

LOCAL GOVERNMENT ORDINANCE 1961

(No. 11 of 1961)

TAWAU MUNICIPAL COUNCIL
(ADVERTISEMENTS) BY-LAWS 1967
(G.N.L 4 of 1968)

ARRANGEMENT OF BY-LAWS

By-law

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In exercise of the powers conferred upon it by section 50 of the Local Government Ordinance 1961, the Tawau Town Board has made the following by-laws:

Title and commencement.

1. These by-laws may be cited as the Tawau Municipal Council (Advertisements) By-laws 1967 and shall come into operation on the 1st day of March 1968.

Licence for display of advertisements.

2. No person shall display, cause or permit to be displayed any advertisement or advertising devices in or in the view of any street or public thoroughfare except in accordance with a licence of the Council.

Application for licence.

3. An application for a licence shall be in writing and shall specify the advertisement or advertising device and the premises on which the applicant proposes to advertise.

Grant of licence.

4. The Council may, in its absolute discretion, grant or refuse a licence, or grant a licence subject to such conditions as it thinks fit, and waive licence fees.

Licensing fees.

5. The fees as set out in the First Schedule to these By-laws shall be payable in respect of advertisements or advertising devices licensed under these By-laws.

Inspection fees.

6. (1) The fees set out in the Second Schedule to these By-laws shall be payable in respect of the inspection of structural or electrical installations of advertisements or advertising devices licensed or to be licensed under these By-laws.

(2) Every inspection shall be carried out by a person authorised by the Council.

Cancellation of licence or removal of advertisements.

7. The Council may at any time in the interest of amenities and public safety cancel a licence or require the advertisement or advertising device to be removed, and the licensee, or occupier of the premises, upon being required to do so shall forthwith remove the advertisement or advertising device.

Exemption.

8. Nothing in these By-laws shall apply to the following advertisements or advertising devices -

- (a) public notices issued by the Government or by the Council;
- (b) signs on business premises or shops indicating the name of the proprietor firm or company and the nature of the business or trade carried on therein;
- (c) posters on the premises of cinemas indicating the shows being or to be performed therein;
- (d) notices not larger than thirteen inches by eight inches notifying sports meeting or functions in aid of or arranged by charitable institutions;
- (e) advertising material within business premises or shops:

Provided that the Council may at any time require that any such advertisement or advertising device be removed, and the owner or occupier of the premises on which the advertisement or advertising device is displayed shall forthwith remove the advertisement or advertising device.

Penalty.

9. Any person who contravenes any of the provisions of these By-laws shall be guilty of an offence and shall be liable to a fine of five hundred ringgit.

FIRST SCHEDULE
LICENSING FEES
(By-law 5)

- (a) Permanent Signs: RM5.00 per square foot or part thereof per annum. For assessing the area of cut out signs the fee will be based on the product of their outside measurements subject to -
 - (i) percentage reductions up to fifty per cent based on approximately how much of the area is in use; and
 - (ii) a minimum charge of RM5.00 per annum.
- (b) Temporary Signs: (e.g. intended for a period not exceeding four weeks) (except any notices issued by anyone for which he can charge under the Auctioneers Ordinance) fifty sen per square yard or part thereof per week, or part thereof. This includes regularly used hoardings for cinema advertising, on public land.
- (c) Illuminated Signs: any sign illuminated electrically will be charged an additional twenty-five per cent of the basic fee.
- (d) Three-Dimensional Signs: additional fee of twenty-five per cent of the basic fee as calculated in para (a).
- (e) Licences: licences will expire annually on the 31st December, reduction in fees to the *pro rata* per quarter.

SECOND SCHEDULE
INSPECTION FEES
(By-law 6)

- (a) Basic Fee: RM5.00 per square yard of the advertisement or part thereof. (For assessing the area of cut out signs the fee will be based on the product of the outside measurements subject to percentage reductions up to fifty per cent based on approximately how much of the area is in use).
- (b) Illuminated Signs: any sign illuminated electrically will be charged an additional fifty per cent of the inspection basic fee.
- (c) Three-Dimensional Signs: additional fee of twenty-five per cent of the basic inspection fee as calculated in paragraph (a) will be charged.