



GOVERNMENT GAZETTE

OF THE

REPUBLIC OF NAMIBIA

R2,00

WINDHOEK — 3 September 1992

No. 474

CONTENTS

Page

GENERAL NOTICE

No. 123 Municipality of Tsumeb: Regulations Regarding the Control of Advertising 1

General Notice

MUNICIPALITY OF TSUMEB

No. 123

1992

REGULATIONS REGARDING THE CONTROL OF ADVERTISING

The council of the Municipality of Tsumeb has under section 242 of the Municipal Ordinance, 1963 (Ordinance 13 of 1963), made the regulations set out in the Schedule.

The said regulations have been approved by the President under section 243 of the said Municipal Ordinance, 1963.

SCHEDULE
REGULATIONS REGARDING THE CONTROL
OF ADVERTISING

Definitions

1. In these regulations, unless the context otherwise indicates -

- (i) "aeroplane" also means a helicopter, glider, hang-glider or air balloon;
- (ii) "advertisement" means any material, fabric, article, appliance or any surface on which characters, letters, numerals or illustrations are applied, and erected, constructed or displayed in any manner whatsoever in view of any street for the purpose of advertising or to give information regarding, or to attract the public to any place, public performance, article or merchandise whatsoever, and which surface or structure is attached to or forms part of any building or is fixed to the ground or to any pole, screen or hoarding or is in any other way displayed;
- (iii) "advertising hoarding" means any screen or fence which is used or capable of being used for, or intended for the use of posting, exhibiting or displaying any advertisement or appliance to or in view of any street, but does not include a screen or fence enclosing a building site or excavations or materials or demolitions;
- (iv) "aerial advertisement" means any advertisement exhibited, displayed or performed in the air by the use of balloons, search lights, aeroplanes or similar means;
- (v) "Chief Traffic Officer" means the Chief Traffic Officer of the Municipality;
- (vi) "council" means the council of the Municipality of Tsumeb;
- (vii) "electrical advertisement" means any advertisement which uses electric current;
- (viii) "free-standing advertisement" means any advertisement which has its own support and which is not attached to any building;
- (ix) "illuminated advertisement" means any advertisement other than an electric advertisement of which the functioning, permanent or otherwise, depends upon it being illuminated by direct or indirect light;
- (x) "Management Committee" means the Management Committee of the Municipality;
- (xi) "Municipality" means the Municipality of Tsumeb;

- (xii) "Ordinance" means the Municipal Ordinance, 1963 (Ordinance 13 of 1963);
- (xiii) "owner" means any person who is entrusted with or who erects, constructs, displays, circulates, controls or has in his or her possession any advertisement with the purpose to display or circulate such advertisement or causes such advertisement to be erected, constructed, displayed, circulated, controlled or possessed;
- (xiv) "permanent advertisement" means any advertisement being erected, constructed or displayed in any manner whatsoever for a period in excess of 60 days in view of any street for the purpose of advertising or giving information in regard, or attracting the public, to any place, public performance, article or merchandise;
- (xv) "projecting advertisement" means any advertisement affixed to any building and projecting more than 175 mm from such building;
- (xvi) "sky advertisement" means any advertisement erected, constructed or placed on or extending above the parapet or any part of the roof of a building, excluding advertisements painted on the roof of a building;
- (xvii) "temporary advertisement" means any document, placard, banner, poster, leaflet, notice, drawing, prospectus or any other sign being erected, constructed, displayed or circulated in any manner whatsoever (except by circulation by post or per registered newspaper) for a period not exceeding 60 days, for the purpose of advertising or giving information in regard, or attracting the public, to any place, public performance, article or merchandise whatsoever;
- (xviii) "these regulations" means the Regulations Regarding the Control of Advertising;
- (xix) "Town Clerk" means the Town Clerk of the Municipality;
- (xx) "veranda advertisement" means any advertisement attached to, posted on or hung from a veranda;
- (xxi) "wall advertisement" means any advertisement other than a projecting advertisement, which is directly attached to or painted on the exterior wall of any building.

