

The Odisha Gazette

EXTRAORDINARY

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HOUSING & URBAN DEVELOPMENT DEPARTMENT

RESOLUTION

The 21st November, 2013

ADVERTISEMENT POLICY FOR URBAN ODISHA- 2013

1. POLICY OBJECTIVE

- 1.1 The main objective of the Advertisement Policy for Urban Odisha, 2013 is to “seek the enhancement of physical character and visual appearance of a city or town”.
- 1.2 The policy will also encourage advertisement on urban public transport, intermediate public transport and urban public utilities to tap the advertisement revenue for creation of dedicated urban transport fund & sustainable urban transport system.
- 1.3 It will provide high consideration to the ambience of an area, the architectural character of the area or building in particular and to the issues of road safety.
- 1.4 The Policy shall consider location, size, design, and type of sign, where the potential for creation of visual clutter and conflicts with traffic safety is minimal.

2. APPLICABILITY OF THE POLICY

- 2.1 The guidelines issued under this Policy shall be applicable to all advertisements within the urban area in the State i.e., Municipal Corporation, Municipality, Notified Area Council, development area, regional improvement trust or any other area limits notified by the Government.
- 2.2 The Policy shall be applicable on land, building, wall, hoarding, urban public transport, urban intermediate public transport, urban public utilities, frame, kiosk, post, tree guards or by any other means whatsoever by which it is open to public viewing, visible from a public street or public place, whether moving or non-moving.

- 2.3 These guidelines shall apply in general to banners, boards, balloons, gantries, sub-ways, illuminated and non-illuminated hoardings (including neon signs, electronic sign boards, video display boards etc.) mobile vans, passage shelters, posters, signs, temporary arches, and any other means of display of advertisements.
- 2.4 These guidelines however, do not apply to the following
- (i) Newspaper advertisements.
 - (ii) Radio and television broadcast and telecast.
 - (iii) Advertisements relating to public meeting or to an election to the Parliament or the State Legislature or the Corporation or to candidature in respect of such elections.
 - (iv) Exhibits within the doors/windows of any building, if the advertisement relates to the trade, profession or business carried on in that building.
 - (v) Relating to the name of the land or building upon or which the advertisement is exhibited or to the name of the owner or occupier of such land or building.
- 2.5. The Policy guidelines shall come into effect from their date of issue of the notification.

3. GUIDING PRINCIPLES

- 3.1. The guiding principle of the policy for outdoor advertisement should not be driven by revenue, but by the city development imperatives and aesthetic scene of the area.
- 3.2. The policy should explicitly work to discourage visual clutter.
- 3.3. The policy should be so designed that it does not compromise on road safety, it should ensure that outdoor advertising is not hazardous to road and pedestrian traffic.
- 3.4. Permission to an advertising hoarding should be accorded on the following criteria:
- (i) If they support the commercial viability of a significant nature or for the building tenant (advertisement in cinemas etc).
 - (ii) If they advertise a civic/community event involving the city.
 - (iii) If they can be considered as a public art.
 - (iv) If the cumulative impact of the sign does not give rise to visual clutter.

- 3.5 Size and type of the advertisements should depend upon the use of land.
- 3.6 Advertisements on street furniture should be primarily promoted for the public good and comfort. Advertisements should not play a decisive role in the placement of street furniture, *vice versa* however may be considered proper
- 3.7 If any hoarding, sign board, banner, etc., fall because of heavy wind, rain or any other reasons and cause damage to people's properties, the advertisement agencies would be held responsible for the losses.

4. AUTHORITY TO ISSUE PERMISSION

- 4.1 The Municipal Commissioner in case of a Municipal Corporation or Executive Officer in case of a Municipal Council or Notified Area Council shall have the full authority to accord permission, review, amend, waive or modify the conditions or restrictions for issue of an advertisement through an Authorised Officer on payment of advertisement fee prescribed by the Urban Local Body (ULB).
- 4.2 The applicant agency shall apply for permission to the Advertisement Department of the ULB in the forms as prescribed by the ULB and shall pay the requisite application processing fees and rent according to the Schedule of Rates issued by the advertisement department.
- 4.3 The decision to accept and reject an advertisement shall solely remain in the hands of the Chief Executive Officer of the ULB based on the compliance with the notified advertisement guideline.
- 4.4 No person shall erect, exhibit, fix or retain upon or over any land, building, wall, hoarding, frame, post, kiosk or structure any advertisement, or display any advertisement to public view in any manner whatsoever, visible from a public street or public place, in any place within the city without the written permission of the Authorized Officer of the ULB.
- 4.5 The Authorized Officer of the ULB shall grant permission if
- (i) A license for the use of the particular site for purpose of advertisement has been issued and
 - (ii) The fee if any, due in respect of the advertisement has been paid.

