



CITY OF CAPE TOWN | ISIXEKO SASEKAPA | STAD KAAPSTAD

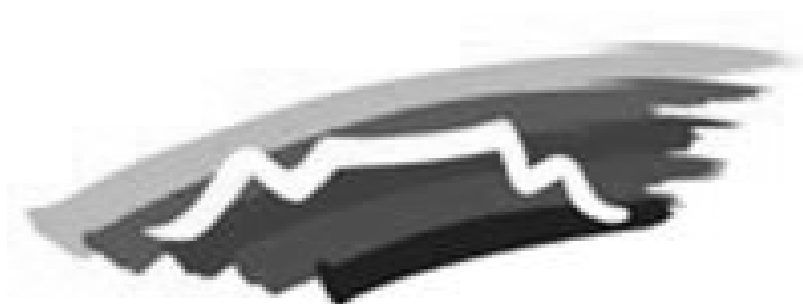
THIS CITY WORKS FOR YOU

OUTDOOR ADVERTISING AND SIGNAGE BY-LAW NO 5801 OF 2001, FIRST AMENDMENT BY-LAW 2013

AMENDED BY COUNCIL : 28 AUGUST 2013
C 04/08/13

PROMULGATED 17 JANUARY 2014
PG 7219; LA 56340

CITY OF CAPE TOWN : OUTDOOR ADVERTISING AND SIGNAGE BY-LAW NO 5801 of 2001, FIRST AMENDMENT BY-LAW 2013



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NOTICE**CITY OF CAPE TOWN : OUTDOOR ADVERTISING AND SIGNAGE BY-LAW NO 5801 of 2001,
FIRST AMENDMENT BY-LAW 2013**

Notice is hereby given that in terms of section 13, of the Local Government: Municipal Systems Act, Act 32 of 2000, the City of Cape Town has passed Amendments as set out below, to the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, as published on Wednesday, 5 December 2001 in the Provincial Gazette Extraordinary Number 5801, Notice LA 10518.

The English version was the adopted version.

GENERAL EXPLANATORY NOTE:

___ Words underlined with a solid line indicate insertions in existing enactments, or re-numbering of enactments.

[] Text in bold and square brackets indicates deletions from existing enactments.

BE IT ENACTED by the Council of the City of Cape Town, as follows: -

Amendment of TABLE OF CONTENTS of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, as follows;

Q. GUIDELINES

Section 82

R. REPEAL

Sections: 83 to 85**[82 to 84]**

S. [R]SAVINGS

Sections: **86[85]**

Schedule 3 - Locality bound freestanding and composite signs and Locality Bound farm signs

Schedule 4 - Signs attached to walls of buildings – Flat & Projecting Signs and Signs on Street Furniture

Amendment of A. DEFINITIONS of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, by insertion as follows;

"Transit advertising" means advertising by means of a movable sign which is capable of being transported by road either on or in conjunction with a motorized vehicle or non-motorized vehicle, including trailers primarily used for advertising.

Amendment of B. SUBMISSION OF APPLICATIONS of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, by insertions and deletions as follows;

3. The submission of an application in accordance with this Part is required in respect all signs, including but not limited to the sign types set out in schedule 2 to 17, and signs which do not comply upfront with the conditions set out in Part H. The City may pre-scrutinize, and shall not be obliged to process incomplete applications, and applications in breach of non-waiveable conditions which will be returned to the applicant before the fees in terms of part C are calculated.

4. [3]The Municipality may require the submission of an Environmental Impact Assessment (either the 1st stage thereof; being the completion of an Environmental Checklist or in its entirety), Heritage Impact Assessment and/or a Traffic Impact Assessment.

5. [4]If in the Municipality's opinion, a community or portion thereof or a person will be affected by the proposed sign, it may require a public participation process prior to considering the approval, which public participation process shall comply with the Municipality's policy on public participation.

6. [5]The Municipality will require a signage master plan in respect of any development where the erection of numerous signs is proposed or the rationalisation of previously approved signs is required so as to allow it to consider a consistent design master plan prior to assessment of any individual sign.

7. [6]The Municipality shall notify the applicant of any additional requirements it has, within 21 working days of the date of submission of the original application and payment of the application fee.

8. [7]The Municipality shall be entitled to retain a copy of every document supplied to it as part of an application, but is not obliged to do so.

9. [8]The Municipality may require written notification, by the applicant or person who erects an approved sign that such sign has been erected.

Amendment of C. CHARGES AND GENERAL FACTORS IN CONSIDERING APPROVAL AND/OR AMENDMENTS/CONDITIONS TO APPROVAL of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, by insertions and deletions as follows;

10.8 Compliance with, and the ability to comply with specific conditions pertaining to specific sign types set out in schedules 2 to 17, and with the specific conditions set out in Part H.

10.9 That no sign or advertisement may be designed or displayed that:

10.9.1 [10.8.1] will constitute a danger to any person or property;

10.9.2 [10.8.2] will display any material or graphic which, whether in form, content or both, may reasonably be expected to cause offence to the public or an identifiable class of persons.

10.9.3 [10.8.3] will be detrimental to the environment or amenity of the neighbourhood by reason of either its size, intensity, frequency, illumination, quality of design, material, proposed graphic, locality or for any other reason;

10.9.4 [10.8.4] will obscure any other signs approved in terms of this By-Law or its predecessor.

10.9.5 **[10.8.5]** will be detrimental or otherwise negatively impact on the environment, whether artificial or natural.

10.10 **[10.9]** In considering a proposal for new graphics in respect of a sign approved in terms of this By-Law, the Municipality will have regard to the factors referred to in Sections 10.4 to 10.8 inclusive.

10.11 **[10.10]** The Municipality will only consider an application for the extension of an approval period (in terms of Section 47 on condition that the said sign complies with the provisions of this By-Law as at the date of application for such an extension.

10.12 **[10.11]** The Municipality will have regard to the factors referred to in Section 10.4 to 10.8 in assessing an application for an extension of the approval period in terms of Section 47. In the event of the approval period being extended by the Municipality, the extension period shall not exceed a further 5 year period.

10.13 **[10.12]** Any application for an extension of an approval period in terms of Section 47 must be accompanied by the fees referred to in Section 9 hereinabove; being both an application and an approved fee.

Amendment of D. FACTORS RELATING TO SPECIFIC SIGNS, AREAS OF CONTROL AND COMMERCIAL SPONSORED SIGNS of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001 , by insertion as follows;

11. The Municipality shall, in addition to the factors set out hereinabove in Parts B and C and Part E and H below, apply certain minimum standards to certain specific sign types and proposed localities when an application for approval is made in respect thereof and will apply certain specific criteria to applications for the erection of signs by non-profit bodies. These specific standards and criteria are set out as Schedules to this By-Law. Schedule 1 to this By-Law indicates the areas of control in which certain specific sign types may be permitted, subject always to approval in terms of this By-Law and furthermore subject to any additional requirement pertaining to a specific sign type as set out in the following Schedules:

Amendment of E. STANDARD CONDITIONS FOR APPROVAL of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001 , by insertions and deletions as follows;5

The requirements and conditions contained in Part E are applicable to all applications and approvals in accordance with this By-law, and apply in respect of all signs, including but not limited to, the specific sign types set out in Schedules 2 to 17 and Part H. In the event that a Schedule or Part H contains a more specific requirement or condition, the more specific requirement or condition will be applied.

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STRUCTURAL REQUIREMENTS1

13. The owner of the sign structure, the media owner, the Applicant to whom approval has been granted and the owner of the property or building to which it is attached shall be jointly and severally liable for the maintenance thereof and shall undertake at least one inspection per year thereof with a view to satisfying themselves as to the safety thereof.

14 Where any sign becomes torn or damaged or otherwise falls into a state of disrepair, the owner of the sign structure, the media owner, the applicant to whom the approval has been granted and the owner of the fixture or property which or to which a sign is attached shall within 7 working days of a notice to do so, repair it.

ILLUMINATION REQUIREMENTS 1

25. The Municipality may approve an illuminated sign, provided that the provisions of this By-Law are complied with and that such illumination should be designed to ensure maximum energy efficiency and controlled hours of illumination and that the illumination does not constitute a road safety hazard or cause undue light spillage.

Amendment of L. OFFENCES of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, by insertion as follows;

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68.4 knowingly makes a false statement, forges, counterfeits or fraudulently replicates a document or permit in respect of any application or approval, or pertaining to any requirement or authorisation in terms of this By-Law,

Amendment of P. MAGISTRATE'S COURT JURISDICTION of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, by insertions and deletions as follows;

81. [Notwithstanding anything to the contrary contained in any law relating to Magistrate's Courts, a] A Magistrate shall have jurisdiction, on the application of any Local Authority, to make an Order for the enforcement of any of the provisions of this By-Law or of any approval, refusal or condition granted or applicable in terms hereof.

Amendment by insertion of a new part Q. GUIDELINES and renumbering of subsequent part of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, as follows;

Q. GUIDELINES

82. The City may from time to time issue a Cape Town Manual for Outdoor Advertising Control setting out guidelines on the By-law.

R. REPEAL OF BY-LAWS

83. [82]This By-Law repeals the following legislation:

Cape Town Municipality By-Law relating to advertising, billposting, signs etc. and the disfigurement of the front or frontages of streets, etc, number 1959 of 1966 and all amendments thereto;

Cape Town Municipality Outdoor Advertising By-Law, being By-Law number PN 151 of 2000

PN 295 of 1958 Standard Regulations relating to advertising signs and disfigurement of the front and frontages of streets

PN 593 of 1958 Standard Regulations relating to advertising signs and disfigurement of the front and frontages of streets.

Parow Municipality By-Law PN 4258 of 17 March 1983 : Advertising signs and disfigurement on the front or frontage of streets

84. [83] Anything done under or in terms of any provision repealed by this By-Law shall be deemed to have been done under the corresponding provisions of this By-Law and such repeal shall not affect the validity of anything done under the By-Law so repealed.

85. [84] Anything done prior to promulgation of this By-Law, which was not done in terms of a provision repealed in this By-Law and was unlawful, shall in the event of such act or sign still not complying with the provisions of this By-Law, be unlawful.

