## Provincial Gazette Extraordinary

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WITZENBERG MUNICIPALITY:

BY-LAW RELATING TO THE IMPOUNDMENT OF ANIMALS

(3-2004)

Purpose of by-law

- To promote the achievement of a safe, and healthy environment for the benefit of residents within the area of jurisdiction of the municipality;
- To provide for procedures, methods and practices to regulate the impoundment of animals.

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:

- "animal" means any equine, bovine, sheep, goat, pig, fowl, ostrich, dog, cat or other domestic animal or bird, or any wild animal, wild bird or reptile which is in captivity or under the control of any person;
- "cattle" means bulls, cows, oxen, heifers, steers and calves;
- "goat" means an adult male or female goat, a wether and a kid;
- "horse" means a stallion, mare, gelding, colt, filly, donkey and male;
- "municipality" means the Municipality of Witztown 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;
- "occupier" means any person in actual occupation of land or entitled as owner to occupy land;
- "owner", in relation to an animal, includes any person having possession, charge, custody or control of such animal;
- "pound" means a fenced-off area consisting of one or more camps under the control of a pound master, which was created for the housing and care of stray animals which are stray, lost or at large;
- "pound master" means a person who may be either
  (a) a part-time or full-time employee of a municipality, or
  (b) appointed under a service delivery agreement to keep and operate a pound;
- "sheep" means a ram, an ewe, a wether and a lamb;
- "stallion" means a male horse, donkey or mule not castrated or partially castrated;
- "proprietor" means any owner, lessee, or occupier of land;
- "stock inspector" means any owner, lessee, or occupier of land;
- "veterinary surgeon" means a person who is qualified as such in accordance with the provisions of the Veterinary and Para-Veterinary Practitioners Act, 1982 (Act 15 of 1982).

Impoundment for trespassing

2. Any person may impound an animal found abandoned upon any street, road, road reserve or other public place.

WITZENBERG MUNICIPALITEIT:

VERORDENING INSAKE DIE SKUT VAN DIERE

(3-2004)

Doel van Verordening

- Om die verwesenliking van 'n gesonde en veilige omgewing te bevorder tot voordeel van inwoners en die regte van diere in die gebied van Witztown;
- Om voorbehoorlike procedures, metodes en praktiese oor die skut van diere te reguleer.

Woordomskrywing

1. In hierdie Verordening sluit woorde wat die volklike geslag aandui, ook die volklike geslag in, sluit die enkelyoudige meermeervoud in en omgeskryf, gesit die Afrikaans tekst voortvinn in die geval van 'n teenwoordigheid tussen die verskillende tekste, en teeny dit uit die samehang anders bykom, beteken:

- "bees" - 'n bul, koei, os, vers, tolie en kalf;
- "bok" - 'n ram, ooi, kapster en lam;
- "dier" - 'n lid van die perdefamilie, 'n bees, skap, beuk, vark, beeld, velddier, hand, kat of of ander huiddier of voël of 'n wilde dier, wilde voël of reptiel wat in gevangenskap verkeer of onder iemand se beheer;
- "eisers" - "met betrekking tot 'n dier, elke iemand wat in besit is van of belas is met die dier, bewaring of beheer van 'n dier;
- "goedieiers" - "eiers, huurder of okkoueierder van grond;
- "hings" - 'n per, donkie- of mulhings wat nie gekasteer nie is of wat gedeelelik gekasteer is;
- "municipaliteit" die munisipaliteit van Witztown gestig in terme van Artikel 12 van die Munisipale Struktuwet, 117 van 1998, Provisonale Konsensus 487 gedateer 22 September 2000 en sluit in enige posersel struktuur, politieke amptekniek, raadshul, besoeklike gevolginge agent daarvan of enige werker daarvan handelende ingeval hierdie verordening uit hoofde van 'n bevoegdheid van die munisipaliteit wat gedelegeer of gesubsisteer is aan gemelde politieke struktuur, politieke amptekniek, raadshul, agent of werker;
- "okkoueier" - 'n persoon wat werklik grond okkouer, of wat eiers geregte is om grond te okkouer;
- "perd" - 'n hing, merrie, rampdier, hingsvul, merrievul, donkie en malk;
- "skap" - 'n ram, ooi, hannel en lam;
- "skut" - afgesedere area bestaande uit een of meer kampie ondervel beheer van 'n skutmeester wat geskryf is om afgedaarde, verdwaalde, verloor of loslopende diere te huiseen en te versorg;
- "skutmeester" - 'n persoon wat of-
  (a) 'n deeltjie of heilige werker van 'n munisipaliteit is; of
  (b) kragtens 'n wettelinge van die skutmeester aangestaan word, wat 'n skut aan te hou en te bedryf;
- "veetel" - 'n persoon wat sodanig gekwalifiseer is om te bedryf of beheer van 'n skut.

