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CONTENTS

Gazette *Page*
No. *No.*

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

796	Rationalization of Local Government Affairs Act (10/1998): City of Johannesburg Metropolitan Municipality ...	127	3
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LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 796 OF 2017**OUTDOOR ADVERTISING BY-LAW, 2017****CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY**

Notice is hereby given in terms of section 7(1) of the Rationalization of Local Government Affairs Act, 10 of 1998, that the City, at its Ordinary Council meeting on 30 October 2014, declared its intention to amend its Outdoor Advertising By-law.

In terms of section 156 of the Constitution, municipalities have the executive authority over and the right to administer the local government matters that are listed under Part B of Schedules 4 and 5 to the Constitution. One such listed matter is "Billboards and the display of advertisements in public places". Section 156(2) of the Constitution then states that a municipality may make By-laws for the effective administration of such listed local government matter.

In this regard the City has adopted and approved its Outdoor Advertising By-law which was published in the *Provincial Gazette* of 18 December 2009 under Local Authority Notice No. 277. It is this By-law that the City now wishes to amend and comment is being sought on the proposed amendments.

In summary, some of the more important amendments proposed deal with the following important aspects but it is not limited to the following aspects:

- The By-law makes provision for Advertising Precincts;
- The By-law proposes an Outdoor Signage Management Framework which will address, inter alia, prohibited zones, minimum control-, partial control- and maximum control areas, Street Pole zones, Street Furniture Zones, Advertising Precincts, etc;

- The By-law now makes it clear that both the owner of the property as well as the owner of the advertising sign may be held liable for any contraventions;
- That certain street furniture advertising be exempted from compliance;
- The By-law has been amended to make provision that no sign may be erected within a 100 meters from the nearest road traffic sign at road intersections and no longer 50 meters from the centre of an intersection;
- A minimum and maximum standard of luminance levels for advertising signs are being introduced;
- The definition of “motorways” are being clarified that it includes National-, Provincial- and local motorways;
- An advertising gantry is no longer regarded as a prohibited sign;
- Any form of advertising, including street pole ad advertising, is prohibited in the middle or on the median island of any Motorway/Highway/Freeway;
- Any form of advertising against telecommunication masts/towers and infrastructure pylons are prohibited;
- The City’s law enforcement powers as per section 28(2) and (3) are being amended so that the City may do certain things without obtaining a court order in certain defined instances which will strengthen the City’s law enforcement powers considerably;
- A general monetary contribution on private property is being introduced for the benefit of using the exposure a public road, which vests in the City, provides;
- Outdoor Advertising appeals will be considered on written submissions only; and
- The provisions dealing with Estate Agent Boards have been amended upon a request received by the Estate Agents Board.

Copies of the draft By-law will lie open for inspection during normal office hours for 30 days from date of publication of this notice at the Metropolitan Centre at the Outdoor Advertising Department at 158 Civic Boulevard, Braamfontein, 6th Floor, A-Block or at the Group Legal & Contracts Department’s Legal Library at the same address on the 3rd Floor, A-Block. Copies of the draft By-law will also be available at the Regional offices and a copy of the draft By-law will also be available on the City’s web-site:

www.joburg.org.za

Any comment may be submitted in writing for the attention of Mr. J Sekgobela at the Outdoor Advertising Department or Mr. AE Nortje at the Group Legal & Contracts Department at the above address by hand or by registered post (PO Box 1049, Johannesburg, 2000) or by facsimile (011 339 4204 or 011 339 1244) or by e-mail alwynN@joburg.org.za or jackse@joburg.org.za, within 30 days from date of publication of this notice. Any enquiries may also be directed to the above persons.

N LUKHWARENI

CITY MANAGER

CITY OF JOHANNESBURG

METROPOLITAN CENTRE

158 CIVIC BOULEVARD

BRAAMFONTEIN

JOHANNESBURG

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