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**WITZENBERG MUNICIPALITY:  
BY-LAW RELATING TO THE KEEPING OF BEES**

(15-2004)

**Purpose of By-Law**

- To promote the safety of residents by exercising control over the keeping of bees and the premises and structures in which bees may be kept.

**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;

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

**Application of By-law**

2. The provisions of this by-law do not apply where bees are kept on premises which are zoned for agricultural purposes.

**Written Permission**

3. (1) Except for the provisions of section 2 no person shall on any premises within keep or permit to be kept bees without the approval in writing of the municipality.
- (2) Any application for the approval of the municipality to keep bees shall be in writing and the applicant shall in such application—
  - (a) specify the premises whereon the applicant proposes to keep bees;
  - (b) state the maximum number of hives to be used; and

**Site and Structure Requirements**

4. No person shall under authority of the approval of the municipality in terms of section 3, keep bees—
  - (1) on premises less than 3 700m<sup>2</sup> in extent;
  - (2) except in a bar-framed hive approved by the municipality, situated not less than 90 m from any street, dwelling, place of business or fowl-house or place where animals or birds are kept, and enclosed by means of a sound wire fence or wall of a height not less than 1,5m at a distance of not less than 4,5m in any direction from such hive so as to render such hive inaccessible to animals or unauthorised persons.

**Withdrawal of approval**

5. Notwithstanding the provisions of the foregoing sections, the municipality may withhold its approval in the case of any premises, whereon it is proposed to keep bees in terms of any application made therefor, being within 400m, measured from the nearest point of the nearest boundary of such premises, of the nearest point of the nearest boundary of any church, school, hospital or cinema or any other place of amusement, gathering or recreation;

**WITZENBERG MUNISIPALITEIT:  
VERORDENING INSAKE DIE AANHOU VAN BYE**

(15-2004)

**Doel van Verordening**

- Om in belang van inwoners voorsiening te maak vir die aanhouding van bye, asook die beheer oor persele en strukture waarin dit aangehou mag word.

**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 gevormde 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;

“perseel” enige grond, hetsy onbebou, ge-okkupeer of met geboue daarop.

**Toepassing van verordening**

2. Die bepalinge van hierdie verordening is nie van toepassing nie waar bye op persele wat vir landboudoeleindes gesoneer is, aangehou word.

**Skriftelike toestemming**

3. (1) Behoudens die bepalinge van artikel 2 mag niemand op enige perseel bye aanhou of toelaat dat bye aangehou word sonder die skriftelike goedkeuring van die munisipaliteit nie.
- (2) Enige aansoek om die goedkeuring van die munisipaliteit om bye aan te hou, moet skriftelik wees, en die aansoeker moet in sodanige aansoek—
  - (a) die perseel vermeld waarop die aansoeker voornemens is om bye aan te hou;
  - (b) die maksimum getal korwe wat gebruik gaan word, meld; en

**Perseel en Struktuurvereistes**

4. Niemand mag kragtens die goedkeuring van die munisipaliteit ooreenkomstig artikel 3 bye aanhou—
  - (1) op 'n perseel kleiner as 3 700m<sup>2</sup> in omvang nie;
  - (2) behalwe in 'n roosterraamwerkkorf wat deur die munisipaliteit goedgekeur is, geleë minstens 90m van enige straat, woonhuis, besigheidsplek of hoenderhok of plek waar diere of voëls aangehou word, en wat omhein is met 'n sterk draadheining of muur van 'n minimumhoogte van 1,5m, op 'n afstand van minstens 4,5m in enige rigting van sodanige korf, sodat sodanige korf vir diere of ongemagtigde persone ontoeganklik is.