Skut vir oortreding

2. Enige persoon kan 'n dier wat hom in of op 'n straat, pad, padreserve of openbare plek bevind en wat nie in die sorg van iemand is nie, skut.
Pound to which animals are to be sent

3. Any proprietor upon whose land any animals are found trespassing may send such animals to such pound as is nearest by a passable road or thoroughfare to the land trespassed upon, or such other pound designated by the municipality.

Offer by owner before impoundment of animals

4. The owner of any animals liable to impoundment for trespassing may, before the animals are removed from the property trespassed upon, offer to the person complaining of the trespassing a sum of money in compensation of the damage suffered by him. Such offer shall be made to the complainant himself or to his servant or agent charged with the duty of taking the animals to the pound.

Receiving of animals by pound master

5. (1) It shall be the duty of every pound master to receive into his charge all animals brought to his pound, during such hours as the municipality may determine, by the proprietor, or by any person authorized in writing thereto by such proprietor or curator, to be impounded for having been found trespassing upon the land of such proprietor.

(2) Any pound master who unreasonably refuses or fails to receive animals brought to his pound as aforesaid shall be guilty of an offence and shall, in addition, be liable for any damage caused to the owner of the said animals, or to any other person, by reason of such refusal or failure; provided that, if any animal suffering from any contagious disease is brought to the pound, such animal shall be kept separate from all other impounded animals, and the pound master may cause such animals to be thinned off under the provisions of section 8.

Receipt for impounded animals

6. Every pound master shall give the person delivering animals into his charge a written receipt, indicating the number and description of the animals so delivered, and specifying the trespassing for which the said animals, as reported, are to be impounded.

Number of enclosures

7. Every pound master shall maintain in good repair and, as far as possible, free from all infection, not less than five separate enclosures for—

(a) ostriches and horses;
(b) cattle;
(c) sheep, goats and pigs;
(d) canines;
(e) feline;

provided that a municipality may in regard to any pound in its area give permission to the pound master to maintain a smaller number of enclosures thereof.

Finishing off of dangerous or contagious animals

8. A pound master may cause to be finished off any impounded animal suffering from a contagious disease, or which may prove dangerous to human life or other animals impounded, provided that no such animal shall be finished off unless a veterinary surgeon has examined it and has agreed with the pound master as to the necessity for its finishing off.

Notice of impounded animals

9. Every pound master who knows the name of the owner of any animal impounded in his pound shall forthwith give written notice to such owner that the said animal has been impounded.

Skat waarheen diere gesetstuur moet word

3. 'n Grondhuisenaar op wie as grond diere gevind word wat daarop ooreen kan sodanige diere na dié skat stuur wat met 'n beginaane pad of verkeersweg langs die nasse is aan die grond waarop aldus ooreen is, of sodanige ander skat wat deur die municipaleit aangewys is.

Aanbod deur eienaar voor skat van diere

4. Die eienaar van diere wat weens oortreding geskat kan word, kan, voordat die diere verwyder word van die diëdom waarop hulle ooreen het, die persoon wat oor die oortreding kla 'n som geld aanbied om hom se vergelyking met die skat te bereik. So 'n aanbod word aan die klager se of sy opsigter gedaan. Indien sodanige diere reeds op pad na die skat is, kan die eienaar daarvan 'n som geld aanbied om vir die skade of enige ander koste te vergoed. Sodanige aanbod kan gedaan word aan die klager se of sy eienaar of agent belys met die plig om dié diere na dié skat te neem.

Aantrekking van diere deur skutmeesters

5. (1) Dit is die plig van elke skutmeester om alle diere onder sy oog in te se na wat gedurende dié ure, voorsien door die municipaleit vasgestel, na sy skat geleë is en deur die grondhuisenaar of deur 'n persoon wat skrillik die deur sodanige grondhuisenaar of opsigter daartoe vasgestel is, om geskat te word enrede hulle ooreen het op die grond van sodanige grondhuisenaar.

