

Chapter 29:15
Urban Councils Act
Harare By-laws, 1981 Control of Advertising Signs
Statutory Instrument 908 of 1981;corrected by SI 79/82.
Amended by SI's 650/82, 318/98, 75/2002 and 99/2015.

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IT is hereby notified that the Minister of Local Government, Public Works and Housing has, in terms of [section 229 of the Urban Councils Act \[Chapter 29:15\]](#) approved the following by-laws made by the City Council of Harare:—

Title and application

1.

(1) These by-laws may be cited as the Harare (Control of Advertising Signs) By-laws, 1981.

amended by SI 650/82 w.e.f.15th October, 1982

(2) These by-laws shall apply within the City of Harare area and any local government area the administration, control and management of which is vested in the City Council of Harare.

amended by SI 99/15 w.e.f.11th September, 2015

2.

In these by-laws—

“advertising hoarding” means a ground sign or billboard as described in [section seventeen](#);

definition substituted by SI 318/98 w.e.f. 23rd October, 1998

“advertising sign” means—

definition substituted by SI 75/02 w.e.f. 5th April, 2002

- (a) actual goods displayed in or on a motor vehicle adapted or designed for that purpose and the owner of which is in the business of commercial advertising;
- (b) a sign, device or surface of any kind, which is visible from any street or point and which contains or constitutes or upon which is displayed an advertisement, but does not include a traffic sign, and includes the following
 - (i) an aerial sign;
 - (ii) an animated sign;
 - (iii) a canopy edge sign;
 - (iv) an under canopy sign;
 - (v) a flag or pennant of a company or association of persons;

- (vi) a flashing sign;
- (vii) a ground sign;
- (viii) a moving advertising sign;
- (ix) a newspaper placard;
- (x) a pictorial overlay;
- (xi) a pole sign;
- (xii) a poster, including a municipal poster and a political poster;
- (xiii) a projecting sign;
- (xiv) a sky sign;
- (xv) an advertising hoarding;
- (xvi) projected advertisement;
- (xvii) electronic light emitting diode (LED) advertising sign;
- (xviii) electronic light emitting diode (LED) touchline sign;
- (xix) sale or lease signs;
- (xx) static/fixed touchline sign;
- (xxi) wall murals/wraps;

paras (xvii) to (xxi) inserted by SI 99/15 w.e.f.11th September, 2015

“aerial sign” means an advertising sign which—

- (a) is displayed in the air by means of a kite, balloon or the like;
and
- (b) is attached to a building or to land;

“animated sign” means an advertising sign which moves or gives the appearance of movement;

“appropriate fee” means such a fee as may be fixed by resolution of Council in terms of section 2 of the Urban Councils Act [*Chapter 29; 15*];

definition substituted by SI 99/15 w.e.f.11th September, 2015

“authorised official”, means any person employed or delegated by Council to carry out functions prescribed in these by-laws;

definition inserted by SI 99/15 w.e.f.11th September, 2015

“building” includes—

- (a) any portion of a building; and —
- (b) the stand, lot or plot, on which a building is situated;

“Council” means the City Council of Harare;

“composite sign” means an advertising sign referred to in [section fifteen](#)

“commercial advertising” means the erection of advertising signs in return for a fee;

definition inserted by SI 75/02 w.e.f. 5th April, 2002

“canopy edge sign” means any advertising sign which is erected upon any canopy, or any veranda over a street;

“city electrical engineer” means the person holding office under the Council as Director of Engineering Services or authorised official and includes any employee of the Council who is authorized by the Director of Engineering Services or authorised official to perform any of the powers or exercise any of the functions assigned to the Director of Engineering Services or authorised official in terms of these by-laws;

“chief fire officer” means the person holding office under the Council as chief fire officer, and includes any employee of the Council who is authorized by the chief fire officer to perform any of the powers or exercise any of the functions assigned to the chief fire officer in terms of these by-laws;

“Director” means any Director employed by Council or authorized official to whom is delegated such functions and to perform any of the powers in terms of these by-laws;

definition of ‘Director of Works’ substituted by SI 99/15 w.e.f.11th September, 2015

“drive-in restaurant” means an establishment providing food and drink to members of the public, and which is so laid out that patrons can be attended to while remaining in their vehicles;

“effective date” means the date on which these by-laws come into operation;

18th December,1981 –Editor

“erect” includes attach, display, fix, paint or post, or to cause or permit to be erected, attached, displayed, fixed, painted or posted;

“flashing sign” means an advertising sign which

- (a) is operated by electricity; and
- (b) appears and disappears intermittently;

“gantry sign”, means an advertising sign erected spanning a road;

definition inserted by SI 99/15 w.e.f.11th September, 2015

“ground sign” means an advertising sign which—

- (a) is erected on the ground; and
- (b) is not attached to a building or wall of a building;

“hotel” means any premises wherein or whereon the business of supplying lodging and meals for reward is or is intended to be conducted and includes a motel;

“incorporated area”

definition repealed by SI 99/15 w.e.f.11th September, 2015

“industrial zone” means any land zoned solely for industrial purposes in terms of any master plan, local plan or approved scheme as defined in the [Regional, Town and Country Planning Act,\[Chapter 29:12\]](#);

“intersection” means the point at which the direct extensions of any of the stand boundaries of 2 streets cross each other or one another at any angle;

“LED”, means electronic light emitting diode;

definition inserted by SI 99/15 w.e.f.11th September, 2015

“LED advertising sign” means an advertising sign, which has an electronically or digitally controlled, or both an electronically and digitally controlled, illuminated display surface, which allows for different advertisements to be shown, changed, animated or

illuminated in different ways and at different intervals on one such sign;

definition inserted by SI 99/15 w.e.f.11th September, 2015

“LED touchline sign”, means an advertising sign which displays adverts in motion and can show more than one advert in rotation or slide movement facing the field of play or the like;

definition inserted by SI 99/15 w.e.f.11th September, 2015

“licence”, in relation to projected advertisement, means a licence issued in terms of [section twenty-three](#);

“motel” means a building or group of buildings used as an hotel and in which rooms are directly accessible from an outdoor parking area;

“motor vehicle” means a motor vehicle as defined in the [Road Traffic Act \[Chapter 13:11\]](#);

definition inserted by SI 75/02 w.e.f.5th April, 2002

“moving advertising sign” means any advertising sign, which is erected on a motor vehicle the owner of which is in the business of commercial advertising but does not include an advertising sign relating to the business of, or the services performed or the commodities manufactured by, the owner of the motor vehicle on which such advertising is erected.

definition inserted by SI 75/02 w.e.f. 5th April, 2002

“municipal poster” means an advertising sign which advertises a function or activity of the Council;

“newspaper placard” means a placard on which is displayed an item of news which is contained or to be contained in a newspaper;

“occupier”, in relation to any building, land or motor vehicle means a person—

definition amended by SI 75/02 w.e.f. 5th April, 2002

- (a) in actual occupation of such building, land or motor vehicle;
or
- (b) having the charge or management of such building, land or motor vehicle;

“owner” in relation to any building, land or motor vehicle, means the person in whose name the title of such building, land or motor vehicle is registered, and includes—

definition amended by SI 75/02 w.e.f. 5th April, 2002

- (a) an agent of the owner;
- (b) any person receiving or entitled to receive rent or leasing fee in respect of such building, land or motor vehicle, as the case may be;
- (c) a purchaser under a hire-purchase agreement;
- (d) the executor, liquidator or *curator bonis* of the person in whose name the building, or land or motor vehicle is registered;
- (e) in the case of a moving advertising sign, the elevation of the motor vehicle or trailer on which it is intended to erect such sign.

definition inserted by SI 75/02 w.e.f. 5th April, 2002

“pictorial overlay” means an advertising device which—

- (a) is superimposed on an advertising sign; and
- (b) when illuminated, depicts an illustrated advertisement which is not normally visible by day;

“pole sign” means an advertising sign which is—

- (a) erected on the ground; and
- (b) attached to a single pole; and
- (c) not attached to a building or, wall; and includes the pole to which it is attached;

