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LEGAL NOTICE NO. 18

THE NAIROBI CITY COUNTY TRANSPORT ACT

(No. 3 of 2020)

THE NAIROBI CITY COUNTY (BILLBOARDS AND ADVERTISEMENTS IN
ROAD RESERVE) REGULATIONS, 2025

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THE NAIROBI CITY COUNTY TRANSPORT ACT

(No. 3 of 2020)

IN EXERCISE of the powers conferred by section 68 of the Nairobi City County Transport Act, 2020, the County Executive Committee member for the time being responsible for matters relating to Roads makes the following Regulations —

THE NAIROBI CITY COUNTY (BILLBOARDS AND ADVERTISEMENTS IN ROAD RESERVE) REGULATIONS, 2025

PART I — PRELIMINARY

Citation

1. These Regulations may be cited as the Nairobi City County (Billboards and Advertisements in Road Reserve) Regulations, 2025 and shall come into operation on the date of publication.

Application

2. These Regulations apply to any billboard, sign or advertisement that is erected, displayed or maintained within the boundaries of a road reserve or that projects into or overhangs a road reserve within Nairobi City County.

Interpretation

3. In these Regulations, unless the context otherwise requires—

“Act” means the Nairobi City County Transport Act, 2020 (No. 3 of 2020);

“billboard” means any outdoor advertising structure located within, projecting into or overhanging a road reserve, whether freestanding, wall-mounted, roof-mounted, or otherwise affixed to a building or structure, whether digital, static or illuminated, having a display area exceeding six square metres;

“Central Business District” means the area bounded by Haile Selassie Avenue, Ring Road, Nairobi River, Kipande Road, Thika Road, and Uhuru Highway;

“Chief Officer” means the Chief Officer for the time being responsible for Roads within the Nairobi City County;

“City Planning” means the department for the time being responsible for physical and land use planning, development control and outdoor advertising in the County Government of Nairobi City;

“County” means the Nairobi City County;

“County Assembly” means Nairobi City County Assembly;

“Committee Member” means the County Executive Committee Member for the time being responsible for matters relating to Roads;

“director” means the Director for the time being responsible for roads in the Nairobi City County;

“footway” means any portion of a road reserved, constructed or designated for pedestrian use, including sidewalks and footpaths, whether paved or unpaved;

“road” includes the carriageway, footways, verges, drains, signs, markings and all land and structures within the road reserve;

“public road” shall have the meaning assigned to it in the Act;

“road reserve” shall have the meaning assigned to it in the Act;

“signs and advertisements” means any visual communication, notice, device, structure or representation used to announce, advertise, identify or direct, whether illuminated or not, and includes posters, placards, boards, fascia signs, projecting signs, pole signs, canopy signs, models, devices, advance signs and directional signs, but excludes traffic control devices and statutory government signs relating to areas, cities or streets.

Objects and Purpose

4. The objects and purpose of this Regulations are to—
- (a) give effect to section 62 of the Act;
 - (b) protect the integrity, safety, and functionality of roads and road reserves within the County;
 - (c) prevent visual clutter, distraction, and physical obstruction caused by signs, billboards, and advertisements within road reserves;
 - (d) regulate the erection, display, and maintenance of signs and advertisements within road reserves in a manner that enhances road safety and preserves the aesthetic quality of public roads; and
 - (e) provide clear, fair, and enforceable standards for the approval, monitoring, and removal of such signs and advertisements.

PART II — OPERATIONAL STANDARDS

Requirement for Approval

5. (1) No person shall erect, display, or maintain any billboard, sign, or advertisement within, projecting into, or overhanging a road reserve without the prior written approval of the Chief Officer.

- (2) The Chief Officer shall not grant approval under paragraph (1) unless—
- (a) the proposed billboard, sign, or advertisement complies with the Physical and Land Use Planning (Advertisement) Regulations, 2021; and
 - (b) all prescribed fees have been paid in accordance with the applicable Finance Act or any other County revenue legislation in force.

Grounds for Refusal of Approval

6. The Chief Officer shall refuse to grant approval for any billboard, sign or advertisement if the billboard, sign or advertisement—

- (a) obstructs, or is likely to obstruct, the safe passage of vehicles or pedestrians, including persons with disabilities, on any carriageway, footway, or other part of the road;
- (b) distracts, or is likely to distract, drivers in a manner that endangers, or is likely to endanger, the safety of any road user;
- (c) obscures, or is likely to obscure, the visibility of any road user or any authorised traffic sign, traffic signal, or road marking;

- (d) uses flashing, revolving, or intermittently illuminated lights, unless expressly authorised in writing by the Chief Officer for road safety purposes;
- (e) displays obscene or indecent material; or
- (f) displays material that is likely to cause reasonable offence to members of the public by reason of its content, design, or manner of display.

Safety of illuminated signs and advertisements

7. Any billboard, sign or advertisement that is illuminated within or overhanging a road reserve shall comply with the following requirements—

- (a) all lighting shall be fully shielded and directed downward so that no direct light is emitted towards approaching pedestrians, cyclists or motorists; and
- (b) the lighting shall be designed and installed so that illumination is focused solely on the surface of the billboard, sign or advertisement and any light spill beyond its edges is prevented as far as practicable.

