'n teken of tekenstruktuur ontwerp, opgerig, vertoon, afgebreek of gewysig is, of die materiaal wat in die oprigting van sodanige teken of tekenstruktuur gebruik is, of die gehalte van vakmanskap in die ontwerp, oprigting, vertoning, afbreek of wysiging van sodanige teken of tekenstruktuur nie; en
  - (b) word die eienaar van die teken of tekenstruktuur, die eienaar van die media en die eienaar van die eiendom of gebou waaraan 'n teken of tekenstruktuur vasgeheg is, nie onthef van die plig om sorg te dra en te verseker dat sodanige teken of tekenstruktuur ooreenkomstig die bepalings van hierdie verordening ontwerp, opgerig, vertoon, in stand gehou, gebruik, afgebreek of gewysig word nie.
- (3) Die Stad kan 'n goedkeuring wat ingevolge hierdie verordening of sy voorganger toegestaan is, in enige stadium terugtrek, of enige goedkeuringsvoorwaarde wysig, of 'n verdere goedkeuringsvoorwaarde oplê, indien 'n teken of reklamestruktuur—
  - (a) verval is;
  - (b) vir langer as 90 opeenvolgende dae leegstaan of nie in werking is nie;
  - (c) nie meer aan 'n bepaling van hierdie verordening voldoen nie;
  - (d) dermate verander word dat dit wesenlik afwyk van die oorspronklike goedgekeurde aansoek, in hetsy struktuur, grafiese inhoud of verligting; of
  - (e) geleë is op Stads- of privaat grond op 'n terrein of in 'n gebied wat die Stad vir enige bedryfsdoeleindes moet gebruik, in welke geval die Stad nie vir enige verlies van inkomste as gevolg daarvan aanspreeklik sal wees nie.
- (4) Indien 'n goedgekeurde teken nie binne 12 maande na die goedkeuringsdatum of binne sodanige ander tyd as wat die goedkeuring aandui, opgerig word nie, verstryk

sodanige goedkeuring, tensy die Stad die tydperk skriftelik verleng voordat dit verstryk.

- (5) (a) Enige goedkeuring van derdepartyreklame wat die Stad ingevolge hierdie verordening toestaan, geld vir hoogstens sewe jaar, wat vanaf die goedkeuringsdatum bereken word.
- (b) 'n Nuwe aansoek om 'n verdere goedkeuringstydperk van tot en met sewe jaar kan voor die verstryking van die huidige goedkeuringstydperk ingedien word.
- (6) Ingeval die struktuur wat die teken stut doelbewus voor die verstryking van die goedkeuringstydperk afgebreek word, verstryk die goedkeuring en mag geen verdere teken of steunstruktuur sonder die Stad se vooraf- skriftelike goedkeuring ingevolge hierdie verordening opgerig of heropgerig word nie.
- (7) Onderworpe aan artikel 10(8) hier onder moet alle Stadsbesluite oor aansoeke ingevolge hierdie verordening skriftelik geskied, en sal die Stad sy besluit bekend maak binne—
- (a) 70 kalenderdae na die datum van indiening van 'n volledige aansoek om 'n derdepartyteken en die uitreiking van 'n faktuur vir die betaling van die aansoekfooi;
- (b) 45 kalenderdae na die datum van indiening van 'n volledige aansoek om 'n plekgebonde teken en die uitreiking van 'n faktuur vir die betaling van die aansoekfooi indien sodanige aansoek onderworpe is aan interne oorlegpleging met Stadsdepartemente;
- (c) 15 kalenderdae na die datum van indiening van 'n volledige aansoek om 'n plekgebonde teken en die uitreiking van 'n faktuur vir die betaling van die aansoekfooi indien sodanige aansoek nié onderworpe is aan interne oorlegpleging met Stadsdepartemente nie;
- (d) 10 kalenderdae na die datum van indiening van 'n volledige aansoek om 'n tydelike teken of 'n geleentheidsteken en die uitreiking van 'n faktuur vir die betaling van die aansoekfooi; of
- (e) 7 kalenderdae na die datum van indiening van 'n volledige aansoek om 'n plakkaat en die uitreiking van 'n faktuur vir die betaling van die aansoekfooi;

op voorwaarde dat indien die aansoek onderworpe is aan openbare oorlegpleging, of die Stad bykomende inligting of beoordelings vereis, die bogenoemde besluitnemingstydperke opgeskort sal word, en sal hervat nadat die proses vir openbare oorlegpleging afgehandel is of die Stad die vereiste inligting of beoordelings ontvang het.

- (8) Die Stad sal slegs 'n besluit binne die bogenoemde tye bekend maak indien die genoemde fakture vereffen en betaling bevestig is, en in geval van aansoeke om derdepartytekens, indien 'n faktuur vir goedkeuring- en moniteringsfooi vereffen en betaling bevestig is.
- (9) Alle derdepartytekens moet die tekeneienaar se naam of logo en terreinnommer duidelik op die tekenstruktuur aandui.
- (10) Alle tekengoedkeurings, buiten tekens ingevolge bylae 9, 10, 11, 12 en 13, sal aan die eiendomseienars uitgereik word.
- (11) Die toepaslike oorskrydingsfooi vir plekgebonde en derdeparty-uitsteektekens wat oor Stadsgrond oorskry, moet jaarliks betaal word.
- (12) Indien 'n aansoek wat ingevolge artikel 5 ingedien is, kragtens subartikel 10(1) hier bo van die hand gewys word, mag die aansoeker vir twee jaar vanaf die datum van

sodanige weiering geen verdere aansoek ten opsigte van daardie tekentipe of -posisie indien nie, tensy die faktore waarop die weiering gegrond was, verander. Indien die omstandighede verander of die verdere aansoek op 'n ander tekentipe of -posisie betrekking het, moet 'n skriftelike motivering by die Stad ingedien word wat sodanige veranderinge aandui.

(13) Daar sal van die tekeneienaar verwag word—

- (a) om die Stad te vrywaar teen enige eise deur derde partye wat uit die oprigting van enige teken in 'n padreserwe of op of oor Stadseiendom kan ontstaan; en
- (b) om versekering teen openbare aanspreeklikheid te bekom ten opsigte van tekens waarna artikel 10(13)(a) hier bo verwys.

## 11. APPÈL

Enige persone wie se regte deur 'n besluit ingevolge hierdie verordening geraak word, kan ingevolge artikel 62 van die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000, teen daardie besluit appelleer deur binne 21 dae nadat hulle van die besluit in kennis gestel is 'n skriftelike kennisgewing van appèl tesame met redes by die Stadsbestuurder in te dien.

## 12. TEKENS WAARVOOR GOEDKEURING NIE VEREIS WORD NIE

- (1) Indien enige teken nie aan die volgende voorwaardes vir die betrokke tekentipe voldoen nie, moet 'n aansoek ingevolge artikel 5 ingedien word, tensy hierdie verordening uitdruklik 'n aansoek om daardie spesifieke tekentipe uitsluit.
- (2) Geen aansoek word vir die volgende tekens vereis nie, mits die tekens aan die voorwaardes hier onder, die oorwegings en vereistes in artikel 7 en 8 sowel as ander tersaaklike wetgewing voldoen:

### Kontrakteursborde

- (3)(a) Kontrakteursborde mag slegs vertoon word op die eiendom waar werk onderneem word, op voorwaarde dat kontrakteursborde—
  - (i) in gebiede van maksimum en gedeeltelike beheer nie groter as 0,3 m<sup>2</sup> mag wees nie en tot een teken per kontrakteur beperk is;
  - (ii) in gebiede van minimum beheer nie groter as 1,5 m<sup>2</sup> mag wees nie en tot een teken per kontrakteur beperk is;
  - (iii) gelyk met of agter die eiendomsgrens moet wees;
  - (iv) nie enige inligting buiten die naam van die maatskappy, die naam van die kontrakteur, kontakbesonderhede en die tipe diens of produk wat die kontrakteur op die perseel voorsien en onderneem, mag vertoon nie;
  - (v) onverlig moet wees en nie mag weerkaats nie; en
  - (vi) dadelik verwyder moet word sodra die werk op die perseel klaar is.
- (b) Geen aansoek om 'n afwyking van die bogenoemde bepalings ten opsigte van kontrakteursborde word ingevolge enige bepaling van hierdie verordening toegelaat nie.



### Ontwikkelingsborde

- (4) (a) Ontwikkelingsborde mag slegs vertoon word op die perseel ten opsigte waarvan 'n bou- of terreinontwikkelingsplan vir 'n voorgestelde ontwikkeling goedgekeur is, op voorwaarde dat ontwikkelingsborde—
- (i) onverlig moet wees en nie mag weerkaats nie; en
  - (ii) nie enige ander inligting mag vertoon nie as—
    - (aa) die naam en kontakbesonderhede van die ontwikkelaar, finansiële diensteverskaffer en eiendomsbemarkingsagent;
    - (bb) 'n prentevorstelling van die voorgestelde ontwikkeling;
    - (cc) 'n beskrywing van die voorgestelde ontwikkeling;
    - (dd) die woorde 'Word binnekort bekend gestel', 'Kom binnekort', 'Nuwe ontwikkeling' of 'Herontwikkeling'; en
    - (ee) die woorde 'Te koop', 'Te huur', 'Nou te koop', 'Verkoop' of soortgelyke inligting en enige prysinligting; en
  - (iii) nie langer as drie maande voor die aanvang van die ontwikkeling opgerig mag word nie.
- (b) Ontwikkelingsborde moet verwyder word wanneer boubedrywighede wesenlik voltooi is of gestaak word of wanneer die Stad 'n okkupasiesertifikaat uitreik. Die Stad kan 'n voldoeningskennisgewing uitreik vir die verwydering van die teken binne die tydperk wat die kennisgewing aandui indien die vereistes van hierdie subartikel nie nagekom word nie.
- (c) Ontwikkelingsborde op bouterreine wat uitsluitlik vir enkelresidensiële doeleindes gebruik sal word, mag nie 3 m<sup>2</sup> in totale oppervlakte en 2,4 m in totale hoogte oorskry nie en moet 'n minimum vryhoogte van 1 m hê. Daarbenewens—
- (i) is enige aansoek om afwykings van hierdie bepalings oor ontwikkelingsborde ingevolge enige bepaling van hierdie verordening verbode in gebiede van maksimum beheer; en
  - (ii) word slegs een ontwikkelingsbord per perseel toegelaat.
- (d) Ontwikkelingsborde op bouterreine wat nié uitsluitlik vir residensiële doeleindes gebruik sal word nie, moet kleiner as 4,5 m<sup>2</sup> in totale oppervlakte en laer as 2,4 m in totale hoogte wees en moet 'n vryhoogte van 1 m hê; en
- (i) hoogstens twee ontwikkelingsborde, een per straatfront, word per perseel toegelaat.

### Eiendomsbemarkingstekens

- (5) (a) 'Te huur'- en 'Te koop'-tekens van hoogstens 0,3 m<sup>2</sup> word toegelaat, op voorwaarde dat hierdie tekens op die betrokke eiendom of gelyk met die heining of muur van die betrokke eiendom vertoon word, en dat eiendomsbemarkingsagente of -agentskappe geen ander tekens as 'Te huur'- en 'Te koop'-tekens op die betrokke eiendom mag vertoon nie.

- (b) 'Verkoop'-tekens van hoogstens 0,3 m<sup>2</sup> in totaal mag op die verkoopte eiendom of gelyk met die heining of muur van die eiendom vertoon word, en mag nie vir langer as 30 dae vertoon word nie.
- (c) Geen aansoek om 'n afwyking van subartikel (b) ten opsigte van 'Verkoop'-tekens word ingevolge enige bepaling van hierdie verordening toegelaat nie.
- (d) Een 'Op skou'-teken van hoogstens 0,3 m<sup>2</sup> word toegelaat op die eiendom wat op skoudag ten toon gestel word.
- (e) Daarbenewens word een van die volgende vier opsies toegelaat—
  - (i) 'n bykomende skouhuisbord van 0,3 m<sup>2</sup>;
  - (ii) vlagversiering;
  - (iii) een ballon of opblaasteken van hoogstens 3 m hoog en 3 m breed; of
  - (iv) drie veervlae van hoogstens 3 m<sup>2</sup> elk;

op voorwaarde dat hierdie tekens gedurende naweekure op die skoueiendom vertoon word, en dat die tekens in subartikel (5)(e)(ii) tot (iv) hier bo teen 18:00 op elke dag van die naweek verwyder word.

#### **Tuisberoepperseeltekens, bed-en-ontbyttekens, huiswinkelttekens en tuiskindersorgtekens**

- (6)(a) Enige onverligte perseelteken wat 'n tuisberoep adverteer, word toegelaat, mits dit nie oor 'n openbare pad uitsteek nie, nie 0,2 m<sup>2</sup> in totale oppervlakte oorskry nie, en slegs aandui watter tipe saak, onderneming, bedryf of beroep enige okkupant of permanente inwoner van die perseel waarop die teken verskyn, beoefen, die naam van sodanige okkupant, die tipe aktiwiteit, die adres en telefoonnommer van die perseel, en die besoekure (indien enige), op voorwaarde dat slegs een sodanige teken per okkupant vertoon mag word.
- (b) Slegs een onverligte teken wat 'n bed-en-ontbytonderneming adverteer, word toegelaat, wat teen die muur van die huis aangebring moet word, nie oor 'n openbare straat mag uitsteek nie, en nie 0,5 m<sup>2</sup> in oppervlakte mag oorskry nie.
- (c) Slegs een onverligte teken wat 'n huiswinkel adverteer, word toegelaat, wat teen die muur van die huiswinkel aangebring moet word, nie oor 'n openbare straat mag uitsteek nie, en nie 0,5 m<sup>2</sup> in oppervlakte mag oorskry nie.
- (d) Slegs een onverligte teken wat 'n tuiskindersorgdiens adverteer, word toegelaat, wat teen die muur van die huis aangebring moet word, nie oor 'n openbare straat mag uitsteek nie, en nie 0,5 m<sup>2</sup> in oppervlakte mag oorskry nie.

#### **Venstertekens**

- (7) (a) Venstertekens op die grondvloer van 'n gebou wat regmatig vir sake-, kommersiële, kantoor-, nywerheids- of vermaaklikheidsdoeleindes óf deur liggame sonder winsoogmerk gebruik word, word in alle beheergebiede toegelaat, op voorwaarde dat venstertekens—
  - (i) plekgebonde tekens is en beperk is tot die vensters van die eenhede wat deur die individuele sake-entiteit waarop die plekgebonde reklame betrekking het, beset word;
  - (ii) nie oor vensterrame, -hoofstyle, -tussenstyle, -kalwe, -banke of -lateie mag strek nie;

- (iii) nie op of oor die mure van die gebouvlak waarin die vensters geplaas is, mag strek nie;
- (iv) in 'n gebied van maksimum beheer nie 25% van die glasoppervlakte of 4,5 m<sup>2</sup> in totale oppervlakte, wat ook al die kleinste is, van die gesamentlike totale reklameoppervlakte per individuele sake-entiteit mag oorskry nie;
- (v) in gebiede van gedeeltelike of minimum beheer nie 18 m<sup>2</sup> van die gesamentlike totale reklameoppervlakte per individuele sake-entiteit mag oorskry nie; en
- (vi) nie geplaas mag word oor enige vensters wat vir gebouventilasie of -verligting bedoel is nie.

#### **Advertensietekens op die buitegrens van sportvelde**

- (8) (a) Enige onverligte advertensietekens van hoogstens 2 m x 1 m wat op die buitegrens van 'n sportveld opgerig word, moet na binne of in die rigting van die veld wys en mag nie aan enige ander openbare plek of uitsigpad adverteer nie.
- (b) Geen aansoek om 'n afwyking van (a) hier bo ten opsigte van advertensietekens op die buitegrens van sportvelde word ingevolge enige bepaling van hierdie verordening toegelaat nie.
- (c) Tekens kan tydelik op die horisontale speeloppervlak of gras van 'n sportveld geverf word met die oog op 'n sportbyeenkoms.

#### **Sekuriteitstekens op persele**

- (9)(a) Onverligte sekuriteitstekens op persele word toegelaat, mits dit nie oor die eiendomsgrens uitsteek en geen teken 0,3 m<sup>2</sup> oorskry nie, op voorwaarde dat sodanige tekens hetsy aandui dat—
  - (i) 'n buurtwagskema in werking is;
  - (ii) 'n sekuriteitsmaatskappy gekontrakteer is om die perseel te beskerm;
  - (iii) 'n straatkomitee bestaan; of
  - (iv) 'n sentrale verbeteringsdistrik in die gebied in werking is.
- (b) Slegs een sekuriteitsteken per kategorie (of diensverskaffer) in (a) hier bo word per perseel toegelaat.
- (c) Die besonderhede op sekuriteitstekens wat vir die dienskatgorieë in (a) hier bo op persele vertoon word, is beperk tot—
  - (i) 'n naam;
  - (ii) 'n logo; en
  - (iii) 'n telefoonnommer.
- (d) Geen aansoek om 'n afwyking van die bogenoemde bepalings ten opsigte van sekuriteitstekens word ingevolge enige bepaling van hierdie verordening toegelaat nie.

**Geborgde en kommersieel geborgde tekens en van liggame sonder winsoogmerk, welke tekens kleiner is as 4,5 m<sup>2</sup>**

- (10)(a) Enige teken wat hetsy deur of in verband met 'n liggaam sonder winsoogmerk op die perseel van sodanige liggaam opgerig word, kan toegelaat word, op voorwaarde dat—
- (i) sodanige teken nie 4,5 m<sup>2</sup> in totale oppervlakte mag oorskry nie;
  - (ii) hoogstens 'n derde van die totale oppervlakte van die teken vir derdepartyborgskap gebruik mag word;
  - (iii) sodanige teken onverlig moet wees; en
  - (iv) slegs een sodanige teken per erf toegelaat sal word.
- (b) Tekens wat aan die bepalings in 10(a) hier bo voldoen en op Stadsgrond opgerig word, moet die proses in bylae 16 volg.

**Plekgebonde vlae of veervlae op kommersiële persele**

- (11)(a) Plekgebonde reklame op vlae mag slegs op die betrokke perseel en slegs op vlagpale vertoon word, op voorwaarde dat—
- (i) hoogstens vier vlagpale van 3 m elk per perseel vir die doel van die vertoning van reklame op vlae gebruik mag word; of
  - (ii) vier veervlae van 3 m<sup>2</sup> elk per perseel vertoon mag word; en
  - (iv) sodanige vlae en veervlae nie oor die eiendomsgrens mag uitsteek nie.

**Voertuigadvertensietekens**

- (12)(a) Onverligte tekens mag direk op die bakwerk van 'n gemotoriseerde of niegemotoriseerde voertuig gevef of aangebring of daaraan vasgeheg word indien die voertuig gebruik word vir—
- (i) die vervoer van goedere of passasiers;
  - (ii) die verkoop van goedere of voedsel en drank vanuit sodanige voertuig ooreenkomstig 'n geldige permit; of
  - (iii) die lewering van dienste uit sodanige voertuig ooreenkomstig 'n geldige permit;
- en sodanige voertuig nie hoofsaaklik vir die doel van reklame geparkeer of gebruik word nie.
- (b) Voertuigtekens mag nie elektronies wees of enige materiaal insluit wat weerkants of terugkants nie.
- (c) Geen aansoek om 'n afwyking van die bogenoemde bepalings ten opsigte van voertuigadvertensietekens word ingevolge enige bepaling van hierdie verordening toegelaat nie.

**Gemeenskapsinligtingstekens**

- (13)(a) Gemeenskapsinligtingstekens word toegelaat, mits sodanige tekens—
- (i) geen kommersiële reklame, kommersiële borgskap of kommersiële advertensieveldtogte bevat nie;
  - (ii) hoogstens 3 m<sup>2</sup> groot is;

- (iii) nie verlig of elektronies is nie; en
- (iv) indien dit losstaande is, 'n minimum vryhoogte van 2,1 m het en nie 'n maksimum totale hoogte van 3 m oorskry nie.

#### **Gemeenskapsinligtingsplakkate**

(14)(a) Gemeenskapsinligtingsplakkate van hoogstens A4-grootte wat nie op openbare geleenthede of veldtogte betrekking het nie, word toegelaat, mits sodanige plakkate—

- (i) slegs met vermiste troeteldiere en vermiste persone verband hou;
- (ii) slegs teen die Stad se elektriese straatlamppale vasgemaak word;
- (iii) nie nader as 30 m aan 'n verkeerslig geplaas word nie; en
- (iv) binne 90 kalenderdae nadat dit opgesit is deur die verantwoordelike persoon verwyder word.

(b) Geen aansoek om 'n afwyking van die bogenoemde bepalings ten opsigte van gemeenskapsinligtingsplakkate word ingevolge enige bepaling van hierdie verordening toegestaan nie.

#### **Plekgebonde vasgebinde kommersiële baniere**

(15)(a) Die volgende word as 'n plekgebonde vasgebinde kommersiële banier toegelaat—

- (i) Een ongeraamde banier wat nie losstaande is nie en met toue aan die gebou, muur of grensheining van die betrokke perseel vasgebind word, met 'n totale maksimum reklameoppervlakte van 3 m<sup>2</sup>, en wat vir hoogstens 14 dae per kalendermaand vertoon mag word.

(b) In geval van winkelsentrums of -wandelhalle mag slegs een ongeraamde banier per straatfront met betrekking tot die betrokke winkelsentrum of -wandelhal vertoon word, met 'n totale maksimum reklameoppervlakte van 3 m<sup>2</sup>, en vir hoogstens 14 dae per kalendermaand.

(c) Plekgebonde vasgebinde kommersiële baniere mag nie—

- (i) so vasgebind word dat dit verbygaande voetgangers of
- (ii) voertuigverkeer hinder of in gevaar stel nie;
- (iii) nader as 30 m aan enige padverkeerstekens of verkeerslig vertoon word nie, en mag nie enige sigdriehoek by uitdraaipaaie of voertuigtoegangspunte versper nie;
- (iv) teen verkeersligpale of ander pale met padverkeerstekens op, die verdeelkaste van elektrisiteits- of diensowerhede, straatmeubels, rotse, bome, ander natuurkenmerke of ander Stadseiendom aangebring word nie;
- (v) so aangebring word dat dit ander ondernemings of organisasies onbillik benadeel of enige goedgekeurde bestaande tekens verberg nie; en
- (vi) op enige perseel buiten die betrokke perseel aangebring word nie.

### Plekgebonde tekens

- (16)(a) Een onverligte plekgebonde plat teken word per sakeperseel toegelaat, mits dit nie oor 'n openbare straat uitsteek nie, en nie 2 m<sup>2</sup> in gesamentlike totale reklameoppervlakte per individuele sake-entiteit oorskry nie, en mag op die buitewand van geboue op die grond- of eerste vloer vertoon word, op voorwaarde dat dit nie boukundige artikulasies verberg of vensters of openinge versper nie.
- (b) In gebiede van gedeeltelike en minimum beheer word een plekgebonde dakteken wat op die dak van 'n gebou gevef is, toegelaat, tot 'n maksimum van 4,5 m<sup>2</sup> in grootte of 'n kwart van die totale dakoppervlakte waarop dit gevef is, wat ook al die kleinste is.
- (c) Benewens die straatnommer en straatnaam wat op die gebou vertoon word, word een gebouaamteken per straatfront toegelaat om die perseel te identifiseer, welke teken hetsy 'n plat, versonke, gegraveerde, gegote, gevefde of uitsnyletterteken van hoogstens 3 m<sup>2</sup> mag wees, dog onverlig.
- (d) Een plekgebonde grensmuurteken van hoogstens 1 m<sup>2</sup> mag op die muur aangebring word, welke teken hetsy versonke of gevef mag wees of uit individuele uitsnyletters of -simbole mag bestaan wat gelyk met sodanige muur aangebring word en nie verder as 50 mm van die oppervlak van die muur mag uitsteek nie.

### Lugtekens

- (17) In enige stedelike beheergebied mag lugtekens op hetsy een ballon of een ballonskip tot 'n maksimum hoogte van 9 m bo die grondvlak vertoon word, op voorwaarde dat—
- (a) die advertensiepaneel op elke sigbare vlak van die teken nie 1,5 m<sup>2</sup> mag oorskry nie;
- (b) die totale toegelate grootte van die ballon of ballonskip 'n breedte van 3 m is, ongeag in watter rigting dit gemeet word;
- (c) hierdie bepalings beperk sal wees tot—
- (i) 'n plekgebonde winkeluitverkoop op die perseel;
  - (ii) 'n openingsgeleentheid;
  - (iii) 'n geleentheid van 'n liggaam sonder winsoogmerk, met of sonder borginhoud; of
  - (iv) 'n sportbyeenkoms, met of sonder borginhoud;
- (d) die lugteken vir sodanige geleentheid vir hoogstens drie opeenvolgende dae vertoon mag word;
- (e) lugtekens nie bo 'n openbare pad vertoon mag word nie;
- (f) lugtekens slegs in daglig vertoon mag word; en
- (g) buiten subartikel (c)(iii) en (iv) hier bo, lugtekens nie enige derdepartyreklame mag bevat nie.

**Tydlike geleentheidstekens vir liggame sonder winsoogmerk**

- (18)(a) Tydelike baniere, vlae, plakkate, opblaastekens, transito-tekens, lugtekens en los draagbare tekens word toegelaat vir geleenthede van liggame sonder winsoogmerk.
- (b) Tydelike geleentheidstekens vir liggame sonder winsoogmerk mag hoogstens 10% derdepartyborginhoud per teken bevat.
- (c) Liggame sonder winsoogmerk kan hierdie tekens vertoon op die perseel van die gasheerliggaam of op die privaat eiendom waar die geleentheid aangebied word, vir die duur van die geleentheid.
- (d) Indien sodanige geleentheid deels of in die geheel op Stadseiendom of -infrastruktuur plaasvind, waaronder by enige geleentheid wat die Stad aanbied of borg, moet 'n aansoek ingevolge artikel 5 en die toepaslike bylaes ingedien word.
- (e) Indien hierdie tekens op Stadseiendom vertoon word, mag dit nie in enige beton-, teer- of geplaveide oppervlak ingeslaan word nie.

**Plekgebonde los draagbare tekens op privaat eiendom**

- (19) (a) Hoogstens twee plekgebonde los draagbare tekens mag op privaat eiendom vertoon word, mits dit nie 1,2 m x 0,6 m in grootte oorskry en 'n veiligheidsgevaar vir die publiek inhou nie.
- (b) Geen aansoek om 'n afwyking van die bogenoemde bepalings met betrekking tot los draagbare tekens word ingevolge enige bepaling van hierdie verordening toegelaat nie.

**Plakkate op plakkaatpilare**

- (20)(a) Alle plakkaattipes waarna bylae 11 verwys, mag aangebring word op aangewese strukture op terreine wat die Stad vir die uitdruklike doel van plakkate aanwys, op voorwaarde dat—
- (i) slegs een plakkaat per byeenkoms, veldtog of geleentheid per liggaam sonder winsoogmerk op enige enkele pilaar aangebring mag word; en
- (ii) geen plakkate vir uitsluitlik kommersiële geleenthede, waaronder die bevordering of bekendstelling van produkte en dienste, toegelaat sal word nie.
- (b) Geen aansoek om 'n afwyking van die bogenoemde bepalings met betrekking tot plakkate op plakkaatpilare word ingevolge enige bepaling van hierdie verordening toegelaat nie.

**Tydlike rigtingpyltekens vir filmopnames**

- (21)(a) Tydelike rigtingpyltekens vir filmopnames, om die ligging van 'n bepaalde filmstel aan filmspanne en -dienste uit te wys, mag slegs teen die Stad se elektriese straatlamppale aangebring word ooreenkomstig die Stad se beleid oor straatverligting.

## (b) Tydelike rigtingpyltekens vir filmopnames—

- (i) mag nie teen bome, verkeersligpale of ander pale met padverkeerstekens op, straatmeubels of ander Stadseiendom aangebring word nie;
  - (ii) moet aan alle tersaaklike wetgewing, beleide en riglyne sowel as die toepaslike verfilmingspermit voldoen;
  - (iii) mag nie 'n totale grootte van 0,3 m<sup>2</sup> elk oorskry nie;
  - (iv) is beperk tot een teken per paal of twee tekens wat rug aan rug saamgevoeg word; en
  - (v) moet binne 'n dag na die voltooiing van die filmopname verwyder word.
- (c) Geen aansoek om 'n afwyking van die bogenoemde bepalings met betrekking tot tydelike rigtingpyltekens vir filmopnames word ingevolge enige bepaling van hierdie verordening toegelaat nie, buiten met die skriftelike magtiging van die Stad.

**Tydelike openbare kuns**

- (22) (a) 'n Onverligte kunswerk wat 'n teken bevat of vertoon wat 'n advertensie is, word toegelaat indien—
- (i) die kunswerk self nie 'n advertensie is nie;
  - (ii) die advertensiegedeelte nie 5% of 2,5 m<sup>2</sup> van die totale inhoud van die kunswerk oorskry nie, wat ook al die kleinste is; en
  - (iii) daar 'n geldige permit vir die tydelike openbare kunswerk bestaan wat ingevolge die Stad se permitstelsel vir openbare kuns goedgekeur is.
- (b) Kunswerk met reklame sal op multigebruikgeboue toegelaat word, maar slegs indien dit aan die buitekant van die nieresidensiële vlakke van die gebou verskyn.
- (c) Kunswerk met reklame word nie op enige residensiële geboue, residensiële grensmure en verwante strukture toegelaat nie.
- (d) Die Stad kan aandrang op dokumentêre bewys van 'n geldige borgskapsooreenkoms tussen die kunstenaar, die opdraggewende party (waar van toepassing) en die borg.
- (e) Geen aansoek om 'n afwyking van die bogenoemde bepalings met betrekking tot tydelike openbare kuns word ingevolge enige bepaling van hierdie verordening toegelaat nie.

**Verkiesingsplakkate**

- (23) Plakkate vir verkiesingsveldtogte en politieke geleenthede van hoogstens 0,9 m x 0,6 m kan gedurende amptelike verkiesings- en kiesersregistrasietydperke teen die Stad se elektriese straatlamppale toegelaat word, onderworpe aan enige vereistes of voorwaardes wat die Stad ten opsigte daarvan uitreik.



### 13. ONTSIERING

- (1) Buiten waar die Stad se skriftelike goedkeuring bekom of sekere teken tipes ingevolge hierdie verordening toegelaat word, mag geen persoon enige straatfront, padverkeersteken, muur, heining, grond, rots, boom of ander natuurkenmerk, of enige deel van enige gebou of struktuur, op enige manier hoegenaamd ontsier gedurende die oprigting van 'n teken, deur die vertoning of gebruik van 'n teken óf deur die skryf of verf van enige teken, simbool, letter of syfer nie.
- (2) Geen persoon mag enige teken wat regmatig ingevolge hierdie verordening vertoon word, vernietig, beskadig, skend, ontsier of onleesbaar maak nie.

### 14. SKADE AAN STADSEIENDOM

Geen persoon mag gedurende die oprigting of verwydering van enige teken enige boom, die Stad se elektriese straatlamppale of enige ander Stadsinstallasie, -eiendom of -straatmeubels beskadig nie, en enige koste wat die Stad aangaan om sodanige skade te herstel sal ingevolge die Stad se beleid en verordening insake kredietbeheer en skuldinvordering verhaal word van die persone wat vir die skade verantwoordelik is of dit veroorsaak het.

### 15. TOEGANG EN INSPEKSIES

Die Stad is daarop geregtig om, deur sy behoorlik gemagtigde amptenare en ná redelike vooraf- skriftelike kennisgewing aan die eienaar of okkupant van 'n eiendom, enige perseel op 'n redelike tyd te betree om enige wetstoepassing, monitering of inspeksie uit te voer wat nodig is om die bepalings van hierdie verordening na behore toe te pas en af te dwing.

### 16. MISDRYWE

- (1) 'n Persoon wat—
  - (a) in stryd met enige bepaling van hierdie verordening 'n teken oprig, gebruik of vertoon, enige tekenstruktuur oprig, enige tekenstruktuur gebruik om 'n teken te vertoon, of 'n bestaande teken of tekenstruktuur wysig of iets daarby byvoeg;
  - (b) enige bepaling, voorwaarde, vereiste of goedkeuringsvoorwaarde wat ingevolge hierdie verordening opgelê is of as opgelê beskou word, oortree of versuim om daaraan te voldoen;
  - (c) enige vereiste in 'n voldoeningskennisgewing wat ingevolge hierdie verordening aan hom of haar beteken word, oortree of versuim om daaraan te voldoen;
  - (d) willens en wetens 'n wanvoorstelling of vals verklaring maak of 'n dokument of permit namaak, vervals of op bedrieglike wyse repliseer ten opsigte van enige aansoek, goedkeuring, vereiste of magtiging ingevolge hierdie verordening;
  - (e) doelbewus verhinder dat 'n gemagtigde amptenaar toegang tot enige eiendom bekom om 'n inspeksie te doen, of sodanige amptenaar lastig val of hinder gedurende sodanige inspeksie ingevolge of kragtens hierdie verordening; of
  - (f) enige gemagtigde amptenaar in die uitvoering van amptelike pligte of werksaamhede ingevolge of kragtens hierdie verordening dreig, teëgaan, lastig val of kortwiek;

is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met 'n boete of tronkstraf ooreenkomstig artikel 17(1)(a) en (c).

- (2) In geval van 'n voortgesette misdryf is sodanige persoon by skuldigbevinding strafbaar met 'n boete of tronkstraf ooreenkomstig artikel 17(1)(b) en (c) vir elke dag waarop sodanige misdryf voortduur, en kan die persoon by skuldigbevinding vir 'n tweede of daaropvolgende misdryf gestraf word.

### **17. BOETES EN STRAWWE**

- (1) Die volgende boetes en strawwe is van toepassing op 'n persoon wat hierdie verordening oortree—
- (a) Indien 'n hof die persoon skuldig bevind aan 'n eerste misdryf is die persoon strafbaar met 'n boete of, indien die boete nie betaal word nie, tronkstraf vir hoogstens ses maande.
- (b) In geval van 'n voortgesette misdryf is die skuldige party strafbaar met 'n verdere boete vir elke dag waarop sodanige misdryf voortduur.
- (c) By skuldigbevinding aan 'n tweede of verdere misdryf is die persoon strafbaar met 'n boete of tronkstraf van hoogstens ses maande.
- (2) Waar die Stad onregmatige tekens verwyder, kan die verantwoordelike persoon dit binne drie maande na die verwyderingsdatum by die Stad opeis na die volle vereffening van enige koste wat die Stad vir die verwydering van die genoemde tekens moes aangaan, sowel as enige heffings vir die vervoer en berging van die tekens.
- (3) Enige onregmatige tekens wat die Stad verwyder en skut en wat nie binne drie maande na die verwyderingsdatum opgeëis word nie, word die eiendom van die Stad, wat geheel na eie goëddunke daarmee sal wegdoen.
- (4) Indien enige teken in stryd met hierdie verordening opgerig word en 'n aansoek daarná ingedien word om die oortreding reg te stel, sal 'n bykomende bedrag in die vorm van 'n administratiewe boete ten tyde van die indiening van die aansoek opgelê word ingevolge die Stad se goedgekeurde tariewe en heffings wat van tyd tot tyd gepubliseer word.
- (5) Indien die administratiewe boete nie betaal word teen die datum wat die Stad bepaal nie—
- (a) sal die aansoek nie verder verwerk word nie, en teruggestuur word aan die aansoeker; en
- (b) sal die aansoeker vir twee jaar na die datum waarop die aansoek aan hom of haar teruggestuur is geen verdere aansoek vir dieselfde terrein mag indien nie.
- (6) Die Stad kan enige administratiewe boetes ingevolge enige ander wet hef, ontvang of oplê ten opsigte van enige teken wat in stryd met hierdie verordening opgerig word.
- (7) Die oplegging van die bogenoemde administratiewe boete verhinder nie die Stad om strafregtelike of siviele stappe in te stel om die onregmatig opgerigte teken te laat verwyder terwyl die aansoek om regstelling nog beslis word nie.

### **18. AANNAMES**

- (1) Totdat bewys van die teendeel gelewer word, word daar aangeneem dat 'n persoon wat ingevolge hierdie verordening van 'n misdryf aangekla word en wat—
- (a) alleen of saam met ander verantwoordelik is vir die reëlings vir, of in beheer is van, enige vergadering, byeenkoms of geleentheid waarop 'n teken betrekking het, elke onregmatige teken in verband met sodanige vergadering, byeenkoms of geleentheid willens en wetens vertoon het, laat vertoon het, of toegelaat het dat dit vertoon word;

- (b) die persoon is wie se naam op 'n onregmatige teken verskyn of wie se produk of dienste op sodanige teken geadverteer word, sodanige teken willens en wetens vertoon het, laat vertoon het, of toegelaat het dat dit vertoon word;
- (c) 'n tekeneienaar of media-agent is of 'n persoon wat voordeel trek of getrek het uit die vertoning van 'n onregmatige teken, hetsy alleen of saam met enige ander persoon, sodanige teken willens en wetens vertoon het, laat vertoon het, of toegelaat het dat dit vertoon word; en
- (d) die eienaar is van enige grond of gebou waarop enige onregmatige teken vertoon is of word, sodanige teken willens en wetens vertoon het, laat vertoon het, of toegelaat het dat dit vertoon word.

#### 19. WETSTOEPASSING EN DIE VERWYDERING VAN ADVERTENSIE TEKENS

- (1) Indien enige teken vertoon word of besig is om opgerig te word in stryd met hierdie verordening of enige bepaling, voorwaardes, vereiste of goedkeuringsvoorwaarde wat ingevolge hierdie verordening opgelê is of as opgelê beskou word, kan die Stad 'n skriftelike voldoeningskennigewing aan een of meer van die volgende persone beteken:
  - (a) Die eienaar of huurder van die teken;
  - (b) Die grondeienaar of huurder op wie se grond, gebou of perseel die teken opgerig is of word;
  - (c) 'n Persoon wie se produkte of dienste op die teken geadverteer word;
  - (d) 'n Persoon wie se naam of afbeelding op die teken verskyn;
  - (e) 'n Persoon of maatskappy wat die teken oprig of opgerig het;
  - (f) Die media- of gemagtigde agent; of
  - (g) Enige ander party wat verantwoordelik is vir, of wat voordeel trek uit, die vertoning van die teken.
- (2) Die Stad sal daarop aandrang dat sodanige persone—
  - (a) goedkeuring bekom vir die genoemde ongemagtigde teken, onderworpe daaraan dat die toepaslike administratiewe boete betaal word;
  - (b) die oprigting van sodanige teken staak; of
  - (c) sodanige teken verwyder of enige verandering daaraan aanbring.
- (3) Die Stad kan daarop aandrang dat sodanige persone enige ander handeling verrig wat in 'n voldoeningskennigewing van die Stad voorgeskryf word, binne die tydperk wat die kennigewing aandui.
- (4) Ondanks die betekening van sodanige voldoeningskennigewing, kan die Stad dit terugtrek of wysig.
- (5) Indien daar nie binne die voorgeskrewe tydperk aan die Stad se versoeke in die voldoeningskennigewing gehoor gegee word nie, kan die Stad sonder verdere kennigewing aan die persoon aan wie die voldoeningskennigewing beteken is, en nadat regshulp op 'n *ex parte*-grondslag van die tersaaklike hof bekom is, die teken verwyder of aanpas, of sodanige ander werk doen as wat in die voldoeningskennigewing voorgeskryf word. Geen hofbevel word egter vereis vir die

verwydering of aanpassing van 'n onregmatige teken indien dit op Stadseiendom opgerig of vertoon word nie.

- (6) Indien die onregmatige teken vertoon word of sal word op eiendom in Stadsbesit of onder Stadsbeheer, waaronder enige grond wat deur of van die Stad gehuur word, kan die Stad—
- (a) die teken of tekenstruktuur verwyder sonder om eers 'n voldoeningskennisgewing ten opsigte daarvan te beteken, en sonder 'n hofbevel; of
  - (b) die blootstelling van die onregmatige teken beperk deur sodanige teken ontoeganklik, onleesbaar of onverstaanbaar te maak.
- (7) Indien die Stad of sy agente optree om tekens te verwyder, te skut en te berg, of om aanpassings of enige ander werk ten opsigte van ongemagtigde advertensietekens te doen, ongeag of dit voorafgegaan word deur, of gedoen word ingevolge, 'n voldoeningskennisgewing of nie, sal die Stad nie aanspreeklik wees vir redelike of onvermydelike skade aan die betrokke eiendom, waaronder die tekens en strukture self, gedurende die verrigting van sodanige handeling, of vir enige eise wat in dié verband ontstaan nie.
- (8) Enige koste wat die Stad aangaan om tekens of tekenstrukture van Stadseiendom te verwyder, te skut en te berg, of om aanpassings of ander vereiste werk ingevolge 'n voldoeningskennisgewing te doen, kan ingevolge die beleid en verordening insake kredietbeheer en skuldinvordering verhaal word van een of meer van die volgende persone wat verantwoordelik is vir die vertoning van die teken, of aan wie die voldoeningskennisgewing beteken is:
- (a) Die eienaar of huurder van die teken;
  - (b) Die grondeienaar of huurder op wie se grond, gebou of perseel die teken opgerig is;
  - (c) 'n Persoon wie se produkte of dienste op die teken geadverteer word;
  - (d) 'n Persoon wie se naam of afbeelding op die teken verskyn;
  - (e) 'n Persoon of maatskappy wat die teken opgerig het;
  - (f) Die konsessiehouer, media-agent of gemagtigde agent; of
  - (g) Enige ander party wat verantwoordelik is vir, of wat voordeel trek uit, die vertoning van die teken.
- (9) Ondanks enige ander klousule in hierdie verordening, indien 'n behoorlik gemagtigde amptenaar van die Stad wat in verband met hierdie verordening optree van mening is dat 'n teken, hetsy op Stads- of privaat eiendom, 'n gevaar inhou vir menselewens of eiendom, kan die Stad sonder voorafkennisgewing en sonder 'n hofbevel die teken verwyder of laat verwyder. Enige koste wat die Stad aangaan om sodanige teken te verwyder en te berg, of te laat verwyder en te berg, kan van enige van die persone in subartikel (8) hier bo verhaal word.

## 20. BETEKENING VAN VOLDOENINGSKENNISGEWINGS

- (1) Waar hierdie verordening vereis dat enige voldoeningskennisgewing of ander dokument aan enige persoon beteken word, word dit as behoorlik beteken beskou indien—

- (a) dit beteken is aan hulle persoonlik, of by hulle woonplek aan enige lid van hulle huishouding wat klaarblyklik ouer is as 16, of by hulle werkplek aan enige persoon in hulle diens of wat by hulle werk;
- (b) dit per geregistreerde pos gestuur is na sodanige persoon se woon- of werksadres wat op die Stad se stelsel verskyn;
- (c) dit per elektroniese pos gestuur is;
- (d) in geval van 'n maatskappy, beslote korporasie of trust, dit beteken is aan enige persoon by die geregistreerde kantoor van die maatskappy, beslote korporasie of trust wat klaarblyklik in die entiteit se diens is, of per geregistreerde pos gestuur is na sodanige kantoor; of
- (e) dit op 'n sigbare plek teen die teken, advertensie of tekenstruktuur opgesit of daarop aangebring is.

## **21. REGSBEVOEGDHEID VAN LANDDROSHOF**

- (1) Ondanks enige strydige bepalings in enige wet met betrekking tot landdroshowe, het 'n landdros regsbevoegdheid om, wanneer die Stad daarom aansoek doen, 'n bevel uit te reik wat enige persoon belet om met die oprigting van enige teken te begin of voort te gaan, of te gelas dat enige persoon 'n teken verwyder, of die Stad te magtig om sodanige teken te verwyder, indien die landdros oortuig is dat sodanige oprigting strydig is met, of nie voldoen nie aan, die bepalings van hierdie verordening of enige goedkeuring of magtiging ingevolge hiervan.
- (2) Ondanks enige strydige bepalings in enige ander wet, sal 'n landdroshof regsbevoegdheid hê om enige vonnis op te lê waarvoor hierdie verordening voorsiening maak.

## **22. RIGLYNE**

Die Stad kan van tyd tot tyd 'n handleiding oor die beheer van buitereklaam in Kaapstad, tersaaklike riglyne, inligtingsbrosjures of enige ander materiaal met betrekking tot hierdie verordening uitreik.

## **23. HERROEPING VAN VERORDENINGE**

- (1) Hierdie verordening herroep die volgende wetgewing—
  - (a) Stad Kaapstad: Verordening insake Buitereklaam en Advertensietekens, No. 10518 van 2001, Eerste Wysigingsverordening 2013, Provinsiale Koerant No. 7219 van 17 Januarie 2014; en
  - (b) Stad Kaapstad: Verordening insake Buitereklaam en Advertensietekens, No. 10518 van 2001, Provinsiale Koerant No. 5801 van 5 Desember 2001.
- (2) Enige handeling kragtens of ooreenkomstig 'n bepaling wat ingevolge hierdie verordening herroep word, word beskou asof dit kragtens die ooreenstemmende bepalings van hierdie verordening gedoen is, en sodanige herroeping het geen uitwerking op die geldigheid van enige handeling ooreenkomstig die herroepde verordening nie.
- (3) Enige handeling vóór die uitvaardiging van hierdie verordening wat nie gedoen is ooreenkomstig 'n bepaling wat deur hierdie verordening herroep word nie en wat onregmatig was, word steeds as onregmatig beskou ingeval sodanige handeling of teken ook nie aan die bepalings van hierdie verordening voldoen nie.
- (4) Enige goedkeuring, toestemming, reg of opdrag wat uitgereik, toegestaan of in werking gestel is ingevolge 'n verordening wat deur hierdie verordening herroep word en wat onmiddellik voor die inwerkingtreding van hierdie verordening bestaan

het, bly van krag en, waar dit van toepassing is, word beskou asof dit ooreenkomstig hierdie verordening uitgereik, toegestaan of in werking gestel is, onderworpe aan die aanvanklike voorwaardes, en bly geld vir die tydperk wat ingevolge die herroepde verordening toegestaan is.

- (5) Optrede in stryd met 'n verordening wat deur hierdie verordening herroep word, word ook as 'n oortreding van hierdie verordening beskou, en die strawwe in hierdie verordening is van toepassing indien die optrede kragtens hierdie verordening op 'n misdryf neerkom.

#### **24. VOORBEHOUDE**

- (1) Enige aansoek om die vertoning van enige advertensie of die oprigting van enige teken of tekenstruktuur vir reklamedoeleindes wat voor die uitvaardiging van hierdie verordening by die Stad ingedien is, en ten opsigte waarvan die Stad nog nie voor die uitvaardiging van hierdie verordening 'n besluit geneem het nie, word oorweeg ingevolge die verordening wat ten tyde van die indiening van die aansoek van toepassing was.
- (2) Enige goedkeuring of magtiging wat die Stad of sy voorgangers ingevolge vorige wette, verordeninge, beleide of kontrakte toegestaan het vir die vertoning van—
- (a) derdepartytekens waar geen goedkeuringstydperk aangedui is nie en waar die betrokke teken ooreenkomstig alle voorwaardes van die goedkeuring of magtiging, na gelang van die geval, vertoon word, verstryk outomaties hoogstens vyf jaar na die uitvaardigingsdatum van hierdie verordening; en
- (b) tekens op Stadseiendom ooreenkomstig kontrakte met die Stad of sy voorgangers verstryk ooreenkomstig die verstrykingstydperke wat die betrokke kontrak bepaal, en word nie deur die uitvaardiging van hierdie verordening verleng nie.

#### **25. KORT TITEL**

Hierdie verordening is bekend as die Stad Kaapstad: Verordening op Buitereklame, 2023.