“political poster” means an advertising sign which relates to a parliamentary or local government election or referendum;

“poster” (includes municipal poster, political poster and music show poster);

definition inserted (not substituted) by SI 99/15 w.e.f. 11th September, 2015

“portion of building” means the aggregate of any portions of a building in which a single business is carried on;

“projected advertisement” means the projection of a slide of a still picture or symbol by any apparatus which projects the image of a slide in any public place but shall not apply to the projection of a slide where the projection apparatus and the building, hoarding or screen on to which such slide is projected are situated within a dwelling, office, factory, cinema, drive-in cinema or theatre;

“projecting sign” means an advertising sign referred to in [section ten](#);

“residential zone” means any land zoned for residential purposes in terms of any master plan, local plan or approved scheme as defined in the [Regional, Town and Country Planning Act, \[Chapter 29:12\]](#);

“sale or lease signs”, means an advertising sign that is fixed and does not move and is placed facing the field of play;

definition inserted by SI 99/15 w.e.f.11th September, 2015

“sidewalk” means that portion of a street which is intended for the exclusive use of pedestrians and includes a pavement;

“sky sign” means an advertising sign which is erected on or above—

- (a) the parapet or eaves of a building; or
- (b) any portion of the roof of a building of fire resisting construction;

“slide” means the image produced by the projection of light through a transparent photographic film;

“static/fixed touchline sign”, means an advertising sign that is fixed and does not move and is placed facing the field of play;

definition inserted by SI 99/15 w.e.f.11th September, 2015

“street” means any street, road, highway, lane, thoroughfare or sidewalk;

“street furniture” means any tree, street pole or service or other Council installation or property;

definition inserted by SI 99/15 w.e.f.11th September, 2015

“sun blind” means a blind or awning attached to a building or canopy;

“swinging sign” means an advertising sign which is so erected as to be able to swing from a fulcrum or fulcra;

“temporary advertising sign” means an advertising sign referred to in [section seven](#);

“traffic sign” has the meaning assigned thereto in [section 2 of the Road Traffic Act, \[Chapter 13:11\]](#);

definition amended by SI 99/15 w.e.f.11th September, 2015

“wall murals wraps” means any advertising sign painted on the wall of a building or fixed or hanged on the wall;

definition inserted by SI 99/15 w.e.f.11th September, 2015

“wall sign” means an advertising sign fixed on a wall of a building;

“zone” shall not include a sub-zone.

PART I

PERMISSION TO ERECT SIGNS

Application to erect an advertising sign

3.

(1) Subject to the provisions of [sections six](#), [seven](#) and [twenty-one](#) no person shall erect an advertising sign on public or private land without the prior written permission of the Director unless otherwise provided in terms of these by-laws:

Provided that the Council may allow any person to erect advertising signs on its property, whether such advertising signs are provided for or not.

[section 3\(1\)](#) substituted by SI 75/02 w.e.f. 5th April, 2002 and amended by SI 99/15 w.e.f.11th September, 2015.

Quaere : does the proviso still permit signs to be erected by persons on their own property ? -Editor

(2) An application for permission to erect an advertising sign shall—

- (a) be made on the form prescribed in the *First Schedule*;
- (b) be lodged with the Director of Works;
- (c) be accompanied by the appropriate fees, and by—
 - (i) detailed drawing of the proposed sign to scale of 1:5, indicating—
 - (A) the type of lettering, colours and materials; and

- (B) the method of construction and support which it is intended to use; and
- (ii) a drawing, to scale of 1:100 or a photograph not less than 0,236 m by 0,157 m showing—
 - (A) if such sign is to be erected on a building, the elevation of the building on which it is intended to erect such sign; and
 - (B) the proposed position of such sign; and
 - (C) if such sign is to be erected on a **building**, the position and size of all existing signs erected on the building; and
 - (D) in the case of a **sky sign** if such sign is to be erected on a building, the number of storeys in the building; and
- (iii) if such sign is to be erected on a building, a drawing, to scale of 1 : 100, of a section through that part of the building on which it is intended to erect such sign; and
- (iv) a block plan, to scale of 1 : 50, indicating the intended location of the sign on its site and the position of the nearest intersection; and
- (v) in the case of a **sky sign**, appropriate structural drawings and calculations; and
- (vi) if required by the Director of Works in the case of an advertising sign other than a sky sign, appropriate structural drawings and calculations; and
- (vii)

subpara (vii) inserted by SI 75/02 w.e.f. 5th April, 2002 and deleted by SI 99/15 w.e.f.11th September, 2015

(d) shall include an indemnity in the form prescribed in the *First Schedule*.

(e)

para (e) inserted by SI 75/02 w.e.f.5th April, 2002 and deleted by SI 99/15 w.e.f.11th September, 2015

- (f) any other written information which the Council may in writing require.

para (f) inserted by SI 99/15 w.e.f.11th September, 2015.

(3) The drawings and plans or photographs referred to in [subsection \(2\)](#) shall be submitted in duplicate.

(3a) If any information requested by the Council in terms of [subsection \(2\)\(f\)](#) is not provided **within 7 days** from the date of the first written request, or within such further period as the Council may in writing permit, the application concerned lapses without further notice.

[[subsection \(3a\)](#) inserted by SI 99/15 w.e.f.11th September, 2015]

(4) Notwithstanding the provisions of [subsection \(2\)](#), the Director may, on the written request of an applicant, permit the drawings and the plans referred to in that subsection to be drawn to a smaller scale than the scale referred to.

(5) If the applicant is not the owner of the building, land or motor vehicle on which it is proposed to erect an advertising sign, the application form shall be countersigned by the owner of such building, land or motor vehicle

(6) Every person shall, upon making application for permission to erect an advertising sign in terms of this section or [section seven](#), sign the indemnity form prescribed in the *First Schedule*.

Withdrawal and amendment of approvals

inserted by SI 99/15 w.e.f.11th September, 2015.

3A.

(1) The Council may, after having considered any representations made in terms of [subsection \(2\)](#), withdraw an approval granted in terms of these by-laws or amend any condition or impose a further condition in respect of such approval if, in the opinion of the Council, the advertising sign concerned—

- (a) is or has, as a result of a change to the nature of the environment or the amenity of the neighbourhood, streetscape or urban design existing at the time of such approval, become detrimental to the area in which it is located by reason of its size, intensity of illumination, quality of design, workmanship, material or its existence; or
- (b) constitutes, or has become, a danger to any person or property; or

- (c) is obscuring any other advertising sign, natural feature, architectural feature or visual line of civic, architectural, historical or heritage significance; or
- (d) is erected on a property where the main land-use, in an area **within a 50m radius** from the advertising sign concerned, has become residential in nature; or
- (e) is or has become prohibited in terms of these by-laws or any other law; or
- (f) has changed its policy on advertising.

(2) Prior to taking any decision in terms of [subsection \(1\)](#) the Council must, in writing, notify the owner of the advertising sign concerned of its proposed decision and that he or she may **within 21 days** of the receipt of the notice make written representations concerning the proposed decision.

(3) The owner of the advertising sign concerned and, if applicable, the owner of the property concerned must forthwith be given notice, in writing, of any decision in terms of [subsection \(1\)](#).

(4) If the decision reached in [subsection \(3\)](#) above by Council is for the owner to remove the advertising sign he or she shall be given a notice of a period **not less than 30 days** to remove the advertising sign.

(5) If after the expiry of the period mentioned in subsection above the owner does not remove the advertising sign the Director shall without notice on the owner remove or obliterate the advertising sign from the building or land concerned or to alter such advertising sign in the manner as he or she deems fit.

(6) Any advertising signs which have been removed and confiscated but not destroyed by Council, in terms of subsection above, may be reclaimed by the original owner **within 30 days** of such removal or confiscation on payment of any charges which Council shall set from time to time.

(7) Any advertising signs, removed and confiscated by Council and not reclaimed within the period specified in subsection shall be sold by public auction by Council in its sole discretion, to defray its costs and/or charges in this regard.