(2) 'n Skutmeester wat omredelik weier of verlang om diere te ontvang wat voorsien is na sy skut geleë is, en deur sodanige pligte laat deur die dié ander persoon, moet dié persoon die verantwoordelikheid van dié diere van sodanige skutmeester kan afwissel, met wie ander persone onder dieselfde betrokkenheid van dié diere geskat moet word en, en die skutmeester somslik diere kan na dieselfde skatmeester toegesit word, en deur die skutmeester somslik diere kan lank afreken met die betrokkenheid van die publieke.

Ontvangswag vir geskutte diere

6. Elke skutmeester moet aan die persoon wat diere deur sy oog laat, 'n skriflike ontvangswag gee waarin die geld en betrekking van die diere aangedui word en deur wie die diere geskat moet word, uiteengesit word.

Getal kampie

7. Elke skutmeester moet minstens vyf afsonderlike kampie in 'n groote toestand en soveel moeilik vry van alle besmetting in stand hou vir—

(a) volwasse en perde;
(b) beeste, en
(c) skaape, bokke en varke;
(d) hoende
(e) kane

met dié verstande dat 'n municipaleit teen opsigte van enige skat neem na dié betrokkenheid van die skutmeester kan gee om 'n kleinier getal kampie daarop in stand te hou.

Afmekaak van gevaarlike of aarstellike diere

8. 'n Skutmeester mag enige geskutte diere afmekaak of laat afmekaak wat aan 'n aarstellike siekte of wat moeilik gevaarlik vir mens en of vir ander geskutte diere kan wees; met dié verstande dat geen sodanige diere afmekaak of wees nie tensy 'n vermaaklik onderzoek het en met die skutmeester ooreengekom het oor die noodsaaklikheid daarvan om dit af te maak.

Kennisgewing van geskutte diere

9. Elke skutmeester wat bekend is met die naam van die eienaar van 'n diere wat in by die skat is, moet sonder versuiming skrillik die kwessie aan die municipaleit gee dat genoemde diere geskat is.
10. (1) Every pound master shall keep a pound register with the following particulars:
(a) the date when, and the reason for which, all animals received by him are impounded;
(b) the number and description of such animals;
(c) the name and residence of the person impounding such animals, and the name and residence of the owner or supposed owner;
(d) the date and particulars of the release of sale of the animals, as the case may be, and
(e) any other matters which he may be directed by the municipality to ascertain and record.

The entries under subsection (3)(a), (b) and (c) shall be made at the time the animals are impounded, and the entries under subsection (1)(d) and (e) shall be made as soon as the pound master obtains the necessary information provided that no entry shall be made after a dispute has arisen.

(3) In case of the death of injury of any impounded animal the pound master shall enter in his pound register a description of such animal and the cause of its death of injury.

Inspection of and extracts from pound register

11. Every pound register shall be kept at the pound or any other approved place and shall at all reasonable times be open for inspection, free of charge, to any authorized officer of the municipality, veterinary surgeon, stock inspector, and any member of the police service of the public.

Submission of pound register entries after pound sales

12. Every pound master shall within a fortnight after the date of each pound sale submit to the municipality a copy of all entries in his pound register made since the date of the preceding submission. The municipality shall preserve all such copies for inspection by any person desirous of seeing them.

Inspection of pound register at place of sale

13. Whenever a sale of impounded animals is to take place, the pound master or a person authorized to conduct the sale, shall take the pound register with him to the place of sale, and such register shall be open for inspection, free of charge, at the place of sale to all persons desirous of inspecting it.

Pound master's fees

14. (1) The municipality may fix fees and charges or tariffs for the keeping of animals in a pound and may, in determining such fees and charges or tariffs, distinguish between different kinds of animals and provide for the keeping and feeding of animals in separate enclosures.

(2) Every pound master shall be entitled to claim the fees and charges or tariffs determined by the municipality in terms of subsection (1) for every animal impounded by him in terms of this by-law.

Fees payable

15. (1) The fees and charges or tariffs determined by the municipality in terms of section 14 shall be paid to the pound master by the owner of the animals impounded, and the said fees and charges or tariffs, together with any costs which the pound master may have incurred and sundries may be detailed by the pound master in security of payment of the said fees and charges or tariffs, provided that:
(a) if the value of the animals impounded is in excess of the total amount due thereon, as determined in terms of the Byhou van skateregister

10. (1) Elke skatemeester moet 'n skateregisterhou waarin die volgende besonderhede aangerik word:
(a) die datum waarop en die rede waarom alle diere was deur hom ontvange en geknuts is;
(b) die geslote en beskrywing van sodanige diere;
(c) die naam en woonplek van die persoon wat sodanige diere skuit, en die naam en woonplek van die eierman of verwoende eiersa;
(d) die datum en besonderhede van die los of verkoop van die diere, na gelang van die geval, en
(e) alle ander sake wat die muniipaliteit hom gelaat om vas te stel en sake te teken.