Amendment of part R. SAVINGS of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, by insertions and deletions as follows;

S. [R]SAVINGS

86. [85] Any application for the display of any advertisement or erection of any advertising structure for advertising purposes, submitted to the Municipality prior to promulgation of this By-Law and in respect of which a decision has not yet been made by the Municipality prior to promulgation of this By-Law, shall be considered by the Municipality in terms of this By-Law which is applicable thereto.

Amendment of SCHEDULE 2 BILLBOARDS of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, by insertion as follows;

4. Have a minimum clear height of 2,4m and a sign structure which does not exceed a maximum height of 7,5m above natural ground level, and does not exceed a maximum of 9m above natural ground level in the case of portrait format Billboards.

Amendment of SCHEDULE 3 LOCALITY BOUND FREESTANDING AND COMPOSITE SIGNS of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, by insertion as follows;

Subject to approval in terms of this By-Law, the erection and/or display of Locality Bound Freestanding signs and Composite signs are permitted only in Urban areas of maximum, partial and minimum control, and are permitted for the erection and/or display of Locality Bound

Freestanding and Composite signs and locality bound farm signs and conservation facility signs in Natural and Rural Areas of Maximum Control. In addition:

1. Locality bound freestanding signs and freestanding composite signs shall only be permitted in the following instances:

1.1 Where business premises, farm buildings or conservation facility buildings are set back 15m or more from the boundary of the road reserve; or

1.2 Where it is not reasonably possible to affix appropriate signs to a building; or

1.3 Where such a sign is necessary to allow the public to locate the entrance to business premises, farm buildings or conservation facility buildings; or

1.4 Where the existence of a freestanding composite sign may prevent the proliferation of signs.

1.5 In the case of farm signs and conservation facility signs:

(i) Entrance gates, gate structures, or boundary walls may be considered for the display of first party banners or flags, or for having sign panels attached to, placed against, or painted on, as a means of display;

(ii) Custom made signage on devices such as wine barrels and farm implements will be permitted.

2. Locality Bound freestanding and composite signs may not exceed 7,5 m in height and in addition may not exceed 4,5 m² in total area. This provision may be waived to a maximum height of 10 m and a maximum total area of 15 m² per side, having regard to the following factors:

- 2.1 If such increase reduces the number of individual signs facing any one street boundary of the site, thereby minimising the visual impact on the surrounding environment;
- 2.2 If more than 2 significant roads approach the site in question;
- 2.3 The number of businesses, farm activities or conservation facility activities which will be advertising on such sign;
- 2.4 The number of approach/exit routes to the site in question;
- 2.5 The applicable zoning of the area surrounding the site in question. A surrounding residential zone will not accommodate the same size of sign as will a surrounding commercial/industrial zone.

Amendment of SCHEDULE 4 SIGNS ATTACHED TO WALLS OF BUILDINGS : FLAT AND PROJECTING SIGNS 3 of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, by insertion as follows;

SIGNS ATTACHED TO WALLS OF BUILDINGS AND SIGNS ON STREET FURNITURE: FLAT AND PROJECTING SIGNS³

8. Flat and Projecting Signs will be permitted on Street Furniture. In the case of signs on Street Furniture, the requirements set out in this schedule will not apply, save that it shall be required that the sign is designed so as to become an integral part of the Street Furniture Design.

Amendment of SCHEDULE 7 SIGNS ON A VERANDAH, BALCONY, CANOPY, SUPPORTING COLUMNS, PILLARS AND POSTS of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, by insertion as follows;

4. Such signs suspended below the roof of a verandah, canopy or the floor of a balcony shall not exceed 1.8 m in length or 600 mm in height. Every such sign shall be either parallel to or at right angles to the building line. No signs suspended under a canopy shall extend beyond

the external edge of the canopy or verandah to which it is attached and must have a clear height of 2.4m.

5. Such signs on the roof of a verandah, canopy or balcony, excluding the main roof of a building, shall be composed of a single line of freestanding, individual, cut-out silhouette letters without visible bracing or other visible means of support and shall not be erected along more than two edges of such roof of a verandah or balcony and may not exceed 1m in height.

Amendment of SCHEDULE 11 POSTERS of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, by insertion as follows;

1. All posters must be presented to the Municipality in order to obtain a City-issued and date stamped permit approval sticker, with the date on which the poster may be erected, and the date on which the poster is to be removed from the pole. This stamped or printed permit approval sticker stamp must appear prominently on the front of the poster. Posters must be removed on or before the last date stamped or printed onto the poster permit sticker, and the permit stickers must be returned to the Municipality within 4 days of the later date stamped on the poster, in order to qualify for a refund of the deposit.

2. The name of the host organisation, the date of the function and the venue must appear on the posters in letters not less than 50mm in height.

3. No more than a total of 2000 posters per event or campaign, or group of related events or campaigns may be displayed at any one time (except election posters) in any area designated by the Municipality.

9. No poster may be displayed within 30m of any road traffic sign or traffic signal, unless such distance has been exempted, or conditionally exempted, in a designated area in terms of Section D. 11 of the by-law.

Amendment of SCHEDULE 12 ESTATE AGENT SIGNS of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, by insertions and deletions as follows;

Subject to approval in terms of this By-Law, the erection and/or display of property marketing estate agent signs, including auctioneer signs, is permitted in all areas except natural areas of maximum control. In addition:

4. On each **[sign, the wording "on show" "Showhouse, Showflat or Showplot" with the Agency's name and directional Arrow must be displayed. (directional sign)."**] directional sign board, the following information must be displayed:

(i) original permit;

(ii) property marketing estate agent, auctioneer, and property agencies name;

(iii) marketer's telephone number or contact details; and

(iv) directional arrow.

5. Where no municipal light poles are available, signs may be displayed on stakes making use of a design approved by the Municipality. Estate Agent signs may not be displayed on concrete, premix or paved surfaces. It is not permissible for stakes to penetrate the ground deeper than 15cm.

6. Estate agent signs may not exceed 0,3m² in total area.

7. Not more than six estate agent or auctioneer directional permit stickers will be issued per agent or auctioneer, and no more than six directional [signs] boards will be permitted in total per [showhouse, showplot or block of flats in which a showflat is on display] property being marketed, including show houses, show plots and blocks of flats in which a show flat is on display. The definition of one sign shall include the display of two signboards only when such boards are sandwiched back to back around an electric light pole.

18. Application by each individual estate agent [cy]or auctioneer on an annual basis must be made for permission to display Estate agent signs and approval shall be subject to payment of an annual fee in accordance with the Municipality's Schedule of tariffs and charges published from time to time.

19. **[A deposit shall be paid per agency against which a charge for the removal of any sign which contravenes the By-Law will be levied. In the event of the above deposit being exhausted, permission to display such signage will be withdrawn until a further deposit is paid to the Municipality.]** Approval shall be subject to payment of an annual fee for registration plus a permit fee, in accordance with the City's schedule of tariffs and charges published from time to time, provided that in the case of:

(i) estate agents and letting agents; only principal agents, non-principal agents and full status agents may register, and other estate agency staff, candidate agents, intern agents, or house-sitters may not register;

(ii) auctioneers; only qualified auctioneers who are members of a recognised institute of auctioneers may register, and other auction company staff, valuers, or house-sitters, may not register.

Amendment of SCHEDULE 16 SIGNS ON MUNICIPAL LAND/BUILDINGS of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, by insertions and deletions as follows;

Other than as is set out hereinbelow, no signs other than locality bound signs, temporary signs including loose portable sign, estate agents signs, newspaper headline posters and posters **[(the erection of which must comply with the appropriate schedules pertinent thereto)]** shall be erected on Municipal owned land. The erection of such signs shall be subject to approval in terms of this By-law, and compliance with any other Schedule and other rules applicable to the type of sign applied for.

Amendment of SCHEDULE 17 SIGNS ERECTED BY OR FOR THE BENEFIT OF NON-PROFIT BODIES of the City of Cape Town : Outdoor Advertising and Signage By-law, 2001, by insertions and deletions as follows;

2 In addition to the conditions set out in the Schedule applicable to the type of sign applied for the following conditions will apply:

2.1 Signs with a political content will not be permitted.

[2.2 The maximum size of any such sign is 6 m x 3 m provided in the event of a V-shaped sign being proposed, its maximum size will not exceed two panels of 6 m x 3 m each.

2.3 Applications for billboards to be erected in terms of this section must comply with the requirements as set out in Schedule 2.]

2.2 [2.4] No sign erected in terms of this clause shall be located within 5m of a property's boundary lines.

2.3 [2.5] The name of the non-profit body must be displayed prominently along the top width of the sign with a maximum 300mm lettering height.

2.4 [2.6] A public participation process has been held with all parties to be affected by the erection and/or display of such sign.

2.5 [2.7] The Municipality may require submission of an environmental impact assessment and/or traffic impact assessment and/or heritage impact assessment in accordance with its guidelines thereon.

[2.8 No more than two individual signs of 6 m x 3 m each shall be permitted, or alternatively one V-shaped sign with a maximum size of two panels of 6 m x 3 m each on any one property. In addition, only one sign per street frontage will be permitted.]

2.6 In the case of Billboards:

(i) the maximum size of any such sign is 6m x 3m provided in the event of a V-shaped sign being proposed, its maximum size will not exceed two panels of 6m x 3m each.

(ii) no more than two individual signs of 6m x 3m each shall be permitted, or alternatively one V-shaped sign with a maximum size of two panels of 6m x 3m each on any one property. In addition, only one sign per street frontage will be permitted.

KENNISGEWING

STAD KAAPSTAD : VERORDENING INSAKE BUITEREKLAME EN ADVERTENSIE TEKENS NO. **5801** **van 2001**, EERSTE WYSIGINGSVERORDENING 2013

Kennis word hiermee gegee dat ingevolge artikel 13 van die Wet op Plaaslike Regering: Munisipale Stelsels, Wet 32 van 2000, die Stad Kaapstad die wysigings wat hieronder uiteengesit word aan die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, soos op Woensdag, 5 Desember 2001, in Buitengewone Provinsiale Koerant No. 5801, Kennisgewing LA 10518, gepubliseer, goedgekeur het.

