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municipality in accordance with this by-law shall be guilty of an offence and on conviction be liable to—

- (1) a fine or imprisonment for a period not exceeding six months or to such imprisonment without the option of a fine or to both such fine and such imprisonment and,
- (2) in the case of a continuing offence, to an additional fine or an additional period of imprisonment of 10 days 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,
- (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 or failure. 6651

kennisgewing wat kragtens hierdie verordening deur die munisipaliteit uitgereik is, is skuldig aan 'n misdryf en by skuldigbevinding strafbaar met—

- (1) 'n boete of gevangenisstraf vir 'n tydperk van hoogstens ses maande, of met sodanige gevangenisstraf sonder die keuse van 'n boete of met beide sodanige boete en sodanige gevangenisstraf en,
- (2) in die geval van 'n voortdurende misdryf, met 'n addisionele boete of 'n addisionele tydperk van gevangenisstraf van 10 dae, of met sodanige addisionele gevangenisstraf sonder die keuse van 'n boete of met 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. 6651

WITZENBERG MUNICIPALITY

BY-LAW RELATING TO PARKS FOR CARAVANS AND MOBILE HOMES

(24-2004)

Purpose of By-Law

- To promote the achievement of a safe and sought after tourism environment for the benefit of visitors and residents within the area of jurisdiction of the municipality;
- To provide for procedures, methods and practices to regulate the use and management of parks for caravans and mobile homes.

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:—

“caravan” means any vehicle permanently fitted out for use by persons for living and sleeping purposes, whether or not such a vehicle is a trailer;

“mobile home” means a factory assembled structure approved by the municipality with the necessary service connections made so as to be movable on site and designed to be used as a permanent dwelling;

“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;

“park” means any land used or intended to be used for the accommodation of caravans or mobile homes or caravans and mobile homes, and

“site” means the land set aside within a park for the accommodation of a mobile home or a caravan and its towing vehicle, if any.

Application of By-law

2. This by-law shall be applicable to all parks, whether situated on private or public land.

WITZENBERG MUNISIPALITEIT

VERORDENING INSAKE PARKE VIR WOONWAENS EN MOBILE WONINGS

(24-2004)

Doel van Verordening

- Om die verwesenliking van 'n veilige en gesogte toerisme-omgewing te bevorder tot voordeel van besoekers en inwoners binne die regsgebied van die munisipaliteit te bevorder;
- Om voorsiening te maak vir prosedures, metodes en praktyke om die gebruik en bestuur van parke vir woonwaens en mobiele wonings 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:—

“mobiele woning” 'n fabrieksgemonteerde struktuur, goedgekeur deur die munisipaliteit met die nodige diensaansluitings sodat dit op die perseel verskuifbaar is en sodanig ontwerp dat dit as 'n permanente woning gebruik kan word;

“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;

“park” enige grond wat gebruik word of bedoel is om gebruik te word vir die akkommodasie van woonwaens of mobiele wonings of woonwaens en mobiele wonings;

“perseel” die grond wat binne 'n park afgesonderd is vir die akkommodasie van 'n mobiele woning of 'n woonwa met sy trekvoertuig, indien daar is;

“woonwa” enige voertuig wat permanent ingerig is vir gebruik deur persone vir woon- en slaapdoeleindes, ongeag of sodanige voertuig 'n sleepwa is of nie.

Toepassing van Verordening

2. Hierdie verordening is van toepassing op alle parke, hetsy geleë op private of openbare grond.

3. This by-law shall not be applicable in respect of—

- (a) property on which only one or two caravans or mobile homes are accommodated or are intended to be accommodated;
- (b) agricultural land where caravans or mobile homes or caravans and mobile homes are permitted for bona fide agricultural purposes;
- (c) property on which more than two caravans or mobile homes are accommodated, where such caravans or mobile homes are occupied by persons for business reasons, and such sanitary and other arrangements affecting the public health as the municipality may consider necessary are provided and the caravans and mobile homes are accommodated only for such period and in such numbers as the municipality may consider desirable in view of the nature of the aforesaid arrangements, or
- (d) property on which more than two caravans are accommodated where such caravans are occupied by members of any duly constituted club and their guests for the purpose of participating in a meeting or excursion organised by such club and the caravans are not accommodated for a continuous period in excess of six days.