(8) Council shall deduct its charges from the proceeds of the sale of the unclaimed advertising signs and the balance (if any) shall be paid to the owner **within 30 days** from the date on which the owner submits to Council a written request for such payment.

(9) Council shall operate a special account into which money realised from the sale of unclaimed advertising signs shall be deposited.

(10) Any money not claimed **within 30 days** after the sale of unclaimed advertising signs shall be forfeited to Council.

Approval or refusal of application

4.

On receipt of an application made in terms of [section three](#) and [threeA](#), the Director may in writing—

amended by SI 99/15 w.e.f.11th September, 2015.

- (a) approve such application; or
- (b) refuse such application if
 - (i) the proposed advertising sign does not comply with these by-laws or any other enactment; or
 - (ii) the proposed advertising sign is prohibited under the provisions of [section five](#); or
 - (iii) in the opinion of the Director of Works the site where it is intended to erect the proposed advertising sign is unsuitable having regard to—
 - (a) the general characteristics of the neighbour hood or locality of such site; or
 - (b) the pressure in such neighbourhood or locality of features of historical, architectural, cultural or similar interests, whether or not other advertising signs are already situated in such neighbourhood or locality;
 - (c) whether such advertising sign is or is likely to be unsightly or objectionable in its appearance; or
 - (d) whether, in the opinion of the director of works, the proposed advertising sign is intended to be displayed in such a manner as to disfigure the building on which it is intended to erect such sign; or

- (e) whether in the opinion of the Director the proposed advertising sign would be detrimental to the amenities of the neighbourhood; or
- (f) the motor vehicle or trailer on which it is intended to erect such advertising sign is not appropriate; or

para (f) inserted by SI 75/02 w.e.f. 5th April, 2002

- (g) any other reason as the Director may deem appropriate in the circumstances.

para (g) inserted by SI 99/15 w.e.f. 11th September, 2015.

Prohibited advertising signs

5.

(1) Subject to the provisions of these by-laws, no person shall erect an advertising sign—

- (a) between or on the **columns** of any veranda or **canopy** over a street; or
- (b) on a **wall** which does not face a street which abuts the stand:

Provided that the provisions of this paragraph shall not apply where

- (i) such sign displays only the name of the building on which it is erected; or
- (ii) the total area of all advertising signs on such wall or such building does **not exceed 14 m² or 5%** of the area of the wall on which the sign is erected, whichever is the greater; or
- (c) on the surface of any wall which is built of or clad with material intended to give architectural enhancement to the surface of that wall, such as facing bricks, stone, marble, terrazzo, marble chips or other exposed aggregate of a sculptured, patterned, embossed or similar finish; or
- (d) which is a swinging sign; or
- (e) which interferes with or is, in the opinion of the Director of Works, likely to interfere with or could be mistaken for, any **traffic sign**; or
- (f) which in the case of a **flashing** or **animated** sign, is less than

- (i) 6 m above ground level; or
- (ii) 9 m above ground level if the number of flashes of such sign exceeds 30 flashes per minute; or
- (iii) 6 m measured horizontally, from any street intersection:

Provided that if a flashing or animated sign, the number of flashes of which do not exceed 30 flashes per minute, is to be erected at a place where, in the opinion of the Director of Works, it will not cause any interference with **traffic signs**, the Director of Works may permit to be erected at a height not less than 2,5 m above ground level.

- (g) which is possessed of an intensity of illumination which in the opinion of the Director of Works, disturbs or is likely to disturb the occupiers of adjoining property or the public; or
- (h) on trees, rocks, hillsides or similar natural features; or
- (i) which is a poster; or
- (j) on the face of any stall riser below a shop window; or
- (k) which is painted on any roof; or
- (l) which is painted or affixed to any boundary wall or fence; or
- (m) which is a moving advertising sign.

para (m) inserted by SI 99/15 w.e.f.11th September, 2015.

- (2) The provisions of [paragraph \(a\) of subsection \(1\)](#) shall not apply to—
- (a) advertising signs of litter boxes; or
 - (b) barber's poles; or
 - (c) municipal posters, music show posters and political posters;

amended by SI 99/15 w.e.f.11th September, 2015.

or

- (d) bus shelters which have been subject to a special agreement between Council and a third party.

- (3) No advertising sign shall be constructed, erected or maintained in a manner which—

- (a) obstructs any fire escape or any window, door or other opening which is used or is likely to be used as a means of egress in case of fire or for fire-fighting purposes; or
 - (b) prevents free passage from one part of the roof of a building to any other part of such roof, or interferes with the run off of rain water from the roof; or
 - (c) interferes with any opening required for natural lighting or ventilation.
- (4) No advertising sign shall be attached in any way to a **fire escape**.
- (5) No advertising sign shall be erected on any wall which—
- (a) does not form part of a roofed building; or
 - (b) forms part of a building which is open-sided.
- (6) No advertising by means of **bill posting** in any form whatsoever shall be erected on any surface of a building.
- (7) No advertising sign shall be erected on any
- (i) storage vessel or tank used to store liquid or gas; or
 - (ii) tower, mast, aerial; or
 - (iii) Council owned equipment or property without the prior written consent of the Director of Works.

Advertising signs exempt from application

6.

(1) An advertising sign which complies in all other respects with the provisions of these by-laws and which falls within any one of the following categories may be erected without the approval of the Director and without payment of any fee—

- (a) a municipal poster;

amended by SI 99/15 w.e.f.11th September, 2015.

- (b) a flag or pennant of a company or association of persons not exceeding 1 in number;

amended by SI 99/15 w.e.f.11th September, 2015.

- (c) an advertising sign which indicates only the name and calling of the owner or occupier of the building upon which such sign is erected and which—
 - (i) does not exceed 0,28 m² in area; and
 - (ii) is erected within 1,8 m of the principal entrance to such building; and
 - (iii) has no direct electrical connection;
- (d) a **barber's pole**, not exceeding 1 in number in respect of any 1 barber's shop;
- (e) an advertising sign on a **litter box** which is attached to a column of a veranda or canopy over a street;
- (f) an advertising sign which
 - (i) contains only the name of—
 - (A) a religious, educational, medical or public institution;
or
 - (B) a commercial or industrial building; or
 - (C) an hotel, motel or block of flats; and
 - (ii) is erected directly on the fabric of a building; and
 - (iii) does not exceed 1,12 m² in area;
- (g) an advertising sign which
 - (i) is displayed within a **shop** window or showcase; and
 - (ii) indicates only the name and calling of the owner of such shop and the services performed for or the commodities available to the public within such shop;
- (h) an advertising sign on a **sun-blind** if such sign indicates only the name and calling of the owner or occupier of the building upon which such sun-blind is erected in lettering of not more than 0,23 m;
- (i)

repealed by SI 99/15 w.e.f.11th September, 2015.

- (j) an advertising sign which—

- (i) does not exceed 3 m² in area; and
 - (ii) relates to the carrying out of building or similar operations on land or in a building and is erected on such land or building;
- (k) an advertising sign which (i) is a **religious symbol**; and
- (i) is erected on a building ordinarily used for religious worship; and
 - (ii) has no direct electrical connection to that building;
- (l) an advertising sign which:
- (i) does not exceed 0,37 m² in area; and
 - (ii) relates to the sale or lease of land or buildings and is erected on such land or building.

(2) Not more than 1 sign of the kind referred to in paragraph (c) or [paragraph \(h\) of subsection \(1\)](#) shall be erected on a building:

Provided that in the case of a building which has an entrance from more than 1 street, 1 sign may be erected at each entrance.

Temporary advertising signs

7.

(1) The Director may, on application made to him in the form prescribed in the *First Schedule*, and on payment of the appropriate fee grant written permission for the temporary erection of an advertising sign which otherwise complies with the provisions of these by-laws and which falls into one of the following categories—

- (a) an advertising sign which
 - (i) relates to the sale or lease of land or a building, or to the sale of goods or livestock, and is erected on such land or building or on the land or building on or in which such sale is to be conducted, as the case may be;
 - (ii) does not exceed 3 m² in area;

subpara (ii) amended by SI 99/15 w.e.f.11th September, 2015.