**BYLAE 1  
BEHEERGEBIEDE**

MAKSIMUM			GEDEELTELIK	MINIMUM
NATUURGEBIED	LANDELIKE GEBIED	STEDELIKE GEBIED	STEDELIKE GEBIED	STEDELIKE GEBIED
<ul style="list-style-type: none"> <li>• Geproklameerde natuurreservate</li> <li>• Beskermd natuurgebiede</li> <li>• Bewaringsgebiede</li> <li>• Wildreservate</li> <li>• Geproklameerde voëlparke</li> <li>• Geproklameerde mariene reservate</li> <li>• Strande, seekuste, openbare kuseiendom en kussones</li> <li>• Oseane</li> <li>• Bosbougebiede</li> <li>• Rivierkorridors</li> <li>• Vleilande</li> <li>• Tafelberg-nasionale park en wêrelderfenisterrein</li> <li>• Uitsigpaaie</li> <li>• Kaapstad-biostreeksplan en die biodiversiteitsnetwerk</li> <li>• Spesifieke gebiede of terreine wat as natuurgebiede van maksimum beheer aangewys is op 'n kaart wat die Stad saamgestel het</li> </ul>	<ul style="list-style-type: none"> <li>• Landbougebiede/-sones</li> <li>• Tuinbougebiede</li> <li>• Landelike kleinhoewes</li> <li>• Groot privaat oop ruimtes (soos gholfbane)</li> <li>• Uitsigpaaie</li> <li>• Uitsig-/kulturele landskappe</li> <li>• Uitsigkenmerke</li> <li>• Stadsparke</li> <li>• Landbou- en tuinbougebiede en aanliggende pad- en spoorreserwes</li> <li>• Spesifieke gebiede of terreine wat as landelike gebiede van maksimum beheer aangewys is op 'n kaart wat deur die Stad saamgestel is</li> <li>• Sones van kulturele en ontspannings-hulpbronne</li> </ul>	<ul style="list-style-type: none"> <li>• Erfenis-beskerms-oorlegsones (HPOZ)</li> <li>• Erfenisterreine</li> <li>• Provinsiale erfenisgebiede ingevolge artikel 31 van die Wet op Nasionale Erfenishulpbronne, Wet 25 van 1999 (die Erfeniswet)</li> <li>• Gegradeerde geboue, plekke en terreine waarvoor die Erfeniswet voorsiening maak</li> <li>• Residensiële sones en aanliggende paaie</li> <li>• Mobiliteitsroetes</li> <li>• Voetganger-wandelhalle en -pleine</li> <li>• Skool- en institusionele terreine</li> <li>• Uitsigkenmerke</li> <li>• Uitsigpaaie</li> <li>• Oopruimte-stelsels en</li> </ul>	<ul style="list-style-type: none"> <li>• Sentrale sakebuurte</li> <li>• Gemengde-gebruik-kommersiële en residensiële gebiede</li> <li>• Kommersiële ontwikkelings-nodusse en aktiwiteits-korridors</li> <li>• Kommersiële en sakebuurte en aanliggende strate</li> <li>• Mobiliteitsroetes</li> <li>• Vermaaklikheids-distrikte of -komplekse met kommersiële sones</li> <li>• Sportvelde en -stadions</li> <li>• Spesifieke gebiede of terreine wat as gebiede van gedeeltelike beheer aangewys is op 'n kaart wat deur die Stad saamgestel is</li> </ul>	<ul style="list-style-type: none"> <li>• Nywerheidsone</li> <li>• Aangewese vervoer-terminusse</li> <li>• Treinstasies en spoorreserwes</li> <li>• Aangewese gebiede in beperktegebruiksones</li> <li>• Spesifieke gebiede of terreine wat as gebiede van minimum beheer aangewys is op 'n kaart wat deur die Stad saamgestel is</li> </ul>

		<p>ekologiese korridors ingevolge biostreeksplanne en die groen-infrastruktuur-netwerk</p> <ul style="list-style-type: none"> <li>• Openbare oop ruimtes</li> <li>• Privaat oop ruimtes</li> <li>• Stedelike kleinhoewes</li> <li>• Gebiede van intensiewe stedelike landbou</li> <li>• Gebiede van stedelike bestaansboerdery</li> <li>• Rivierkorridors</li> <li>• Vleilande</li> <li>• Gemeenskapsfasiliteite (wat sportgeriewe en -stadions uitsluit)</li> <li>• Spesiale sakesones</li> <li>• Residensiële geboue</li> <li>• Angewese verkeersweë</li> <li>• Spesifieke gebiede of terreine wat as stedelike gebiede van maksimum beheer aangewys is op 'n kaart wat die Stad saamgestel het</li> </ul>		
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**BYLAE 2****DERDEPARTYREKLAMEBORDE, EN DERDEPARTY- LOSSTAANDE ADVERTENSIE TEKENS VAN TOT 3 M<sup>2</sup>**

Onderworpe aan goedkeuring ingevolge hierdie verordening, word die oprigting en/of vertoning van reklameborde groter as 4,5 m<sup>2</sup>, hetsy van 'n pasgemaakte of standaardontwerp, slegs in gebiede van minimum beheer toegelaat. Daarbenewens moet reklameborde—

1. indien die voorgestelde erf waar die reklamebord opgerig sal word aan 'n aangewese verkeersweg grens, en die geboue op die erf verder as 50 m van die padreserwelyn is, nie nader as 50 m aan die padreserwelyn geplaas word nie, welke afstand teen 'n hoek van 90° met die naaste punt van die padreserwe gemeet moet word;
  - 1.1 Hierdie afstand kan verklein word tot nie minder nie as die lyn van die openbare fasades van geboue op die erf of aanliggende erwe indien sodanige aanliggende geboue of die geboue op die erf nader as 50 m aan die padreserwe is, dog slegs by ontvangs van 'n tekenimpak- en verkeersimpakbeoordeling wat die moontlike impak van die voorgestelde vergunning aandui, tesame met aanbevelings om sodanige impak te temper.
2. aan die standaardgoedkeuringsvoorwaardes in hierdie verordening voldoen;
3. nie die grenslyn van die eiendom waarop dit opgerig word, oorskry nie, hetsy in die lug of op grondvlak;
4. 'n minimum vryhoogte van 2,4 m en 'n tekenstruktuur met 'n maksimum hoogte van 7,5 m bo die natuurlike grondvlak hê, buiten reklameborde in vertikale formaat, wat 'n maksimum hoogte van 9 m bo die natuurlike grondvlak mag hê, welke hoogtevoorskrifte laat vaar kan word onderworpe aan die volgende:
  - 4.1 Daar kan om 'n vergunning aansoek gedoen word waar 'n reklamebord voorgestel word op 'n eiendom langs 'n verhoogde stuk pad of brug.
  - 4.2 Sodanige vergunningsaansoek kan toestemming vra om die meterhoogtes hier bo so te verhoog dat die vryhoogte van die teken nie verder as 1 m uitsteek bo die bopunt van 'n keermuur of ander voetganger- of voertuigkeertoestel wat langs die verhoogde ryvlak of brug geïnstalleer is nie, welke afstand gemeet moet word op die punt van die ryvlak naaste aan die teken.
  - 4.3 Die hoër hoogtes mag nie die onderskeidelike meterhoogtes hier bo met meer as 5 m oorskry nie, en sodanige reklameborde mag slegs in horisontale formaat vertoon word.
  - 4.4 Die vergunningsaansoek moet gemotiveer word met 'n topografiese opmeting en grafiese twee- en driedimensionele skaaltekening wat die behoefte aan die hoogtevergunning toon.
5. nie 'n maksimum totale grootte van 36 m<sup>2</sup> oorskry nie, op voorwaarde dat twee sodanige panele toegelaat kan word op enige V-vormige of rug-aan-rug-enkelstruktuur. Die grootte van reklameborde wat uitkyk op paaie met 'n snelheidsgrens van 120 km/h kan egter verhoog word tot twee panele van 81 m<sup>2</sup> elk, hetsy V-vormig of rug aan rug, en mag slegs in horisontale formaat vertoon word en ekstern verlig wees, en mag nie 'n maksimum hoogte van 10 m bo die natuurlike grondvlak oorskry nie;
6. teen 'n hoek van 90° tot 60° met die rigting van aankomende verkeer vertoon word;
7. 'n minimum afstand uit mekaar geplaas word soos wat die padverkeersveiligheidsvereistes in artikel 8(5)(r) en (s) van hierdie verordening bepaal;
8. indien dit intern verlig of elektronies is, hoogstens 36 m<sup>2</sup> groot wees, op voorwaarde dat twee sulke panele van 36 m<sup>2</sup> elk op enige V-vormige of rug-aan-rug-enkelstruktuur

toegelaat kan word, mits beoordelings van die impak op pad- en verkeersveiligheid, erfenishulpbronne en die omgewing, wat deur toepaslik gekwalifiseerde persone of praktisyne onderneem is, geen nadelige impak toon nie;

9. waar dit naby enige padkruising, by kruisings met of sonder verkeersligte, of naby 'n voetganger geleë is, nie nader as 50 m aan die buitengrens van die verkeerskruising of voetganger opgerig of vertoon word indien die reklamebord onverlig is nie, en nie nader as 80 m aan die buitengrens van die verkeerskruising of voetganger indien die reklamebord verlig is nie; en
10. wat aan die regterkant van 'n stuk pad opgerig word sodat die grafika daarop sigbaar is vir bestuurders wat aan die linkerkant van die pad beweeg, beskou word asof dit die reklamegeleentheid wat aan die linkerkant van die pad bestaan het, vervang.

#### **DERDEPARTY- LOSSTAANDE TEKENS VAN TOT 3 M<sup>2</sup>**

11. Derdeparty- losstaande tekens van tot 3 m<sup>2</sup> kan toegelaat word by winkelsentrums en diensstasies in stedelike gebiede van maksimum, gedeeltelike en minimum beheer. Daarbenewens moet derdeparty- losstaande tekens van tot 3 m<sup>2</sup>—
  - 11.1 in die parkeervoorplein van 'n winkelsentrum of die voorplein van 'n diensstasie geleë wees, mits die tekens op kliënte op die perseel gerig is en die grafika daarop nie sigbaar is—
    - (a) vanaf die aanliggende straat nie;
    - (b) vanaf residensiële persele in die omgewing nie;
    - (c) vir verkeer op aangrensende/aanliggende strate nie; en
    - (d) vir motoriste wat die winkelsentrum- of diensstasieperseel binnekom of verlaat nie;
  - 11.2 nie die grenslyn van die eiendom waarop dit opgerig is, oorskry nie, hetsy in die lug of op grondvlak;
  - 11.3 nie 'n hindernis wees of 'n gevaar vir enige persoon se veiligheid inhou nie;
  - 11.4 'n vryhoogte van 2,4 m hê indien dit oor enige gebied aangebring word wat deur voetgangers gebruik word, en nie 'n maksimum totale hoogte van 4 m bo die natuurlike grondvlak oorskry nie.
12. Derdeparty- losstaande tekens van tot 3 m<sup>2</sup> kan intern verlig of elektronies wees, maar mag nie visuele of ligbesoedeling veroorsaak nie.
13. Derdeparty- losstaande tekens van tot 3 m<sup>2</sup> kan 'n enkelkant-, dubbelkant-, V-vormige of driekant-enkelstruktuur wees. Daarbenewens—
  - (a) sal slegs een sodanige teken by 'n diensstasie toegelaat word; en
  - (b) waar verskeie derdeparty- losstaande tekens met 'n gesamentlike totale reklameoppervlakte van meer as 36 m<sup>2</sup> by winkelsentrums voorgestel word, moet 'n meesterplan ingevolge artikel 5(10) ingedien word.

**BYLAE 3****PLEKGEBONDE LOSSTAANDE EN LOSSTAANDE SAAMGESTELDE ADVERTENSIE TEKENS, PLEKGEBONDE PLAASTEKENS EN DIENSSTASIE TEKENS**

Onderworpe aan goedkeuring ingevolge hierdie verordening, word die oprigting en vertoning van plekgebonde losstaande tekens, losstaande saamgestelde tekens en diensstasietekens toegelaat in stedelike gebiede van maksimum, gedeeltelike en minimum beheer.

1. Plekgebonde plaastekens en bewaringsfasiliteitstekens word in natuur- en landelike gebiede van maksimum beheer toegelaat.

1.1 In geval van plaas- en bewaringsfasiliteitstekens—

- (i) kan ingangshekke, hekstrukture of grensmure oorweeg word vir die vertoning van plekgebonde baniere of vlae, of as oppervlak waarop tekenpanele vasgeheg, aangebring of gevef kan word.
- (ii) sal pasgemaakte reklame op toestelle soos wynvate en plaasimmente toegelaat word.

2. Plekgebonde losstaande tekens en losstaande saamgestelde tekens word slegs by die ingang van 'n eiendom toegelaat—

- (i) waar die geboue 15 m of verder van die grens van die padreserwe teruggeset is;
- (ii) waar dit nie redelikerwys moontlik is om gepaste tekens op 'n gebou aan te bring nie; en
- (iii) waar 'n losstaande saamgestelde teken die vermenigvuldiging van tekens sal voorkom;

op voorwaarde dat waar daar meer as een ingang per perseel is, slegs een teken per straatfront toegelaat sal word.

3. Plekgebonde losstaande en losstaande saamgestelde tekens, plekgebonde plaastekens en bewaringsfasiliteitstekens mag nie 7,5 m in hoogte en 4,5 m<sup>2</sup> in totale oppervlakte oorskry nie. 'n Vergunning vir 'n maksimum hoogte van 10 m en 'n maksimum totale oppervlakte van 15 m<sup>2</sup> per kant kan toegestaan word met inagneming van die volgende faktore:

- (i) Of sodanige vergunning die getal individuele tekens wat op enige straatgrens van die terrein uitkyk, sal verminder en sodoende die visuele impak op die omliggende omgewing sal beperk;
- (ii) Die getal ondernemings en plaas- of bewaringsfasiliteitsaktiwiteite wat op sodanige tekens geadverteer sal word;
- (iii) Die getal toegang-/uitgangsroetes na/van die betrokke terrein; en
- (iv) Die grondgebruik van die gebied rondom die betrokke terrein.

4. Losstaande mastekens by diensstasies moet plekgebonde wees en mag slegs opgerig of vertoon word by diensstasies langs en direk toeganklik vanaf die openbare pad waarop sodanige tekens afgestem is, en slegs een losstaande diensstasiefasiliteitsteken sal per straatgrens toegelaat word. 'n Vergunning in hierdie verband kan slegs toegestaan word waar hierdie tekens vanaf die aangewese N1-, N2- en N7-verkeersweë sigbaar is.

5. Losstaande mastekens by diensstasies mag nie 7,5 m in hoogte oorskry en uit meer as agt advertensiepanele van 4,5 m<sup>2</sup> in totale oppervlakte per kant bestaan nie. 'n Vergunning vir 'n maksimum hoogte van 16 m en agt advertensiepanele van 6 m<sup>2</sup> elk in totale oppervlakte per kant kan toegestaan word met inagneming van die faktore in klousule 3

hier bo. Losstaande mastekens by diensstasies kan intern verlig of elektronies wees, onderworpe aan die vereistes van artikel 8(4)(h).

6. Die inhoud wat op die elektroniese skerm van 'n losstaande plekgebonde diensstasiemasteken vertoon word, mag nie van kleurkombinasies gebruik maak op 'n manier wat na die padowerheid se mening waarskynlik verwarring by padgebruikers sal veroorsaak of 'n gevaar vir padverkeersveiligheid sal inhou nie.

**BYLAE 4****PLAT, UITSTEK-, GEPROJekteERDE EN VENSTERADVERTENSIEtekENS**

Onderworpe aan goedkeuring ingevolge hierdie verordening, word die oprigting en vertoning van plat, uitsteek-, geprojekteerde en venstertekens toegelaat in alle gebiede van maksimum, gedeeltelike of minimum beheer.

1. Die Stad sal nie enige derdepartytekens op enige residensiële gebou goedkeur nie, buiten waar hierdie verordening uitdruklik daarvoor voorsiening maak.

**Plat en uitsteektekens**

2. Plekgebonde en derdeparty- plat en uitsteektekens moet—
  - 2.1 nie nader as 0,6 m aan die kant van 'n ryvlak opgerig word nie;
  - 2.2 nie verder as 1,5 m voor 'n muur uitsteek in geval van 'n teken met 'n vryhoogte van meer as 7,5 m, of verder as 1 m in geval van enige kleiner vryhoogte nie;
  - 2.3 nie verder as 250 mm oor 'n looppad uitsteek nie, tensy sodanige teken 'n vryhoogte van meer as 2,4 m het;
  - 2.4 nie die uitsig vanuit enige venster of enige ander buite-Opening van enige gebou versper nie, en geen gedeelte van enige teken mag oor, voor of op enige venster, deur of enige ander opening of boukundige kenmerke aangebring word nie;
  - 2.5 nie oor die posisie van bestaande of verseëlde vensters of openinge opgerig word waar die verseëling of bedekking geen ander doel het as om 'n teken te vertoon nie;
  - 2.6 nie bo die bopunt van enige muur of 'n gebou, of verby enige kant van enige muur van 'n gebou waaraan dit vasgeheg is, uitsteek nie;
  - 2.7 nie op 'n fopgebou vertoon word wat geen ander doel het as om 'n teken te vertoon en wat op sigself 'n reklamestruktuur uitmaak nie; en
  - 2.8 so ontwerp word dat dit 'n integrale deel van die gebouontwerp uitmaak.
3. Die Stad kan aansoeke om tekens op die hysermasjienkamer-, hyserskag-, diensteblok- of parkeervlakgedeeltes van nieresidensiële geboue oorweeg.
4. Die Stad kan aansoeke om plekgebonde gebouname op nieresidensiële en residensiële geboue oorweeg, welke tekens nie elektronies mag wees nie.
5. Plat en uitsteek- plekgebonde en derdepartytekens mag nie 54 m<sup>2</sup> in totale oppervlakte of 'n kwart van die oppervlakte van die totale area waarop dit aangebring of gevef is, oorskry nie, wat ook al die kleinste is. Vergunnings in hierdie verband kan toegestaan word op die volgende voorwaardes:
  - 5.1 'n Tekenimpakbeoordeling moet by die Stad ingedien word wat hetsy geen nadelige omgewingsimpak toon nie, of temperingsmaatreëls aanbeveel om enige moontlike negatiewe impak te beperk.
  - 5.2 Indien die oprigting van 'n plat of uitsteekteken in 'n erfenisbeskermings-oorlegsonse voorgestel word, moet 'n erfenishulpbronnebeoordeling ingedien word wat hetsy geen nadelige impak toon nie, of temperingsmaatreëls aanbeveel om enige moontlike negatiewe impak te beperk.
  - 5.3 Buiten elektroniese tekens, moet die grafika wat vir die genoemde teken voorgestel word die hele goedkeuringstydperk deur dieselfde bly.
6. Die Stad kan aansoeke oorweeg om plekgebonde en derdeparty- intern verligte en elektroniese tekens tot 'n maksimum grootte van 4,5 m<sup>2</sup> of 'n kwart van die oppervlakte

van die totale area waarop dit aangebly is, wat ook al die kleinste is. Groottevergunninge kan toegestaan word onderworpe aan die vereistes in artikel 8(4)(h).

#### **Nie-elektroniese tekens**

7. Die Stad kan aansoek oorweeg om plekgebonde en derdepartytekens op die blinde gemeenskaplikegrensfasades van—
  - (a) nieresidensiële geboue; en
  - (b) multigebruikgeboue, maar slegs waar sodanige tekens aan die buitekant van die nieresidensiële vlakke geplaas word.
8. Die Stad kan aansoek oorweeg om plekgebonde en derdepartytekens op die openbare fasades van—
  - (a) nieresidensiële geboue; en
  - (b) multigebruikgeboue, maar slegs waar sodanige tekens aan die buitekant van die nieresidensiële vlakke geplaas word; en

in geval van derdepartytekens, moet die tekens wat op die fasades van geboue in kousule 8(a) en (b) opgerig word 'n pasgemaakte ontwerp hê en dus uitsluitlik vir oprigting op daardie spesifieke plek ontwerp en gemaak word, en moet dit ten minste een van die volgende elemente bevat:

- (i) spesiale effekte soos gespesialiseerde karaktersnymodelle, maar nie LED-strookligte waar dít die enigste spesiale effek is nie;
- (ii) gespesialiseerde karaktervorms;
- (iii) driedimensionele aanbiedings; of
- (iv) bewegende dele.

#### **Elektroniese tekens**

9. Onderworpe aan die vereistes van artikel 8(4)(h), kan die Stad aansoek oorweeg om plekgebonde en derdeparty- elektroniese tekens op die blinde gemeenskaplikegrensfasades van—
  - (a) nieresidensiële geboue; en
  - (b) multigebruikgeboue, maar slegs waar sodanige tekens aan die buitekant van die nieresidensiële vlakke geplaas word.
10. Onderworpe aan die vereistes van artikel 8(4)(h), kan die Stad aansoek oorweeg om plekgebonde en derdeparty- elektroniese tekens op die openbare fasades van—
  - (a) nieresidensiële geboue; en
  - (b) multigebruikgeboue, maar slegs waar sodanige tekens aan die buitekant van die nieresidensiële vlakke geplaas word; en

in geval van derdepartytekens, moet die tekens in die vorm wees van 'n unieke kenmerk teen die fasade of muur van die geboue waar dit opgerig word, en moet die ontwerp van die raam een of meer van die volgende ontwerpelemente bevat—

- (i) uniek ontwerpte bekleding rondom die raam wat by die ontwerp van die gebouaansig of by die boukundige kenmerke van die gebou pas;
- (ii) 'n patroon wat hetsy op die raam gedruk of uitgesny is;
- (iii) 'n kunstige kenmerk langs of om die skermoppervlak, maar wat op sy eie staan en nie deel uitmaak van die reklame-inhoud nie; of
- (iv) interne of agtergrondverligting.

### **Geprojekteerde tekens**

11. Plekgebonde en derdeparty- geprojekteerde tekens kan vir goedkeuring oorweeg word op die blinde gemeenskaplikegrensfasades van nieresidensiële geboue en multigebruikgeboue, maar slegs waar sodanige tekens aan die buitekant van die nieresidensiële vlakke aangebring word. Die volgende voorwaardes is van toepassing:
  - (a) Plekgebonde en derdeparty- geprojekteerde tekens mag nie 54 m<sup>2</sup> in totale oppervlakte of 'n kwart van die oppervlakte van die totale area waarop dit geprojekteer word, oorskry nie, wat ook al die kleinste is. Vergunnings in hierdie verband kan toegestaan word onderworpe aan klousule 5.1 tot 5.3 van hierdie bylae.
  - (b) Die grafiese inhoud mag nie 15 inligtingsbrokkies in totaal oorskry nie, wat vertolk moet word ingevolge artikel 8(5)(t) en die gepaardgaande tabel 4.
  - (c) Die grafika moet die hele goedkeuringstydperk deur dieselfde bly.
  - (d) Die voorgestelde grafika mag nie enige animasie, veelvuldige grafika, bewegende kenmerke of enige ander spesiale effekte of inhoud bevat wat artikel 8(4)(j) verbied nie, tensy 'n vrystelling ingevolge artikel 8(4)(j)(ii) toegestaan word.
12. Geprojekteerde tekens mag geprojekteer word oor vensters op die openbare fasades van nieresidensiële geboue en multigebruikgeboue, maar slegs indien dit aan die buitekant van nieresidensiële vlakke verskyn en met tydelike internasionale, nasionale of plaaslike sport- of kuns-en-kultuurgeleenthede verband hou, op voorwaarde dat—
  - (a) geprojekteerde tekens slegs vir die duur van die geleentheid by die geleentheidslokaal vertoon mag word; en
  - (b) die Stad die goedkeuring van veelvuldige statiese grafika kan oorweeg, maar dat geprojekteerde tekens nie enige animasie, bewegende kenmerke of enige ander spesiale effekte of inhoud mag bevat wat artikel 8(4)(j) verbied nie, tensy 'n vrystelling ingevolge artikel 8(4)(j)(i) toegestaan word.
13. Geprojekteerde tekens op Stadsgrond, -geboue en -infrastruktuur kan vir tydelike geleenthede van liggame sonder winsoogmerk of tydelike gemeenskaps-, kulturele of sportverwante geleenthede toegelaat word, gedurende die ure wat die geleentheid oop is vir die publiek, en moet daagliks afgeskakel word wanneer die geleentheid sluit, op voorwaarde dat—
  - (a) geprojekteerde tekens slegs vir die duur van die geleentheid by die geleentheidslokaal vertoon mag word, en oor vensters geprojekteer mag word; en

- (b) die Stad die goedkeuring van veelvuldige statiese grafika kan oorweeg, maar dat geprojekteerde tekens nie enige animasie, bewegende kenmerke of enige ander spesiale effekte of inhoud mag bevat wat artikel 8(4)(j) verbied nie, tensy 'n vrystelling ingevolge artikel 8(4)(j)(i) toegestaan word.

#### **Venstertekens**

- 14. Venstertekens op 'n winkelfront of sake-, kommersiële, kantoor-, nywerheids- of vermaaklikheidseenheid wat groter is as die perke waarvoor artikel 12(7)(a)(iv) en (v) voorsiening maak, of wat op 'n eenheid tussen die eerste en vierde verdieping van 'n gebou verskyn, kan in alle beheergebiede toegelaat word, op voorwaarde dat die venstertekens—
  - (a) plekgebonde tekens is en beperk is tot die vensters van die eenheid wat beset word deur die onderneming waarop die plekgebonde reklame betrekking het;
  - (b) nie oor vensterrame, -style, -kalwe of -lateie mag strek nie;
  - (c) nie op of oor die mure van die gebouvlak waarin die vensters geplaas is, mag strek nie;
  - (d) dalk as individuele letterskilder-elemente ontwerp of op 'n deursigtige materiaal vertoon moet word ter wille van estetika, erfenis of natuurlike lig in die eenheid;
  - (e) indien dit tussen die eerste en vierde verdieping van 'n gebou vertoon word, nie 25% van die glasoppervlakte of 54 m<sup>2</sup> in totaal mag oorskry nie, wat ook al die kleinste is;
  - (f) nie hoër as die vierde verdieping van enige gebou vertoon mag word nie; en
  - (g) indien dit verskyn op vensters wat glasbekleding is, of wat die buitemure uitmaak van 'n fasade van glas, en waar sodanige glas as 'n glasmuur beskou word, die Stad die tekens ingevolge die bepalings vir plat, uitsteek- en geprojekteerde tekens sal oorweeg, en nie as venstertekens nie.



**BYLAE 5****KIMTEKENS**

Onderworpe aan goedkeuring ingevolge hierdie verordening, word die oprigting en vertoning van kimtekens, hetsy van 'n pasgemaakte of standaardontwerp, slegs in gebiede van minimum beheer toegelaat. Daarbenewens is die volgende van toepassing:

1. Kimtekens moet—
  - (a) beperk wees tot 'n maksimum totale grootte van 4,5 m<sup>2</sup>, op voorwaarde dat 'n vergunning vir 'n maksimum grootte van 18 m<sup>2</sup> per paneel toegestaan kan word by ontvangs van 'n tekenimpakbeoordeling wat geen nadelige omgewings-impak identifiseer nie, en wat temperingsmaatreëls aanbeveel om enige ander moontlike impak te beperk. Sodanige teken kan 'n enkelkant-, dubbelkant- of V-vormige struktuur wees;
  - (b) nie die uitsig vanaf enige ander gebou versper nie; en
  - (c) hetsy onverlig, intern of ekstern verlig of elektronies wees.

Kimtekens op die borand van die dak van geboue van kulturele, historiese of boukundige belang sal slegs toegelaat word indien dit plekgebonde, onverlig en nie-elektronies is en uit individuele uitsnyletters of -logo's bestaan.

**BYLAE 6****PLEKGEBONDE DAKTEKENS**

Onderworpe aan goedkeuring ingevolge hierdie verordening, word die oprigting en vertoning van plekgebonde daktekens in alle stedelike beheergebiede toegelaat, buiten in residensiële sones in gebiede van maksimum beheer. Daarbenewens is die volgende van toepassing:

1. Daktekens groter as 4,5 m<sup>2</sup> kan gelyk met die dak van 'n gebou aangebring of daarop gevef word en mag nie 25% van die totale oppervlakte van die dak waarop dit aangebring of gevef is, oorskry nie.
2. Indien dit aan die onderrand van 'n dak vasgeheg word, of halfpad op teen die dak, mag sodanige teken nie hoër wees as 1 m nie, en mag die totale oppervlakte van die teken nie 25% van die oppervlakte waarop dit aangebring is, oorskry nie.
3. Dit is toelaatbaar om 'n dakteken op die rand van 'n geboudak aan te bring indien sodanige teken uit 'n enkele ry individuele uitsnyletters bestaan, sonder sigbare span- of steunstukke, maar sodanige teken mag nie—
  - (a) op meer as twee rante van sodanige dak aangebring word nie;
  - (b) 3,6 m<sup>2</sup> in totale oppervlakte oorskry nie; en
  - (c) 'n maksimum hoogte van 1 m oorskry nie.

**BYLAE 7****ADVERTENSIETEKENS OP 'N VERANDA, BALKON, AFDAK, STEUNKOLOMME, PILARE EN PALE**

Onderworpe aan goedkeuring ingevolge hierdie verordening, kan die oprigting en vertoning van tekens op 'n veranda, balkon, afdak, steunkolomme, pilare en pale in alle beheergebiede toegelaat word, mits sodanige tekens aan die volgende voorwaardes voldoen:

1. Tekens op of oor boukundige kenmerke van geboue is verbode.
2. Tekens kan plat aangebring word teen, of geverf word op, 'n borsweringmuur, balustrade of reling van 'n veranda, balkon of afdak, en die balk of fassieplank van 'n veranda, balkon of afdak, en mag nie—
  - (a) 1 m in hoogte oorskry nie;
  - (b) uitsteek bo, onder of verby enige punt van die oppervlak waarop dit aangebring is nie;
  - (c) verder as 250 mm uitsteek voor die oppervlak waarop dit aangebring is nie;
  - (d) oor 'n ryvlak uitsteek nie; of
  - (e) nader as 0,6 m aan die rand van 'n ryvlak wees nie.
3. Tekens kan plat aangebring word teen, of geverf word op, steunkolomme, pilare en pale van geboue. Geen teken mag verder as 50 mm uitsteek voor die oppervlak waarop dit aangebring is nie, en mag nie verby enige van die verste punte van sodanige kolomme, pilare of pale strek nie. Tekens wat plat op niereghoekige steunstrukture aangebring word, moet gerond wees om by die vorm van sodanige strukture te pas. Slegs een teken word per kolom, pilaar of paal toegelaat.
4. Tekens wat onder die dak van 'n veranda, afdak of die vloer van 'n balkon gehang word, mag nie 1,8 m in lengte of 600 mm in hoogte oorskry nie. Elke sodanige teken moet hetsy parallel of reghoekig met die boulyn wees. Sodanige teken mag nie verby die buiterand van die veranda, afdak of balkon waaraan dit vasgeheg is, strek nie, en moet 'n vryhoogte van 2,4 m hê.
5. Tekens op die dak van 'n veranda, afdak of balkon, wat die hoofdak van 'n gebou uitsluit—
  - (a) moet uit 'n enkele ry losstaande, individuele uitsnylilhoeëtletters bestaan, sonder sigbare spanstukke of ander sigbare steunmiddele;
  - (b) mag nie op meer as twee rande van sodanige dak van 'n veranda, balkon of afdak opgerig word nie; en
  - (c) mag nie 1 m in hoogte oorskry nie.

**BYLAE 8****ADVERTENSIE TEKENS OP GRENSMURE EN -HEININGS, BOUTERREINTEKENS EN ONTWIKKELINGSBORDE****1. Plekgebonde tekens op grensmure en -heinings**

Onderworpe aan goedkeuring ingevolge hierdie verordening, word die oprigting en vertoning van tekens op grensmure en -heinings slegs vir plekgebonde reklame in stedelike gebiede van maksimum, gedeeltelike of minimum beheer toegelaat. Daarbenewens is die volgende van toepassing:

- 1.1 In gebiede van maksimum en gedeeltelike beheer kan die Stad goedkeuring verleen vir—
- (a) aansoeke om die oprigting van plekgebonde tekens van tot 3 m<sup>2</sup> elk teen 'n grensmuur, welke tekens gesamentlik nie 10% van die sigbare totale oppervlakte van die grensmuur waarteen dit aangebring word, oorskry nie, mits die genoemde tekens—
    - (i) as plat tekens teen sodanige muur vertoon word; of
    - (ii) uit individuele uitsnyletters of -simbole bestaan wat plat teen die muur aangebring word; en
    - (iii) nie verder as 50 mm van die oppervlak van die muur uitsteek nie;
  - (b) aansoeke om die oprigting van plekgebonde tekens groter as 3 m<sup>2</sup> elk teen 'n grensmuur, welke tekens gesamentlik nie 10% van die sigbare totale oppervlakte van die grensmuur waarteen dit aangebring word, oorskry nie, mits die genoemde tekens—
    - (i) in die muur versonke is of bestaan uit individuele uitsnyletters of -simbole; of
    - (ii) plat teen die muur aangebring word en nie verder as 50 mm van die oppervlak van sodanige muur uitsteek nie;
  - (c) sodanige tekens, mits 'n strook van minstens 300 mm aan die bo- en syrande van die muur- of heiningoppervlak oopgelaat word;
  - (d) sodanige tekens indien dit ekstern verlig is of uit individuele uitsnyletters bestaan, wat met halo-ligte verlig kan word.
- 1.2 In gebiede van minimum beheer kan die Stad goedkeuring verleen vir—
- (a) aansoeke om die oprigting van plekgebonde tekens met 'n maksimum totale reklameoppervlakte van hoogstens 25% van die sigbare totale oppervlakte van die grensmuur waarteen dit aangebring word, mits—
    - (i) die tekens as plat of gevefde tekens vertoon word of uit individuele uitsnyletters of -simbole bestaan;
    - (ii) die tekens plat teen sodanige muur aangebring word en nie verder as 50 mm van die oppervlak van die muur waarop dit aangebring of gevef word, uitsteek nie; en
    - (iii) 'n strook van minstens 300 mm aan die bo- en syrande van die muur- of heiningoppervlak oopgelaat word;
  - (b) sodanige tekens indien dit ekstern verlig is of uit individuele uitsnyletters bestaan, wat met halo-ligte verlig kan word;

- (c) onverligte plekgebonde plat tekens met 'n maksimum grootte van 1 m<sup>2</sup> teen die permanente heining van 'n erf, welke tekens gesamentlik nie 25% van die sigbare totale oppervlakte van die heining oorskry nie. Die aansoeker moet die struktuurstabyliteit en windlasvermoë van die heining tot bevrediging van die Stad bepaal.

## 2. Bouterreintekens

Onderworpe aan goedkeuring ingevolge hierdie verordening, word die oprigting en vertoning van derdeparty- en plekgebonde reklame op bouterreintekens in alle beheergebiede toegelaat.

2.1 Plekgebonde en derdepartyreklame op bouterreinafskortings moet aan die volgende voorwaardes voldoen—

- (a) Geen enkele teken mag 'n hoogte van 3 m en 'n totale oppervlakte van 18 m<sup>2</sup> oorskry nie, en 'n herhaling van dieselfde grafiese en prentevoorstellings met leë ruimtes tussenin kan toegelaat word, mits die tersaaklike padowerheid dit skriftelik ondersteun.
- (b) Geen sodanige teken mag verder as 100 mm uitsteek voor die afskorting waarteen dit aangebring is nie.
- (c) Geen verligting van sodanige tekens word in gebiede van maksimum en gedeeltelike beheer toegelaat nie.
- (d) Reklame op bouterreinafskortings is verbode agter 'n verkeersligkruising waar sodanige reklame binne motoriste se sigdriehoek val.
- (e) Sodanige tekens word slegs toegelaat indien die bouterreinafskortings om regs-, veiligheids- of konstruksieredes vereis word, en nie uitsluitlik of hoofsaaklik vir die doel van reklame opgerig word nie.
- (f) Benewens enige sertifikaat wat met betrekking tot struktuurveiligheid vereis word, kan die Stad ook vereis dat die aansoeker afskrifte van enige bykomende permitte ingevolge enige tersaaklike wetgewing voorlê.
- (g) Die Stad kan vereis dat die aansoeker 'n geskatte projektydlyn of -program voorlê wat die projek- of konstruksieaanvangs- en -voltooiingsdatum aandui.
- (h) Reklame op bouterreinafskortings mag eers een week voor die aanvang van bouwerk op die terrein opgerig word, en moet binne 'n week na die voltooiingsdatum verwyder word.

2.2 Plekgebonde en derdepartyreklame op hysplatforms, wat 'n veilige werksomgewing bied vir diegene wat op 'n hoogte moet werk, sowel as reklame op steierwerk en op die maassif en omhulsels van steierwerk, moet aan die volgende voorwaardes voldoen—

- (a)(i) Slegs een teken met 'n maksimum totale reklameoppervlakte van 54 m<sup>2</sup> mag per straatfront vertoon word.
- (ii) Die vertoning van 'n kunswerk wat nie met die teken of met 'n afbeelding van die argitekvoorstelling van die ontwikkeling verband hou nie, kan toegelaat word.
- (iii) Geen verligting word in gebiede van maksimum en gedeeltelike beheer toegelaat nie.
- (iv) Sodanige tekens word slegs toegelaat indien die hysplatforms, die steierwerk en die maassif en omhulsel van die steierwerk om regs-,

veiligheids- of konstruksieredes vereis word, en nie uitsluitlik of hoofsaaklik vir die doel van reklame opgerig word nie.

- (b) Benewens enige sertifikaat wat met betrekking tot struktuurveiligheid vereis word, kan die Stad ook vereis dat die aansoeker afskrifte van enige bykomende permitte ingevolge enige tersaaklike wetgewing voorlê.
- (c) Die Stad kan vereis dat die aansoeker 'n geskatte projektydlyn of -program voorlê wat die projek- of konstruksieaanvangs- en -voltooiingsdatum aandui.
- (d) Reklame op hysplatforms, steierwerk en die maassif en omhulsel van steierwerk mag eers een week voor die aanvang van bouwerk op die terrein opgerig word, en moet binne 'n week na die voltooiingsdatum verwyder word.

2.3 Losstaande plekgebonde bouterreintekens moet aan die volgende voorwaardes voldoen—

- (a) In gebiede van maksimum beheer mag die totale grootte van die teken nie 4,5 m<sup>2</sup> oorskry nie.
- (b) In gebiede van gedeeltelike beheer mag die totale grootte van die teken nie 9 m<sup>2</sup> oorskry nie.
- (c) In gebiede van minimum beheer mag die totale grootte van die teken nie 18 m<sup>2</sup> oorskry nie.
- (d) Sodanige teken mag nie 'n totale hoogte van 5,5 m oorskry nie.
- (e) Slegs een teken mag per straatfront vertoon word.
- (f) In gebiede van maksimum en gedeeltelike beheer mag sodanige tekens nie verlig wees nie.
- (g) Sodanige tekens mag nie enige inligting buiten die naam en kontakbesonderhede van die konstruksie maatskappy bevat nie.
- (h) Die Stad kan vereis dat die aansoeker 'n geskatte projektydlyn of -program voorlê wat die projek- of konstruksieaanvangs- en -voltooiingsdatum aandui.
- (i) Reklame op bouterreintekens mag eers een week voor die aanvang van bouwerk op die terrein opgerig word, en moet binne 'n week na die voltooiingsdatum verwyder word.

### 3. Ontwikkelingsborde

3.1 Onderworpe aan goedkeuring ingevolge hierdie verordening, sal die oprigting en vertoning van ontwikkelingsborde buiten dié waarna artikel 12(4) verwys, toegelaat word op die terrein ten opsigte waarvan 'n bou- of terreinontwikkelingsplan vir 'n voorgestelde ontwikkeling goedgekeur is. Daarbenewens is die volgende van toepassing—

- (a) Indien die terrein waarop boubedrywighede aan die gang is in 'n gebied van maksimum beheer geleë is en nie uitsluitlik vir residensiële doeleindes gebruik sal word nie, mag slegs een ontwikkelingsbord per straatfront vertoon word, welke ontwikkelingsbord—
  - (i) nie 6 m<sup>2</sup> in totale oppervlakte mag oorskry nie;
  - (ii) nie 5,5 m in totale hoogte mag oorskry nie; en

- (iii) 'n vryhoogte van 2,1 m moet hê.
  - (b) Indien die terrein waarop boubedrywighede aan die gang is in 'n gebied van gedeeltelike beheer geleë is en nie uitsluitlik vir residensiële doeleindes gebruik sal word nie, mag slegs een ontwikkelingsbord per straatfront vertoon word, welke ontwikkelingsbord—
    - (i) nie 18 m<sup>2</sup> in totale oppervlakte mag oorskry nie;
    - (ii) nie 5,5 m in totale hoogte mag oorskry nie; en
    - (iii) 'n vryhoogte van 2,1 m moet hê.
  - (c) Indien die terrein waarop boubedrywighede aan die gang is in gebiede van maksimum en gedeeltelike beheer geleë is, uitsluitlik vir residensiële doeleindes gebruik sal word, en met 'n nuwe ontwikkeling van drie of meer residensiële wooneenhede verband hou, kan 'n ontwikkelingsbord van tot 18 m<sup>2</sup> in totale oppervlakte en 5,5 m in totale hoogte oorweeg word, en is die getal borde beperk tot een per straatfront, met inagneming van—
    - (i) die grootte van die ontwikkeling;
    - (ii) die getal ingange van die terrein wat ontwikkel word; en
    - (iii) die visuele impak op die omliggende omgewing.
  - (d) Indien die terrein waarop boubedrywighede aan die gang is in 'n gebied van minimum beheer geleë is, mag sodanige ontwikkelingsbord nie 36 m<sup>2</sup> in totale oppervlakte en 7,5 m in totale hoogte oorskry nie, en—
    - (i) moet dit 'n vryhoogte van 2,4 m hê; en
    - (ii) mag twee ontwikkelingsborde, een per straatfront, op 'n perseel vertoon word.
  - (e) Ontwikkelingsborde mag nie langer as drie maande voor die aanvang van die ontwikkeling opgerig word nie.
  - (f) As deel van die aansoek om 'n ontwikkelingsbord, moet die aansoeker 'n geskatte projektydlyn of -program indien wat die projekaanvangs- en -voltooiingsdatum aandui.
  - (g) Ontwikkelingsborde moet onverlig wees en mag nie weerkaats nie.
  - (h) Ontwikkelingsborde mag slegs die volgende inligting vertoon:
    - (i) Die naam en kontakbesonderhede van die ontwikkelaar, finansiële diensteverskaffer of eiendomsbemarkingsagent;
    - (ii) 'n Prentevoorstelling van die voorgestelde ontwikkeling;
    - (iii) 'n Beskrywing van die voorgestelde ontwikkeling;
    - (iv) Die woorde 'Te koop', 'Te huur', 'Nou te koop', 'Verkoop', 'Word binnekort bekend gestel', 'Kom binnekort', 'Nuwe ontwikkeling' of 'Herontwikkeling'; en
    - (v) Enige prysinligting.
- 3.2 Die Stad kan voldoeningskennisgewings uitreik vir die verwydering van enige ontwikkelingsborde indien die boubedrywighede wesenlik voltooi is of gestaak word, of wanneer die Stad 'n okupasiesertifikaat uitreik, en sodanige tekens moet verwyder word binne die tydperk wat sodanige kennisgewings aandui.

**BYLAE 9****KOERANTOPSKRIFPLAKKATE**

Onderworpe aan goedkeuring ingevolge hierdie verordening, word die oprigting en vertoning van koerantopskrifplakkate toegelaat in alle stedelike beheergebiede en op aangewese toegelate roetes in natuur- en landelike gebiede van maksimum beheer. Daarbenewens is die volgende van toepassing:

1. Elke koerantgroep moet jaarliks aansoek doen om toestemming om sodanige koerantopskrifplakkate op Stadsgrond te vertoon, onderworpe aan 'n jaarlikse registrasiefooi ingevolge die Stad se goedgekeurde tariewe en heffings wat van tyd tot tyd gepubliseer word.
2. Slegs koerantopskrifplakkate vir koerante wat daagliks of weekliks te koop is, mag teen die Stad se elektriese straatlamppale vertoon word.
3. In die oorweging van 'n aansoek kan die Stad die getal plakkate op aangewese roetes beperk om die vermenigvuldiging van koerantopskrifplakkate te verhoed. Die Stad kan hierdie getalle van tyd tot tyd hersien.
4. Die inhoud van koerantopskrifplakkate wat op Stadseiendom vertoon word, is beperk tot opskrifte, berigte of hoofberigte wat op 'n bepaalde dag in die koerante verskyn, en geen derdepartyreklame-inhoud word toegelaat nie.
5. Koerantopskrifplakkate mag nie as of vir plakkate vir tydelike veldtogte en geleenthede gebruik word nie.
6. Koerantopskrifplakkate mag nie 0,9 m x 0,6 m in grootte oorskry nie.
7. Koerantopskrifplakkate mag nie teen die Stad se elektriese straatlamppale vasgeplak word nie, maar moet op bord gemonteer en stewig met sterk tou of plastiekbande vasgebind word.
8. Die kommersiële inhoud van die koerantopskrifplakkaat mag nie 20% van die oppervlakte van die plakkaat oorskry nie, en sodanige kommersiële letters mag nie groter wees as die letters wat grotendeels op die res van die plakkaat gebruik word nie.
9. Koerantopskrifplakkate mag nie aangebring word teen verkeersligpale, ander pale met padverkeerstekens op, of pale wat vir enige ander doel opgerig is buiten die Stad se elektriese straatlamppale soos in klousule 7 hier bo, of teen enige ander straatmeubels, mure, heinings, bome, rotse of ander natuurkenmerke op Stadseiendom nie.
10. Slegs een koerantopskrifplakkaat word per elektriese straatlamppaal van die Stad toegelaat, ongeag van watter koerantgroep.
11. Koerantopskrifplakkate en die tou of plastiekbande waarmee dit vasgebind is, moet daagliks verwyder word. Indien nie, sal die Stad of sy gemagtigde agent die plakkate en tou of bande verwyder op die onkoste van die persoon/persone wat verantwoordelik is vir die vertoning van sodanige koerantopskrifplakkate of die koerantgroep.
12. Geen koerantopskrifplakkaat mag nader as 30 m aan enige padverkeersteken of verkeerslig vertoon word nie, tensy 'n vrystelling of voorwaardelike vrystelling van sodanige afstand ingevolge artikel 7(6) in 'n aangewese gebied toegestaan word.
13. Die Stad sal die betrokke koste bepaal indien die Stad of sy gemagtigde agent koerantopskrifplakkate moet verwyder wat ongemagtig is, wat in stryd met enige



bepaling in hierdie bylae vertoon word en/of wat nie daaglik verwyder word nie. Die koste word bepaal ooreenkomstig die Stad se goedgekeurde tariewe en heffings wat van tyd tot tyd gepubliseer word, en word jaarliks hersien.

14. Die Stad of sy gemagtigde agent sal koerantopskrifplakkate verwyder wat ongemagtig is, wat in stryd met enige bepaling in hierdie bylae vertoon word en/of wat nie daaglik verwyder word nie. Benewens die verhaling van die koste verbonde aan die verwydering van hierdie koerantopskrifplakkate, kan die Stad ook die koste vir die herstel van die oppervlak waarvan hierdie koerantopskrifplakkate verwyder is, verhaal van die persoon/persone wat verantwoordelik is vir die vertoning van sodanige koerantopskrifplakkate of die koerantgroep.

**BYLAE 10****REKLAME OP VASGEBINDE BANIERE, VLAE, BALLONNE, OPBLAASTEKENS EN LAMPPAALDRAAIBANIERE**

Onderworpe aan goedkeuring ingevolge hierdie verordening, word die oprigting of vertoning van vasgebinde baniere, vlae, ballonne, opblaastekens en lamppaaldraaibanier toegelaat in alle beheergebiede buiten natuur- en landelike gebiede van maksimum beheer, en geld die Stad se standaardvoorwaardes met betrekking tot die vertoning daarvan, wat hier onder uiteengesit word.

**Vasgebinde baniere, vlae, ballonne en opblaastekens**

1. Goedkeuring vir plekgebonde reklame op vasgebinde baniere, vlae, ballonne en opblaastekens sal slegs toegestaan word vir 'n byeenkoms of geleentheid wat vir godsdienstige, opvoedkundige, maatskaplikewelsyns-, dierewelsyns-, sport-, burgerlike, kulturele of kieserregistrasiedoeleindes aangebied word, of vir partypolitieke geleenthede.
2. Goedkeuring vir vasgebinde gemeenskapsinligtingsbanier van tot 4,5 m<sup>2</sup> wat deur 'n staatsorgaan op openbare grond vertoon word en wat openbare boodskappe bevat, kan toegestaan word, mits sodanige vasgebinde banier—
  - (a) geen kommersiële reklame, kommersiële borgskap of kommersiële advertensieveldtogte bevat nie;
  - (b) indien dit losstaande is, 'n minimum vryhoogte van 2,1 m het en nie 'n maksimum totale hoogte van 4,5 m oorskry nie; en
  - (c) nie verlig is nie.
3. Slegs een plekgebonde vasgebinde reklamebanier, -vlag, -ballon of -opblaasteken per perseel word toegelaat, tensy die Stad se skriftelike toestemming vir meer as een van hierdie tekens bekom word, en die aansoeker moet die vereiste tydperk vir die oprigting van sodanige vasgebinde banier, vlag, ballon of opblaasteken skriftelik bevestig, welke tydperk nie tien dae mag oorskry nie, tensy die Stad in sy goedkeuring aandui dat 'n langer tydperk toegestaan word.
4. Vasgebinde baniere, vlae, ballonne en opblaastekens mag nie—
  - (a) op enige brug of oor enige openbare pad vertoon word nie, tensy spesifieke toestemming daarvoor van die Stad bekom word;
  - (b) so vasgebund word dat dit verbygaande voetgangers of voertuigverkeer hinder of in gevaar stel nie;
  - (c) groter wees as 4,5 m<sup>2</sup> nie, buiten met die vooraf- skriftelike goedkeuring van die Stad;
  - (d) nader as 30 m aan enige padverkeersteken of verkeerslig vertoon word nie;
  - (e) teen verkeersligpale of ander pale met padverkeerstekens op, die verdeelkaste van elektrisiteits- of diensowerhede, straatmeubels, rotse, bome, ander natuurkenmerke of ander Stadseiendom aangebring word nie;
  - (f) so aangebring word dat dit ander ondernemings of organisasies onbillik benadeel of enige goedgekeurde bestaande tekens verberg nie;
  - (g) verlig wees nie, tensy dit in 'n aangewese verligtingsarea binne die geleentheidsgebied of -lokaal geleë is; en
  - (h) op enige perseel buiten die betrokke perseel aangebring word nie, en mag nie enige sigdriehoeke by uitdraaipaaie of voertuigtoegangspunte versper nie.