Requirements and conditions for the erection and display of permanent advertisements

2. (1) No person shall, subject to the provisions of subregulation (8), erect, construct, alter, display, maintain or cause to be erected, constructed, altered, displayed or maintained any permanent advertisement unless such person is in possession of a licence certificate referred to in subregulation (5).

(2) Any person who intends to erect, construct, alter or display or who causes to erect, construct, alter or display any permanent advertisement shall -

- (a) apply therefore to the Management Committee on the form set out in Schedule II and furnish all particulars required by such form;
- (b) furnish a site plan drawn to a scale not exceeding 1:200 and indicating full detailed drawings drawn to a scale of 1:25 in ink or in print, as well as a vertical profile of and the area of such advertisement;
- (c) furnish the size of all parts of any supporting framework and alterations (if applicable); and
- (d) pay R30,00 inspection fees in advance.

(3) The Management Committee may -

- (a) approve an application referred to in subregulation (2) where the permanent advertisement does comply with the requirements and conditions prescribed by these regulations;
- (b) reject an application referred to in the said subregulation (2) where the permanent advertisement does not comply with such requirements and conditions;
- (c) provisionally approve such application in writing on condition that such advertisement shall comply within 30 days after such provisional approval with such requirements and conditions; or
- (d) subject to the provisions of regulation 16(3), grant written approval to erect, construct or display permanent advertisements on parking meters defined in regulation 1 of the Parking Meter Regulations promulgated by Government Notice 23 of 1972, and on rubbish receptacles of the council.

(4) (a) Where after the expiry of the period of 30 days referred to in subregulation (3)(c) any permanent advertisement does not comply with the requirements and conditions prescribed by these regulations, the provisional approval referred to in that subregulation shall lapse and the owner shall remove or demolish such advertisement and all structures thereof.

(b) Where after expiring of the period of 30 days referred to in subregulation (3)(c) such advertisement does comply with the requirements and conditions prescribed by these regulations, it shall be deemed that the approval referred to in subregulation (3)(a) has been granted.

(5) The Management Committee shall on approval or deemed approval of the application referred to in subregulations (3)(a) or (4)(b), as the case may be, issue a licence certificate to the applicant.

- (6) (a) A licence certificate referred to in subregulation (5) shall be valid for the period of display of the permanent advertisement.
 - (b) Such licence certificate shall lapse if such permanent advertisement is altered, shifted or removed, except for normal maintenance purposes.
 - (c) If a licence certificate has lapsed in terms of paragraph (b), the person to whom such certificate was issued shall re-apply for a licence certificate in terms of subregulation (2), if such person intends to continue to display the permanent advertisement in question.
- (7) A licence certificate issued in terms of this regulation shall not be transferable.
- (8) (a) The provisions of this regulation shall not apply to any permanent advertisement referred to in paragraphs I and II of Schedule I.
 - (b) Any such advertisements shall in all respects comply with the requirements set out in the columns opposite thereto in the said Schedule.

Requirements and conditions for the erection and display of temporary advertisements

3. (1) No person shall, subject to the provisions of subregulation (12), erect, construct, alter, display, maintain or circulate or cause to be erected, constructed, altered, displayed, maintained or circulated any temporary advertisement, unless such person is in possession of the prior acquired written approval of the Town Clerk referred to in subregulation (5).

(2) Any person who intends to erect, construct, alter, display or circulate or cause to be erected, constructed, altered, displayed or circulated any temporary advertisement, shall -

- (a) at least 48 hours before such erection, construction, display, alteration or circulation apply therefor in writing to the Town Clerk;
- (b) attach to the written application the wording of such advertisement or an example of such advertisement;
- (c) in the case of posters referred to in regulation 4 -
 - (i) pay a deposit of R30,00 per occasion if the application is made by churches, schools, sport clubs, educational institutions or welfare organisations;
 - (ii) pay a deposit of R50,00 and a levy of R20,00 per annum if the application is made with regard to newspapers;

- (iii) pay a deposit of R50,00 and a levy of R40,00 per occasion if the application is made by a circus;
- (iv) pay a deposit of R50,00 and a levy of R1,00 per poster if the application is made with regard to the sale of movable or immovable property or the excavation of works or the supply of services;
- (v) pay a deposit of R50,00 and a levy of R20,00 per occasion if the application is made in connection with any case not mentioned in subparagraphs (i), (ii), (iii) or (iv); and

(d) in all other cases not mentioned in paragraph (c), pay a levy of R30,00.