- (iii) which shall only be erected by auctioneers and real estate agents;

- (b) an advertising sign which
 - (i) announces an event, function or activity organized for non-commercial purposes; and
 - (ii) does not exceed 1,4 m² in area;
- (c) an advertising sign which
 - (i) announces a visit by a travelling circus, fair or similar type of entertainment; and
 - (ii) does not exceed 1,4 m² in area;
- (d) an advertising sign in the form of a flag or pennant or on bunting, other than a flag or pennant referred to in [paragraph \(b\) of subsection \(1\) of section six](#).
- (e) an advertising sign which announces a civic, national or international event or function;
- (f) an advertising sign displayed on a temporary protective hoarding erected on land where building or similar operations are in progress, which sign shall
 - (i) not in area exceed 1/5th of the area of any façade of such hoarding; and
 - (ii) not project from the face of such hoarding; and
 - (iii) only be displayed on that part of the hoarding which encloses such land;
- (g) any advertising sign except a sign referred to in subparagraphs (a), (b), (c) and (d) if it is constructed of, painted on or attached to cloth, *papier mache*, polystyrene or other similar material;
- (h) an aerial sign;
- (i) posters (excluding municipal posters);
- (j) newspaper placards;

(2) An advertising sign referred to in [subsection \(1\)](#) shall only be erected for the period, and in the position specified by the Director of Works in the written approval referred, to in subsection

(3) No advertising sign referred to in [paragraph \(a\), \(b\), \(c\), \(h\) or \(i\) of subsection \(1\)](#) shall—

amended d by SI 99/15 w.e.f.11th September, 2015.

- (a) be erected **sooner than 14 days** before the day of the sale, event, function or activity, or first performance of the circus, fair or similar type of entertainment, as the case may be;
- (b) be erected on land or building without the approval of the owner thereof; and
- (c) remain in place for a period **longer than 4 days** after the day referred to in paragraph (a).

(4) The provisions of subparagraph (ii) of [paragraph \(c\) of subsection \(1\)](#) shall not apply to a sign of the kind referred to in that paragraph which is erected on the land or building in or on which circus, fair or similar entertainment takes place.

(5) Application for written permission in connection with an advertising sign specified in [subsection \(1\)](#) may be—

amended d by SI 99/15 w.e.f.11th September, 2015.

- (a) approved by the Director;
- (b) refused by the Director if
 - (iv) the proposed advertising sign does not comply with these by-laws or any other enactment; or
 - (v) the proposed advertising sign is prohibited;
 - (vi) in the opinion of the Director of Works the site where it is intended to erect the proposed advertising sign is unsuitable having regard to—
- (c) the general characteristics of the neighbourhood or locality of such sites; or
- (d) the presence in such neighbourhood or locality of features of historical, architectural, cultural or similar interests, whether or not other advertising signs are already situated in such neighbourhood or locality; or
 - (i) in the opinion of the Director of Works the proposed advertising sign is or is likely to be unsightly or

- (ii) objectionable in its appearance; or
- (iii) in the opinion of the Director of Works the proposed advertising sign is intended to be displayed in such a manner as to disfigure the building on which it is intended to erect such sign; or
- (iv) in the opinion of the Director of Works the proposed advertising sign will be detrimental to the amenities of the neighbourhood.

Advertising signs in residential zones

8.

(1) Subject to the provision of [subsection \(2\)](#), [paragraphs \(a\)](#) and [\(c\) of subsection \(1\) of section six](#), and [section seven](#), no person shall erect an advertising sign in a residential zone.

(2) Notwithstanding the provisions of [subsection \(1\)](#) an advertising sign which does not comply with the provisions of [paragraph \(c\) of subsection \(1\) of section six](#) and which indicates the presence of any building which is ordinarily used—

- (a) for religious worship; or
- (b) as a guest house or boarding house; or
- (c) as a creche; or
- (d) as a hostel; or
- (e) as a show house; or
- (f) as a school;

may be erected in a residential zone if in the opinion of the Director of Works the presence of such building cannot be satisfactorily made known by the display of an advertising sign of the kind referred to in [paragraph \(c\) of subsection \(1\) of section six](#).

Restrictions on advertising signs in residential localities

9.

(1) Subject to the provisions of these by-laws, only the following advertising signs may be erected on any building which is situated in an area specified in the *Second Schedule*—

- (a) in the case of a building other than a building referred to in paragraphs (b), (c) and (d) which is situated on land in a residential zone—
- (i) 1 advertising sign of the kind referred to in [section ten](#), which, if no veranda or canopy projects from such a building, shall not exceed 0,610 m in vertical height, and which indicates only the name and calling of the owner or occupier of such building; and
 - (ii) 1 advertising sign of the kind referred to in [section eleven](#), which indicates only the name and calling of the owner or occupier of such a building; and
 - (iii) 1 advertising sign of the kind referred to in [section seventeen](#);
- (b) in the case of an hotel, motel, drive-in restaurant or beer garden
- (i) 1 advertising sign of the kind referred to in [section ten](#); and
 - (ii) 1 advertising sign of the kind referred to in [section eleven](#) ; and
 - (iii) 1 advertising sign of the kind referred to in [section twelve](#); and
 - (iv) 1 pole sign;
- which shall be restricted to the name and calling of the owner or occupier of such building:
- Provided that if such hotel, motel, drive-in restaurant or beer garden has an entrance from more than 1 road, 1 of each of such signs may be erected at each entrance; or
- (c) in the case of a garage or petrol filling station
- (i) 1 advertising sign of the kind referred to in [section eleven](#);
 - (ii) 1 advertising sign of the kind referred to in [section twelve](#) which shall be restricted to the name and calling of the owner or occupier of such building;
 - (iii) which has an entrance from 1 of more roads, 1 pole sign may be erected at each entrance; or
- (d) in the case of a building used solely for public entertainment an advertising sign which

- (i) is erected flush with the face of the building;
- (ii) does not exceed **93 m²**; and
- (iii) displays only the name of the building; and
- (iv) includes an interchangeable letter panel for the purpose of advertising current performance at such building.

(2) The provisions of [subsection \(1\)](#) shall not apply to advertising signs referred to in [sections six](#) and [seven](#).

(3) No persons shall erect an aerial sign, animated sign, flashing sign or sky sign in a **residential zone**.

(4) The Council may, if it is of the opinion that special circumstances surrounding the application for the erection of an advertising sign in a **residential locality** exist and which justify a departure from the provisions of this section, authorize such departure subject to such conditions as it may impose.

[subsection \(4\)](#) inserted by SI 650/82 w.e.f. 15th October, 1982

PART II

CONSTRUCTION, MAINTENANCE AND REMOVAL

Projecting advertising signs

10.

(1) An advertising sign which projects from a building other than an advertising sign erected parallel to the boundary of the street upon which the building abuts, shall—

- (a) be affixed and maintained—
 - (i) at right angles to the face of such building; and
 - (ii) at a height of not less than 2,43 m above ground level; and
- (b) if illuminated, be constructed within and securely attached to a metal, frame; and
- (c) not exceed 0,61 m in thickness between its outside faces; and
- (d) have an overall projection of not more than 1,8 m from the faces of such buildings; and
- (e) be supported by at least 4 metal brackets all of which shall be securely attached to such sign and to such building, and of which

half the number of such brackets shall be capable of supporting such sign; and

- (f) be braced and stayed against wind pressure to the satisfaction of the director of works.

(2) An application in terms of [section three](#) for permission to erect an advertising sign which projects from a building shall be accompanied by structural drawings and calculations of the supports and framework thereof if—

- (a) the total weight of such sign exceeds 100 kg; or
- (b) the vertical height of such sign exceeds 9,15 m.

(3) The supporting brackets, framework and stays on an advertising sign which projects from a building shall not be fixed—

- (a) above the level of the roof of a building' which has a flat roof; or
- (b) above the level of the eaves of a building which has a pitched roof.

Canopy edge signs

11.