**Lamppaaldraaibanier**

5. Lamppaaldraaibanier word slegs toegelaat vir byeenkomste of geleenthede wat vir godsdienstige, opvoedkundige, maatskaplikewelsyns-, dierewelsyns-, sport-, burgerlike of kulturele doeleindes aangebied word, of vir 'n byeenkoms of geleentheid met betrekking tot 'n verkiesing of referendum van die Stad, die Provinsie of die Parlement, of vir verkiesingsveldtog- of kieserregistrasiedoeleindes. Geen lamppaaldraaibanier word vir enige ander tipes byeenkomste, geleenthede of doeleindes toegelaat nie. Daarbenewens is die volgende van toepassing:
  - (a) Lamppaaldraaibanier mag nie groter wees as 1,2 m x 2,7 m nie.
  - (b) Derdepartyborger se name en logo's mag nie 5% van die banieroppervlakte oorskry nie, buiten met die vooraf- skriftelike goedkeuring van die Stad.
  - (c) Die lamppaaldraaibanier mag slegs op aangewese roetes en aangewese elektriese straatlamppale van die Stad vertoon word.
  - (d) Slegs die aangeduide tydelike draaiskarnierarms wat deur die Stad goedgekeur is, mag gebruik word om die banier te monteer.
  - (e) Lamppaaldraaibanier mag nie nader as 30 m aan enige padverkeerstekens of verkeersligte vertoon word nie.
  - (f) Die naam van die geleentheid moet groter wees as die name en logo's van die derdepartyborger.
  - (g) Lamppaaldraaibanier mag sewe dae voor die geleentheid aangebring word, of op sodanige ander tyd as wat die Stad goedkeur, en moet binne drie dae na die geleentheid verwyder word.
6. Die Stad sal die koste vir die verwydering van enige ongemagtigde vasgebinde banier, vlag, ballonne, opblaastekens en lamppaaldraaibanier, sowel as die koste vir die herstel van die oppervlak waarvan sodanige vasgebinde banier, vlag, ballonne, opblaastekens en lamppaaldraaibanier verwyder is, verhaal van die persoon/persone wat verantwoordelik is vir die vertoning van sodanige materiaal.
7. Elke persoon wat van plan is om vasgebinde banier, vlag, ballonne, opblaastekens en lamppaaldraaibanier te vertoon, moet 'n fooi per banier, vlag, ballon, opblaasteken en lamppaaldraaibanier aan die Stad betaal ooreenkomstig die Stad se goedgekeurde tariewe en heffings wat van tyd tot tyd gepubliseer word, welke fooi nieterugbetaalbaar is en sodanige persoon slegs die reg gee om die vasgebinde banier, vlag, ballonne, opblaastekens en lamppaaldraaibanier vir die tydperk in die goedkeuringsbrief te vertoon.

**BYLAE 11****PLAKKATE**

Onderworpe aan goedkeuring ingevolge hierdie verordening, word die oprigting en vertoning van plakkate toegelaat in alle beheergebiede buiten natuur- en landelike gebiede van maksimum beheer. Daarbenewens is die volgende van toepassing:

1. Alle plakkate moet aan die Stad voorgelê word om 'n Stadsuitgereikte permitgoedkeuringsplakker te ontvang waarop die datum staan wanneer die plakkate teen die Stad se elektriese straatlamppale aangebring mag word sowel as die datum waarop dit verwyder moet word. Hierdie gedrukte permitgoedkeuringsplakker moet duidelik voorop die plakkaat verskyn. Plakkate en alle toue of bande waarmee dit vasgemaak is, moet verwyder word voor of op die verwyderingsdatum wat op die permitgoedkeuringsplakker gedruk is.
2. Die naam van die geleentheid, die gasheerorganisasie, die datum van die geleentheid of veldtog en die lokaal moet in letters van minstens 50 mm hoog op die plakkate verskyn.
3. Die letters en logo van die kommersiële inhoud van die plakkaat mag nie groter wees as die letters wat grotendeels vir die inligting in klousule 2 hier bo gebruik word nie.
4. Buiten verkiesingsplakkate, mag 'n totaal van hoogstens 2 000 plakkate per geleentheid of veldtog, of groep verbandhoudende geleenthede of veldtogte, in enige stadium vertoon word, en slegs teen die Stad se elektriese straatlamppale.
5. Plakkate mag nie 0,9 m x 0,6 m in grootte oorskry nie.
6. Plakkate word as kategorie A geklassifiseer indien die gasheer of organiseerder 'n liggaam sonder winsoogmerk is en die plakkate betrekking het op—
  - (a) geleenthede, veldtogte, lewende teaterproduksies of kunsuitstallings sonder winsoogmerk en vir gemeenskapsdoeleindes, en hoogstens 10% kommersiële borginhoud bevat, mits die liggaam sonder winsoogmerk die werklike veldtogorganiseerder, -gasheer of -medegasheer is en nie bloot toelaat dat sy naam/logo op die plakkaat verskyn nie, en nie net 'n ondersteuner of begunstigde van die geleentheid/veldtog is nie.
7. Plakkate word as kategorie B geklassifiseer indien die gasheer of organiseerder nie 'n liggaam sonder winsoogmerk is nie en die plakkate betrekking het op—
  - (a) 'n handelskou (ekspo, handelstentoonstelling, verbruikerskou, handelsuitstalling) wat oop is vir die algemene publiek;
  - (b) nasionale of internasionale verhoog- of vermaaklikheidskunstenars wat lewend 'konsert hou';
  - (c) 'n doeleinde sonder winsoogmerk (d.w.s. hoofsaaklik vir fondswerwing of bewusmaking) of 'n sportsoort, die kunste, onderwys, gesondheid of kultuur, selfs al is die vertoning van die plakkaat van 'n sekondêre kommersiële aard;
  - (d) geleenthede en opedae van privaat skole en privaat kolleges;
  - (e) tydelike geleenthede en veldtogte van liggame sonder winsoogmerk, en hoogstens 20% kommersiële borginhoud bevat; en
  - (f) gemeenskapsmarkte en kulturele geleenthede wat nie meer as twee keer per maand gehou word nie.
8. Plakkate ten opsigte van die volgende word nie toegelaat nie—
  - (a) Kommersiële reklame, of reklame vir kommersiële geleenthede, uitverkopings by winkels, winkelsentrums of -wandelhalle, winkelpromosies, fabrieksuitverkopings, kommersiële dienste of produkte, privaat boekuitverkopings, goedereveilings,

- produkbekendstellings, wedstryde, filmbekendstellings, filmopnames of fotosessies, musiekbekendstellings, privaat partytjies, motiveringspraatjies, persone wat van die huis af werk, en privaat opleiding;
- (b) Daaglikse, weeklikse of geleentheid- lewende vertonings en platejoggie-optredes (ondanks 'n verandering in kunstenaar(s)) wat by privaat klubs, nagklubs, kroëë, kuierkamers, hotelle, winkelsentrums of -wandelhalle en restaurante gehou word;
- (c) Markte of uitstallings wat gereeld of meer as twee keer per maand gehou word; en
- (d) Uitsluitlik kommersiële doeleindes en kommersiële aktiverings.
9. Plakkate moet teen die Stad se elektriese straatlamppale vasgebind word, waar sodanige pale beskikbaar is, en gomplakkate mag slegs teen aangewese strukture aangebring word wat die Stad vir die uitdruklike doeleinde van gomplakkate goedkeur. Plakkate mag nie teen verkeersligpale, ander pale met verkeerstekens op, pale wat vir enige ander doeleinde opgerig is, die verdeelkaste van elektrisiteitsdiensowerhede of enige ander straatmeubels, mure, heinings, bome, rotse of ander natuurkenmerke op Stadseiendom opgerig word nie.
10. Plakkate mag nie teen die Stad se elektriese straatlamppale vasgeplak word nie, maar moet op bord gemonteer en stewig met sterk tou of plastiekbande vasgebind word. Geen vashegtingsmateriaal met metaal in word toegelaat nie.
11. Slegs een plakkaat per byeenkoms (of geleentheid) mag op enige enkele elektriese straatlamppaal van die Stad vertoon word.
12. Geen plakkaat mag nader as 30 m aan enige padverkeersteken of verkeerslig vertoon word nie, tensy 'n vrystelling of voorwaardelike vrystelling van sodanige afstand ingevolge artikel 7(6) toegestaan word.
13. Plakkate mag nie langer as sewe dae voor die datum van die byeenkoms of geleentheid aangebring word nie, en moet binne drie dae na die byeenkoms of geleentheid verwyder word.
14. Die vertoning van plakkate is verbode op enige brug en in enige ander gebiede waar dit verbode is ingevolge enige verordening wat deur hierdie verordening herroep word.
15. Die Stad of sy gemagtigde agent sal plakkate verwyder wat ongemagtig is, wat in stryd met enige bepaling in hierdie bylae vertoon word en/of wat nie verwyder word teen die datum waarna klousule 1 verwys nie.
16. Die Stad kan die koste verbonde aan die verwydering van die plakkate in klousule 15 hier bo, sowel as die koste vir die herstel van die oppervlak waarvan sodanige plakkate verwyder is, verhaal van die persoon/persone wat verantwoordelik is vir die vertoning van sodanige plakkate, of die persoon/persone wat verantwoordelik is vir die reëlins vir, of in beheer is van, enige vergadering, byeenkoms of geleentheid waarop sodanige plakkate betrekking het.
17. Die vertoning van plakkate vir uitsluitlik kommersiële reklame is verbode, op voorwaarde dat enige plakkaat wat 'n persoon vir die kommersiële voordeel van 'n sportsoort, die kunste of 'n kulturele geleentheid oprig of vertoon, toegelaat kan word, al is die vertoning van die plakkaat vir uitsluitlik kommersiële reklame.
18. Elke persoon wat van plan is om 'n plakkaat op Stadseiendom te vertoon, moet 'n nieterugbetaalbare fooi per plakkaat aan die Stad betaal, wat sodanige persoon die reg gee om die genoemde plakkaat vir 14 dae, of sodanige ander tydperk wat die Stad aandui, te vertoon. Die fooi word vasgestel ooreenkomstig die Stad se goedgekeurde tariewe en heffings wat van tyd tot tyd gepubliseer word. Geen plakkaat mag vertoon word sonder dat die fooi betaal is nie.
19. Die Stad kan aandring op dokumentêre bewys dat 'n liggaam sonder winsoogmerk wel as sodanig geregistreer is, sowel as enige ander tersaaklike dokumente wat die Stad kan vereis.

**BYLAE 12****RIGTINGTEKENS VIR EIENDOMSBEMARKING VAN TOT 0,3 M<sup>2</sup> EN TYDELIKE  
EIENDOMSBEMARKINGSTEKENS GROTER AS 0,3 M<sup>2</sup>**

Onderworpe aan goedkeuring ingevolge hierdie verordening, word die oprigting en vertoning van rigtingtekens vir eiendomsbemarking, waaronder tekens vir veilings, en tydelike eiendomsbemarkingstekens (groter as 0,3 m<sup>2</sup>), toegelaat in alle beheergebiede buiten natuurgebiede van maksimum beheer. Daarbenewens is die volgende van toepassing:

1. Rigtingtekens vir eiendomsbemarking mag slegs van 06:00 op Saterdag tot 20:00 op Sondag vertoon word. Sodanige tekens mag slegs ooreenkomstig hierdie bylae op Stadseiendom vertoon word indien dit die pad beduie na 'n eiendom wat op skou is.
2. Rigtingtekens vir eiendomsbemarking mag nie 0,3 m<sup>2</sup> in totale oppervlakte oorskry nie.
3. Rigtingtekens vir eiendomsbemarking—
  - (a) mag slegs teen die Stad se elektriese straatlamppale aangebring word, waar sodanige pale beskikbaar is;
  - (b) mag slegs met stewige tou of plastiekbande vasgebind word, en geen vashegtingsmateriaal met metaal in word toegelaat nie;
  - (c) mag nie teen bome, verkeersligpale of ander pale met padverkeerstekens op, mure, heinings, rotse, ander natuurkenmerke of teen enige straatmeubels of ander Stadseiendom aangebring word nie, tensy die Stad dit skriftelik magtig; en
  - (d) mag nie enige derdepartyreklame bevat nie.
4. Waar geen elektriese straatlamppale van die Stad beskikbaar is nie, kan rigtingtekens vir eiendomsbemarking op penne vertoon word. Sodanige penne mag nie in enige beton-, teer- of geplaveide oppervlakte ingeslaan word nie, en mag nie die grond dieper as 15 cm binnedring nie.
5. Slegs een rigtingteken per agent mag per elektriese straatlamppaal van die Stad vertoon word. Twee tekenborde wat rug aan rug saamgevoeg word en teen 'n elektriese straatlamppaal van die Stad verskyn, word as een teken beskou.
6. Benewens die woorde 'Op skou' of 'Skouhuis', 'Veiling', 'Te huur' of iets soortgelyks, mag slegs die volgende inligting voorop elke rigtingteken vir eiendomsbemarking verskyn—
  - (a) Die oorspronklike permitplakker wat die Stad uitreik
  - (b) Die naam, telefoonnommer of ander kontakbesonderhede van die eiendomsbemarkingsagent, afslaer en/of eiendomsagentskap
  - (c) In geval van privaat verkopers, die woorde 'Privaat verkoper' tesame met die verkoper se telefoonnommer of ander kontakbesonderhede
  - (d) 'n Rigtingpyl
  - (e) 'n QR-kode
7. Eiendomsbemarkingsagente of -agentskappe mag geen tekens oprig of vertoon wat enigiets anders aandui as die eiendom wat bemark word nie.
8. Hoogstens ses permitplakkers vir rigtingtekens vir eiendomsbemarking of -veilings sal per eiendomsbemarkingsagent of afslaer uitgereik word, en 'n totaal van hoogstens ses rigtingtekens vir eiendomsbemarking sal toegelaat word per eiendom wat bemark word, waaronder skouhuise, -erwe, en woonstelblokke waarin 'n skouwoonstel geleë is.

9. Rigtingtekens vir eiendomsbemarking is verbode langs uitsigpaaie, op enige brug, in enige openbare park of openbare oop ruimte, of in enige ander gebiede waar dit verbode is ingevolge enige verordening wat deur hierdie verordening herroep word.
10. Slegs twee rigtingtekens vir eiendomsbemarking mag per skouhuis, -woonstel, -erf of veiling langs enige aangewese hoofpad vertoon word, wat die paaie in klousule 9 hier bo uitsluit.
11. Geen rigtingtekens vir eiendomsbemarking mag 'n padverkeersteken verberg nie.
12. Geen rigtingtekens vir eiendomsbemarking mag op verkeersirkels opgerig word nie.
13. Geen rigtingtekens vir eiendomsbemarking mag oor die padrand strek of die sigdriehoeke by uitdraaipaaie of voertuigtoegangspunte versper nie.
14. Rigtingtekens vir eiendomsbemarking moet op die kortste roete vanaf 'n hoofpad tot by die eiendom vertoon word.
15. Elke individuele eiendomsbemarkingsagent of afslaer moet jaarliks by die Stad aansoek doen om toestemming om rigtingtekens vir eiendomsbemarking te vertoon.
16. Goedkeuring vir die vertoning van rigtingtekens vir eiendomsbemarking word slegs toegestaan ná die betaling van 'n jaarlikse registrasiefooi en 'n permitfooi vir ses permitplakkers, welke fooie vasgestel word ooreenkomstig die Stad se goedgekeurde tariewe en heffings wat van tyd tot tyd gepubliseer word, op voorwaarde dat:
  - (a) in geval van eiendomsbemarkingsagente en -verhuringsagente, slegs hoof-, niehoof- en volstatusagente mag registreer, en nie ander personeellede van eiendomsbemarkingsagente of huisoppassers nie;
  - (b) in geval van afslaaers, slegs gekwalifiseerde afslaaers wat tot 'n erkende instituut vir afslaaers behoort, mag registreer, en nie ander personeellede van 'n afslaermaatskappy, waardeerders of huisoppassers nie; en
  - (c) in geval van privaat verkopers waar geen eiendomsbemarkingsagente betrokke is nie, die privaat verkoper 'n ad hoc-aansoek om drie permitplakkers kan indien.
17. Die Stad of sy gemagtigde agente sal enige rigtingteken vir eiendomsbemarking of afslaersteken wat in stryd met die bepalings van hierdie bylae vertoon word, verwyder, wat onderworpe kan wees aan 'n verwyderingsheffing wat die Stad sal vasstel ooreenkomstig sy goedgekeurde tariewe en heffings wat van tyd tot tyd gepubliseer word. Benewens die verhalings van die koste om die tekens te verwyder, kan die Stad ook die koste vir die herstel van die oppervlak waarvan die tekens verwyder is, verhaal.  
  
Ingeval die Stad nie 'n teken kan verwyder nie omdat dit ontoeganklik is, sal die Stad fotografiewe bewyse bekom van die teken wat in stryd met die bepalings van hierdie bylae vertoon word, en sal 'n nievoldoeningsfooi ooreenkomstig die bogenoemde tariewe en heffings gehê word. Die Stad behou voorts die reg om strafregtelike stappe ten opsigte van sodanige tekens in te stel.
18. **TYDELIKE PLEKGEBONDE EIENDOMSBEWAKINGSTEKENS GROTER AS 0,3 m<sup>2</sup>**
  - 18.1 Aansoeke om tekens groter as 0,3 m<sup>2</sup> moet 'n motivering insluit en sal slegs goedgekeur word indien die Stad oortuig is dat 'n teken van tot 0,3 m<sup>2</sup>—
    - (a) onvoldoende blootstelling kry of verberg word deur 'n gebou, bome of ander kenmerke op of buite die betrokke eiendom;
    - (b) nie baie duidelik is nie as gevolg van die afstand waarop dit besigtig word;
    - (c) opgerig of aangebring moet word waar die gebou verder as 15 m van die eiendom se straatgrens teruggeset is; of
    - (d) moeilik sigbaar is vanaf die oorkant van 'n aangrensende dubbelbaanpad.

### Plat en uitsteektekens

- 18.2 Indien 'n teken van tot 0,3 m<sup>2</sup> nie voldoende blootstelling sal kry nie, kan aansoeke ingedien word om groter tekens in die vorm van plat of uitsteektekens—
- (a) van tot en met 1 m<sup>2</sup> in geval van residensiële eiendomme en enkele-eenheidwoonstelle;
  - (b) van tot en met 1,5 m<sup>2</sup> in geval van kommersiële eiendomme en multi-eenhede of woonstelle; en
  - (c) van tot en met 4,5 m<sup>2</sup> in geval van eiendomme in nywerheidsgebiede.
- 18.3 Plat of uitsteektekens mag nie vir langer as drie maande vertoon word nie, en indien die eiendom na drie maande steeds in die mark is, moet 'n nuwe aansoek ingedien word.
- 18.4 Indien sodanige tekens in die vorm van plat of uitsteektekens opgerig word, mag dit nie enige vensters, ander openinge of boukundige kenmerke van 'n gebou bedek nie, moet dit tot die bevrediging van die Stad wees, moet dit binne die fassieplanke van balkonne, afdakke of verandas inpas, en mag dit nie bo, onder of verby die rand van sodanige balkonne, afdakke of verandas uitsteek nie.
- 18.5 Slegs een plat of uitsteekteken per straatfront word toegelaat, wat tot hoogstens twee tekens per straatfront verhoog kan word, maar slegs indien een teken nie voldoende blootstelling sal kry nie.
- 18.6 Sodanige plat of uitsteektekens moet 'Te koop', 'Nou te koop', 'Te huur' of 'Veiling' as hoofbewoording bevat.
- 18.7 'n Plakker met die woorde 'Verkoop', 'Bod toegestaan' of 'Ten volle verhuur' kan aangebring word oor enige goedgekeurde tydelike plekgebonde eiendomsbemarkingsteken groter as 0,3 m<sup>2</sup> wat sê 'Te koop', 'Nou te koop', 'Te huur' of 'Veiling', welke teken by die verstryking van die drie maande lange goedkeuringstydperk of binne twee weke na die verkoop of verhuur van die eiendom verwyder moet word. Die vertoontydperk sal nie verleng word om vir 'n 'Verkoop', 'Bod toegestaan'- of 'Ten volle verhuur'-plakker voorsiening te maak nie, en geen nuwe sodanige teken mag opgerig word nie.

### Losstaande tekens

- 18.8 Indien 'n teken van 0,3 m<sup>2</sup> nie genoeg blootstelling sal kry nie, kan aansoeke ingedien word om groter tekens in die vorm van losstaande tekens—
- (a) van tot en met 1 m<sup>2</sup> in geval van residensiële eiendomme en enkele-eenheidwoonstelle;
  - (b) van tot en met 1,5 m<sup>2</sup> in geval van kommersiële eiendomme en multi-eenhede of woonstelle; en
  - (c) van tot en met 4,5 m<sup>2</sup> in geval van eiendomme in nywerheidsgebiede.
19. Losstaande tekens sal slegs toegelaat word by 'n residensiële, kommersiële of nywerheidsperseel sonder enige grensmure of heinings, of op onbeboude erwe, en onderworpe aan die voorwaardes oor onvoldoende blootstelling in klousule 18.1 hier bo.
- 19.1 Slegs een losstaande teken of een V-vormige teken sal per eiendom per straatfront oorweeg word.
- 19.2 Sodanige losstaande tekens mag nie vir langer as drie maande vertoon word nie, en indien die eiendom na drie maande steeds in die mark is, moet 'n nuwe aansoek ingedien word.



- 19.3 Sodanige losstaande tekens mag nie munisipale verkeerstekens, straatname of verkeersligte verberg of die sigdriehoeke by uitdraaipaaie of voertuigtoegangspunte versper nie.
- 19.4 Sodanige losstaande tekens mag nie oor die grens van die eiendom uitsteek nie.
- 19.5 Sodanige losstaande tekens moet 'Te koop', 'Nou te koop', 'Te huur' of 'Veiling' as hoofbewoording bevat.
- 19.6 'n Plakker met die woorde 'Verkoop', 'Bod toegestaan' of 'Ten volle verhuur' kan aangebring word oor enige goedgekeurde tydelike plekgebonde eiendomsbemarkingstekens groter as 0,3 m<sup>2</sup> wat sê 'Te koop', 'Nou te koop', 'Te huur' of 'Veiling', welke teken by die verstryking van die drie maande lange goedkeuringstydperk of binne twee weke na die verkoop of verhuring van die eiendom verwyder moet word. Die vertoontydperk sal nie verleng word om vir 'n 'Verkoop'-, 'Bod toegestaan'- of 'Ten volle verhuur'-plakker voorsiening te maak nie, en geen nuwe sodanige teken mag opgerig word nie.

**BYLAE 13****LOS DRAAGBARE ADVERTENSIE TEKENS**

Onderworpe aan goedkeuring ingevolge hierdie verordening, word die oprigting en vertoning van los draagbare tekens in alle stedelike beheergebiede toegelaat. Daarbenewens is die volgende van toepassing:

1. Los draagbare tekens wat sonder die Stad se skriftelike toestemming in 'n padreserwe of op Stadseiendom geplaas word, is verbode ingevolge hierdie verordening.
2. Die Stad kan los draagbare tekens wat sonder die Stad se toestemming in 'n padreserwe of op Stadseiendom geplaas word, summier verwyder en skut.
3. Die Stad sal aansoeke om die plasing van een los draagbare teken per onderneming in 'n padreserwe of op Stadseiendom oorweeg, op die volgende voorwaardes—
  - (a) Die los draagbare teken mag nie 'n gevaar vir openbare veiligheid inhou nie.
  - (b) Nóg die fisiese grootte nóg die ligging van die los draagbare teken mag 'n belemmering wees of ongerief vir die publiek veroorsaak.
  - (c) Die los draagbare teken mag nie ander handelaars onbillik benadeel nie.
  - (d) Die los draagbare teken mag nie afbreuk doen aan die plaaslike straataansig of die gerief van die plaaslike omgewing nie.
  - (e) Die los draagbare teken mag slegs gebruik word om die naam van die onderneming sowel as die goedere of dienste wat vanaf die adverteerder se perseel verkoop of gelewer word te adverteer.
  - (f) Die maksimum afmetings van die los draagbare teken is 1,2 m (hoogte) x 0,6 m (breedte).
  - (g) Die los draagbare teken moet gelyk met die adverteerder se perseel geplaas word, op voorwaarde dat daar aan die bogenoemde kriteria voldoen word.
  - (h) 'n Onversperde looppad van ten minste 1,2 m breed moet langs die teken oopgelaat word, en sodanige tekens mag nie sigdriehoek versper nie.
4. Goedgekeurde los draagbare tekens sal toegeken word aan 'n bepaalde gebied in 'n padreserwe of op Stadseiendom, waar adverteerders die tekens gedurende gewone handelsure kan plaas. Buite gewone handelsure moet die genoemde los draagbare tekens verwyder en buite sig van die publiek gestoor word.
5. Die toegekende gebied vir die vertoning van los draagbare tekens is onderworpe aan 'n oorskrydingsfooi wat die adverteerder moet betaal teen 'n koers wat die Stad vasstel ooreenkomstig sy goedgekeurde tariewe en heffings wat van tyd tot tyd gepubliseer word.
6. Ondanks die bepalings hier bo, kan die Stad enige los draagbare tekens laat verwyder of skut indien dit in stryd met enige bepaling van hierdie bylae vertoon word, en die Stad kan die koste verbonde daaraan ooreenkomstig die bogenoemde tariewe en heffings verhaal van die persoon/persone wat verantwoordelik is vir die vertoning van sodanige tekens.

**BYLAE 14****LUGTEKENS**

Onderworpe aan goedkeuring ingevolge hierdie verordening, kan die oprigting en vertoning van lugtekens as tydelike plekgebonde tekens oorweeg word, dog slegs in stedelike gebiede van gedeeltelike of minimum beheer, tensy daar hier onder anders aangedui word. Daarbenewens is die volgende van toepassing:

1. 'n Lugteken wat aan enige gebou of struktuur op 'n eiendom vasgemaak word, mag nie 'n hoogte van 45 m, wat vanaf die grondvlak gemeet word, oorskry nie.
2. Lugtekens wat aan enige gebou of struktuur vasgemaak word, moet so vasgemaak word dat dit nie bo 'n openbare pad verskyn nie.
3. 'n Lugadvertensie mag nie 36 m<sup>2</sup> in algehele oppervlakte oorskry nie.
4. Aansoeke om lugtekens wat aan 'n gebou vasgemaak sal word, moet vergesel word van die aanstellingsvorm van 'n struktuuringenieur sowel as ingenieursbesonderhede oor hoe die teken vasgemaak sal word.
5. Slegs een lugteken per eiendom sal goedgekeur word vir 'n vertoontydperk van hoogstens 14 dae per kalendermaand.
6. Lugtekens mag nie bo 'n openbare pad vertoon word nie, tensy die pad tydelik gesluit is vir 'n geleentheid van 'n liggaam sonder winsoogmerk en sodanige tekens ooreenkomstig 'n tekenmeesterplan vertoon word.
7. Lugtekens mag slegs in daglig opgerig of vertoon word.
8. Die Stad kan meer as een lugteken met of sonder derdepartyborginhoud in enige beheergebied goedkeur vir 'n geleentheid van 'n liggaam sonder winsoogmerk of 'n sportgeleentheid, op voorwaarde dat dié tekens tot die lokaal, die gebied of die roete van die geleentheid beperk word.
9. Lugtekens wat die gebruik van hommeltuie of modelvliegtuie behels om enige tipe geleentheids- of borgreklame te vervoer of te vertoon, kan onderworpe aan die Stad se geleentheidspermitvereistes toegelaat word, en sal tot die lokaal, gebied of roete van die geleentheid beperk word.
10. Behoudens klousule 9 hier bo, is lugtekens wat die gebruik van hommeltuie of modelvliegtuie behels om enige tipe derdepartyreklame te vervoer of te vertoon, verbode.
11. Lugtekens mag nie verlig of elektronies wees nie, en geen animasie van enige vorm mag op lugtekens verskyn nie.

**BYLAE 15****TRANSITO-ADVERTENSIETEKENS VIR GELEENTHEDE SONDER WINSOOGMERK**

Onderworpe aan goedkeuring ingevolge hierdie verordening, word die oprigting en vertoning van transito-advertensietekens in alle stedelike beheergebiede toegelaat, soos dit hier onder uiteengesit word. Daarbenewens is die volgende van toepassing:

1. Die karwei van 'n transito-advertensieteken word nie toegelaat nie, tensy dit slegs vir vervoerdoeleindes is, en nie vir derdepartyreklamedoeleindes nie.
2. Die parkering van 'n transito-advertensieteken vir die doel van derdepartyreklame is verbode indien dit sigbaar is vanaf 'n openbare pad of 'n openbare plek, buiten by die lokaal van 'n geleentheid van 'n liggaam sonder winsoogmerk in enige stedelike beheergebied, vir die duur van die geleentheid, en ooreenkomstig die toegekende posisies in 'n tekenmeesterplan vir die geleentheidsgebied.
3. Transito-advertensietekens wat vir stoordoeleindes op privaat eiendom geparkeer word, moet so geposisioneer wees dat dit nie vanaf 'n openbare straat of openbare plek sigbaar is nie.
4. Die reklamepanele aan die kante van die transito-advertensietekens mag nie 18 m<sup>2</sup> elk oorskry nie, en die voor- en agterpanele mag nie 6 m<sup>2</sup> elk oorskry nie.
5. Ondanks enige bepalings van hierdie verordening, kan die Stad of sy gemagtigde agente sonder voorafkenningsgewing enige ongemagtigde transito-advertensietekens van Stads-eiendom laat verwyder, en in geval van ongemagtigde transito-advertensietekens op privaat eiendom, kan die Stad kragtens hierdie verordening 'n voldoeningkenningsgewing vir die verwydering van die tekens uitreik.
6. Geparkeerde transito-advertensietekens moet stewig aan die grond geanker word.
7. Transito-advertensietekens mag slegs verlig of elektronies wees indien dit by die lokaal of in die gebied van 'n Stadsgoedgekeurde geleentheid van 'n liggaam sonder winsoogmerk geparkeer word.
8. Transito-advertensietekens mag nie vir die primêre doel van reklame op of vanaf enige vaartuig, boei, platform of boot op water vertoon word indien dit vanaf enige openbare plek sigbaar is nie.
9. Enige transito-advertensietekens wat onregmatig op Stadsgrond geparkeer word of wat enige van die bepalings van hierdie bylae oortree, sal deur die Stad of sy gemagtigde agente verwyder word, en sal onderworpe wees aan 'n verwyderings- en stoorheffing wat die Stad sal vasstel ooreenkomstig sy goedgekeurde tariewe en heffings wat van tyd tot tyd gepubliseer word.

**BYLAE 16****ADVERTENSIE TEKENS OP STADSGROND, -GEBOU OF -INFRASTRUKTUUR**

1. Die Stad kan van tyd tot tyd sy grond, geboue en straatmeubels beskikbaar stel vir die maandelike oprigting en vertoning van advertensie tekens van liggame sonder winsoogmerk of kommersieel geborgde tekens, ongeag of die Stadseigendom deur die Stad self of deur 'n huurder van die Stad beset word, en kan vir dié doeleinde konsessies aan bepaalde persone of organisasies toestaan, op die volgende voorwaardes—
  - (a) Die Stad se toepaslike verkrygingsbeleid en batebestuursprosesse en -prosedures moet gevolg word.
  - (b) Die Stad sal die spesifikasies vir tekens op Stadgrond neerlê voordat voorstelle aangevra word.
  - (c) Sodanige tekens moet aan die bepalings van hierdie verordening voldoen, waaronder dié met betrekking tot die spesifieke tekentipes.
  - (d) Die oprigting en vertoning van sodanige tekens moet ook in 'n geïdentifiseerde behoefte voorsien, 'n bepaalde voordeel bied of 'n spesifieke doel bereik ter wille van die publiek of gemeenskap.
  - (e) Tekens met politieke inhoud sal nie toegelaat word nie, tensy hierdie verordening elders daarvoor voorsiening maak.
  - (f) Die Stad, as grondeienaar, behou die reg om vóór finale goedkeuring te besluit om nie met 'n voorstel voort te gaan nie, en die versoek vir voorstelle moet nie in enige opsig beskou word as 'n besluit deur die Stad om met die oprigting van 'n teken op 'n bepaalde terrein voort te gaan nie.
2. Advertensie tekens met betrekking tot tydelike geleenthede wat op Stadgrond, -geboue en -infrastruktuur opgerig word, is beperk tot die geleenthede van liggame sonder winsoogmerk, gemeenskapsgelentehede, kultuurgeleenthede of sportgeleenthede, waaronder sportgeleenthede wat deur ander entiteite aangebied word, wat gratis en toeganklik is vir die algemene publiek.
3. Tydelike tekens vir uitsluitlik kommersiële geleenthede, waaronder promosies, bemerking, kommersiële aktiverings en die bekendstelling van produkte en dienste, word nie op Stadgrond, -geboue en -infrastruktuur toegelaat nie.

**BYLAE 17****ADVERTENSIE TEKENS WAT DEUR OF TOT DIE VOORDEEL VAN LIGGAME SONDER WINSOOGMERK OPPERIG WORD**

1. Ondanks die beheergebied waarin die oprigting van 'n teken deur of tot die voordeel van 'n liggame sonder winsoogmerk voorgestel word, en onderworpe aan voldoening aan alle ander bepalings van hierdie verordening, kan die Stad sodanige teken vir goedkeuring oorweeg, op die volgende voorwaardes—
  - (a) Die gasheerliggame sonder winsoogmerk moet 'n aansoek ingevolge artikel 5 indien. Die aansoek moet skriftelike besonderhede bevat oor die aard en omvang van die voordeel wat uit die oprigting of vertoning van die teken ontvang sal word, sowel as die ander inligting wat artikel 5 bepaal.
  - (b) Die spesifieke vereistes vir elke tekentipe in hierdie verordening word ook op tekens deur of tot die voordeel van liggame sonder winsbejag toegepas.
  - (c) Sodanige tekens word slegs toegelaat op grond wat deur sodanige liggame sonder winsoogmerk beheer en gebruik word.
  
2. Benewens die voorwaardes in die bylae van toepassing op die spesifieke tekentipe, word die volgende voorwaardes ook toegepas—
  - (a) Tekens met politieke inhoud word nie toegelaat nie.
  - (b) Die naam van die liggame sonder winsoogmerk moet duidelik aan die bokant van die teken in letters van ten minste 300 mm hoog vertoon word.
  - (c) Slegs een reklamebord of plat teken van tot 6 m x 3 m elk sal per straat- of spoorreserwefront per eiendom toegelaat word, of indien dit as 'n reklamebord opperig word, een V-vormige of rug-aan-rug-teken wat nie twee panele van 6 m x 3 m elk per sodanige front op enige enkele eiendom oorskry nie.
  - (d) Intern verligte of elektroniese reklameborde of plat tekens van tot 18 m<sup>2</sup> per paneel mag vertoon word indien 'n vergunning ingevolge artikel 8(4)(h) toegestaan word. In die oorweging van sodanige vergunning sal die Stad ag slaan op beoordelings van die impak op pad- en verkeersveiligheid, erfenishulpbronne, uitsigpaaie en -hulpbronne, residensiële geriewe en die omgewing, na gelang van wat die Stad dalk aanvra, welke beoordelings die moontlike impak van die voorgestelde vergunning moet aandui, tesame met aanbevelings om die impak te temper. Hierdie beoordelings moet deur toepaslik gekwalifiseerde persone of praktisyns onderneem word.
  - (e) Indien 'n liggame sonder winsoogmerk 'n teken op staatsgrond voorstel, moet die aansoek die oorspronklike skriftelike magtiging van die betrokke staatsorgaan, of 'n gewaarmerkte afskrif daarvan, insluit waarin die staatsorgaan goedkeuring verleen dat die grond vir inkomsteskeppingsdoeleindes uit 'n reklamekonsessie gebruik word, welke magtiging ook die aard en omvang van die voordeel vir die liggame sonder winsoogmerk moet goedkeur.
  - (f) Die Stad kan aandrang op die indiening van 'n tekenimpak-, verkeersimpak- of erfenishulpbronnebeoordeling wat deur toepaslik gekwalifiseerde persone of praktisyns onderneem is en wat geen negatiewe impak identifiseer nie.
  - (g) Die Stad kan aandrang op dokumentêre bewys dat 'n liggame sonder winsoogmerk wel as sodanig geregistreer is, sowel as enige ander tersaaklike dokumente wat die Stad kan vereis.



CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD

Making progress possible. Together.

UMTHETHO KAMASIPALA  
WENTENGISO EZIXHONYWE  
NGAPHANDLE WESIXEKO SASEKAPA,  
2023

**UMTHETHO KAMASIPALA WEENTENGISO EZIXHONYWE NGAPHANDLE  
WESIXEKO SASEKAPA**

**Ukulawula usetyenziso lomhlaba nezakhiwo kwintengiso neempawu ezixhonywe ngaphandle kunye nemiba ehambelana nale; ukubhangisa uMthetho kaMasipala weNtengiso zaNgaphandle neeMiqondiso wango2001.**

**IMBULAMBETHE**

**NGENXA YOKUBA icandelo 156(2) nelesi(5) loMgaqosiseko weRiphabliki yoMantsi Afrika, 1996 linikeza ilungelo lokuba uMasipala angenza ze dlawule imithetho kamasipala ukulungiselela ukuba imisebenzi yawo enelungelo lokuyilawula yenziwe ngempumelelo, kwakunye nokusebenzisa nawaphi na amagunya amalunga nemeko ekufuneka ilungisiwe ukuze umasipala enze umsebenzi wakhe ngempumelelo;**

**Ngenxa yokuba ngokweCandelo B leShedyuli 5 loMgaqosiseko weRiphabliki yoMzantsi Afrika, 1996, iSixeko siyavumeleka ukuba sisebenzise umthetho kwimiba enxulumene neeBhodi ezinkulu zentengiso ezixhonywa esidlangaleni;**

**NGOKO KE, MAWUMISELWE** libhunga likaMasipala weSixeko saseKapa ngolu hlobo lulandelayo:—

**IZIQULATHO**

1. linkcazelo
2. linjongo zalo Mthetho kaMasipala
3. Iimpawu ezingachatshazelwayo ngulo Mthetho kaMasipala
4. Iimpawu ezingavumelekanga ngokwalo Mthetho kaMasipala
5. Ukungeniswa kwezicelo
6. Iintlawulo nemiba gabalala ethi ithathelwe ingqalelo kunikezo lwemvume okanye imiqathango yemvume
7. Imiba ebhekisele kwiimpawu ezithile, iimpawu ezixhaswa ngezimali kunye nemimandla yolawulo
8. Izinto ezifunwayo xa kusenziwa uvavanyo nemiqathango yesiqhelo yemvume
9. Iimfuno zomthetho
10. Imvume
11. Isibheni
12. Iimpawu ezingadingi imvume
13. Ukumoshwa kweempawu
14. Ukonakaliswa kwepropati yeSixeko
15. Ukungena nokuhlola
16. Amatyalala
17. Iintlawuliso nezohlwayo
18. Ucingelo
19. Unyanzeliso-mthetho nokususwa kweempawu
20. Ukuhanjiswa kwezaziso zothotyelo-migaqo
21. Imiba enokungenelela kuyo inkundla kamantyi
22. Izikhokelo
23. Ukubhangiswa kwemithetho kamasipala
24. Izaphulelo kwemithetho
25. Isihloko esifutshane



**lishedyuli**

- Ishedyuli 1** Imimandla yolawulo  
**Ishedyuli 2** libhilibhodi zamaqela neempawu ezizibhodi ezingaxhaswanga nganto ukuya kuma kwi3m<sup>2</sup>  
**Ishedyuli 3** limpawu ezikummandla othile ezingaxhaswanga nganto kunye nezizimeleyo kodwa zinesixhaso, iimpawu ezikummandla othile wefama neempawu ezixhonywe kwiigaraji ekutha kuzo iimoto  
**Ishedyuli 4** limpawu ezisicaba, ezivelelelayo neziprojekthiweyo ezisezifestileni  
**Ishedyuli 5** limpawu ezisesibhakabhakeni  
**Ishedyuli 6** limpawu ezixhonywe emaphahleni  
**Ishedyuli 7** limpawu ezikwiveranda, ibhalkhoni, iipali zenkxaso nakwiintsika  
**Ishedyuli 8** limpawu kumadonga namacingo akwimida, iimpawu ezikwisiza solwakhiwo nakwiibhodi ezikwiindawo ekwakhiwa kuzo  
**Ishedyuli 9** lipowusta ezinemihlathi eyintloko yamaphephandaba  
**Ishedyuli 10** lintengiso ezikwiibhena, kwiiflegi, kwiibhaluni nakwizinto ezivuthelwayo neebhena ezijikelezayo ezisezipalini  
**Ishedyuli 11** lipowusta  
**Ishedyuli 12** limpawu zokumaketha ezikhomba ipropati ukuya kuma ku0.3m<sup>2</sup> neempawu zethutyana zokumaketha iipropati ezingaphezu kwe0.3m<sup>2</sup> ngokobungakanani  
**Ishedyuli 13** limpawu eziphathwa ngesandla  
**Ishedyuli 14** limpawu ezilengalenga esithubeni  
**Ishedyuli 15** limpawu zentengiso ezitulatulayo zemisitho engenzi nzuzo  
**Ishedyuli 16** limpawu ezikumhlaba, izakhiwo okanye izibonelelo zeSixeko  
**Ishedyuli 17** limpawu ezenziwa ziindawo ezingajonganga ngeniso

**IINKCAZELO**

1. Kulo Mthetho kaMasipala, ngaphandle kokuba into ekuthethwa ngayo ibhekisa kwenye into:

**“Intengiso”** ithetha nayiphi na into echazwa ngegama, unobumba, umfanekiso okanye into okanye isishunqulelo segama, okanye nayiphi isimboli okanye isikhanyiso esingenzelwanga kuphela ukuba siqaqambise into ethile okanye sibe sisilumkiso kwingozi ethile, ukanti no“kuthengisa” kukwanentsingiselo efanayo.

**“Uphawu olulengalengayo”** luthetha uphawu oluxhonyiweyo okanye oluboniswa emoyeni, olubandakanya kodwa olungaphelelanga kwiibhaluni ezincinci nezenziwa zibe yimilo yento ethile ezibotshelwa kwizakhiwo okanye izakhelo ezikwiyadi leyo ezikummandla olawulwa siSixeko.

**“Umntu ofundele umsebenzi othile okanye owenza loo msebenzi”** ithetha umntu ophumelele izifundo zomsebenzi awenzayo, okanye onezakhono aziqaqeshelweyo, okanye amava anento yokwenza neentengiso ezixhonywe ngaphandle kwizakhiwo nakwiipali yaye onokukwazi ukwenza enegunya lolwazi analo, anikeze iingcebiso enze nophononongo lweentengiso ezixhonywe ngaphandle kwizakhiwo nakwiipali yaye angasebenzisa ulwazi loluncwadi, iiprotokholi ezimiselweyo okanye imigangatho neenkqubo ezinesihlahla.

**“Imvume”** ithetha imvume enikezwe siSixeko okanye ngamagosa aso, ngamabhungana, okanye iikomiti.

**“Imimandla yolawulo”** ithetha imiandla ehlelwe ngokwemihlaba, iingingqi, iza neendlela ezingena kwimimandla, yaye ibonisa ubungakanani bolawulo lwalo mimandla

obufana nolawulo loomandla wonke, inxalenye yawo okanye igcuntswana lawo olusetyenziswa kwezo ndawo, njengoko kuchaziwe kwiShedyuli 1.

**“Igosha eligunyazisiweyo”** ithetha umsebenzi weSixeko responsible onoxanduva lomsebenzi okanye igunya ngokwemiqathango yalo Mthetho kaMasipala yaye libandakanya nawuphi umsebenzi onikwe igunya lokwenza loo msebenzi okanye onikezwe amandla.

**“Ibhalkhoni”** ithetha indawo ebiyelwe ngodonga okanye iintsinjana ezingaphandle kwesakhiwo, ekukwazi ukungenwa nokuphunyelwa kuyo kumgangatho ophezulu an wesakhiwo.

**“Ibhena”** ithetha nayiphi into apho uphawu lunokuthi luboniswe khona ngendlela apho olunokuthi lubonakale ngokwendlela oluboniswe ngayo, luxokomezwe kwintambo enye okanye kwintambo ezininzi, ezipalini okanye kwiflegi ezibonisa ngendlela ethe nkqo, mtyaba okanye ngangayiphi indlela okanye exokomezwe kwisakhiwo okanye kwizakhiwo ezikhethekileyo, kodwa ayibandakanyi ibhena ezenzelwe umngcelele. Iflegi engaboniswa kwipali yeflegi eyamkelweyo ngokwalo mthetho.

**“Ibhilbhodi”** ithetha nasiphi isikrini okanye ibhodi ethi izimele enobukhulu obungaphezulu kwe4.5m<sup>2</sup>, ethi ixhaswe, okanye iqulathe, isakhiwo esenzelwe, okanye esinokuthi sisetenziselwe, injongo yokuncamathisela, ukubonisa okanye sibonise uphawu lweqela

**“Isikhanyisi”** sithetha iyunithi yokukhanya eyiSI (ukhanyiso lomzuzwana ngamnye) enento yokwenza namandla okukhanyisa omthombo wokukhanyisa ojonge kwicala elithile.

**“ISixeko”** sithetha iSixeko saseKapa, uMasipala omiselwe ngeSaziso soMiselo 479 sango2000 seSixeko saseKapa esakhutshwa kulandelwa icandelo 12 loMthetho woRhulumente weMimandla: weZigqeba zoMasipala wango1998 (Umthetho 117 wango1998), yaye sibandakanya nasiphi isigqeba okanye umsebenzi, ummeli okanye iarhente yaso, eseebnza ilandela lo Mthetho kaMasipala ngenxa yamagunya eSixeko okanye alowo ugunyazisiweyo egameni leSixeko.

**“Ubude obucacileyo”**, kumba wophawu, buthetha the ubude obuphakathi kwendawo esezantsi oluphela kuyo uphawu nomgangatho wendawo engqonge uphawu olo, nendledlana okanye indlela esezantsi kolo phawu.

**“Ummandla okunxweme”** uthetha ‘ummandla okunxweme’ njengoko uchaziwe kwiNational Environmental Management: Integrated Coastal Management Act, 2008 (Umthetho 24 ka2008).

**“Intengiso yoshishino”** ithetha nawaphi amagama, iileta, iilogo, amanani, amagama, imifanekiso ebhekiselele kwigama loshishino, urhwebo, eyobuhlakani, eyomntu, okanye enazo naziphi iinkcukacha, isindululo okanye isibongozo; 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 oluxhaswa lishishini elithile”** luthetha uphawu oluthengisa iimpahla okanye iinkonzo; kodwa ukuxhonywa kwalo kube kunenye injongo, ekukuxhasa okanye ukuba negalelo kwinjongo ethile yoluntu, kwisisusa ethile okanye isiganeko esithile.

**“Udonga olukumda wesakhiwo”** ithetha naluphi udonga lwesakhiwo olwakhiwe lwadlulela ngaphaya komda ongasemva okanye osecaleni wesiza olungenanto kulo, efana neefestile okanye izino ezivulwayo.

**“Uphawu lwezinto ezahlukileyo”** luthetha isakhelo sophawu esizimeleyo ekunokuxhonywa kuso iintengiso eziliqela.

**“Uphawu olukwisiza solwakhiwo”** luthetha uphawu lwethutyana olunentengiso ejoliswe kummandla othile okanye intengiso yeqela elithile exhonywe kwisiza solwakhiwo oluxhonywe okanye oluncanyathiselwe kwisakhiwo, isikrini esibekwe kwisakhiwo okanye uphawu oluzimeleyo lommandla othile, kodwa alubandakanyi iimpawu zokumaketha iipropati neeBhodi zooNokotraka.

**“Ityala eliqhubekayo”** litbhekisa kumntu obegwetyiwe kwathiwa unetyalo ngokwalo Mthetho kaMasipala othe kokugwetywa waqhubeka nesenzo ebesigwetyelwe.

**“Ibhodi yoonokotraka”** ithetha uphawu lwethutyana oluxhonywe kwisiza ekwakhiwa kuso, ekufakwa kuso iintambo zefayibha, imibhobho nemisele, umbane, umsebenzi wegadi, ukulungiswa komhlaba, unkcenkeshlo, ulungiso okanye naluphi uphuculo olwenziwayo, ibhodi leyo ibe ibonisa igama, iinkcukacha zoqhagamshelwano okanye nohlobo lomsebenzi owenziwa ngulo nokotraka okanye izinto abonelela ngazo kweso sakhiwo.