(3) Any deposit referred to in paragraph 2(c) shall only be repayable if the Chief Traffic Officer reports that all the posters have been removed within 48 hours after the occurrence of the event.

(4) The Town Clerk may -

- (a) approve the application referred to in subregulation (2) where the temporary advertisement does comply with the requirements and conditions prescribed by these regulations;
- (b) reject the application referred to in the said subregulation (2) where the temporary advertisement does not comply with such requirements and conditions;
- (c) approve such application on condition that such advertisement shall comply with such requirements and conditions, and where such advertisement does not after erection thereof comply with such requirements and conditions the Town Clerk; may, at the cost of the applicant and without the payment of compensation, remove such advertisement, or cause it to be removed;
- (d) declare the deposit referred to in subregulation (2)(c) forfeited to the Municipality if the Chief Traffic Officer reports that such advertisements have not been removed within 48 hours after the occurrence of the event.

(5) The Town Clerk shall, on approval of the application referred to in subregulations (4)(a) and (c), supply the applicant with a written approval.

(6) Every application to erect, construct or display temporary advertisements on property not belonging to the Council shall be accompanied by the written approval of the owner of such property, or his or her written assignee.

(7) Temporary advertisements may only be displayed in areas as determined by the Council: Provided that the Town Clerk may refuse the display of any temporary advertisement in a certain area if he or she has reason to believe that such display will cause unsightly conditions or disfigure such area.

(8) Any temporary advertisement relating to the sale or lease of movable or immovable property or the excavation of works or the rendering of services, except advertisements referred to in paragraph III of Schedule I may, subject to the provisions of subregulation (2), be erected, constructed or displayed on premises visible from a street if such erection, construction or display occurs within the boundaries of the premises being the subject of such sale, lease, excavation of works or rendering of services, as the case may be.

(9) Any advertisement referred to in subregulation (8) shall -

- (a) not be larger than 600 mm by 450 mm and the highest point thereof shall not be more than 2,5 m above ground level;
- (b) not have letters, numbers or symbols larger than 150 mm; and
- (c) be removed within 7 days after the sale, conclusion of the lease, completion of the works or the rendering of the service, as the case may be.

(10) Temporary advertisements in the form of flags may be displayed if such flags -

- (a) indicate only the name of the product or event being advertised; and
- (b) are temporarily used by auctioneers for the period of two hours before an auction begins until the end of such auction.

(11) Where any advertiser makes use of sponsors, the name or product of such sponsor shall not cover more than 10% of the surface of the temporary advertisement.

(12) (a) The provisions of subregulations (1), (2), (3), (4), (5), (6), (7), (9), (10) and (11) shall not apply to the temporary advertisements referred in paragraph III of Schedule I.

(b) Any such advertisements shall in all respects comply with the requirements set out in the columns opposite thereto in the said Schedule.

Further requirements and conditions for the erection and display of temporary advertisements in the form of posters

4. (1) Any temporary advertisement in the form of a poster -

- (a) shall be attached to a neat and strong trencher or a support of any other material approved by the City Engineer in order that such advertisement does not fully or partially loosen as a result of wind or weather;
- (b) shall not, the trencher or support to which it is attached included, be larger than 1 000 mm by 600 mm;

