

Ashaiman Municipal Assembly (Billboards or Sign-Boards and Advertising) Bye-laws, 2017.

In exercise of the powers conferred on the Ashaiman Municipal Assembly by section 181 subsection 1 of the Local Governance Act, 2016 (Act 936) this Bye-law is hereby made.

License

1. (a) A person shall not erect, site or hang a billboard or sign-board or paint a building or any open space for purposes of advertising within the area of authority of the ASHMA unless the person first obtains a license from the ASHMA for that purpose.
(b) The prospective applicant must first present an application to the ASHMA spelling out the kind of billboard, signboard or the advert to be placed out. The application shall contain a sketch showing the sizes, heights and structural character of the advert.
(c) The ASHMA shall vet the application by considering among others the location, size and its propriety before issuing a license, after the payment of the appropriate fees fixed by a resolution of the ASHMA.
(d) A license issued under this Bye-law shall expire on the 31st day of December of the year in which it was granted; but in the case of a banner or a sign-board for an occasion, the license shall expire after the period specified.
(e) The licensee shall display the number allotted by the ASHMA on the advert. If the licensee fails to display the number allotted, the ASHMA shall notify the licensee to display the number within three days. If this is not done, the advert shall be removed without any further notice to the licensee who placed it out and the cost of removal shall be surcharged on the owner.

Dilapidated billboards and sign-boards

2. (a) Bill-boards, sign-boards or any advert that have become dilapidated or expired with time shall either be replaced or removed by the owners thereof.
(b) Where the owners of dilapidated or expired bill, sign-boards or advert take no steps to either replace or remove them, the ASHMA may on its own order its removal and thereafter impose a penalty on the defaulting owners.

Designated Locations

3. (a) The ASHMA reserves the right to determine the specific location or area suitable for the erection of one or more reflector directional sign-boards.
(b) To avoid a cluster of directional sign-boards in an area, the ASHMA may make provision for one general directional sign-board to accommodate the lot.
(c) In such a situation, the ASHMA shall approve of a recognized individual or company with the requisite know-how after a public invitation to express interest to undertake the provision of the general reflector sign-board based upon a dimension approved by the Municipal Roads Department in conjunction with the relevant Departments of ASHMA.
(d) A prospective advertiser shall not choose a site for the erection of a bill or sign-board unless it has been inspected and approved by the Department of Physical Planning of the ASHMA.

(e) The ASHMA shall at a fee to be determined by the resolution, provide spaces within the Municipality for posters.

(f) A poster pasted at an unauthorized location shall attract a spot fine of 50 penalty units and the owner of the poster made to remove same failure of which shall he/she shall be liable for criminal prosecution.

Erection of boards without authority

4. Where a bill or sign-board is erected without a license from the ASHMA, it shall levy the owner as follows-
 - a. The payment of the approved fees and a penalty of 50% of the fees payable shall be imposed on the owner thereof, if in the opinion of the ASHMA the bill or sign-board is suitably located. The owner of such a sign shall regularize his application to the ASHMA within *seven days* of the owner being notified in writing.
 - b. The bill or sign-board shall be removed without notice if in the opinion of the ASHMA, it is wrongly located and surcharge the owner with the cost.
 - c. For the purpose of this Bye-law, a house or any open space painted with any product shall constitute an advertisement and the provisions of this Bye-law shall apply to same.

Offences and Penalty

5. Any person who contravenes any provision of this Bye-law commits an offence and shall on conviction by a court, be liable to a fine of between 100-250 penalty units or to a term of imprisonment not exceeding 12 months.

Prohibition

6. An advert shall not be erected on any electricity pole. Any advert placed on an electrical pole, shall be removed and the owner surcharged with the cost of removing the advert.

Enforcement and Monitoring

7. (a) The Department of Physical Planning and the Municipal guards shall ensure the compliance and enforcement of the provisions of this Bye-law.
(b) For purposes of the immediately preceding paragraph, the enforcement team has power to remove any signboard or billboard wrongly located.

Title

8. This Bye-law may be cited as Ashaiman Municipal Assembly (Billboards and Sign-Boards) Bye Law, 2017.

Interpretation

9. In this Bye- unless the context requires;

“a bill, sign-board” or ‘an advert’ includes a banner or placard made from cloth, wood or metal for occasions like funeral, procession, religious or secular activity or a house or store or an open space painted for promoting a product and includes a poster;

“a bill or sign-board is dilapidated” - if the message contained thereon has expired or has become obliterated or it has fallen into a state of disrepair with parts falling into pieces.

“ASHMA” means Ashaiman Municipal Assembly..

Application

9. This Bye-law shall apply within the area of authority of the ASHMA.

Made at a meeting of the Ashaiman Municipal Assembly held on the.....

SIGNED

SIGNED

Presiding Member

Municipal Co-ordinating Director

Ashaiman Municipal Assembly

and Secretary of ASHMA

Approved by the Regional Co-ordinating Council, Greater Accra on behalf of the Ministry of Local Government and Rural Development.

Regional Minister

**Regional Coordinating
Director**