**“Idizayini elungiselelwe okuthile”** ithetha idizayini eyodwa yalo naluphi uphawu, eyenzelwe neyakhelwe ukuba ibekwe kwindawo ethile yaye kufuneka ibenye yezi zinto;

- (a) iimpawu ezigqamileyo ezahlukileyo ezifana nezinto ezenziwe ngokwahlukileyo kodwa zingabandakanyi imicwe yezibane zeLED apho izizo zodwa iimpawu ezahlukileyo;
- (b) iisheyiphu ezahlukileyo zezinto ezikulo dizayini;
- (c) imifanekiso eneemilo zonke esebenzisa iinkqubo o ngeenkqubo; okanye
- (d) ibe nezinto ezishukumayo.

**“Iindlela ezixakekileyo ezisezixekweni”** zithetha iClass 1 Principal Arterial, Class 2 Major Arterial okanye iClass 3 Minor Arterial road njengoko zibonisiwe kwiSicwangciso esinguNdoqo sezendlela esiqulethwe kwiSicwangciso seZothutho esiHlanganisiweyo esiazoo zonke iinkcukacha seSixeko saseKapa, njengoko simane sihlaziywa.

**“Ibhodi eBonisa ulwakhiwo”** ithetha uphawu lwethutyana lomakhi oluxhonywe kwisiza esineepalani zokwakha esele zamkelwe zolwakhiwo olucetywayo olunenkcazelo yohlobo lolwakhiwo oluza kwenziwa yaye lungabandakanya imizobo okanye inkcazelo yolo lwakhiwo lucetywayo, amaxabiso, igama kunye neenkukacha zomakhi, umboneleli ngezimali kunye/okanye iarhente emaketha loo propati.

**“Umboniso”** uthetha ukubonisa ngophawu yaye kubandakanya ukuxhonywa kwayo nayiphi lbhilibhodi, uphawu okanye isakhelo esenzelwe ukuxhasa uphawu okanye lbhilibhodi; yaye, ngaphezu koko, ibandakanya ukuxhonywa kophawu lweshishini, ubuhlakani bamashishini okanye umntu ekubhalwe ngaye kolo phawu okanye uphawu ngokwalo, yaye “exhonyweyo” inentsingiselo ehambelana nale.

**“Idrowuni”** ithetha inqwelomoya encinci elawulwa ngerimowuthi engenamntu uyiqhubayo engabandakanyi inqwelomoya yomboniso neyithoyi.

**“Uphawu oluelektroniki”** luthetha uphawu olulawulwa nge-elektroniki olubonisa iintengiso ezingashukumiyo, ezitshintshatshintshayo, eziyimifanekiso eshukumayo, ezinye iimpawu ezizodwa, amagama, iisimboli, imifanekiso okanye imibhalo, ezitshintshwa ngedijithali okanye nge-elektroniki kustyenziswa irimowuthi okanye ngokuzenzekelayo ngamaxeshathile kodwa alubandakanyi uphawu oluvelelayo.

**“Isikrini esielektroniki”** sithetha isixhobo esenza umboniso sisebenzisa iielektroniki ukubonisa imifanekiso, itekisi, okanye ividiyo edlalwa nge-elektroniki okanye umboniso okanye usasazo oluqhubeka ngelo xesha lubukelwe ngalo. Imiboniso ye-elektroniki ibandakanya oombonakude nezikrini zeekhompyutha.

**“Okusingqongileyo”** kuthetha imo nemeko ekuza kustyenziswa kuyo uphawu yaye kubandakanya yonke imimandla yendalo kunye nemimandla neendawo eziya

zalongiselelwa okuthile okanye ezakhiwe ngabantu, kubandakanywa imithombo yendalo, iindawo zenkcubeko neendawo ezinento ezibonwayo, iindawo ezintle kunye nazo zonke izinto ezichaphazela impilo yomntu nomgangatho wobomi bomntu.

**“Umsitho”** uthetha;

- (a) umdlalo okanye izinto zolonwabo, kubandakanywa izinto ezenzeka ngelo xesha;
- (b) imistho yezemfundo, eyenkcubeko okanye eyenkonziso; okanye
- (c) umsitho ongengowokwenza nzuzo, kubandakanywa nayiphi na inkomfa, indibano yombutho okanye eyoluntu.

**“Uphawu osele lukhona”** luthetha naluphi uphawu oluxhonywe ngemvume okanye ngaphandle kwemvume yeSixeko.

**“Uphawu olumcaba”** luthetha uphawu oluthi lugxunyekwe, okanye lupeyintwe ngokuthe nkqo, eludongweni lwesakhiwo kodwa lungemanga nkqo okanye phezulu, kwifestile okanye amacango okanye kubugcisa obukhoyo yaye lungaveleli ngaphezulu kwe250mm amacango okanye kubugcisa obukhoyo yaye lungaveleli ngaphezulu kwe 250 mm kubuso bodonga olo, okanye uphawu olukrolweyo noluyinxalenye yesakhiwo, okanye uphawu oluncanyathiselwe kudonga olukumda.

**“Uphawu olungaxhaswanga nganto”** luthetha naluphi uphawu okanye iqela leempawu oluqulathwe okanye oluboniswe kwesinye sesakhiwo esizimeleyo esingaxomezelelwanga kwisakhiwo okanye nasiphi isakhiwo okanye into ebingalungiselelwanga ukuba mayisetyenziselwe ukuthengisa njengenjongo yokuqala.

**“Umzobo”** ubandakanya, kodwa awuphelelanga kuyo nantoni enegalelo kwimbonakalo okanye ukufaneleka kophawu, kubandakanywa izinto ezibonakala ngasemva kumfanekiso.

**“Uhlolo lweMithombo yeZinto ezililifa leMveli”** (HRA) luthetha uvavanyo lwefuthe lwelifa lemveli lenkcubeko, kubandakanywa uhlolo olujonga ifuthe yophawu olucetywayo kwimithombo yelifa lemveli, imbonakalo yezitrato neenkangeleko.

**“Uphawu olumpotshwayo”** luthetha naluphi uphawu, oluthi ukuze lubonakala xa luxhonywe lube lumpontshwe ngomoya okanye ngegegi.

**“uphawu olunesikhanyisi”** luthetha isakhelo esisetyenziselwa ukuhombisa intengiso esisebenzisa umbane ukuze sibonakale esinesikhanyisi esingaphakathi kweso sakhelo okanye uphawu olunesikhanyisi esikhanyisela intengiso leyo okanye inxalenye yayo, kananjalo “isikhanyisi” kunye “nokukhanyisa” kunentsingiselo ezifanayo.

**“Ibhena exhonywe kwipali yombane”** ithetha ibhena yethutyana exhonywe ngebrakethi eyenza ukuba ishukume, ebekwe kwipali yombane esesitratweni eneentengiso zemisitho, iziganeko okanye ukhankaso okanye esetyenziselwa ukhankaso lwevoti okanye iinjongo zokubhalisela ivoti.

**“Umthetho”** uthetha nawuphi umthetho, umthetho kamasipala, umpoposho, ummiselo, umthetho wePalamente okanye oweNdlu yoWisomthetho yePhondo, okanye nawuphi omnye umthetho omiselweyo.

**“lintengiso ezibekwe kummandla othile”** zithetha naluphi uphawu oluxhonywe kwisiza esithile, kwisakhiwo esichazwa luphawu olo okanye isakhiwo, igama okanye ilogo leshishini ekushishinwa kulo, isiza okanye isakhiwo okanye umsebenzi, imveliso, inkonziso ebonelelwayo okanye into engumtsalane, eyenziwa okanye ebonelelwa kweso siza okanye isakhiwo.

**“uphawu olusabaleleyo”** luthetha ukukhanya okusuka kumthombo wokukhanyisa okwenza ukuba uphawu lulayite kodwa oko kukhanya kuyagqithisela kummandla ofanele ukukhanyiswa lolo phawu.

**“Uphawu oluphathekayo ngesandla”** luthetha uphawu oluzimeleyo olungabekwanga isigxina nekungekho njongo yokuba luhlale ndaeninye, oluthi lumiswe okanye lubanjwe ngesandla.

**“Ukukhanya”** kuthetha indlela obubonakala ngayo ubungakanani bokuqaqamba kommandla wophawu olukhanyisiweyo yaye oku kumetwa ngekhendela (*candela*)/m<sup>2</sup>.

**“Isakhiwo esisetyenziselwa izinto ezininzi”** sithetha isakhiwo okanye isiza esisetyenziselwa ukuhlala uluntu kwanezinye iinjongo ezingezozindlu zokuhlala.

**“Ipowusta esisihlokondaba sephephandaba”** ithetha ipowusta yethutyana ebonisa izinto ezizulethwe kwiphephandaba losuku okanye leveki elithengiswayo.

**“Iqumrhu elingenzi nzuzo”** lithetha iqumrhu elimiselwe ukuphumeza injongo ezuzisa uluntu okanye engeyeyokwenzela umntu omnye imali; yaye lingabandakanya amaqumrhu ezemfundo, ezemidlalo nawezonyango, amasebe eSixeko kwakunye nemibutho yesisa okanye imibutho yasekuhlaleni.

**“Isakhiwo esingengomzi wokuhlala”** sithetha isakhiwo ekungahlali bantu kuso njengomzi wabo okwethutyana okanye isigxina.

**“Icandelo likarhulumente”** lithetha;

- (a) naliphi isebe likarhulumente kurhulumente wesizwe, wephondo okanye owemimandla; okanye
- (b) naliphi iziko okanye icandelo;
  - (i) elisebenzisa igunya okanye elenza umsebenzi ngokoMgaqosiseko welizwe okanye owephondo; okanye
  - (ii) elisebenzisa igunya elisebenzisa igunya okanye elenza umsebenzi ngokwemithetho yawo nawuphi omnye waba rhulumente.

**“Ubude bubonke”** kumba wophawu, buthetha ungama ophakathi kwencam ephezulu yophawu ukuya kwesezantsi, okanye ukuya phantsi kwindledlana engaphantsi kombindi wophawu olo.

**“Ubungakanani besiphambuka”** buthetha ubungakanani bommandla kumda weendlela ezimbini nangaphezulu ezijoyinana kuyo nayiphi na iengile, nokuba ezo ndlela zoluntu ziyanqamlezana okanye azinqamlezani.

**“Umntu”** ubandakanya;

- (a) naliphi icandelo likarhulumente;
- (b) nayiphi na inkampani esesikweni ebhalisiweyo phantsi kwawo nawuphi na umthetho; kunye
- (c) naliphi na iqumrhu labantu, nokuba lilishishini elihlanganisweyo okanye elinye, elisebenza njengeziko elinye ngaso nasiphi na isizathu.

**“Iipowusta”** zithetha iimpawu zethutyana ezinokuncanyathiselwa kwilipali zombane ezisezitratweni zeSixeko okanye kwizakhelo ezisisigxina ukubonisa imisitho okanye imikhankaso yexeshana, kubandakanywa unyulo okanye umamelo-zimvo okanye iipowusta ezisetyenziselwa ukhankaso lwevoti okanye iinjongo zokubhalisela ivoti, ezingabandakanyi iipowusta zentengiso zesiganeko esihlala siba khona nesithatha ngaphezulu kweentsuku ezimbini ngenyanga.

**“Uphawu oluprojekthiweyo”** luthetha naluphi uphawu oluprojekthwe yiprojektha yeleyiza, yiprojektha yevidiyo, okanye esinye isixhobo kodwa alubandakanyi iimpawu ezielektroniki nezidijithali.

**“Uphawu oluprojekthayo”** luthetha uphawu oluncanyathiselwe edongeni lwesakhiwo oluthi ngelinye ixesha luvelele lube ngaphezu kwe250mm phambi kolo donga.

**“Iarhente yokumaketha iipropati”** ithetha umntu omaketha nothengisa iipropati ezinezakhiwo okanye ezingenazakhiwo zakhiwe kuzo ukanti “Abasebenzi benkampani emaketha iipropati” banentsingiselo ehambelana nale.

**“Uphawu lokumaketha iipropati”** luthetha uphawu olubonisa iinkcukacha ezimalunga nokuthengisa, ukumaketha, ukwenza ifandesi okanye ukurentisa ngepropati engahambisekiyo ekubhekiswe kuzo kwintengiso ekuphawu yaye lubandakanya iimpawu zeeahente ezithengisa izindlu, iimpawu zoonofandesi neempawu ezikhomba iipropati ezithengiswayo.

**“Udonga loluntu”** luthetha naluphi udonga olunefestile, iindawo zokungena okanye iimpawu zolwakhiwo olusenokuba lujonge endleleni okanye ecaleni okanye ibe ludonga olukumda ongemva oluneezizayini okanye olunobuso obungenanto.

**“Indawo kawonkewonke”** ithetha indlela kawonkewonke, isitalato sika wonkewonke, indawo yokudlula, ibhulorho; indlela yeenyawo, ipavumente, indlela yokuhamba (okanye esetyenziswa sisiqingatha sabahambi ngeenyawo), ilane, indawo evulekileyo, igadi, ipaki okanye indawo evulekileyo ephantsi kolawulo lwebhunga leSixeko, okanye abanye oorhulumente okanye eboniswe njalo kwiincwadi zomcandimihlaba, okanye esetyenziswa nguwonkewonke okanye ecandwe njalo phantsi kwenkqubo yocandimihlaba.

**“Indlela kawonkewonke”** ithetha indlela kawonkewonke njengoko kuchaziwe kwiNational Road Traffic Act, 1996 (Umthetho 93 wango1996).

**“Isakhiwo esiyindlu yokuhlala”** sithetha isakhiwo okanye inxalenye yesakhiwo okanye isiza esenzelwe ukuhlala abantu nokuba kokokwethutyana okanye isigxina, yaye esibandakanya, kodwa olungaphelelanga kwizindlu, iyununithi, iiflethi, izindlu zeendwendwe, iindawo zokulala abatyeleli, izindlu zokubhoda, iihotele, amagumbi arentisayo, iyununithi apho umntu aziphekelayo neehostele.

**“UGunyaziwe wezeNdlela”** uthetha isebe likamasipala, okanye elephondo elinoxanduva lolawulo lwendlela ekummandla walo.

**“Indawo ebekelwe indlela”** ithetha ummandla oqulathwe kwimithetho echaza ngobubanzi bendlela yaye ibandakanya iindlelana, iindawo ezisemacaleni endleleni nesithuba esisentla kwale mimandla yendlela kunye nazo zonke ezinye iindawo ezikufuphi nendawo ebekelwe indlela, kubandakanywa neendawo ezibekelwe iindlela ezingekenziwa.

**“Umzila wendlela”** ithetha la nxalenye yendlela, yesitrato okanye indlela enqumlayo ethe yaphuculwa, yenziwa okanye ebekelwe ukuhamba izithuthi njengoko uchaziwe kwiNational Road Traffic Act, 1996 (Umthetho 93 wango1996).

**“Uphawu oluseluphahleni”** luthetha uphawu oluncanyathiselwe kuphahla lwesakhiwo apho umphezulu walo kufuneka ungalululi kubude bomakhiwo wophahla oluncanyathiselwe kuwo.

**“Indlela enendalo ebukekayo”** ithetha indlela echongwe njengendlela enezinto ezibukekayo kwimephu yokuzowuna okanye kwiSikhokelo soPhuhliso lweMihlaba skaMasipala, apho kubonakala izinto ezibukekayo okanye izinto ezenkcubeko njengoko kuxeliwe siSixeko amaxesha ngamaxesha.

**“Uphawu lokhuseleko”** luthetha uphawu lwangaphandle;

- (a) lwabalindi bommandla;
- (b) lerkomiti yesitrato;
- (c) loMmandla oneeReyithi zoPhuculo lweNdawo; okanye
- (d) lwenkonzo yokhuseleko;

apho uphawu lokunokuqulatha kuphela igama, ilogo, idilesi nenombolo yomnxeba yenkqubo okanye inkonzo ebonelelwayo ekhankanywe ngentla.

**“Iimpawu ezikiNdawo yokuTha Amafutha eZithuthi”** ithetha iimpawu ezingaxhaswanga nganto kwigaraji zokugalela ipetroli, iindawo zokuphumla nokusevisa neempawu ezixhonywe kwipali.

**“Uhlolo lweFuthe loPhawu”** (SIA) luthetha uhlobo olwenzelwa ukuqonda ukuba uphawu ekucetywa ukuba luxhonywe aluzi kuba nafuthe libi na kwindawo eliza kuba kuyo, nokuba kukwizinto ezenziweyo okanye eziziezendalo ezibandakanya phakathi kweminye imiba ifuthe kwezentlalo, kwizinto ezibonwayo, kwilifa lemveli nokuhamba kwezithuthi ngenxa yolo phawu lucetywayo.

**“Iplani yoPhawu oluza kwenziwa”** ithetha ukungeniswa kwemizobo, itekisi, nohlobo oluza kubonakala ngalo uphawu olo, indawo eluza kuba kuyo, amalungiselelo, ukhanyiso lwalo nedizayini yeempawu eziza kuxhonywa kunye/okanye iimpawu esele zikhona kwizakhiwo okanye kummandla othile.

**“Ivenkile”** ithetha isakhiwo esisetyenziselwa urhwebo okanye ukuthengisela.

**“Uphawu”** olubandakanya, kodwa olungaphelelanga kwezi zinto zilandelayo:

- (a) into;
- (b) isakhelo;
- (c) umfanekiso ozotywe edongeni;
- (d) ikopi yemveliso;
- (e) ilogo;
- (f) isixhobo okanye ibhodi;
- (g) iPowusta;
- (h) iBhena; okanye
- (i) Ibhena exhonywe kwipali yombane

olusetyenziselwa ukubonisa intengiso, okanye oluqulethe intengiso, okanye lona eliyintengiso yaye "ibhodi yophawu" inentsingiselo ehambelana nale.

**“Isakhelo sophawu”** ithetha nasiphi isakhelo okanye inxalenye yaso, esibandakanya, kodwa esingaphelelanga kumgubasi, isitendi, ipali, ifabriki, ibhodi, izinto zokubopha, iibrakethi okanye isixhobo sokukhanyisa uphawu, esisetyenziselwa ukuxhasa okanye ukubonisa uphawu, nokuba oko ngowona msebenzi waso okanye asinguwo yaye "isakhelo sokubeka intengiso" sinentsingiselo ehambelana nale.

**“Isiphambuka esineerobhothi”** ithetha isiphambuka esilawulwa ziirrobhoti zendlela.

**“Uphawu olusesibhakabhakeni”** luthetha uphawu apho uphondo oluphezulu lwayo lungaphezulu kobude bophahla apho lugxunyekwe khona.

**“Uphawu oluxhaswe ngezimali”** luthetha uphawu, olunjongo yokuqala ingekuko ukuthengisa iimpahla okanye iinkonzo kodwa olubonisa umzobo okanye okanye izinto eziphakamisa izinto ezenziwa luluntu izinto ezifuna ukuphunyezwa luluntu lwendawo.

**“Iimpawu zamagama esitrato”** ithetha iimpawu ezisepalini, ezimacalamabini, ezikhanyiswe ngaphakathi okanye iimpawu ezingenasikhanyiso ezingadluli kwi1m<sup>2</sup>, eibandakanya intengiso kunye namagama ezitrato.

**“Ifenitshala yesitrato”** ithetha izibonelelo zeSixeko kunye nezakhiwo ezingalungiselwanga ukusetyenziselwa ukuthengisa yaye ziquka kodwa zingaphelelanga kwizitulo zokuhlala, izinto zokutyala izityalo, indawo yokulahlela inkunkuma, iindawo zokulahlela inkunkuma eziqatyeliswe epalini, iindawo zokulindela ibhasi, iindawo iindawo ezinewi-fi, iimephu ezineenkcaza nezinto ezilawula iirobhoti zeeendlela, iibhokizi zombane, kodwa ayibandakanyi iimpawu zeendlela, iirobhoti zendlela, iipali zezibane ezisezitratweni, okanye izinto ezilungiselelwe iindlela.

**“Ibhungana”** lithetha ibhungana lenqila elimiselwe ngokwecandelo 3 loMthetho kaMasipala weSixeko saseKapa: waMabhungana aseKapa, 2003 njengoko wenziwe izilungiso.

**“Umsebenzi wezandla woluntu wethutyana”** ithetha umfanekiso okanye izinto ezidizayiniweyo ezibekwe kwindawo yoluntu yaye ungazintlobo ngeentlobo, obandakanya, kodwa ongaphelelanga kwimikrolo, imizobo, imzobo esemadongeni, umsebenzi womdongwe noweehlasi, ukuzoba emihlabeni, ukufota neteknoloji edijithali.

**“Iimpawu zethutyana”** zithetha iimpawu ezithi ziboniswe ixesha elingangentsuku eziyi-14, okanye nasiphi na isithuba esamkelwe siSixeko xa kufakwe isicelo soko.

**“Ububanzi”** bophawu oluprojekthayo, buthetha ububanzi bolo phawu obumetwe kuphahla lwendlu oluxhonywe kulo olo phawu.

**“Intengiso yeqela elithile”** ithetha uphawu oluthengisa izinto neenkonzo ezingaveliswa, ezingathengiswa ezingenziwa okanye ezingabonelelwa kwipropati ekubekwe kuyo uphawu lwentengiso yaye oku kubandakanya intengiso engeyoyammandla othile.

**“Uphawu olumbolontathu”** luthetha uphawu oluqulathe ngaphezu kweemilo ezi2, kubandakanywa neemveliso ezizikopi zeemveliso zokuqala.

**“Uhlolo lweFuthe lwePhawu ekuHambeni kweZithuthi”** (TIA) ithetha uhlolo olwenziwa yiNjineli yokuHamba kweZithuthi ebhaliswe ngokusemthethweni enamava obunjineli bokuhamba kwezithuthi ezindleleni, ophanda ifuthe luphawu olucetywayo olunokuba nalo kubaqhubi/abahambengeenyawo/abaqhubizibhayisekile nokhuseleko kunye nokuhamba kwezithuthi ezindlela ngokwezikhokelo zeSixeko zeentengiso ezixhonywe ngaphandle kwizakhiwo nakwiipali ezimane zipapashwa siSixeko amaxesha ngamaxesha.

**“Uphawu lwendlela”** luthetha uphawu lwendlela njengoko luchaziwe kwiNational Road Traffic Act, 1996 (Umthetho 93 wango1996).

**“Irobhoti yendlela”** ithetha irobhoti yendlela njengoko ichaziwe kwiNational Road Traffic Act, 1996 (Umthetho 93 wango1996).

**“Intengiso ejikeleza iindawo”** ithetha ukuthengisa ngokubeka uphawu kwisithuthi esihambayo nokuba eso sithuthi senzelve oko okanye sakhiwe ukuba nje sikhwelise olo phawu, kuqukwa iinqwelo ezirhuqwayo ezisetyenziselwa ukuthengisa.

**“Irenki nezitishi zezithuthi”** zithetha iindawo ezichongwe njalo siSixeko, apho utshintsho lwezinto zokukhwela zikawonkewonke luthi luqhubeke khona, iquka, kodwa kungabhekisi kuphela kwizikhululo zikaloliwe, kwiindawo ezisemthethweni zokulindela itekisi kunye neendawo zebhasi.

**“Intengiso ekwisithuthi”** ithetha intengiso ekwisithuthi esihambayo, ingakumbi ezo zihamba emhlabeni, ebandakanya, kodwa engaphelelanga kwiibhayisekile, iitekisi, iibhasi, nezithuthi ezihambisa izinto kodwa ezingabandakanyi izithuthi ezenzelwe ukwenza intengiso ikakhulu.



**“Iveranda”** ithetha indawo enophahla engaphandle kwesakhiwo, ehambelana nomgangatho wesakhiwo, yaye ibandakanya ikhenopi evaliweyo kunye nezivalo zelanga.

**“Iimpawu ezisezifestileni”** ithetha iimpawu zommandla othile eziipeyintiweyo isigxina okanye okwexeshana, ezityatyekiweyo, ezincanyathiselweyo ekubhalwe kuzo okanye eziboniswe ngaphaya kweglasi yefestile yevenkile okanye yeeyunithi zamashishini, zeeofii, zeefemu okanye zeendawo zolonwabo apho iimpawu ezisezifestileni zingadluleli ngaphaya kwefreyimu yefestile, iibha zefestile nezituphu zeefestile ezo zibekwe kuzo.

## 2. IINJONGO ZALO MTHETHO KAMASIPALA

Iinjongo zalo Mthetho kaMasipala kukwenza oku—

- (1) kukubeka imigaqo elawula iintengiso ezixhonywe ngaphandle kwizakhiwo nakwiipali kummandla weSixeko saseKapa ukuqinisekisa ukuba kuhlonitshwa isidima sesiza ngasinye ekuxhonywe kuso uphawu kwanokuba ezi mpawu zingabi nafuthe libi kwinkangeleko yendawo ezixhonywe kuzo. Kulo mba, into ezinikwa ingqwalasela ephambili zizinto ezibonwayo ngamehlo, yindalo nezinto ezisingqongileyo. nezinto ezililifa lemveli;
- (2) kukudala amathuba oqoqosho ngokuphucula nokwenza lula indlela yokuqhuba ushishino neSixeko, ukucutha imithetho engqongqo nokubonelela ngeempawu ezingadingi ukufakelwa izicelo phambi kokuba zixhonywe;
- (3) ukuhoya isithuba esivulwe kukusetyenziswa kweteknoloji yedijithali yeempawu ezielektroniki nokukhuthaza ukusetyenziswa kwale teknoloji;
- (4) ukuchonga imimandla yolawulo ekuufuneka kujongwe imiba yohlobo lophawu emalusetyenziswe, uphawu ngokwalo nendawo emalubekwe kuyo; kunye
- (5) nokubeka imiqathango emayilandelwe nenkqubo emayisetyenziswe xa kufunwa imvume yophawu lweentengiso ezixhonywe ngaphandle kwizakhiwo nakwiipali kwiSixeko saseKapa.

## 3. IIMPAWU EZINGACHATSHAZELWAYO NGULO MTHETHO KAMASIPALA

Ezi mpawu zilandelayo azidingi imvume yeSixeko ngokwalo Mthetho kaMasipala:

- (1) Iimpawu ezinikeza ulwazi ezikwaziimpawu zendawo yokufikela abakhenkethi njengoko kuchaziwe kwi*Southern African Community Road Traffic Signs Manual* (SADC RTSM) ne*South African Road Traffic Signs Manual* (SARTSM).
- (2) Iimpawu ekufuneka zibonisiwe ngokwemiqathango yomthetho, kubandakanywa iimpawu zeendlela ezixhonywe ngokwemiqathango yawo nawuphi umthetho.
- (3) Iibhodi zeeprojekthi zesebe lemisebenzi yoluntu leSizwe lePhondo neleMimandla.
- (4) Iimpawu ezingabonakaliyo kwindawo kawonkewonke ephandle.
- (5) Iimpawu ezibekwe ngaphakathi kwindawo evaliweyo efana nebala lemidlalo okanye kwiindawo zoobhazabhaza beevenkile.
- (6) Intengiso esezimpahleni.
- (7) Iiflegi zesizwe ezibekwe kwiipali zeeflegi ezifanelekileyo, ukuba ngaba akukho intengiso ifakelelweyo kwipali okanye kwidizayini yeflegi.

- (8) Imifanekiso ezotywe emadongeni engathengisi nto okanye engeyompawu ngokunokwayo yaye eyamkelweyo ngokwemiqathango yenkqubo yeemvume yemifanekiso yoluntu yeSixeko.
- (9) Iimpawu ezichaza ngomzi womntu, inombolo yesitrato okanye igama lesitrato kuphela.

#### 4. IIMPAWU EZINGAVUMELEKANGA NGOKWALO MTHETHO KAMASIPALA

Ezi mpawu zilandelayo azivumelekanga ngokwalo Mthetho kaMasipala:

- (1) Iimpawu ezibekwe kwiinqaba (iithawa), ezibandakanya, kodwa ezingaphelelanga, kwiithawa zokupholisa, ezamanzi kunye neethawa ezisezifama zokugcina imbewu; kwiikhreyini, kwigentri, kwiipali zonxibelelwano nakwiipali zombane.
- (2) Iimpawu ezibekwe ebhulorhweni ngaphandle kwaxa iluphawu lomsitho wethutyana apho iindlela zivaliweyo yaye imvume ifunyenwe ngokwemiqathango yeSixeko yeenkqubo zeemvume zokubamba imisitho.
- (3) Iimpawu neemveliso zemisitho yoshishino kubandakanywa ebonisa izinto zayo, emakethayo nephehlelela iimveliso neenkonzo ezibonelelwayo okanye ezihanjiswa zisuka kumhlaba weSixeko nakwizakhiwonezibonelelo zaso.
- (4) Izikrini ezielektroniki, oomabonakude nemonitha zeekhompyutha ezibonakala kuyo nayiphi indawo kawonkewonke ngaphandle kwak umsitho wethutyana apho iindlela zivaliweyo yaye imvume ifunyenwe ngokwemiqathango yeSixeko yeenkqubo zeemvume zokubamba imisitho.
- (5) Iintengiso ezizulayo, iibhodi ekuhanjwa nazo eziqulethe iintengiso neempawu eziphathwa ngesandla.
- (6) Iimpawu ezixhonyelwe intengiso yoshishino okanye ezisebenzisana—
  - (a) needrowuni ezilawulwa ngerimowuthi okanye neenqwelontaka ezizimodeli;
  - (b) naziphi izikhitshana neenqanawe ezisemanzini kummandla okunxweme; kunye
  - (c) neetreyila, ngaphandle kwezo kubhekiswe kuzo kwiShedyuli 15,

ukuba ziyabonakala kuyo nayiphi indawo kawonkewonke, nokuba uphawu kuhanjwa nalo okanye lugxunyekiwe.

#### 5. UKUNGENISWA KWEZICELO

- (1) Ngaphandle kweempawu ekubhekiswe kuzo kwicandelo 12, akukho mntuuya kubonisa nayiphi intengiso okanye axhome okanye asebenzise naluphi uphawu okanye isakhelo sophawu lokwenza intengiso ngaphandle kwemvume yalo Mthetho kaMasipala nangokwemiqathango yemithetho echaphazelekayo.
- (2) Wonke umntu oneenjongo zokubonisa uphawu olutsha okanye ukutshintsha okanye ukongeza uphawu olukhoyo olusele lwamkelwe; okanye ofuna ukufaka isicelo sophawu okanye esiplani yophawu ekuza kusetyenzwa ngayo ngokwalo Mthetho kaMasipala, okanye ofaka isicelo sesakhiwo sethutyana njengoko kuxeliwe kwimiqathango yeNational Building Regulations and Building Standards Act, 1977 (Umthetho 103 wango1977), oqinisekisa ukhuseleko lophawu olucetywayo kunye neziseko eziluxhasayo, uya kufaka isicelo esibhaliweyo okanye asithumele nge-elektroniki kwiSixeko kwifomu yesicelo exeliweyo ekufuneka ikhatshwe zezi nkukacha zilandelayo—

- (a) Iplani yendawo ebonisa indawo apho kucetywa ukuba uphawu luza kuthi lwakhiwe kuyo okanye luboniswe khona, kumgamai ongekho ngaphantsi kwe1:200 ebonisa kakuhle nangokuchanekileyo indawo yophawu kunye nesakhiwo, ukuba sikhona, apho luza kuncanyathiselwa khona yaye ibonise sonke isakhiwo kunye neempawu ezikhoyo kweso siza kunye nomhlaba osacetywayo, iirobhothi zendlela neempawu zeendlela, neendawo ezinemigqaliselo, zophawu okanye uphawu ngokubhekisela kumda webala, nemigomo evunyiweyo yommandla okhoyo kunye neendawo ezikuzo izitalato ezingqonge isiza.
- (b) Umzobo, ovumelana nemiqathango neemfuno zeNational Building Regulations and Building Standards Act, 1977 (Umthetho 103 wango1977) ube uneenkukacha ezaneleyo eziza kwenza ukuba iSixeko sikwazi ukuqwalasela inkangeleko yophawu oqulethe zonke iinkukacha zolwakhiwo, kubandakanywa inkcazo ngemathiriyeli eza kusetyenziswa ukwenza uphawu, imibala eza kusetyenziswa, kwanokuba ingaba uphawu luza kuba nezibane ezilukhanyisayo; yaye ukuba uphawu luza kulayita, iplani mayibonise ukuba ingaba uphawu olo lwele-electroniki yaye, ukuba kunjalo, makunikwe iinkukacha eziphelelyo ngokwecandelo 5(2)(i) elilapha ngezantsi.
- (c) Umzobo ekubhekiswe kuwo kwicandelo 5(2)(b) apha ngentla uya kubandakanya iinkukacha zolo phawu kwiskeyili esingekho ngaphantsi kwe1:50 nesiza seplani esibonisa indawo oluza kuba kuyo uphawu kwisiza eso kwiskeyili esingekho ngaphantsi kwe1:200.
- (d) Xa imifanekiso esisigxina ekuphawu yeqela eyamkelweyo okanye uphawu oludizayinelwe imeko iza kutshintsha nanini na ngeli thuba inikezwe imvume lokusetyenziswa, umzobo omtsha kufuneka uphinde ungeniswe kwiSixeko ukuze kuhlolwe ukuba olo phawu lusayithobela na imiqathango yokuqala yemvume, phambi kokuba luye kuxhonywa.
- (e) Xa imifanekiso yophawu oluza kusebenza kummandla othile, nokuba umzobo lowo uyangenelela okanye awungeneleli, iza kutshintsha nanini na, akukho luhlolo ludingekayo okanye mvume ibhaliweyo idingekayo kwiSixeko phambi kokuxhonywa kolo phawu.
- (f) Ukuba ngaba uphawu liza kuncanyathiselwa okanye luboniswe eludongeni okanye kudonga lwesakhiwo, iSixeko sinokuthi sifune ukuba kunikwe umzobo ongomnye obonisa ubume besakhiwo ngokombala, iinkukacha kunye nendawo yophawu olwandululwayo kunye nenkukacha kunye nendawo yophawu olukhoyo kwisakhiwo esizotywe kuluhlu olungekho ngaphantsi kwe1:100, okanye iSixeko sinokuthi sifune umbhalo onemibala okanye umfanekiso womzobi okanye umfanekiso owenziwe yikhompyutha, yendlela esiza kubonakala ngaso isakhiwo xa ngaba uphawu olo lwenziwe kulo mzobo yaye luzotywe lube kufutshane kakhulu noluhlu lomzobo lowo xa usele ugqityiwe.
- (g) ISixeko singacela imizobo eyongezelekileyo, izibalo nezinye iinkukacha ezidingekayo ukuze iSixeko sibone ukuba kukho amanyathelo awaneleyo na okukhusela, okuncamathisela okanye okuxhasa uphawu olucetywayo, intengiso, okanye lbhilibhodi nokukwazi kwalo ukumelana nemithwalo enokuthi uphawu, intengiso, okanye lbhilibhodi ihlangane nayo nokkhuseleko xa izinto zingahambanga ngandlela.
- (h) Ukuba umfakisiselo asingomnini obhalisiweyo wepropati ekuza kuxhonywa kuyo uphawu, umfakisiselo uya kufumana utyikityo lomnini obhalisiweyo

okanye abanini bomhlaba okanye abesakhiwo ekuza kuxhonywa kuso uphawu okanye igunya kuloo mnini elichazayo ukuba liyawazi lo mba yaye linikeza imvume kwisicelo.

- (i) Ukuba uphawu olucetywayo luphawu oluelektroniki okanye olukhanyiswe ngaphakathi, kuya kudingeka ezi nkukacha zilandelayo—
- (i) iinkukacha ezipheleleyo zezakhelo, ufakelo neenkcazelo ezipheleleyo ngesikrini esielektroniki ekufuneka ziboniswe kumzobo;
  - (ii) ukuba lungaphezu kwe4.5m<sup>2</sup>, isicelo sonyenyiso ukuze kunyuswe isayizi ngokwecandelo 8(4)(h) kufuneka sifakwe kunye nesicelo sophawu;
  - (iii) kulo naluphi uphawu olungaphezu kwe4.5 m<sup>2</sup>, iSixeko singafuna ukuba kufakwe uHlolo lweFuthe loPhawu, Uhlolo lweMithombo yeZinto ezililifa leMveli, uHlolo lweFuthe lwePhawu ekuHambeni kweZithuthi okanye naluphi olunye uHlolo lweFuthe iSixeko esibona ludingeka, olwenziwa ngumntu olufundelayo okanye owenza lo msebenzi yaye olo hlolo kufuneka luze nezindululo zamanyathelo anokudingeka ngenxa yefuthe eliboniweyo.
- (j) Ukuba uphawu olucetywayo okanye nayiphi inxalenye yalo okanye iikhanyisi salo singenelela kwenye ipropati okanye iipropati, kudingeka imvume yomnini okanye abanini bezo propati ingenelela kuzo yaye lo mvume kungafuneka icelwe naxa olo phawu okanye eso sikhanyisi singenelela kwipropati yeSixeko.
- (k) Kwimeko okanye ezenzelwe amaqumrhu angenzi nzuzo, kufuneka kufakwe ubungqina obubhaliweyo bequmrhu elingenzi nzuzo nobungakanani benkxaso eza kufunyanwa ngokuxhoma nokubonisa olo phawu.
- (l) Amaxwebhu afunekayo ngokwecandelo 5(2)(a) ukuya kutsho ku(c) lapha ngentla, angangafunwa okanye atshintshwe siSixeko ngokwezi mpawu zilandelayo;
- (i) lipowusta ezinemihlathi eyintloko yamaphephandaba;
  - (ii) libhena, iiFlegi, iiBhaluni, izinto eziVuthelwayo, neebhena ezixhonywe kwiiipali zombane;
  - (iii) lipowusta;
  - (iv) limpawu zokumaketha ezikhomba ipropati neempawu zethutyana zokuMaketha iPropati ukuya kuma ku0.3m<sup>2</sup> ngokobungakanani; kunye
  - (v) Neempawu eziphathwa ngesandla,

emaziboniswe ngokwemiqathango yeeShedyuli, 9, 10, 11, 12 no13 ngokweemfuno ezichazwe kuzo.

## IZINTO EZIQALA ZIJONGWE

### (3) Iizinto emazijongwe phambi kokufaka isicelo noluhlu lokuphelela kwazo

- (a) Izicelo zeeshedyuli 2 ukuya ku17 ezingentlobo zeempawu, nezo zingathobeli imiqathango exelwe kwicandelo 12 ziya kuhliwa amahlongwane, phambi kokubalwa kwemali emayihlawulwe, nkqubo leyo enamanqanaba ngamanqanaba.
- (b) Izicelo kufuneka zipase inkqubo yezinto ezijongwayo kuqala yaye zibe zifakiwe zonke izinto ekufuneka zifakiwe phambi kokuba kuproseswe isicelo.
- (c) Njengenqanaba lokuqala lamanqanaba amaninzi, isicelo siya kuhliwa amahlongwane, phambi kokubalwa kwemali emayihlawulwe, ukujonga ukuba—
- (i) siphelile yaye sithobela iimfuno ezibekiweyo njengoko zichaziwe kumacandelo 5 no7;
  - (ii) sithobela iimfuno yawo nawaphi amacandelo neeshedyuli ezichaphazelekayo;
  - (iii) siyangqubana nemiqathango yalo Mthetho kaMasipala kodwa sinako ukulungiseka; yaye
  - (iv) saphula imiqathango yalo Mthetho kaMasipala engenakungasetyenziswa yaye asinakho ukulungiseka.
- (d) ISixeko kufuneka, kwiintsuku ezisi7 zokufumana isicelo sazise umfakisicelo—
- (i) ngesiphumo senkqubo yokuhlola izinto ezidingekayo nokuphelela kwazo;
  - (ii) izinto ezingachanekanga ekufuneka zilungiswe; kunye
  - (iii) neenkukacha ezongezelelekileyo okanye ezishotato ezifunwayo.
- (e) Umfakisicelo makalungise izinto ezishotayo kwisicelo aze abonelele ngolwazi olongezelelekileyo oludingwa siSixeko kwiintsuku ezingama21 zokufumana isaziso sesiphumo senkqubo yohlolo nokujonga ukuphelela kwezinto ezifunwayo.
- (f) Isicelo azisi kuthathwa njengesiphelileyo ngaphandle kokuba sibe sipase inqanaba lohlolo nokujonga ukuphelela kwezinto ezifunwayo.
- (g) Lakuba lipasiwe inqanaba lokuhlolwa kwezinto emazifakwe nokujonga ukuphelela kwezinto ezifunwayo kwaze oko kwaqinisekiswa siSixeko ngembalelwano, kwaze kwakhutshwa neinvoyisi yentlawulo yeso sicelo, isicelo siya kuthi siproseswe. Ukuba imali yesicelo ayihlawulwanga kwiintsuku ezingama21 zekhalenda yeinvoyisi enikeziweyo, isicelo siya kubuyiselwa kumfakisicelo yaye isicelo sivalwe.
- (h) Apho isicelo sisophula imiqathango engenakungalandelwa yalo Mthetho kaMasipala ngokwecandelo 5(3)(c)(iv) elilapha ngentla, siya kukhatywa yaye kuya kuthi kwaziswe umfakisicelo.

- (i) Apho isicelo singapasi inqanaba lokuhlolwa kwezinto emazifakwe nokujonga ukuphelela kwezinto ezifunwayo ngokwecandelo 5(3)(d) (ii) okanye (iii) elilapha ngentla, ngenxa yezizathu zezinto ezishotayo ekufuneka zilungisiwe okanye iinkcukacha ezongezelelekileyo ezifunwayo, umfakisicelo mawulungise izinto ezifunwayo okanye ufake iinkcukacha ezongezelelekileyo ezifunwayo kwiintsuku ezingama21 zokwaziswa ngesiphumo seli nqanaba lokuhlolwa kwezinto emazifakwe nokujonga ukuphelela kwezinto ezifunwayo.
- (j) Ukupasa inqanaba lokuhlolwa kwezinto emazifakwe nokujonga ukuphelela kwezinto ezifunwayo siSixeko akunyanzelisi iSixeko ukuba samkele isicelo esisekweni sophawu olufakelwe isicelo kananjalo asithembisi ukuba isicelo siza kuvunywa.

**Izicelo ezipase inqanaba lokuhlolwa kwezinto emazifakwe nokujongwa kokuphelela kwezinto ezifunwayo**

- (4) Noxa kukho imiqathango yamacandelo 5(6) no(7) alapha ngezantsi, iSixeko singathi nanini na sifune ukuba kufakwe uHlolo lweFuthe loPhawu, Uhlolo lweMithombo yeZinto ezililifa leMveli okanye uHlolo lweFuthe lwePhawu ekuHambeni kweZithuthi, okanye naluphi olunye uHlolo lweFuthe iSixeko esibona ludingeka. Olo hlolo—
  - (a) kufuneka lwenziwe ngabantu abawufundeleyo lo msebenzi okanye abawenzayo;
  - (b) kufuneka luze nezindululo zamanyathelo anokudingeka ngenxa yefuthe eliboniweyo; yaye
  - (c) lungadingwa siSixeko ukuba phambi kwalo kuqale kujongwe uludwe lwezinto ezililifa lemveli, izinto ezibonwayo nokhuseleko lwezothutho.
- (5) Ukuba ngokokubona kweSixeko, uluntu okanye inxalenye yalo, okanye umntu angachatshazelwa luphawu olucetywayo, iSixeko singamazisa loo mntu ngembalelwano malunga nesicelo eso okanye kucelwe ukuba ibe ngumfakisicelo owenza oko aze anikwe iintsuku ezingama21 ukuba anike iSixeko into ebhaliweyo. ISixeko singathi kananjalo sifune ukuba kubekwe isaziso kwisiza ekuza kuxhonywa kuso nakumaphephandaba engingqi ukuze kucelwe uluntu olunomdla ukuba luvakalise izimvo zalo.
- (6) ISixeko kufuneka sazise umfakisicelo ngezidingo ezongezelelweyo esinazo, kwiintsuku ezingama21 zomhla wokungeniswa kwesicelo nasemva kwentlawulo yemali yesicelo.
- (7) Umfakisicelo kufuneka angenise izidingo ezongezelelweyo kwiSixeko kwiintsuku ezingama21 emva kokwaziswa ngezo mfuno zongezelelekileyo, ukuba ngaba eso sithuba sinokongezwa ngokwesicelo somfakisicelo apho uphando olongezelelekileyo okanye iinkcukacha ezikhethekileyo ziza kudinga ixesha.
- (8) ISixeko siya kugcina ikopi yoxwebhu ngalunye olufakwe njengenxalenye yesicelo.
- (9) Kwimeko yesicelo sophawu, kubandakanywa isakhelo sophawu esingaphezu kobungakanani, ubude nobunzima ngokweTheyibhile 1 elapha ngezantsi, eso sakhelo sophawu sithathwa njengesakhiwo sethutyana yaye isicelo kufuneka sifakiwe yaye nemvume kufuneka ifunyenwe ngokwemiqathango yeNational Building Regulations and Building Standards Act, (Umthetho, 103 wango1977) kwisakhiwo sethutyana.

**ITHEYIBHILE 1. IIMPAWU EZIDINGA IMVUME YESAKHIWO SETHUTYANA NGOKWEMIQATHANGO YEZAKHIWO YESIZWE**

UHLOBO LOPHAWU	UBUDE	UBUNZIMA	ISAYIZI	IIMFUNO
<b>ISHEDYULI 2 &amp; 3</b> libhilibhodi zamaqela neempawu ezizibhodi ezingaxhaswanga ezikummandla othile	> 2.4m bubonke	$\geq 25$ yeekhilogramu	$\geq 4.5m^2$	Emva kokuqeshwa kweNjineli yobuMe beZakhiwo
<b>ISHEDYULI 4</b> limpawu ezisicaba, ezivelelelayo neziprojekthiweyo ezisezifestileni	N/A	$\geq 25$ yeekhilogramu	$\geq 10m^2$	Emva kokuqeshwa kweNjineli yobuMe beZakhiwo
<b>ISHEDYULI 5</b> limpawu ezisesibhakabhakeni	>1.5m	$\geq 25$ yeekhilogramu	$\geq 4.5m^2$	Emva kokuqeshwa kweNjineli yobuMe beZakhiwo
<b>ISHEDYULI 6</b> limpawu ezixhonywe emaphahleni (zezakhelo kuphela)	>1.5m	$\geq 25$ yeekhilogramu	$\geq 4.5m^2$	Emva kokuqeshwa kweNjineli yobuMe beZakhiwo
<b>ISHEDYULI 7</b> limpawu ezikwiveranda, ibhalkhoni, iikhenophi, iipali zenkxaso nakwiintsika	N/A	$\geq 25$ yeekhilogramu	$\geq 4.5m^2$	Emva kokuqeshwa kweNjineli yobuMe beZakhiwo
<b>ISHEDYULI 8</b> limpawu kumadonga namacingo akwimida, iimpawu ezikwisiza solwakhiwo nakwiBhodi ezikwiSiza solwakhiwo	> 2.4m bubonke	$\geq 25$ yeekhilogramu	$\geq 4.5m^2$	Emva kokuqeshwa kweNjineli yobuMe beZakhiwo
<b>ISHEDYULI 10</b> lintengiso ezikwiibhena, kwiiflegi, kwiibhaluni nakwizinto ezivuthelwayo nakwiibhena ezixhonywe kwiipali zombane	N/A	$\geq 25$ yeekhilogramu	$\geq 10m^2$	Ukuba incanthiselwe kwisikafule – ukuqeshwa kweNjineli yobuMe beZakhiwo

<p><b>ISHEDYULI 12</b></p> <p>Iimpawu zokumaketha ezikhomba ipropati, neempawu zethutyana zokumaketha iipropati (olungaphezu kwe0.3m<sup>2</sup> ngokobungakanani)</p>	<p>&gt;2.4m bubonke</p>	<p>≥25 yeekhilogramu</p>	<p>≥ 4.5m<sup>2</sup></p>	<p>Emva kokuqeshwa kweNjineli yobuMe beZakhiwo</p>
<p><b>ISHEDYULI 16</b></p> <p>Iimpawu ezikumhlaba nakwizakhiwo zeSixeko</p>	<p>&gt;2.4m bubonke</p>	<p>≥25 yeekhilogramu</p>	<p>≥ 4.5m<sup>2</sup></p>	<p>Emva kokuqeshwa kweNjineli yobuMe beZakhiwo</p>
<p><b>Ishedyuli 17</b></p> <p>Iimpawu ezenziwa ziindawo ezingajonganga ngeniso</p>	<p>&gt;2.4m bubonke</p>	<p>≥25 yeekhilogramu</p>	<p>≥ 4.5m<sup>2</sup></p>	<p>Emva kokuqeshwa kweNjineli yobuMe beZakhiwo</p>

**IPLANI YOPHAWU EKUZA KUSETYENZWA NGAYO**

- (10)(a) ISixeko singafuna size samkele iplani yophawu ekuza kusetyenzwa kulo naluphi na uphuhliso, olutsha okanye osele lukhona, apho kuza kuxhonywa kuxhonywa iimpawu ezininzi okanye kufuneka kuqwalaselwe iimpawu ebezixhonyiwe ngaphambili ngokweplani yedizayini phambi kokuba kuhlolwe uphawu ngalunye.
- (b) Iplani yophawu ekuza kusetyenzwa ngayo mayinike iinkcukacha zendawo eluza kuba kuyo, amalungiselelo, uhlobo nedizayini yeempawu eziza kuxhonywa kwisiza esithile okanye kummandla othile. Ngaphezu koko—
  - (i) Umntu onikeze imvume yentengiso, umnini-propati okanye isebe leSixeko elichaphazelekayo nelinoxanduva, kufuneka bangenise iplani yophawu ekuza kusetyenzwa ngayo ebonisa ukuthobela iimfuno zeli candelo.
  - (ii) Iplani ekuza kusetyenzwa ngayo iya kuhlolwa kujongwe iimfuno gabalala nemiba ekulo Mthetho kaMasipala.
  - (iii) Imvume yeplani ekuza kusetyenzwa ngayo inokubandakanya imiqathango ethile echaphazdela ukuboniwa kophawu ekufuneka ukuba ingadluli kwimilo, ubude, amanani, imida yokhanyiso, iimfuno zokonga umbane neemfuno zemithombo engeminye yombane, ubungakanani bexesha lokubonisa okanye isayizi yophawu exelwe kwiplani ekuza kusetyenzwa ngayo.
  - (iv) amaxwebhu afunekayo ecandelo 5(2)(d), (g), (k) no(l) angayekwa siSixeko kumba weeplani zeempawu ekuza kusetyenzwa ngazo.
- (c) Iplani yophawu ekuza kusetyenzwa ngayo kungafuneka ikhe ijongwe luluntu ngokwecandelo 5(5) elilapha ngentla.