- (c) shall not be erected, constructed, placed against, fixed to or in any other way be supported by any transformer-hoarding, traffic light or sign or any other building work or structure erected by the council or any other government authority;
 - (d) shall not be fixed or constructed to any pillars, walls of buildings, fences or hoardings where buildings are erected or to any trees: Provided that with the written approval of the Town Clerk such attachment or construction may take place by way of a strong cord or rope or removable glue leaving no marks or causing no damage;
 - (e) shall be erected, constructed and displayed in such a manner that -
 - (i) the lowest point of such poster shall not be lower than 2 m above ground level; and
 - (ii) such poster shall not be closer than 10 m to the nearest street intersection or junction;
 - (f) relating to a newspaper being sold to the public at a specific time -
 - (i) may with the prior acquired written approval of the Town Clerk be erected, constructed or displayed for a period exceeding 60 consecutive days but not exceeding 1 year and the said written approval shall state the manner and the places where such erection, construction or display may be done; and
 - (ii) shall state only the name or front page and main headlines of the newspaper concerned;
 - (g) shall not be displayed above, below or right across any other advertisement;
 - (h) relating to any meeting, gathering or event, except an election, shall not, without the approval of the Town Clerk, be displayed 14 days prior to the day on which such meeting, gathering or event begins and shall not be displayed longer than 24 hours after the day on which such meeting, gathering or event has ended.
- (2) Not more than 25 temporary advertisement in the form of posters shall be displayed in the municipal area at the same time having the same appearance, except posters referring to municipal or political election campaigns as well as posters erected, constructed or displayed by churches, schools, sport clubs, educational institutions and welfare organisations.
- (3) (a) Subject to the provisions of paragraphs (d) and (e), the Town Clerk may approve in writing that temporary advertisements in the form of banners be hung across a street if he or she is of the opinion that such banners shall contain no danger to the public or shall not result in any impediment of the traffic in such street.
 - (b) The council shall in each case determine the number of banners and the places where it may be displayed.

- (c) Any such banner shall not be hung more than 14 days prior to the event advertised thereon, and shall not be so displayed longer than 24 hours after the day on which the event so advertised has ended.
- (d) Banners referred to in paragraph (a) -
 - (i) shall not exceed 0,6 m x 6 m or shall not be hung over more than 70% of the normal driveway of the street;
 - (ii) shall be safely and firmly attached; and
 - (iii) shall not impede any lamp, electric light or pole of the council.
- (e) The provisions of this regulation shall not apply to temporary advertisements in respect of an election which -
 - (i) have been constructed within a fenced-in premises on a place other than the outer wall or the outside of a fence forming the boundary of such premises;
 - (ii) are displayed in or on a private motor vehicle parked in a street or on a public place or which is driven within the normal use of such vehicle;
 - (iii) are displayed at the clearly indicated offices of a candidate; or
 - (iv) has been attached to a permanent advertising hoarding licensed for the display of advertisements.
- (4) No person shall -
 - (a) circulate any temporary advertisements in the form of hand bills, leaflets, pamphlets or other similar advertisements in any street or public place or cause such advertisements to be circulated: Provided that the provisions of this subregulation shall not apply to -
 - (i) hand bills, leaflets, pamphlets or other similar advertisements of educational, cultural or religious nature circulated by hand from person to person;
 - (ii) hand bills, leaflets, pamphlets or other similar advertisements circulated and placed loose in newspapers; or
 - (iii) hand bills, leaflets, pamphlets or other similar advertisements placed inside a building of a business, firm, company or similar undertaking; and
 - (b) place, post or press in or on any motor vehicle any temporary advertisement in the form of hand bills, leaflets, pamphlets or other similar advertisements of any nature (including advertisements referred to in paragraph (a)).
- (5) The provisions of this regulation shall apply in addition to any other requirements and conditions prescribed in these regulations for the erection, construction and display of temporary advertisements.

Requirements and conditions for the erection and display of electrical and illuminated advertisements

5. (1) Every electrical or illuminated advertisement shall be made of fireproof material except where such advertisement is merely a floodlight advertisement.

(2) Every electrical or illuminated advertisement shall be installed in accordance with the Model Electricity Supply Regulations promulgated by Government Notice 109 of 1957, as applied to the Municipality by Government Notice 94 of 1969.

(3) No person shall erect, construct or display any electric or illuminated advertisement which is of such intense illumination as to disturb the residents or users of adjacent or nearby buildings or roads.