Die Engelse weergawe is die weergawe wat goedgekeur is.

ALGEMENE VERDUIDELIKENDE AANTEKENING:

___ Woorde met 'n volstreep daaronder dui invoegings in bestaande verordening of hernoeming van bestaande verordening aan.

[] Woorde in **vetdruk** tussen vierkantige hake dui skrappings uit bestaande verordening aan.

HIERMEE WORD soos volg deur die Raad van die Stad Kaapstad VERORDEN: -

Wysiging van **INHOUDSOPGAWE** van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, soos volg:

Q _____ RIGLYNE

Artikel 82

R _____ HERROEPING

Artikel: 83 tot 85 [**82 tot 84**]

S _____ [**R**] VOORBEHOUDE

Artikel: 86 [**85**]

Bylae 3 — Liggingsgebonde vrystaande en samegestelde advertensies en liggingsgebonde plaasadvertensies

Bylae 4 — Advertensies wat op mure van geboue aangebring word — plat en uitsteektekens en advertensies op straatuitrusting

Wysiging van A. WOORDOMSKRYWING van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur die volgende invoegings:

“transito-reklame” reklame deur middel van ’n beweegbare advertensie wat padlangs op of tesame met ’n gemotoriseerde voertuig of nie-gemotoriseerde voertuig vervoer kan word, insluitende sleepwaens wat hoofsaaklik vir reklame gebruik word;

Wysiging van B. INDIENING VAN AANSOEKE van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur die volgende invoegings en skrappings:

3. Die indiening van ’n aansoek in ooreenstemming met hierdie Deel word vereis ten opsigte van alle advertensies, insluitende maar nie beperk nie tot die advertensietipes wat in Bylae 2 tot 17 uiteengesit word, en advertensies wat nie vanuit die staanspoor voldoen aan die voorwaardes wat in Deel H uiteengesit word nie. Die Stad kan onvolledige aansoeke en aansoeke strydig met nie-afsienbare voorwaardes vooraf nagaan en is nie verplig om dit te verwerk nie, en sodanige aansoeke sal aan die aansoeker teruggestuur word voordat die gelde ingevolge Deel C bereken word.

4. [3] Die Munisipaliteit kan vereis dat ’n Omgewingsimpakbeoordeling (óf die 1ste stadium daarvan, synde die voltooiing van ’n Omgewingsoorsiglys, óf in sy geheel), Erfenisimpakbeoordeling en/of ’n Verkeersimpakbeoordeling ingedien word.

5. [4] Indien volgens die mening van die Munisipaliteit, ’n gemeenskap of gedeelte daarvan, of ’n persoon deur die voorgestelde advertensie geraak gaan word, kan ’n openbare deelnameproses voor die oorweging van goedkeuring vereis word, welke openbare deelnameproses aan die Munisipaliteit se beleid rakende openbare deelname moet voldoen.

6. [5] Die Munisipaliteit sal ’n reklamehoofplan vereis ten opsigte van enige ontwikkeling waar die oprigting van verskeie advertensies voorgestel word of waar die rasionalisering van voorheen goedgekeurde advertensies vereis word om hom in staat te stel om ’n stelselmatige ontwerphoofplan voor die beoordeling van enige afsonderlike advertensie te oorweeg.

7. [6]Die Munisipaliteit moet die aansoeker van enige addisionele vereistes binne 21 werksdae vanaf die datum waarop die oorspronklike aansoek ingedien is en die betaling van die aansoekgeld in kennis stel.

8. [7]Die Munisipaliteit is daarop geregtig om 'n afskrif van elke dokument wat aan hom as deel van 'n aansoek voorsien word, te behou, maar is nie verplig om dit te doen nie.

9. [8]Die Munisipaliteit kan skriftelike kennisgewing vereis van die aansoeker of persoon wat 'n goedgekeurde advertensie oprig, dat sodanige advertensie opgerig is.

Wysiging van C. GELDE EN ALGEMENE FAKTORE WANNEER GOEDKEURING EN/OF WYSIGING/VOORWAARDES

VAN GOEDKEURING OORWEEG WORD van die Stad Kaapstad : Verordening insake Buitereklame en

Advertensietekens, 2001, deur die volgende invoegings en skrappings:

10.8 Voldoening aan, en die vermoë om te voldoen aan, spesifieke voorwaardes wat betrekking het op spesifieke advertensietipes wat in Bylae 2 tot 17 uiteengesit word, en op die spesifieke voorwaardes wat in Deel H uiteengesit word.

10.9 Dat geen advertensie of reklame so ontwerp of vertoon word nie:

10.9.1 [10.8.1]dat dit 'n gevaar vir enige persoon of eiendom inhou;

10.8.2 [10.8.2]dat dit enige materiaal of grafiek sal vertoon wat, weens die gestalte, inhoud of albei, redelik waarskynlik aanstootlik vir die publiek of 'n identifiseerbare klas van persone sal wees;

10.9.3 [10.8.3]dat dit nadelig vir die omgewing of gerief van die buurt is vanweë sy grootte, intensiteit, herhaling, verligting, gehalte van die ontwerp, materiaal, voorgestelde grafiek, ligging, of om enige ander rede;

10.9.4 [10.8.4]dat dit enige ander advertensies wat ingevolge hierdie Verordening of sy voorganger goedgekeur is, sal belemmer;

10.9.5 [10.8.5]dat dit nadelig sal wees of andersins 'n nadelige impak op die omgewing sal hê, hetsy kunsmatig of natuurlik.

10.10[10.9] Wanneer 'n voorstel vir nuwe grafieke ten opsigte van 'n advertensie wat ingevolge hierdie Verordening goedgekeur is, oorweeg word, moet die Munisipaliteit die faktore bedoel in Artikel 10.4 tot 10.8 inklusief, in ag neem.

10.11[10.10] Die Munisipaliteit sal slegs 'n aansoek om verlenging van die goedkeuringstydperk (ingevolge Artikel 47) oorweeg op voorwaarde dat die genoemde advertensie aan die bepalinge van hierdie Verordening soos op die datum van aansoek om sodanige verlenging, voldoen.

10.12[10.11] Die Munisipaliteit moet die faktore bedoel in Artikel 10.4 tot 10.8 in ag neem wanneer 'n aansoek om 'n verlenging van die goedkeuringstydperk ingevolge Artikel 47 oorweg word. Waar die goedkeuringstydperk deur die Munisipaliteit verleng word, moet die verlengingstydperk nie 'n verdere tydperk van 5 jaar oorskry nie.

10.13[10.12] Enige aansoek om 'n verlenging van 'n goedkeuringstydperk ingevolge Artikel 47 moet vergesel word van die gelde bedoel in Artikel 9 hierbo; wat beide 'n aansoek- en goedkeuringsgeld is.

Wysiging van D. FAKTORE WAT MET SPESIFIEKE ADVERTENSIES, GEBIEDE VAN BEHEER EN KOMMERSIEEL GEBORGDE ADVERTENSIES VERBAND HOU van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur die volgende invoeging:

11. Die Munisipaliteit moet, benewens die faktore wat hierbo in Deel B en C en in Deel E en H hieronder uiteengesit word, sekere minimum standaarde op sekere spesifieke advertensietipes en voorgestelde liggings toepas wanneer 'n aansoek om goedkeuring ten opsigte daarvan gedoen word en moet sekere spesifieke kriteria op aansoeke vir die oprigting van advertensies deur nie-winsgewende liggings toepas. Hierdie spesifieke standaarde en kriteria word as Bylaes tot hierdie Verordening uiteengesit. Bylae 1 tot hierdie Verordening dui die gebiede van beheer aan waarin sekere spesifieke advertensietipes toegelaat kan word, maar altyd onderhewig aan goedkeuring ingevolge hierdie Verordening en verder onderhewig aan enige addisionele vereiste wat betrekking het op 'n spesifieke advertensietipe soos in die volgende Bylaes uiteengesit:

Wysiging van E. STANDAARDVOORWAARDES VIR GOEDKEURING van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur die volgende invoegings en skrapings:

Die vereistes en voorwaardes wat in Deel E vervat is, is van toepassing op alle aansoeke en goedkeurings in ooreenstemming met hierdie Verordening, en is van toepassing ten opsigte van alle advertensies, insluitende maar nie beperk nie tot die spesifieke advertensietipes wat in Bylae 2 tot 17 en Deel H uiteengesit word. Ingeval 'n Bylae of Deel H 'n meer spesifieke vereiste of voorwaarde bevat, sal die meer spesifieke vereiste of voorwaarde van toepassing gemaak word.

STRUKTURELE VEREISTES

13. Die eienaar van die reklamestruktuur, die media-eienaar, die aansoeker aan wie goedkeuring verleen is en die eienaar van die eiendom of die gebou waarop dit aangebring word, is gesamentlik en afsonderlik aanspreeklik vir die instandhouding daarvan en moet minstens een inspeksie daarvan per jaar onderneem met die oog daarop om hulle van die veiligheid daarvan te vergewis.

14. Waar enige advertensie skeur of beskadig raak of andersins bouvallig word, moet die eienaar van die reklamestruktuur, die media-eienaar, die aansoeker aan wie goedkeuring verleen is en die eienaar van die toebehoorsel of eiendom waaraan of waarop 'n advertensie aangebring is, dit binne 7 werksdae vanaf 'n kennisgewing om dit te doen, regmaak.

VERLIGTINGSVEREISTES

25. Die Munisipaliteit kan 'n verligte advertensie goedkeur; met dien verstande dat daar aan die bepalinge van hierdie Verordening voldoen word en dat sodanige verligting ontwerp moet wees om maksimum energiedoeltreffendheid en beheerde ure van verligting te verseker en dat die verligting nie 'n padveiligheidsgevaar uitmaak of oormatige ligverspilling veroorsaak nie.