An advertising sign which is erected upon any veranda or canopy over a street shall—

- (a) be affixed parallel to the boundary of such street; and
- (b) if supported upon such veranda or canopy, be affixed immediately above
 - (i) the eaves of the roof of such veranda; or
 - (ii) the edge of such canopy; and
- (c) not project over—
 - (i) the outer edge of the roof of such veranda; or
 - (ii) the edge of such canopy;unless painted on a fascia, bearer, beam or balustrade of such veranda or canopy; and
- (d) display only the name of the owner or occupier of the building, in letters of not less than 0,3 m in height, and the services performed for or the commodities available to the public within such building; and

- (e) in the case of an advertising sign which is supported upon a fascia, bearer, beam or balustrade of such veranda or canopy, not exceed 0,6 m in vertical height; and
- (f) be rectangular in shape or painted on or affixed to a rectangular background;
- (g) in the case of a sign which is painted or posted on or affixed to the face of any fascia, bearer, beam or balustrade of such veranda or canopy
 - (i) not exceed 0,6 m in vertical height; and
 - (ii) not project more than 0,025 m beyond the outer face of such fascia, bearer, beam or balustrade.

Advertising signs flat on buildings

12.

- (1) An advertising sign which is erected flat on the facade of a building shall not project from the face of such façade more than—
- (a) 0,075 m if the lowest point of such sign is not more than 2,5 m; or
 - (b) 0,28 m if the lowest point of such sign is more than 2,44 m but less than 6,1 m; or
 - (c) 0,6 m if the lowest point of such sign is more than 6 m; over the level of the adjacent sidewalk.
- (2) Subject to the provisions of [subsections \(4\)](#) and [\(6\)](#), the aggregate area of advertising signs erected flat on the façade of a building shall not exceed—
- (a) 5% of the area of the facade; or
 - (b) 9,3 m²;
- whichever is the greater.
- (3) The area referred to in [paragraph \(a\) of subsection \(2\)](#) shall be calculated by multiplying the height of such building, measured from ground level to the eaves or parapet immediately adjacent to such façade, by the distance between the extremities of such façade, measured parallel to the street.
- (4) The provisions of [subsection \(2\)](#) shall not apply to advertising signs erected flat on the façade of a building which is used solely for public entertainment if such signs include nothing other than—
- (a) the name of such building; and

- (b) an illuminated interchangeable letter panel for the purpose of advertising current performances at such building.

(5) The aggregate area of advertising signs erected in terms of [subsection \(3\)](#) on the facade of a building which is used solely for public entertainment shall not exceed 93 m².

(6) If a facade of a building is in more than 1 place, any part of such facade which projects, or is recessed, more than 1,5 m from the part from which it projects or is recessed, shall be deemed to be a separate facade for the purpose of [subsection \(2\)](#):

Provided that no projection, or recess, which is less than 1,5 m in width, shall be taken into account for the purpose of this subsection.

(7) The illumination or outlining of the whole facade of a building by means of floodlighting or high voltage discharge tubing or lighting bulbs shall not be regarded as an advertising sign for the purpose of these by-laws if such illumination or outlining is applied to the whole of such facade, but any sign affixed to such illuminated or outlined area shall be subject to the provisions of these by-laws.

(8) For the purpose of this section, the facade of a building means the elevation of that building facing the street, or the boundary line of the street.

Sky signs

13.

(1) A sky sign which is erected on a building shall be supported—

- (a) directly on the parapet of that building; or
- (b) on the roof of that building:

Provided that a sky sign which has an electrical connection shall not be erected on a roof which is not constructed of fire resisting material.

(2) No sky sign, or any part thereof, which is supported on the parapet of a building shall exceed 1,2 m in vertical height.

(3) If a sky sign is supported on the **roof of a building**—

- (a) which does not have a parapet, the lowest part of such sky sign shall be not more than—
 - (i) 0,9 m; or

- (ii) the height of such sign;
whichever is the lesser, above the level of that part of the roof on which such sign is supported;
- (b) which has a parapet, the lowest part of such sky sign shall not be more than—
 - (i) 0,9 m; or
 - (ii) the height of such sign;
whichever is the lesser, above the **upper level** of such parapet;
and
 - (i) 1,8 m; or
 - (ii) the height of such sign;
whichever is the lesser, above that part of the **roof** on which such sign is supported.
- (4) Except with the approval of the director of works, not more than 2 sky signs shall be erected on any building which **exceeds 7,6 m** in height.
- (5) Subject to the provisions of [subsection \(6\)](#), the total area of all sky signs erected above any 1 facade of a building of the height specified in the first column of, the *Third Schedule*, shall not exceed the area specified opposite thereto in the final column of that *Schedule*.
- (6) In the case of a building which does not exceed 4,6 m in height but which exceeds 31 m in length, the total area of all sky signs erected above any one facade of that building shall **not exceed 37,16 m²**.
- (7) The vertical measurement of a sky sign shall not exceed—
 - (a) **1/7 th** of the height above ground level of the eaves or parapet, as the case may be, immediately adjacent to the sign; or
 - (b) 1,22 m;whichever is the greater.
- (8) Every sky sign shall be thoroughly secured and anchored to the building on which it is erected and all loads shall be safely distributed to the structural members of such building.
- (9) No sky sign shall—

- (a) project beyond any face or side of the building on which such sign is erected; or
 - (b) be erected on the roof of a building in a manner which prevents the free passage of persons from 1 part of such roof to another part.
- (10) Every sky sign shall have a solid background to the advertising sign.

Pole signs

Substituted by SI 79/82 with effect from the 12th February, 1982

14.

- (1) A pole sign shall be firmly supported by and anchored to the ground and shall—
- (a) not exceed **7 m in height**; and
 - (b) not be **less than 2,5 m** above the level of the adjacent street; and
 - (c) not exceed 3 m² in area.
 - (d) not project **more than 1 m** beyond the boundary of the stand; and
 - (e) be permitted only on hotels and motels, garages and petrol-filling stations, and shall be limited to 1 such sign on each road-frontage of such hotel, motel, garage or petrol-filling station; and
 - (f) Display only—
 - (i) —
 - (A) the recognised symbol of the petrol-company which supplies petrol, oil or diesel fuel to such garage or petrol-filling station; or
 - (B) the word “petrol”; and
 - (ii) the name or symbol of such hotel or motel, as the case may be.

Composite signs

Inserted by SI 79/82 with effect from the 12th February, 1982

15.

(1) A composite sign may be erected at a shopping centre situated principally or wholly within a residential zone or within an area specified in the *Second Schedule*.

(2) A composite sign shall-

- (a) **not exceed 7 m** in height;
- (b) not contain advertising save by name and calling only of an occupier of premises situated within the precincts of the shopping centre;
- (c) include not more than 1 double-sided panel or more than 2 single-sided panels in respect of each occupier referred to in paragraph (b);
- (d) have no panel affixed **less than 2,5 m** above ground-level;
- (e) not exceed **0,6 m** in vertical depth and **2,5 m** in horizontal length;
- (f) not contain any artistic, decorative feature other than 1 contained within an area of **0,18 m²**.

Ground signs

Inserted by SI 79/82 with effect from the 12th February, 1982

16.

(1) A ground-sign shall be firmly supported by, and anchored to, the ground, and shall not—

- (a) exceed **4,5 m** in height;
- (b) project beyond the boundary of the stand;
- (c) exceed **3 m²** in area.

(2) Not more than the number of ground-signs specified in the first column of Part 1 of the *Fourth Schedule* shall be erected on a stand the road-frontage of which is specified opposite thereto in the second column of Part 1 of the *Fourth Schedule*.

(3) 2 ground-signs of the kind referred to in [subsection \(1\)](#) may be erected on land for the sole purpose of advertising current events on such land.

Advertising hoarding

17.