(4) All electric advertisements which are likely to interfere with radio and television reception shall be fitted with efficient suppressors.

(5) No advertisement being electrical or illuminated, except any temporary advertisement for which the Town Clerk has granted approval, shall be erected, constructed or displayed on or to any facade, bearer, beam, parapet or railing of any splayed or rounded corner on a veranda or balcony.

Requirements and conditions for the erection and display of sky advertisements

6. (1) No sky advertisements shall -

(a) exceed 13,5 m;

(b) exceed the following heights on buildings of heights as hereafter specified:

(i) a building not exceeding four storeys or 17 m high: 2 m;

(ii) a building of five to eight storeys or exceeding 17 m but not exceeding 34 m: 4,5 m.

Provided that advertisements placed one above the other or at different levels or places of the same building shall be deemed to be one advertisement, whether or not such advertisements belong to one or more owners;

(c) be placed on the roof of any building in such a manner as to prevent free passage from one part of the roof to another;

(d) be placed on or over the roof of any building unless the entire roof construction is of fireproof material;

(e) project beyond the roof in any direction or beyond the existing building line of the building on which such advertisement has been constructed.

- (2) Every sky advertisement -
 - (a) including the framework, supports and braces, shall be made of fireproof material: Provided that ornamental mouldings, cappings, decorations and trimmings forming part of such advertisement may be made of combustible material; and
 - (b) shall be firmly erected and constructed to the building on or over which it has been erected or constructed and all loads constructed shall be safely distributed to the construction parts of the building.
- (3) No advertisement shall be painted on the roof of a building.

Requirements and conditions for the erection and display of wall advertisements

7. (1) No wall advertisement -
 - (a) except a painted advertisement, exceeding 2,5 square metres in area shall be made of combustible material without the approval of the Management Committee: Provided that ornamental mouldings, cappings, decorations and trimmings forming part of such advertisement may be made of combustible material;
 - (b) shall have a total area exceeding 18 square metres for every 15 m building frontage to the street which such advertisement faces: Provided that the area of such advertisement consisting only of the name of a theatre or cinema shall in its entirety not exceed 90 square metres;
 - (c) which exceeds 15 square metres in area shall be located on any wall not directly facing the street;
 - (d) shall exceed 25% of the area of the side wall visible from the street; and
 - (e) shall extend above the top of the wall or beyond the ends of the wall to which it has been attached, and at any place where pedestrians may pass along a wall, such advertisements constructed thereto shall not project from the wall within a height of 2,5 m measured from the floor level of such place.

(2) Every wall advertisement constructed to walls of masonry or concrete shall be securely attached by means of metal anchors, bolts or expansion screws.

Requirements and conditions for the erection and display of free-standing advertisements

8. (1) Every free-standing advertisement -
 - (a) exceeding 2 m in height, including the framework, supports and braces, shall be made of fireproof material: Provided that orna-

mental mouldings, cappings, decorations and trimmings forming part of such advertisement may be made of combustible material;

(b) shall be firmly supported and anchored to the ground, and supports and anchors shall be of corrosion-resistant or treated metal, masonry or concrete; and

(c) shall in area not exceed 10 square metres.

(2) No free-standing advertisement shall be erected or constructed higher than 6 m above ground level: Provided that lightning reflectors may extend beyond the top or face of the advertisement.

Requirements and conditions for the erection and display of projecting advertisements

9. (1) The supports and framework of any projecting advertisement shall be made solely of fireproof material.

(2) No projecting advertisement or any part of its supports or framework shall project more than 2 m beyond the main level of the building whereon or upon which such advertisement has been erected or constructed.

(3) At every place where pedestrians may pass underneath a projecting advertisement there shall be a free clearance of at least 2,5 m between such advertisement and the ground: Provided that in the case of a projecting electrical advertisement, such free clearance shall be at least 2,7 m.

(4) The axis of any projecting advertisement shall be at right-angles to the area of the building and where a V-construction has been used for the levels, the base of the advertisement against the building shall not exceed the overall projection.