Wysiging van L. MISDRYWE van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur die volgende invoeging:

68.4 wetens ['n vals verklaring] ten opsigte van enige aansoek of goedkeuring, of met betrekking tot enige vereiste of magtiging ingevolge hierdie Verordening 'n vals verklaring maak of 'n dokument of permit vervals, namaak of bedrieglik repliseer,

Wysiging van P. JURISDIKSIE VAN DIE LANDDROSHOF van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur die volgende invoegings en skrappings:

81. [Ondanks enige andersluidende bepaling wat in enige wet met betrekking tot die landdroshof vervat is, het] 'n [landdros] Landdros het jurisdiksie om by aansoek deur enige Plaaslike Owerheid, 'n bevel vir die toepassing van enige van die bepalinge van hierdie Verordening te maak, of van enige goedkeuring, weiering of voorwaarde wat ingevolge daarvan verleen of van toepassing is.

Wysiging deur invoeging van 'n nuwe deel Q. RIGLYNE en hernoemering van daaropvolgende deel van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, soo volg:

Q. RIGLYNE

82. Die Stad kan van tyd tot tyd 'n Handleiding vir die Beheer van Buitereklame vir Kaapstad uitreik waarin riglyne oor hierdie Verordening uiteengesit word.

R. HERROEPING VAN VERORDENINGE

83.[82] Hierdie Verordening herroep die volgende wetgewing:

Die Munisipaliteit van Kaapstad se Verordening insake reklame, die aanplak van plakkaat, advertensies ens. en die ontsiering van die voorkant of fronte van strate ens. No. 1959 van 1966 en alle wysigings daartoe; Die Munisipaliteit van Kaapstad se Verordening insake Buitereklame, naamlik Verordening No. PK 151 van 2000. PK 295 van 1958, Standaardregulasies rakende advertensies en ontsiering van die voorkant en fronte van strate. PK 593 van 1958, Standaardregulasies rakende advertensies en ontsiering van die voorkant en fronte van strate.

Verordening PK 4258 van 17 Maart 1983 van die Parow Munisipaliteit: Advertensies en die ontsiering aan die voorkant of fronte van strate.

84. [83]. Enigiets wat uit hoofde of ingevolge van enige bepaling wat deur hierdie Verordening herroep word, gedoen word, sal geag word as gedoen te word uit hoofde van die ooreenstemmende bepalings van hierdie Verordening en sodanige herroeping sal nie die geldigheid van enigiets wat uit hoofde van die Verordening wat as sodanig herroep is, raak nie.

85.[84] Enigiets wat voor die afkondiging van hierdie Verordening gedoen word, wat nie ingevolge 'n bepaling gedoen is wat in hierdie Verordening herroep is nie en onwettig was, sal in die geval waar sodanige daad of advertensie nie aan die bepalings van hierdie Verordening voldoen nie, onwettig wees.

Wysiging van deel R. VOORBEHOUDE van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur die volgende invoegings en skrappings:

S. [R] VOORBEHOUDE

86.[85] Enige aansoek om die vertoning van enige advertensie of oprigting van enige reklamestruktuur vir reklamedoeleindes, wat by die Munisipaliteit voor die afkondiging van hierdie Verordening ingedien word en ten opsigte waarvan 'n besluit nog nie deur die Munisipaliteit voor die afkondiging van hierdie Verordening geneem is nie, sal deur die Munisipaliteit ingevolge hierdie Verordening wat daarop van toepassing is, oorweeg word.

Wysiging van BYLAE “2” AANPLAKBORDE van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur die volgende invoeging:

4. 'n Minimum vryhoogte van 2,4 m en 'n advertensiestruktuur hê wat nie 'n maksimum hoogte van 7,5 m bokant die natuurlike grondvlak oorskry nie en in die geval van aanplakborde met 'n portretformaat nie 'n maksimum hoogte van 9 m bokant die natuurlike grondvlak oorskry nie;

Wysiging van BYLAE “3” LIGGINGSGEBONDE VRYSTAANDE EN SAMEGESTELDE ADVERTENSIES van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur die volgende invoeging:

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van liggingsgebonde vrystaande advertensies en samegestelde advertensies slegs in stedelike gebiede van maksimum, gedeeltelike en minimum beheer toegelaat en toegelaat vir die oprigting en/of vertoning van liggingsgebonde vrystaande en samegestelde advertensies en liggingsgebonde plaasadvertensies en bewaringsfasiliteitadvertensies in natuurlike en landelike gebiede van maksimum beheer. Daarbenewens:

1. Word liggingsgebonde vrystaande advertensies en vrystaande samegestelde advertensies slegs in die volgende gevalle toegelaat:

1.1 waar sakepersele, plaasgeboue of bewaringsfasiliteitgeboue 15 m of meer van die grens van 'n padreservaat inspring; of

1.2 waar dit nie redelikerwyse moontlik is om gepaste advertensies aan 'n gebou aan te bring nie; of

1.3 waar sodanige advertensie nodig is sodat die publiek die ingang tot sakepersele, plaasgeboue of bewaringsfasiliteitgeboue kan vind; of

1.4 waar die bestaan van 'n vrystaande samegestelde advertensie die proliferasie van advertensies sal verhinder.

1.5 In die geval van plaasadvertensies en bewaringsfasiliteitadvertensies:

(i) kan dit oorweeg word dat eenpartybaniere of -vlae op toegangshekke, hekstrukture of grensmure vertoon kan word, of dat advertensiepanele daaraan bevestig, daarteen geplaas of daarop geverf kan word as 'n manier van vertoning;

(ii) sal doelgemaakte advertensietekens op toestelle soos wynvate en plaaswerktuie toegelaat word.

2. Mag liggingsgebonde, vrystaande en samegestelde advertensies nie 7,5 m in hoogte oorskry nie en mag daarbenewens nie 4,5 m² in totale oppervlakte oorskry nie. Daar kan van hierdie

bepaling tot 'n maksimum hoogte van 10 m en 'n maksimum totale oppervlakte van 15 m² per kant afgesien word, met inagneming van die volgende faktore:

2.1 Indien sodanige verhoging die aantal afsonderlike advertensies wat op enige afsonderlike straatgrens van die terrein uitkyk, verminder om sodoende die visuele impak op die omliggende omgewing te minimaliseer;

2.2 Indien meer as 2 belangrikse paaie die betrokke terrein nader;

2.3 Die aantal besighede, plaasaktiwiteite of bewaringsfasiliteitaktiwiteite wat op sodanige advertensie gaan adverteer;

2.4 Die aantal toegangs-/uitgangsroetes tot die betrokke terrein;

2.5 Die toepaslike sonering van die gebied rondom die betrokke terrein. 'n Omliggende residensiële sone sal nie dieselfde grootte teken as 'n omliggende handels-/nywerheidssone akkommodeer nie.

Wysiging van BYLAE "4" ADVERTENSIES WAT AAN MURE VAN GEBOUE BEVESTIG WORD: PLAT EN UITSTEEKADVERTENSIES van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur die volgende invoeging:

ADVERTENSIES WAT AAN MURE VAN GEBOUE BEVESTIG WORD EN ADVERTENSIES OP STRAATUITRUSTING: PLAT EN UITSTEEKADVERTENSIES

8. Plat en uitsteekadvertensies sal op straatuitrusting toegelaat word. In die geval van advertensies op straatuitrusting, sal die vereistes wat in hierdie Bylae uiteengesit word nie van toepassing wees nie, behalwe dat daar vereis moet word dat die advertensie so ontwerp moet wees dat dit 'n integrale deel van die ontwerp van die straatuitrusting word.

Wysiging van BYLAE "7" ADVERTENSIES OP 'N VERANDA, BALKON, SONDAK OF OP STEUNKOLOMME, PILARE EN PALE van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur die volgende invoeging:

4 Sodanige advertensies wat onder die dak van 'n veranda, sondak of die vloer van 'n balkon opgehang word, mag nie 1,8 m in lengte of 600 mm in hoogte oorskry nie. Elke sodanige advertensie moet óf parallel met óf reghoekig tot die boulyn wees. Geen advertensies wat onder 'n sondak opgehang word mag verby die eksterne rand van die sondak of veranda waaraan dit bevestig is, uitsteek nie en moet 'n vryhoogte van 2.4 m hê;

5 Sodanige advertensies op die dak van 'n veranda, sondak of balkon, die hoofdak van 'n gebou uitgesluit, moet uit 'n enkellyn van vrystaande, afsonderlik uitgesnyde silhoeëtletters sonder sigbare verspanning of enige ander sigbare ondersteuningsmiddels bestaan en mag nie

langs meer as twee rande van sodanige dak van 'n veranda of balkon opgerig word nie en mag nie 'n hoogte van 1 m oorskry nie.

Wysiging van BYLAE "11" PLAKKATE van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur volgende invoeging:

1. Moet alle plakkaat aan die Munisipaliteit voorgelê word sodat **[hulle van]** 'n permitgoedkeuringsplakker wat deur die Stad uitgereik is en 'n datumstempel ophet, verkry [voorsien] kan word, met die datum waarop die plakkaat van die paal verwyder moet word. Hierdie **[stempel]** gestempelde of gedrukte permitgoedkeuringsplakker moet opsigtelik op die voorkant van die plakkaat verskyn. Plakkate moet **[binne 3 dae van die]** voor of op die laaste datum wat op die plakkaatpermitplakker gestempel is, verwyder word en die permitplakkers moet binne 4 dae van die laaste datum wat op die plakkaat gestempel is aan die Munisipaliteit terugbesorg word ten einde vir 'n terugbetaling van die deposito in aanmerking te kom;
2. Moet die naam van die gasheerorganisasie, die datum van die funksie en die plek op die plakkaat in letters van nie minder nie as 50 mm in hoogte verskyn;
3. Mag nie meer as **[’n gemiddeld van]** altesaam 1 000 plakkaat per [funksie] byeenkoms of veldtog of groep of verwante [funksies of] byeenkomste of veldtogte (behalwe verkiesingsplakkate) te eniger tyd in enige gebied wat deur die Munisipaliteit aangewys word, vertoon word nie;
9. Mag geen plakkaat binne 30 m van enige padverkeerstekens of verkeersein vertoon word nie tensy sodanige afstand ingevolge Afdeling D.11 van die Verordening in 'n aangewese gebied vrygestel is of voorwaardelik vrygestel is;

Wysiging van BYLAE "12" EIENDOMSAGENTTEKENS van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur die volgende invoegings en skrappings:

Onderhewig aan goedkeuring ingevolge hierdie Verordening, word die oprigting en/of vertoning van eiendombemarking-eiendomsagenttekens, insluitende afslaerstekens, in alle gebiede behalwe natuurlike gebiede van maksimum beheer toegelaat. Daarbenewens:

4. Moet **[die bewoording "Op Skou", "Toonhuis, Toonwoonstel of Toonerf" met die agentskap se naam en rigtingspyltjie]** die volgende inligting op elke rigtingaanwyserbord [teken] vertoon word: **[rigtingsaanwyser;]**

___ (i) oorspronklike permit;

___ (ii) naam van eiendombemarking-eiendomsagent, afslaer en eiendomsagentskap;

(iii) bemarker se telefoonnommer of kontakbesonderhede; en

(iv) rigtingspyltjie.