Prohibited Areas for Billboards and Signs

8. No person shall erect, display, or maintain a billboard, sign, or advertisement in any of the following locations within a road reserve—

- (a) within driver sightlines at intersections, roundabouts, or junctions, including any location where a digital, flashing, or illuminated sign may distract motorists;
- (b) within designated road-safety zones, including the vicinity of pedestrian crossings, school zones, hospitals, or other sensitive public-use areas;
- (c) on central reserves, roundabout islands, traffic medians, or traffic islands;
- (d) on footpath reserves or any area reserved for pedestrian movement, including Non-Motorized Transport (NMT) facilities;
- (e) in any position that obscures, interferes with, or is within the sightlines of traffic lights, traffic signals, or directional signs
- (f) in a manner that obstructs or restricts access to public institutions, including schools, hospitals, emergency service facilities, or public transport stations; or
- (g) directly above or within the boundaries of storm water drains or drainage infrastructure.

Exempt advertisements

9. Subject to compliance with these Regulations and any other applicable law, the following signs and advertisements are exempt from the requirement for approval under Regulation 5 and 6—

- (a) traffic signs or signals lawfully erected under the Traffic Act (Cap. 403) or the Act;
- (b) road, area, street or ward name signs erected by a national or county public authority;

- (c) advertisements that form an integral part of a building's architectural design and have been approved under the Physical and Land Use Planning Act, 2019;
- (d) advertisements displayed in accordance with the Elections Act, 2011, during a pending presidential, national or county election;
- (e) advertisements or signs by national or county government ministries, departments, agencies or public bodies, providing non-promotional information or directions to public services;
- (f) signs or advertisements relating to premises used for religious, educational, cultural, recreational, medical or charitable purposes, or for hotels, blocks of flats, apartments or sporting facilities; and
- (g) temporary advertisements for non-commercial activities, including sporting events, charitable functions or learning institution events.

Application to install a Billboard, Sign, or Advertisement on a Road Reserve

10. (1) An application to erect, display, or maintain a billboard, sign, or advertisement on a road reserve shall be submitted to the Directorate responsible for Roads in the form prescribed in the Second Schedule to these Regulations.

(2) Upon receipt of the application, the Directorate shall prepare a Technical Report, including its assessment and recommendations, and shall forward the Technical Report to the Chief Officer for consideration within seven (7) days.

(3) The Chief Officer shall consider the Technical Report within fourteen (14) days of receipt and shall approve or reject the application in writing, stating the reasons for the decision.

(4) Where an application is incomplete, the Directorate shall notify the applicant within seven (7) days, specifying the deficiencies, and the period prescribed under sub-regulation (3) shall commence only upon submission of a complete application.

Structural Engineering Requirements for Billboards, Signs, and Advertisements

11. (1) No person shall erect a billboard, sign, or advertisement on a road reserve unless structural engineering designs are submitted together with the application, and such designs are prepared and signed by a Registered Engineering Consultant or a Professional Engineer in good standing.

(2) The Director shall examine all structural engineering designs submitted under sub-regulation (1) and shall ensure that the installation and erection of the structure is supervised by a qualified Engineer prior to the approval of the application by the Chief Officer.

(3) All structural works undertaken pursuant to an approval under these Regulations shall comply with all applicable engineering standards, codes, and regulations, including safety requirements relating to public roads and pedestrian areas.

Technical Standards for Billboards, Signs, and Advertisements

12. (1) The Technical standards for billboards, signs and advertisement shall be as prescribed in the Third Schedule to these Regulations.

(2) Applications submitted under clause 9 (1) shall be exempt from the requirements of this regulation.

PART III— ENFORCEMENT AND COMPLIANCE

Annual Safety Audit for Approved Billboards, Signs, and Advertisements

13. (1) An applicant whose request to erect, display, or maintain a billboard, sign, or advertisement on a road reserve has been approved shall, as a condition of continued approval, undertake an annual safety audit of the structure.

(2) The safety audit shall be conducted by a Registered Engineering Consultant or Professional Engineer in good standing.

(3) The applicant shall submit the safety audit report in writing to the Chief Officer, through the Directorate responsible for roads, prior to the renewal of any approval or permit issued under these Regulations.

(4) Failure by an applicant to submit the annual safety audit report, or to remedy any safety deficiencies identified in the audit, may result in the suspension or revocation of the approval to erect, display, or maintain the billboard, sign, or advertisement on the road reserve.

Placement, Removal, or Relocation of Services or Structures on Road Reserves

14. (1) The placement, removal, or relocation of any services or structure to or from a road reserve shall—

- (a) be carried out under the supervision of a Professional Engineer and at the expense of the owner;
- (b) be effected within thirty (30) days from the date of issuance of a notice to that effect by the County;
- (c) not be undertaken without a permit issued by the County; and
- (d) where undertaken by the County or its authorised officers, require the owner to reimburse the County for all costs incurred in effecting the removal or relocation.

