

**LOCAL GOVERNMENT ORDINANCE 1961  
(No. 11 of 1961)**

**PENAMPANG DISTRICT COUNCIL  
(ADVERTISEMENTS) BY-LAWS 1978  
(G.N.L 40 of 1978)**

In exercise of the powers conferred upon it by section 50 of the Local Government Ordinance 1961, the Kota Kinabalu Rural District Council has made the following by-laws:

**Title and commencement.**

1. These by-laws may be cited as the Penampang District Council (Advertisements) By-laws 1978 and shall come into operation on the 1st day of October 1978.

**Licence for display of advertisements.**

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

**Advertising 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 as set out in the Second Schedule to these By-laws shall be payable in respect of the inspection of structural and 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 including sunblinds on business premises or shops indicating the name of the proprietor 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 meetings 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 or two weeks imprisonment in default of payment.

FIRST SCHEDULE

LICENSING FEES

(By-law 5)

- (a) Permanent Signs: RM6.00 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 RM6.00 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 be charged under the Auctioneers Ordinance) RM0.50 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 paragraph (a).
- (e) Licences: Licences will expire annually on the 31st December; reductions in fees may be *pro rata* per quarter.

## SECOND SCHEDULE

### INSPECTION FEES

(By-law 6)

- (a) Basic Fee: RM6.00 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 basic inspection fee.
- (c) Three Dimensional Signs: An additional fee of twenty-five per cent of the basic inspection fee as calculated in paragraph (a) will be charged.

Dated at Penampang this 13th day of June 1978.

FREDERICK TAN,  
*Chairman,*  
*Kota Kinabalu Rural District Council.*

I approve the foregoing By-laws.

Dated at Kota Kinabalu this 29th day of August 1978.

JOSEPH PAIRIN KITINGAN,  
*Minister of Local Government and Housing.*

Sabah LawNet