5. Waar geen munisipale ligpale beskikbaar is nie, kan tekens op penne vertoon word deur 'n ontwerp te gebruik wat deur die Munisipaliteit goedgekeur is. Eiendomsagenttekens mag nie op beton-, voormengsel-of geplaveide oppervlaktes vertoon word nie. Die penne mag nie dieper as 15 cm in die grond ingedryf word nie;

6. Mag eiendomsagenttekens nie 0,3 m² in totale oppervlakte oorskry nie;

7. Word nie meer as ses eiendomsagent- of afslaersrigtingsaanwyser-permitplakkers per agent of afslaer uitgereik nie, en word nie meer as ses rigtingsborde per [toonhuis, toonerf of woonstelblok waarin 'n toonwoonstel vertoon word,] eiendom wat bemark word, insluitende toonhuise, toonerwe en woonstelblokke waarin 'n toonwoonstel vertoon word, toegelaat nie. Die definisie van een teken sluit die vertoning van twee uithangborde in slegs wanneer sodanige borde met hulle rugkante teenmekaar rondom 'n elektriese ligpaal bevestig is;

18. Moet elke individuele eiendomsagentskap of afslaer op 'n jaarlikse grondslag aansoek doen om toestemming om eiendomsagenttekens te vertoon en goedkeuring is onderhewig aan betaling van 'n jaarlikse geld ooreenkomstig die Munisipaliteit se Bylae van Tariewe en Gelde wat van tyd tot tyd gepubliseer word;

19. **[Moet 'n deposito per agentskap betaal word waarteen die koste vir die verwydering van enige advertensie wat met die Verordening strydig is, gehef sal word. In die geval waar die bogenoemde deposito verbruik is sal toestemming om sodanige reklame te vertoon, teruggetrek word totdat 'n verdere deposito aan die Munisipaliteit betaal is;] Is goedkeuring onderhewig aan die betaling van 'n jaarlikse geld in ooreenstemming met die Stad se Bylae van Tariewe en Gelde wat van tyd tot tyd gepubliseer word, met dien verstande dat in die geval van:**

(i) eiendomsagente en verhuringsagente, slegs hoofagente, nie-hoofagente en agente met volle status mag registreer, en ander eiendomsagentskappersoneel, kandidaatagente, internagente of huisoppassers nie mag registreer nie;

(ii) afslaers, slegs gekwalifiseerde afslaers wat lede van 'n erkende instituut van afslaers is, mag registreer, en ander afslaermaatskappypersoneel, waardeerders of huisoppassers nie mag registreer nie.

Wysiging van BYLAE "16"ADVERTENSIES OP MUNISIPALE GROND/GEBOU van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur die volgende invoegings en skrappings:

Behalwe soos hieronder uiteengesit, mag geen advertensies behalwe liggingsgebonde, tydelike advertensies insluitende los draagbare advertensies, eiendomsagenttekens,

koerantopskriftplakkate en plakkate **[(welke oprigting aan die paslike bylaes wat daarmee verband hou, moet voldoen)]** op grond in munisipale besit opgerig word nie. Die oprigting van sodanige advertensies is onderhewig aan goedkeuring ingevolge hierdie Verordening en voldoening aan enige ander bylae en ander reëls wat van toepassing is op die tipe advertensie waarvoor aansoek gedoen word.

Wysiging van BYLAE '17' ADVERTENSIES WAT DEUR OF TEN BATE VAN NIE-WINSGEWENDE LIGGAME OPPERIG WORD van die Stad Kaapstad : Verordening insake Buitereklame en Advertensietekens, 2001, deur die volgende invoegings en skrappings:

2. [Daarbenewens] Benewens die voorwaardes uiteengesit in die Bylae wat van toepassing is op die tipe advertensie waarvoor aansoek gedoen word, is die volgende voorwaardes van toepassing:

2.1 Advertensies met 'n politieke inhoud sal nie toegelaat word nie;

[2.2 Die maksimum grootte van enige sodanige advertensie is 6 m x 3 m, met dien verstande dat waar 'n V-vormige advertensie voorgestel word sy maksimum grootte nie twee panele van 6 m x 3 m elk oorskry nie;

2.3 Aansoeke vir die oprigting van aanplakborde ingevolge hierdie artikel moet aan die vereistes soos uiteengesit in Bylae 2 voldoen;]

2.2 [2.4] Geen advertensie wat ingevolge hierdie klousule opgerig word mag binne 5 m van 'n eiendom se grenslyne geleë wees nie;

2.3 [2.5] Die naam van die nie-winsgewende liggaam moet prominent langs die boonste wydte van die teken met 'n maksimum letterhoogte van 300 mm vertoon word;

2.4 [2.6] 'n Openbare deelnameproses moet met al die partye wat deur die oprigting en/of vertoning van sodanige advertensie geraak word, gehou word;

2.5 [2.7] Die Munisipaliteit kan vereis dat 'n Omgewingsimpakbeoordeling en/of Verkeersimpak-en/of Erfenisimpakbeoordeling ooreenkomstig sy riglyne daaroor, ingedien moet word;

[2.8 Nie meer as twee afsonderlike advertensies van 6 m x 3 m elk sal toegelaat word nie, of anders, een V-vormige advertensie met 'n maksimum grootte van twee panele van 6 m x 3 m elk op enige spesifieke eiendom. Daarbenewens sal slegs een advertensie per straatvoorkant toegelaat word.]

2.5 In die geval van aanplakborde:

(i) is die maksimum grootte van enige sodanige advertensie 6 m x 3 m, met dien verstande dat waar 'n V-vormige advertensie voorgestel word, sy maksimum grootte nie twee panele van 6 m x 3 m elk oorskry nie;

(ii) sal nie meer as twee afsonderlike advertensies van 6 m x 3 m elk toegelaat word nie, of anders, een V-vormige advertensie met 'n maksimum grootte van twee panele van 6 m x 3 m elk op enige spesifieke eiendom. Daarbenewens sal slegs een advertensie per straatvoorkant toegelaat word.

ISAZISO

UMTHETHO KAMASIPALA WOLUNGISO WOKUQALA KA-2013 KUMTHETHO WESIXEKO SASEKAPA" WEENTENGISO ZANGAPHANDLE NEEMPAWU NOMB 5801 ka-2001

Apha kukhutshwa isaziso sokuba ngokwecandelo 13, loMthetho i-Local Government: Municipal Systems Act, uMthetho 32 ka-2000, iSixeko saseKapa sense iZilungiso njengoko zichaziwe apha ngezantsi, kuMthetho weSixeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, njengoko wapapashwayo ngoLwesithathu we-5 Disemba 2001 kwiGazethi yePhondo eYongezelelweyo Nombolo 5801, iSaziso LA 10518.

Inguqulelo yesiNgesi yiyo eyamkelwa ngokusemthethweni.

INKCAZELO GABALALA:

[] Amagama abhalwe ngqindilili kwizibiyeli ezisikwere abonisa amacandelo asusiweyo kumthetho okhoyo.

_____ Amagama akrwelelwe ngomgca ongqindilili abonisa amacandelo afakelweyo kumthetho okhoyo

MAWUPHUNYEZWE liBhunga leSixeko saseKapa ngolu hlobo lulandelayo: -

Isilungiso KWIZIQLATHO zoMthetho weSixeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu hlobo lulandelayo;

Q. _____ IZIKHOKELO

Icandelo 82

R. _____ UBHANGISO

Amacandelo: 83 ukuya ku-85[**82 ukuya ku- 84**]

S. _____ [R] UKHUSELEKO

Amacandelo: 86[**85**]

Ishedyuli 3 — Ibhodi ezikhululekileyo ezixunyekwayo neempawu ezikwifama eziziBhodi

Ishedyuli 4 — Iimpawu ezixunyekwe emadongenizezakhiwo -Iimpawu eziMcaba neziVelayo neeMpawu ezikwiiFenitshala eziseZitratweni

Izilungiso KWIINKCAZELO A KWIZIQULATHO zoMthetho weSixeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo lulandelayo ;

“Intengiso ejikelezayo” ithetha ukuthengisa ngokusebenzisa uphawu oluhambayo onokuthi uluhambise ngokusebenzisa indlela nokuba okanye nesithuthi esihambayo, okanye iinqwelo ezingahambiyo eziquka inqwelo ezirhuqwayo ezisetyenziselwa ukuthengisa.

Ukwenziwa kweZilungiso ku-B. UKUNGENISWA KWEZICELO zoMthetho weSixeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo nolu cimo lulandelayo;

3. Ukungeniswa kwesicelo ngokweli Candelo kusionyanzelo kuzo zonke iimpawu, kubandakanywa kodwa kungaphelelwanga kwiintlobo zeempawu ezichazwe kushedyuli 2 ukuya ku-17, kunye neemoawu ezingathobeli iziqathango yeCandelo H. ISixeko sisenokuphononongisisa isicelo yaye asinaxanduva lakuqwalasela izicelo zingazaliswanga ngokupheleleyo, nezicelo ezaphule imiqathango ebekiweyo, ezo ziceo ziya kubuyiselwa kumfaki-sicelo phambi kokuba kubalwe iintlawulo ezichazwe kwicandelo C.

