

Nelson Mandela Bay Metropolitan Municipality

OUTDOOR SIGNS (ADVERTISING AND OTHER) BY-LAWS  
Promulgated in PG 2361 dated 14 May 2010.

SCHEDULE OF OFFENCES AND CRIMES

Section Contravened	Description of Offence	Proposed Fine (1)	Approved Fine (2)	Offence Code
5(3)(a)&(b) r/w 27(1)(a-d) &(2)(a-b)	Displaying sign or advertisement in an area set out in schedule 48 as prohibited advertising areas	R2500	R1000	107682
8(1) r/w 27(1)(a-d) &(2)(a-b)	Displaying a sign without consent granted by the municipality in terms of section 9 or under section 10	R2500	R1000	107690
8(4)(a) r/w 27(1)(a-d) &(2)(a-b)	Failure to apply for approval in terms of section 10 to display a sign for which no provision is made in this by-law, or does not fall within the types mentioned in this by-law	R2500	R1000	107705
8(4)(b) r/w 27(1)(a-d) &(2)(a-b)	Failure to remove or cease the display of the sign, which is found by the municipality to be undesirable in terms of this By-law	R2500	R1000	107713
7(a) r/w 27(1)(a-d) &(2)(a-b)	Failure to enter into a contract or encroachment agreement with the municipality where the sign is to be attached to a municipal asset, to be erected on municipal land	R2500	R1000	107721
7(b) r/w 27(1)(a-d) &(2)(a-b)	Failure to sign an indemnity form in favour of the municipality and the municipality's service providers	R2500	R1000	107739
9(4) r/w 27(1)(a-d) &(2)(a-b)	Failure to remove the sign or to file an application in terms of section 10 within a period specified in the notice when requested to do so	R2500	R1000	107747
9(5) r/w 27(1)(a-d) &(2)(a-b)	Failure to obtain consent to display more than two signs per erf or enterprise	R2500	R1000	107755
10(1)(a)-(c) r/w 27(1)(a-d) &(2)(a-b)	Failure to complete the application form, lodge two copies and obtain the consent of the municipality to display or alter a sign or to perform any such act where consent is required in terms of the schedule relating to it	R2500	R1000	107763
10(3) r/w 27(1)(a-d) &(2)(a-b)	Failure to submit additional drawings or a certificate of engineer	R2500	R1000	107771
10(9) r/w 27(1)(a-d) &(2)(a-b)	Failure to cease to display the sign when the municipality refused consent to display the sign	R2500	R1000	107789
11(2) r/w 27(1)(a-d) &(2)(a-b)	Failure to comply with the notice communicating the municipality's decision regarding the withdrawal or amendment of consent	R2500	R1000	107797

