



CONTROL OF OUTDOOR ADVERTISING/BILLBOARDS

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CONTENTS

1. INTRODUCTION	1
2. OBJECTIVES	1
3. DEFINITIONS	1
4. SPECIFIC CONTROLS BY SIGN TYPE	3
4.1 Awnings/Canopy Signs	3
4.2 Banners	4
4.3 Big Screen Displays/ Digital Advertising Screens	4
4.4 Billboards/Monopoles	5
4.5 Bunting/Pennants	6
4.6 Bus Shelter	6
4.7 Fascia Signs (Attached)	7
4.8 Fascia Signs (Wall murals, wall wraps or wall painting)	7
4.9 Fence Signs (attached or painted)	8
4.10 Hamper Signs	9
4.11 High Rise building name signs	9
4.12 LED signs /Acrylic signboards	10
4.13 Light Poles (including pennants and JPS poles)	10
4.14 Projecting Signs	11
4.15 Pylon Sign (monolith sign)	11
4.16 Real Estate Signs	12
4.16 Roof Sign (freestanding or painted on)	13
4.17 Sky Sign	13
4.18 Tri Media Billboards	14
4.19 Window Signs	15
5. GENERAL PROVISIONS	15
6. GUIDELINES FOR ALL SIGNS	16
7. APPLICATIONS	18
8. CALCULATING FEES	19
9. ENFORCEMENT PROCEDEURES	22

1. INTRODUCTION

Kingston and St. Andrew has its own unique character along with the combined effect of both the natural and built environment. Outdoor advertisements are a significant element to the city's environment and it affects the city's natural beauty. Outdoor Advertising is the display of signs on a building or land that identifies a business, service or product. Business identification signs are measures of economic activity and prosperity and are considered vital to commercial custom and success. However too many signs can detract from the appearance of an area and be counter-productive to business.

Over the last few years new technology has changed the types of advertising making them more sophisticated and cheaper to produce thus making advertising more popular and a major feature of Kingston and St. Andrews built environment. While it is seen that advertising can contribute positively to a city's urban environment; poor quality and inappropriate advertising can also detract from the overall atmosphere.

This policy will be adapted by Kingston and St. Andrew Municipal Corporation (KSAMC) under the Town and Country Planning Regulation (1978), Advertisement Regulation Act (1978) and the Kingston and St Andrew Corporation Act (1944). The policy will act as a guideline for the control of outdoor advertisements and used in the Kingston and St. Andrew Corporations assessment criteria in order to protect the urban character, streetscape and natural environment of Kingston and St. Andrew.

2. THE OBJECTIVES

- To ensure safety of the public.
- To inform and enforce how the KSAMC will regulate signs in order to enforce the objectives of the Town & Country Planning (Control of Advertisements) Regulation of 1978.
- To facilitate advertisements while ensuring they are not hazardous to vehicular and pedestrian traffic through the use of regulations.
- To standardize the approval process for the erection of advertisements.
- Effectively monitor outdoor advertisements.

3. DEFINITIONS

3.1 Advertisement - includes any sky sign and notice, bill, placard, flyer, poster, notice or device, representation and other similar publication for the purpose of advertisement announcement or directions. This includes structures used for the display of advertisements.

3.2 Aerial sign/Inflatable sign - a device inflated that is free floating which is attached at a fixed point which includes blimps and balloons.

3.3 Commercial Activity - An activity for the purpose of gain of profit by an individual or company and includes but not limited to retail businesses, manufacturing businesses, professional or trade services, real estate selling or promotion, markets and roadside stalls.

3.4 Directional sign - A sign erected within the boundaries of a road reserve for the purpose of directing people to a property or location.

3.5 Event - An organized activity involving the gathering of people and the display of things. This includes and is not limited to sporting activities, races, demonstrations and community gatherings.

3.6 Government Controlled Land - Any land owned by the Jamaican Government, KSAMC, Commissioner of Lands and is included but not limited to roads, footpaths, easements, parks, reserve, beach or car park.

3.7 Hoarding- any structure used as an advertisement or for exhibiting any advertisement.

3.8 Residential Community - An area containing mainly homes instead of stores and businesses. Places where people live.

3.9 Sign- may refer to an advertisement, sky sign, notice, bill, placard, flyer, poster, notice or digital display device which includes the whole structure and frame.