**Weerhouding en Terugtrekking van Goedkeuring**

5. Ondanks die bepalinge van die voorafgaande artikels kan die munisipaliteit sy goedkeuring weerhou ingeval enige perseel waarop dit die voorneme is om bye aan te hou kragtens 'n aansoek daarom ingedien, geleë is binne 400m, gemeet van die naaste punt van die naaste grens van sodanige perseel, van die naaste punt van die naaste grens van enige kerk, skool, hospitaal of bioskoop of enige ander vermaaklikheids-, vergader- of ontspanningsplek; of

Penalty clause	Strafbepaling
<p>5. 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—</p> <p>(1) a fine or imprisonment, or either such fine or such imprisonment or both such fine and such imprisonment;</p> <p>(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</p> <p>(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. 6299</p>	<p>6. Iedereen wat 'n bepaling van hierdie verordening oortree of in gebreke bly om daaraan te voldoen, is skuldig aan 'n misdryf en by skuldigebevinding strafbaar met—</p> <p>(1) 'n boete of gevangenisstraf, of sodanige boete of sodanige gevangenisstraf of beide sodanige boete en sodanige gevangenisstraf;</p> <p>(2) in die geval van 'n voortdurende misdryf, met 'n addisionele boete of 'n addisionele tydperk van gevangenisstraf, of sodanige addisionele boete of sodanige addisionele gevangenisstraf, of beide sodanige addisionele boete en gevangenisstraf vir elke dag wat sodanige misdryf voortduur; en</p> <p>(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. 6299</p>

**WITZENBERG MUNICIPALITY:**  
**BY-LAW RELATING TO THE KEEPING OF DOGS**  
**(16-2004)**

**Purpose of By-Law**

- To provide for the control over the amount of dogs that may be kept, the breeding with dogs, control over dogs by their owners, pounding of stray dogs and the prevention of nuisances through the keeping of dogs.

**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:—
- “dog” for the purpose of sections 3 and 4 means a dog over the age of six months;
- “keep” in relation to a dog, includes to have such dog in possession, under control or in custody or to harbour such dog;
- “owner”, in relation to a dog, means any person who keeps a dog and includes any person to whom a dog has been entrusted or who has control of a dog in respect of any site within the area of jurisdiction of the Municipality where such dog is kept or is permitted to live or remain;
- “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;
- “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;
- “premises” means any land, whether vacant, occupied or with buildings thereon;
- “public place” means any square, park, recreation ground, sports ground, lane, open space or enclosed place vested in the Municipality or other state authority or indicated as such on the Surveyor General’s records or utilized by the public or zoned as such in terms of the applicable zoning scheme or at any time declared or rendered such by the municipality or any other competent authority.

**WITZENBERG MUNISIPALITEIT:**  
**VERORDENING INSAKE DIE AANHOU VAN HONDE**  
**(16-2004)**

**Doel van Verordening**

- Om voorsiening te maak vir beheer oor die getal honde wat aangehou mag word, die teel met honde, die beheer oor honde deur hulle eienaars, beslaglegging op rondloperhonde en die voorkoming van oorlaste deur die aanhouding van honde.

**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:—
- “aanhou” met betrekking tot 'n hond, om toesig of beheer daaroor te hê of om dit in bewaring te hê of om skuiplek te bied aan sodanige hond;
- “eenaar”, met betrekking tot 'n hond, iemand wat 'n hond aanhou en omvat dit enige persoon aan wie 'n hond toevertrou is of wat beheer oor 'n hond het ten opsigte van enige terrein binne die regsgebied van die munisipaliteit waar sodanige hond aangehou word of toegelaat word om te lewe of te bly;
- “hond” vir doeleindes van artikels 4 en 5, 'n hond bo die ouderdom van 6 maande;
- “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 ampsbekleeder, 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 ampsbekleeder, raadslid, agent of werknemer;
- “oorlas” onder meer enige handeling, versuim of toestand wat na die mening van die munisipaliteit skadelik vir die gezondheid of aanstootlik of nadelig is of wat wesenlik inbreuk maak op die gewone gemak of gerief van die publiek of die veiligheid van die publiek nadelig raak of wat inbreuk maak op die stilte van die omgewing;
- “openbare plek” enige plein, park, ontspanningsterrein, sportterrein, steeg, oop ruimte of omheinde plek wat by die munisipaliteit of ander staatsgesag berus of as sulks op die Landmeter-Generaal se rekords aangetoon word of deur die publiek gebruik of wat as sulks ingevolge die toepaslike soneringskema gesoneer is of wat te enige tyd deur die munisipaliteit of enige ander bevoegde owerheid tot sodanig gemaak of verklaar is;