(5) The maximum height of the projecting advertisement in relation to the height of the building to which such advertisement has been erected or constructed, shall be in the case of -

(a) a building not exceeding 4 storeys or 17 m: 6 m;

(b) a building of 5 to 8 storeys or higher than 17 m, but not exceeding 34 m: 9m:

Provided that no projecting advertisement shall project beyond the eaves of a roof or above the building face to which such advertisement has been erected or constructed.

(6) Every projecting advertisement shall in such a manner that movement in any direction is prevented, be securely erected or constructed to a building by corrosion-resistant metal brackets, rods, anchors, supports, chains or wire-rope so designed and arranged that half the number of the devices used for the erection and construction can safely support such advertisement under all circumstances.

Requirements and conditions for the erection and display of veranda advertisements

10. (1) Every veranda advertisement -
- (a) shall be made solely of fireproof material;
 - (b) shall not exceed 1 m in height, and no such advertisement hanging from a veranda shall exceed 2,5 m in length and 75 mm in thickness;
 - (c) shall, except hanging advertisements, only be placed on the following locations:
 - (i) immediately above the eaves of the veranda roof in such a manner so as not to project beyond the rear of the roof gutters; or
 - (ii) against, but not projecting above or below the veranda parapet or railing: Provided that such parapet or railing shall be solid and that such advertisement does not project more than 230 mm from the street-front of such parapet or railing, and provided further that such advertisement does not project beyond an imaginary perpendicular line measured 460 mm from the street curb; and
 - (d) hanging from a veranda, shall be fixed in such a manner that the lowest point of such advertisement shall be at least 2,5 m above the pavement or ground level, as the case may be: Provided that in the case of an electrical advertisement the lowest point shall be at least 2,7 m above the pavement or ground level.

(2) No advertisement shall be painted on, against or between the pillars of a veranda: Provided that the Town Clerk may grant written approval that a temporary advertisement may thus be constructed.

Requirements and conditions for the display of aerial advertisements

11. (1) The Town Clerk may grant written approval for the temporary display of aerial advertisements.

(2) Such approval shall be granted free of charge.

Exemptions

12. If any advertisements may be classified in two or more of the specific advertisements referred to in regulations 5, 6, 7, 8, 10 and 11, such advertisement shall comply with all the requirements prescribed in such regulations under which such advertisement may be classified: Provided that the Management Committee may, where such requirements are inconsistent with one another, determine which regulations and requirements shall apply in any particular case.

Prohibition on throw or distribution of advertisements from aeroplanes

13. No advertisements shall be thrown or distributed from an aeroplane.

General construction requirements applying to advertisements

14. (1) All advertisements shall be firm, be made of durable material and where paint is used for or in connection with any advertisement, such paint shall be of good quality and weather resistant.

(2) No advertisement which swings or moves, excluding advertisements erected, constructed or displayed in display windows, or aerial advertisements, shall be erected, constructed or displayed.

(3) No advertisement made of cloth, paper maché or similar material, shall be erected, constructed or displayed as a permanent advertisement.

General attachment requirements applying to advertisements

15. (1) All advertisement shall be secured and anchored in such a manner so as not to constitute or form any source of danger or nuisance to the public.

(2) When any advertisement constitutes or forms any source of danger or nuisance to the public, the owner shall without delay at his or her own cost restore or remove such advertisement.

(3) If the owner fails to restore or remove an advertisement referred to in subregulation (2), the Management Committee may in writing order such owner to restore or remove at his or her own cost such advertisement within 48 hours.

(4) The Management Committee may, if the owner fails to comply with the notice referred to in subregulation (3), restore or remove such advertisement at the cost of the owner.

Prohibited places for the erection, construction or display of advertisements

16. (1) No advertisement shall be erected, constructed or displayed against railings of staircases, trees, rocks, hillsides or river-sides.