3.10 Sign Site/ Site - The property or place where this sign is or will be located

3.11 Temporary Promotional Signs - Signs used to promote specific events erected along roadways and public places.

3.12 Real Estate Signs - These signs are generally erected for a limited time and provide direction to the land or property which is to be sold or leased.

4. SPECIFIC CONTROLS BY SIGN TYPE

4.1 Awning/Canopy Signs - A sign mounted on an awning cover or canopy. These may be sewn, printed, painted or attached.

- The sign must not extend beyond the face of the awning.
- Signs must be facing away from the shop front.
- Signs must be a minimum of 2.4 meters from the ground.
- When signs are in close proximity to a neighboring sign the awning sign must be the same structure type and color in order to maintain a neat character.



4.2 Banners - A sign which is constructed of flexible material suspended between two solid brackets at the top and the bottom of the sign face. This also includes feather banners which contains a solid pole.

- These signs must not be illuminated.
- The banner should be removed 48 hours after the event.
- The minimum distance should be 4.57 meters from the road edge.
- The minimum height must be 4.57 meters from the ground over the road.
- These are usually considered for temporary advertising and events.
- Banners will not be erected for longer than 5 weeks.
- No banners will be placed across the roadway
- Not considered on the sidewalk
- Banners can be placed or attached unto buildings faces, fences and walls facing sidewalks.



4.3 Big Screen Displays/Digital Advertising Screens - Digital signs use technologies such as LCD, LED and projection to display content such as digital images, video, streaming media, and other information.

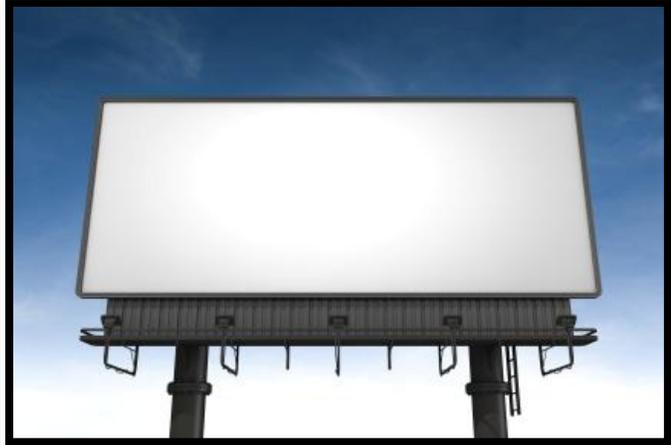
- The sign must not protrude more than 152 mm from the wall to which it is attached. Projection over the surveyor's boundary will require permission for encroachment.

- No unsightly wires should be visible from the back. Wires should be encased and neatly assembled.
- Must not eliminate light in a manner to cause distraction to motorists.
- May not be permitted in residential areas or on residential structures.
- These will be allowed in parks and malls angled away from the view of motorists.
- No signs can be put on sidewalks as it will obstruct pedestrians.
- This type of advertising will be considered by case transition time, intensity of light transition and sound emitted from the device.



4.4 Billboards/ Monopoles (billboard on a pole) - A freestanding sign where its face width is greater than the display area.

- The height of the billboard must not be higher than the highest point of the adjacent building structures excluding antennas, flagpoles and similar devices.
- Billboards must not dominate in scale or character from the existing architecture or the environment.
- Billboards are to be illuminated in a way which reflects light from the face of the sign. Internal illumination is preferred.
- No unsightly wires should be visible from the back. Wires should be encased and neatly assembled.
- Billboards must be designed for a wind speed of 56 meters per second.
- Billboards may be double faced as long as not blocking visibility of existing signs on the same or adjoining premises.



4.5 Bunting/Pennants - Groups of flags or flimsy material attached to a rope or line stretched between two points.

- These signs must not be illuminated.
- Buntings should be removed 24 hours after the event.
- The minimum height must be 4.57 meters from the ground.
- These are usually considered for temporary advertising and events.



4.6 Bus shelter - advertisements put on the panels of the bus shelter.

- This may be illuminated.
- Billboards must be designed for a wind speed of 56 meters per second.
- The design of the bus shelter must meet the City Engineer's design standards.
- The KSAMC will decide how many bus shelters will be located within a specific area.