## 6. Iintlawulo nemiba gabalala ethi ithathelwe ingqalelo kunikezo lwemvume okanye imiqathango yemvume

### Charges

- (1) Wonke umntu ofaka isicelo kwiSixeko semvume ngokwalo Mthetho kaMasipala kufuneka, xa esenza isicelo, ahlawule kwiSixeko imali yokufaka isicelo exelwe siSixeko ngokwemiqathango eyamkelweyo yeSixeko yeMirhumo neeNtlawulo.
- (2) Xa kunikezwa imvume yophawu lweqela, kufuneka kuhlawulwe imali yokufaka isicelo neyohlolo exelwe siSixeko ngokwemiqathango eyamkelweyo yeSixeko yeMirhumo neeNtlawulo.
- (3) Akukho phawu luya kuxhonywa de imali yokufaka isicelo neyohlolo zibe kube zihlawulwe ngokuphelelyo.
- (4) ISixeko siso esiza kugqiba ngentlawulo yokungenelela komnye umhlaba ngokwemiqathango yeSixeko yeMirhumo neeNtlawulo emana ipapashwa amaxesha ngamaxesha, ehlawulwa xa iiprojekthi zophawu zidlulela ngaphezu kwe50mm kumhlaba weSixeko.

### Imiba gabalala

- (5) Ekuqwalaselweni kwesicelo sokuxhonywa kwentengiso okanye ukuxhonywa kophawu ngokwalo Mthetho kaMasipala, iSixeko siya kujonga le miba ilandelayo—
  - (a) Ummandla wolawulo uphawu olucetywayo oluza kuxhonywa okanye luboniswe kuwo njengoko kuchaziwe kwiShedyuli 1 yalo Mthetho kaMasipala. Kananjalo, ukuba uphawu lubekwa kummandla wolawulo ongaphezulu kommandla omnye okanye ukuba indawo ekuza kubekwa kuyo uphawu olucetywayo ekummandla wolawulo omnye iza kuba nefuthe kummandla wolawulo omelene nalowo, iSixeko singathatha isigqibo ngommandla wolawulo weso sicelo;
  - (b) Uhlobo lwendawo, ubume bomhlaba namathuba entengiso anento yokwenza naloo mmandla wolawulo;
  - (c) Inani leempawu zentengiso esele zixhonyiwe okanye ezicetywa ukuxhonywa kweso siza nakummandla ojikeleze eso siza;
  - (d) Izibane ezikhoyo okanye eziza kuba khona kweso siza;
  - (e) Iziphumo zalo naluphi uHlolo lweFuthe lwePhawu ekuHambeni kweZithuthi, Uhlolo lweFuthe loPhawu, okanye Uhlolo lweMithombo yeZinto ezililifa leMveli ingakumbi iziphumo zokuba ingaba uphawu olucetywayo luya kuba nobungozi kokusingqongileyo okanye ingaba luza kuchaphazela indawo eluxhonywe kuyo okanye iipropati ezithile;
  - (f) Iimpawu zommandla othile kufuneka zihambelane nemithetho yepropati ukuba ngaba olo phawu luza ngaphandle kwaleyo enento yokwenza nokuhlala kwindlu, amagama esakhiwo nemothetho yokusetyenziswa kwesakhiwo;
  - (g) Isiphumo sayo nayiphi inkqubo yokubonisana noluntu malunga nophawu olucetywayo;
  - (h) Imiqathango yamacandelo 7 no8;
  - (i) Ukuthobela, nokukwazi ukuthobela imiqathango engqalileyo emalunga neentlobo zeempawu ezithile ezixelwe kwiiShedyuli 2 ukuya ku17, kunye nemiqathango exelwe kwicandelo 12;

- (j) Apho isakhiwo, isakhelo okanye inxalenye yaso yakhiwe ngohlobo lokuba iSixeko sinezizathu ezibambekayo sokukholelwa ukuba sime ngendlela evumela ukuxhonywa kophawu, iSixeko singabona esoisakhiwo, sakhelo, okanye inxalenye yaso, njengophawu okanye isakhelo sophawu esiwela phantsi kwalo Mthetho kaMasipala, ingalithyalwanga into neminye imithetho ingasebenza kweso sakhiwo okanye isakhelo;
- (k) ISixeko asinakwamkela uphawu okanye intengiso eya kuthi—
- (i) ibe nobungozi kuye nawuphi umntu okanye ipropati;
  - (ii) eya kuba nobungozi kokusingqongileyo okanye kwindawo eza kubekwa kuyo ngenxa yesayizi yayo, ubunzima bayo, ubuninzi bayo, ukhanyiso, umgangatho wedizayini, imathiriyeli, imifanekiso eza kusetyenziswa, indawo eza kuba kubo okanye nangasiphi na isizathi esingesinye;
  - (iii) iza kugquma ezinye iimpawu ezamkelwe ngokwalo Mthetho kaMasipala okanye umthetho obukhona ngaphambili zibe ezi mvume zisasebenza;
  - (iv) eya kuba nobungozi okanye ibe nefuthe elibi kokusingqongileyo, nokuba yintengiso eyenziweyo okanye yeyendalo;
  - (v) iza kugquma izinto ezibonwayo okanye ukupopolwa kommandla kusetyenziswa iikhamera zokujonga okanye izinto ezibunjalo; yaye
  - (vi) iya kubonisa nayiphi imathiriyeli okanye umzobo uya kuthi ungamkeleki kakuhle kuluntu okanye kuluhlu oluthile lwabantu.
- (l) Xa kuqwalaselwa imizobo emitsha yophawu olusisigxina okanye olunedizayini eyenzelwe imeko, iSixeko siya kunika ingqwalasele kwiimeko zokuqala zemvume phambi kokuxhonywa kwalo;
- (m) ISixeko siya kuqwalasela ukuba isicelo siphinde sinikwe imvume ngokwecandelo 10(5)(b) ukuba ngaba olo phawu luthobela imiqathango yalo Mthetho kaMasipala ukusukela ukuqala kwawo ukusebenza ukuze unike enye imvume;
- (n) ISixeko siya kuqwalasela imiba ekubhekiswe kuyo kwicandelo 5(3)(a) ukuya kutsho ku(j) ekuhloleni isicelo esidinga esinye isithuba semvume ngokwecandelo 10(5)(b); yaye
- (o) Nasiphi isicelo esidinga esinye isithuba semvume ngokwecandelo 10(5)(b) kufuneka sihlawulelwe intlawulo yesicelo neyohlolo exelwe kwicandelo 6(1) no(2) elilapha ngentla.

#### **7. IMIBA EBHEKISELE KWIIMPAWU EZITHILE, IIMPAWU EZIXHASWA NGEZIMALI KUNYE NEMIMANDLA YOLAWULO**

- (1) ISixeko siya kuthi, ngaphezu kwakwimiba exelwe kumacandelo 5, 6, no8 simisele imiqathango neemfuno ezingqalileyo zeentlobo zeempawu nendawo ekucetywa ukuba zibekwe kuzo apho isicelo semvume xa kusenziwa isicelo. Imiqathango neemfuno ezichaphazela iintlobo ezithile zeempawu zixelwe kwiShedyuli yalo Mthetho kaMasipala.

- (2) ISixeko siya kusebenzisa neenkqubo ezithile kwizicelo zokuxhonywa kweempawu ngamaqumrhu angenzi nzuzo neempawu ezixhaswa ngezimali zamaqumrhu angenzi nzuzo. Le migangatho nemiqathango ixelwe kwiShedyuli 16 no17.
- (3) Ishedyuli 1 yalo Mthetho kaMasipala iyaxela ukuba imimandla ekunokuvunyelwa kuyoc iintlobo zeempawu ezithile, ezo mpawu zingavunyelwa ngokuxhomekeke kwimvume ngokwalo Mthetho kaMasipala nakwizidingo ezongezelelweyo zohlobo lophawu oluthile njengoko kuxeliwe kwiiShedyuli.
- (4) Kusetyenziswa imimandla yolawulo emithathu kulo Mthetho kaMasipala, ukutsho oko, imimandla yolawulo emikhulu, ephakathi nemincinci. Uqwalaselo lwentengiso ezixhonywe ngaphandle kwizakhiwo nakwiipali neentlobo zophawu lwenziwa kujongwe iintlobo zeempawu ezithile kwimimandla yolawulo ethile. Imiqathango yolawulo isetyenziswa ngokwemvume okanye ukukhatywa kwayo, nangokwemiqathango gabalala neemfuno-gabalala.
- (5) ISixeko singenza ze senze izilungiso kwimephu yemimandla yolawulo apho kuza kuboniswa iintengiso ezixhonywe ngaphandle kwizakhiwo nakwiipali okanye iimpawu;
  - (a) ukusikwa kommandla;
  - (b) kwiindawo esele zizowuniwe kwakhona;
  - (c) apho iindlela zibhengezwe njengeendlela ezinendalo ebukekayo;
  - (d) apho iindlela zichongwe njengezingahanjwayo; okanye
  - (e) naziphi na ezinye iimeko.
- (6) ISixeko singanikeza isaphulelo kwimiqathango yalo Mthetho kaMasipala kwiintlobo zeempawu okanye imimandla yolawulo exelwe kwiiShedyuli 9, 10, 11 no12 siqwalasele—
  - (a) ummandla wolawulo apho ekuza kuboniswa kuwo uphawu/iimpawu;
  - (b) uhlobo lomsitho, ukhankaso okanye iimeko;
  - (c) ubungakanani bexesha lokuxhonywa nokuboniswa kophawu;
  - (d) ubungakanani bophawu olucetywayo;
  - (e) ukhuseleko lwezithuthi, ifuthe lophawu okanye uhlolo lomthombo welifa lemveli; okanye
  - (f) isiphumo sayo nayiphi inkqubo yokubonisana.

#### **8. IZINTO EZIFUNWAYO XA KUSENZIWA UVAVANYO NEMIQATHANGO YESIQHELO YEMVUME**

- (1) Iimfuno nemiqathango equlethwe kweli candelo zisebenza kuzo zonke izicelo neemvume malunga nazo zonke iimpawu, ezibandakanya, kodwa ezingaphelanga kwiintlobo zeempawu ezithile ezixelwe kwiiShedyuli 2 ukuya ku17 nakwicandelo 12. kodwa ukuba ngaba imfuno nemiqathango zichaziwe kwiiShedyuli kuya kusebenza imfuno engqalileyo okanye umqathango ongqalileyo.
- (2) **IMIQATHANGO YESAKHELO**
  - (a) Zonke iimpawu ziya kwakhiwa ngendlela efanelekileyo yaye ziya kukhuseleka yaye apho iimfuno zeNational Building Regulations and Building Standards Act, 1977 (Umthetho 103 wango1977) zisebenza khona, isicelo kufuneka sikhathshwe ziinkcukacha zokuma uphawu njengoko kuxeliwe kwicandelo 5(2)(b).

- (b) nangona kunokunikewa imvume yesakhiwo sethutyana ngokweNational Building Regulations and Building Standards Act, 1977 (Umthetho 103 wango1977), esi sakhelo sophawu, eso sakhelo sophawu singasetyenziswa kuphela ukuba kukho imvume yophawu esebenzayo enikezwe kulandelwa lo Mthetho kaMasipala.
- (c) Iimpawu ezingaphantsi kwe4.5m<sup>2</sup> ngokobungakanani zingadinga ukungeniswa kwefomu yokutyunjwa kweNjineli yobuMe beZakhiwo.
- (d) Umnini wesakhelo sophawu, umnini wemidiya, nomnini wepropati okanye wesakhiwo ekuncanyathiselwe kuso uphawu okanye apho apho luxhonywe khona baya kuba noxanduva lokumenteyina uphawu olo kunye nesakhelo sophawu yaya baya kwenza uhlolo kabini ngonyaka ubuncinane ukujonga ukhuseleko.
- (e) Apho naluphi uphawu luye lukrazuke okanye lonakale okanye lube dlakadlaka, umnini wesakhelo sophawu, umnini wemidiya, okanye umnini wepropati okanye wesakhiwo ekuncanyathiselwe kuso uphawu okanye apho apho luxhonywe khona kufuneka alulungise okanye afake ngexesha elibekwe apho.
- (f) Zonke iimpawu kunye nezixhasi zazo ziya kuthi zakhiwe zomelele, ngezixhobo ezingonakaliyo ezilungele umsebenzi lowo, iindawo kunye nobume bophawu olo.
- (g) Zonke igilasi ezithi zisetyenziselwe uphawu, ezingezizo igilasi ezisetyenziselwa ukhanyiso, kufuneka zibe zikhuselekile ngokuthi zibe nobubanzi obuyi3mm.
- (h) Iphaneli zegilasi ezisetyenziselwa uphawu akufunekanga zidlule ku 0.9m<sup>2</sup> ngokommandla, iphaneli nganye kufuneka ifakwe ngokuchanekileyo kwisiqu sophawu, kwisixhasi okanye kwisixhobo yaye izimele ngokunokwayo.
- (i) Uphawu ngalunye nesixhasi salo ziya kugcinwa zingamashokalanga.
- (j) 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.
- (k) Akukho sakhiwo sentengiso siya kuthi sibe kufutshane nezixhobo zombane kunomgama omncinane oxelwe kwiOccupational Health and Safety Act, 1993 (Umthetho 85 wango1993) nemiqathango ekuwo.

### (3) IIMFUNO ZOMBANE

- (a) 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.
- (b) Lonke uphawu apho umbane usetyenziswe khona, kufuneka lube nengcingo ezifanelekileyo ukukhusela ukuphazanyiswa ngamaza oonomathotholo nawomabonakude.
- (c) Intambo yombane nganye kunye nesihambisi esinezilawuli zombane ezisebenza nophawu, ziya kuthi zibekwe yaye zenziwe zikhuseleke, zingabonakali, zingafikeleleki yaye zikhuseleke ebantwaneni kunye nasezilwanyaneni.

- (d) Umbane ngamnye onamazwa aphezulu ongaphakathi ongananzwanga (njengowophawu olusefestileni) nombane ngamnye onamazwa aphezulu ongaphandle uya kuba neswitshi eyamkelekileyo yabacimimlilo ngokweemfuno ezixelwe kwiSABS 0142 1993 ebhengezwe ngokwemiqathango yeOccupational Health and Safety Act, 1993 (Umthetho 85 wango1993) enokumane isenziwa izilungiso amaxesha ngamaxesha.
- (e) Kwimeko yeempawu ezingenelela komnye umhlaba okanye kumhlaba woluntu, kufuneka kufunyanwe imvume kwisebe leSixeko elichaphazelekayo okanye kubanini balo mhlaba okanye nabani omnye ochaphazelekayo;
- (i) yokusebenza kufuphi nenkonzo esele ikhona okanye ezinye izibonelelo ezikwisiza sophawu olucetywayo; kunye
- (ii) neyokugromba, ukufaka iipali, iziseko okanye ukufaka izikhonkwane kubinzulu obungaphezu kwe150mm emhlabeni kubandakanywa apho iimpawu ziza kuxhonywa kufuphi neentambo zombane;

yaye ezo mpawu kufuneka zithobele imiqathango yokhuseleko yezo mvume.

#### (4) IZINTO EZIFUNWAYO XA UPHAWU LUNESIKHANYISI

Iimpawu ezikhanyisiweyo zingamkelwa ukuba ngaba le miqathango ilandelayo yalo Mthetho kaMasipala iyathotyelwa:

##### **limfuno ezimalunga nokhanyiso nokongiwa kombane**

- (a) Isikhanyi masidizayinwe ngendlela eqinisekisa ukongiwa kombane kubandakanywa enye okanye ngaphezulu kwezi zinto zilandelayo;
- (i) ukusetyenziswa komthombo ongomnye wombane, kubandakanywa umbane otsalwa elangeni okanye emoyeni;
- (ii) izibane ezithatha umbane omncinci nezinto zokudima ezenza oko ngokwazo;
- (iii) lisensara zasemini nasebusuku; okanye
- (iv) liswitshi zexesha ezizisebenzela ngokwazo.
- (b) Iimpawu azinakuba nesikhanyisi xa kungekho mzobo okanye luphawu luboniswayo.
- (c) Iimpawu zethutyana azinakuba nesikhanyisi ngaphandle kokuba zinikwe imvume kwimigaqo esebenza kolo hlobo lophawu okanye exelwe kwishedyuli echaphazelekayo.
- (d) Ukhanyiso alunakuba nezibane ezikhanyisa kukhulu. Ngaphezu koko—
- (i) Yonke imithombo yezibane mayibe nento eyigqumayo.
- (ii) lengile yesithatha mayilawulwe ukunqanda ukhanya okumandla okudlulela ngapha kommandla wophawu lwentengiso.
- (e) Ukuqaqamba kwezibane kwiimpawu ezikhanyisiweyo nezielektroniki makuhambelane nemiqathango yokukhanyisa yaye ilanga elikhanya ngokupheleleyo lingenza ukuba iimpawu ezikhanyiswe ngaphakathi okanye

iimpawu ezielektroniki zikhanye ngokupheleleyo ukuze kube khona ikhontrasti.

- (f) ISixeko singathi nanini na ngexesha lokunikezwa imvume, lithumele isaziso kumninimvume ukuba—
- (i) acuthe amaxesha uphawu elinokukhanyiswa ngawo okanye ukukhanya oko;
  - (ii) kufakwe iisensaea zokukhanya eziva ukukhanya okungangaphandlee; okanye
  - (iii) kufakwa izinto zokudima ezizidima ngokwazo ukuze—
    - (aa) ixesha lokukhanyisa emini libe ngu60% ukuze kukhanye kakuhl;
    - (bb) kucuthwe ukhanyiso lwasebusuku nolwaxa kusibekele lube phakathi kwe2% no10% emini okanye kulawulwe izibane ngezinye iindlela okanye kwehliswe iiwathsi zokhanyiso; okanye
    - (cc) kwenziwe izilungiso, kutshintshwe yaye kulungelelaniswe okanye izinto ezifunwayo xa kukho ukhanyiso lwalo naluphi uphawu ngenxa yezikhalazo ezifunyenweyo siSixeko sokukhanya okumandla okanye into engaphethanga kakuhle abantu ngolu khanyiso lohawu kunye/okanye xa uGunyaziwe weZendlela walo mmandla ebona ukuba olo khanyiso lungadala ingxaki yokhuseleko ezindleleni.
- (g) ISixeko singathi nanini na, emva kokuxhonywa kophawu olukhanyiswe ngaphakathi okanye oluelektroniki, lifune ukuba umnini wolo phawu enze uphando lokufumanisa siSixeko amaxesha ngamaxesha, ze angenise olo phando kwiSixeko. ISixeko singafuna umnini wophawu ukuba atshintshe ukukhanya kophawu ibe lolu hlahlaziyo emva kweziphumo zolo phando.

**limfuno kwiimpawu ezikhanyiswe ngaphakathi neempawu ezielektroniki**

- (h) Iimpawu ezikhanyiswe ngaphakathi nezielektroniki ezinentengiso yommandla othile okanye intengiso yeqela elithile zingaxhonywa kuyo yonke imimandla esezidolophini yolawulo yaye zingaxhonywa ukuya kubukhulu besayizi engu4.5m<sup>2</sup>. Imiqathango yale sayizi ingayekiswa ukuze kunyuswe isayizi, kulandelwa icandelo 5(2)(i)(i) tukuya ku(iii) yaye;
- (i) nasemva kweemvavanyo zefuthe kukhuseleko ezindleleni nakwizithuthi ezisezindleleni, izinto ezililifa lemveli, izinto zabahlali nokusingqongileyo njengoko kunokufunwa siSixeko, ezibonisa ifuthe elinokuba kwisaphulelo eicetywayo kunye nezindulululo zezizathu zelo futhe. Olu hlolo kufuneka lwenziwe ngabantu abawufundeleyo lo msebenzi okanye abawenzayo.
- (i) Isaphulelo esiku(h) olapha ngentla asichaphazeli libhilibhodi. Zona zilawulwa ngokwemiqathango yeShedyuli 2 yaye azinakudlula kwi36m<sup>2</sup> kwiphaneli nganye.
- (j) Iimpawu ezielektroniki azinakuba nezinto ezifleshayo, nemizobo eshukumayo okanye ezinye izinto ezishukumayo kubandakanywa izibane ezifleshayo neephaneli ezijikelezayo okanye iiphaneli ezibunjalo ezibonisa imiyalezo

efleshayo okanye ehambayo okanye zibe nezinto ezishukumayo okanye zibonise umongo omnye oqhubekayo kwiibhodi ezininzi. Kambe ke—

- (i) ISixeko singanikeza isaphulelo kwiimfuno ezikwicandelo 8(4)(j) kwimisitho yethutyana apho kufunyenwe imvume ebhaliweyo kwiSixeko yaloo msitho.
- (ii) ISixeko singanikeza isaphulelo kwiimfuno ezikwicandelo 8(4)(j) kwimimandla eyodwa egqitywe siSixeko njengemimandla apho iimpawu ezielektroniki zinganezinto ezishukumayo emva kokubonisana noluntu ngokweemfuno zeSixeko yaye iSixeko—
  - (aa) kufuneka, xa siqwalasela imvume yalo mimandla, sithathele ingqalelo ifuthe kukhuseleko ezindleleni nakwizithuthi ezisezindleleni, izinto ezililifa lemveli, izinto zabahlali nokusingaqongileyo, kunye nokukwazi kwalo mmandla ukuthwala ezo mpawu;
  - (bb) sibe nenkqubo yokugqiba ngalo mimandla iyodwa; eya kuthi inikezwe imvume yeminyaka esi7 ubuninzi; yaye
  - (cc) sinokuphinda sivavanye ummandla lowo phambi kokuphela kwesithuba semvume eku(bb) apha ngentla ukuze kuqwalaselwe esinye isithuba semvume ukuya kuma kwiminyaka esi7.
- (k) Naluphi uphawu oluelektroniki kufuneka lube neesensara zokhonyo ezimeta ukukhanya kophawu neteknoloji yokukhanya kophawu ukuze kukwazi ukunyenyeseka ngokwamazinga okukhanya.
- (l) La mazinga okukhanya angawona aphezulu akwitheyibhile elapha ngezantsi aya kusebenza kuzo zonke iimpawu zeentengiso apho kuvunyelwe naluphi uhlobo lokhanyiso.

**Iitheyibhile 2: IZINTO EZIFUNWAYO KUKHANYISO**

Ummandla okhanyisiweyo	Olona lukhanyo lumandla
Ngaphantsi kwe0.5m <sup>2</sup>	1000 yokhanyiso kwim <sup>2</sup> ngasinye
0.5 ukuya ku2.0m <sup>2</sup>	800 yokhanyiso kwim <sup>2</sup> ngasinye
2.0 ukuya ku10m <sup>2</sup>	600 yokhanyiso kwim <sup>2</sup> ngasinye
10m <sup>2</sup> okanye nangaphezulu	400 yokhanyiso kwim <sup>2</sup> ngasinye

- (m) Umniniphawu, umnini wemidiya okanye lowo usebenzisa uphawu makabonise esebenzisa imitha yokhanyiso ukuba amazinga okhanyiso akwitheyibhile 2 athotyele xa iSixeko sifuna oko.
- (n) Umniniphawu, umnini wemidiya okanye lowo usebenzisa uphawu kufuneka;
  - (i) xa iSixeko sicela oko, abonelele ngesatifikethi zomntu ozimeleyo nowufundeleyo umsebenzi esiqinisekisa ukhanyo olukuphawu oluelektroniki; aze

(ii) agcine eso satifikethi nengxelo ezikhatshwa siso iinyanga ezintandathu emva kokuthathwa kweerekhodi.

(o) Ukuba ngaba uphawu oluelektroniki okanye nayiphi inxalenye yalo alusebenzi kakuhle, iSixeko singthi sisebenzisa isaziso sothotyelo esibhaliweyo sazise umninimhlaba, umniniphawu, umnini wemidiya okanye lowo usebenzisa uphawu, ukuba olo phawu luyeke ukukhanyisa kwisithuba esixelwe kweso saziso sothotyelo okanye de kulungiswe loo nto yonakeleyo.

**Izinto ezifunwa kukhanyiso lwangaphandle**

(p) Ukukhanya okuphuma kwizibane ezikhulu eziphandle okanye ezinye izixhobo ezibunjalo zalo naluphi na uphawu mazingabonakali kwizithutho ezidlula kolo phawu nokuba ziya kuliphi na icala lendlela, yaye mazingabi yinto edinayo kubantu abahlala kulo mimandla.

(q) Izibane ezikhanyisa ngamandla azinakubekwa endaweni apho ziza kukhanyisa ngokungafanelekanga zibe ngaphaya kommandla wophawu.

(r) Ukhanyiso lwangaphandle maludinywe ngaphandle kokuba aluzi kuchaphazela indawo leyo luyingqongileyo xa kukho esinye isibane esigqunyweyo esosetyenziswayo.

**(5) IIMFUNO ZOKHUSELEKO LWEZITHUTHI EZINDLELENI**

(a) Iimpawu mazingabi sisiphazamisi salo naluphi na uhlobo olubandakanya, kodwa olungaphelelanga, kuphawu lwendlela okanye irobhoti yendlela okanye ziphazamise ukuba abaqhubi bangaboni okuthile endleleni ukuze kungaphazamiseki ukhuseleko nosetyenziso ngendlela eyiyo kweendlela.

(b) Iimpawu azinakuxhonywa kummandla apho uGunyaziwe weNdlela olawula loo mmandla ebona ukuba zisisiphazamisi esingamkelekanga—

(i) kubaqhubi okanye abasebenzisi bendlela; okanye

(ii) apho abaqhubi bajika khona izithuthi zabo okanye apho kudibana khona izithuthi, okanye apho ziya kumacala ahlukileyo okanye apho ziphothana khona.

(c) Iimpawu ezielektroniki zingavunyelwa ukuba ziyabonakala kwindlela eNkulu eyiKlasi 1 xa ngaba ezo mpawu zixhaswa ngembalelwano nguGunyaziwe weNdlela olawula loo mmandla.

(d) Akukho ziimpawu zentengiso ezingaboniswa nezingaxhonywa—

(i) kwiithawa, ezibandakanya, kodwa ezingaphelelanga kwezoku-pholisa nezamanzi;

(ii) kwiisayilo;

(iii) kwiikhreyini;

(iv) kwiipali eziphezulu koohola beendlela;

(v) kwiipali ezisecaleni kwendlela;

(vi) kwiipali zonzibelelwano;

(vii) kwiipayiloni;

(viii) kwizibonelelo zombane;

(ix) kumacingo eesabhusiteyishini; okanye



- (x) kwiibhulorho, ngaphandle kwakumsitho wethutyana apho kuvalwe iindlela yaye imvume yophawu ifunyenwe kwiSixeko.
- (e) Iimpawu azinakuba kwi50m yomda wesiphambuka wendlela esisiphambuka ngaphandle kokuba kufunyenwe imvume ebhaliweyo yoGunyaziwe weNdelela olawula loo mmandla.
- (f) Imizobo yeempawu mayingabi ngathi iluphawu lwendlela, ngayo nayiphi imo, ebandakanya, kodwa engaphelelanga—
- (i) efana nestayili okanye umfanekiso okuphawu lwendlela okanye irobhoti yendlela;
- (ii) naliphi igama, isimboli, ilogo okanye nasiphi esinye isixhobo esikuphawu lwendlela;
- (iii) ukusetyenziswa kwemibala ebekelwe iimpawu zeendlela, enokudidekisa abantu; yaye
- (iv) nayiphi ipeyinti okanye imathiriyeli ereflektayo.
- (g) Iimpawu azinakuncanyathiselwa okanye zigqume uphawu lwendlela okanye irobhoti yendlela ebonelelwe kwimanyuwali iSouthern African Development Community Road Traffic Signs Manual (SADC RTSM) neSouth African Road Traffic Signs Manual (SARTSM).
- (h) Iimpawu azinakuxhonywa kumda wendlela wayo nayiphi indlela kawonkewonke ngaphandle kokuba oko kwamkelwe nguGunyaziwe weNdelela olawula loo mmandla.
- (i) Xa iimpawu zikwindawo eneerobhothim zainakuba nemibala ebomvu, mthubi okanye oluhlaza njengemibala yazo engundoqo yaye azinakuphazamisana nalo naluphi uphawu lwendlela okanye irobhoti yendlela.
- (j) Iimpawu ze-elektroniki eziSicaba azisayi kuvunyelwa kwi 80m yomda wesiphambuka esinemiqondiso yendlela ngaphandle kwalapho ezo mpawu zibekwe kwindawo engaphezu kwe9m kwisakhiwo, xa kumetwa ukususela endleleni kwindawo apho kuza kuboniswa khona uphawu.
- (k) ISixeko singathi, nanini na, emva kokuxhonywa kweempawu ezikhanyiswe ngaphakathi okanye uphawu oluelektroniki, sifune ukuba umnini wophawu enze uphando ngefuthe lophawu ekuhambeni kwezithuthi, ukhuseleko lwezithuthi okanye zombini ngokwemiqathango yobunjinieli okanye nasiphi isikhokelo esiya kukhutshwa siSixeko amaxesha ngamaxesha. ISixeko singafuna singafuna umnini wophawu ukuba atshintshe ukukhanya kophawu ibe lolu luhlaziyiweyo emva kweziphumo zolo phando ngokokuxela kweSixeko ngezizathu zokhuseleko lwezithuthi okanye ngenxa yokumenyezela kolo phawu.
- (l) Ukhanyiso alunakudala into enokuba nobungozi bendlela yaye iSixeko singathi nanini na ngesaziso esiya kumninimvume sifune isikhanyisi esamkelweyo sophawu ukuba sitshintshwe okanye sihlengiswe ukuze kuhoywe iinkxalabo zokhuseleko lwezithuthi ezindleleni.
- (m) Iimpawu ezielektroniki azinakuba nezinto ezifleshayo, nemizobo eshukumayo okanye ezinye izinto ezishukumayo kubandakanywa izibane ezifleshayo neephaneli ezijikelezayo okanye iiphaneli ezibunjalo ezibonisa imiyalezo efleshayo okanye ehambayo okanye zibe nezinto ezishukumayo okanye zibonise umongo omnye oqhubekayo ukuba oko kuyabonakala kwindlela

kawonkewonke ngaphandle kokuba kunikwe isaphulelo soko ngokwecandelo 8(4)(j)(i) okanye (ii).

- (n) Umgomo okanye umyalezo omnye oqhubekayo maawuxhonywa kwiibhodi ezininzi zokubonisa zalo naluphi uphawu oluelektroniki ngaphandle kokuba kunikwe isaphulelo soko ngokwecandelo 8(4)(j)(i) okanye (ii).
- (o) Umboniso omiyo, iimpawu ezihamba kancinci ziya kuba nefreyimu yolwazi olungekho ngaphantsi kwemizuzwana eyi60 xa zingakwiirobhothi ze ibe yimizuzwana eyi15 kwezinye iindawo.
- (p) Uphawu malungothusi okanye luphazamise abasebenzisi bendlela ngenxa yemibala, ukukhanya okanye ikhontrasti.
- (q) Ukutshintsha komnye umyalezo uye komnye kuphawu oluelektroniki makwenzeke ngemizuzwana eyi0.3 yaye umfanekiso wokucima komyalezo awuvumelekanga.
- (r) Iimpawu zamaqela, kubandakanywa zonke iimpawu ezielektroniki, ezingaphezu kwe4.5m<sup>2</sup> ezixhonywe zamelana nendlela kawonkewonke kumzila kaloliwe, ezenzelwe ukubonisa abantu abasebenzisa iindlela, zibe nokubhekelelana nalo naluphi uphawu lommandla othile oluzimeleyo olungaphezu kwe4.5m<sup>2</sup> located kwipropati enye olubonisa iinkcukacha ezingaphelalanga nje kwigama neenkukacha zoqhagamshelwano zabantu abahlala kuloo propati okanye naluphi uphawu lwendlela, lo mgama uyakuthi ulinganiselwe unxuse umda ophakathi kwesango lwendlela ngokweTheyibhile 3 elapha ngezantsi.

**ITHEYIBHILE 3: ISITHUBA ESIPhakathi kweempawu**

Imo	Umgama ofunekayo xa uphawu lubonakala kwizithuthi ezisendleleni kwindlela enesantya esingu:		
	< 60 km/h	61–80 km/h	81–120 km/h
Apho uphawu lwentengiso lulandela uphawu lwendlela	380m	425m	475m
Apho uphawu lwentengiso lulandela uphawu lwentengiso	310m	360m	410m
Apho uphawu lwentengiso luphambi kophawu lwendlela	40m	70m	100m

- (s) ISixeko okanye uGunyaziwe weNdelela olawula loo mmandla angathi—
  - (i) aqwalasele isicelo zokucutha umgama obekwe kwiTheyibhile 3; yaye
  - (ii) angafuna ukuba umfakisicelo anike izizathu zolo cutho ngokuthi kwenziwe lwefuthe ifuthe kukhuseleko ezindleleni nakwizithuthi ezisezindleleni, ngabantu abawufundeleyo lo msebenzi okanye abawenzayo. Uhlolo lwefuthe malwanelise iSixeko kunye/okanye uGunyaziwe weNdelela olawula loo mmandla ngokwenkqubo

exelwe siSixeko kunye/okanye uGunyaziwe weNdlala olawula loo mmandla.

- (f) linkcukacha ngommandla othile neempawu zamaqela ezingaphezu kwe4.5m<sup>2</sup> ezibonakalayo kubaqhubi abasebenzisa indlela kawonkewonke, ezimetwe “ngokwamasuntwana” eenkcukacha ezibalwe kulandelwa iTheyibhile 4 elapha ngezantsi, azinakudlula kwi15.

**ITHEYIBHILE 4: AMASUNTWANA EENKCUKACHA**

Imiiba yentengiso		Amasuntswana
Amagama	ukuya kuma kwi4 yoonobumba	0.5
	5 ukuya kwi8 yoonobumba	1.0
	ngaphezu kwe8 yoonobumba	2.0
Amanani	ukuya kuma kwi4 yeedijithi	0.5
	5 ukuya kwi8 yeedijithi	1.0
	ngaphezu kwe8 yeedijithi	2.0
lilogo, iisimboli nemifanekiso	angaphantsi kwe9m <sup>2</sup>	0.5
	phakathi kwe9 ne18m <sup>2</sup>	1.0
	phakathi kwe18 ne27m <sup>2</sup>	1.5
	olungaphezu kwe27m <sup>2</sup>	2.0

**9. IIMFUNO ZOMTHETHO**

Zonke iimpawu eziza kuxhonywa okanye ziboniswe kummandla wolawulo lweSixeko kufuneka, ngaphezu kokuthobela lo Mthetho kaMasipala, zithobele yonke eminye imithetho echaphazelekayo.

**10. IMVUME**

- (1) ISixeko singanikeza imvume yaso, kuxhomekeke kwimiqathango, okanye sikhabe nasiphi isicelo esingeniswe ngokwalo Mthetho kaMasipala.
- (2) Noxa kungaba kukho nayiphi imvume enikezwe siSixeko okanye into eyenziwe ngokwalo Mthetho kaMasipala—
  - (a) iSixeko asisayi kuba naxanduva laye nawuphi na umntu ngelahleko, umonakalo, umenxakalo okanye ukubhubha, okanye okuya kuvela, kuhlanganiswe nendlela olo phawu okanye isakhelo sophawu esidizayinwe ngayo, esixhonywe, esiboniswe, esichithwe okanye esitshintshwe okanye imathiriyeli esetyenzisiweyo ukuxhoma olo phawu okanye isakhelo sophawu okanye umgangatho womsebenzi kwidizayini, uxhomo, umboniso, ukuchithwa nokutshintshwa kolo phawu okanye isakhelo sophawu; yaye
  - (b) umnini wophawu okanye wesakhelo sophawu, umnini wemidiya, nomnini wepropati okanye isakhiwo ekuncanyathiselwe kuso uphawu okanye isakhelo sophawu akasayi kukwaphulelwa ekubeni aho ye yaye aqinisekise ukuba olo phawu okanye isakhelo sophawu sidizayinwe, sixhonywe, siboniswe, simenteyinwa, seisetenziselwa okanye sichithwa okanye sitshintshwa ngokwemiqathango yalo Mthetho kaMasipala.

- (3) ISixeko singathi nanini na sirhoxise imvume enikezwe ngokwalo Mthetho kaMasipala okanye umthetho obukhona ngaphambili okanye sitshintshe nayiphi imiqathango okanye songeze omnye umqathango wemvume, ukuba uphawu okanye isakhelo sentengiso—
- siyachithakala;
  - asinanto okanye asisebenzi de kudlule iintsuku ezingama90 ezilandelelanayo;
  - asisathobeli nawuphi umqathango walo Mthetho kaMasipala;
  - sitshintshiwe kakhulu kweso besikwisicelo esamkelweyo ngendlela esime ngayo, umzobo ukhanyiso lwaso; okanye
  - sikumhlaba weSixeko okanye womntu, kwisiza okanye kumhlaba oza kusetyenziswa siSixeko ukwenza into ethile yaye kuloo meko iSixeko asisayi kuba naxanduva lalahleko yengeniso yemali ngenxa yoko.
- (4) Ukuba uphawu olwamkelweyo aluxhonywanga kwiinyanga ezili12 ukususela emva kokufumana imvume okanye ngexesha elibekwe kwimiqathango yemvume, loo mvume iya kuphelelwa ngaphandle kokuba isithuba siye songezwa ngembalelwano siSixeko phambi kokuphela kweso sithuba.
- (5) (a) Nayiphi imvume yentengiso yeqela elithile enikezwe siSixeko ngokwemiqathango yalo Mthetho kaMasipala, ihlala iminyaka esi7, ebalwa ukususela kumhla wemvume.
- (b) Kungafakwa isicelo esitsha phambi phambi kokuphela kweso sithuba semvume, esicelela esinye isithuba semvume ukuya kuma kwiminyaka esi7.
- (6) Ukuba ngaba isakhelo esixhasa uphawu sichithwa ngabom phambi kokuphela kwesithuba semvume, imvume iya kuphelelwa yaye alukho olunye uphawu okanye isakhelo esixhasa uphawu esinokuphinda simiswe apho ngaphandle kwemvume ebhaliweyo yeSixeko ngokwalo Mthetho kaMasipala.
- (7) Kulandelwa icandelo 10(8) elilapha ngezantsi, zonke izigqibo zeSixeko ezimalunga nezicelo ezenziwe ngokwalo Mthetho kaMasipala kufuneka zibe zibhaliwe yaye iSixeko ziya chaza ngesigqibo zingaphelanga—
- iintsuku zekhalenda eziyi70 zomhla wokungeniswa kwesicelo sophawu seqela nasemva kokukhutshwa kweinvoyisi yentlawulo yemali yesicelo;
  - iintsuku zekhalenda eziyi45 zomhla wokungeniswa kwesicelo esipheleleyo sommandla othile uphawu nasemva kokukhutshwa kweinvoyisi yentlawulo yemali yesicelo apho eso sicelo sixhomekeke kwiinkqubo zamaSebe eSixeko;
  - iintsuku zekhalenda eziyi15 zomhla wokungeniswa kwesicelo esipheleleyo sommandla othile esipheleleyo nasemva kokukhutshwa kweinvoyisi yentlawulo yemali yesicelo apho eso sicelo singaxhomekekanga kwiinkqubo zamaSebe eSixeko;
  - iintsuku zekhalenda eziyi10 zomhla wokungeniswa kwesicelo esipheleleyo sophawu lwethutyana okanye isicelo sophawu lomsitho nasemva kokukhutshwa kweinvoyisi yentlawulo yemali yesicelo, okanye
  - iintsuku zekhalenda eziyi7 zomhla wokungeniswa kwesicelo esipheleleyo sepowusta nasemva kokukhutshwa kweinvoyisi yentlawulo yemali yesicelo;
- ukuba ngaba isicelo sifuna izimvo zoluntu okanye iinkcukacha ezongezelelweyo okanye iSixeko sifuna kwenziwe uhlolo, ezi zithuba zingentla zokwenza izigqibo ziyamiswa yaye ziya kuqhubeka emva kokuba kugqitywe inkqubo yezimvo zoluntu okanye xa kubonelelwe ngeenkukacha ezifunwayo siSixeko.

- (8) ISixeko siya kukhupha isigqibo ngala maxesha angentla ukuba ngaba ii-invoyisi ezikhankanywe ngentla zenziwe yaye zaqinisekiswa yaye kwiimeko zezicelo zeempawu zamaqela, siya kukhutshwa xa kuhlawulwe iinvoyisi yemvume neentlawulo zohlolo zenziwe zaqinisekiswa.
- (9) Zonke iimpawu zamaqela kufuneka zibonise ngokucacileyo igama okanye ilogo yomniniphawu nenombolo yesiza yomniniphawu kwisakhelo sophawu.
- (10) Zonke iimvume zeempawu ngaphandle kweempawu zeShedyuli 9, 10, 11, 12 no13, ziya kunikezwa abaninipropati.
- (11) Intlawulo yophawu olungenelela komnye umhlaba kummandla othile neempawu zamaqela ezivelelayo kumhlaba weSixeko kufuneka zihlawulwe qho ngonyaka.
- (12) Ukuba isicelo esingeniswengokwecandelo 5 saliwe ngokwemiqathango yecandelwana 10(1) elilapha ngentla, asikho esinye isicelo esinokuphinda sifakelwe olo hlobo lunye lophawu okanye indawo yokubeka uphawu, isithuba seminyaka emibini ukususela ngomhla wokukhatywa kwesicelo ukuba izizathu zokukhatywa kwaso siSixeko azikatshintshi. Apho kukho utshintsho kwiimeko okanye esinye isicelo sesohlobo olwahlukileyo lophawu okanye indawo yokubeka uphawu, kufuneka kufakwe izizathu ezibhaliweyo kwiSixeko ezibonisa olo tshintsho.
- (13) Umniniphawu kuya kufuneka—
  - (a) asuse nawaphi amabango anokuthi avele esiya kwiSixeko esuka kwelinye iqela ngenxa yokuxhonywa kwalo naluphi uphawu ekuPheleni kweNdlala okanye kuMhlaba weSixeko; yaye
  - (b) abe neinshorensi yeempawu ekubhekiswe kuzo kwicandelo 10(13) (a) elilapha ngentla.

## 11. ISIBHENO

Nabaphi abantu abanamalungelo athe achatshazelwa sisigqibo esenziwe ngokwalo Mthetho kaMasipala bangafaka isibheno ngokwecandelo 62 lomthetho iLocal Government: Municipal Systems Act, 2000 (Umthetho 32 wango2000) ngokunika isaziso esibhaliweyosibheno kunye nezizathu kwiManejala yeBhunga kwiintsuku eziyi-21 zosuku lokukhutshwa kwesaziso sesigqibo.

## 12. IIMPAWU EZINGADINGI IMVUME

- (1) Ukuba naluphi uphawu aluthobeli imiqathango yohlobo ngalunye lophawu edweliswe apha ngezantsi, kufuneka kufakwe isicelo ngokwecandelo 5 ngaphandle kokuba isicelo solo hlobo lophawu aibandakanywanga ngokwalo Mthetho kaMasipala.
- (2) Akukho sicelo sidingekayo kwezi mpawu zilandelayo ukuba ngaba iimpawu zithobela le miqathango ilandelayo, imiba neemfuno ezixelwe kumacandelo 7 no8 neminye imithetho echaphazelekayo.

### IiBhodi zooNokotraka

- (3) (a) IiBhodi zooNokotraka mazixhonywe kuphela kwipropati ekwenziwa kuyo umsebenzi ukuba ngaba IiBhodi zooNokotraka—
  - (i) zikwimimandla yolawulo olumandla noluphakathi, mazingadluli kwi0.3m<sup>2</sup> yaye kuya kuxhonywa uphawu olunye kunokotraka ngamnye;
  - (ii) kwimimandla yolawulo oluncinci, malungadluli kwi1.5m<sup>2</sup> yaye zezokuxhonywa kophawu olunye kunokotraka ngamnye;
  - (iii) mazibekwe emva komda wepropati;

- (iv) mazingabonisi naziphi iinkcukacha ngaphandle kwegama lenkampani, igama lonokotraka, iinkcukacha zoqhagamshelwano, uhlobo lwenkonzo okanye imveliso ebonelelwayo ngunokotraka kwisiza;
  - (v) mazingabi nasikhanyiso yaye zingamenyezeli; yaye
  - (vi) mazisuswe ngoko nangoko wakugqitywa umsebenzi.
- (b) Akukho sicelo sotyeshelo esivumelekileyo kule miqathango ingentla esimalunga neeBhodi zoonokotraka ngokwemiqathango yalo Mthetho kaMasipala.

#### **IiBhodi ezikwiSiza soLwakhiwo**

- (4)(a) IiBhodi ezikwiSiza soLwakhiwo mazixhonywe kuphela kwisiza esikwiplani yesakhiwo okanye xa iplani yokwakhiwa kwesiza yolwakhiwo oluthile sele yamkelwe yaye IiBhodi ezikwiSiza soLwakhiwo—
- (i) mazingabi nasikhanyiso;
  - (ii) mazingabonisi naziphi iinkcukacha ngaphandle kwezi zinto;
    - (aa) igama neenkukacha zoqhagamshelwano zomakhi, umboneleli ngezimali nearhente yokumaketha iipropati;
    - (bb) umzobo wolwakhiwo olucetywayo;
    - (cc) inkcazelo yolwakhiwo olucetywayo;
    - (dd) amagama athi "iza kuqala kungekudala", "iyenza kungekudala", "isakhiwo esitsha" okanye "ukwakhiwa kwakhona"; yaye
    - (ee) amagama athi "iyathengiswa", "iyarentiswa", "iyathengiswa ngoku", "ithengisiwe" okanye iinkcukacha ezibufana nezo kunye nezamaxabiso; yaye
  - (iii) malungaxhonywa ngaphezu kweenyanga ezintathu phambi kolwakhiwo.
- (b) IiBhodi ezikwiSiza soLwakhiwo mazisuswe xa kugqitywe ukwakhiwa okanye xa umsebenzi wokwakha uyekiwe, okanye xa kukhutshwe iSatifikethi sokuHlala siSixeko. ISixeko singakhupha isaziso sothotyelo sokususwa kophawu kwisithuba esixelwe kwisaziso sothotyelo ukuba akuthotyelwanga iimfuno zeli candelwana.
- (c) IiBhodi ezikwiSiza soLwakhiwo kwiziza zolwakhiwo ekuza kuza usapho olunye kuzo mazingadluli kwi3m<sup>2</sup> ubukhulu bobonke, 2.4m bubonke ubude nembonakalo eyi1m. Ngaphezu koko—
- (i) Akukho sicelo sotyeshelo lwalo mqathango esimalunga neeBhodi ezikwiSiza soLwakhiwo kwimimandla yolawulo oluphezulu esivumelekileyo ngokwemiqathango yalo Mthetho kaMasipala; yaye
  - (ii) inye kuphela iBhodi eBonisa uLwakhiwo evumelekileyo kwizakhiwo ngazinye.
- (d) IiBhodi ezikwiSiza soLwakhiwo kwiziza zolwakhiwo ezingazi kusetyenziselwa kuphela izindlu zokuhlala mazibe ngaphantsi kwe4.5m<sup>2</sup> ibhodi iyonke, 2.4m bubonke ubude yaye kufuneka zibe nembonakalo eyi1m; yaye

- (i) zingabikho ngaphezu kwesibini liBhodi ezikwiSiza soLwakhiwo, ibe nye kumphambili wesitrato ngasinye, kwizakhiwo ngasinye.