12(1) r/w 27(1)(a-d) &(2)(a-b)	Displaying an unauthorised sign	R2500	R1000	107802
12(2) r/w 27(1)(a-d) &(2)(a-b)	Failure to cease to display an unauthorised sign after service on him or her of a notice of contravention in terms of section 26 to that effect	R2500	R1000	107810
13(1) r/w 27(1)(a-d) &(2)(a-b)	Altering the structure of an existing sign without the prior approval of the municipality in instances where the display of the sign is subject to specific consent	R2500	R1000	107828
13(2) r/w 27(1)(a-d) &(2)(a-b)	Failure to cease alteration to the existing sign after service on him or her of a notice of contravention in terms of section 26	R2500	R1000	107836
14(1) r/w 27(1)(a-d) &(2)(a-b)	Doing something to the sign which is a departure from any form or plan approved by the municipality	R2500	R1000	107844
14(2) r/w 27(1)(a-d) &(2)(a-b)	Failure to discontinue a departure after the service upon him or her of a notice of contravention in terms of section 25 to that effect	R2500	R1000	107852
16(1)(a) r/w 27(1)(a-d) &(2)(a-b)	Displaying a teardrop flag or feather flag without the prior written approval of the municipality, except when displayed as a temporary sign as contemplated in section 17;	R2500	R1000	107860
16(1)(b) r/w 27(1)(a-d) &(2)(a-b)	Displaying an inflatable without the prior written approval of the municipality	R2500	R1000	107878
16(1)(c) r/w 27(1)(a-d) &(2)(a-b)	Displaying a walking sandwich boards and other portable notices without the prior written approval of the municipality	R2500	R1000	107886
16(1)(d) r/w 27(1)(a-d) &(2)(a-b)	Displaying a trailer advertisement without the prior written approval of the municipality.	R2500	R1000	107894
16(2) r/w 27(1)(a-d) &(2)(a-b)	Parking a vehicle to which an advertisement is attached, or displayed, in an area of control with the sole purpose of drawing the public's attention to the advertisement attached to or displayed thereon	R2500	R1000	107909
16(3) r/w 27(1)(a-d) &(2)(a-b)	Displaying a sign in an area identified in schedule 48	R2500	R1000	107917
16(4) r/w 27(1)(a-d) &(2)(a-b)	Making an opinion/event/product/commodity/ or merchandise to disseminate to any person, or attach to any object a leaflet, handbill or any similar article in any public place or area without the written consent of the municipality	R2500	R1000	107925
17(1)(a) r/w 27(1)(a-d) &(2)(a-b)	Displaying signs for special event more than two weeks before the event	R2500	R1000	107933

17(1)(b) r/w 27(1)(a-d) &(2)(a-b)	Failure to dismantle signs for special event within three days after the conclusion of the event	R2500	R 1000	107941
17(1)(d) r/w 27(1)(a-d) &(2)(a-b)	Locating signs for special event outside the boundaries of the demarcated area in which the event takes place	R2500	R 1000	107959
18(1)(a) r/w 27(1)(a-d) &(2)(a-b)	Placing an advertisement that constitute a danger to any person or property	R2500	R 1500	107967
18(1)(b) r/w 27(1)(a-d) &(2)(a-b)	Placing an advertisement in such a manner that it contain an elements as to distract the attention of a driver of a motor vehicle in a way that it is likely to lead to unsafe driving conditions	R2500	R 1500	107975
18(1)(c) r/w 27(1)(a-d) &(2)(a-b)	Advertisement illuminated to the extent that it causes discomfort to, or inhibits the vision of, an approaching pedestrian or driver of a motor vehicle;	R2500	R 1500	107983
18(1)(d) r/w 27(1)(a-d) &(2)(a-b)	Advertisement obscuring a road traffic sign or signal, or attached or combined with a road traffic sign or signal,	R2500	R 1500	107991
18(1)(e) r/w 27(1)(a-d) &(2)(a-b)	Advertisement obscuring a pedestrian's or motor vehicle driver's view of a pedestrian, road, rail vehicle, railway, or a feature of a road or pavement such as a junction, a bend, and a change in width	R2500	R 1500	108002
18(1)(f) r/w 27(1)(a-d) &(2)(a-b)	Advertisement projecting over a pedestrian or cycle circulation route	R2500	R 1000	108010
18(1)(g) r/w 27(1)(a-d) &(2)(a-b)	Advertisement obstructing a fire-escape, or the means of egress to a fire-escape, or obstructing or interfering with any window or opening required for ventilation purposes	R2500	R 1500	108028
18(1)(h) r/w 27(1)(a-d) &(2)(a-b)	Advertisement exceeding the minimum clearance with regard to overhead power lines as prescribed in regulation 15 of the Electrical Machinery Regulations, No R1593 in GG. 11458, 12 August 1988, with the further provision that permission must be obtained from the relevant supply authority before any advertising structure may be erected in a power line servitude.	R2500	R 1500	108036
18(2) r/w 27(1)(a-d) &(2)(a-b)	Placing an advertisement that does not comply with the requirements prescribed in this section along the road, targeted at road users	R2500	R 1000	108044
18(3) r/w 27(1)(a-d) &(2)(a-b)	Placing an advertisement with letters and numbers less than 50 millimetres in size	R2500	R 1000	108052
19(1)(a) r/w 27(1)(a-d) &(2)(a-b)	Failure to construct/execute and finish a sign in a workmanlike manner, and to make structural details in accordance with existing, generally accepted and tested designs	R2500	R 1000	108060