(1) Subject to the provision of [subsection \(3\)](#), an advertising hoarding shall—

- (a) not exceed 3 m in height by 12 m in length or 6 m in height by 6 m in length and shall not exceed 8 m in height above ground level and the lowest part thereof shall not be **less than 2 m** above ground level;

substituted by SI 318/98 w.e.f. 23rd October, 1998

and

- (b) not be erected
 - (i) in any area other than an **industrial zone**;
 - (ii) nearer the stand boundary than the building line prescribed in any applicable master plan, local plan or approved scheme as defined in the [Regional, Town and Country Planning Act, \[Chapter 29:12\]](#);
- (c) be constructed of non-combustible material:
 - Provided that ornamental mouldings, cappings, decorative trim and other attachments may be constructed of combustible material; and
- (d) have supports which are constructed of
 - (i) masonry, brickwork or concrete; or
 - (ii) metal which has been proofed against corrosion; and
- (e) only display an advertisement relating to the business of, or the services performed or the commodities manufactured by, the owner or occupier of the land or building on which such advertising hoarding is erected.

(2) Not more than the number of advertising hoardings specified in the first column of Part II of the *Fourth Schedule* shall be erected on an industrial stand, the road frontage of which is specified opposite thereto in the second column of Part II of the *Fourth Schedule*.

(3) The provisions of [paragraphs \(b\)](#) and [\(e\) of subsection \(1\)](#) and [subsection \(2\)](#) shall not apply to advertising hoardings erected in **sports stadia**, or erected .in terms of a written agreement with the Council.

Advertising signs on sun-blinds

(1) An advertising sign which is painted or posted on or affixed to a sun-blind—

- (a) shall **not exceed in area** $\frac{1}{3}$ of the area of the sun-blind;
- (b) may only display
 - (i) the name of the owner or occupier of such building; and
 - (ii) the name of the business carried on in such building; and
 - (iii)** the commodities and services available in such building.

(2) For the purposes of [paragraph \(a\) of subsection \(1\)](#) the area of the signs shall be deemed to be the smallest rectangular area which will contain the whole of the advertising sign on such blind.

Aerial sign

[sections 18A to 18F](#) inserted by SI 99/15 w.e.f.11th September, 2015.

18A.

(1) Subject to the provisions of [section seven](#) an aerial sign shall be a temporary sign and an application to the Director of Urban Planning Services to erect the advertising sign shall be made accompanied by a clearance letter from the Civil Aviation Authority.

(2) Upon approval of the application the Director of Urban Planning Services shall give highlights in writing the —

- (a) size;
- (b) duration for erection;
- (c) position of the sign;
- (d) type of gas;
- (e) any other conditions deemed fit in the circumstances.

Electronic light emitting diode advertising signs

18B.

(1) An electronic LED advertising sign shall —

- (a) not exceed **10 m²** in area; and
- (b) have a clear height of not less than **2,5 m** from the ground; and
- (c) be permitted on the wall of a building or within the building lines of a building or pedestrianised malls only and not on any road:

Provided that on the walls of buildings it shall not be erected facing a road intersection or junction; and

- (d) be erected only after the structural drawings have been approved by the Director of Urban Planning Services.

Electronic light emitting diode touchline advertising sign

18C.

(1) An electronic LED touchline advertising sign shall—

- (a) be fitted or fixed not less than **1 m** from the touch lines and goal lines; and
- (b) not be less than **1 m** in height; and
- (c) not be less than **1 x 6 m** long; and
- (d) be erected only after structural drawings have been approved by the Director.

Newspaper placards

18D.

(1) Subject to the provisions of [section seven](#) newspaper placards shall—

- (a) be erected on approved sites only;
- (b) be displayed in a permanent frame or other approved backing by the Director;
- (c) not be placed on or against trees, road traffic sign, bridges or any other areas as determined by the Director from time to time.

Posters (excluding municipal posters)

18E.

(1) Subject to the provisions of [section seven](#), every application for erection of a poster shall be accompanied by written details of positions in which the posters are to be displayed and all the posters to which the application relates:

Provided that for presidential, parliamentary or local government election **only 1** poster shall be required to be submitted and an application fee be paid by each candidate as determined by Council and for presidential and referendums **only 1** poster shall be submitted and an application fee be paid by each political party or independent candidate as the case may be as determined by Council.

(2) Every poster for which permission is granted in terms of [subsection \(1\)](#) shall be provided with a Council sticker which shall be fixed on to the poster.

(3) Council shall be entitled to retain 1 such poster for identification purposes.

(4) Any person who displays posters permitted in terms of [subsection \(1\)](#) shall ensure the following requirements are complied with—

- (a) no poster shall be so displayed that any part of it is lower than **2,1 m** or higher than **3m** above the sidewalk or ground level immediately below it;
- (b) no poster displayed by any person shall be indecent, or suggestive of indecency, prejudicial to public morals or reasonably objectionable;
- (c) no poster shall be displayed on motorways including on and off ramps;
- (d) every poster other than a political poster shall be displayed in a permanent frame or other approved backing approved by Director. The maximum size for such posters is **900mm high x 600mm wide**;
- (e) every political poster shall be attached to a board made of wood, hard board, correx or other approved weather proof material in such manner that it will not become wholly or partially dislodged by wind or rain and neither the board nor poster shall **exceed 900mm high x 600mm wide** or be less than **600mm high x 450mm wide** and secured to street poles erected by Council in street or public place:

Provided that such board is secured to such street poles by means of stout string or plastic ties only (no securing material with a glue or metal content is permitted);

- (f) the frame/board referred to in paragraphs (d) and (e) above shall not be placed on or against or attached to or otherwise supported by any transformer box, telegraph poles, tree, road traffic sign, any type of pole or other sign or object or building or street furniture with the exception of a street pole erected by Council in a street or public place

provided such frame is secured to such street pole in such manner that it will not dislodge by the wind or any other

means and positioned in such a manner that it does not obscure or interfere with the electrical inspection chamber or pole identification number or impair the safety of pedestrians and motorists, maximum of 2 frames or boards per pole;

- (g) no political poster shall be displayed for longer than the period extending from either the date of nomination or the date of proclamation to the end of the **10th day after** the date of the election or referendum;
- (h) the details of the event, the commencement and final date of the event and venue with the address where it is to be held must appear on the posters in letters not less than **50mm in height** and **10mm in thickness** with all other information pertinent to the event in letters not less than **30mm in height** and **5mm in thickness**;
- (i) the display of political posters not linked to an election or referendum shall be regarded as advertising;
- (j) any poster which is displayed without permission or in contravention of this section or the by-laws shall without notice be removed and destroyed by the Council or persons appointed by the Council with any costs incurred by the Council in removal to be borne by the person or company who displayed the poster or caused or allowed it to be displayed or whose particulars are displayed on the poster;
- (k) any person who contravenes the provisions of this section of the by-laws shall be guilty of an offence and liable to a fine not exceeding level five or one year imprisonment or to both such fine and imprisonment.

Static or fixed touch line signs

18F.

- (1) A static or fixed touchline sign shall—
 - (a) be fitted or fixed not less than **1 m** from the touchlines and goal lines;
 - (b) not exceed **1 m** in height; and
 - (c) not less than **1x6 m** long; and

- (d) be erected only after structural drawings have been approved by the Director of Urban Planning Services.

Construction and attachment of advertising signs

19.

- (1) Subject to the provisions of these by-laws, every advertising sign shall—
 - (a) be constructed to the satisfaction of the Director of Works; and
 - (b) be erected to the satisfaction of the Director of Works; and
 - (c) if required by the Director of Works, be braced and stayed against wind pressure; and
 - (d) if erected on walls of masonry, concrete or brick, be attached thereto by means of metal anchors proofed against corrosion; and
 - (e) if **electrically** operated or illuminated—
 - (i) be installed in accordance with the appropriate provisions of the Central African Standard **C.C.I.**; and
 - (ii) be fitted with means of preventing interference with radio or television communication; and
 - (iii) be affixed and maintained at a height of **not less than 2,5 m** above ground level;
 - (f) have an inscription at the bottom right hand comer showing the name of the owner of the advertising sign and the approval number.

para (f) inserted by SI 99/15 w.e.f.11th September, 2015.