Minimum Requirements

- 4. Every owner of a park shall comply with sections 5 to 25.
- 5. Every owner of a park shall have a plan clearly indicating all the sites in the park, a copy of which shall be filed with the municipality, and each site shall be clearly demarcated on the ground and shall not be less than 112 square metres in extent.
- 6. Not more than 50 percent of any site shall be occupied by a caravan or mobile home and such site shall be of such a nature that a caravan or mobile home may be accommodated on any portion thereof.
- 7. No person shall occupy a caravan in any park, for a period of more than three months, whether continuous or otherwise, in any period of twelve months.
- 8. Notwithstanding section 7, 10 percent of the sites in a park or such other greater percentage as the municipality, subject to such additional conditions, as the municipality may deem necessary, may approve may be permanently occupied by caravans or mobile homes or caravans and mobile homes.
- 9. The number of people occupying any caravan or mobile home shall not exceed the number for which such caravan or mobile home was designed.
- 10. Any caravan or mobile home on any site shall not be situated closer than 5 metres from a caravan or mobile home on any other site.
- 11. Access shall be provided to every site in such a manner that it will not be necessary to cross another site to obtain such access.
- 12. A fireplace or fireplaces may be provided and shall be so situated as not to constitute a fire hazard.
- 14. (1) Fire-fighting appliances as required by the municipality's by-law relating to fire safety shall be provided at all parks.
(2) The appliances referred to in subsection (1) shall be kept filled with sand and water respectively and any other appliances shall be maintained in good working order.
- 15. (1) There shall be provided a water supply which, after passing through the reticulation system—
(i) has a yield of at least 360 litres per site per day; provided that where flush sanitation is provided the yield shall be at least 540 litres per site per day;

3. Hierdie verordening is nie van toepassing nie ten opsigte van—

- (a) eiendom waarop net een of twee woonwaens of mobiele wonings geakkommodeer word of bedoel is om geakkommodeer te word;
- (b) landbougrond waar woonwaens of mobiele wonings of woonwaens en mobiele wonings toegelaat word vir bona fide landboudoeleindes;
- (c) eiendom waarop meer as twee woonwaens of mobiele wonings geakkommodeer word, waar sodanige woonwaens of mobiele wonings deur persone vir sakedoeleindes geokkupeer word en die sanitêre en ander reëlings rakende die openbare gesondheid wat die munisipaliteit nodig ag, verskaf word en die woonwaens en mobiele wonings net vir die tydperk en in die getalle geakkommodeer word wat die munisipaliteit wenslik ag met die oog op die aard van voormelde reëlings, of
- (d) eiendom waarop meer as twee woonwaens geakkommodeer word waar sodanige woonwaens geokkupeer word deur lede van 'n behoorlik gestigte klub en hul gaste vir die doel om deel te neem aan 'n byeenkoms of uitstappie wat deur sodanige klub georganiseer word en die woonwaens nie vir 'n ononderbroke tydperk van langer as ses dae geakkommodeer word nie.

Minimum vereistes

- 4. Elke eienaar van 'n park moet aan artikel 5 tot 25 voldoen.
- 5. Elke eienaar van 'n park moet oor 'n plan beskik wat al die persele in die park aandui, en waarvan 'n afskrif by die munisipaliteit geliasseer moet wees, en elke perseel moet duidelik op die grond afgebaken wees en 'n minimum oppervlakte van 112 vierkante meter hê.
- 6. Hoogstens 50 persent van enige perseel mag geokkupeer word deur 'n woonwa of mobiele woning en sodanige perseel moet van so 'n aard wees dat 'n woonwa of mobiele woning op enige gedeelte daarvan geakkommodeer kan word.
- 7. Niemand mag 'n woonwa in enige park vir 'n tydperk van langer as drie maande, hetsy ononderbroke of andersins, in enige tydperk van twaalf maande okkupeer nie.
- 8. Ondanks artikel 7 mag hoogstens 10 persent van die persele in 'n park of die ander groter persentasie wat die munisipaliteit onderworpe aan die voorwaardes wat hy nodig ag, goedkeur, permanent deur woonwaens of mobiele wonings of woonwaens en mobiele wonings geakkommodeer word.
- 9. Geen woonwa of mobiele woning mag meer persone huisves as die getal waarvoor sodanige woonwa of mobiele woning ontwerp is nie.
- 10. Geen woonwa of mobiele woning op enige perseel mag nader as 5 meter vanaf 'n ander woonwa of mobiele woning geplaas word nie.
- 11. Toegang tot elke perseel moet verskaf word op so 'n wyse dat dit nie nodig sal wees om oor 'n ander perseel te gaan om sodanige toegang te verkry nie.
- 12. 'n Vuurmaakplek of vuurmaakplekke moet verskaf word en so geleë wees dat dit nie 'n brandgevaar uitmaak nie.
- 14. (1) Brandflustoestelle soos vereis in die munisipaliteit se regulasies met betrekking tot brandveiligheid moet in elke park voorsien word;
(2) Die toestelle waarna in subartikel (1) verwys word, moet in 'n goeie werkende toestand gehou word.
- 15. (1) Daar moet 'n watertoevoer verskaf word wat, nadat dit deur die netwerkstelsel gegaan het—
(i) minstens 360 liter per perseel per dag lewer; met dien verstande dat waar spoel-sanitasie verskaf word, minstens 540 liter per perseel per dag gelewer moet word;