(2) No person shall, without the written approval of the Management Committee, erect, construct, display or distribute any advertisement -

(a) in any public park and garden;

(b) in or on any freeway or main road;

(c) on municipal land in an area which has not been defined for this purpose;

(d) in, on or to any building which, according to the South West African Council for Architects and Quantity Surveyors referred to in section 1 of the Architects and Quantity Surveyor's Act, 1979 (Act 13 of 1979), or any committee of such council referred to in section 10 of the said Architects and Quantity Surveyors' Act, 1979, is of particular historic or architectonic value; or

(e) in any area determine by the Management Committee by notice in the *Gazette*.

(3) The provisions of subregulation (2) shall not apply to permanent advertisements referred to in regulation 2(3)(d).

Advertisements extending over street boundary

17. (1) Despite the fact that an advertisement has been licensed or that approval has been granted for the erection, construction or display thereof, section 185(7) of the Ordinance shall *mutatis mutandis* apply to any person who erects or constructs or who causes to erect or construct such advertisement so that such advertisement encroaches upon a street line.

(2) The Management Committee may, where an advertisement extends over a street line, order any person referred to in subregulation (1) or the owner of the building whereon or upon which such advertisement has been erected or constructed, to remove the encroachment referred to in subregulation (1) partially or wholly within 14 days from the order date.

Indecent advertisements

18. No advertisement which, in the opinion of the Management Committee, is indecent, suggests indecency or is detrimental to the public morality, shall be erected, constructed or displayed.

Detrimental advertisements

19. The Management Committee may prohibit the erection or construction of an advertisement which should be permissible in terms of these regulations, but which may disfigure or detrimentally influence any place or area.

Direction signals

20. (1) The Management Committee may, on the application of persons (including religious institutions and societies concerned with the welfare of persons or animals), free of charge grant written approval for the erection and construction of temporary advertisements in the form of direction signals.

(2) The application for the erection and construction of direction signals referred to in subregulation (1) shall clearly indicate -

- (a) the duration and location thereof;
- (b) the number of signals displayed; and
- (c) the event or occasion which is being advertised.

(3) Only direction signals directing the public to exceptional events or occasions of religious, cultural or sporting interest shall be permitted.

(4) Direction signals referred to in subregulation (3) shall not be displayed longer than 7 days before the beginning and not longer than 24 hours after the conclusion of the event or occasion which is being advertised.

Advertising hoardings

21. No advertising hoarding shall be erected or constructed without the prior acquired written approval of the Management Committee.

Impediment of traffic control

22. (1) No advertisement shall be erected or constructed which impedes or may impede with any sign or signal for the control of traffic.

(2) No illuminated advertisement in red, amber or green shall be erected or constructed within 15 m from any illuminated traffic sign.

(3) No advertisement shall be erected or constructed so as to impede the view of traffic at intersecting streets.

(4) No advertisement shall be erected, constructed or displayed if in the opinion of the Chief Traffic Officer such advertisement constitutes or may constitute any source of danger or nuisance to traffic or pedestrians in a street.

Inspecting of advertisements

23. Any officer or employee of the council, acting in the course and scope of his or her duties, shall have the right at all reasonable times to inspect any advertisement and to call for the production of the licence certificate or written approval therefor, as the case may be.

Removal and re-erection or reconstruction of existing advertisements

24. Subject to the provisions of regulation 2(6), if an existing advertisement is removed for whatever reasons and is re-erected or reconstructed thereafter, such advertisement shall be deemed to be a new advertisement for the purposes of these regulations.

Existing permanent advertisements

25. (1) Notwithstanding anything to the contrary in these regulations contained, any permanent advertisement existing at the date of commencement of these regulations and authorised by a licence or permit issued by the council, shall be deemed to be licenced under these regulations for a period of 12 months from such date.

(2) If any existing advertisement referred to in subregulation (1) or any substantial part thereof has to be altered, re-erected or reconstructed within the period of 12 months referred to in that subregulation, the licence referred to in the said subregulation shall lapse and the owner of such advertisement shall re-apply for a licence certificate in terms of these regulations.

Draining of advertisements

26. Every advertisement where the possibility of water amassing exists, shall have adequate provision for drainage.

Town planning scheme

27. These regulations shall be in addition to the provisions of the Town Planning Scheme of Tsumeb approved by Proclamation AG. 16 of 1987 in terms of the Town Planning Ordinance, 1954 (Ordinance 18 of 1954).