- (2) If **glass**, other than high voltage discharge tubing or lighting bulbs issued on the construction of an advertising sign, such glass shall be safety glass which is—
 - (a) of a standard approved by the Director of Works; and
 - (b) contained entirely within a metal frame; and
 - (c) not less than 3,176 mm thick.
- (3) For the purpose of [paragraph \(d\) of subsection \(1\)](#), metal anchors shall not include rails, screws or staples.

Removal or alteration of unauthorized or dangerous advertising signs

20.

(1) Subject to the provisions of [section six](#) and [section twenty-two](#), where any advertising sign has been erected—

- (a) without the approval of the Director in terms of [section four](#) or [section seven](#); or
- (b) which does not comply with the provisions of these by-laws; or
- (c) which in the opinion of the Director is a danger to traffic or to the public; or
- (d) which is possessed of an intensity of illumination which in the opinion of the Director disturbs or is likely to disturb the occupiers of adjoining property or the public; or
- (e) which is a projecting sign which projects over any street vested in the Council; and
- (f) which is in rent arrears.

para (f) inserted SI 99/15 w.e.f.11th September, 2015.

Provided that the Director shall give **24 hours written notice** on the owner to remove or obliterate the advertising sign from the building or land concerned or to alter such advertising sign in the manner as he deems fit.

proviso substituted by SI 99/15 w.e.f.11th September, 2015.

(1a) If after the expiry of the period mentioned in [subsection \(1\)](#) above the owner does not remove the advertising sign the Director shall without notice on the owner remove or obliterate the advertising sign from the building or land concerned or to alter such advertising sign in the manner as he deems fit;

subsection inserted by SI 99/15 w.e.f.11th September, 2015.

(2) The cost incurred by the Director of Urban Planning Services Tin removing or obliterating or altering the advertising sign in terms of [subsection \(1a\)](#) shall be borne by the owner of the advertising sign.

subsection substituted by SI 99/15 w.e.f.11th September, 2015.

(3) No compensation shall be payable by Council to the owner or lessee of an advertising sign if the Director requires such sign to be removed or altered or if it causes such sign to be removed in terms of this section.

(4) No advertising sign which has been removed in terms of [subsection \(1\)](#) or [\(2\)](#) may be re-erected unless approval therefor has been granted in terms of these by-laws subsequent to such removal.

(5) The Director may, after giving reasonable notice of his intention to do so, remove or obliterate signs which have been abandoned and recover the costs of removal or obliteration from the owner of the property on which such sign was situated.

(6) Every painted sign for which approval has been given shall be repainted at such intervals as may be necessary to maintain its appearance, and no departure from the original approved sign may be made without the approval of the Director having been first obtained in terms of [section four](#).

(7) Any advertising signs which have been removed and confiscated but not destroyed by Council, in terms of [subsection \(la\)](#), may be reclaimed by the original owner **within 30 days** of such removal or confiscation on payment of any charges which Council shall set from time to time.

[subsections \(7\)](#) to [\(11\)](#) inserted by SI 99/15 w.e.f.11th September, 2015.

(8) Any advertising signs, removed and confiscated by Council and not reclaimed within the period specified in [subsection \(7\)](#) shall be sold by public auction by Council in its sole discretion, to defray its costs and/or charges in this regard.

(9) Council shall deduct its charges from the proceeds of the sale of the unclaimed advertising signs and the balance (if any) shall be paid to the owner within 30 days from the date on which the owner submits to Council a written request for such payment.

(10) Council shall operate a special account into which money realised from the sale of unclaimed advertising signs shall be deposited.

(11) Any money not claimed **within 30 days** after the sale of unclaimed advertising signs shall be forfeited to Council.

Removal of advertising signs after 3 years

21.

(1) The Director of Works may, by written notice, at any time **after the expiry of 3 years** from the date on which approval was given in terms of these by-laws for the erection of an advertising sign, require the owner of any building, land or motor vehicle on which such sign is erected

(a) to remove such sign from such building, land or motor vehicle ; or

(b) to alter such sign in the manner indicated in such notice; within the period specified in such notice if such sign, in the opinion of the Director of Works, is at the time unsightly or objectionable in its appearance, use, situation or environment.

(2) The provisions of [subsections \(2\), \(3\) and \(4\) of section twenty](#) shall, *mutatis mutandis*, apply to any action taken by the Director of Works in terms of this section.

Existing advertising signs

22.

...

[Section 22](#) repealed by SI 99/15 w.e.f.11th September, 2015.

PART III
GENERAL

Control of projected advertisements

23.

(1) Subject to the provisions of [subsection \(3\)](#) no person shall project, or cause to be projected, any **slide**—

- (a) unless he has been issued with a licence;
- (b) between the hours of midnight and 6 a.m.;
- (c) from any location other than the location specified in his licence;
- (d) on to any building, hoarding or screen unless such building, hoarding onscreen has been approved by the Director or Works for such use, and the building, hoarding or screen is described in his licence;
- (e) with any projection apparatus and electrical installations other than apparatus and installation approved by the city electrical engineer and described in his licence;
- (f) without the presence in full working order of any fire extinguishing equipment required by the chief fire officer and described in his licence.

(2) No projected image shall—

- (a) exceed **30 m²** in area;

- (b) be accompanied by any **sound** whatsoever.
- (3) The provisions of this section shall not apply to the projection of any slide—
 - (a) in any hall, theatre, lecture room, classroom, gallery or similar place; or
 - (b) within the premises of any factory, open-air theatre or similar place; or
 - (c) within any club, office, residence or similar place.

Approval of application and issue of licence

24.

- (1) Any application for permission to project a slide shall be made in writing to the Director on the form prescribed in the *First Schedule* and be accompanied by the appropriate fee.
- (2) The Director shall refuse any application made in terms of [subsection \(1\)](#) unless—
 - (a) the electrical installations and projection apparatus to be used in projecting slides have been examined and approved by the city electrical engineer; and
 - (b) the chief fire officer has examined the location from which the slides are to be projected and has specified in writing the type and situation of any fire extinguishing equipment which in his opinion needs to be installed; and
 - (c) the Director has examined the location from which, and on to which, slides are to be projected and considers that—
 - (i) the projection of the slides specified in the application will not conflict or interfere with any traffic signs or signal or the use of any road; and
 - (ii) the projection of such slides will not interfere with the peace, privacy or comforts of any person residing in the area; and
 - (d) the owners of any building from which or on to which slides are to be projected have consented to such projection.

Maintenance of advertising signs

25.

(1) Every advertising sign which is erected on any building or on the land in terms of these by-laws shall—

amended by SI 99/15 w.e.f.11th September, 2015.

- (a) be maintained to the satisfaction of the Director in a clean and tidy condition and in a good state of repair by the person to whom approval has been granted in terms of [section four](#);
- (b) if removed from such building **for a period exceeding 90 days**, not be re-erected on such building unless—
 - (i) fresh application has been made in terms of [section three](#);
and
 - (ii) such application has been approved in terms of [section four](#).

(2) The Director may give any other conditions as he or she may deem fit from time to time on the maintenance of advertising signs.

[subsection \(2\)](#) inserted by SI 99/15 w.e.f.11th September, 2015.

Removal of paint used on building walls

26.

An advertising sign which is painted directly on the wall of a building—

- (a) shall be painted with a paint the type and quality of which is approved by the Director; and
- (b) if such sign displays the name of the owner or occupier of such building or the commodities or services available within such building, shall be removed by such owner if—
 - (i) he ceases to carry on business in such building; or
 - (ii) the commodities or services are no longer available within such building.

Removal of advertising signs erected on buildings

27.

If an advertising sign which is erected on a building in terms of these by-laws is removed—

- (a) the framework, brackets and supports of such sign shall be removed from such building by the owner of the building unless

written permission to the contrary is obtained from the Director of Works; and

- (b) any damage to or defacement of such building caused by the removal of such sign shall be repaired by the owner of the building to the satisfaction of the Director.

Inspection of advertising signs by owner of building

28.

The owner of any building on which an advertising sign has been erected shall periodically inspect such sign to ensure that it is completely safe.

Prohibitions

29.