19(1)(b) r/w 27(1)(a-d) &(2)(a-b)	Constructing or designing a sign that is detrimental or have a negative aesthetic impact on the urban design, streetscape, or the character of the surrounding area by way of the design of the structure or device	R2500	R1000	108078
19(1)(c) r/w 27(1)(a-d) &(2)(a-b)	Constructing or designing a sign that has untidy appearance and not consisting of durable materials in accordance with the function, nature, and permanence of the advertisement, sign or structure	R2500	R1000	108086
19(1)(d) r/w 27(1)(a-d) &(2)(a-b)	Constructing an advertisement that has untidy appearance in terms of advertisement content and sign writing, and making untidy handwritten message	R2500	R1000	108094
19(1)(e) r/w 27(1)(a-d) &(2)(a-b)	Interfering with an electrical services provision or other accessory	R2500	R1500	108109
19(1)(f) r/w 27(1)(a-d) &(2)(a-b)	Defacing a building facade	R2500	R1000	108117
19(1)(g) r/w 27(1)(a-d) &(2)(a-b)	Failure to attach an advertisement rigidly and securely, and to support or anchor it in a safe manner so that unwanted movement in any direction is prevented	R2500	R1000	108125
19(1)(h) r/w 27(1)(a-d) &(2)(a-b)	Constructing an advertisement that is incapable of effectively securing, supporting, and maintaining not less than twice its mass with the addition of any force to which the sign may be subjected, including wind pressure	R2500	R1500	108133
19(1)(i) r/w 27(1)(a-d) &(2)(a-b)	Failure to ensure that the sign is securely and effectively attached to a brickwork, masonry or concrete by means of bolts securely embedded in such brickwork, masonry, or concrete, or passing through the same and secured on the opposite side	R2500	R1000	108141
19(1)(j) r/w 27(1)(a-d) &(2)(a-b)	Failure to ensure that when attached to a conservation-worthy building, is attached with the necessary expert advice in order to prevent damage to the building	R2500	R1000	108159
19(2)(a) r/w 27(1)(a-d) &(2)(a-b)	Using water-soluble adhesive, adhesive tape, or similar material to display or secure a sign or advertisement	R2500	R1000	108167
19(2)(b) r/w 27(1)(a-d) &(2)(a-b)	Displaying or securing a sign or advertisement elsewhere than on a billboard, board, or any structure provided for this purpose	R2500	R1000	108175
19(2)(c) r/w 27(1)(a-d) &(2)(a-b)	Failure to have all exposed metalwork of a sign painted or otherwise treated to prevent corrosion, and all timber treated to prevent decay;	R2500	R1000	108183