4.6 The ULB has the right to disapprove a sign or hoarding which he considers to be offensive, or when he is of the opinion that the type, position, size, appearance, illumination, animation, content or other characteristics of the sign or hoarding may adversely affect;

- (i) The ambience of the area
- (ii) The architectural character or appearance of the building, streetscape or precinct.
- (iii) Traffic safety

5. OPERATIONAL GUIDELINES

5.1 Physical Characteristics

5.1.1 Size and Shape

- (i) Advertising devices shall not use shapes that could potentially result in an advertising device being mistaken for an official traffic sign.

5.1.2 Colour

- (i) The code of practice for Road Signs IRC: 67-2001, by Indian Roads congress prescribes the basic design parameters of official traffic signs and includes standard legend/background colour combinations.
- (ii) Advertising devices shall not use colours that could potentially result in an advertising device being mistaken for an official traffic sign.

5.1.3 Illumination and Luminance

- (i) Advertising shall not contain flashing red, blue or amber point light sources which, when viewed from the road could give the appearance of an emergency service or warning lights.
- (ii) External illumination sources shall be shielded and should not face the observer directly.
- (iii) Illumination of advertising device should be concealed or be an integral part of it.

5.1.4 Prohibited Advertising Device Content

- (i) Advertisements propagating racial, caste or community discrimination
- (ii) Advertisements depicting cruelty to animals
- (iii) Advertisements containing nudity
- (iv) Advertisements glorifying violence
- (v) Advertisements propagating exploitation of woman or child
- (vi) Advertisements banned by Council of India or by law
- (vii) Advertisement of drugs, alcohol, cigarette or tobacco items

- (viii) Advertisements depicting any Nation or Institution in poor light
- (ix) Advertisements with indecent or obscene content (graphics, images or text)
- (x) Advertisements of weapons and related items
- (xi) Any other list of negative advertisements notified by the ULB

5.1.5. Structure

- (i) Advertisement Device structures shall be certified by a Structural Engineer practicing in the field of Structural Engineering.
- (ii) The certification should comply with relevant Indian structural design standards and relevant codes of practice.
- (iii) The device structure should be well maintained. It shall be painted in colours that are consistent with, and enhance appearance of the surrounding area.
- (iv) The name of the advertising device license holder should be placed in a conspicuous position on the device.

5.2. Places for display of advertisements

5.2.1. ULB may allow display of advertisement on any land, building, wall, hoarding, frame, post, kiosk, structure or in any manner whatsoever for public view, visible from a public street or public place, in any place within the geographical limits of the ULB, provided the guidelines are complied with.

5.2.2 No Advertisement Zones

General In front of / inside the compound of/ on the walls of any

- (i) Buildings of archaeological, architectural, aesthetical, historical or heritage importance
- (ii) Places of worship or of religions significance
- (iii) Statues, minarets or pillars of heritage importance
- (iv) Painted advertisements on tree barks/other fauna
- (v) Hospitals and nursing homes
- (vi) Educational institutions
- (vii) Cremation grounds, graveyards
- (viii) Police stations, post offices, any Government or Municipal Corporation building/ office
- (ix) Parks and Gardens
- (x) Water Bodies
- (xi) Any other list notified by the ULBs

5.3. Electrical Connection and Promotion of Renewable Energy

- 5.3.1. The electrical connections to advertising devices shall be accorded with relevant Indian Standards.
- 5.3.2. The power consumer or the licensee shall make application for power connection and shall obtain electricity connection from the Electricity Company in his/her name, after having obtained a "No Objection Certificate" from the Urban Local Body.
- 5.3.3. The electrical installation work shall be performed by a licensed electrical worker in accordance with the electricity regulations.
- 5.3.4. As far as possible, the illumination devices at all outdoor advertising devices shall draw power from alternate renewable resources like Solar Power.
- 5.3.5. Incentives shall be given in the form of reduced monthly license fee (25% rebate) to all advertisers who invest in alternate renewable resources for drawing power supply for illumination.
- 5.3.6. No generators running on diesel/petrol/kerosene or any bio fuel, causing noise, air or water pollution would be allowed for providing power for illumination of any advertising device.

5.4 Special Provisions for Display of Advertisements

- 5.4.1. The general description, description of the advertisement device, specific parameters and conditions of display shall be as indicated below.

Sl. No. (1)	Advertisement Display Device (2)	General Conditions of Display (3)
1.	Advertisement on Hoardings	<p>(a) Device:- Hoardings on streets, footpaths, roof terraces or ground.</p> <p>(b) Standard Size:- Hoardings 12'x20' and 8'x15'</p> <p>(c) Placement of Hoardings:- Since bus stations are major traffic generating points, location of hoardings is recommended at all Bus Station and few other important locations which are abutting the major roads and National Highways.</p>