4.[3]. Ibhunga ledolophu linokuthi ligunyazise ukunikezelwa kovavanyo loqondo lobume bendawo (nokuba liqondo lokuqala lwalo; ibhekisele ekugqityweni koluhlu lokujonga ubume

bendawo okanye yonke), uvavanyo loqondo lwe—heritage kunye/okanye uvavanyo loqondo lwezithuthi.

5[4]. Ukuba ibhunga ledolophu linoluvo lokuba, uluntu okanye isiqingatha salo okanye umntu uzakuchaphazeleleka luphawu olucetywayo, unokugunyazisa uwonke—wonke ukuba athathe inxaxheba phambi kokuvumela uqwalaselo, inxaxheba kawonke-wonke iyakuthi ingqinelane nepolisi yebhunga ledolophu yokuthatyathwa kwenxaxheba nguwonke-wonke.

6[5]. Ibhunga ledolophu uyakuthi ufune iplani yemiqondiso eyintloko malunga naluphi uphuhliso apho ulwakhiwo lweempawu ezahlukeneyo lucetywayo okanye kuqwalaselwe iimpawu ebezithe zaqwalaselwa ngaphambili nto leyo ezakuthi ivumele ukuba iplani eyintloko ingqinelane phambi kovavanyo kophawu olulodwa.

7[6]. Ibhunga ledolophu liyakuthi lazise uMenzi Sicelo ngazo naziphi izizathu ezongezelelweyo eziphawulileyo, ngaphantsi kwentsuku eziyi-21 zosuku lokunikezelwa kwesicelo sokuqala kunye nokuhlawula komvuzo wesicelo.

8[7]. Ibhunga ledolophu livumelekile ukuba ligcine ikopi yamaphepha onke anikezelweyo kuwo njengesahlulo sesicelo, kodwa akanyanzelekanga enze njalo.

9[8]. Ibhunga ledolophu linokuthi lifune isaziso esibhaliweyo nguMenzi Sicelo okanye umntu owakha uphawu olugunyazisiweyo sokuba uphawu olo lwakhiwe.

Ukwenziwa kweZilungiso ku-C. IIMALI EZIBIZWAYO NEMIBA-GABALALA EJONGWAYO XA KUQWALASELWA IZICELO UKUZE ZAMKELWE KUNYE//ZILUNGISWE/KUBEKWE IMIQATHANGO YOLWAMKELO kuMthetho weSixeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo nolu cimo lulandelayo;

10.8 Uthotyelo nokukwazi ukuthobela imiqathango ethile ejolise kwiintlobo ezithile zeempawu ezichazwe kwiishedyuli 2 ukuya ku-17, ingakumbi imiqathango ekwiCandelo H.

10.9 Ukuba akukho phawu okanye intengiso enokuthi yenziwe okanye iboniswe:

10.9.2 [10.8.2] enokuthi yenze ingozi kuwo nawuphi umntu okanye indawo

10.9.2 [10.8.2] enokuthi ibonise nayiphi imaterial okanye umzobo, nokuba ngokomgomo, umthamo okanye zombini, zinokuthi zicaphukise uwonke-wonke okanye abantu abathile;

10.9.3 [10.8.3] enokuthi ingakholiseki kubume bendawo okanye indawo esebumelwaneni ngesizathu sobungakanani, iintensity, ukuhamba kwamaza, ukukhanyisa umgangatho wedesign, imaterial, umzobo ocetywayo, ubume okanye nasiphi isizathu;

10.9.4 [10.8.4] enokuthi ingabonisi nazo naziphi iimpawu eziqwalaselweyo ngokwalo mthetho okanye olandelayo;

10.9.5 [10.8.5] enokuthi ingakholisi okanye ingavumelani nobume bendawo, nokuba ngokwendalo okanye ngokwenziwa.

10.10[10.9] Xa kujongwa uqwalaselo lwemizobo emitsha ngokubhekiselele kuphawu oluvunyiweyo ngokwalo mthetho, ibhunga ledolophu liyakuthi lijonge ezo zizathu kubhekiswe kuzo kwiCandelo 10.4 ukuya ku-10.8.

10.11[10.10] Ibhunga ledolophu liyakuthi lijonge kuphela isicelo sokongezelela kwexesha loqwalaselo ngokweCandelo 47 phantsi kwesizathu sokuba uphawu luyangqinelana nokubhaliweyo kulo mthetho njengoko kuceliwe ngemini yokucelwa kwesongezelelo sexesha.

10.12[10.11] Ibhunga ledolophu liya kuthi liqwalasele oimiqathango ekubhekiswe kuyo kwiCandelo 10.4 ukuya ku-10.8 ukuqwalasela isicelo sokongezelela ixesha loqwalaselo phantsi kweCandelo 47. Xa ixesha lokuqwalasela isicelo lithe landiswa libhunga ledolophu, eli xesha landisiweyo liya kuthi lungadluleli kwiminyaka engaphezulu kwesihlanu.

10.13[10.12] Nasiphi isicelo sokongezelela ixesha loqwalaselo phantsi kweCandelo 47 luya kuthi likhatshwe yintlawulo ekubhekiswe kuyo kwiCandelo 9 ngentla apha; intlawulo leyo yesicelo kunye nentlawulo ebekiweyo.

Ukwenziwa kweZilungiso ku-D. AMANQAKU ABHEKISELE KWINDIDI EZITHILE ZEEMPAWU IINDAWO ZOLAWULO KUNYE NEEMPAWU ZOQOQOSHO EZIXHASIWEYO NGEMALI kuMthetho weSixeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo nolu cimo lulandelayo;

11. Ibhunga ledolophu liya, ukongezelela kwimiqathango ebekwe ngaphezulu apha, kuMacandelo B no-C neCandelo E no-H alapha ngezantsi kusebenzisa imigomo emincinane ethile kwiindidi zeempawu ezithile kunye neendawo ezicetywayo xa isicelo sokuqwalasela senziwe ngokubhekiselele koko yaye uyaku sebenzisa ungomo othile kwizicelo zokwakha iimpawu zeendawo ezingajonganga nzuzo. Le migangatho ethile kunye nemigomo zidwelisiwe kwiSheduli yalo mthetho. USheduli 1 walo mthetho ubonisa iindawo zolawulo apho khona indidi zamaphawu athile zinokuthi zivunyelwe, kodwa ke ngalo lonke ixesha ngokuthi kuvunywe ngokwalo mthetho yaye ngaphezu koko ngokwezizathu ezongezelelweyo ezimalunga nodidi oluthile lophawu njengoko kudwelisiwe kwezi Sheduli ezilandelayo:

Ukwenziwa kweZilungiso ku-E. IMIQATHANGO YESIQHELO YOLWAMKELO kuMthetho weSixeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo nolu cimo lulandelayo;

5

limfuneko nemiqathango equlethwe kwiCandelo E ichaphazela bonke abafaki-zicelo nolwamkelo ngokwalo Mthetho kaMasipala malunga nazo zonke iimpawu ezibandakanya neempawu ezichazwe kwiishedyuli 2 ukuya ku-17, ingakumbi imiqathango ekwiCandelo H Ukuba ngaba iShedyuli okanye iCandelo H linemfuneko okanye umqathango othile onggalileyo, kuya kusebenza wona.

IIMFUNeko ZOLWAKHIWO

13. Umnini wesakhelo sophawu, umnini-jelo uMenzi Sicelo lowo uthe isicelo sakhe savunywa kunye nomnini wendawo okanye apho izakubotshelwa khona bayakuthi bathwale ixanduva bobabini kwananjalo lokugcina usemgangathweni isakhiwo eso yaye benze uhlolo kube kanye ngonyaka lesakhiwo eso ukwenzela ukuqinisekisa ukuba isakhiwo sikhuselekile.

14. Xa uphawu luthi lakrazuka okanye lonakale okanye lutshabalale, umnini owakhelo sophawu, umnini-jelo, uMenzi Sicelo lowo uthe wanikezwa imvume kunye nomnini wento okanye indawo apho uphawu luyakuthi lubotshelwe khona, baya kuthi ngaphakathi kweentsuku ezisixhenxe (7) zokusebenza zenotisi, balilungise.

IIMFUNeko ZOKUKHANYISA

25. Ibhunga ledolophu linokuvumela uphawu olukhanyisayo, xa ngaba okuqulathwe ngulo mthetho kuthe kwathotyelwa yaye ukukhanyisa oko kuyilwe ngendlela eyonga umbane yaye luneeyure ezithile zokusebenza kolo khanyiso yaye oko kukhanyisa akuphazamisani nokhuseleko lwezindlela okanye lenze nakuphi ukukhanya okuphazamisayo.

Ukwenziwa kweZilungiso ku- L. KuMthetho weSixeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo lulandelayo;

68.4 enze ingxelo engey nyani esazi, , afoje, akope ngokungekho mthethweni okanye bee uxwebhu lomntu okanye iphepha-mvume malunga nasiphi isicelo okanye ulwamkelo lwesicelo okanye kuyo nayiphi na into efunwayo okanye elugunyaziso phantsi kwalo mthetho,

P. ULAWULO LWENKUNDLA YENQILA

Ukwenziwa kweZilungiso ku-P. ULAWULO LWENKUNDLA YENQILA kuMthetho weSixeko saseKapa : weNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo nolu cimo lulandelayo;

81. [Noxa kubekho nayiphi into engenye equlathwe nakuwuphi umthetho obhekisele kwiiNkundla zeNqila.] uMantyi uya kuthi abe nolawulo ekusebenzeni kolawulo lebhunga, enze nawuphi umyalelo wokulawula oqulathwe ngulo mthetho okanye naluphi uqwalaselo, ukungavunywa okanye imiqathango ethi inikwe okanye isetyenziswe kulo mthetho.