19(2)(d) r/w 27(1)(a-d) &(2)(a-b)	Failure to have measures taken to prevent the entry of water into, and the accumulation of water or moisture on or in any sign, or any part of the sign's supporting framework, brackets or other members.	R2500	R1000	108191
19(3)(a) r/w 27(1)(a-d) &(2)(a-b)	Using glasses other than the safety glasses of at least 3 millimetres thick	R2500	R1500	108206
19(3)(a) r/w 27(1)(a-d) &(2)(a-b)	Using a glass panel that exceed 0,9 square metres in area and not securely fixed in the body of the sign, structure or device, independently of all other panels	R2500	R1500	108214
19(4)(a) r/w 27(1)(a-d) &(2)(a-b)	Constructing an illuminated sign, or sign in which electricity is used, without the power cable and conduit containing an electrical conductor	R2500	R1000	108222
19(4)(b) r/w 27(1)(a-d) &(2)(a-b)	Constructing a sign of material which is combustible	R2500	R1000	108230
19(4)(c) r/w 27(1)(a-d) &(2)(a-b)	Failure to provide an external switch in an accessible position whereby the electricity supply to the sign may be switched off	R2500	R1000	108248
19(4)(d) r/w 27(1)(a-d) &(2)(a-b)	Failure to wire and construct a sign in accordance with, and subject to the provisions of the municipality's by-laws relating to the supply of electricity	R2500	R1000	108256
19(5)(a) r/w 27(1)(a-d) &(2)(a-b)	Causing damage to a tree, electrical standard, or service or public installation or property while in the course of displaying or removing a sign, advertisement or structure	R2500	R1000	108264
19(5)(b) r/w 27(1)(a-d) &(2)(a-b)	Covering or damaging the markings on lamp posts with a sign, or its brackets	R2500	R1000	108272
20(1) r/w 27(1)(a-d) &(2)(a-b)	Failure to maintain a sign when requested to do so by a notice	R2500	R1000	108280
20(3)(a) r/w 27(1)(a-d) &(2)(a-b)	Failure to locate the sign at a height that discourages vandalism	R2500	R1000	108298
20(3)(b) r/w 27(1)(a-d) &(2)(a-b)	Failure to service, clean and repaint the sign on a regular basis	R2500	R1000	108303
20(3)(c) r/w 27(1)(a-d) &(2)(a-b)	Failure to maintain the sign in good repair and in a safe and proper condition according to the highest standards as regards quality of structures, posting and sign-writing	R2500	R1000	108311
21(2) r/w 27(1)(a-d) &(2)(a-b)	Displaying a sign other than a gantry billboard on a road island or road median other than a freeway and not in accordance to permitted areas of control	R2500	R1000	108329

21(3) r/w 27(1)(a-d) &(2)(a-b)	Suspending signs other than gantry billboards, banners and flags, as part of a streetscaping project, and advertisements on towers, bridges and pylons across a road	R2500	<i>R1000</i>	108337
21(4) r/w 27(1)(a-d) &(2)(a-b)	Erecting within or suspending above a road reserve, signs other than project boards that concern road construction, signs for sporting events, festivals and exhibitions, sponsored road traffic projects, tourism direction signs, and gateway signs	R2500	<i>R1000</i>	108345
21(5) r/w 27(1)(a-d) &(2)(a-b)	Erecting within or suspending above a road reserve or the limited use area outside the road reserve boundary of freeways, a sign other than a service facility	R2500	<i>R1000</i>	108353
21(6) r/w 27(1)(a-d) &(2)(a-b)	Erecting within or suspending above a road reserve or the limited use area outside the road reserve boundary of freeways a sign other than wall signs/projecting signs/and veranda/balcony/canopy and under awning signs	R2500	<i>R1000</i>	108361
21(7) r/w 27(1)(a-d) &(2)(a-b)	Erecting within or suspending above a road reserve or the limited use area outside the road reserve boundary of freeways, and which may be displayed within all road reserves, a sign that is not a gantry billboards/medium billboards/street pole advertisements/street furniture and large posters in pedestrian areas/banners and flags/project boards	R2500	<i>R1000</i>	108379
21(8) r/w 27(1)(a-d) &(2)(a-b)	Erecting within or suspending above a road reserve or the limited use area outside the road reserve boundary of freeways, and displaying within all road reserves, signs other than estate agents' boards and show house signs/auction signs/election posters and municipal notices/street name advertisements/suburban advertisements/security signs/advertising on towers, bridges and pylons/veranda, balcony, canopy and under awning signs/ advertisements on forecourts of business premises/signs for utility companies and similar service	R2500	<i>R1000</i>	108387
21(9) r/w 27(1)(a-d) &(2)(a-b)	Displaying within a restricted area at urban street corners, signs other than a construction site advertisements/ project boards/street name advertisements/wall signs/signs and murals painted on walls and roofs/projecting signs/veranda, balcony, canopy and under awning signs/window signs/advertisements on forecourts of business premises	R2500	<i>R1000</i>	108395