(1)	(2)	(3)
1.	Advertisement on Hoardings	<p><i>(d)</i> General Conditions</p> <p><i>(i)</i> The size of hoarding shall in general be proportional to the general average width of the abutting road. On roads with less than 60 feet width, the largest standard length of 60 feet will not be permitted.</p> <p><i>(ii)</i> Back to back placement of hoarding shall be permitted.</p> <p><i>(iii)</i> The average height of the base of the hoarding should not obstruct safe movement of pedestrians or vehicles. And should be at least 11 feet and not greater than 60 feet. The top shall not be greater than 70 feet in any case.</p> <p><i>(iv)</i> The minimum distance between two hoardings shall be so maintained that the proposed hoarding does not obstruct the existing hoarding.</p> <p><i>(v)</i> As far as possible, uniformity of size and alignment thereof in a particular locality/road shall be maintained.</p> <p><i>(vi)</i> Installation of hoarding shall be permitted on a footpath with width less than 6 feet.</p> <p><i>(vii)</i> Hoarding on a terrace shall not be allowed to project beyond the building line.</p> <p><i>(viii)</i> The operating limit for illumination of the devices shall not be more than 8 hours in a day and the illumination shall be put off before midnight.</p> <p><i>(ix)</i> The Municipal Commissioner, in special cases may relax the height restrictions for hoardings over flyovers and elevated roads.</p>

(1)	(2)	(3)
2.	Advertisements on Flyover and bridges	<p>(a) The ground clearance of the advertisement shall be at least equal to the ground clearance of the bridge.</p> <p>(b) The maximum height of the advertisement shall not exceed the height of the parapet of the bridge.</p> <p>(c) The length of the advertisement shall not exceed 60 feet.</p> <p>(d) Advertisement on the lampposts shall not be more than 2 feet in width and 4feet in height and at a clear height of not less than 11 feet from the level of the road.</p>
3.	Advertisement on floating balloons	<p>(a) The agency shall display the balloon in such a manner that it does not interfere with or obstruct other displays of advertisement. The agency shall make necessary arrangements for monitoring the movement of the balloon during its display.</p> <p>(b) The agency shall provide "No Objection Certificate" (NOC) from the Ministry of Civil Aviation, Govt. of India and shall observe their rules and regulations.</p>
4.	Bus Advertising	<p>(a) <u>Device:-</u> Bus Body Vinyl Stickers or Standard Quality Painting.</p> <p>(b) Permitted only on vehicles whose primary purpose is to serve a useful function in the transportation of persons or commodities from one place to another.</p> <p>(c) Advertisements shall be affixed, painted, magnetically applied on the outer surfaces of the vehicle.</p> <p>(d) No animation or movement of any form shall be permitted in fleet advertising.</p> <p>(e) Advertising devices shall not interfere in any way with the mandatory vehicle signs such as purpose of the bus service, number plate etc.</p> <p>(f) The advertisement agent shall have to obtain a No Objection Certificate from the Municipal Corporation for the display of advertisement at their own cost.</p>

(1)	(2)	(3)
5.	Taxi Advertising	<p>(a) Area for advertisement/name/logo shall not exceed 25% of the surface area on each side of the vehicle except the entire front portion and rear window of vehicle.</p> <p>(b) No animation or movement of any form shall be permitted in fleet advertising.</p> <p>(c) Revenues shall have to be shared with the ULB and the parameter of the same shall be fixed by the concern ULB only.</p>
6.	Parking	<p>(a) No part of the parking advertising device shall project into the public right of way.</p> <p>(b) Advertisement devices should not obstruct the available parking space.</p> <p>(c) Advertising sign face of the free standing advertising devices in parking area shall be oriented inwards facing the parking bays.</p> <p>(d) The parking tickets shall contain the Municipal Corporation hologram on the front side and the rates of parking fee and advertisement on the reverse side.</p> <p>(e) All parking tickets being issued shall be of standard size and colour.</p> <p>(f) The uniforms meant for parking attendants shall have advertisement/ logo of the firm on one side only.</p>
7.	Devices mounted on tree guards	<p>(a) The device shall form an integral part of the tree guard with size 0.3mx0.3m (LXW).</p> <p>(b) Signs shall be square advertising plates of the specified measurements.</p> <p>(c) The advertiser shall make sure to plant, maintain, prune and water the plant without causing any damage to the tree guard or the tree guard advertising sign.</p> <p>(d) No illumination in any form shall be permitted on the tree guards advertising signs.</p>

(1)	(2)	(3)
8.	Traffic Barricading	(a) Advertising sign shall be an integral part of the frame. (b) The advertising strip can be reflecting in nature.

6. INTERPRETATION OF THE POLICY

- 6.1. The Housing & Urban Development Department will issue further guidelines and instructions for smooth implementation of this Policy. Doubt relating to interpretation of any term and/or any dispute relating to implementation of the Policy shall be referred to Housing & Urban Development Department for clarification and the decision of the Government in this regard shall be final and binding on all concerned.
7. This Policy shall come into force from the date of issue of this Resolution in “The *Odisha Gazette*”.

ORDER

Ordered that this Resolution be published in the next Extraordinary issue of “The *Odisha Gazette*” and copies of the same forwarded to all Departments of Government/all Heads of Departments and the Accountant General, Odisha.

By Order of the Governor

INJETI SRINIVAS

Additional Chief Secretary