**Iimpawu zokumaketha iipropati**

- (5) (a) "Iimpawu ezithi "Iyarentiswa" no"Iyathengiswa" ezingadluli kwi0.3m<sup>2</sup> zivumelekile ukuba ngaba ezi mpawu kufuneka zixhonywe kwipropati leyo okanye zikufuphi ncingo okanye udonga lwalo propati ichaphazelekayo, yaye akukho ziimpawu ngaphandle kweempawu ezithi "Iyarentiswa" no"Iyathengiswa" ezingaxhonywa yiarhente yokumaketha iipropati okanye iiarhente kwipropati echaphazelekayo.
- (b) "Iimpawu ezithi "Ithengisiwe" ezingadluli kwi0.3m<sup>2</sup> uphawu lulonke, kufuneka zixhonywe kwipropati ethengisiweyo okanye mazixhonywe kufuphi ncingo okanye udonga lwalo propati yaye mazingaxhonywa ngaphezu kweentsuku ezingama30 ukususela kumhla womboniso.
- (c) Akukho sicelo sotyeshelo kwicandelwana (b) esimalunga neempawu ezithi "Ithengisiwe" esivumelekileyo ngokwemiqathango yalo Mthetho kaMasipala.
- (d) Uphawu olunye oluthi "Iyaboniswa" olungadluli kwi0.3m<sup>2</sup> luvumelekile kwipropati eboniswa ngomhla wokubonisa indlu.
- (e) Ngaphezu koko, kuvunyelwe enye yezi zinto zine—
- (i) ibhodi yophawu yokubonisa indlu eyongezelelekileyo eyi0.3m<sup>2</sup>;
- (ii) ibhanile;
- (iii) iBhaluni enye okanye uPhawu oluMpotshwayo ezingadluli kwi3m<sup>2</sup> ubude ne3m ububanzi; okanye
- (iv) iiflegi eziphaphazelayo ezintathu ezingadluli kwi3m<sup>2</sup> inye;

ukuba ngaba ezi mpawu ezixhonywe kwipropati eboniswayo eziboniswa ngempelaveki neempawu ezixelwe kwicandelwana (5)(e)(ii) ukuya kutsho ku(iv) elilapha ngentla ziyasuswa ngo18h00 ngosuku ngalunye lwempelaveki.

**Iimpawu ezikwiZakhiwo eziZindlu zokuHlala, Iimpawu zeeBed and Breakfast, Iimpawu zeeVenkile eziseziNdlwini neeMpawu zaMakhaya okuNakekela aBantwana**

- (6) (a) Naluphi uphawu lwentengiso olungenasikhanyiso oluKwiZakhiwo eziZindlu zokuHlala olungaveleli kwenye indlela kawonkewonke nolungekho ngaphezu kwe0.2m<sup>2</sup> lulonke olubonisa kuphela uhlobo lohwebo, lweshishini okanye iprofeshini eyenziwa ngokusemthethweni ngumntu okuloo ndlu uphawu olubekwe kuyo, igama laloo mntu, umsebenzi owenziwayo, idilesi nenombolo yomnxeba weso sakhiwo neeyure zokusebenza (ukuba zikhona) luvumelekile; ukuba ngaba kuxhonywe uphawu olunye kuphela uphawu lomntu ohlala kuloo ndlu.
- (b) Luya kuba lunye kuphela uphawu olungenasikhanyiso lweBed and Breakfast oluya kuvunyelwa noluya kuncanyathiselwa eludongeni lwendlu yaye lungadluleli kwisitrato sikawonkewonke yaye lungabi ngaphaya kwe0.5 m<sup>2</sup> ubukhulu.
- (c) Luya kuba lunye kuphela uphawu olungenasikhanyiso lweVenkile eseNdlwini oluya kuvunyelwa noluya kuncanyathiselwa eludongeni lwendlu eneVenkile lungadluleli kwisitrato sikawonkewonke yaye lungabi ngaphaya kwe0.5 m<sup>2</sup> ubukhulu.

- (d) Luya kuba lunye kuphela uphawu olungenasikhanyiso lwaMakhaya okuNakekela aBantwana oluya kuvunyelwa noluya kuncanyathiselwa eludongeni lwendlu yaye lungadluleli kwisitrato sikawonkewonke yaye lungabi ngaphaya kwe0.5 m<sup>2</sup> ubukhulu.

**limpawu ezisezifestileni**

- (7) (a) limpawu ezisezifestileni ezixhonywe kumgangatho osezantsi wesakhiwo ezisetyenziselwa ushishino, iofisi yokushishina, ifemu okanye indawo yolonwabo okanye yamaqumrhu angenzi nzuzo zivumelekile kuyo yonke imimandla yolawulo, ukuba ngaba limpawu ezisezifestileni—
- (i) zimpawu zommandla othile, yaye ziphelele kwiifestile zeyunithi yomnini-shishini kummandla othile apho kukho loo ntengiso;
  - (ii) zingadluleli ngaphaya kwefreyimu yefestile, iibha zefestile nezituphu zeefestile ezo zibekwe kuzo;
  - (iii) zingadluleli ngaphaya kwamadonga eeplani zesakhiwo ezineefestile ezo;
  - (iv) zingadluli kwi25% yommandla olungiselelwe intengiso okanye zibe yi4.5m<sup>2</sup> iyonke, nokuba yeyiphi encinci, kwibhodi yentengiso yeshishini ngalinye elikummandla wolawulo oluphezulu;
  - (v) mazingadluli kwi18m<sup>2</sup> yommandla webhodi yentengiso , kwibhodi yentengiso yeshishini ngalinye elikummandla wolawulo ophakathi okanye wolawulo oluncinci; yaye
  - (vi) azibekwa kwiifestile zokungenisa umoya okanye ukukhanya kwesakhiwo.

**limpawu zeeNtengiso ezikwiMida yaMabala eMidlalo**

- (8) (a) Naluphi uphawu olungenasikhanyiso lweentengiso ezingadluli kwi2m x 1m ezixhonywe kumda webala lomdlalo ezijonge ngaphakathi ebaleni yaye zingabekwa kwenye indawo kawonkewonke okanye indlela enendalo ebukekayo.
- (b) Akukho sicelo sotyeshelo ku(a) olapha ngentla kumda webala lomdlalo sivunyelweyo ngokwemiqathango yalo Mthetho kaMasipala.
- (c) limpawu zingapeyintwa okwethutyana phantsi kwindawo yokudlala xa kukho umdlalo odlalwayo.

**limpawu ezingokhuseleko ezikwiZakhiwo**

- (9) (a) limpawu ezikhanyisiweyo ezingokhuseleko ezidlulela ngaphaya komda wepropati yaye ezingadluli kwi0.3m<sup>2</sup> uphawu ngalunye zivumelekile, xa ngaba ezo mpawu zibonisa ukuba—
- (i) abalindi bommandla bayasebenza;
  - (ii) kuqeshwe inkampani yokhuseleko ukuba ikhusele izakhiwo;
  - (iii) ikomiti yesitrato ikhona; okanye
  - (iv) yIndawo enabantu abahlawula iireyithi ezongezelekileyo ukulungisa ummandla wabo.



- (b) Kuvunyelwe uphawu olunye kuphela lwezoKhuseleko kuluhlu ngalunye (okanye kumboneli nkonzo ngamnye) obhalwe ku(a) apha ngentla kwizakhiwo ngazinye.
- (c) Iimpawu ezingokhuseleko ezixhonywe kwizakhiwo zeenkono ezibhalwe kwiicandelwana (a) elilapha ngentla zingabonisa kuphela ezi nkukacha zilandelayo;
  - (i) igama;
  - (ii) ilogo; kunye
  - (iii) nenombolo yefowuni.
- (d) Akukho sicelo sotyeshelo kule miqathango ingentla esimalunga neempawu ezingokhuseleko esivunyelweyo ngokwemiqathango yalo Mthetho kaMasipala.

**Iimpawu eziXhaswa ngeziMali nezaMaqumrhu aNgenzi Nzuzo eziNgaphantsi kwe4.5m<sup>2</sup>**

- (10) (a) Naluphi uphawu oluxhonywe okanye oluhlangene nequmrhu elingenzi nzuzo olukwisakhiwo sequmrhu elingenzi nzuzo lungavunyelwa ukuba ngaba—
  - (i) olo phawu alungadluli kwi4.5m<sup>2</sup> lunonke;
  - (ii) lungabikho ngaphezu kwesithathu kwisinye sendawo yophawu esetyenziselwa inkxasomali evela kwelinye iqela okanye inkampani;
  - (iii) olo phawu malungabi nasikhanyiso; kananjalo
  - (iv) lunye kuphela uphawu oluya kuvunyelwa kwisiza ngasinye.
- (b) Iimpawu ezithobela imiqathango eku10(a) apha ngentla, ezixhonywe kumhlaba weSixeko, kufuneka zilandele iinkqubo ezixelwe kwiShedyuli 16.

**Iiflegi zoMmandla othile okanye Iiflegi eziphaphazelayo kwiZakhiwo zoShishino**

- (11) (a) Iintengiso ezibekwe kummandla othile kusetyenziswa iiflegi zingaxhonywa kuphela kwizakhiwo ezichaphazelekayo kwiipali zeeflegi kuphela, ukuba ngaba;
  - (i) iipali zeeflegi azikho ngaphezu kwesine yaye ipali nganye ibe yi3m ubude ngeenjongo zokubonisa intengiso exhonywe kwizakhiwo ngasinye; okanye
  - (ii) Iiflegi ezine eziphaphazelayo eziyi3m<sup>2</sup> inye zingaxhonywa kwizakhiwo ngasinye; yaye
  - (iii) ezo flegi neeflegi eziphaphazelayo mazingadluleli ngaphaya komda wepropati.

**Intengiso ekwisithuthi**

- (12) (a) Iimpawu ezingenasikhanyiso zivumelekile ukuba zipeyintwe okanye zincanyathiselwe ngqo kumzimba wesithuthi esihambayo esingahambilyo esisetyenziselwa—
    - (i) ukuthutha abantu okanye iimpahla; okanye
    - (ii) ukuthengisela iimpahla okanye ukutya neziselo ngokwemiqathango yepemithi esebenzayo; okanye
    - (iii) ebonelela ngeenkono kweso sithuthi ngokwemiqathango yepemithi esebenzayo;
- sibe eso sithuthi asipakwanga okanye seisetyenziselwa intengiso.

- (b) iimpawu zentengiso ekwizithuthi mazingabi zeze-eletroniki kananjalo zingabi namathiriyeli imenyezelayo.
- (c) Akukho sicelo sotyeshelo kule miqathango ingentla esimalunga nentengiso ekwizithuthi esivunyelweyo ngokwemiqathango yalo Mthetho kaMasipala.

**Iimpawu ezichaza ngezinto zasekuhlaleni**

- (13) (a) Iimpawu ezichaza ngezinto zasekuhlaleni zivumelekile xa ngaba ezo mpawu—
- (i) azinantengiso yoshishino, azinankxasomali yashishino okanye intengiso yoshishino nemikhankaso;
  - (ii) zingadluli kubukhulu obuyi3m<sup>2</sup>;
  - (iii) azinasikhanyiso okanye azilayitwa ngambane; yaye
  - (iv) xa zizimele, zinembonakalo eyi2.1m ubuncinane yaye azidluli kwi3m ubude bubonke.

**Iipowusta ezichaza ngokuqhubeka ekuhlaleni**

- (14) (a) Iipowusta ezichaza ngokuqhubeka ekuhlaleni ezingadluli kwiA4 ISAYIZI, ezingeyoyemisitho yoluntu okanye imikhankaso zivumelekile ukuba ngaba ezo powusta—
- (i) zimalunga nezilwanyana zasekhaya nabantu abalahlekileyo;
  - (ii) zibotshelwe kwiipali zeSixeko zombane;
  - (iv) azibekwanga kwi30m yerobhoti yendlela; yaye
  - (iv) ziyasuswa ngumntu onoxanduva lwazo kwiintsuku zekhalenda eziyi90 emva kokuxhonywa kwazo.
- (b) Akukho sicelo sotyeshelo kule miqathango ingentla esimalunga neepowusta ezichaza ngokuqhubeka ekuhlaleni esivumelekileyo ngokwemiqathango yalo Mthetho kaMasipala.

**Iibhena zoShishino zoMmandla oThile**

- (15) (a) Oku kulandelayo kuvumelekile kwiibhena zoShishino zoMmandla oThile—
- (i) Ibhena enye engafreyinyishwanga engazimelanga ngokwayo neqhotyoshelwe ngeentambo kudonga lwesakhiwo, wall okanye kucingo olukumda wesakhiwo esichaphazelekayo, ebukhulu buyi3m<sup>2</sup>, enokuboniswa kuphela isithuba isithuba esingadluli kwiintsuku ezili14 kwinyanga nganye.
- (b) Kwimeko yoobhazabhaza beevenkile kungaxhonywa kuphela ibhena enye engafreyinyishwanga kumphambili wesitrato ngamnye kwiibvenkile ezo zichaphazelekayo, ebukhulu buyi3m<sup>2</sup>, enokuxhonywa isithuba esingadluli kwiintsuku ezili14 kwinyanga nganye.
- (c) Iibhena zoShishino zoMmandla oThile azinakho—
- (i) ukuncanyathiselwa ngendlela ephazamisayo okanye edala ubungozi kubahambingeenyawo okanye kwizithuthi;
  - (ii) azinakuboniswa kwi30m yalo naluphi uphawu lwendlela okanye irobhoti yendlela yaye azinakguma oonxantathu abasecaleni kwendlela okanye amasango ukungena izithuthi;

- (iii) ukuncanyathiselwa kwiipali zeerobhothi zeendlela, okanye kwezinye iipali ezineempawu zeendlela, kwiibhokisi zokuhambisa iinkonzo zombane nezinye iinkonzo, ifenitshala yesitrato, amatye, imithi, ezinye izinto zendalo okanye enye ipropati yeSixeko;
- (iv) ukuncanyathiselwa ngendlela zisitha amanye amashishini okanye eminye imibutho okanye ezinye iimpawu esele zikhona; kunye
- (v) nokuncanyathiselwa kuzo naziphi izakhiwo ngaphandle kwezakhiwo ezichaphazelekayo.

#### **Iimpawu zoMmandla oThile**

- (16) (a) Kuvunyelwe uPhawu oluMncaba loMmandla oThile olungaKhanyiswanga olunye ikwizakhiwo zoshishino oluidlulela ngaphaya kwisitrato sikawonkewonke yaye olungekho ngaphezu kwe2m<sup>2</sup> lunonke kwishishini ngalinye, oluxhonywe kumadonga angaphandle esakhiwo, kumgangatho osezantsi okanye owokuqala, ukuba ngaba oko akugqumi inkangeleko yesakhiwo, iifestile okanye amasango.
- (b) Uphawu oluNye lwePhahla loMmandla othile elipeyintwe kuphahla lwesakhiwo, ukuya kuma kwi4.5m<sup>2</sup> ngokobungakanani okanye kwikota enye yommandlawophahla uwonke olupeyintwe kulo, nokuba loluphi oluncinci, luvumelekile kwimimandla enolawulo oluphakathi noluncinane.
- (c) Kuvunyelwe uPhawu oLunye lweGama lweSakhiwo, nenombolo kunye gama oluxhonywe kumphambili wesakhiwo njengongo yokuchaza indawo leyo, ibe luphawu olumcaba, olukrolweyo, olwenziwe ngelitye okanye olungoonobumba abancanyathiselweyo olungadluli kwi3m<sup>2</sup>, kodwa kufuneka ukuba lungabi nazikhanyisi.
- (d) Kuvunyelwe uPhawu oLunye loMmandla othile olukuMda woDonga olungadluli kwi1m<sup>2</sup> olukrolwe, olupeyintwe eludongeni, eziipeyintwe kuwo okanye olunoonobumba okanye iisimboli ezibhalwe koloo donga yaye alisayi kuvelela ngaphaya kwe50mm kubuso bodonga

#### **Iimpawu ezilengalenga esithubeni**

- (17) Iimpawu ezilengalenga esithubeni kuwo nawuphi ummandla wolawulo osezidolophini ezisenokuba kwibhaluni okanye kwiblimpu zingabhajiswa ukuya kuma kwi9m ubude xa kumetwa ukusuka emhlabeni, ukuba ngaba;
- (a) iphaneli yentengiso kubuso nganye obubonakalayo ayidluli kwi1.5m<sup>2</sup> ngokobungakanani;
  - (b) ubukhulu bubonke bebhhaluni obuvumelekileyo yi3m ububanzi, emetwe nakweliphi na icala;
  - (c) le miqathango isebenza kuphela;
    - (i) kummandla othile weevenkile;
    - (ii) kumsitho wokuvula;
    - (iii) kumsitho wequmrhu elingenzi nzuzo okanye elunokuba okanye lungabi nanto yeshishini elilixhasa ngezimali; okanye
    - (iv) kumsitho wezemidlalo okanye elusenongabi nanto yeshishini elilixhasa ngezimali.

- (d) ixesha lobungakanani bokubonisa ziintsuku ezintathu ezilandelanayo zaloo msitho;
- (e) limpawu ezilengalengayo mazingabhajiswa phezu kwendlela kawonke-wonke;
- (f) limpawu ezilengalengayo maziboniswe kuphela emini; yaye
- (g) ngaphandle kwamacandelwanas (c)(iii) no(iv) alapha ngentla, limpawu ezilengalenga esithubeni mazingabonisi nayiphi intengiso yeqela elithile.

**limpawu zoMsitho weThutyana zaMaqumrhu angeNzi Nzuzo**

- (18) (a) libhena, liflegi, lipowusta, uphawu oluvuthelwayo, iiMpawu eziHambayo, limpawu ezilengalenga esithubeni neempawu eziphathwa ngesandla zethutyana zivumelekile kwimisitho esindlekwe liqumrhu elingenzi nzuzo.
- (b) limpawu zoMsitho weThutyana zaMaqumrhu angeNzi Nzuzo zingaqulatha ubuninzi i10% yentengiso yeqela elibaxhasayo kupawu ngalunye.
- (c) Ezi mpawu zingaxhonywa ngamaqumrhu angenzi nzuzo kwizakhiwo zabo okanye kwipropati yoMntu apho kubanjwe khona umsitho, de kuphele loo msitho.
- (d) Apho lo msitho usenzekela kwinxalenye yepropati yeSixeko okanye kwisibonelelo saso, kubandakanywa nawuphi umsitho weSixeko osindlekiweyo okanye oxhaswe ngezimali, isicelo kufuneka sifakwe ngokwecandelo 5 nangokweshedyuli echaphazelekayo.
- (e) Xa uphawu olo luxhonywe kwipropati yeSixeko, ezi mpawu alunakubethelelwa ngezikhonkwane kumhlaba onekhokhokhithi okanye opheyiviweyo.

**limpawu zommandla othile eziphathwa ngesandla kwiPropati yoMntu**

- (19) (a) Ubuninzi zimpawu zommandla othile eziphathwa ngesandla ezingaxhonywa kwipropati yoMntu, ukuba ngaba ukuba azidluli kwi1.2m x 0.6m ngokobungakanani yaye azinabungozi kuluntu.
- (b) Akukho sicelo sotyeshelo kule miqathango ingentla esimalunga limpawu eziphathwa ngesandla esivumelekileyo ngokwemiqathango yalo Mthetho kaMasipala.

**lipowusta EziXhonywe eziPalini**

- (20) (a) Zonke iintlobo zepowusta ekkubhekiswe kuzo ngokwemiqathango yeShedyuli 11 zingancanyiselwa kwiizinto ezikwiziza ezenzelwe oko siSixeko, ukuba ngaba—
  - (i) kuxhonywa ipowusta ibe nye yoms4ebenzi ngamnye, ukankaso okanye umsitho ngamnye okanye umsitho wombutho ongenzi nzuzo kwipali nganye; yaye
  - (ii) akuvumelekanga zipowusta zoshishino, kubandakanywa ezithengisayo neziphelilela iimveliso neenkonzo ezibonelelwayo.
- (b) Akukho sicelo sotyeshelo kule miqathango ingentla esimalunga neepowusta eziXhonywe eziPalini esivumelekileyo ngokwemiqathango yalo Mthetho kaMasipala.

**Iimpawu eziKhomba iNdawo ekwenziwa kuyo iFilimu**

- (21) (a) Iimpawu eziKhomba iNdawo ekwenziwa kuyo iFilimu zingabekwa kuphela kwipali zombane ezisezitratweni zeSixeko kulandelwa uMgaqonkqubo weZibane eziSezitratweni weSixeko, ezibonisa amaqela eefilimu neenkondo zefilimu indawo ekwenzelwa kuyo ifilimu.
- (b) Iimpawu eziKhomba iNdawo ekwenziwa kuyo iFilimu—
- (i) mazingancayathiselwa kwimithi, kwipali zeerobhoti zendlela okanye kwezinye iipali ezineempawu zeendlela, kwifenitshala yesitrato okanye kwenye ipropati yeSixeko;
  - (ii) kufuneka zithobeke yonke imithetho, imigaqonkqubo nezikhokelo ezichaphazelekayo, nepemithi yokwenza ifilimu echaphazelekayo;
  - (iii) mazingadluli kwi0.3m<sup>2</sup> inye;
  - (iv) kubekwa uphawu olunye kuphela kwipali okanye tiimpawu ezimbini ezizelene ngomva enye kwenye; yaye
  - (v) kufuneka zisuswe ngosuku emva kokugqitywa kwefilimu.
- (c) Akukho sicelo sotyeshelo kule miqathango ingentla esimalunga neeMpawu eziKhomba iNdawo ekwenziwa kuyo iFilimu esivumelekileyo ngokwemiqathango yalo Mthetho kaMasipala ngaphandle kokuba sigunyaziswe siSixeko ngembalelwano.

**Umsebenzi weZandla weThutyana**

- (22) (a) Umfanekiso ongenasikhanyisi obonisa uphawu oluyintengiso, uvumelekile apho—
- (i) umfanekiso wona buqu ungeyontengiso;
  - (ii) intengiso mayingadluli kwi5% okanye 2.5m<sup>2</sup> yomfanekiso uwonke, nokuba yeyiphi encinci; yaye
  - (iii) umfanekiso ube nepemithi yomsebenzi wezandla wethutyana permit eyamkelwe ngokwemiqathango yeSixeko yenkqubo yeemvume zemifanekiso.
- (b) Umfanekiso onentengiso uya kuvunyelwa kwizakhiwo ezisetyenziselwa imisebenzi eyahlukileyo, kodwa kuphela apho le mifanekiso ibekwe ngaphandle kwamanqwanqwa angahlali bantu.
- (c) Umfanekiso onentengiso awuzi kuvunyelwa nakwesiphi isakhiwo esiyindlu yokuhlala, kumadonga akwimida yeendawo zokuhlala nezakhelo ezihamba nezo.
- (d) ISixeko singacela ubungqina bamaxwebhu besivumelwano senkxasomali ekungenwe kuso phakathi komzobi, umthumi (ukuba ukhona) nomxhasi-ngezimali.
- (e) Akukho sicelo sotyeshelo kule miqathango ingentla esimalunga noMsebenzi weZandla weThutyana esiya kuvunyelwa ngokwemiqathango yalo Mthetho kaMasipala.

**lipowusta zonyulo**

- (23) lipowusta zokhankaso lwevoti nezeziganeko zepolitiki, ezingadluli kwi0.9m x 0.6m, ubukhulu, ezixhonywe kwipali zombane ezisezitratweni zeSixeko ngezithuba zonyulo nelokubhalisa abavoti zingavunyelwa, kuxhomekeke kwiimfuno nemiqathango ekhutshwe siSixeko.

**13. UKUMOSHWI KWEEMPAWU**

- (1) Ngaphandle kwalapho kufunyenwe imvume ebhaliweyo yeSixeko okanye apho iintlobo zeempawu zivumelekile ngokwalo Mthetho kaMasipala, kukho mntu oya kuthi atshabalalise, onakalise, okanye atshintshe esimeni okanye atshintshe esimeni ubuso okanye umphambili wesitalato, uphawu lwezithuthi zendlela, udonga, ucingo, umhlaba, ilitye, umthi okanye naziphi izinto zendalo, okanye umphambili okanye ubuso okanye upahla lwaso nasiphi isakhiwo okanye isakhiwo nangayiphi indlela ngexesha lokwakhiwa okanye lokuboniswa kophawu okanye lokusetyenziswa okanye ukubhala okanye ukupeyinta uphawu, igama, ileta okanye amanani.
- (2) Akukho mntu oya kuthi atshabalalise, onakalise, okanye atshintshe esimeni naluphi uphawu olugunyazisiwe ngokwasemthethweni ngokwalo Mthetho kaMasipala.

**14. UKONAKALISWA KWEPROPATI YESIXEKO**

Akukho mntu oya kuthi xa esakha okanye esusa naluphi uphawu, okanye ibhena, enze umonakalo nakowuphi umthi, umgangatho wombane okanye iinkonzo okanye ezinye izinto ezifakelwe siSixeko okanye izakhiwo kunye nempahla yesitalato yaye naziphi iindleko ezichithwe siSixeko ekulungiseni loo monakalo ziya kutsalwa kumntu onoxanduva, okanye owenze loo monakalo, ngokwemiqathango yoMgaqonkqubo wolawulo lweKhredithi nokuQokelelwa kwaMatyala weSixeko noMthetho kaMasipala.

**15. UKUNGENA NOKUHLOLA**

ISixeko sivumelekile ukuba sigunyazise amagosa aso, emva kokunika isaziso esibhaliweyo kumnini okanye umhlali wendawo, ukuba angene nakwesiphi isakhiwo, ngexesha elifanelekileyo ngeenjongo zokuqhubeka nalo naluphi uhlobo olufanelekileyo ukwenzela ukuqhuba kakuhle nokunyanzelisa imiqathango yalo Mthetho kaMasipala.

**16. AMATYALA**

- (1) Umntu othe—
- (a) waxhoma, wasebenzisa okanye wabeka uphawu, waxhoma nasiphi isakhelo sophawu, wasebenzisa nasiphi isakhelo sophawu ukuxhoma uphawu, okanye watshintsha okanye wongeza kuphawu osele lukhona okanye isakhelo sophawu, esaphula nawuphi umqathango walo Mthetho kaMasipala;
- (b) atyeshela okanye angathobeli okuqulathwe ziimfuno okanye imiqathango yemvume enikeziweyo ngokwalo Mthetho kaMasipala;
- (c) owaphula okanye osilela ukuthobela naziphi iimfuno ezixelwe kwisaziso sothotyelo asinikiweyo ngokwalo Mthetho kaMasipala;
- (d) owenza into engeyonyani esazi ukuba asiyinyani, ingxelo ebubuxoki, ofoja, akope uxwebhu okanye ipemithi yaso nasiphi isicelo okanye imvume, okanye yayo nayiphi imfuno okanye ugunyaziso ngokwalo Mthetho kaMasipala;
- (e) ovala ngamabom amasango angena kuyo nayiphi ipropati ukuze kungangeni igosa eligunyazisiweyo elizo kwenza uhlobo okanye aphazamise okanye

anqande elo gosa xa lisenza olo hlolo ngokwemiqathango yalo Mthetho kaMasipala; okanye

- (f) ogrogrisa, owala, ophazamisa, othintela naliphi igosa eligunyazisiweyo ekwenzeni umsebenzi walo osemthethweni okanye fimisebenzi yalo ngokwemiqathango yalo Mthetho kaMasipala;

uya kufunyaniswa enetyala yaye xa athe wagwetywa kuya kufuneka ahlawule intlawulo yemali okanye aye entilongweni njengoko kuxeliwe kwicandelo 17(1)(a) no(c).

- (2) Kwimeko yetyala eliqhubekayo, loo mntu xa athe wagwetywa kuya kufuneka ahlawule intlawulo yemali okanye aye entilongweni njengoko kuxeliwe kwicandelo 17(1)(b) no(c) ngosuku ngalunye enze elo tyala yaye angaphinde agwetywe okwesibini.

## 17. IINTLAWULISO NEZOHLWAYO

- (1) Ezi ntlawuliso nezohlwayo zilandelayo ziya kusebenza kumntu owaphule lo Mthetho kaMasipala—
- (a) Xa athe wagwetywa yinkundla, kwityala lokuqala, umntu kuya kufuneka ahlawule intlawulo yemali, okanye xa engahlawulanga loo ntlawulo, agwetyelwe ngaphakathi isithuba esingekho ngaphezu kweenyanga ezi6.
- (b) Kwimeko yetyala eliqhubekayo, lowo unetyala uya kuphinda ahlawuliswe ngosuku ngalunye eqhubeka esenza elo tyala.
- (c) Ityala lesibini okanye elilandela elo, umntu lowo uya kuthi agwetywe anikwe isigwebo sentlawulomali okanye agwetyelwe ngaphakathi isithuba esingekho ngaphezu kweenyanga ezi6.
- (2) Iimpawu ezingekho mthethweni ezisuswe siSixeko zingayobangwa kwiSixeko kwiinyanga ezi3 zokususwa kwazo, emva kokuhlawula iindleko eziphelileyo ezichithwe siSixeko ekususeni ezo mpawu, nentlawulo yeendleko ezichithiweyo ekuzithutheni nasekuzigcineni ezo mpawu.
- (3) Naziphi iimpawu ezingekho mthethweni ezisuswe zaze zabanjwa siSixeko zaze azalandwa kwiinyanga ezi3 zokususwa kwazo ziya kulahlwa ngokokubona kwaso.
- (4) Ukuba naluphi uphawu olungahambelani nalo Mthetho kaMasipala luxhonyiwe, kwaze kwafwakwa isicelo sokulungisa ulwaphulo lwalo mthetho, umntu uya kuhlawuliswa iindleko ezongezelelekileyo ngokwemiqathango eyamkelweyo yeSixeko yeMirhumo neeNtlawulo, epapashwa amaxesha ngamaxesha, xa kufakwe isicelo.
- (5) Ukuba intlawulo yesigwebo ayihlawulwanga ngomhla obekwe siSixeko—
- (a) isicelo eso asizi kuproseswa yaye siya kubuyiselwa kumfakisicelo; yaye
- (b) umfakisicelo akazi kuvunyelwa ukuba afake esinye isicelo seso siza sinye isithuba seminyaka emi2 ukususela kumhla wokubuyiselwa kweso sicelo kumfakisicelo.
- (6) ISixeko singahlawulisa intlawuliso ngokwemiqathango yawo nawuphi na omnye umthetho kulo naluphi uphawu oluxhonywe lungahambelani nalo Mthetho kaMasipala.

- (7) Ukuhlawuliswa kwale ntlawulo yesigwebo akunqandi iSixeko ekubekeni ityala ngokwasenkundleni lokususwa kophawu oluxhonywe lungahambelani nalo Mthetho kaMasipala ngeli lixa isicelo sokulungisa siqhuba.

### 18. UCINGELO

- (1) Umntu ogwetyelwe ityala ngokwalo Mthetho kaMasipala—
- (a) oyedwa okanye osebenzisana nomnye umntu onoxanduva lokubiza nayiphi intlanganiso, isiganeko okanye umsitho eluxhonyelwe wona uphawu, uya kubonwa njengomntu oxhome ngabom esazi ukuba olo phawu alufanelanga kuxhonywa, de kubekho ubungqina obungobunye, okanye uya kuthathwa njengomntu ovumele ukuba olo phawu luxhonywe;
  - (b) umntu ogama lakhe livela kuphawu olungekho mthethweni okanye ekuthengiswa imveliso okanye iinkonzo zakhe kolo phawu, uya kuthathwa njengomntu obesazi ngokuxhonywa kolo phawu, de kubekho ubungqina obungobunye, okanye uya kuthathwa njengomntu ovumele ukuba olo phawu luxhonywe;
  - (c) umniniphawu, iarhente yemidiya, okanye umntu ofumana inzuzo ekuxhonyweni kophawu olungekho mthethweni, oyedwa okanye osebenzisana nomnye umntu, de kubekho ubungqina obungobunye, uya kuthathwa njengomntu oxhome olo phawu esazi, okanye uya kuthathwa njengomntu owenze novumele ukuba olo phawu luxhonywe; yaye
  - (d) umnini womhlaba okanye wesakhiwo ekuxhonywe okanye ekubekwe kuso uphawu olungekho mthethweni, de kubekho ubungqina obungobunye, uya kuthathwa njengomntu oxhome olo phawu esazi, okanye uya kuthathwa njengomntu owenze novumele ukuba olo phawu luxhonywe.

### 19. UNYANZELISO-MTHETHO NOKUSUSWA KWEEMPAWU

- (1) Ukuba naluphi uphawu lubekiwe okanye luza kuxhonywa lube lungahambelani nalo Mthetho kaMasipala, okanye omnye umqathango, imfuno okanye umqathango wemvume obekwe ngokwalo Mthetho kaMasipala, iSixeko singakhupha isaziso sothotyelo esibhaliweyo komnye okanye kwabanye baba bantu balandelayo—
- (a) umniniphawu okanye lowo usebenzisa uphawu;
  - (b) umninimhlaba okanye umntu orenta kumhlaba, isakhiwo okanye indawo leyo kuxhonywe kuyo uphawu;
  - (c) umntu obeke intengiso yeemveliso okanye iinkonzo azibonelelayo kuphawu;
  - (d) umntu ogama lakhe okanye umfanekiso wakhe ubonakala kuphawu;
  - (e) umntu okanye inkampani exhome uphawu;
  - (f) iarhente yamajelo eendaba, iarhente egunyazisiweyo; okanye
  - (g) naliphi iqela elinoxanduva okanye elizuzayo ekuxhonyweni kophawu.
- (2) ISixeko siya kucela ukuba abo bantu benza oku kulandelayo—
- (a) bafumane imvume yolo phawu olungagunyaziswanga emva kuhlawula imali yesigwebo;



- (b) bayekise ukuxhonywa kolo phawu; okanye
- (c) basuse olo phawu okanye balungise into ekufuneka ilungiswe.
- (3) ISixeko singacela abo bantu bathathe nawaphi amanyathelo axelwe kwisaziso sothotyelo, ngexesha elixelwe kuso.
- (4) Noxa kungabe kukhutshwe isaziso sothotyelo, sisenokurhoxiswa okanye sitshintshwe siSixeko.
- (5) Ukuba izinto ezifunwa siSixeko, ezixelwe isaziso sothotyeloazenziwanga ngexesha elibekiweyo, iSixeko singathi, singakhuphanga esinye isaziso esiya kumntu obekhutshelwe isaziso sothotyelo nasemva kokufumana igunya kwinkundla, sisuse okanye sitshintshe uphawu okanye senze umsebenzi ofuna ukwenziwa oxelwe kweso saziso sothotyelo. Akusayi kudingeka myalelo wenkundla phambi kokususwa okanye ukutshintshwa uphawu olungekho mthethweni ukuba luxhonywe kwipropati yeSixeko.
- (6) Ukuba uphawu olungekho mthethweni luxhonywe kwipropati elawulwa siSixeko, kubandakanywa nawuphi umhlaba orentiswa siSixeko, iSixeko—
- (a) singasusa uphawu okanye isakhelo sophawu, singanikanga isaziso sothotyelo futhi singafumenanga myalelo wenkundla; okanye
- (b) sicuthe ukubonakala kophawu olungekho mthethweni ngokuthi senze ukuba lungafikeleleki, lungafundeke okanye lungalandeleki olo phawu olungekho mthethweni.
- (7) Apho iSixeko okanye iiarhente zaso zisusa, zibambe ze sigcine iimpawu, okanye sitshintshe okanye senze nawuphi na umsebenzi kuphawu olungagunyaziswanga, noba kuqale kwalandelwa imiqathango yesaziso sothotyelo okanye ayilandelwanga, iSixeko asisayi kuba naxanduva lamonakalo kwipropati kubandakanywa iimpawu nezakhelo zalo ekuthatheni loo manyathelo yaye asisayi kuba naxanduva la mabango avela ngenxa yala manyathelo.
- (8) Naziphi iindleko ezichithwe siSixeko ekususeni, ekubambeni nasekugcineni iimpawu, okanye nezakhelo zazo kwipropati yeSixeko, okanye ekutshintsheni okanye ekwenzeni nawuphi umsebenzi odingekayo ngokwemiqathango yesaziso sothotyelo, ziya kutsalwa kumntu okanye abantue abanoxanduva lokubeka uphawu, okanye abebekhutshelwe isaziso sothotyelo, ngokwemiqathango yoMgaqonkqubo wolawulo lweKhredithi nokuQokelelwa kwaMatyala weSixeko noMthetho kaMasipala—
- (a) umniniphawu okanye lowo usebenzisa uphawu;
- (b) umninimhlaba okanye umntu orenta kumhlaba, isakhiwo okanye iza ekuxhonywa kuzo uphawu;
- (c) umntu obeke intengiso yeemveliso okanye iinkonzo azibonelelayo kuphawu;
- (d) umntu ogama lakhe okanye umfanekiso wakhe ubonakala kuphawu;
- (e) umntu okanye inkampani exhome uphawu;
- (f) umninindawo, iarhente yemidiya, iarhente egunyazisiweyo; okanye
- (g) naliphi iqela elinoxanduva okanye elizuzayo ekuxhonyweni kophawu.
- (9) Noxa kukho amasolotya alo Mthetho kaMasipala, ukuba uphawu noba lukwikwipropati yeSixeko okanye kwipropati yoMntu, okanye lubonwa

njengoluyingozo kubantu okanye kwipropati ligosa eligunyazisiweyo leSixeko elisebenza ngokwalo Mthetho kaMasipala, iSixeko singathi, singanikanga isaziso futhi singafumenanga myalelo wenkundla, sisuse okanye senza amalungiselelo okususwa kolo phawu. Naziphi iindleko ezichithwe siSixeko ekususeni olo phawu zingafunwa kumntu odweliswe kwicandelwana (8) elilapha ngentla.

## 20. UKUHANJISWA KWEZAZISO ZOTHOTYELO-MIGAQO

- (1) Apho nasiphi isaziso sothotyelo okanye olunye uxwebhu ludingeka ngokwalo Mthetho kaMasipala ukuba lusiwe kuye nawuphi na umntu, luay kuthathwa njengoluthunyelweyo kuye ukuba—
  - (a) ulunikwe esandleni okanye kwanikwa ilungu losapho elineminyaka engaphaya ko16, kwindlu yakhe, okanye umntu aphantela naye kwindawo aphantela kuyo;
  - (b) iposwe ngeposi erijarishiweyo kwindawo yakhe yokuhlala okanye kwidilesi yakhe yokuphangela, ngohlobo evela ngalo kwiirekhodi zeSixeko;
  - (c) ithunyelwe ngeimeyili;
  - (d) ukuba loo mntu unenkampani okanye itrasti, iya kunikwa nawuphi umntu osebenza kulo nkampani, okanye ithunyelwe ngeposi erijarishiweyo kuloo ofisi; okanye
  - (e) incanyathiselwe kwindawo ebonakalyo kuphawu, intengiso okanye isakhelo sophawu.

## 21. IMIBA ENOKUNGENELELA KUYO INKUNDLA KAMANTYI

- (1) Kungaphikiswananga nayiphi enye into ekomnye umthetho emalunga neenkundla zoomantyi, uMantyi uya kuthi abe negunya, kwisicelo seSixeko, sokuba enze umyalelo onqanda nawuphi na umntu ekubeni axhome naluphi uphawu okanye enze umyalelo oya kuye nawuphi na umntu wokuba asuse uphawu okanye agunyazise iSixeko ukuba sisuse olo phawu ukuba loo mantyi wanelisekile ngento yokuba ukuxhonywa kolo phawu akuhambiselani okanye akuthobeli imiqathango yalo Mthetho kaMasipala okanye nayiphi imvume okanye ugunyaziso lwalo mthetho.
- (2) Kungaphikiswananga nayiphi enye into ekomnye umthetho, iNkundla kaMantyi iya kuba negunya lokuwisa nasiphi isigwebo esibonelelwe kulo Mthetho kaMasipala.

## 22. IZIKHOKELO

iSixeko singathi amaxesha ngamaxesha sikhuphe iManyuwali yaseKapa yoLwulo lwaziso neentengiso ezixhonywe ngaphandle kwizakhiwo nakwiipali, izikhokelo ezifanelekileyo, iibrowusha zolwazi okanye nayiphi enye imathiriyeli emalunga nalo Mthetho kaMasipala.

## 23. UKUBHANGISWA KWEMITHETHO KAMASIPALA

- (1) Lo Mthetho kaMasipala ubhangisa le mithetho ilandelayo—
  - (a) Umthetho weMiqondiso eXhonywe ngaPhandle kwiZakhiwo nakwiiPali weSixeko saseKapa, UMthetho kaMasipala weZilungiso wango2013, UMthetho kaMasipala no.10518 IGazethi yePhondo enguNomb. 7219, yomhla we17 kweyoMsintsi 2014; yaye
  - (b) Umthetho weMiqondiso eXhonywe ngaPhandle kwiZakhiwo nakwiiPali weSixeko saseKapa, UMthetho kaMasipala 2001, UMthetho kaMasipala no.10518 IGazethi yePhondo enguNomb. 5801, yomhla we5 kweyoMnga 2001;

- (2) Nantoni eyenziwe phantsi okanye ngokwemiqathango ehangiswe ngulo Mthetho kaMasipala iya kuthathwa ngokuba yenziwe phantsi kwemiqathango ehambelana yalo Mthetho kaMasipala yaye olu bhangiso aluzi chaphazela nantoni eyenziwe phantsi koMthetho kaMasipala obhangisiweyo.
- (3) Nantoni eyenziwe phambi kokupapashwa kwalo Mthetho kaMasipala, engakhange yenziwe ngokwemiqathango ehangiswe ngulo Mthetho kaMasipala nebingekho mthethweni, ukuba ngaba eso senzo okanye olo phawu aluthobeli imiqathango yalo Mthetho kaMasipala, luya kuba alukho mthethweni.
- (4) Nayiphi imvume, ilungelo okanye umyalelo okhutshiweyo, onikeziweyo okanye osasebenzayo ngokwemiqathango yalo Mthetho kaMasipala ehangiswe ngulo Mthetho kaMasipala nebikhona phambi kokugqala kokusebenza kwalo Mthetho kaMasipala, uya kuhlala usebenza apho ubukhutshwe, unikezwe okanye wenzeke kulandelwa lo Mthetho kaMasipala, ngokwemiqathango ebekiweyo, uya kuhlala usebenza kwisithuba esinikeziweyo phantsi koMthetho kaMasipala obhangisiweyo.
- (5) Indlela yokuziphatha engahambisani noMthetho kaMasipala obhangiswe ngulo Mthetho kaMasipala ithathwa njengokophulwa kwalo Mthetho kaMasipala yaye izohlwayo zalo Mthetho kaMasipala ziya kusebenza kulo ndlela yokuziphatha yaye olo lwaphulomthetho luya kuthathwa njengetyala ngokwalo Mthetho kaMasipala.

#### **24. IZAPHULELO KWIMITHETHO**

- (1) Nasiphi isicelo sokuxhonywa kwayo nayiphi intengiso okanye yalo naluphi uphawu okanye isakhelo sophawu sokwenza intengiso, esingeniswe kwiSixeko phambi koku kokubhengezwa kwalo Mthetho kaMasipala ebekungekenziwa isigqibo ngaso siSixeko phambi kokubhengezwa kwalo Mthetho kaMasipala, siya kuthathwa siSixeko ngokwemiqathango yoMthetho kaMasipala obusebenza ngelo xesha ukuba kufakwe isicelo.
- (2) Nayiphi imvume okanye ugunyaziso olunikwe siSixeko okanye abebephambi kwaso ngokwemiqathango yemithetho yangaphambili, imithetho kamasipala, imigaqonkqubo okanye iikhontrakthi zokuxhonywa kwezi zinto zilandelayo—
  - (a) limpawu zamaqela, apho kungazange kwabekwa sithuba sokuphelelwa semvume, nalapho uphawu ekubhekiswa kulo lubekwe ngokwemiqathango yemvume okanye yogunyaziso ngokwemeko leyo, iya kuthi iphele emva kweminyaka emi5 ebalwa ukusuka ekubhengezweni kwalo Mthetho kaMasipala.
  - (b) limpawu ezikwipropati yeSixeko ngokwemiqathango yeekhontrakthi ekungenwe kuzo neSixeko okanye abebephambi kwaso, iya kuphelelwa okanye sele iphelelwe ngokwemiqathango yekhontrakthi, yaye azisayi kongezelwa ixesha ngokupoposhwa kwalo Mthetho kaMasipala.

#### **25. ISIHLOKO ESIFUTSHANE**

Lo Mthetho kaMasipala ubizwa ngokuba nguMthetho kaMasipala weeNtengiso eziXhonywe ngaPhandle weSixeko saseKapa, 2023.

**ISHEDYULI 1**  
**IMIMANDLA YOLAWULO**

OMKHULU			OPHAKATHI	OMNCINCI
UMMANDLA WENDALO	UMMANDLA OSEMAPHANDLENI	UMMANDLA OSEZIDOLOPHINI	UMMANDLA OSEZIDOLOPHINI	UMMANDLA OSEZIDOLOPHINI
<ul style="list-style-type: none"> <li>Amathala endalo bhengeziweyo</li> <li>Imimandla yendalo ekhuselweyo</li> <li>Imimandla yolondolozo</li> <li>Amathala endalo lindawo zeentaka</li> <li>lindawo zezinto zaselwandle</li> <li>lilwandle, amanxweme, iipropati zoluntu ezikumaxweme nommandla okunxweme</li> <li>Illwandle</li> <li>Imimandla yamahlathi</li> <li>Imilambo</li> <li>Imigxobhozo</li> <li>IPaki yeSizwe yaseTable Mountain neSisiza esiLilifa leMveli seHlabathi</li> <li>lindlela ezinendalo ebukekayo</li> <li>Isicwangciso zoMmandla waseKapa seNdalo noThungelwano lweNdalo neZilwanyana</li> </ul>	<ul style="list-style-type: none"> <li>Imimandla/ izowuni zolimo</li> <li>Imimandla enemiyezo</li> <li>Izindlu ezisemaphandle ni</li> <li>Amabala abantu (umz. amabala egalufa)</li> <li>lindlela ezinendalo ebukekayo</li> <li>lindlela ezibukekayo/ zenkcubeko</li> <li>Izinto ezibukekayo</li> <li>lipaki zeSixeko</li> <li>Imimandl yolimo neyemiyezo neendlela ezikufuphi nazo neendawo zoololiwe</li> <li>Imimandla okanye iziza ezithile ezichongwe njengamaphandle ngokwemephu eyenziwe siSixeko</li> <li>Ilzowuni zeMithombo yeNkcubeko neyeMidlalo</li> </ul>	<ul style="list-style-type: none"> <li>lizowuni zokhuselo lweLifa leMveli (HPOZ)</li> <li>iziza zeLifa leMveli</li> <li>Provincial Imimandla yeLifa leMveli yePhondo ngokwecandel o 31 leNational Heritage Resources Act, 1999 (Umthetho 25 wango 1999) (NHRA)</li> <li>Izakhiwo, iindawo neziza ezinamanqana ba, ngokwemiqath a-ngo yeNHRA</li> <li>lizowuni zokuhlala neendlela ezihambelana nazo</li> <li>lindlela zokuhamba</li> <li>Oobhazabhaza beevenkile boluntu</li> <li>Iziza zezikolo nezamaziko</li> <li>lindawo ezibukekayo</li> </ul>	<ul style="list-style-type: none"> <li>Imimandla ementeyinwa ngabahlali ngabantu</li> <li>Imimandla esetyenziswa ngokuxubileyo eyiyeyoshishino nokuhlala</li> <li>likhorida zophuhliso lwamashishini nemisebenzi</li> <li>Izithili zoshishino nezitrato ezikufuphi nazo</li> <li>lindlela zokuhamba</li> <li>lindawo zolonwabo okanye izakhiwo zoshishino</li> <li>Amabala okudlalala</li> <li>Imimandla okanye iziza ezithile ezichongwe njengezolawulo oluphakathi ngokwemephu eyenziwe siSixeko</li> </ul>	<ul style="list-style-type: none"> <li>lizowuni zeefemu</li> <li>lirenki zezithuthi</li> <li>Izithishi zoololiwe neendawo zoololiwe</li> <li>Imimandla echongiweyo kwiZowuni eziNgasetyenziswa kakhulu</li> <li>Imimandla ethile okanye iziza ezichongelwe ulawulo oluncinci ngokwemephu eyenziwe siSixeko</li> </ul>

<ul style="list-style-type: none"> <li>Imimandla okanye iziza ezithile ezichongwe njengezona zinendalo ngokwemephu eyenziwe siSixeko</li> </ul>		<ul style="list-style-type: none"> <li>lindlela ezinendalo ebukekayo</li> <li>Iindawo ezingamabala neekhorida zezinto eziphilayo ngokwemiqath a-ngo yeSicwangciso soMmandla seNdalo noThungelwano lweZibonelo zeNdalo</li> <li>Amabala oluntu</li> <li>Amabala abantu</li> <li>Izindlu ezisezidolophini</li> <li>Imimandla yolimo ezezidolophini</li> <li>Ulimo lwasezidolophini</li> <li>Imilambo</li> <li>Imigxobhozo</li> <li>izibonelelo zoluntu (ezingabandak a-nyi amabala)</li> <li>lizowuni zamashishini ezikhethekileyo</li> <li>Isakhiwo esiyindlu yokuhlala</li> <li>lindlela ezichongiweyo</li> <li>Imimandla okanye iziza ezithile ezichongwe njengezedolophu ngokwemephu eyenziwe siSixeko</li> </ul>		
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**ISHEDYULI 2****IIBHILIBHODI ZAMAQELA NEEMPAWU EZIZIBHODI EZINGAXHASWANGA NGANTO UKUYA KUMA KWI3M<sup>2</sup>**

KUlandelwa imvume yalo Mthetho kaMasipala, kuvumelekile ukuxhonywa kunye/okanye ukubekwa kwebhilibhodi okungaphezu kwe4.5m<sup>2</sup>, nokuba yidizayini elungiselelwe okuthile okanye idizayini yesiqhelo, kuphela kwimimandla yolawulo oluncinci. Ngaphezu koko libhilibhodi kufuneka;

1. Ukuba isiza ekubhekiswa kuso apho iBhilibhodi iza kuxhonywa khona sikufuphi nendlela echongwe njengebalulekileyo, yaye ukuba izakhiwo ezikweso siza zingaphezu kwe50m ukusuka kumda wendlela, zingabekwa ngaphantsi kwe50m ukusuka kumda wendlela, loo mgama ufanayo mawubalwe nge90° ukuya kumda olandelayo wendlela.
  - 1.1 Lo mgama ungangathathelwa ngqalelo kumgama ongekho ngaphantsi kolungelelwano lweendonga zezakhiwo ezikwisiza okanye iziza ezimelene nezo, ukuba ezo zakhiwo zimelene nezo okanye ukuba izakhiwo ezikwisiza zingaphantsi kwe50m ukusuka kumda wendlela xa kufunyenwe uphawu, uHlolo lweFuthe noHlolo lweFuthe lwePhawu ekuHambeni kweZithuthi olubonisa ifuthe elinokuba khona kwisaphulelo esicetywayo kunye nezindululo zezizathu zelo futhe.
2. zithobela imiqathango yesiqhelo yeemvume ezixelwe kulo Mthetho kaMasipala;
3. zingadluli ngapha komda wepropati ezixhonywe kuzo, nokuba olo dluliselo lusemoyeni okanye emhlabeni;
4. zibe nembonakalo encinci engu2.4m nesakhelo sophawu esingadluli kubude obuyi7.5m ukusuka emhlabeni, ngaphandle kwebhilibhodi eyipotreyithi apho ubude buyi9m ukusuka emhlabeni.
 