Ukwenziwa kwezilungiso ngokufakela kwecandelo Q elitsha. IZIKHOKELO nokutshintshwa kweenombolo kwinxalenye elandelayo yoMthetho weSixeko saseKapa : weNtengiso zaNgaphandle neMiqondiso, 2001, ngolu hlobo lulandelayo;

Q. IZIKHOKELO

82. ISixeko sinokumana sikhupha iManyuwali yoLawulo lweNtengiso eziba Phandle enika izikhokelo kuMthetho kaMasipala.

R. UKUTSHINTSHWA KWALO MTHETHO

83. [82] Lo mthetho utshintsha lee mithetho ilandelayo:

IBy-Law yeBhunga yeDolophu yaseKapa ebhekisele kwintengiso, ibillposting, iimpawu njalo-njalo kunye nokususwa ebumeni bomphambili okanye imiphambili yezitalato njalonjalo, engunombolo 1959 ka1966 kunye nazo zonke izilungiso ezikuyo; IBy-Law yeBhunga yeDolophu yaseKapa yentengiso yangaphandle, engu By—Law nombolo PN 151 ka 2000 PN 295 ka1958 Standard Regulations ebhekisele kwintengiso yeempawu kunye nokususwa ebumeni bomphambili kunye neemiphambili yezitalato PN 593 ka1958 Standard Regulations ezibhekisele kwintengiso yeempawu kunye nokususwa ebumeni bomphambili kunye neemiphambili yezitalato

IBy-Law yebhunga ledolophu yaseParow PN 4258 ye 17 Matshi ka1983: Iimpawu zentengiso kunye nokususwa esimeni komphambili okanye imiphambili yezitalato

84. [83] Nayiphi into eyenziwe phantsi okanye ngokuqulathwe lutshintsho lwalo mthetho kuya kucingelwa ukuba yenziwe phantsi kokuqulathwe kokufanayo kulo mthetho yaye olo tshintsho aluyi kuchaphazela ubunyani bayo nayiphi into ephantsi kotshintsho lwalo mthetho.

85. [84] Nayiphi into eyenziwe phambi kokushicilelwa kwalo mthetho, engenziwanga ngaphantsi kokuqulathwe lutshintsho lwalo mthetho yaye engekho mthethweni, iya kuthi ukuba ngaba lo nto okanye uphawu olo lusahleli lungangqinelani nokuqulathwe kulo mthetho, aluyi kubasemthethweni.

Ukwenziwa kweZilungiso kwicandelo R. UKHUSELEKO kuMthetho weSixeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo nolu cimo lulandelayo;

S. [R] UKHUSELEKO

86. [85] Nasiphi isicelo sokuboniswa sayo nayiphi intengiso okanye ulwakhiwo lwayo nayiphi indawo yokuthengisa ngenjongo zokuthengisa, enikezelwe kwibhunga ledolophu phambi kopoposho kwalo mthetho kunye malunga nesigqibo esingekenziwa libhunga ledolophu phambi kokusekwa kwalo mthetho, siya kuthi sibonelelwe phantsi kwalo mthetho obandakanyekayo koko.

Ukwenziwa kweZilungiso ku-SHEDYULI 2 IBHILIBHODI kuMthetho wesiXeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo lulandelayo;

4. Kuba nobude obuncinane obuphelele kwi-2,4 m kunye nesakhiwo sophawu olungekho ngaphezulu kobude obungaphezulu kwe-7,5 m obungaphezulu komgangatho wendalo womhlaba, ingabikho ngaphezu kwe- 9m ngaphezu komgangatho womhlaba kwiBhilibhodi eyenziwe okwepotreyithi.

Ukwenziwa kweZilungiso kuSHEDYULI 3 IIMPAWU EZIZIMELEYO EZIGXUNYEKWAYO NEZIHLONYELWEYO woMthetho wesiXeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo lulandelayo;

Kuxhomekeke kuqwalaselo ngokwalo mthetho ulwakhiwo kunye/okanye ukuboniswa kweempawu ezizimeleyo ezigxunyekwayo neeMpawu eziHlonyelweyo zivumelekile kuphela kwiindawo zedolophu ezinolawulo oluphezulu, oluphakathi kunye noluncinane. yaye kuvumelekile ukuba zimiswe kunye/ okanye ziboniswe kwiindawo ezineefama nakwizibonelelo zolondolozo-ndalo kwimimandla yeNdalo neseMaphandleni enoLawulo oluPhezulu. Ukongezelela:

1. Iimpawu ezizimeleyo ezigxunyekwayo neeMpawu eziHlonyelweyo ziya kuvumeleka kuphela kwezi zihlandlo zilandelayo:

1.1 Apho iindawo zoshishino zibuyele umva nge-15 m okanye ngaphezulu kwebhawundri yendlela engumbeko; okanye

1.2 Apho kungenakho ukugxumeka uphawu olufanelekileyo kwisakhiwo; okanye

1.3 Apho uphawu lufuneka khona ukubonisa uwonke-wonke apho isango lokungena lendawo zoshishino lingakhona, izakhiwo zefama okanye kwizakhiwo zezibonelelo zolondolozo-ndalo; okanye

1.4 Apho ubukho bophawu oluzimeleyo ngokujongeneyo luthintele I—proliferation yeempawu.

1.5 Kwimeko yeempawu ezisezifama nakwizibonelelo zolondolozo-ndalo :

(i) Amasango, izakhelo zeeheke, okanye amadonga emida anokunikwa ingqwalasela xa kuxhonywa iibhena okanye iiflegi okanye kungafakelwa iiphaneli zeempawu okanye zipeyintwe ukuze zisetyenziswe ukuba kuxhonywe kuzo;

(ii) Oozenzele beempawu njengezo zikwiibhareli zewayini nezixhobo zasefama ziya kuvunyelwa.

2. Iimpawu ezizimeleyo kunye nezihlonyelweyo aziyi kuba ngaphezu kwe-7,5 m² ubude yaye ngaphezu koko aziyi kuba ngaphezu kwe-4,5 m² ummandla ogcweleyo. Oku kuqulathe kulo mhlathi kunokujikwa ukuya kubude obungaphezu kwe-10m kunye nobungaphezulu kwe 15 m² wommandla ogcweleyo, uthabathela ingqalelo lemicamango ilandelayo:

2.1 Ukuba ngaba ulwandiso lunciphisa inani lee mpawu ezizodwa ezijonge nasiphi isitalato sebhawundri yebala, zinciphisa uqondo lomboniso kubume bendawo eyingqongileyo;

2.2 Ukuba ngaba zingaphezu kwesibini iindlela ezinentsingiselo ezijonge ibala elo;

2.3 Inani lamashishini, iifama nezibonelelo zendalo eliza kuthengisa elo phawu;

2.4 Inani lweendlela eziphambukayo neziphumelayo kwibala elo;

2.5 Izoning ebandakanyekayo kwindawo engqonge uphawu olo. Indawo engqongileyo yokuhlala ayinakho ukuthwala ubukhulu obufanayo bophawu njengendawo engqongileyo yezoqoqosho okanye yezoshishino.

Ukwenziwa kweZilungiso kuSHEDYULI 4 IIMPAWU EZIBOTSHELELWE ELUDONGWENI LWEZAKHIWO EZIMCABA KUNYE NEZIVELAYO: 3kuMthetho wesiXeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo lulandelayo;

IIMPAWU EZIBOTSHELELWE ELUDONGWENI LWEZAKHIWO NEZIKWIFENITSHALA ESESITRATWENI: EZIMCABA KUNYE NEZIVELAYO

8. Iimpawu eziMcaba neZivelayo ziya kuvunyelwa kwiFenitshala eseSitratweni. Kwiimpawu ezikwiFenitshala eseSitratweni. Kwiimpawu ezikwiFenitshala eseSitratweni iimfuno ezikule shedyuli azisayi kunyanzeliswa, into eya kufuneka kukuba nje iimpawu ezo zidizayinwe ngendlela eya kwenza ukuba zibe yinxalenye yeDizayini yaloo Fenitshala iSesitratweni.

Ukwenziwa kweZilungiso ku-SHEDYULI 7 IIMPAWU EZIKWIVERANDA, EBHALKHONI, KWIKHENOPHI, KWIKHOLAM EXHASAYO, KWIINTSIKA NAKWIIPALI kuMthetho wesiXeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo lulandelayo;

4. Ezo mpawu zixhonywe ngaphantsi kwephahla lweveranda, ikhenopi, okanye umgangatho webalkoni awuyi kuba ngaphezu kwe-1,8 m ubude okanye ama-600 mm ukuphakama. Lonke olo phawu luya kuba kwigophe elimelene okanye elingasekunene komgca wesakhiwo. Akukho phawu luxhonywe phantsi kwekhenopi oluya kwanda ngaphaya kwencamu engaphezulu yekhenopi okanye iveranda apho lugxunyekwe khona yaye kufuneka lube nobude obucacileyo obuyi- 2.4m..

5. Ezo mpawu ezikwiphahla leveranda, ikhenopi okanye ibalkoni, ngaphandle kophahla olungundoqo lwesakhiwo, luya kuba nomgca omnye ozimeleyo, ngokunokukodwa, usikiwe ngamanani e-silhouette ngaphandle kwe-bracing ebonakalayo okanye ezinye iindlela ezibonakalayo zokuxhasa yaye azinakwakhiwa ecaleni kwencamu ezingaphezu kwesibini zophahla lweveranda okanye ibalkoni yaye azinakuba ngaphezu kwe-1m ubude.

Ukwenziwa kweZilungiso kuSHEDYULI 11 IMIFANEKISO kuMthetho wesiXeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo lulandelayo;

1. Yonke imifanekiso kufuneka inikezelwe kwibhunga ledolophu ukwenzela ukuba ifakwe isitikha sepemethi eyamkelweyo esinesitampu sesiXeko esinomhla ekunokuxhonywa ngawo umfanekiso nomhla apho umfanekiso lowo uyakuthi ususwe kwipali. Isitikha sepemethi eyamkelweyo esinesitampu kufuneka siboniswe ngokucacileyo ngaphambili kwimifanekiso. Imifanekiso kufuneka isuswe ngomhla okanye phambi komhla wokugqibela obhalwe kwisitampu esibekiweyo kwimifanekiso yaye kufuneka zibuyiselwe kwibhunga ledolophu ngaphakathi kweentsuku ezi-4 zowona mhla wokugqibela okwistampu esibekiweyo kwimifanekiso, ukwenzela ukuba kufumaneka idipozithi.