4.7 Fascia Signs (Attached) - A sign attached to a building fascia.

- Signs must be contained on the building fascia.
- Signs must conform in design with existing and approved signs.
- Internal and external illumination are permitted as long as it does not affect safety of pedestrians and motorists.
- No unsightly wires should be visible.



4.8 Fascia Signs (Wall murals, wall wraps or wall painting) - A sign painted on an existing building fascia which may cover the whole structure or a portion.

- These advertisements may not be approved if visible from close by dwellings, hotels or in residential communities as it may deter from the character of the community.
- If such wall signs are illuminated it should not affect safety and no unsightly wires should be visible.
- This type of sign will not be approved on residential structures, residential communities or hotels.

- Wall murals which cover the total structure will only be approved for small shops, haberdasheries, wholesales and small commercial enterprises etc.
- These signs should not be a distraction to motorists or pedestrians
- No approval will be granted to illuminate the structure where the whole building contains a wall mural.
- Where such signs are to be erected it must be in uniform design with surrounding signs unless it will significantly enhance the appearance of existing signs.



4.9 Fence Signs (attached or painted) - A sign attached flush to a fence whether boundary fence or other fence.

- Signs must be contained within the extremities of the fence.
- Signs must not project outward more than 30mm.
- The size and form of Fence Signs must be in scale and proportion with the fence on which they are erected and with adjacent buildings or structures.
- These may not be allowed in residential areas.
- Where such signs are to be erected on fences supporting existing approved similar signs, the new sign must be uniform in design and positioning to the other signs unless the new sign shall significantly enhance the appearance of the fence and its existing signage.
- Signs are to be illuminated in a manner which does not cause the splashing or spilling of light from the sign face. Internal illumination is preferred.



4.10 Hamper Signs - A small sign that is mounted flush to a wall above a window or door head.

- Signs must be compatible with a building's design and its surroundings.
- Signs must not be thicker than 300mm.



4.11 High Rise building name signs - A sign used to identify a high rise building by name or logo.

- Signs must only identify the building to which it is attached.
- Signs that are attached to structures must be designed to complement the architecture or design of the building to which they are attached.
- Signs are to be illuminated in a manner which does not cause the splashing or spilling of light from the sign face.
- Internal illumination is preferred.
- Signs must be higher than 10 meters from the ground.



4.12 LED signs/Acrylic signboards - A light emitting diode is a device that emits visible light with electricity. These are used to create pictures and scrolling signs.

- The sign must not protrude more than 250mm from the wall to which it is attached.
- These signs are only allowed on buildings and no other structure.
- No unsightly wires should be visible from the back.
- Signs must have a clearance of 3.05 meters from the ground.
- Must not emit light in a manner to cause distraction to motorists
- May not be permitted in residential areas or on residential structures.
- Maximum size 30 square meters
- Billboards should be erected minimum 61 meters from a signalized intersection.
- These will be allowed in parks and malls angled away from the view of motorists.
- Minimum height should be 18.28 meters from the road level.



4.13 Light poles (includes pennants pm JPS poles) - small advertisements are placed on light posts on high traffic volume routes.

- This may be illuminated



4.14 Projecting Signs - A sign which the face is width is greater than the face height which is attached to a building wall and also protrudes from the surface to which it is attached.

- Maximum faces allowed are two.
- Signs must have a clearance of 3.05 meters from the ground.
- The sign must not protrude higher than the wall to which it is attached.
- These signs are only allowed on buildings and no other structure.
- Internal illumination is allowed.
- No wires and unsightly back view should be visible.
- Signs must not project more than 1.5 meters
- Projecting signs must be located within 1 meter of the property boundary.
- Projections over the surveyor's boundary will require permission for encroachment.



4.15 Pylon Sign (monolith signs) - A large freestanding sign which has a face height greater than its face width.

- Signs must not have a face area greater than 30 square meters per face and must not have more than 2 faces.
- The maximum height allowed for a pylon signs shall be the same as that of the highest adjacent building. Freestanding signs must not project above the highest point of the adjacent building structures.
- The highest point excludes aerials, antennae, satellite dishes, flagpoles or similar device unless it can be demonstrated that the sign will enhance the appearance of a building, structure or place by shielding such devices.
- Pylon Signs must not dominate the architecture, appearance or view of an area or detract from the general amenity of the environment in which they are located.
- Signs must not be closer than 3 meters at any point to an adjoining property boundary excluding boundaries abutting roads).
- Signs are to be illuminated in a manner which does not cause reflections from the sign face. Internal illumination is preferred.
- No wires or unsightly view from the back must be visible.



