
**FREEPORT (CONTROL OF ADVERTISEMENTS)
BYE-LAWS**

(SECTION 12)

S.I. 52/1967

[Commencement 28th September, 1967]

1. These Bye-laws may be cited as the Freeport (Control of Advertisements) Bye-laws. Title.
2. In these Bye-laws, unless the context otherwise requires — Interpretation.
 - “advertisement” means any writing, model, sign, placard, notice, device or representation, whether illuminated or not, in the nature of and employed, wholly or in part for the purpose of advertisement, announcement or direction and includes any hoarding or similar structure for the display of advertisements;
 - “advertisements permit” means a permit issued under the provisions of bye-law 7 hereof;
 - “building” includes any structure or erection and any part thereof;
 - “illuminated advertisement” means any advertisement which is designed or adapted to be illuminated by artificial lighting directly or by reflection and which is so illuminated for purposes of the advertisement;
 - “permissible advertising material” means material for the purposes of advertisement which is restricted to the name of the advertiser and a description of the trade, profession or business and the place or places where it is carried on set out in neat and tasteful lettering without general promotional advertising.
3. These Bye-laws shall apply to the display of all advertisements attached to land, buildings, walls, trees, vehicles registered in The Bahamas or on water or in the air within the Port Area which are visible from any road or open space to which the public have access for the time being. Extent and application.

Advertisements
for which no
permit is
required.

4. (1) It shall not be necessary to obtain the prior approval of the Port Authority for the display of any advertisement which —

- (a) is required or authorised by law;
- (b) is displayed by or on the authority of the Government of The Bahamas or by the Port Authority;
- (c) relates to a parliamentary election in respect of which a writ of election has been issued;
- (d) relates to any person, partnership or company separately carrying on a profession, business or trade at the premises where such advertisement is displayed if it conforms with the standard pattern for retail and office premises which has been approved by the Port Authority and is available for inspection free of charge at the Port Authority's office.
- (e) relates to any event or other matter of a purely temporary nature in connection with an activity promoted for noncommercial purposes by or on behalf of any local organisation of religious, educational, cultural, social or recreational character and which is limited to a display of advertisements occupying an area not exceeding a total of six square feet on any premises;
- (f) is posted or is otherwise affixed upon any billboard, hoarding or other similar structure approved in pursuance of the other provisions of these Bye-laws by the Port Authority for the purpose of displaying advertisements;
- (g) is displayed on a vehicle and is restricted to permissible advertising material.

(2) Where any advertisement to which this bye-law relates is so designed or adapted to be an illuminated advertisement the same shall be subject to the provisions of bye-law 9 relating to the illumination of advertisements.

Advertisements
for which the
approval of the
Port Authority is
required.

5. Subject to the exceptions mentioned in bye-law 4(1) hereof, no advertisement to which these Bye-laws apply shall be displayed within the Port Area without the prior approval of the Port Authority granted in accordance with these Bye-laws.

6. Any person who wishes to obtain the approval of the Port Authority under the provisions of bye-law 5 hereof shall make application in writing to the Authority stating the proposed size, number, location, material and particulars of the construction of the advertisement for which approval is applied. Every such application shall be accompanied by two representations of the proposed advertisement drawn to a scale of not less than half an inch to one foot, and shall be designed by an expert signwriter or designer.

Application for advertisement permit.

7. Subject to the other provisions of these Bye-laws, the Port Authority shall within thirty days from the receipt of any application in writing containing the particulars prescribed by bye-law 6 hereof either issue to the person by whom or on whose behalf the application was made a permit authorising the display of the advertisement applied for subject to such conditions as may be stated therein, or, in case of the rejection of the application, give to such person written notice specifying the reason for refusal. In every case the Port Authority shall return one copy of the representation of the proposed advertisement to such person.

Grant of permit.

8. The Port Authority shall not grant an advertisement permit —

Limitation on grant of permits.

- (a) unless the Authority is satisfied that —
 - (i) the content, design and the manner of display of the proposed advertisement will not be prejudicial to the amenities of the Port Area having regard to the general characteristics of the locality in which the advertisement is to be displayed;
 - (ii) the method of construction and proposed location of the advertisement will not be prejudicial to public safety; and
 - (iii) the design of the advertisement and any supporting structure complies with the requirements of Chapter 27 of the Freeport Building Code in relation to loads and stresses and without being calculated on the basis of removal of panels during periods of high wind velocities;

- (b) for a period exceeding three years;
- (c) in respect of any roof advertisement;
- (d) in respect of an advertisement illuminated by neon, flashing or multi-coloured lighting;
- (e) for an advertisement so sited as to be likely to obscure or hinder the ready interpretation of any road traffic sign or aid to navigation by air or water;
- (f) for an advertisement which does not comply with the requirements or which contravenes any of the restrictions applicable to such advertisement set out in the Schedule to these Bye-laws.

Restriction on illuminated advertisements.

9. No advertisement displayed anywhere in the Port Area or in any manner other than within a building shall be illuminated without the approval of the Port Authority and such approval may be granted subject to such conditions and modifications as the Port Authority in its entire discretion may think fit.

Appeal.

10. Any applicant for the grant of a permit under bye-law 8 or for approval to illuminate an advertisement under bye-law 9 who is aggrieved by the decision of the Port Authority in respect thereto, may within thirty days of being notified of that decision lodge an appeal with the Minister who, after taking into consideration any written submissions of the parties, shall determine the matter.

Existing signs.

11. (1) Where any advertisement to which these Bye-laws apply is displayed within the Port Area on the date on which these Bye-laws come into operation, the following provisions of this Bye-law shall apply.

(2) Advertisements displayed with the previous permission in writing of the Port Authority may continue to be displayed in accordance with the terms and conditions of any such permission.

(3) Advertisements displayed without the previous permission in writing of the Port Authority may continue to be displayed for a period not exceeding three months from the date of coming into operation of these Bye-laws notwithstanding that under the provisions thereof an advertisement permit is required therefor.

(4) On the expiry of such period the display of any such advertisement as is mentioned in paragraph (3) of this Bye-law shall be unlawful but application to continue its display may be made under these Bye-laws and the provisions thereof shall apply thereto as if such application were for the display of a fresh advertisement.

12. Any person who contravenes or fails to comply with the provisions of these Bye-laws shall be guilty of an offence against the Act and shall be liable on summary conviction to a fine not exceeding one hundred and forty Bahamian dollars (B\$140.00) or imprisonment for a period not exceeding three months.

SCHEDULE (Bye-law 8(f))

Type of Advertisement	Requirements or Restrictions
I. Temporary advertisements on a building site or in or on a subdivision.	<ol style="list-style-type: none"> 1. Maximum area thirty-two (32) square feet 2. Shall be removed immediately after completion of the building or when the subdivision is, in the opinion of the Port Authority, substantially developed.
II. Temporary directional advertisements.	<ol style="list-style-type: none"> 1. Maximum area eight (8) square feet with a maximum dimension of five (5) feet. 2. Shall contain only permissible advertising material. 3. Shall be removed at forty-eight hours written notice from the Port Authority.
III. Projecting Advertisements	<ol style="list-style-type: none"> 1. Shall be properly secured to the wall and hung in such a manner as to prevent their being unsecured during periods of high wind velocities 2. Shall not project over any road or be nearer than three (3) feet to nearest edge of a road.

- IV. Freestanding Advertisements.
1. Maximum area of fifteen (15) square feet with a maximum dimension of seven (7) feet.
 3. Minimum height of seven (7) feet six (6) inches measured vertically above floor level.