(2) Die inskrywing onder subparagraaf (1)(a), (b) en (c) moet gedoen word wanneer die diere geknuts word en die inskrywings onder subparagraaf (1)(d) en (e) moet gedoen word sodra die skatemeester in besit kom van dié nodige besonderhede; met dié verstaande dat geen inskrywing gedoen mag word nadat 'n geval om inkomst ontstaan het nie.

(3) In geval van die dood of oorheersing van 'n geval moet die skatemeester 'n beskrywing van sodanige diere en die oorsak van die dood of oorheersing daarvan in sy skateregister aanteken.

Insue in en uitlekaar vir skateregister

11. Elke skateregister moet by die skuit of 'n ander goedgekeurde plek gehou word en moet op alle redelike wye ter insue wees van enige gemagtigde amptenaar van die muniipaliteit, weers, veroordeels, en enige lid van die polisie of van die publiek.

Voorlegging van skateregisterinskrywing na skaterekopwerk

12. Elke skatemeester moet binne veertig dae na die datum van elke skaterekopwerk 'n stukwerk aan die muniipaliteit voorval van alle inskrywings in sy skateregister wat gedoen is slegs die datum van die vorige voorlegging. Die muniipaliteit moet al sodanige afdrukke bewaar ter insue van elke persoon wat dit verlang.

Insue in skateregister op plek van verkopwerk

13. Wanneer 'n verkopwerk gehou gaan word van diere wat geknuts is, moet die skatemeester of 'n persoon wat gemagtig is om die verkopwerk te doen, die skateregister met hom neem na die plek van verkopwerk, en sodanige register moet op die plek van verkopwerk kosleen ter insue wees van alle persone wat dit verlang.

Skatemeesterregade

14. (1) Die muniipaliteit kan gelde, koste of tariewe vaststel vir die aansoek van diere in 'n skuit of in die voorstelling van sodanige diere in skateregisterinskrywing van die muniipaliteit.

(2) Elke skatemeester is gereig om die gelde, koste of tariewe wat deur die muniipaliteit ingevoeg is, in te trek van elke diere wat hy in inskrywing voorstel.

Gilde betaalbaar

15. (1) Die gelde, koste en tariewe wat inheggen in artikel 14 van die skateregister moet net soveel van diere wat geknuts is, betal word terwyl geen enige eis op reg wat deur die skatemeester aangeteken het, en sodanige diere kan die skatemeester uitleek by middel van sodanige gelde, koste en tariewe gehou word; met dié verstaande dat—
(a) indien die waarde van die diere wat geknuts is meer is as die totale bedrag wat daarop verhoog word, is dieseldae dus.
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this by-law, and if the owner is unable to pay the said
amount, the pound master shall detain only so many of
the said animals as may be sufficient to secure the total
amount due for all the animals, and shall deliver the
remainder of the animals to the said owner, and

(b) any pound master who retains any greater number of
such animals than is reasonably necessary to secure such
amount shall be liable to the owner for any damages
sustained by him on account of such reten-
tion.

(2) If the pound master is an official of the municipality, he shall
pay the fees and charges or tariffs received by him in terms of
this by-law into the revenue of the municipality.

(3) No pound master shall release any impounded animal until
the prescribed fees and charges or tariffs have been paid to
him.

Notice of sale

16. Every pound master shall—

(1) whenever any impounded animal has not been released
within six days from the date of its impoundment, forward to
the municipality in whose area of jurisdiction the pound is
situated, a notice setting forth the species, marks and
distinguishing features (if any) of such animal, and in regard
to horses and cattle their colour also, and stating that the
animal mentioned therein will be sold at the next sale of
impounded animals, as well as the time and place of such
sale.

(2) upon sending such notice to the municipality, post a copy
thereof in some or other conspicuous place at or near his
pound, there to remain until the day of the sale, and

(3) cause to be published in a newspaper circulating in the area
of jurisdiction of the municipality where the pound is
situated a notice of the sale of the impounded animal, provided
that the cost of such notice shall be recoverable from the owner of
the impounded animal and shall be deemed to be part of the
amount to be deducted from the proceeds of the sale of an
animal and it shall be recoverable from the owner of such
animal if the said proceeds are less than the amount due;
provided further that—

(a) if such notice refers to more than one animal, the
municipality shall in its discretion, divide the cost of
such notice among in respect of the animals referred to
therein, and

(b) if the owner of an impounded animal is unknown, and
the proceeds of the sale do not cover the amount as
aforesaid, the municipality shall make good the defi-
ciency.