4.16 Real Estate Signs - Signs placed in yards or on premises advertising the sale, lease, rental of land or premises or an open house.

- These are usually considered for temporary advertising and open house events.
- Signs advertising an open house or event should be removed within 24 hours of the event.
- Signs should be erected within a property boundary with the permit of the landowners.
- A maximum of three signs will be allowed within a single property boundary.
- Real Estate sign must be no larger than 900mm in width and length and erected no higher than 1060mm.

Prepared by the KSAC's Planning Department

- These signs may be used on an event day with a combination of other temporary signs and banners.



4.16 Roof Sign (Freestanding or painted on) - a sign which has been mounted on a roof where the roof is the backdrop or a sign which has been painted on the roof.

- These signs should be done in such a way that it enhances the appearance and should be contained within the outline of the building.
- Wherever such signs are erected it must conform in design with other existing approved signs.
- These signs must be no closer than 3 meters to another sign and no closer than 0.5 meter from the end of the roof.
- If such signs are illuminated it should not affect safety. No unsightly wires should be visible.
- These signs may not be approved if visible from close by dwellings or hotels.



4.17 Sky sign - a model, device or representation supported by a post, pole, frame, strings or ropes upon or over any building or structure of which it is visible against the sky from any public

place in Kingston and St. Andrew or along the waters. This includes balloons, parachutes, blimps, searchlights, flashlights or any other device used in part of the advertisement.

- If such signs are illuminated it should not affect safety and no unsightly wires should be visible.



4.18 Tri-media Billboards - Prismatic columns which result in the surface of the board being divided into vertical strips. Each prism has 3 sides (i.e. advertising faces) which rotate in a timed schedule to display the 3 advertisements.

- The height of the billboard must not be higher than the highest point of the adjacent building structures excluding antennas, flagpoles and similar devices.
- Tri-media billboards must not dominate the existing architecture or the environment.
- This may not be allowed in residential areas.
- Noise emitted from the device must not be disturbing to residents or pedestrians.
- Billboards are to be illuminated in a way which does not reflect light from the face of the sign. Internal illumination is preferred.
- No wires or unsightly back view must be visible.
- Billboards must be designed for a wind speed of 56 meters per second.
- Minimum Height for tri-media billboards should be 3.05 meters from the road level to the underside of the billboard.
- Billboards should be erected minimum 61 meters from a signalized intersection.
- Bill Boards may be double faced as long as not blocking visibility of existing signs on the same or adjoining premises.
- Billboards may be double faced as long as not blocking visibility of existing signs on the same or adjoining premises.



4.19 Window signs- A sign attached to a window.

- The sign should not be greater than 25% of the window surface area.
- Internal illumination from inside will be permitted.



5. GENERAL PROVISIONS

5.1 The KSAMC will give final approval to all applications for advertisements on roads under their jurisdiction.

5.2 The National Works Agency will give approval to applications where advertisements will be located on roads under their jurisdiction.

5.3 Advertisements to be displayed on buildings will be securely fixed using metal anchors, bolts or expanding screws; nailing to strips of board. Those advertisements built in masonry or concrete shall not be permitted.

5.4 Advertisements placed on buildings shall be designed according to the generally accepted engineering practice to withstand live and dead loads which they may be subjected to, as well as wind pressure and to the satisfaction of the local authority (Town and Country Planning Regulation 1978 and Control of Advertisements Act).

5.5 Advertisements will not be allowed to obstruct any exit or opening required for lighting or ventilation.

5.6 The KSAMC will prevent signs from taking available sign space that may otherwise be used by local business signage or for purposes that directly benefit the local community.

5.7 Signs will be allowed for a period stated by the Kingston and St. Andrew Municipal Corporation permit.

5.8 The size of an advertisement will be determined by the total area occupied by the advertisement and not the area covered by individual letters.

6. GUIDELINES FOR ALL SIGNS

6.1 General

6.1.1 A sign/advertisement will only be approved when it can be clearly demonstrated that the proposed sign will satisfy majority of the following:

- 6.1.1. The sign will enhance the amenity of the area.
- 6.1.2. The sign will screen an unsightly view.
- 6.1.3. The sign will benefit the local community.
- 6.1.4 .The sign will not detract from the natural beauty of an area.
- 6.1.5. The sign will fulfill an identified need in the area.

