

# Call for public comment on Cape Town's proposed outdoor advertising by-law

From today, Monday 27 March 2017, the public can participate in the second round of comments on the City of Cape Town's proposed outdoor advertising by-law. Comments close on 9 April 2017.



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“The City received a significant volume of comments from role players in the advertising industry and other interested parties in response to the first draft of the proposed outdoor advertising by-law last year. A task team worked through these comments and subsequently redrafted the by-law, taking into account the contributions that we received. The new draft is now available for a second round of public participation, given the extensive changes to the first draft by-law,” said the City’s mayoral committee member for transport and urban development, Councillor Brett Herron.

“Those who have commented on the first draft will notice that the second draft has been reduced from 88 pages to less than 40 pages, making it is easier to navigate. We have also created greater flexibility with respect to the adjudication of signs. The purpose of the by-law is to create a clear and simple framework to regulate outdoor advertising and signage. We have tried to make the new regulations easy to grasp and to streamline the processes to be followed when applying to the City for authorisation.”

## Comments implemented

Following the first round of public participation, the City has heeded the comments of residents and industry. For example, private security companies will be permitted to have additional displays of their presence within communities on request of homeowners’ associations.

“Similarly, we have increased the revenue possibilities for schools and non-governmental organisations after they asked the City for assistance to ensure their financial sustainability. We have also sought to simplify the application process for industry following their concerns about uncertainty,’ said Councillor Herron.

An important aspect of the by-law is finding a balance between the need for economic growth, while at the same time ensuring that advertising and signage is not detrimental to Cape Town’s unique heritage and tourism treasures.

“As much as we want to protect Cape Town’s visual, historical and cultural appeal, we have to be aware of the impact of red tape and unnecessary regulation on the city’s economic growth, innovation potential, and job creation prospects.”

## **Extracts from draft Bill**

The draft outdoor advertising by-law stipulates the following:

- The applicable regulations to install, use, or display a sign or signage structure (including aerial signs, banners, billboards, information boards, composite signs, construction site signs, custom-shaped signs, electronic signs, flat signs, freestanding signs, inflatable signs, illuminated signs, roof signs, security signs, sky signs, window signs, and headline posters)
- The deemed approval of certain sign types which do not require an application
- How to apply for authorisation and the information the City needs in order to assess the application speedily
- Application fees
- How to appeal a decision
- How to request an extension of an approval
- Exemptions for certain categories of user, for example non-profit organisations
- The removal of unlawful signs
- Offences and penalties

Furthermore, the by-law creates different areas of control:

- Different regulations apply in urban areas, industrial areas, rural areas such as at parks and public gardens and along scenic routes, and in natural areas such as nature reserves, heritage sites, beaches, sea shores and rivers
- The restrictions on signage in industrial areas have been relaxed in order to promote industry and entice business to invest in industry space in Cape Town, thereby making people aware of the viable industrial capacity
- Signage in residential areas remains controlled
- Signage in mixed-use areas will be considered by the City for its appropriateness, but this is not overly restrictive
- The regulation of outdoor advertising in scenic, agricultural, and horticultural areas, as well as in nature reserves and protected areas, is very restrictive

“The by-law seeks to open up advertising possibilities in industrialised areas and areas where you would normally find businesses. Thus, we want to support industrial business development, property marketing and property sales. But the by-law also seeks to protect those areas where outdoor advertising would be inappropriate, or should be allowed only under strict conditions, for a short period, and under special circumstances.”

The by-law sets strict requirements for signage structures to ensure the public’s safety as far as possible. It also regulates signs in windows, on roofs, against buildings, as well as freestanding signs and inflated signs.

“The draft by-law conforms to the City’s draft Climate Change Policy as well as the draft Environmental Strategy. For example, illuminated signs must be energy-efficient and ideally self-generated by using solar- or wind-generated power,” concludes Herron.

The public may view the draft at City libraries, sub-council offices or online at [www.capetown.gov.za/haveyoursay](http://www.capetown.gov.za/haveyoursay).

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