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Provincial Gazette Extraordinary

Buitengewone Provinsiale Koerant

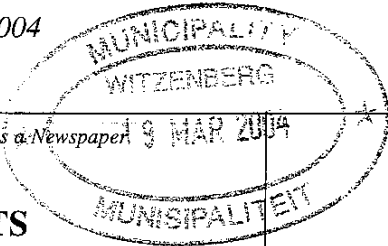
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INHOUD

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- (v) prescribe the charges payable for entry to and the use of any camping area and amenities therein.

Camping on private land

18. (1) No person shall without the prior written permission of the municipality having been obtained camp on private land or permit camping thereon be it for profit or otherwise;
- (2) The municipality may in its discretion refuse any such application for permission or grant it subject to the provisions of this by-law and any further conditions which the municipality may consider expedient;
- (3) The municipality may withdraw any permission granted as aforementioned, if the owner does not comply with all the provisions of this by-law and the further conditions imposed by the municipality at the time of approval or the provisions of any ordinance or act, after having been warned in writing to comply therewith.

Penalties

19. Any person who contravenes any provision of this by-law or disregards or fails to comply with a lawful instruction from the caretaker shall be guilty of an offence and liable upon conviction to—
- (1) a fine or imprisonment for a period not exceeding six months or either such fine or such imprisonment or both such fine and such imprisonment;
- (2) in the case of a continuing offence, an additional fine or an additional period of imprisonment of 10 days or either such additional fine or such additional imprisonment or both such additional fine and imprisonment for each day on which such offence is continued, and
- (3) a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as a result of such contravention or failure. 6289

- (v) die gelde voorskryf wat betaalbaar is vir toegang tot en die gebruik van enige kampeergebied en fasiliteite daarin.

Kampering op private grond

18. (1) Niemand mag sonder die munisipaliteit se voorafverkree skriftelike toestemming op private grond kampeer of toelaat dat daarop gekampeer word nie, hetsy vir wins of andersins.
- (2) Die munisipaliteit kan na goeëdukke enige sodanige aansoek om toestemming weier of dit toestaan onderworpe aan die bepalings van hierdie verordening en enige verdere voorwaardes wat die munisipaliteit dienstig ag.
- (3) Die munisipaliteit kan enige toestemming wat soos voornoem toegestaan is, intrek indien die eienaar versuim om aan al die voorwaardes wat tydens goedkeuring deur die munisipaliteit voorgeskryf is of die bepalings van enige ordonnansie of wet na te kom nadat die eienaar skriftelik in kennis gestel is om dit na te kom.

Strafbepaling

19. Iedereen wat enige bepaling van hierdie verordening oortree of 'n wettige opdrag van die opsigter verontagsaam of nalaat om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met—
- (1) 'n boete of gevangenisstraf vir 'n tydperk van hoogstens ses maande, of sodanige boete of sodanige gevangenisstraf of beide sodanige boete en sodanige gevangenisstraf;
- (2) in die geval van 'n voortdurende misdryf, met 'n addisionele boete, of 'n addisionele tydperk van gevangenisstraf van 10 dae, of sodanige addisionele boete of sodanige addisionele gevangenisstraf, of beide sodanige addisionele boete en gevangenisstraf vir elke dag wat sodanige misdryf voortduur, en
- (3) 'n verdere bedrag gelyk aan enige koste en uitgawes wat na bevinding van die hof deur die munisipaliteit aangegaan is as gevolg van sodanige oortreding of versuim. 6289

WITZENBERG MUNICIPALITY:

BY-LAW RELATING TO CERES NATURE RESERVE

(6-2004)

Purpose of by-law

- To promote the achievement of nature- and environmental conservation;
- To provide for procedures, methods and practices to regulate the use and management of nature reserves;

Definitions

1. In this by-law, words used in the masculine gender include the feminine, the singular includes the plural and vice versa, the Afrikaans text prevails in the event of an inconsistency between the different texts and unless the context otherwise indicates:—

“municipality” means the Municipality of Witzenberg established in terms of Section 12 of the Municipal Structures Act, 117 of 1998, Provincial Notice 487 dated 22 September 2000 and includes any political structure, political office bearer, councillor, duly authorised agent thereof or any employee thereof acting in connection with this by-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;

“reserve” means the land described in the Provincial Notice set out below:

- (a) Ceres Nature Reserve — Provincial Notice 788 of 1980

WITZENBERG MUNISIPALITEIT:

VERORDENING INSAKE CERES NATUURRESERVAAT

(6-2004)

Doel van Verordening

- Om die verwesenliking van natuur- en omgewingsbewaring te bevorder;
- Om voorsiening te maak vir prosedures, metodes en praktyke om die gebruik en bestuur van natuurreservate te reguleer.