Obu bude may bungangathathelwa ngqalelo kwezi zinto zilandelayo;

  - 4.1 unyenyiso lungasetyenziswa apho iBhilibhodi kufunwa ukuba ibekwe kwipropati emelene necandelo elibuphakama lendlela okanye lebhulorho;
  - 4.2 eso saphulelo singasetyenziswa ukunyusa ubude beemitha ezixelwe apha ngentla, ngendlela yokuba imbonakalo yophawu ingabikho ngaphezu kwe1m koqoqo lodonga okanye lomnye umhambi okanye isixhobo sokunqanda izithuthi esifakelwe kwindlela ehamba kufuphi apho okanye ibhulorho, emetwe kwindawo ekwindlela ekufuphi nophawu;
  - 4.3 ubude obongeziweyo mabungadluli kwiimitha ezi5 ezongeziweyo kwimeko nganye yobude beemitha obuxelwe apha ngentla yaye ezo bhilibhodi kufuneka zibekwe ngohlobo oluxwesileyo; yaye
  - 4.4 isicelo sesaphulelo masikhatshwezingxelo zohlolo lwendawo nemifanekiso embolombini nambolontathu ebonisa isidingo zokuba kunikwe isaphulelo kumqathango wobude.
5. zingadluli kwisayizi iyonke eyi36m<sup>2</sup> ukuba ngaba zizakubekwa kwisakhelo esinesheyiphu enguV okanye ukuba ziza kuzelana ngemiva kwisakhelo esinye, iiphaneli ezimbini zingavunyelwa. Ubungakanani beebhilibhodi ezijonge endleleni evumela isantya esingu120km/h, bunganyuswa bube zipaneli ezimbini eziyi81m<sup>2</sup> inye, ezinesheyiphu enguV okanye eziza kuzelana ngemiva zibekwe ngohlobo oluxwesileyo, ezikhanyiswe ngaphandle yaye mazingadluli kubude obuyi10m ukusuka emhlabeni;
6. mazibekwe phakathi kwee-engile ezingu90° no60° kwicala lezithuthi ezizayo;

7. zibe nesithuba esincinci esahlulileyo njengoko kufunwa njalo kwimiqathango yoKhuseleko lweZithuthi eziseZindleleni kumacandelo 8(5)(r) no(s) alo Mthetho kaMasipala;
8. Ukuba zikhanyiswe ngaphakathi okanye nge-elektroniki, zibekwe ukuya kuma kwi36m<sup>2</sup> ukuba ngaba ziza kuba kwizakhelo ezinesheyiphu enguV okanye eziza kuzelana ngemiva, iiphaneli ezimbini ezingu36m<sup>2</sup> zingavunyelwa kulandelwa uHlolo lweFuthe lwePhawu ezindleleni nasekuhambeni kwezithuthi, izibonelelo zelifa lemveli nakokusingqongileyo olwenziwe ngabantu abawufundeleyo lo msebenzi okanye abawenzayo, olubonisa akusayi kubakho futhe libi ukusuela ngoko;
9. ukuba zibekwe kufuphi neziphambuka zendlela, kwiirobhothi okanye isiphambuka esineerobhothi, okanye kufutshane nendawo enqumla abahambi-ngeenyawo, mazingakhonywa okanye ziboniswe kwi50m yomjikelezo wendawo ekudibana kuzo iimoto okanye indawo enqumla abahambi-ngeenyawo ukuba azinazikhanyiso; nakwi80m yomjikelezo wendawo ekudibana kuzo iimoto okanye indawo enqumla abahambi-ngeenyawo ukuba zinezikhanyiso;
10. xa zikhonywe kwicala elingasekunene lecandelo lendlela, ngohlobo lokuba imizobo ibonakale kumqhubi ohamba kwicala lasekhohlo, zithathwangokuba zingene endaweni yeentengiso ebezikho kwicala lasekhohlo lendlela.

#### **IIMPAWU ZAMAQELA EZINGAXHASWANGA NGANTO UKUYA KUMA KWI3M<sup>2</sup>**

11. Iimpawu zamaqela ezingaxhaswanga nganto ukuya kuma kwi 3m<sup>2</sup> zingavunyelwa kwimimandla esezidolophini yolawulo olukhulu, oluphakathi noluncinci ekoobhazabhaza beevenkile nakwiigaraji zeepetroli. Ngaphezu koko, Iimpawu zamaqela ezingaxhaswanga nganto ukuya kuma kwi3m<sup>2</sup> kufuneka—
  - 11.1 zibe kwindawo yokupaka iimoto yoobhazabhaza beevenkile okanye kwiigaraji zeepetroli ukuba ngaba zenzelwe iikhastoma ezikwisakhiwo yaye imibhalo nemizobo yazo ayibonakali—
    - (a) kwisitrato esimelene nezo ndawo;
    - (b) kwimizi ekuloo ngingqi;
    - (c) kwizithuthi ezihamba kwisitrato ezikufuphi apho; kunye
    - (d) nakubaqhubi bezithuthi abangena okanye abaphuma koobhazabhaza beevenkile okanye kwiigaraji zeepetroli.
  - 11.2 zingadluli ngapha komda wepropati ezikhonywe kuyo, nokuba olo dluliselo lusemoyeni okanye emhlabeni;
  - 11.3 zingaphazamisi okanye zibe yingozi yokhuseleko kuye nawuphi umntu;
  - 11.4 zibe nembonakalo ye2.4m ukuba zikummandla osetyenziswa ngabahambingeenyawo yaye zingadluli kubude bubonke obuyi4m ukusuka emhlabeni.
12. Iimpawu zamaqela ezingaxhaswanga nganto ukuya kuma kwi3m<sup>2</sup> zingakhanyiswa ngaphakathi okanye nge-elektroniki kodwa mazingabi sisiphithikezi.
13. Iimpawu zamaqela ezingaxhaswanga nganto ukuya kuma kwi3m<sup>2</sup> zingabhalwa kwicala elinye, kumacala amabini, zibe nesheyiphu enguV, okanye zibe sisakhelo ezimacala-mathathu. Ngaphezu koko—
  - (a) lunye kuphela uphawu kwiigaraji yepetroli oluya kuvunyelwa; yaye
  - (b) kuphakanyiswa ukuba kubekwe iimpawu ezininzi zamaqela ezingaxhaswanga nganto, ezinommandla weebhodi zentengiso ongaphezu kwe36m<sup>2</sup> koobhazabhaza beevenkile, iplani ekuza kusetyenzwa ngayo kufuneka ifakwe ngokwecandelo 5(10).

**ISHEDYULI 3****IIMPAWU EZIKUMMANDLA OTHILE EZINGAXHASWANGA NGANTO KUNYE NEZIZIMELEYO KODWA ZINESIXHASO, IIMPAWU EZIKUMMANDLA OTHILE WEFAMA NEEMPAWU EZIXHONYWE KWIIGARAJI EKUTHA KUZO IIMOTO**

Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukubekwa nokuxhonywa kweeMpawu zoMmandla othile ezingaxhaswanga nganto, iimpawu ezizimeleyo neempawu ezikwigaraji yepetroli kuvumelekile kwimimandla esezidolophini yolawulo olukhulu, oluphakathi noluncinci.

1. Iimpawu zeeFama zoMmandla othile neeMpawu zeeNdawo zoLondolozo lweNdalo zivumelekile kwimimandla yendalo nesemaphandleni yolawulo oluphezulu.

1.1 Kwimeko yeeMpawu zeeFama zoMmandla othile neeMpawu zeeNdawo zoLondolozo lweNdalo—

- (i) Amasango, izakhelo zeegeyithi okanye amadonga ayimida angaqwalaselwa kwibhena eya kuxhonywa kummandla othile okanye iiflegi, okanye eneephaneli zophawu ezixhasileyo okanye ezipeyintiweyo njengohlobo lokubonisa.
- (ii) Iimpawu ezilungiselelwe loo ndawo ezikwizinto ezifana neefatyi zewayini nezixhobo zasefama ziya kuvunyelwa.

2. Iimpawu zoMmandla othile ezingaxhaswanga nganto neeMpawu eziNgaxhaswanga nganto zivunyelwe kuphela kumasango eepropati—

- (i) apho izakhiwo zibuyiselwe nge15m okanye nangaphezulu kumda wendlela;
- (ii) apho kungakwazekiyo ukuncamathisela iimpawu kwisakhiwo; kunye
- (iii) apho ubukho boPhawu oluZimeleyo okluNgaxhasangwa nganto buya kunqanda ukuba kungabikho iimpawu ezininzi;

ukuba ngaba kukho ngaphezu kwesango elinye kwisakhiwo ngasinye kuya kuvunyelwa kuphela uphawu olunye kumphambili ngamnye wesitrato.

3. Iimpawu ezikummandla othile ezingaxhaswanga nganto kunye nezizimeleyo kodwa zinesixhaso, iimpawu zeeFama zoMmandla othile neeMpawu zeeNdawo zoLondolozo lweNdalo mazingadluli kwi7.5m ubude yaye ngaphezu koko mazingadluli kwi4.5m<sup>2</sup> uphawu lulonke. Lo mqathango ungophulelwa uye kubude obuyi10m nobukhulu bubonke obuyi15m<sup>2</sup> kwicala ngalinye, kuthathelwa ingqalelo le miba ilandelayo—

- (i) nokuba olo nyuso luhlisa inani leempawu ezizodwa ezijonge kumda wesitrato wesiza, nto leyo ecutha ifuthe lokubona kwindawo engqonge ezo mpawu;
- (ii) inani lamashishini, imisebenzi eyenziwe efama okanye imisebenzi eyenziwe kkwiziko lolondolozo lwendalo eziza kuba kwintengiso ekolo phawu;
- (iii) inani leendlela ezingenayo neziphumayo kwisiza; kunye
- (iv) usetyenziso lomhlaba kummandla ongqonge isiza eso.

4. Iimpawu eziXhonywe kwiiPali zeeNtsimbi ezingesinaSixhasi ezikwiiGaraji zePetroli mazibe kwimimandla ethile yaye zingaxhonywa kuphela kwiiigaraji zepetroli ezimelene nendlela kawonkewonke apho olo phawu lusebenza kwigaraji yepetroli enye kumda wesitrato ngamnye. Lo mqathango ungophulelwa kuphela apho ezi mpawu zibonakala kwiiNdlela eziChongwe njengeziBalulekileyo ezinguN1, N2 noN7.



5. Iimpawu eziXhonywe kwiiPali zeeNtsimbi ezingesinaSixhasi ezikwiiGaraji zePetroli mazingadluli kwi7.5m ubude yaye azinakuba naziiphaneli zeebhodi zeentengiso ezingaphezu kwe8 eziyi4.5m<sup>2</sup> kwicala ngalinye. Lo mqathango ungophulelwa ukuya kuma kubude obuyi16m neephaneli zeebhodi zeentengiso eziyi8 intengiso eziyisayizi engu6m<sup>2</sup> kwicala ngalinye kuthathelwa ingqalelo imiba ekhankanywe kwisoloty 3 elilapha ngentla. Iimpawu eziXhonywe kwiiPali zeeNtsimbi ezingesinaSixhasi ezikwiiGaraji zePetroli zingakhanyiswa ngaphakathi okanye zilayitwe ngombane kulandelwa imiqathango yecandelo 8(4)(h).
6. Uphawu oluelektroniki oluXhonywe kwiiPali zeeNtsimbi ezingesinaSixhasi ezikwiiGaraji zePetroli malungasebenzisi imibala emininzi enokwenza udideko ngokokubona koogunyaziwe bezendlela, oluza kudida abasebenzisi bendlela ze ludale nengozi ezindleleni.

#### **ISHEDYULI 4**

##### **IIMPAWU EZISICABA, EZIVELELAYO NEZIPROJEKTHIWEYO EZISEZIFESTILENI**

Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukubekwa nokuxhonywa kweempawu ezisicaba, ezivelelayo neziprojekthiweyo ezisezifestileni zivumelekile kuyo yonke imimandla yolawulo olukhulu, oluphakathi noluncinci.

1. ISixeko asizi kwamkela naziphi iimpawu zamaqela nakusiphi isakhiwo esiyindlu yokuhlala ngaphandle kwalapho oko kubonelelwe kulo Mthetho kaMasipala.

##### **Iimpawu eziSicaba neziVeelayo**

2. Iimpawu eziSicaba neziVeelayo zoMmandla oThile nezaMaqela kufuneka—
  - 2.1 zingaxhonywa kumgama oyi0.6m ukusuka kumda wendlela;
  - 2.2 zingaveleli phambi kodonga ngaphezu kwe1.5m kuphawu olunembonakalo engaphezu kwe7.5m, okanye ngaphezu kwe1m kwenembonakalo engaphantsi koko;
  - 2.3 zingaveleli ngaphezu kwe250mm keindlela yeenyawo ngaphandle kokuba olo phawu lunembonakalo engaphezu kwe2.4m;
  - 2.4 zingaphazamisi ukubona kuyo nayiphi na ifestile okanye naliphi isango lesakhiwo yaye akukho nxalenye yolo phawu eya kuncanyathiselwa ngaphezu, phambi okanye kwifestile, ucango okanye naliphi isango okanye kwiiipawu zesakhiwo;
  - 2.5 mazingaxhonywa kwiifestile ezivaliweyo okanye kumasango apho ukuluvala kwenzelwe kuphela ukuba kulungiselele ukuxhonywa kophawu;
  - 2.6 zingaveleli ngaphezu kodonga lwesakhiwo okanye nangaphezu kwalo naliphi icala lesakhiwo oluncanyathiselwe kulo;
  - 2.7 uphawu malungaxhonywa kwisakhiwo esakhelwe kuphela ukuxhoma uphawu esisisakhelo sentengiso; yaye
  - 2.8 uphawu maludizayinwe ukuba kube yinxalenye yedizayini yesakhiwo.
3. ISixeko singazinika ingqwalasela izicelo zeempawu kwigumbi leliffi, udonga lweliffi, ibhloko yokusebenzela okanye icandelo lokupaka iimoto kwizakhiwo ezingeyomizi yakuhlala abantu.
4. ISixeko singazinika ingqwalasela izicelo zommandla othile zamagama ezakhiwo kwizakhiwo ezingezozindlu zakuhlala kunye nezakhiwo ezizindlu zokuhlala, kodwa ezo mpawu mazingabi zeze-elektroniki.
5. Iimpawu eziSicaba neziVeelayo zoMmandla oThile nezaMaqela mazingadluli kwi54m<sup>2</sup> uphawu lunonke yaye mazingadluli kwikota enye yommandla ezincanyathiselwe kuwo okanye ezipeyintwe kuwo, nokuba yeyiphi encinci. Lo mnyino wesayizi ungophulelwa phantsi kwale miqathango ilandelayo:
  - 5.1 UHlolo lweFuthe loPhawu malungeniswe kwiSixeko olubonisa ifuthe elingelibanga kokusingqongileyo okanye apho kuchongwe ifuthe elibi kufuneka kuziwe nezindululo zamanyathelo anokudingeka ukucutha elo futhe eliboniweyo.
  - 5.2 UKuba kuphakanyiswa ukuba kuxhonywe uPhawu oluMcaba okanye oluVeelayo kwiZowuni ekummandla weLifa leMveli, uHlolo lweMithombo yeZinto eziLilifa leMveli malungeniswe kwiSixeko olubonisa ifuthe elingelibanga kwizinto ezililifa lemveli okanye apho kuchongwe ifuthe elibi kufuneka kuziwe nezindululo zamanyathelo anokudingeka ukucutha elo futhe eliboniweyo.

5.3 Ngaphandle kwakwiimpawu ezielektroniki, imifanekiso endululwe ukuba isetyenziswe kolo phawu mayilungiswe de kuphele ixesha lemvume yophawu.

6. ISixeko singazinika ingqwalasela izicelo limpawu zoMmandla oThile nezaMaqela ezikhanyiswe ngaphakathi neempawu ezielektroniki ukuya kuma kweyona sayizi iphezulu ingu4.5m<sup>2</sup> okanye kwikota enye yommandla ezincanyathiselwe kuwo okanye ezipheyintwe kuwo, nokuba yeyiphi encinci. Lo mnyino wesayizi ungophulelwa kulandelwa imiqathango yecandelo 8(4)(h).

#### **limpawu ezingekho elektroniki**

7. ISixeko singazinika ingqwalasela izicelo kwiiMpawu eziza kuXhonywa kuMmandla oThile neeMpawu zeQela eLithile kwiindonga ezikwimida yesakhiwo ezingenanto—
- (a) izakhiwo ezingeyomizi yakuhlala abantu; kunye
  - (b) nezakhiwo ezisetyenziselwa imisebenzi eyahlukileyo kodwa kuphela apho ezo mpawu zingaphandle kumanqanaba ekungahlali bantu kuwo.
8. ISixeko singazinika ingqwalasela izicelo kwiiMpawu eziza kuXhonywa kuMmandla oThile neeMpawu zeQela eLithile kumadonga oluntu—
- (a) ezakhiwo ezingeyomizi yakuhlala abantu;
  - (b) ezakhiwo ezisetyenziselwa imisebenzi eyahlukileyo, kodwa kuphela apho ezo mpawu zingaphandle kumanqanaba ekungahlali bantu kuwo; yaye

xa iliqela elithile, iimpawu zamaqela eziza kuxhonywa kwiindonga zezakhiwo ezixelwe kwisoloty 8(a) no(b) ibe zimpawu ezidizayiniweyo nezilungiselelwe loo ndawo, zidizayinelwe yaye zakhelwe ukuba kuxhonywe kwezo ndawo yaye ziqulathe ubuncinane enye yezi zinto;

- (i) iimpawu ezahlukileyo kodwa zingabandakanyi izibane zeLED apho ezo zibane ikukuphela kweempawu ezahlukileyo;
- (ii) iimilo ezizimpawu ezahlukileyo;
- (iii) imizobo embolontathu; okanye
- (iv) izinto ezishukumayo.

#### **limpawu ezielektroniki**

9. Kulandelwa imiqathango yecandelo 8(4)(h), iSixeko singazinika ingqwalasela izicelo kwiiMpawu eziza kuXhonywa kuMmandla oThile neeMpawu zeQela eLithile ezielektroniki kwiindonga ezikwimida yesakhiwo ezingenanto—
- (a) kwizakhiwo ezingeyomizi yakuhlala abantu; kunye
  - (b) nakwizakhiwo ezisetyenziselwa imisebenzi eyahlukileyo kodwa kuphela apho ezo mpawu zingaphandle kumanqanaba ekungahlali bantu kuwo.
10. Kulandelwa imiqathango yecandelo 8(4)(h), iSixeko singazinika ingqwalasela izicelo kwiiMpawu eziza kuXhonywa kuMmandla oThile neeMpawu zeQela eLithile ezielektroniki kumadonga oluntu—
- (a) izakhiwo ezingeyomizi yakuhlala abantu; okanye
  - (b) izakhiwo ezisetyenziselwa imisebenzi eyahlukileyo kodwa kuphela apho ezo mpawu zingaphandle kumanqanaba ekungahlali bantu kuwo; yaye

xa izezeqela, ezo mpawu mazibe nemizobo eyahlukileyo yodonga lwesakhiwo okanye lwezakhiwo eziza kuxhonywa kuzo kwaye idizayini yefreyimu mayiqulathe enye yezi mpawu zedizayini;

- (i) idizayini eyodwa ejikeleze ifreyimu ehambiselana nomgangatho wesakhiwo okanye neempawu zolwakhiwo;
- (ii) ipatheni eprintiweyo okanye esikelwe kwifreyimu;
- (iii) uphawu lobuchule olujikezele le ndawo yomboniso kodwa olume lodwa nolungeyonxalenye yomboniso wentengiso; okanye
- (iv) ukhanyiso olungaphakathi kuphawu okanye ngasemva.

#### **Iimpawu eziVeelayo**

11. Isicelo semvume seeMpawu eziVeelayo zoMmandla othile nezaMaqela zingaqwalaselwa kwiindonga ezikwimida yezakhiwo ezingenanto kwizakhiwo ezingeyomizi yakuhlala abantu nezakhiwo ezisetyenziselwa imisebenzi eyahlukileyo kuphela apho ezo mpawu zingaphandle kumanqanaba ekungahlali bantu kuwo. Kusebenza le miqathango ilandelayo—
- (a) Iimpawu eziVeelayo zoMmandla othile nezaMaqela mazingadluli kwi54m<sup>2</sup> uphawu lunolunye yaye malungadluli kwikota enye yommandla oluvelela kuwo, nokuba yeyiphi encinci. Isayizi ingophulelwa kulandelwa amasolotya 5.1 ukuya ku5.3 ale shedyuli.
  - (b) Imizobo maluyingadluli kwi15 enamasuntwana eenkcukacha iyonke ngokwecandelo 8 (5)(f) nangokwetheyibhile 4.
  - (c) Imifanekiso mayilungiselelwe isithuba sonke semvume yophawu.
  - (d) Imifanekiso eza kusetyenziswa mayingabi namifanekiso ishukumayo, imizobo emininzi okanye naziphi iimpawu ezahlukileyo okanye imiboniso engavumelekanga ngokwecandelo 8(4)(j) ngaphandle kokuba kunikwe isaphulelo soko ngokwecandelo 8(4)(j)(ii).
12. Iimpawu eziVeelayo zingaxhonywa kwiifestile kumadonga oluntu kwizakhiwo ezingeyomizi yakuhlala abantu nakwizakhiwo ezisetyenziselwa imisebenzi eyahlukileyo kuphela apho ezo mpawu zixhonywe ngaphandle kumadonga ezakhiwo ekungahlali bantu kuzo kwimisitho yethutyana yehlabathi, yesizwe okanye yezemidlalo, ubugcisa nenkcubeko ukuba ngaba;
- (a) Iimpawu eziVeelayo ziya kuxhonywa kuphela kwindawo ekusindlekwe kuyo umsitho isithuba sonke somsitho; yaye
  - (b) iSixeko singaqwalasela imvume semizobo emininzi engashukumayo kodwa iimpawu eziVeelayo mazingabi namifanekiso ishukumayo, imizobo emininzi okanye naziphi iimpawu ezahlukileyo okanye imiboniso engavumelekanga ngokwecandelo 8(4)(j) ngaphandle kokuba kunikwe isaphulelo soko ngokwecandelo 8(4)(j)(i).
13. Iimpawu eziVeelayo ezikumhlaba weSixeko, izakhiwo nakwizibonelelo zeSixeko zingavunyelwa kwimisitho yethutyana yemibutho engenzi nzuzo okanye kwimisitho yoluntu, eyenkcubeko okanye eyemidlalo, ngeeyure apho umsitho lowo uvuleleke kuluntu, yaye kufuneka isuswe yonke imihlaba xa umsitho uphela ukuba ngaba—
- (a) Iimpawu eziVeelayo ziya kube zixhonywe kwindawo ekusindlekwe kuyo umsitho isithuba sonke somsitho, yaye ezo mpawu zisenokuba zezifestileni; yaye
  - (b) iSixeko singaqwalasela imvume yemizobo emininzi engashukumayo kodwa iimpawu eziVeelayo mazingabi namifanekiso ishukumayo, imizobo emininzi okanye naziphi iimpawu ezahlukileyo okanye imiboniso engavumelekanga ngokwecandelo 8(4)(j) ngaphandle kokuba kunikwe isaphulelo soko ngokwecandelo 8(4)(j)(i).

**Iimpawu ezisezifestileni**

14. Iimpawu ezisezifestileni ezixhonywe ezivenkileni, kumashishini, kwiifisi, kwiifemu okanye kwiindawo zolonwabo ezingaphezu komlinganiselo oxelwe kwicandelo 12(7)(a) (iv) no(v) okanye ezixhonywe kwiyunithi ephakathi kwemigangatho yokuqala neyesine yesakhiwo, zingavunyelwa kuyo yonke imimandla yolawulo, ukuba ngaba iimpawu ezisezifestileni—
- (a) zimpawu zommandla othile, yaye zibekwa kuphela kwiifestile zeeyunithi ezisetyenziswa ngamashishini ezo ntengiso ezibekwe kummandla othile;
  - (b) zingadluleli ngaphaya kwefreyimu yefestile, iibha zefestile nezituphu zeefestile;
  - (c) azidluleli ngaphaya kweendonga zeplani yesakhiwo esinezo festile;
  - (d) kungafuneka ukuba uphawu ngalunye lwenziwe lohlukes, okanye lube yimathroyeli etransparenti ukulungiselela ukuba kungachaphazeleki ubuhle, inkangeleko okanye ilanga elingena kweso sakhiwo;
  - (e) xa uphawu lubekwe phakathi kongangatho wokuqala nowesine wesakhiwo, malungadluli kwi25% yommandla oneglasi okanye i54m<sup>2</sup> lulonke, nokuba yeyiphi encinci;
  - (f) alunakuxhonywa ngentla komgangatho wesine waso nasiphi na isakhiwo; yaye
  - (g) apho lubekwe kwifestile yeglasi okanye amadonga angaphandle enziwe ngeglesi, yaye apho loo glasi ithathwa njengodonga, ziya kuqwalaselwa siSixeko phantsi kwemiqathango yeeMpawu ezisicaba, ezivelelelayo neziprojekthiweyo ezisezifestileni.

**ISHEDYULI 5****IIMPAWU EZISESIBHAKABHAKENI**

Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukubekwa nokuxhonywa kweempawu ezisesibhakabhakeni nokuba zezidizayiniweyo nezilungiselelwe loo ndawo zivumeleke kuphela kwimimandla yolawulo oluncinci. Ngaphezu koko—

1. Iimpawu ezisesibhakabhakeni kufuneka;
  - (a) zingedluli ku4.5m<sup>2</sup>, ukuba ngaba le sayizi ingophulelwa ukuya kuma kubukhulu obuyi18m<sup>2</sup> ngephaneli nganye xa kufunyenwe iziphumo zoHlolo lweFuthe loPhawu, ezibonisa ifuthe elingelibanga kokusingqongileyo yaye olo phando kufuneka lube nezindululo zamanyathelo anokudingeka xa kunokubakho elinye ifuthe. Olo phawu lungaba liicala elinye, amacala amabini, lube nesheyiphu enguV;
  - (b) zingaphazamisi ukubona nakwesiphi isakhiwo; yaye
  - (c) zingakhanyiswa ngaphakathi okanye ezikhanyiswe ngaphandle, okanye zilayitwe ngombane.

Iimpawu ezisesibhakabhakeni kumda ophezulu wophahla lwesakhiwo sezenkcubeko, semali okanye esakhiwe sanemizobo emihle, ziya kuvunyelwa kuphela ukuba zikummandla othile, azikhanyiswanga, azisebenzisi mbane yaye zinoonobumba abasikwe nganye nganye okanye iilogo.

**ISHEDYULI 6****IIMPAWU EZIXHONYWE EMAPHAHLANI**

Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukubekwa nokuxhonywa kweempawu ezixhonywe emaphahleni zivumelekile kuyo yonke imimandla esezidolophini yolawulo ngaphandle kwemimandla ezowunwe njengezindlu zokuhlala kwimimandla yolawulo oluphezulu. Ngaphezu koko—

1. Iimpawu ezingaphezu kwe4.5m<sup>2</sup>, zingancanyathiselwa okanye zipecintwe kuphahla lwesakhiwo yaye mazingadluli kwi25% ubukhulu bubonke bommandla wophahla encanyathiselwe okanye epecintwe kuwo.
2. Xa zingancanyathiselwe kumazantsi ophahla okanye embindini wophahal lwesakhiwo, olo phawu malungadluli kwi1m ubude yaye lunonke malungadluli kwi25% yommandla eluncanyathiselwe kuwo.
3. Kuyavumeleka ukuncamathisela uphawu olukuphahla kumda wophahla lwesakhiwo, ukuba olo phawu lunomgca omnye woonobumba, abangenazinto zibambileyo okanye ezibaxhasayo kodwa olo phawu alusayi—
  - (a) kuxhonywa ngaphezu kwemida emibini yophahla;
  - (b) kuba ngaphezu kwe3.6m<sup>2</sup> lunonke; yaye
  - (c) kuba ngaphezu kobude obuyi 1m.

**ISHEDYULI 7****IIMPAWU EZIKWIVERANDA, IBHALKHONI, IKHENOPHI, IIPALI ZENKXASO NAKWIINTSIKA**

Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukubekwa nokuxhonywa kweempawu ezikwiveranda, ibhalkhoni, ikhenophi, iipali zenkxaso nakwiintsika kungavunyelwa kuyo yonke imimandla yolawulo ukuba ngaba ezo mpawu zithobela le miqathango ilandelayo:

1. Iimpawu azizi kuvunyelwa kwiiimpawu ezihombise isakhiwo.
2. Iimpawu azinakuncanyathiselwa sicaba okanye zipeyintelwe kumadonga, iibalustrade okanye ungqameko lweveranda, ibhalkhoni okanye ikhenophi nakumqadi weveranda, ibhalkhoni okanye ikhenophi yaye—
  - (a) mayingabi ngaphezu kwe1m ubude;
  - (b) zingaveli apha ngentla, okanye ngezantsi okanye nakweliphi icala lomgangatho ezincanyathiselwe kuwo;
  - (c) zingaveli ngaphezu kwe250mm ngaphambi kwecala ezincanyathiselwe kuzo;
  - (d) zingaveli ukusuka kumzila wendlela; okanye
  - (e) mazingabi kwi0.6m ukusuka kumda womzila wendlela.
3. Iimpawu zingancanyathiselwa sicaba okanye zipeyintelwe kwiiipali ezixhasayo nakumadonga ezakhiwo. Akukho phawu lunokuvelela ngaphezu kwe50mm phambi komgangatho oluncanyathiselwe kuwo yaye alakudlulela ngaphaya kwemida yeekholam neepali. Iimpawu ezincanyathiselwe sicaba kwisakhelo esingekho mbhoxobuxande esixhasa iimpawu ziya kugotywa ukuze zihambelane nobume bezakhelo ezo. Kuya kuvunyelwa kuphela uphawu olunye kwipali nganye.
4. Iimpawu ezingezantsi kophahla lweveranda, lwekhenophi okanye komzantsi webhalkhoni malungadluli kwi1.8m ubude okanye 600mm ubude. Olo phawu luya kuma nkqo okanye lube kwiengile esekunene kwisakhiwo. Akukho phawu luya kudlula kunda wokuphela kweveranda, ikhenophi okanye ibhalkhoni encanyathiselwe kuyo yaye kufuneka lube nembonakalo ye2.4m.
5. Iimpawu ezikuphahla lweveranda, ikhenophi okanye ibhalkhoni, ezingabandakanyi uphahla lwesakhiwo—
  - (a) mazibe noonobumba abazimeleyo unobumba ngamnye, abangenazinto zibambileyo okanye ezibaxhasayo;
  - (b) mazingaxhonywa ngaphezu kwemida emibini yophahla lweverandh, ibhalkhoni okanye ikhenophi; yaye
  - (c) mazingadluli kwi1m ubude.



**ISHEDYULI 8****IIMPAWU KUMADONGA NAMACINGO AKWIMIDA, IIMPAWU EZIKWISIZA SOLWAKHIWO NAKWIIBHODI EZIKWIINDAWO EKWAKHIWA KUZO****1. Iimpawu zommandla othile Kumadonga namacingo akwimida**

Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukubekwa nokuxhonywa kweempawu kumadonga namacingo akwimida kuvunyelwe kuphela kwiintengiso ezibekwe kummandla othile kwimimandla esezidolophini yolawulo olukhulu, oluphakathi noluncinci. Ngaphezu koko—

- 1.1 Kwimimandla yolawulo olukhulu, oluphakathi noluncinci, iSixeko singamkela—
- (a) izicelo zokuncamathisela iimpawu zommandla othile ukuya kuma kwi3m<sup>2</sup> uphawu ngalunye kwidonga elingumda, kodwa zingadluli kwi10% kummandla obonwayo womphambili wodonga ezincanyathiselwe kulo, Ukuba ezo mpawu—
- (i) zibekwe njengeempawu ezisicaba kolo donga; okanye
  - (ii) zibe noonobumba abasikiweyo okanye iisimboli yaye babekwe bahlale sicaba kudonga; yaye
  - (iii) zingaveleli ngaphezu kwe50mm kubuso bodonga.
- (b) izicelo zokuncamathelisa iimpawu zommandla othile ezingaphezu kwe3m<sup>2</sup> uphawu ngalunye kwidonga elingumda, kodwa zingadluli kwi10% kummandla obonwayo womphambili wodonga ezincanyathiselwe kulo, Ukuba ezo mpawu—
- (i) zingeniswe kudonga okanye zibe noonobumba abasikiweyo okanye iisimboli; okanye
  - (ii) zihleli sicaba kudonga, zingaveleli ngaphezu kwe50mm kubuso bodonga.
- (c) ezo mpawu ukuba ngaba azigqumi imida ekumantla okanye esemacaleni odonga okanye eyocingo yaye zibe kude nge300mm kuloo mda;
- (d) ezo mpawu zingakhanyiswa ngaphandle okanye zibe noonobumba abasikiweyo abanokuba nezikhanyisi.
- 1.2 Kwimimandla yolawulo oluncinci, iSixeko singamkela—
- (a) izicelo zokuncamathelisa iimpawu zommandla othile enoomandla wokubeka iintengiso ongadluli kwi25% kummandla uwonke obonwayo womphambili wodonga ezincanyathiselwe kulo ukubaf—
- (i) zibekwe njengeempawu ezisicaba okanye zipeyintelwe okanye zinoonobumba abasikiweyo okanye iisimboli;
  - (ii) zihleli sicaba kudonga, zingaveleli ngaphezu kwe50mm kubuso bodonga ezincanyathiselwe kulo okanye ezipeyintwe kulo; yaye
  - (iii) ezo mpawu ukuba ngaba azigqumi imida ekumantla okanye esemacaleni odonga okanye eyocingo yaye zibe kude nge300mm kuloo mda.
- (b) ezo mpawu zingakhanyiswa ngaphandle okanye zibe noonobumba abasikiweyo abanokuba nezikhanyisi;
- (c) iimpawu zommandla othile ezisicaba ezingakhanyiswanga ezinobukhulu obuyi1m<sup>2</sup> kucingo lwesiza kodwa zingadluli kwi25% yommandla obonwayo

womphambili wocingo. Ukuzinza kwesakhiwo nomthamo womoya wocingo kufuneka uqinisekiswa ngumfakisicelo ngendlela eyanelisa iSixeko.

## 2. Iimpawu ezikwisiza solwakhiwo

Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukubekwa nokuxhonywa kweempawu zamaqela neentengiso ezibekwe kummandla othile kwiimpawu ezikwisiza solwakhiwo zivumelekile kuyo yonke imimandla yolawulo.

- 2.1 Iimpawu zommandla othile nentengiso yeqela elithile kwisiza solwakhiwo ziya kuthobela le miqathango ilandelayo—
- (a) Uphawu ngalunye malungadluli kwi3m ubude nakubukhulu be18m<sup>2</sup> lulonke yaye uphindaphindo lwemizobo olunezithuba ezingenanto phakathi kwemifanekiso lungavunyelwa kulandelwa inkxaso ebhaliweyo yoGunyaziwe weNdlela olawula loo mmandla.
  - (b) naluphi uphawu malungaveleli ngaphezu kwe100mm phambi kwesakhelo oluncanyathiselwe kuso.
  - (c) Aluvumelekanga ukhanyiso kwimimandla yolawulo olukhulu, oluphakathi noluncinci.
  - (d) Akukho ntengiso evumelekileyo kwisiza solwakhiwo emva kweerobhothi apho loo ntengiso ibonakala nakancinci kubaqhubizimoto.
  - (e) Ezo mpawu ziya kuvunyelwa kuphela xa kwisiza solwakhiwo kufuneka kumiswe amaplanga ngezizathu zezomthetho, zokhuseleko okanye zolwakhiwo yaye azimiswa ngenxa yokuxhoma iintengiso.
  - (f) Ngaphezu kokufuna isatifikethi sokuqinisekisa ukhuseleko, iSixeko singafuna umfakisicelo ukuba abonelele ngezinye iipemithi ngokwemiqathango yayo nayiphi imithetho echaphazelekayo.
  - (g) ISixeko singafuna umfakisicelo ukuba abonelele ngamaxesha okwenza umsebenzi okanye inkqubo elandelwa ngumfakisicelo, ebonisa umhla wokuqala kweprojekthi nomhal eza kugqitywa ngawo.
  - (h) Intengiso ebekwe kwiipali ezikwisiza solwakhiwo ingaxhonywa kuphela kwiveki ephambi kolwakhiwo yaye kufuneka isuswe kwiveki yokugqitywa komsebenzi.
- 2.2 Iimpawu zommandla othile nentengiso yeqela ezikwizikrini ezibonelela ngendawo yokusebenza ekhuselekileyo xa kujongwa ubude, bezikafule, kufuneka zithobele le miqathango ilandelayo:
- (a)
    - (i) luphawu olunye kuphela olungadluli kummandla wentengiso oyi54m<sup>2</sup> olungaxhonywa kumphambili ngamnye wesitrato;
    - (ii) kungavunyelwa ukuxhonywa komfanekiso ongadibenanga nophawu okanye okanye inkangeleko yesakhiwo;
    - (iii) akukho sikhanyisi sivunyelweyo kummandla wolawulo olukhulu, oluphakathi noluncinci; yaye
    - (iv) ezo mpawu ziya kuvunyelwa kuphela xs izikrini zokhuseleko nezikafule zidingeka ukuba zibekwe ngenxa yeemfuno zomthetho zokhuseleko okanye zolwakhiwo, yaye azimiswa ngenxa yokuxhoma iintengiso.
  - (b) Ngaphezu kokufuna isatifikethi sokuqinisekisa ukhuseleko, iSixeko singafuna umfakisicelo ukuba abonelele ngezinye iipemithi ngokwemiqathango yayo nayiphi imithetho echaphazelekayo.

- (c) ISixeko singafuna umfakisiselo ukuba abonelele ngamaxesha okwenza umsebenzi okanye inkqubo elandelwa ngumfakisiselo, ebonisa umhla wokuqala kweprojekthi nomhal eza kugqitywa ngawo.
  - (d) Intengiso ebekwe kwiipali ezikwisiza solwakhiwo ingaxhonywa kuphela kwiveki ephambi kolwakhiwo yaye kufuneka isuswe kwiveki yokugqitywa komsebenzi.
- 2.3 Iimpawu ezingaxhaswanga nganto zommandla othile ezikwisiza solwakhiwo kufuneka zithobele le miqathango ilandelayo;
- (a) kwimimandla yolawulo oluphezulu, ubungakanani bophawu mabungadluli kwi4.5m<sup>2</sup>;
  - (b) kwimimandla yolawulo oluphakathi, ubungakanani bophawu mabungadluli kwi9m<sup>2</sup>;
  - (c) kwimimandla yolawulo oluncinci, ubungakanani bophawu mabungadluli kwi18m<sup>2</sup>;
  - (d) olo phawu malungadluli kubude obuyi5.5m;
  - (e) luphawu olunye kuphela olunoluxhonywa kumphambili ngamnye wesitrato;
  - (f) ezo mpawu mazingakhanyiswa kwimimandla yolawulo olukhulu, oluphakathi noluncinci;
  - (g) ezo mpawu mazingabonisi naziphi iinkcukacha ngaphandle kwegama neenkukacha zoqhagamshelwano zenkampani eyokhayo;
  - (h) ISixeko singafuna umfakisiselo ukuba abonelele ngamaxesha okwenza umsebenzi okanye inkqubo elandelwa ngumfakisiselo, ebonisa umhla wokuqala kweprojekthi nomhal eza kugqitywa ngawo. ; yaye
  - (i) Intengiso ebekwe kwiipali ezikwisiza solwakhiwo ingaxhonywa kuphela kwiveki ephambi kolwakhiwo yaye kufuneka isuswe kwiveki yokugqitywa komsebenzi.

### 3. IiBhodi ezikwisiza solwakhiwo

- 3.1 Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukubekwa nokuxhonywa kweeBhodi ezikwisiza solwakhiwo ngaphandle kwezo zikhankanywe kwicandelo 12(4) kuya kuvunyelwa kwisiza solwakhiwo apho isakhiwo okanye iplani yokwakhiwa kwesiza sele yamkelwe. Ngaphezu koko—
- (a) Ukuba kuyaqhutywa nolwakhiwo kwisiza sesakhiwo, yaye eso sakhiwo ayisosezindlu zokuhlala iintsapho kuphela kwimimandla yolawulo oluphezulu, iBhodi enye kuphela eBonisa uLwakhiwo ingaxhonywa kumphambili ngamnye wesitrato yaye loo Bhodi eBonisa uLwakhiwo kufuneka—
    - (i) ingadluli kwi6m<sup>2</sup> iyonke;
    - (ii) ingadluli kwi5.5m ubude bubonke; yaye
    - (iii) ibe nembonakalo ye2.1m.
  - (b) Ukuba kuyaqhutywa nolwakhiwo kwisiza sesakhiwo, yaye eso sakhiwo ayisosezindlu zokuhlala iintsapho kuphela kwimimandla yolawulo oluphakathi, iBhodi enye kuphela eBonisa uLwakhiwo ingaxhonywa kumphambili ngamnye wesitrato yaye loo Bhodi eBonisa uLwakhiwo kufuneka—
    - (i) ingadluli kwi18m<sup>2</sup> iyonke;
    - (ii) ingadluli kwi5.5m ubude bubonke; yaye
    - (iii) ibe nembonakalo ye2.1m.
  - (c) Ukuba kuyaqhutywa nolwakhiwo kwisiza sesakhiwo, yaye eso sakhiwo sesezindlu zokuhlala iintsapho kuphela kwimimandla yolawulo olukhulu

noluphakathi, yaye sisakhiwo esitsha esineeyunithi zokuhlala ezintathu nangaphezulus, lbhodi eBonisa uLwakhiwo ingaqwalaselwa inganobukhulu obuyokuma kwi18m<sup>2</sup> bubonke ne5.5m ubude bubonke; yaye ibhodi mayibe nye kumphambili wesitrato ngasinye kuthathelwa ingqalelo le miba ilandelayo—

- (i) ubungakanani bolwakhiwo;
  - (ii) inani lamasango angena kwisiza esakhiwayo; kunye
  - (iii) nefuthe lokubona kwindawo leyo.
- (d) Ukuba ulwakhiwo oluqhubayo lukummandla wolawulo oluncinci, loo Bhodi eBonisa uLwakhiwo mayingadluli kwi36m<sup>2</sup> iyonke ne7.5m ubude bubonke; yaye
- (i) kufuneka ibe nembonakalo ye2.4m; yaye
  - (ii) makuxhonywe liBhodi ezimbini kuphela kwiSiza soLwakhiwo, ibe nye kumphambili wesitrato ngasinye.
- (e) liBhodi ezikwiSiza soLwakhiwo mazingaxhonywa ngaphezu kweenyanga ezintathu phambi kolwakhiwo.
- (f) NJengenxalenye yesicelo seBhodi eBonisa uLwakhiwo, umfakisicelo kufuneka ukuba abonelele ngamaxsha okwenza umsebenzi okanye inkqubo elandelwa ngumfakisicelo, ebonisa umhla wokuqala kweprojekthi nomhal eza kugqitywa ngawo.
- (g) liBhodi ezikwiSiza soLwakhiwo mazingabi nasikhanyiso yaye zingamenyezeli.
- (h) liBhodi ezikwiSiza soLwakhiwo zingabonisa ezi nkukacha kuphela—
- (i) igama neenkukacha zoqhagamshelwano zomakhi, umboneleli ngezimali okanye iarhente yokumaketha iipropati;
  - (ii) umzobo wolwakhiwo olucetywayo;
  - (iii) inkcazelo yolwakhiwo olucetywayo;
  - (iv) amagama "iyathengiswa", "iyarentiswa", "iyathengiswa ngoku", "ithengisiwe", "iza kuqala kungekudala", "iyeza kungekudala", "isakhiwo esitsha" okanye "ukwakhiwa kwakhona"; kunye
  - (v) neenkukacha zamaxabiso.
- 3.2 ISixeko singahambisa isaziso sothotyelo esifuna ukuba kususwe naziphi liBhodi ezikwiSiza soLwakhiwo ukuba ulwakhiwo lugqityiwe okanye luyekiwe, okanye iSatifikethi sokuHlala sinikeziwe siSixeko, yaye ezo mpawu kufuneka zisuswe umaxeshwa akhankanywe kweso saziso sothotyelo.

**ISHEDYULI 9****IPOWUSTA EZINEMIHATHI EYINTLOKO YAMAPHEPHANDABA**

Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukubekwa nokuxhonywa kweepowusta ezinemihlathi eyintloko yamaphephandaba kuvumelekile kuyo yonke imimandla esezidolophini yolawulo nakwiindlela ezinikwe imvume kwimimandla yendalo nesemaphandleni nakwimimandla yolawulo oluphezulu. Ngaphezu koko—

1. Kufuneka kwenziwe isicelo sobhaliso qho ngonyaka liqela lephephandaba ngalinye ukubonisa ezo powusta ezinemihlathi eyintloko yamaphephandaba kumhlaba weSixeko emva kokuhlawula umrhumo wonyaka wobhaliso ngokwemiqathango yeMirhumo neeNtlawuloyeSixeko emana ipapashwa amaxesha ngamaxesha.
2. Ziipowusta ezinemihlathi eyintloko yamaphephandaba kuphela zamaphephandaba athengiswayo qho ngosuku nangeveki ezivumeleke ukuba zixhonywe kwiipali zombane ezisezitratweni zeSixeko.
3. Xa siqwalasela isicelo, iSixeko singacutha inani leepowusta kwiindlela ezithile ukunqanda ukugcwala kweepowusta ezinemihlathi eyintloko yamaphephandaba. La manani angaphononongwa siSixeko amaxesha ngamaxesha.
4. Iziqulatho zeepowusta ezinemihlathi eyintloko yamaphephandaba ezibekwe kwipropati yeSixeko iya kuba ziindaba eziphambili, amabali okanye izinto eziphambili eziqulethwe kumaphephandaba athengiswa ngolo suku yaye akukho ntengiso yeqela elithile iya kuvunyelwa.
5. Iipowusta ezinemihlathi eyintloko yamaphephandaba azinakusetyenziselwa ukukhankasa kwethutyana, okanye iziganeko.
6. Iipowusta ezinemihlathi eyintloko yamaphephandaba mazingadluli kwi0.9m x 0.6m ngokobungakanani.
7. Iipowusta ezinemihlathi eyintloko yamaphephandaba azinakuncanyatheliswa kwiipali zombane ezisezitratweni zeSixeko kodwa mazibekwe kwibhodi yaye zincanyathiselwe zibambebele ngentambo.
8. Isiqulatho esinoshinino kwipowusta esisihlokondaba sephephandaba masingadluli kwi20% yobungakanani bepowusta yaye umbhalo weso siqulatho awunakuba ngaphezulu kwamanye amagama akwipowusta leyo.
9. Iipowusta ezinemihlathi eyintloko yamaphephandaba azinakuncanyathiselwa kwiipali zeerobhothi zeendlela, kwezinye iipali ezineempawu zeendlela okanye iipali ezibekelwe omnye umsebenzi, ngaphandle kwiipali zombane ezisezitratweni zeSixeko ezikhankanywe kwisoloty 7 elilapha ngentla, okanye nakweyiphi ifenitshala yesitrato, udonga, iingcingo, imithi, amatye okanye ezinye izinto zendalo ezikwipropati yeSixeko.
10. Kuya kuvunyelwa iPowusta enye esisihlokondaba sephephandaba kwipali yombane esezitratweni yeSixeko, nokuba yeyeliphi iphephandaba.
11. Iipowusta ezinemihlathi eyintloko yamaphephandaba kufuneka zisuwe yonke imihla, yaye ukuba akwenzekanga oko, ziya kususwa siSixeko okanye iarhente yaso egunyazisiweyo, ngeendleko zomntu/zabantu abanoxanduva lokuxhonywa kwezo powusta ezinemihlathi eyintloko yamaphephandaba okanye iNkampani yePhephandaba.
12. Akukho powusta esisihlokondaba sephephandaba engaxhonywa kwi30m yalo naluphi uphawu lwendlela okanye irobothi yendlela, ngaphandle kokuba kunikezwe imvume yaloo mgama, kummandla ochongiweyo ngokwecandelo 7(6).