6.1.2 Advertisements should be designed according to the Caribbean Uniform Building Code using a design wind speed of 56meters per second.

6.2 Clusters of signs

6.2.1 Signs should be located in clusters not exceeding 4 signs on one side of the road.

6.2.2 The maximum length of a cluster should not exceed 25 meters along the near side of the road.

6.2.3. Minimum allowable distance between clusters should be 200m along major highways.

6.3 Temporary Signs

6.3.1 Will be removed 48 hours after the event.

6.3.2 The minimum distance from the sign to the road edge should be 6.1 meters.

6.3.4 Temporary signs should be maintained in satisfactory condition throughout the duration of the display.

6.3.5 These signs should be a minimum of 4.57 meters above the ground (excluding feather banners).

6.4 Location

6.4.1 Advertisements should be erected a minimum distance of 6.1 meters from the edge of the road pavement.

6.4.2 The billboard should be angled at 60 degrees from the edge of the roadway so that it does not impede the visibility of drivers.

6.4.3 Billboards or signs should not endanger or obstruct pedestrian traffic.

6.4.4 Billboards shall not be a visual obstruction or distraction to motorists on any road.

6.4.5 Advertising devices should not obscure motorists view to any traffic control devices entry exit or any other advertisements.

6.4.6 Where a sign is being erected no face of the sign should not block the visibility of other signs on the same property or on adjoining properties.

6.4.7 If a sign is erected which can be viewed from an adjoining premises and the proprietor of the adjoining premises has interest in erecting a sign which will block the view of the existing. The proprietor will be given approval to erect a sign only after the approval time has expired of the existing sign. This means the new sign shall be given priority over the existing after expiry. When this is being done the proprietor must put this request in writing to the KSAMC along with the application for advertisement. The KSAMC will then notify the existing advertiser that his

advertisement will not be considered for a renewal or as a new application as it will be obstructed by the erection of the new sign.

6.4.8 Signs should not be erected within any drain.

6.4.9 Digital/Video billboards and LED screens will only be permitted in parks, malls etc. angled away from the view of motorists.

6.4.10 Signs should not be placed within the line of sight or form a background of a traffic light.

6.4.11 No digital/video or Tri-media/three face mechanical or any such billboard will be allowed on any bypass/expressway or highway and limited access road.

6.4.12 All advertisements/signs and its structural framework shall be maintained.

6.4.13 Signs, except directional, warning and road safety, shall be not erected within 0.2km of any interchange or intersection along a bypass, limited access road or freeway and highway (no advertisements will be permitted on these signs).

6.5 Signalized intersections

6.5.1 Signs should be erected a minimum 60 meters from a signalized intersection.

6.5.2 Signs should not be placed within the line of sight or form a background for a traffic light.

6.5.3 Signs should not obscure warning directional or traffic signs and lights.

6.6 Other

6.6.1 The name and address of the advertiser should be displayed in a conspicuous area of the billboard.

6.6.2 The lower edge of any sign projecting over any public area shall have a vertical clearance of 3.05 meters.

7. APPLICATIONS

7.1 Applications for advertisements should be made at the KSAMC office using the “*Application for consent to Display an Advertisement*” form.

7.2 An application form must be provided for each individual sign and each location and must be completed in full and the relevant fees paid.

7.3 Drawings required:

Four copies of architectural drawings - The drawing can be on black and white on paper. It should show the size of the advertisement and its position on the land or the building, and relationship

to adjoining properties and show all existing signs. In the case of a sign, it should also give the material to be used, fixings, colours, height above ground and where it would project from a building, the amount of the projection. The drawing should include the site location plan to scale, and should have sufficient details to enable the site to be identified.

7.4 Owners consent:

It is a condition of every consent granted by or under the Regulations: That before the advertisement to which the consent relates is displayed; the permission of the owner of the land or other person entitled to grant permission shall be obtained.

7.5 Other consents:

Consent under the Town and Country Planning (Control of Advertisements) Regulations 1978 does not relieve the applicant from obtaining any other consents which may be necessary, e.g. under the Kingston and St. Andrew Corporation Building Act and Regulations made there under.

7.6 Applications that are not complete will not be processed.

8. CALCULATING FEES

8.1 Method for calculating fees

8.1.1 Fees for signs/advertisements shall be calculated in meters squared. This shall be taken to be the area of a rectangle figure exactly enclosing the sign.