Auctioneer

17. (1) Every sale of impounded stock shall

(a) be conducted by the pound master or some other
person duly authorized thereby by the municipality
concerned, and

(b) commence at a time and be held on a day to be fixed by
the auctioneer.

(3) No person conducting a pound sale shall have any direct
or indirect interest in any purchase at any sale so held by
him.

Sale of Animals

18. At every such sale—

(1) no animal shall be put up for sale unless impounded for at
least two weeks.
(2) all animals, except sheep and goats shall be sold individually;

(3) sheep and goats shall be sold in lots of not more than ten, and

(4) animals shall be sold for cash, and the proceeds, less the amount of the pound fees and other fees, charges or tariffs payable in respect of such animals shall forthwith upon receipt, be handed to the pound master by the municipality, to be paid to the owners of the animals sold according to their respective rights; provided that—

(a) if in any particular case the animals sold do not realise sufficient to yield the sum of pound fees and other fees, charges or tariffs as aforesaid, the proceeds shall be first utilised for the payment of the compensation due to the pound master, and if the said proceeds are insufficient to cover such compensation, the balance of compensation shall be paid to the pound master by the municipality;

(b) any money being the proceeds of the sale of all impounded animal as aforesaid, which remains in the hands of the municipality for a period of twelve months without being claimed by the owner of such animal, shall become the property of such municipality;

(c) it shall be competent for the municipality to make good to any pound master any loss which he may incur in the keeping of animals whose selling price does not cover the costs incurred;

(d) it shall be competent for any pound master, after compliance with the procedure prescribed by section 8 relating to diseased animals, to cause to be butchered any aged or otherwise permanently unfit animal presented at the pound;

(e) if any animal dies in the pound and the owner cannot be traced, the expenses of burying the carcass shall be borne by the municipality;

(f) the municipality or an authorised officer may fix a reserve price for any animal offered for sale, and

(g) the auctioneer may withdraw any animal from the sale if the highest bid received is not in his opinion satisfactory, irrespective of whether or not a reserve price has been fixed by the municipality.

Illegal impounding and penalties

19. Any person who illegally impounds any animal shall be guilty of an offence and shall in addition be liable to the owner for all damages, pound fees, compensation, cost and charges arising out of such proceeding, and for all charges, fees or tariffs as connection therewith.

Recovery of loss in respect of impounding of animals from area of another municipality

20. Any loss suffered by a municipality as a result of the impounding in a pound under its management and control of animals found trespassing within the area of jurisdiction of another municipality, may be recovered by such first-mentioned municipality from such other municipality.

Use, detention and ill-treatment of animals

21. No person shall turnously drive away any animal found trespassing, worry or ill-treat it.

(2) moet alle diere, uitgesonder skape en bokke, onskrywings verkoop word.

(3) moet skape en bokke in troope van hoogstens drie verkoop word en mag skape en bokke, of skape of bokke met verskilende oor of bewerking, in open onbeheerde saam in dieselfde troop verkoop word nie.

(4) moet diere vir kontant verkoop word, en moet die opbrengs, min die bedrag van skulpelde en ander gedeelte, koste en tariewe benodig het teen opsigte van sodanige diere gedoklik by ontvangs daarvan driel skommeraar aan die municipisiteit onverblyf word om aan die eenaar van diere wat verkoop is betaal te word al na hy onder ogen gely het dat diere verstaan dat—

(a) indien in enige besonder geval die dier wat verkoop word nie voldoen dek om die bedrag van sodanige skulpelde en skulpelde, koste en tariewe soos voorgestelde eerder twerf, nie die opbrengs in die eerste instansie aangeweef word nie, moet die vergoeding wat aan die skommeraar verkry word, dek in die opbrengs dek wat aan die municipisiteit aan die skommeraar betaal word;

(b) geld wat die opbrengs is van die verkoop van 'n geskoot diere voor vroeër word vir 'n volledig twaalf maande in besit van die municipisiteit by sonder dat dit deur die eenaar van sodanige dier opgehou word, die eendem van sodanige municipisiteit word;

(c) die municipisiteit de regeringsdien het om 'n skommeraar te vergoed vir enige verlies wat by weens die aanhoud van diere by die verkooppunt nie die onkoste dek wat aangegryp is nie;