Woordbepaling

1. In hierdie verordening sluit woorde wat die manlike geslag aandui, ook die vroulike geslag in, sluit die enkelvoud die meervoud in en omgekeerd, geniet die Afrikaanse teks voorrang in die geval van 'n teenstrydigheid tussen die verskillende tekste, en tensy dit uit die samehang anders blyk, beteken:—

“munisipaliteit” die munisipaliteit van Witzenberg gestig in terme van Artikel 12 van die Munisipale Strukturewet, 117 van 1998, Provinsiale Kennisgewing 487 gedateer 22 September 2000 en sluit in enige politieke struktuur, politieke ampsbekleder, raadslid, behoorlik gevolmagtigde agent daarvan of enige werknemer daarvan handelende ingevolge hierdie verordening uit hoofde van 'n bevoegdheid van die munisipaliteit wat gedelegeer of gesubdelegeer is aan gemelde politieke struktuur, politieke ampsbekleder, raadslid, agent of werknemer;

“reservaat” die grond soos beskryf in Provinsiale Kennisgewing soos hieronder uiteengesit:

- (a) Ceres Natuurreservaat — PK 788 van 1980

Nature and Environmental Regulations applicable

2. The provisions of the Nature and Environmental Conservation Regulations promulgated under Provincial Notice 955 dated 29 August 1975 shall apply mutatis mutandis in respect of the reserves, and any reference in such regulations to—
- (a) a nature reserve, or
 - (b) the Director or the Department, shall be construed as a reference to—
 - (i) The reserves, or
 - (ii) the municipality respectively.

Charges

3. The municipality shall fix the charges payable to it in connection with any amenity, facility, entertainment, exhibition, performance or service established or provided by it in respect of the reserves.

Camping and Picnicking

4. (a) No person shall camp or picnic in the reserves except in conformity with the provisions of this by-law and at such site as the municipality may allocate to such person.
- (b) Any person who has been allocated a site in terms of this section shall be responsible for the cleanliness thereof.

General prohibitions

5. No person shall—
- (a) trespass upon any flower bed or lawn;
 - (b) sell or offer for sale anything without first having obtained the written permission of the municipality;
 - (c) without good cause refuse or fail on demand to furnish any official with his correct name and address, and
 - (d) leave any motor vehicle unattended without first having secured the handbrake and locked the doors thereof, in the reserves.

Penalty

6. Any person who contravenes or fails to comply with any provision of this by-law shall be guilty of an offence and liable upon conviction to—
- (1) a fine or imprisonment, or either such fine or such imprisonment or both such fine and such imprisonment;
 - (2) in the case of a continuing offence, an additional fine or an additional period of imprisonment or either such additional fine or such additional imprisonment or both such additional fine and imprisonment for each day on which such offence is continued, and
 - (3) a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as result of such contravention. 6290

Natuur- en Omgewingsbewaringsregulasies van toepassing

2. Die bepalings van die Natuur- en Omgewingsbewaringsregulasies afgekondig by Provinsiale Kennisgewing 955 van 29 Augustus 1975 is mutatis mutandis van toepassing ten opsigte van die reservate, en enige verwysing in sodanige regulasies na—
- (a) 'n natuurreservaat, of
 - (b) die Direkteur of die Departement word vertolk as 'n verwysing onderskeidelik na—
 - (i) die reservate, of
 - (ii) die munisipaliteit.

Gelde

3. Die munisipaliteit stel die gelde vas wat aan hom betaalbaar is in verband met enige gerief, fasiliteit, vermaaklikheid, vertoning, uitvoering of diens wat deur hom ten opsigte van die reservate ingestel is of voorsien word.

Kampeer en piekniek hou

4. (a) Niemand mag in die reservate kampeer of piekniek hou nie behalwe ooreenkomstig die bepalings van hierdie verordening en op die perseel wat deur die munisipaliteit aan sodanige persoon toegewys is.
- (b) Iedereen aan wie 'n perseel ingevolge hierdie artikel toegewys is, is verantwoordelik vir die sielikhed daarvan.

Algemene verbod

5. Niemand mag in die reservate—
- (a) enige blombedding of grasperk wederregtelik betree nie;
 - (b) enigiets verkoop of te koop aanbied sonder die voorafverkreë skriftelike toestemming van die munisipaliteit nie;
 - (c) sonder grondige rede weier of versuim om sy regte naam en adres op aanvraag aan die munisipaliteit te verstrek nie, en
 - (d) enige motorvoertuig sonder toesig laat nie alvorens die handrem en deure daarvan vasgetrek en gesluit is.

Strafbepaling

6. Iedereen wat enige bepaling van hierdie verordening oortree of nalaat om daaraan te voldoen is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n straf van—
- (1) 'n boete of gevangenisstraf, óf sodanige boete of sodanige gevangenisstraf óf beide sodanige boete en sodanige gevangenisstraf;
 - (2) in die geval van 'n voortdurende misdryf, met 'n addisionele boete of 'n addisionele tydperk van gevangenisstraf, óf sodanige addisionele boete of sodanige addisionele gevangenisstraf, óf beide sodanige addisionele boete en gevangenisstraf vir elke dag wat sodanige misdryf voortduur; en
 - (3) 'n verdere bedrag gelyk aan enige koste en uitgawes wat na bevinding van die hof deur die munisipaliteit aangegaan is as gevolg van sodanige oortreding of versuim. 6290