22(1)(a) r/w 27(1)(a-d) &(2)(a-b)	Erecting a sign with luminance level exceeding 1000 candela per square metre, in instance where the illuminated area is less than 0,5 square metre	R2500	R1000	108400
22(1)(b) r/w 27(1)(a-d) &(2)(a-b)	Erecting a sign with luminance level exceeding 800 candela per square metre in instance where the illuminated area is between 0,5 square metre and 2 square metres	R2500	R1000	108418
22(1)(c) r/w 27(1)(a-d) &(2)(a-b)	Erecting a sign with luminance level exceeding 600 candela per square metre in instances where the illuminated area is between 2 square metres and 10 square metres	R2500	R1000	108426
22(1)(d) r/w 27(1)(a-d) &(2)(a-b)	Erecting a sign with luminance level exceeding 400 candela per square metre in instances where the illuminated area is 10 square metres or more	R2500	R1000	108434
22(2) r/w 27(1)(a-d) &(2)(a-b)	Making the light source emanating from a floodlight visible to traffic travelling in either direction	R2500	R1000	108442
22(3) r/w 27(1)(a-d) &(2)(a-b)	Failure to position floodlighting so as to ensure effective distribution and to minimise light wastage or 'spill'.	R2500	R1000	108450
22(5)(a) r/w 27(1)(a-d) &(2)(a-b)	Failure display an electronic sign containing third-party advertising in an area of partial and minimum control	R2500	R1000	108468
22(5)(b) r/w 27(1)(a-d) &(2)(a-b)	Erecting an electronic sign containing third-party advertising with the size of more than 2,1 square metres,	R2500	R1000	108476
22(5)(c) r/w 27(1)(a-d) &(2)(a-b)	Erecting electronic sign containing third-party advertising with subliminal flashes	R2500	R1000	108484
23(4) r/w 27(1)(a-d) &(2)(a-b)	Failure to provide identification and authority when conducting inspections in terms of subsection 23(1)	R2500	R1000	108492
26(1) r/w 27(1)(a-d) &(2)(a-b)	Failure to alter a sign that does not comply with section 18, 19, 20, 21, 22, or with a condition in a Schedule that relates to a sign	R2500	R1000	108507
26(1)(a) r/w 27(1)(a-d) &(2)(a-b)	Failure to submit a new application to the municipality where there is a change in ownership or occupancy of premises on which the sign is displayed or where there is a change in the nature of the business, industry, trade, or profession which is conducted on the premises	R2500	R1000	108515
26(1)(b) r/w 27(1)(a-d) &(2)(a-b)	Failure to immediately remove the sign where traffic signal lights are erected in a place where previously there had been no traffic signal lights, but where there is currently being displayed a sign or where there is an alteration in the level or position of a street, footway, or kerb	R2500	R1000	108523

26(2) r/w 27(1)(a-d) &(2)(a-b)	Failure to remove the sign/alter/do such work specified in the notice of contravention, on an unauthorised sign, sign displayed in prohibited area, or that does not conform to a provisions of section 18, 19, 20, 21, or 22, or conditions imposed in the Schedule that relates to the sign	R2500	R1000	108531
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I hereby certify that the admission of guilt fines listed in Column 2 above as submitted by the Nelson Mandela Bay Metropolitan Municipality have been approved by me in terms of Section 57(5)(a) and 341(5) of the Criminal Procedure Act, 51 of 1977, for the Magisterial District/s of

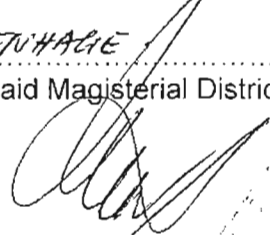
PORT ELIZABETH AND UITENHAGE

This determination replaces any previous determination for the said Magisterial District.



Magistrate (Port Elizabeth)

MAGISTRATE  
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 2011 -02- 16  
 PORT ELIZABETH  
 Date Stamp  
 LANDDROS



Magistrate (Uitenhage)

Date Stamp