(d) 'n skommeraar de regeringsdien het om, radiaal by valskoon het aan die procedure in verband met besmette diere voorgestryk by artikel 8, enige dier wat se skat gebrag is en wat vreems onderoude of uiterwaard permanent onhealbaar geword het, af maak;

(e) indien 'n dier in die skat doorgaan en die eenaar nie opgespoor kan word nie, en die onkoste in verband met die begroting van die kierke by die municipisiteit gedaar word;

(f) die municipisiteit 'n reserverypunt van vreemst enige dier wat se koop aangebied word en

(g) die afsluit enige dier aan die verkoop kan onthou as die hoogste bid wat gedoen word, by die mening van bevoegdheid is nie, ongeag of 'n reserverypunt deur die municipisiteit vasgestel of nie.

Owetlike skut van diere en boetes

19. Enige persoon wat 'n dier onwettig skut, is skuldig aan 'n misdryf en is byvordering aanspraklik te nommer die eenaar vir alle rampelde, skakelvorderings, onkoste wat daaruit ontstaan, en vir gedeelte, koste en tariewe in verband daarmee.

Verhaal van verlies ten opsigte van diere geskot uit gebied van ander planteel onoverheid

20. Enige verlies wat 'n municipisiteit by ten gevolge van die skat van diere in 'n skut oordeel by behoort en bestuur wat binne die regeringsdien van 'n ander municipisiteit voorkom, moet by die sodanige eeregoenoise municipisiteit op sodanige ander municipisiteit verhaal word.

Gebruik, aanhouding en mishandeling van diere

21. Niemand mag 'n dier wat gevind word waar die diere, buitenspoedig enigszins aangetoon of dit pla of mankeel nie.
22. Any person who—

(1) contravenes or fails to comply with a provision of this by-law, whether or not such contravention or failure has been declared an offence elsewhere in this by-law;

(2) deliberately obstructs, hampers or handicaps any person in the exercise of any power or the performance of any duty or function in terms of any provision of this by-law, or

(3) furnishes false, incorrect or misleading information shall be guilty of an offence and liable to open conviction to:

(a) a fine or imprisonment or either such fine or imprisonment or both such fine and such imprisonment and,

(b) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued and,

(c) 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 or failure. 6297

WITZENBERG MUNICIPALITY

BY-LAW RELATING TO THE KEEPING OF ANIMALS

(14-2004)

Purpose of By-Law

To promote the interests of animals and residents by exercising control over the numbers and kinds of animals that may be kept as well as the conditions under which such animals may be kept, regulated and cared for and to provide for the prevention of nuisances through the keeping of such animals.

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—

“animals” means members of the equine family, cattle, sheep, goats, pigs, fowl, dogs, cats, or other domestic animals or birds, of any wild animal, wild bird or reptile which is in captivity or under the control of a person;

“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 authorized 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;

“nuisance” means, any act, omission or condition which is, in the opinion of the municipality, detrimental to health or offensive or injurious or which materially interferes with the ordinary comfort or convenience of the public or adversely affects the safety of the public or which disturbs the quiet of the neighbourhood;

“pet” means any dogs, cats, guinea pigs, hamsters, rabbits, chinchillas or birds not kept for breeding or business purposes;

“premises” means any land, whether vacant, occupied or with buildings thereon;

WITZENBERG MUNICIPALITY

VERORDENING INSAKE VAN DIERE

(14-2004)

Doel van Verordening

1. In die verordening sluit waardoor wat die manlike geslag aanval, ook die vroulike geslag incl. sluit die ongeveer 4 000 diere wat in die omgewing van die dorp oor die jaar tot meer as 20 000 diere van die manlike geslag aanval.

“dier” lade van die perdie, beeste, skap, bokse, varle, hoenders, volwasse, honde kant of ander huisdiere of veld, wilde of wilde slawe of reptiie wat in gemeenskaplike vangteveral of onder die beheer van iemand is;


“oorlaas” onder meer enige handel, versmaai of toestand wat waardoor die gemeenskaplike veiligheid van enige dier oor die jaar tot meer as 20 000 diere van die manlike geslag aanval.

“person” enige persoon, huisvuil enbehro, ge-ebagai onbehro of ge-behot daarop;

“pecoider” enige honde, katte, mesmaakies, hamsters, korve, volwasse, reptiie wat in gemeenskaplike vangteveral of onder die beheer van iemand is;