

Municipal Town Council of Curepipe (Advertisement) Regulations 2015

GN No. 70 of 2015

THE LOCAL GOVERNMENT ACT

Regulations made by the Municipal Town Council of Curepipe under section 122 (1) of the Local Government Act

1. These regulations may be cited as the **Municipal Town Council of Curepipe (Advertisement) Regulations 2015**.

2. In these regulations:—

“Act” means the Local Government Act;

“advertisement” —

(a) means any word, letter, model, design, ensign, placard, board, poster, banner, notice, indicative panels, flags, vehicles publicity, device or representation, whether illuminated or not, in the nature of and employed for the purpose of advertisement, announcement or information; and

(b) includes any structure or apparatus erected, used or adapted or intended for the display of advertisement;

“advertiser” means any person on whose behalf an advertisement is displayed or any person having control of the business premises on which advertisement is displayed;

“business premises” —

(a) means any building normally used for the carrying on of any commercial, residential, industrial or professional activity, or normally used for the provision of such services to members of the public; and

- (b) includes —
 - (i) public restaurants, stadium, licensed premises and places of public entertainment;
 - (ii) land on which advertisement is displayed; but
- (c) does not include premises used for activities specified in the Eleventh Schedule to the Local Government Act;

“Council” means the Municipal Town Council of Curepipe;

“fees” —

- (a) means the fees charged under paragraph 4 (2); and
- (b) includes any surcharge;

“yearly fees” means the period of 12 months ending 31 December in any year.

3. (1) Any person who wishes to display advertisement shall make application to the Council for a permit and/or authorisation.

(2) An application under paragraph (1) shall —

- (a) be made on the prescribed form; and
- (b) include such particulars as the Council may require;

(3) The Council may request an applicant to produce to an officer of the Council -

- (a) such additional information as it may determine to enable it determine the matter;
or
- (b) such evidence as it may determine fit to verify any particulars of information given to it.

(4) On receipt of an application under paragraph (1), the Council may grant a permit subject to such conditions as it may determine and for –

- (a) regulating the display of advertisements to which the permit relates, or the use of

land by the applicant for the display of advertisements, whether or not it is land in respect of which the application is made or requiring the carrying out of works on any such land, so far as appears to the Council to be expedient for the purpose of, or in connection with, the display of advertisements authorised in the permit; or

- (b) requiring the removal of any advertisement authorised by the permit or the discontinuance of any use of land so authorised, at the expiration of a specified period, and the carrying out of any works required for the reinstatement of land at the expiration of that period.

4. (1) All advertisers shall submit to the Council quarterly an up to date list of all advertisements, specifying their types, sizes and locations.

(2) The Council shall levy yearly fees for all advertisements displayed on any business premises and publicity fees as specified in the Schedule.

(3) Where the advertiser fails to pay the advertising fee on the last day on which it is payable, he shall be liable to pay surcharge of 50 per cent.

5. (1) Any advertisement displayed, and any structure, hoarding or apparatus or any sign, placard, board or device erected or used for the display of advertisements, shall be maintained in a clean, tidy and safe condition.

(2) Any advertisement which does not comply with the conditions specified in paragraph (1) shall, at the request of the Council, be immediately cleaned, repaired or removed by the advertiser.

(3) (a) The Council may serve a notice on any advertiser requiring the discontinuance of the display of any advertisement, if it thinks fit to do so in the interests of the public safety or public order or of the environment and the advertiser shall forthwith comply with the notice.

(b) Where an advertiser fails to comply with a notice served under subparagraph 3(a), the Council shall cause the advertisement to be removed at the advertiser's expense.

Where an advertiser removes an advertising structure he shall, within 15 days, give written notice thereof to the Chief Executive.

6. No person shall —

- (a) affix an advertisement to the ground of, or display an advertisement across, any street, road or pavement without the written permission of the Council;
- (b) display an advertisement within the precincts of any public garden, square or pleasure promenade or on any telephone or electrical post or on any tree;
- (c) display posters on any structure other than authorised poster panes within the township of Curepipe.

7. Any person who contravenes these regulations shall commit an offence and shall, on conviction, be liable to a fine not exceeding 25,000 rupees.

SCHEDULE

[regulation 4(2)]

Advertisement and Publicity Fee

	(Rs)
1. Display of an advertisement on a flag (per flag)	1,000
2. Display of an advertisement on a vehicle (per vehicle per advertisement)	500
3. Display of an advertisement on wooden board, wall, building, tin or any other material or under glass	

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|-----------|---|-----|
| (a) | of not more than 3 m ² (per 0.1 m ²) | 500 |
| (b) | of more than 3 m ² (per additional 0.1 m ² or fraction thereof) | 50 |
| 4. | Fixing of Poster~ per copy of a size of - | |
| (a) | one not more than m ² | 10 |
| (b) | one more than m ² | 100 |

The Curepipe Advertisement Regulations 1993 are revoked.

Made by the Municipal Town Council of Curepipe on 21 November 2014.