Payment of fees

28. Any person who has to pay fees in terms of these regulations shall pay such fees at the office of the council.

Repeal

29. Chapter 17 of the Standard Building Regulations promulgated by Government Notice R.1830 of 1970, as applied to the Municipality by General Notice 114 of 1983, and any amendment thereof is hereby repealed.

SCHEDULE I

ADVERTISEMENTS FOR WHICH NO LICENCE OR
WRITTEN APPROVAL IS REQUIRED

1 Paragraph	2 Class	3 Area	4 Maximum height above ground-floor level to top of sign	5 Information and illumination	6 Number	7 Maximum size of letters, symbols, etc.	8 Remarks
I	Advertisements of authorities, statutory undertakings or institutions, public transport undertakings and fire-brigades	As may be reasonably required for the safe and efficient performances of the function	As in column 3	As in column 3	As in column 3	As in column 3	
II(a)	Advertisements relating to premises on which they are displayed in order to identify or give directions or warnings	Not exceeding 0,2 square metres	Not exceeding 4,5 m	Only to indicate which services or supplies are available on premises where advertisements are displayed, name plates or direction signals to show entrance	As required	Not exceeding 0,75 m	
II(b)	Advertisements by a person partnership or company carrying on any profession, business or trade	Not exceeding 0,3 square metres	Not exceeding 4,5 m	Only to indicate which services or supplies are available on premises where advertisements are displayed, name plates or direction signals to show entrance	One: Two if on different faces at entrances	Not exceeding 0,75 m	
II(c)	Advertisements relating to any institution of a religious, educational, cultural, recreational or medical character and also any residential hotel, blocks of flats, club or similar public entertainments	Not exceeding 1 square metre	Not exceeding 4,5 m	Only to indicate which services or supplies are available on premises where advertisements are displayed, name plates or direction signals to show entrance	One: Two provided that they are on different sides	Not exceeding 0,75 m	

III(a)	Temporary advertisements erected, constructed or displayed for a period not exceeding 28 days and relating to the lease or sale of movable property on those premises	Not exceeding 2 square metres and no advertisement shall project more than 1 m from the building to which it has been secured	Not exceeding 4,5 m	Only to indicate the sale, lease or type of works or services	As required	Not exceeding 0,75 m	Shall only be displayed for more than 28 days and shall be removed within 48 hours after the occurrence of the event
III(b)	Advertisements relating to the carrying out of building or similar operations on the land where the advertisements are displayed	Not exceeding 4 square metres	Not exceeding 4,5 m	None	One on each street face for each contractor or sub-contractor	Not exceeding 0,75 m	May be displayed only for as long as such work is in progress
III(c)	Advertisements announcing any local event in connection with an activity promoted for non-commercial purposes by various local organisations	Not exceeding 1,5 square metres	Not exceeding 4,5 m	None	Any number, the the total area on any premises shall not exceed that in column 3	Not exceeding 0,75 m	Shall not be displayed earlier than 14 days before the event or occasion is due to start and shall be removed within 3 days after the conclusion of such event or occasion

SCHEDULE II

APPLICATION TO ERECT, CONSTRUCT OR DISPLAY PERMANENT ADVERTISEMENTS

Name and address of applicant:

.....

Telephone:

Number of premises where advertisement is to be erected, constructed or displayed:

.....

Name of owner / Name of business displaying advertisement:

.....

Specifications, dimensions, mass, technical characteristics and position of advertisement and supporting framework:

.....

.....

.....

.....

.....

.....

.....

Name and address of contractor erecting or constructing advertisement:

..... Telephone:

Wording of advertisement (if example is not attached):

.....

Is siteplan attached?

I,, the applicant hereby undertake to erect, construct and display the abovementioned advertisement in accordance with these regulations and the Town Planning Scheme of Tsumeb.

.....
Signature of Applicant Date

.....
Signature of Owner of premises where advertisement is to be erected, constructed or displayed (or his or her Assignee) Date