13. ISixeko siya kugqiba ngeendleko zokususa iipowusta ezisuswe iSixeko okanye iarhente yaso egunyazisiweyo, iipowusta ezinemihlathi eyintloko yamaphephandaba, ezo ezibekwe zisaphula nawuphi umqathango okule Shedyuli nezo zingasuswanga imihla yonke ngokwemiqathango yeSixeko yeMirhumo neeNtlawulo ezamkelweyo, ezimana zipapashwa amaxesha ngamaxesha. Ezi ndleko ziya kumana ziphononongwa qho ngonyaka ngokwemiqathango yeMirhumo neeNtlawulo.
14. Iipowusta ezingagunyaziswanga ezinemihlathi eyintloko yamaphephandaba ezo ezibekwe zisaphula nawuphi umqathango okule Shedyuli nezo zingasuswanga imihla yonke ziya kususwa siSixeko okanye iarhente yaso egunyazisiweyo. Ngaphezu kokubuyisa iindleko zokususa ezi powusta ezinemihlathi eyintloko yamaphephandaba, iSixeko singabuyisa neendleko zokubuyisela imo yepali ebekususwa kuyo ezi powusta ezinemihlathi eyintloko yamaphephandaba kumntu/abantu abanoxanduva lokuxhonywa kwezo powusta ezinemihlathi eyintloko yamaphephandaba okanye iNkampani yePhephandaba.

**ISHEDYULI 10****INTENGISO EKWIBHENA EBOTSHELELWEYO, IIFLEGI, IIBHALUNI, IZINTO EZIVUTHELWAYO  
NAKWIIBHENA EZIXHONYWE KWIIPALI ZOMBANE**

Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukuxhonywa okanye ukuxhonywa kweBhena ebotshelweyo, liflegi, libhaluni, izinto ezivuthelwayo nakwiibhena ezixhonywe kwiipali zombane kuvumelekile kuyo yonke imimandla yolawulo kwimimandla yendalo nemimandla esemaphandleni yolawulo oluphezulu yaye kulandelwa imiqathango yeSixeko emalunga nokubekwa kwazo elapha ngezantsi.

**Ibhena ebotshelweyo, liflegi, libhaluni neZinto ezivuthelwayo**

1. Imvume yeentengiso ezibekwe kummandla othile kwibhena ebotshelweyo, liflegi, libhaluni neZinto ezivuthelwayo iya kunikezelwa isiganeko okanye umsitho wamabandla, imfundo, ezentlalo, intlalontle yezilwanyana, imidlalo, imicimbi karhulumente, eyenkubeko okanye iinjongo zokubhalisela ivoti okanye imisitho yamaqela opolitiko.
2. Inganikezwa imvume yolwazi ngezinto zasekuhlaleni kwibhena ebotshelweyo enobukhulu obuya kuma kwi4.5m<sup>2</sup> exhonywe licandelo likarhulumente kumhlaba woluntu nebonisa imiyalezo yoluntu ukuba ngaba loo bhena ebotshelweyo—
  - (a) ayinantengiso yoshishino, inkxasomali yamashishini okanye intengiso yoshishino;
  - (b) ukuba izimrle ayixhaswanga, mayibe nembonakalo encinci engu2.1m yaye ingadluli kubude obuyi4.5m bubonke; yaye
  - (c) ingabi nazikhanyiso.
3. Kuya kuvunyelwa intengiso enye kuphela kummandla othile onebhena ebotshelweyo, liflegi, libhaluni neZinto ezivuthelwayo kwizakhiwo ngazinye ngaphandle kokuba kufunyenwe imvume ebhaliweyo yeSixeko yokubeka ngaphezu kophawu olunye yaye umfakisicelo uza kufaka amaxesha adingekayo okuxhonywa kwaloo bhena ebotshelweyo, liflegi, libhaluni neZinto ezivuthelwayo ekufuneka ingadluli kwiintsuku ezili10, ngaphandle kokuba iSixeko sixelelile xa sinikeza imvume yaso, ukuba kunikezwe isithuba esingaphezu kweso.
4. Ibhena ebotshelweyo, liflegi, libhaluni neZinto ezivuthelwayo—
  - (a) azinakuxhonywa nakweyiphu ibhulorho okanye kwindlela kawonkewonke ngaphandle kokuba kufunyenwe imvume ethile kwiSixeko;
  - (b) azinakuncanythiselwa ngendlela ephazamisana okanye edala ubungozi kubahambingeenyawo okanye kwizithuthi;
  - (c) azinakuba ngaphezu kwe4.5m<sup>2</sup> except ngaphandle kokuba kufunyenwe imvume ebhaliweyo yeSixeko;
  - (d) azinakuboniswa kwi 30m yalo naluphi uphawu lwendlela okanye irobhoti yendlela;
  - (e) azinakuncanyathiselwa kwiipali zeerobhoti zeendlela, okanye kwezinye iipali ezineempawu zeendlela, kwiibhokisi zokuhambisa iinkonzo zombane nezinye iinkonzo, ifenitshala yesitrato, amatye, imithi, ezinye izinto zendalo, okanye enye ipropati yeSixeko;
  - (f) azinakuncanyathiselwa ngendlela esitha amanye amashishini okanye eminye imibutho okanye ezinye iimpawu esele zikhona;
  - (g) azinakukhanyiswa ngaphandle kokuba zikummandla ovumela ukhanyiso kwindawo enomsitho; yaye

- (h) azinakuncanyathiselwa kuzo naziphi izakhiwo ngaphandle kwezakhiwo ezichaphazelekayo yaye azinakguma oonxantathu abasecaleni kwendlela okanye amasango ukungena izithuthi.

**Ibhena exhonywe kwipali yombane**

5. Ibhena ezixhonywe kwipali yombane zivunyelwe kuphela kwiziganeko okanye imisitho wamabandla, imfundo, ezentlalo, intlalontle yezilwanyana, imidlalo, imicimbi karhulumente, eyenkubeko okanye umsitho weSixeko, wePhondo okanye unyulo lwePalamente okanye uvavanyozimvo zoluntu, okanye ukhankaso lwevoti okanye ubhaliselo lwevoti. Akuvumekanga ukuxhoma ibhena kwipali yombane nokuba loo bhena yenzelwe naluphi uhlobo lwesiganeko okanye naluphi uhlobo lomsitho. Ngaphezu koko—
  - (a) Ibhena exhonywe kwipali yombane ayinakuba ngaphezu kwe1.2m x 2.7m.
  - (b) Amagama abaxhasi bamaqela neelogo mazingadluli kwi5% yebhena ngaphandle kokuba kufunyenwe imvume ebhaliweyo yeSixeko.
  - (c) Zibekwa kuphela kwiindlela ezithile ezilungiselelwe oko nakwiipali zombane ezisezitatweni zeSixeko.
  - (d) Kusetyenziswa kuphela iibrakethi zeepali zombane (iibrakethi, iihenjisi nezinto zokuzibopha) ezamkelwe siSixeko.
  - (e) Ibhena exhonywe kwipali yombane ayinakuxhonywa kwi30m yalo naluphi uphawu lwendlela okanye irobhoti yendlela.
  - (f) Igama lomsitho kufuneka libe ngentla kwegama lalowo uxhase ngezimali neelogo.
  - (g) Ibhena exhonywe kwipali yombane ingaxhonywa kwiintsuku ezisi7 phambi komsitho njengoko kwamkelwe siSixeko yaye kufuneka isuswe kwiintsuku ezi3 emva komsitho.
6. ISixeko siya kuzibuyisa iindleko zokususa Ibhena engagunyaziswanga ebotshelweyo, liflegi, libhaluni, Izinto ezivuthelwayo nakwiibhena ezixhonywe kwiipali zombane, neendleko zokubuyisela imo yepali ebekususwa kuyo ezi bhena zibotshelweyo, liflegi, libhaluni, Izinto ezivuthelwayo kumntu/abantu abanoxanduva lokuxhonywa kwezo bhena.
7. Umntu ngamnye ozimisela ukuxhoma Ibhena ebotshelweyo, liflegi, libhaluni Izinto ezivuthelwayo kwiipali zombane uya kuhlawula kwiSixeko umrhumo webhena ebotshelweyo, liflegi, libhaluni, Izinto ezivuthelwayo nebhena exhonywe kwipali yombane ngokwemiqathango yeMirhumo neeNtlawulo yeSixeko emana ipapashwa amaxesha ngamaxesha, engabuyiswayo eyenzelwe ukuba umntu axhome Ibhena ebotshelweyo, liflegi, libhaluni, Izinto ezivuthelwayo nebhena ezixhonywe kwiipali zombane isithuba esixelwe kwileta yemvume.



**ISHEDYULI 11****IPOWUSTA**

Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukubekwa nokuxhonywa kweepowusta kuvumelekile kuyo yonke imimandla yolawulo ngaphandle kwakwimimandla yendalo nemimandla esemaphandleni yolawulo oluphezulu. Ngaphezu koko—

1. Zonke iipowusta kufuneka ziye kuboniswa kwiSixeko ukuze kufunyanwe isitikha semvume seSixeko, esinomhla wokuxhonywa kwepowusta kwiipali zombane ezisezitratweni zeSixeko nomhla wokususwa kwepowusta. Esi sitikha semvume sticker kufuneka sibekwe sibonakale kumphambili wepowusta. Iipowusta neentambo zokubophelela kufuneka zisuswe phambi komhla obahlwe kwisitikha semvume.
2. Igama lomsitho, umbutho osindlekayo, umhal wesiganeko okanye wokhankaso kunye nendawo yomsitho kufuneka zivele kwlipowusta zibhalwe ngoonobumba abangekho ngaphantsi kwe50mm ubude.
3. Ubungakanani bamagama nelogo yoshishino olukwipowusta kufuneka lungabikho ngaphezu kobungakanani bamagama angundoqo njengoko kuxeliwe kwisolotywa 2 elilapha ngentla.
4. Mazingabikho ngaphezu kwe2000 lipowusta ngesiganeko ngasinye okanye umkhankaso ngamnye, okanye imisitho ehlobeneyo okanye imikhankaso, ngaphandle kweepowusta zonyulo, ezinokuthi zixhonywe kwiipali zombane ezisezitratweni zeSixeko ngexesha elinye.
5. Iipowusta mazingadluli kwi0.9m x 0.6m ngokobungakanani.
6. Iipowusta zivumelekile njengoLuhlu A apho umntu osindleka okanye oququzelela umsitho iliqumrhu elingenzi nzuzo yaye lo msitho okanye lo mkhankaso—
  - (a) lolwemisitho yamaqumrhu angenzi nzuzo okanye amaqela asekuhlaleni okanye imikhankaso, iifilimu zasethiyetha okanye imiboniso yemisebenzi yezandla, yaye ipowusta kufuneka ibe nesiqulatho esingekho ngaphezu kwe10% senkxaso yoshishino ukuba ngaba iqumrhu elingenzi nzuzo lilo eliququzelela umkhankaso yaye akusetyenziswanga nje igama lalo ukuba lixhonywe kwipowusta yaye alingomxhsi okanye umzuzi wesiganeko/umkhankaso.
7. Iipowusta zivumelekile kuLuhlu B apho umsindleki okanye umququzeleli ingeloqumrhu elingenzi nzuzo yaye lo msitho okanye lo mkhankaso—
  - (a) ngumboniso worhwebo (umboniso woshishino, umboniso wabathengi, kuyathengiswa apho) yaye uvuleleke kuluntu lonke;
  - (b) ikonsathi yesizwe okanye yehlabathi apho kuza kukho umntu oculayo;
  - (c) injongo yokubgenzi nzuzo(ukutsho oko, ukunyusa ingxowamali okanye ukwazisa ngento ethile) okanye omalunga nezemidlalo ubugcisa, imfundo, impilo, okanye inkcubekoe, noxa ukuxhonywa kwalo poswusta bekuthetha ngoshishino;
  - (d) imisitho yezikolo zabucala neekholeji zabucala nemihla yokuba ababtu batyelele izikolo;
  - (e) imisitho yethutyana yemibutho engenzi nzuzo nemikhankaso ukuya kuma kwi20% yezinto zoshishino; kunye
  - (f) neemarike zasekuhlaleni nemicimbi yenkcubeko engabanjwa kwakabini ngenyanga.
8. Iipowusta azivumelekanga kwezi zinto—
  - (a) intengiso yoshishino okanye intengiso yeziganeko zorhwebo, yeevenkile/amacham afumaneka koobhazabhaza beevenkile/, izinto ezithengiswa ezivenkileni, izinto ezithengiswa ezifekthri, uphehlelo lweemveliso,

- uthengiso lweencwadi zabantu zabucala, idantesi yezinto, ukhuphiswano, iifilimu ezintsha okanye ezingokufota, uphehelelo lweengoma, imistho yabantu yabucala, iinthetha zabantu abakhuthazayo, "iintengiso zokusebenzela ekhaya" noqeqesho lwabucala.
- (b) umculo wamihla le, oweeveki owenzeka kwiindawo zolonwabo nowenziwa ngooDJ (noba kutshintshwe umntu oza kucula) obanjelwa kwiiklabhu zabucala, kwiibhari, kwiilawunji, kwiihotele koobhazabhaza beevenkile nakwiiretyu;
- (c) iimarike okanye imiboniso, ebanjwa kaninzi ngaphezu kwakabini ngenyanga; yaye
- (d) izinto zoshishino nemisebenzi yokurhweba.
9. lipowusta mazibotshelwe kwiipali zombane ezisezitatweni zeSixeko apho kukwazeka yaye ezinyanyethiselwayo mazincanyathiselwe kwizakhelo ezenzelwe oko ezamkelwe siSixeko. lipowusta azinakuncanyathiselwa kwiipali zeerobhothi zeendlela, kwezinye iipali ezineempawu zeendlela, kwiipali zezinye izinto, kwiibhokisi zombane nezokuhambisa iinkonzo zombane, okanye nayiphi enye ifenitshala yesityrato, amatye, imithi, ezinye izinto zendalo, okanye enye ipropati yeSixeko.
10. lipowusta azinakuncanyatheliswa kwiipali zombane ezisezitatweni zeSixeko kodwa mazibekwe kwibhodi yaye zincanyathiselwe zibambebele ngeentambo eziqinileyo. Akuvumelakanga ukuzibophelela ngocingo.
11. Kuxhonywa ipowusta ibe nye yomsitho ngamnye (okanye isiganeko) kwipali yombane yeSixeko.
12. Akukho powusta engaxhonywa kwi30m yalo naluphi uphawu lwendlela okanye irobhothi yendlela, ngaphandle kokuba kunikezwe imvume yaloo mgama ngokwecandelo 7(6).
13. lipowusta ayinakuxhonywa ngaphezu kweentsuku ezisi7 phambi komsitho yaye kufuneka isuswe kwiintsuku ezi3 emva komsitho
14. Ukuxhonywa kweepowusta akuvumelekanga kwiibhulorho nakweminye imimandla ethintelweyo ngokwemiqathango yawo nawuphi uMthetho kaMasipala obhangiswe ngulo Mthetho kaMasipala.
15. ISixeko okanye iiarhente zaso ezigunyazisiweyo ziya kususa lipowusta ezibekwe ezibekwe esaphula nawuphi umqathango okule shedyuli nayo nayiphi ipowusta engasuswanga ngomhla ekubhekiswe kuwo kwisoloty 1.
16. ISixeko siya kuzibuyisa iindleko zokususa iipowusta ngokwesoloty 15 elilapha ngentla, neendleko zokubuyisela imo yepali ebekususwa kuyo ezo powusta kumntu/abantu abanoxanduva lokuxhonywa kwezo powusta okanye umntu obeqeqezelela intlanganiso, umsitho okanye isiganeko ebesipapashwe kulo powusta.
17. Akuvumelekanga ukuxhonywa kweepowusta yentengiso yoshishino, ukuba ngaba nayiphi ipowusta exhonywe okanye ebekwe ngumntu, yorhwebo inento yokwenza nezemidlalo. ubugcisa okanye inkcubeko ingavunyelwa, noxa ukuxhonywa ibikokwentengiso yoshishino.
18. Umntu ngamnye ozimisela ukuxhoma iPowusta ekwipropati yeSixeko uya kuhlalula iSixeko intlawulo engabuyiswayo ngepowusta nganye evumela umntu ukuba axbonise ipowusta leyo isithuba esingekho ngaphezu kweentsuku ezili14, okanye ixesha elibekwe siSixeko, umrhumo lowo obekwe ngokwemiqathango yeMirhumo neeNtlawulo yeSixeko emana ipapashwa amaxesha ngamaxesha. Akukho powusta iya kuxhonywa kungahlawulwanga loo mrhumo.
19. ISixeko singacela ubungqina bamaxwebhu bokuba umbutho lowo ngumbutho ongenzi nzuzo lequmrhu elingenzi nzuzo nawaphi na amanye amaxwebhu achaphazelekayo anokufunwa siSixeko.

**ISHEDYULI 12****IIMPAWU ZOKUMAKETHA EZIKHOMBA IPROPATI UKUYA KUMA KU0.3M<sup>2</sup> NEEMPAWU ZETHUTYANA ZOKUMAKETHA IPROPATI OLUNGAPHEZU KWE0.3M<sup>2</sup> NGOKOBUNGAKANANI**

Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukubekwa nokuxhonywa kweempawu zokumaketha ezikhomba ipropati, kubandakanywa iimpawu zeefandesi neempawu zethutyana zokumaketha ipropati (olungaphezu kwe0.3m<sup>2</sup> ngokobungakanani), zivumelekile kuyo yonke imimandla yolawulo, ngaphandle kwemimandla yendalo yolawulo oluphezulu. Ngaphezu koko—

1. Iimpawu zokumaketha ezikhomba ipropati zingabekwa kuphela ukususela ngo06h00 ngeMigqibelo ukuya ku20h00 ngeeCawe. Ezo mpawu zingabekwa kuphela kwipropati yeSixeko, njengoko kubonelelwe kule Shedyuli, xa zimalunga nepropati eboniswayo.
2. Iimpawu zokumaketha ezikhomba ipropati mazingadluli kwi0.3m<sup>2</sup> uphawu lulonke.
3. Iimpawu zokumaketha ezikhomba ipropati—
  - (a) zingancanyathiselwa kwiipali zombane ezisezitratweni zeSixeko apho zikhoyo;
  - (b) zincanyathiselwe zibambebele ngeentambo eziqinileyo. Akuvumelakanga ukuzibophelela ngocingo;
  - (c) azinakuncanyathiselwa kwiipali zeerobhothi zeendlela, kwezinye iipali ezineempawu zeendlela, kwiipali zezinye izinto, kwiibhokisi zombane nezokuhambisa iinkonzo zombane, okanye nayiphi enye ifenitshala yesitrato, amatye, imithi, ezinye izinto zendalo, okanye enye ipropati yeSixeko ngaphandle kokuba oko kugunyaziswe siSixeko ngembalelwano; yaye
  - (d) azinakuqulatha intengiso yeqela elithile.
4. Apho lipali zombane ezisezitratweni zeSixeko zikhona, iimpawu zokumaketha ezikhomba ipropati zingaxhonywa kuzo. Ezo mpawu azinakubethelelwa kwikhonkrithi okanye itha yaye azinakungena emhlabeni kubunzulu obudlula i15cm.
5. Kungaxhonywa kuphela uPhawu olunye lokuKhombisa learhente nganye kwiipali yombane esezitratweni yeSixeko. Ilbhosi ezibhodi ezizelene ngemiva kwipali yombane esezitratweni yeSixeko zithathwa ngokuba luphawu olunye.
6. Kumphambili woPhawu lokumaketha ipropati, ngaphezu kwamagama athi "Iyaboniswa" okanye "iNdlu eBoniswayo "Ifantesi", "Iyarentiswa", okanye into ebunjalo, nazi ezinye iinkcukacha ezinokuvela—
  - (a) isitikha sepemithi seSixeko;
  - (b) iarhente emaketha loo propati, aumntu oqhuba ifantesi, kunye/okanye igama learhente yepropati nenombolo yefowuni okanye iinkcukacha zoqhagamshelwano;
  - (c) kwimeko yabathengisi babucala, amagama athi "uMthengisi waBucala", kunye nenombolo yefowuni okanye iinkcukacha zoqhagamshelwano;
  - (d) isikhombisi; kunye
  - (e) nekhawudi yeQR.
7. Akukho ziimpawu ezibonisa ezinye izinto ngaphandle kwepropati ethengiswayo ezinokuxhonywa okanye zibekwe kwipropati yearhente yokumaketha.
8. Akukhutshwa ngaphezu kweepemithi ezintandathu zoMthengisi ngamnye zokumaketha ipropati okanye ezikanofantesi yaye akunikezwa ngaphezu kweempawu zokumaketha ezikhomba ipropati emakethwayo, kubandakanywa izindlu eziboniswayo, iiploti neebloko zeeflethi eziboniswayo.

9. Iimpawu zokumaketha ezikhomba ipropati azinakuxhonywa kwiindlela ezinendalo ebukekayo, kwibhulorho, kwiiipaki, kumabala nakuyo nayiphi imimandla ethintelweyo ngokwemiqathango yawo nawuphi uMthetho kaMasipala ehangiswe ngulo Mthetho kaMasipala.
10. Ziimpawu zokumaketha ezimbini kuphela ezikhomba ipropati yeNdlu eboniswayo/ iflethi/iploti/ifantesi ezingaxhonywa kwiindlela yedolophu engundoqo, ezingabandakanyi iindlela ekubhekiswe kuzo kwisoloty 9 elilapha ngentla.
11. Akukho zimpawu zokumaketha ezikhomba ipropati emakethwayo eziya kugquma indlela uphawu lwendlela.
12. Akukho zimpawu zokumaketha ezikhomba ipropati emakethwayo eziya kuxhonywa ezirobothini.
13. Akukho zimpawu zokumaketha ezikhomba ipropati emakethwayo eziya kubekwa ekupheleni kwendlela. Iimpawu zokumaketha ezikhomba ipropati azinakugquma oonxantathu bokubona beendledlana ezisecaleni okanye amasango okungena iimoto.
14. Iimpawu zokumaketha ezikhomba ipropati mazibekwe kufuneka nendlela engundoqo yedolophu eya kwipropati.
15. Isicelo searhente nganye yokumaketha iipropati okanye esikanofantesi kufuneka senziwe qho ngonyaka kwi semvume yokubonisa iimpawu zokumaketha ezikhomba ipropati.
16. Imvume yokubeka iimpawu zokumaketha ezikhomba ipropati iya kukhutshwa kuphela xa kuhlawulwe umrhumo wonyaka wokubhalisa kunye nentlawulo yepemithi yezitika ezintandathu zokukhombisa ngokwemiqathango yeSixeko yeMirhumo neeNtlawulo ezamkelweyo ezimane zipapashwa amaxesha ngamaxesha, ukuba ngaba—
  - (a) Iarhente yokumaketha iipropati nabo bokurentisa; kubhalisa kuphela abo baphetheyo nababnini-arhente ukanti abasebenzi beenkampani ezimaketha iipropati, nabagcine izindlu abanyanzelekanga ukuba babhalise bonke;
  - (b) Oonofantesi; ngoonofantesi abaneencwadi zalo msebenzi abangamalungu eziko elibhalisiweyo abanokubhalisa, ukanti abanye abasebenzi abanyanzelekanga ukuba babhalise;
  - (c) Abathengisi babucala; apho kungekho arhente yokumaketha iipropati abathengisi babucala bangafaka iizcelo zezitika zeepemithi ezi3 ngelo xesha bazidinga ngalo.
17. Naziphi iimpawu zokumaketha ezikhomba ipropati emakethwayo okanye ezoonofantesi ezingahambelani nale miqathango yale shedyuli, ziya kususwa siSixeko okanye iarhente zaso ezigunyazisiweyo yaye kungalandela intlawuliso yokususwa kophawu ebalwe ngokwemiqathango yeSixeko yeMirhumo neeNtlawulo ezamkelweyo, epapashwe amaxesha ngamaxesha. Ngaphezu kwendleko zokususa ezi mpawu, iSixeko singabuyisa neendleko zokubuyisela imo yepali ebekususwa kuyo ezi mpawu. ngenxa yokungafikeleleki, kuya kufotwa ubungqina bophawu olwaphula imiqathango yale shedyuli ze kuhlawuliswe intlawulo yokungathobeli imiqathango ngokweMirhumo yeSixeko. ISixeko sinalo nelungelo lokubambisa umntu kwiinkundla zamatyala malunga nezo mpawu.

18. **IIMPAWU ZETHUTYANA ZOMMANDLA OTHILE ZOKUMAKETHA IIPROPATI EZINGAPHEZU KWE0.3m<sup>2</sup> NGOKOBUNGAKANANI**

- 18.1 Izicelo zeempawu ezingaphezu kwe0.3m<sup>2</sup> ngokobungakanani kufuneka zibandakanye izizathu yaye ziya kwamkelwa kuphela ukuba iSixeko sanelisekile ukuba uphawu lufanele ukuba yi0.3m<sup>2</sup>—
- (a) azibonakali ngokwaneleyo okanye zisithwe sisakhiwo, imithi okanye ezinye izinto ezingaphandle kwaloo ipropati;
  - (b) azicacanga ngenxa yomgama wokubona;
  - (c) ziza kubekwa okanye zincanyatheliswe apho isakhiwo sihlele nge15m ukusuka kwisitirato; okanye
  - (d) zigqunywe ziindlela ezikwelinye icala kuhanjiswa kuzo imithwalo.

**Iimpawu eziSicaba neziVelelayo**

- 18.2 Ukuba uphawu oluyi0.3m<sup>2</sup> alubonakali ngokwaneleyo, kungasetyenziswa iimpawu ezinkulu ezisicaba okanye ezivelelayo—
- (a) ukuya kuma kweyona sayizi iphezulu ingu1m<sup>2</sup>, kwiiipropati ezizindlu zokuhlala neeflethi ezihlala usapho olunye;
  - (b) ukuya kuma kweyona sayizi iphezulu ingu1.5m<sup>2</sup> kwimeko kwiiipropati ezingamashishini neeyunithi ezisetyenziselwa izinto ezahlukileyo okanye iiflethi; yaye
  - (c) ukuya kuma kweyona sayizi iphezulu ingu4.5m<sup>2</sup> kwimeko yeepropati ezikwiifemu.
- 18.3 Iimpawu ezisicaba okanye ezivelelayo mazingaboniswa ngaphezu kweenyanga ezi3 yaye kuya kufuneka umntu aphinde afake isicelo ukuba ipeopati sathengiswa emva kweenyanga ezi3.
- 18.4 Xa zixhonyiwe iimpawu ezisicaba okanye ezivelelayo, ezo mpawu mazingagqumi iifestile, amanye amasango okanye iimpawu zolwakhiwo zesakhiwo, yaye kufuneka zibekwe ngendlela eyanelisa iSixeko, zihambelane neebhalkhoni, neekhenophi okanye neeveranda yaye azinakuvelela ngentla, ngezantsi okanye ngapha komda weebhalkhoni, weekhenophi okanye weeveranda.
- 18.5 Malube lunye kuphela uphawu olusicaba okanye oluvelelayo kumphambili ngamnye wesitrato, eso sithintelo singophulelwa ukuvumela ubuninzi beempawu ezimbini kumphambili ngamnye wesitrato kodwa xa kuphela xa kubonakala ukubaf uphawu olunye aluzukubonakalisa ngokwaneleyo.
- 18.6 Ezo mpawu ezisicaba okanye ezivelelayo maziqulathe amagama angundoqo athi "Iyathengiswa", "Iyathengiswa ngoku", "Iyarentiswa", okanye "ikwiFantesi".
- 18.7 Isitikha esithi "iThengisiwe", "iMkile" okanye "iRentisiwe" singabekwa kummandla othile okwethutyana ibe luphawu olungaphezu kwe0.3m<sup>2</sup> olubonisa umbhalo othi "Iyathengiswa", "Iyathengiswa ngoku", "Iyarentiswa" okanye "ikwiFantesi" mpawu ezo ekufuneka zisuswe kwakuphela iinyanga ezi3 zesithuba semvume okanye kwiiveki ezimbini emva kokuthengisa okanye ukurentisa ipropati. Isithuba sokubonisa asiyi kongezwa ukulungiselela umbhalo othi "Ithengisiwe", "iMkile" okanye "iRentisiwe" yaye akunakuxhonywa olunye uphawu.

### **Iimpawu ezingaxhaswanga nganto**

- 18.8 Ukuba uphawu oluyi0.3m<sup>2</sup> alubonakali ngokwaneleyo, kungasetyenziswa uphawu olukhulu olungaxhaswanga nganto—
- (a) ukuya kuma kweyona sayizi iphezulu ingu1m<sup>2</sup>, kwiiipropati ezizindlu zokuhlala neeflethi ezihlala usapho olunye;
  - (b) ukuya kuma kweyona sayizi iphezulu ingu1.5m<sup>2</sup> kwiiipropati ezingamashishini neeyunithi ezisetyenziselwa izinto ezahlukileyo okanye iiflethi; kunye
  - (c) nokuya kuma kweyona sayizi iphezulu ingu4.5m<sup>2</sup> kwiiiproati ezikwiifemu.
19. Iimpawu ezingaxhaswanga nganto ziya kuvunyelwa apho kungekho madonga ayimida okanye ziingcingo kwizindlu zokuhlala, kumashishini okanye kwiifemu okanye kwiziza ezingenabantu, yaye oko kuxhomekeke kwimiqathango yeempawu ezingabonakali kakuhle ezixelwe kwiisolotya 18.1 elilapha ngentla.
- 19.1 Luphawu oluzimeleyo okanye olunemilo enguV oluya kunikwa ingqwalasela kumphambili wepropati ngamnye wesitrato.
  - 19.2 Ezo mpawu ezingaxhaswanga nganto mazingadlulisi kwisithuba sokubonisa seenyanga ezi3 yaye kuya kufuneka kuphinde kufakwe isicelo ukuba ipropati isathengiswa emva kweenyanga ezi3.
  - 19.3 Ezo mpawu ezingaxhaswanga nganto azinakugquma iimpawu zeendlela zikamasipala, izitrato okanye iirobhoti zendlela azinakugquma oonxantathu bokubona beendledlana ezisecaleni okanye amasango okungena iimoto..
  - 19.4 Ezo mpawu ezingaxhaswanga nganto azinakuvelela ngaphaya komda wepropati.
  - 19.5 Ezo mpawu ezingaxhaswanga nganto maziqulathe amagama angundoqo athi "Iyathengiswa", "Iyathengiswa ngoku", "Iyarentiswa", okanye "Ikwifantesi".
  - 19.6 Isitikha esithi "iThengisiwe", "iMkile" okanye "iRentisiwe" singabekwa kwiproati emakethwayo ekummandla othile wethutyana kubekwe uphawu olungaphezu kwe0.3m<sup>2</sup> olubonisa int ethi "Iyathengiswa", "Iyarentiswa" okanye "Ikwifantesi" mpawu ezo ekufuneka zisuswe kwakuphela iinyanga ezi3 zesithuba semvume okanye kwiiveki ezimbini emva kokuthengisa okanye ukurentisa ipropati. Isithuba sokubonisa asiyi kongezwa ukulungiselela umbhalo othi "Ithengisiwe", "iMkile" okanye "iRentisiwe" yaye akunakuxhonywa olunye uphawu.

**ISHEDYULI 13****IIMPAWU EZIPHATHWA NGESANDLA**

Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukubekwa nokuxhonywa kweempawu eziphathwa ngesandla kuvumelekile kuyo yonke imimandla esezidolophini yolawulo. Ngaphezu koko—

1. Iimpawu eziphathwa ngesandla ezibekwe kuMda weNdlela okanye kwipropati yeSixeko ngaphandle kwemvume ebhaliweyo yeSixeko azivumelekanga ngokwalo Mthetho kaMasipala.
2. ISixeko singazisusa iimpawu eziphathwa ngesandla ezibekwe ngaphandle kwemvume yeSixeko kuMda weNdlela okanye kwipropati yeSixeko yaye singazibamba ezi mpawu.
3. ISixeko siya kuziqwalasela izicelo zokuvumela ukubekwa kuMda weNdlela okanye kumhlaba weSixeko, koPphawu olunye oluphathwa ngesandla kwishishini ngalinye ekufuneka luthobe le miqathango ilandelayo:
  - (a) Uphawu oluPhathekayo kufuneka lungabi yingozi kuluntu.
  - (b) Uphawu oluPhathekayo kufuneka lungavaleli okanye luhambise kakubi uluntu ngenxa yobungakanani balo okanye indawo olubekwe kuyo.
  - (c) Uphawu oluPhathekayo kufuneka lungachaphazeli kakubi abarhwebi.
  - (d) Uphawu oluPhathekayo kufuneka lungachaphazeli indawo okanye indalo nezinto ezingqonge indawo.
  - (e) Uphawu oluPhathekayo malusetyenziselwe kuphela ukubonisa igama leshishini, nezinto ezithengiswayo okanye iinkonzo ezibonelelwayo kumasango omthengisi.
  - (f) Ubukhulu bophawu oluPhathekayo mayibe ngu1.2m (ubude) x 0.6m (ububanzi).
  - (g) Uphawu oluPhathekayo lubekwa kwisakhiwo somthengisi, ukuba ngaba kuthotyelwe le miqathango ingentla.
  - (h) Makuvunywe indlela eyi1.2m ubincinane emelene nophawu yaye olo phawu azinakugquma oonxantathu bokubona.
4. Iimpawu eziphathwa ngesandla ezamkelweyo ziya kuba kuMda weNdlela okanye kwipropati yeSixeko apho, ngexesha lokurhweba, abathengisi bengabeka iimpawu eziphathwa ngesandla kwindawo esikelwe oko. Ezi mpawu ziphathwa ngesandla mazisuswe xa liphelile ixesha lokuthengisa zgcinwe kude noluntu.
5. Iimpawu eziphathwa ngesandla ziya kuboniswa emva kokuhlawulwa komrhumo omawuhlawulwe ngumthengisi ngereyithi ebekwe siSixeko ngokwemiqathango yeMirhumo neeNtlawulo yeSixeko emana ipapashwa amaxesha ngamaxesha.
6. Noxa kukho le miqathango ingentla, iSixeko singasusa okanye sibambe naluphi Uphawu oluphathwa ngesandla ukuba olo phawu lwaphula nawuphi umqathango wale shedyuli yaye iSixeko singabuyisela iindleko zokususa nokubamba ezo mpawu kumntu obebonisa ngoklo phawu ngokwemiqathango ekhankanywe ngentla yeeMirhumo neeNtlawuliso.

**ISHEDYULI 14****IIMPAWU EZILENGALENGA ESITHUBENI**

Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukubekwa nokuxhonywa kweempawu ezilengalenga esithubeni kungaqwalaselelwa imvume yeempawu zethutyana zommandla othile yaye ezo mpawu zingavunyelwa kuphela kwimimandla esezidolophini yolawulo oluphakathi okanye oluncinci ngaphandle kwakwimeko exelwe apha ngezantsi. Ngaphezu koko—

1. Naluphi uphawu olulengalengayo oluncanyathiselwe kuso nasiphi isakhiwo okanye isakhiwo esikwipropati masingadluli kubude obuyi45m obumetwe ukusuka emhlabeni.
2. Iimpawu ezilengalenga esithubeni ezincanyathiselwe kuso nasiphi isakhiwo okanye izakhelo mazilungiswe ngendlela yokuba zingabhabhi phezu kwindlela kawonkewonke.
3. Iimpawu ezilengalengayo mazingadluli kwi36m<sup>2</sup> ubukhulu bubonke.
4. Izicelo zeempawu ezilengalenga esithubeni ezincanyathiselwe kwisakhiwo ziya kukhatshwa yifomu yokutyunjwa kweNjineli yobuMe beZakhiwo neenkukacha zenjineli leyo exela ukuba Uphawu olulengalengayo luza kuncanyathiselwa njani.
5. Luphawu olunye kuphela olulengalengayo kwipropati ekuya kwamkelwa ukuba luboniswe isithuba esingekho ngaphezu kweentsuku ezili14 kwinyanga nganye.
6. Iimpawu ezilengalenga esithubeni azinakubhajiswa phezu kwendlela kawonkewonke ngaphandle kokuba indlela ivaliwe okwethutyana ivaletwe umsitho wequmrhu elingenzi nzuzo yaye ezo mpawu zibekwe ngokwemiqathango yeplani yophawu ekuza kusetyenzwa ngayo.
7. Iimpawu ezilengalenga esithubeni zingaxhonywa okanye zibekwe kuphela emini.
8. ISixeko may approve ngaphezu kophawu olunye olulengalengayo kuwo nawuphi ummandla wolawulo kumsitho wequmrhu elingenzi nzuzo event okanye kowemidalo olunenkukacha okanye olungeenankukacha zomxhasi ukuba ngaba luxhonywe kwindawo ekusindlekwe kuyo umsitho, okanye kufuphi nayo.
9. Zingavunyelwa iimpawu ezilengalenga esithubeni ezisebenzisa iidrowuni okanye ezinye izinto ezibhabhayo ukuhambisa intengiso yomsitho okanye eyomxhasi okanye kulandelwa imfuno zokunikezwa kwepemithi yeSixeko yemisitho kodwa iya kuphelela kwindawo ekusindlekwe kuyo umsitho, okanye kufuphi nayo.
10. Ngaphandle koko kuvunyelwe kwisolotywa 9 elilapha ngentla, iimpawu ezilengalenga esithubeni ezisebenzisa iidrowuni okanye ezinye izinto ezibhabhayo ukuhambisa intengiso yeqela elingelinye azivumelekanga.
11. Iimpawu ezilengalenga esithubeni azinakuba nasikhanyiso okanye zilayitwe ngombane mizobo ihambahambayo eya kuthi ivunyelwe kwiimpawu ezilengalenga esithubeni.



**ISHEDYULI 15****IIMPAWU ZENTENGISO EZITULATULAYO ZEMISITHO ENGENZI NZUZO**

Kulandelwa imvume ngokwalo Mthetho kaMasipala, ukubekwa nokuxhonywa kweempawu zentengiso ezitulatulayo kuvumelekile kuyo yonke imimandla esezidolophini yolawulo njengoko kuchazwe apha ngezantsi. Ngaphezu koko—

1. Ukuhanjiswa koPhawu olukwiSithuthi esiHambayo akuvumelekanga ngaphandle kokuba kuthuthwa izinto kuphela yaye akwenziwa intengiso yeqela elithile.
2. Akuvumelekanga ukumiswa koPhawu olukwiSithuthi esiHambayo olubonakal kwindlela kawonkewonke okanye indawo kawonkewonke ukuze kuboniswe yentengiso yeqela elithile, ngaphandle kolomsitho wequmrhu elingenzi nzuzo kwisithuba sonke somsitho, kuwo nawuphi ummandla osezidolophini enolawulo ngokwemiqathango yendawo okuyo umsitho nangokweplani yophawu ekuza kusetyenzwa ngayo.
3. Iimpawu zentengiso ezitulatulayo ezipakwe kwipropati yoMntu ngenjongo yokugcina okuthile ziya kubekwa ngendlela eza kwenza ukuba zingabonakali kwisitrato sikawonkewonke okanye kwindawo kawonkewonke.
4. Iiphawu zoPhawu olukwiSithuthi esiHambayo mazingadluli kubukhulu obuyi18m<sup>2</sup> inye yaye umphambili nomva wentengiso mawungadluli kubukhulu obuyi 6m<sup>2</sup> inye.
5. Noxa kukho imiqathango yalo Mthetho kaMasipala, iSixeko okanye iiarhente zaso ezigunyazisiweyo zingathi zinike okanye zinganikanga saziso zisuse naluphi uPhawu olukwiSithuthi esiHambayo olungagunyaziswanga olukwipropati yeSixeko, yaye apho lukwipropati yoMntu, iSixeko singakhupha isaziso sothotyelo sokuba lususwe ngokwalo Mthetho kaMasipala.
6. Iimpawu zentengiso ezitulatulayo kufuneka zifakwe zizinze emhlabeni kwidnawo ezipake kuyo.
7. Iimpawu zentengiso ezitulatulayo zingakhanyiswa kuphela okanye zibe elektroniki ukuba zipakwe kwindawo enomsitho wombutho ongenzi nzuzo eyindawo yeSixeko okanye kufuphi nayo.
8. Iimpawu zentengiso ezitulatulayo azinakuxhonywa enqanaweni okanye kwisikhitshana ngenjongo yokwenza intengiso xa zibonakala kwindawo kawonkewonke.
9. Naluphi uphawu olukwiSithuthi esiHambayo olupakwe ngokungekho mthethweni kumhlaba weSixeko okanye olwaphula imiqathango yale shedyuli, luya kususwa siSixeko okanye iiarhente zaso ezigunyazisiweyo, yaye kuya kulandela iindleko zokususa nokugcina zeSixeko, ezibalwe ngokwemiqathango yeMirhumo neeNtlawulo yeSixeko emana ipapashwa amaxesha ngamaxesha.

**ISHEDYULI 16****IIMPAWU, IZAKHIWO okanye IZIBONELELOE EZIKUMHLABA WESIXEKO**

1. ISixeko singathi, amaxesha ngamaxesha senze ukuba umhlaba waso,, izakhiwo neifenitshala yesitrato zifumaneke ukuba abantu bacele imvume yazo ukuze kubekwae yaye kuxhonywe iimpawu zentengiso, zamaqumrhu angenzi nzuzo okanye kuphawu oluxhaswa lishishini elithile, yaye singanikeza izaphulelo kubantu okanye imibutho ethile, nokuba ezo zinto kuhleli kuzo iiSixeko okanye umntu orenta kw iSixeko, ukuba ngaba—
  - (a) umgaqonkqubo wokufunyanwa kwezinto zeSixeko nolawulo lweeasethi zeSixeko uye walandelwa.
  - (b) ISixeko siya kubeka imiqathango yeempawu ezikumhlaba weSixeko phambi kokuvulela uluntu.
  - (c) Ezo mpawu kufuneka zithobele imiqathango yalo Mthetho kaMasipala, kubandakanywa leyo ichaphazela iintlobo zeempawu.
  - (d) Ukubekwa nokuxhonywa kwezo mpawu kufuneka kusebenzele uluntu ooyane injongo yoluntu.
  - (e) Iimpawu eziqulathe imiba yepolitiki azizi kuvunyelwa ngaphandle kokuba oko kubonelelwe apha kulo Mthetho kaMasipala.
  - (f) ISixeko, njengomninimhlaba, sinelungelo lokungaqhubeki nesi siphakamiso phambi kokunikeza imvume yaye ukukhutshwa kwesimemo akusayi kuthathwa njengesigqibo siSixeko sokuqhubeka nokuxhonywa kophawu kwisiza esithile.
2. Iimpawu zomsitho wethutyana ezinokubekwa kumhlaba weSixeko, izakhiwo nakwizibonelelo zeSixeko zezamaqumrhu angenzi nzuzo, ezoluntu, ezenkcubeko okanye ezemidlali kuphela kubandakanywa imidlalo esindlekwe ngamanye amaziko ekungenwa kuyo mahala nevuleleke kulo lonke uluntuc.
3. Iimpawu zethutyana zoshishino kubandakanywa ukuthengisa iimveliso, ukumaketha nokuphehlelela iimveliso neenkonzo ezibonelelwayo, azivumelekanga kumhlaba weSixeko, izakhiwo nakwizibonelelo zeSixeko.

**ISHEDYULI 17****IIMPAWU EZENZIWA ZIINDAWO EZINGAJONGANGA NGENISO**

1. Noxa kukho ummandla wolawulo ekubekwa kuwo uphawu okanye owenzelwe ukuzuzisa iqumrhu elingenzi nzuzo, kuthotyelwa yonke imiqathango yalo Mthetho kaMasipala, iSixeko singaqwalasela isicelo semvume sophawu, kulandelwa ezi zinto zilandelayo:
  - (a) Kwisicelo esingeniswe ngokwecandelo 5, kufuneka kungeniswe iinkcukacha ezibhaliweyo ezisuka kwiqumrhu elingenzi nzuzo eliza kuba ngumsindleki malunga nobunjani kunye nobungakanani benkxaso ecelwayo yokuxhonywa okanye yokubekwa kophawu, zingeniswe kwiSixeko kunye nezinye iinkcukacha ezixelwe kwicandelo 5.
  - (b) Iimfuno ezingqalileyo zohlobo lophawu ezixelwe kulo Mthetho kaMasipala kufuneka zisebenze nakwiimpawu ezizuzisa amaqumrhu angenzi nzuzo.
  - (c) Ezo mpawu zivunyelwe kuphela kumhlaba olawulwa nosetyenziswa lelo qumrhu elingenzi nzuzo.
2. Ngaphezu kwemiqathango exelwe kwiShedyuli echaphazeleka kuhlobo lophawu olufakelwa isicelo, le miqathango ilandelayo iya kuthi isebenze—
  - (a) Iimpawu ezithetha ngemiba yepolitiki azivumelekanga.
  - (b) Igama lequmrhu elingenzi nzuzo kufuneka libekwe ligqame phezulu kuphawu ngombhalao oyi300mm ubude.
  - (c) Inye kuphela iBhilibhodi okanye uphawu olumcaba ukuya kuma kwi 6m x 3m oluya kuvunyelwa kwisitrato ngsasinye okanye kumda womzila kaloliwe, okanye xa ixhonywe njengebhilibhodi, ibe nye enesheyiphu enguV okanye kusetyenziswe iimpawu eziza kuzelana ngemiva ezibukhulu bungasiy kudlula kwiiipaneli ezimbini eziyi6m x 3m inye kumphambili wayo nayiphi na ipropati enye.
  - (d) Iibhilibhodi ezikhanyiswe ngaphakathi okanye ezilayitwe ngombane okanye iimpawu ezisicaba zingaxhonywa ukuya kuma kwi18m<sup>2</sup> ngephaneli nganye ukuba unyenyiso luye lwavunyelwa ngokwemiqathango yecandelo 8(4)(h). Ekuqwalaseleni olo nyenyiso, iSixeko siya kuthathela ingqalelo ifuthe kwezindlela nokhuseleko lwezithuthi ezindleleni, kwizibonelelo zelifa lemveli, iindlela ezibukekayo izinto zoluntu nokusingqongileyo ngokucelwa siSixeko, apho kuboniswa ifuthe lolo nyenyiso lundululiweyo kunye nezindululo zokungenelela nokulungisa elo futhe. Olu hlolo kufuneka lwenziwe ngabantu abawufundeleyo lo msebenzi okanye abawenzayo.
  - (e) Apho iqumrhu elingenzi nzuzo lundulula ukuba lubeke uphawu kumhlaba karhulumente, isigunyaziso sokuqala okanye ikopi esetifayiweyo esuka kwicandelo likarhulumente kufuneka ikhatshwe sisicelo, apho icandelo ligunyazisa ukusetyenziswa komhlaba karhulumente ukuze kwenziwe inzuzo kwisaphulelo sentengiso yaye eso sigunyaziso masibandakanye imvume exela ubunjani nobungakanani benzuzo kwiqumrhu elingenzi nzuzo.
  - (f) ISixeko singafuna ukuba kufakwe amaxwebhu oHlolo lweFuthe lwePhawu ekuHambeni kweZithuthi okanye uHlolo lweMithombo yeZinto ezililiifa leMveli, olwenziwe ngabantu abawufundeleyo lo msebenzi okanye abawenzayo, olubonisa ukuba olo phawu aluzi kuba nafuthe libi.
  - (g) ISixeko singacela ubungqina bamaxwebhu bokuba umbutho lowo ngumbutho ongenzi nzuzo nawaphi na amanye amaxwebhu achaphazelekayo anokufunwa siSixeko.