(2) The County shall not be responsible for the storage or safety of any items removed or relocated from the road reserve.

(3) A person who fails to comply with this regulation commits an offence and shall be liable to enforcement action, including the imposition of fines, suspension of permits, or any other remedy provided under these Regulations or any other applicable law.

Enforcement for Non-Compliant Billboards, Signs, and Advertisements

15. (1) An authorised officer may visit the site of any billboard, sign, or advertisement and may collect evidence, including photographs, location details, and the name and contact information of the owner or the person responsible for the structure.

(2) The Chief Officer may contact the owner or responsible business and serve an enforcement notice requiring the immediate removal of the billboard, sign, or advertisement from the road reserve by the close of that working day.

(3) An authorised officer may affix a “Notice to Remove” sticker on any billboard, sign, or advertisement that is in contravention of these Regulations

(4) Where the billboard, sign, or advertisement is not removed by the owner or responsible person by the next working day, an authorised officer may remove the structure from the road reserve

(5) Any billboard, sign, or advertisement removed under this regulation may be stored by the County for a period not exceeding ninety (90) days.

(6) The County may impose a storage and administration fee on any person seeking to reclaim a billboard, sign, or advertisement that has been removed and stored pursuant to this regulation.

(7) Any billboard, sign, or advertisement not reclaimed within ninety (90) days shall be destroyed or disposed of by the County.

PART IV—MISCELLANEOUS

Enforcement Notices and Timelines

16. An enforcement notice issued by the County shall specify the period within which the person to whom it is addressed shall comply, and failure to comply within the specified period shall result in removal of the billboard, sign, or advertisement and the imposition of penalties in accordance with these Regulations.

Offences and Penalties

17. (1) A person who erects, displays, or maintains a billboard, sign, or advertisement on a road reserve in contravention of these Regulations shall be liable to the County for all costs incurred in connection with its removal, enforcement, or compliance, without prejudice to any additional penalties applicable for repeated or continuing violations.

(2) Where the County removes a billboard, sign, or advertisement that has been erected, displayed, or maintained on a road reserve without authorisation—

- (a) the person responsible shall pay the full cost of removal; and
- (b) a surcharge equal to fifty per cent (50%) of the removal cost shall be imposed in addition to the costs specified under paragraph (a).

FIRST SCHEDULE

FEES PAYABLE

Description	Rate (KShs.)
1. On application for consideration to erect a structure for advertising, a billboard, or sign on a road reserve	As per the fees in the Fees and charges in the County Revenue Act.
2. On grant of approval to place Commercial Advertisements or Billboards on road reserves	There will be a fee paid per Square Metre for commercial advertisements signs or billboards on the road reserve as per the Fees and Charges in the County Revenue Act
3. Any advertisement deemed to have consent	Zero

SECOND SCHEDULE

APPLICATION FORM FOR SIGN, BILLBOARD ADVERTISEMENT

APPLICANT DETAILS		
1	Name of applicant / company	
2	Postal and physical address	
3	Contact details (email, phone number)	
DESCRIPTION OF PROPOSED BILLBOARD		
5	Type of billboard (e.g., unipole, gantry, wall-mounted, mobile, digital/electronic, or static)	
6	Dimensions (height, width, total area)	
7	Materials to be used	
8	Illumination details (whether lit, non-lit, or LED)	
9	Civil/Structural Design drawings (to scale)	/
SITE INFORMATION		
10	Exact location (plot number, road name, GPS coordinates)	
11	Distance from carriageway, road junctions, pedestrian crossings, and other road furniture	
12	Clearance from utility lines (electricity, water, sewer, telecoms)	
13	Map / site plan showing the exact position of billboard, sign or advertisement on the road reserve	
COMPLIANCE AND SAFETY CONSIDERATIONS		
14	Traffic safety assessment (showing that the billboard will not obstruct visibility or distract drivers)	To be attached
15	Structural stability report (from a Registered Consultant or Professional Engineer).	To be attached
DECLARATION		
16	Signed statement by applicant or agent confirming that all information provided is true and that the billboard will comply with regulations.	

THIRD SCHEDULE

TECHNICAL STANDARDS FOR BILLBOARDS, SIGNS, AND ADVERTISEMENTS

1. The minimum spacing between billboards, signs, or advertisements erected on county road reserves shall be one hundred metres (100 m).
2. The minimum clear height of any billboard, sign, or advertisement shall be three metres (3.0 m), and the maximum height of any structure shall not exceed ten metres (10.0 m) measured from the existing ground level.
3. The setback of any billboard, sign, or advertisement from the edge of the carriageway shall be the greater of—
 - (a) the height of the structure; or
 - (b) four metres (4.0 m).
4. Applications submitted under regulation 9(1) shall be exempt from the requirements of this regulation.

Dated the 11th November, 2025.

IBRAHIM NYANGOYA AUMA,
County Executive Committee Member for Mobility and Public Works.