2. Igama lombutho lowo ongumququzeli, umhla wombhiyozo kunye nendawo kufuneka ubonakale kwimifanekiso ngamagama angekho ngaphantsi kwe-50 mm ubude.

3. Akukho ngaphezulu kwesongezelelo se-2 000 yemifanekiso ngombhiyozo ngamnye okanye iqumrhu lemibhiyozo okanye amaphulo aqhubekayo, okanye isiganeko nangaliphi ixesha elinye

esiya kuthi siboniswe (ngaphandle kwemifanekiso yolonyulo) nakweyiphi indawo esekiweyo libhunga ledolophu.

9. Akukho mfanekiso unokuboniswa ngaphakathi kwe-30 m yalo naluphi na uphawu lwezithuthi zendlela okanye imiqondiso yezithuthi, ngaphandle kokuba loo mgama uye wamkelwa ukuba ungasetyenziswa, okanye ungasetyenziswa phantsi kwemiqathango ethile, kummandla okhethiweyo ngokweCandelo D. 11 lomthetho kamasipala.

Ukwenziwa kweZilungiso ku-SHEDYULI 12 IIMPAWU ZOMENZELI WEZINDLU kuMthetho wesiXeko saseKapa: weNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo nolu cimo lulandelayo;

[Kuxhomekeke ngokwalo mthetho, ulwakhiwo kunye/okanye ukuboniswa kweempawu umenzeli wezindlu kuvumelekile kuzo zonke iindawo ngaphandle kweendawo zoqondo oluphezulu lwendalo.] Ngokuxhomekeke ekuphunyezweni kwalo Mthetho kaMasipala, ulwakhiwo kunye/ okanye ukuboniswa kwezalathiso zequmrhu ezingobhengezo lwepropati, kuquka izalathiso zomthengisi, luvumelekile kuzo zonke iindawo ngaphandle kweendawo zendalo zolawulo olupheleleyo. Ukongezelela:

4. Kuphawu ngalunye, **[igama elithi "on show" "Showhouse, Showflat or Showplot" enegama loMthengisi-ndlu nezikhombisi kufuneka konke oko kubhalwe kubonakaliswe. (uphawu lokukhombisa).]** kwibhodi yophawu ngalunye lokukhombisa, kufuneka kuboniswe ezi nkukacha zilandelayo:

(i) uqobelo lwepemethi;

(ii) igama lomthengisi-propati, igama likanofandesi negama lenkampani ethengisa ipropati leyo;

(iii) inombolo yefowuni yomthengisi-ndlu okanye iinkukacha zoqhagamshelwano; kunye

(iv) nophawu olukhombayo.

5. Apho kungekho khona iipali zogesi zebhunga, iimpawu zinokuthi zibonise kwiziteki kusetyenziswe indlela evunyiweyo lebhunga ledolophu. Iimpawu ze-arente zezindlu aziyikuboniswa kwinkonrithi, i-premix okanye indawo ephantsi yesamente. Akuvumelekanga ukuba iziteki zingene ndzulu emhlabeni malunga ne-15 cm.

6. Iimpawu zomenzeli wezindlu aziyi kudlula ku-0,3 m² kummandla ogcweleyo.

7. Akusayi kukhutshwa ngaphezu kwesithandathu sezikha zeepemethi zokukhomba zomenzeleli wezindlu okanye ezonoofandesi yaye akusayi kuvunyelwa ngaphezu kwebhodi ezintandathu zeempawu zokukhomba [iimpawu] [okanye kwibhloko yeeflethi eboniwayo] kwipropati ethengiswayo, kubandakanywa izindlu, iiploti neeflethi eziboniswayo eziyakuba ngaphezu kwesithandathu ziyakuvumeleka ngendlu nganye yokubonisa. Isiza sokubonisa okanye ulude lweflati apho iflato yokubonisa iboniswe khona. Ukuchaza kophawu olunye luyakubandakanya ukuboniswa kwebhodi zeempawu ezibini kuphela, xa ezobhodi zidibenene ngomva ngokujikelezayo kunye nepali yombane.

18. Isicelo semvume sequmrhu le-arhente yezindlu ngalinye okanye unofandesi minyaka le kufuneka senziwe sokubonisa iimpawu zomenzeleli wezindlu kunye noqwalaselo luya kuthi lwenziwe xa kuhlawulwe intlawulo yonyaka njengoko kubhaliwe kwiSheduli yebhunga ledolophu yoluhlu lwamaxabiso kunye neentlawulo epapashwe ngokokuhamba kwamaxesha.

19. [I-arhente nganye iya kuhlawula idiphozithi ekuya kuthathwa kuyo imali yokususa naluphi na uphawu olunxamnye nalo Mthetho kaMasipala. Ukuba ikhe yaphela le diphozithi, imvume yokubonisa olu phawu iya kurhoxiswa de kuhlawulwe enye idiphozithi kuMasipala.] Ulwamkelo luya kuxhomekeka ekuhlawulweni komrhumo wonyaka kunye nomrhumo wepemethi, ngokuhambelana neshedyuli yesiXeko yemirhumo emane ipapashwa, ukuba ngaba:

(i) umthengisi-zindlu nabantu abarentisa ngezindlu; ii-arhente eziphetheyo, kunye nabo bonke abathengisi-zindlu bangabhalisa, ukanti nawuphi na umsebenzi osebenzela abantu abathengisa izindlu, ii-arhente ezithengisayo, okanye abantu abagcina izindlu bona abanakubhalisa;

(ii) oonofandesi ababhaliswe ngokusemthethweni abangamalungu eziko elibhaliswe ngokusemthethweni loonofandesi bangabhalisa, ukanti nayiphi na inkampani yoonofandesi, abajongi-xabiso, okanye abantu abajonge izindlu bona abanakubhalisa.

Ukwenziwa kweZilungiso ku-SHEDYULI 16 IIMPAWU EZI KUMHLABA WEBHUNGA/NEZAKHIWO kuMthetho wesiXeko saseKapa : weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo nolu cimo lulandelayo;

Ngaphandle kokudweliswe ngezantsi apha, akukho zimpawu ngaphandle kwezibekiweyo endaweni, iimpawu zexeshana eziquka uphawu oluphathekayo olukhululekileyo, iimpawu ze-zomenzeleli wezindlu, imifanekiso yomhlathi oyintloko wephepha-ndaba kunye nemifanekiso **[(ulwaxhiwo lwazo kufuneka lungqinelane neeshedyuli ezilungele okungqinelana noko)]** ziya kwakhiwa kumhlaba webhunga. Umiso lweempawu luya kuxhomekeka kulwamkelo kulandelwa lo Mthetho kaMasipala, kunye nokuthotyelwa kwayo nayiphi na iShedyuli neminye imigaqo esebenza kuphawu olo lufakelwe isicelo.

Ukwenziwa kweZilungiso kuSHEDYULI 17 IIMPAWU EZIXHONYELWE IMIBUTHO ENGENZI NZUZO kuMthetho wesiXeko saseKapa: weeNtengiso zaNgaphandle neMiqondiso, 2001, ngolu fakelo nolu cimo lulandelayo;

2. Ukongezelela, kwimiqathango ebekwe kwiShedyuli echaphazela olo phawu lufakelwe isicelo, le miqathango ilandelayo iyakusebenza:

2.1 Iimpawu ezithetha ngemiba yepolitiki azivumelekanga.

[2.2 Ubukhulu bolo phawu kufuneka bube yi-6 m x 3 m ngaphandle kwaxa iluphawu olunesheyiphu enguV, ubukhulu bolo phawu abusayi kuba ngaphezulu kweephaneli ezimbini ezi-6 m x 3 m inye.

2.3 Izicelo zeebhilimbhodi ezifakelwa kulandelwa eli candelo kufuneka zithobele iimfuno ezichazwe kwiShedyuli 2.]

2.2 [2.4] Akukho phawu lwakhiwe ngokwalo mhlathi liya kuba ngaphakathi miqathangwe-5m yemigca yomda wesakhiwo.

2.3 [2.5] Igama lequmrhu elingenzi ndzuzo, kufuneka liboniswe ngokucacileyo ecaleni kumphezulu wobubanzi bephawu ngamagama obude obungaphezulu obuyi 300 mm.

2.4 [2.6] Indibano kawonke-wonke kufuneka iqhubeke kunye nabo bonke abantu ababandakanyekayo lulwakhiwo kunye/okanye ukuboniswa kophawu.

2.5 [2.7] Ibhunga ledolophu linokufuna unikezelo lovavanyo lobume bendawo kunye/okanye uvavanyo lobume bezithuthi kunye/okanye uvavanyo lweqondo lweheritage malunga nokuqulathwe kwimiqathango yalo.

[2.8 Akusayi kuvunyelwa ngaphezulu kweempawu ezimbini ezi- 6 m x 3 m, okanye uphawu olunye olunesheyiphu engu-V okanye kufuneka lube neephaneli ezimbini ezi-6 m x 3 m inye kuyo nayiphi na ipropati. Ngaphezu koko, lunye kuphela uphawu oluya kuvumela kumphambili wesitrato.]

2.9 KwiiBhilimbhodi:

(i) Ubukhulu bolo phawu kufuneka bube yi-6 m x 3 m ngaphandle kwaxa iluphawu olunesheyiphu enguV, ubukhulu bolo phawu abusayi kuba ngaphezulu kweephaneli ezimbini ezi-6 m x 3 m inye.

(ii) Akusayi kuvunyelwa ngaphezulu kweempawu ezimbini ezi- 6m x 3m, okanye uphawu olunye olunesheyiphu enguV okanye kufuneka lube neephaneli ezimbini ezi-6 m x 3 m inye kuyo nayiphi na ipropati. Ngaphezu koko, lunye kuphela uphawu oluya kuvumela kumphambili wesitrato.