No advertising sign shall—

- (a) be painted over an existing advertising sign unless such existing sign is obliterated to the satisfaction of the Director;
- (b) be so erected on a building as to interfere with the free flow of stormwater from the roof or any gutter of such building.

Moving advertising signs

[Section 29A](#) inserted by SI 75/02 w.e.f. 5th April, 2002

29A.

(1) No motor vehicle on which a moving advertising sign is erected shall be—

- (a) parked on a pedestrian mall;
- (b) parked on a centre island, road verge or shoulder;
- (c) parked **within 15 m** of an intersection or junction;
- (d) driven at a speed which is likely to cause congestion or hinder the smooth flow of traffic.

(2) No moving advertising sign shall be accompanied by any sound whatsoever.

(3) Except where the motor vehicle is parked at a designated parking place or station, no animated moving advertising sign shall be displayed **within 20 m** of an intersection or junction.

Offences and penalties

29B.

Any person who —

- (a) contravenes or fails to comply with any provision of these by-laws;
or
- (b) contravenes or fails to comply with any requirement set out in a notice issued and served to him or her in terms of these by-laws;
or
- (c) contravenes or fails to comply with any condition imposed in terms of these by-laws; or
- (d) knowingly makes a false statement in respect of any application in terms of these by-laws; or
- (e) obstructs, hinders or interferes with an authorised official or other official of the Council acting under power delegated to him or her, in the exercise of any power or the performance of any duty under these by-laws; or fails or refuses to furnish to an authorised official or other official of the Council acting under power delegated to him or her, with any documentation or information required for the purposes of these bylaws or furnishes a false or misleading document or false or misleading information; or
- (f) fails or refuses to comply with any instruction given in terms of or for the purposes of these by-laws; or
- (g) pretends to be an authorised official or other official of the Council acting under power delegated to him or her;
- (h) shall be guilty of an offence and liable to a fine not exceeding level five or one year imprisonment or to both such fine and imprisonment.

(2) A person who causes or incites another person to commit an offence referred to in [subsection \(1\)](#), or who being in a position of authority over another person permits or allows him or her to commit an offence, shall himself or herself be guilty of that offence and liable to a fine not imprisonment.

Damage to Council property

29C.

- (1) No person shall intentionally or negligently in the course of erecting or removing or maintaining any advertising sign, cause damage to any tree, street pole or service or other Council installation or property.
- (2) The cost of any repairs necessary as a result of such damage will be for the account of the person responsible for such damage.

Service of notices

29D.

- (1) Where any notice or other document is required by these by-laws to be served on any person, it shall be deemed to have been properly served—
 - (a) if served personally on him or her; or
 - (b) any member of his or her household, apparently over the age of 18 years, at his or her place of residence; or
 - (c) on any person employed by him or her at his or her place of business; or
 - (d) if posted by registered post to such person's residential or business address, as it appears in the records of Council; or
 - (e) if such person is a company or closed corporation or a trust, if served on any person apparently employed by that company, closed corporation or a trust, if served on such person at the registered office; or
 - (f) or sent by registered post to such office.

Repeals

30.

- (1) Section 155 of the Harare Building By-laws, 1933, published in R.G.N. 704 of 1933 is repealed.

amended by SI 79/82 w.e.f 12th February,1982

- (2) Section 54 of the Harare (African Township) (General) By-laws, 1972, published in R.G.N. 613 of 1972 is repealed.

amended by SI 79/82 w.e.f 12th February,1982

(3) The Harare (Control of Projected Advertisements) By-laws, 1974, published in R.G.N. 669 of 1974 are repealed.

Form 1

FIRST SCHEDULE

([Sections 3, 7 and 24](#))

FORMS

(Front of form)

Plan No.....

**APPLICATION FOR PERMISSION
TO ERECT AN ADVERTISING SIGN**

(To be lodged with the Director)

**PARTICULARS OF STAND ON WHICH PROPOSED SIGN(S) IS/ARE TO BE
ERECTED:**

Stand No.

Street Fee \$

Name and address of owner(s) of property

Telephone

Name of owner's accredited agent (where applicable)

Telephone

Name and address of applicant

Telephone

Name and address of contractor erecting sign

Telephone

Distance of sign from traffic sign

If **sky sign**—number or signal and street intersection of storeys to building

PARTICULARS OF SIGN(S) WHICH IT IS PROPOSED TO ERECT:

Maximum vertical height

Maximum horizontal length

Maximum horizontal width

Weight (if exceeding 100 kg)

Colours

Illuminated or non-illuminated

PARTICULARS OF OPERATION WHERE SUCH IS AN ILLUMINATED SIGN:

Nature of sign (stationary/moving/flashing)

Number of flashes per minute

PARTICULARS WHERE SIGN IS FOR A TEMPORARY PERIOD:

Brief description (wording, etc.)

Material to be used in construction

Period for which permission is required

Date

Signature of applicant

Owner of building/land

[On the reverse side of the application form will be printed the following:-]

INDEMNITY

I, the undersigned, having made application in terms of the Harare (Control of Advertising Signs) By-laws to erect an advertising sign at.....

declare that subject to such application being granted, in terms of the said by-laws, I hereby absolve from liability and hold harmless and indemnify the Harare City Council, and its agents, servants and employees, against and in respect of any demand, claim, action or suit whatsoever arising out of or in connexion with the death of, or injury to, any person or the loss of; or damage to, any property, which may be suffered by me or any other person as a result of any accident or other thing caused by or resulting from or connected in any way with the erection or display of such advertising sign.

Dated at on this day of 20

Signed.....

Witness.....

PROJECTED ADVERTISEMENT LICENCE

THIS IS TO CERTIFY THAT,

in terms of the Harare Advertising Sign By-laws, SI 980 of 1981,.....

is hereby authorized to project advertisement slides from
on to.....

during the period from.....

to inclusive,

between the hours of 6 a.m. and midnight

Description of projection apparatus and electrical installations.....

Description of necessary fire-extinguishing equipment.....

Director .

Cleveland House, 92, Moffat Street, Harare.

Date

Licence fee \$

SECOND SCHEDULE

(Section 9)

RESIDENTIAL LOCALITIES

Any area zoned as—

a Special Retail Trading Zone; or

a Retail Shopping Zone; or

a Business (Shops and Offices) Zone; or

a Business Residential Zone; or

a Business (Shops) Zone; or

a Business (Petrol Filling and Service Station) Zone; or

a Retail Trading Zone;

in any master plan, local plan or approved scheme as defined in the Regional, Town and Country Planning Act [Chapter 29:12] .

THIRD SCHEDULE

[\(Section 13\)](#)

AREA OF SKY SIGNS

<i>Height</i>	<i>of building</i>	<i>Area of</i>	<i>sky sign</i>
4,60	m	18,60	m ²
7,6	m	18,6	m ²
10,7	m	27,9	m ²
13,7	m	27,9	m ²
17	m	37,2	m ²
20	m	37,2	m ²
23	m	46,5	m ²
26	m	46,5	m ²
29	m	65	m ²
32	m	65	m ²
35	m	74,5	m ²
38	m	74,5	m ²
41	m	83,5	m ²
44	m	83,5	m ²
47	m	93	m ²
50	m	93	m ²
53	m	102	m ²
56	m	102	m ²
59	m	121	m ²

62	m	121	m ²
65	m	139,5	m ²

FOURTH SCHEDULE

([Sections 15](#), [16](#) and [17](#))

PART I

PERMITTED NUMBER OF GROUND SIGNS

Number	Road frontage
1	21,5 m or less
2	More than 21,5 m but not more than 40 m
3	More than 40 m but not more than 58 m
4	More than 58 m but not more than 76 m
5	More than 76 m but not more than 94 m
6	More than 94 m but not more than 113
7	More than 113 m but not more than 131 m
8	More than 131 m but not more than 149 m
9	More than 149 m but not more than 168 m
10	More than 168 m

PART II

PERMITTED NUMBER OF ADVERTISING HOARDINGS

Number	Road frontage
1	76 m or less 21,5 m or less
2	More than 76 m but not more than 137 m

3	More than 137 m but not more than 198 m
4	More than 198 m