8.1.2 Any fraction of a square meter which is greater than 0.5 shall be calculated up to the nearest whole number.

8.1.3 In the case of double sided signs where the faces are back to back both faces will be taken into account.

9. ENFORCEMENT PROCEDURES

Each approval is granted for a specified time, a minimum of 72 hours to a maximum of two (2) years. In the case of small signs, each sign must be removed within seventy-two (72) hours after the event. For larger signs, a new application must be submitted.

In order to aid in tracking approvals, a recommendation was previously made to issue decals, similar to those of vehicular license disks, and which would be fitted with a tracking number. An officer would therefore match the tracking number to information contained in the database and be able to determine whether approval had been granted, was expired or was still in effect.

The following steps would be employed to deal with those advertisements where approval has expired and no attempt has been made by the applicant to seek to obtain a new approval.

9.1 Enforcement upon expiration of approval

- Step 1: Serve an Enforcement Notice on the applicant/owner in accordance with Section 19 of the Town & Country Planning (Control of Advertisement) Regulations, 1978. The Notice will specify:
- a. the advertisement to which it refers;
 - b. steps to be taken within a period not less than twenty-eight (28) days;
 - c. may require demolition, alteration or discontinuance of the advertisement
- Step 2: If there is no compliance at the end of the stipulated period, the KSAC via the Compliance Department will step in and carry out the steps specified in the Notice.
- Step 3: Initiate steps to recover costs incurred during the removal process. Options could include sale of signs/billboards removed or legal process, or where the applicant advises the KSAC after removal that he/she wishes to recover the advertisement and have it displayed for a specified period, the cost of removal be added to the processing fee. This must be paid at the time of submission of the application.

Step 4: Where all efforts to have applicants/owners obtain approval or sold have failed, advertisements should be disposed of at an approved dump site (Riverton Landfill).

9.2 Enforcement where advertisement has been erected/displayed without approval

Step 1: Upon identification of the advertisement and having done the necessary checks, the advertisement be removed forthwith and stored at a safe location in the care of the KSAMC.

Step 2: A log recorded of each sign removed, from which location, condition of the advertisement and the date of removal. Information on the content of the advertisement should also be included. This must be done immediately upon return to the office.

Step 3: The information gathered at Step 2 should be placed on the website and published in a daily newspaper giving owners ten (10) working days to contact the KSAC with a view to obtain approval where applicable and to also reimburse costs incurred by the KSAC during the removal process.

Step 4: At the expiration of the specified period (10 days), all unsettled matters of which notification was given should be sold or disposed of at an approved dump site (Riverton Landfill).

10. REFERENCES

Advertisement Regulation Act of 1978, available in pdf at:

<http://moj.gov.im/sites/default/files/laws/The%20Advertisements%20Regulation%20Act.pdf>(last accessed July 9, 2014)

Gold Coast City Council Local Law Policy No 7 Control of Advertising Devices, available in pdf at:

http://www.goldcoast.qld.gov.au/documents/ll/Local_Law_Policy_No_7-Control_of_Advertising.pdf(last accessed July 9, 2014)

National Works Agency, Physical Planning Unit, (2004) *Guidelines for Advertisement Billboard Application*.

Kingston and St Andrew Building Act 1995, available in pdf at:

<http://moj.gov.im/sites/default/files/laws/Kingston%20and%20St.%20Andrew%20Building%20Act.pdf>(last accessed July 9, 2014).

Kingston and St. Andrew Corporation Act of 2003, available in pdf at:

<http://moj.gov.im/sites/default/files/laws/Kingston%20and%20St%20Andrew%20Corporation%20Act.pdf>(last accessed July 9, 2014).

Stirling City Centre Town Planning Scheme No 38 Advertising Sign Guidelines (2004) available in pdf at:

<http://www.stirling.wa.gov.au/Resident/Planning-and-development/Schemes-policies-codes-and-legislation/Town%20Planning%20Scheme%20No%2038/Stirling%20City%20Centre%20PS38%20Advertising%20Sign.pdf> (last accessed July 9, 2014).

The Town and Country Planning Act 2001, available in pdf at:

<http://moj.gov.im/sites/default/files/laws/Town%20and%20Country%20Planning%20Act.pdf>(last accessed July 9, 2014).