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| <p>(ii) exerts a pressure at any standpipe sufficient to supply 13,5 litres per minute, and</p> <p>(iii) supplies water which in the opinion of the municipality is fit for human consumption.</p> <p>(2) The water supply and reticulation system shall be approved by the municipality and shall comply with the requirements of subsection (1).</p> <p>16. Permanent water standpipes shall be provided in such a manner that no site is situated at a greater distance than 20 metres from the nearest standpipe.</p> <p>17. (1) Grease traps set in dished and properly rendered surrounds and connected to a disposal system shall be provided at every water standpipe.</p> <p>(2) The grease traps shall be kept clean and in good working order.</p> <p>18. Facilities for the washing of pots, pans, crockery and cutlery and for the disposal of kitchen and other waste water shall be provided.</p> <p>19. (1) Only sanitary conveniences approved by the municipality shall be provided.</p> <p>(2) All sanitary conveniences shall be kept clean and in good working order.</p> <p>20. There shall be provided for each sex in respect of the first six sites a minimum of two sanitary conveniences and two wash-hand basins and thereafter a minimum of one sanitary convenience and one wash-hand basin for every ten sites or portion thereof.</p> <p>21. There shall be provided for each sex in respect of every twelve sites or portion thereof a minimum of one bathroom and one shower cubicle.</p> <p>22. (1) No system for the in situ disposal of sewerage effluent or kitchen and other waste water shall be constructed unless it is approved by the municipality.</p> <p>(2) Any system referred to in subsection (1) shall be maintained in good working order and in such a manner that it does not constitute a nuisance.</p> <p>23. The municipality may prescribe such additional requirements for water, sewerage and stormwater services as it may deem necessary in respect of sites which are occupied on a permanent basis.</p> <p>24. (1) There shall be provided for laundering an area of not less than 100 square metres provided with—</p> <p>(a) one permanent water stand-pipe;</p> <p>(b) one water trough or other contrivance in which clothing and linen may be washed, and</p> <p>(c) one table or board for ironing.</p> <p>(2) The area referred to in subsection (1) shall be screened in such a manner that articles hanging out to dry shall not be visible from outside the said area.</p> <p>25. (1) Portable fly-proof refuse bins to the satisfaction of the municipality shall be provided and shall be so situated that no site is situated at a greater distance than 20 metres from the nearest refuse bin.</p> <p>(2) The refuse bins shall be kept in a good state of repair and shall be emptied, cleaned and disinfected daily.</p> <p style="text-align: center;">General</p> <p>26. No person shall erect on the site any tent or structure other than a fabric awning attached to the side of a caravan.</p> | <p>(ii) by enige staanpyp 'n druk het wat voldoende is om 13,5 liter per minuut te lewer, en</p> <p>(iii) water lewer wat na die mening van die munisipaliteit vir menslike gebruik geskik is.</p> <p>(2) Die watertoevoer en netwerkstelsel moet deur die munisipaliteit goedgekeur word en moet in ooreenstemming wees met die vereistes van subartikel (1).</p> <p>16. Permanente waterstaanpype moet op so 'n wyse verskaf word dat geen perseel verder as 20 meter van die naaste staanpyp af geleë is nie.</p> <p>17. (1) Vetvangers wat in gekomde en behoorlike beraapte omrandings aangebring en met 'n wegdoenstelsel verbind is, moet by elke waterstaanpyp verskaf word.</p> <p>(2) Die vetvangers moet skoon en in 'n goeie werkende toestand gehou word.</p> <p>18. Geriewe vir die was van potte, panne, breekware en mesware en vir die wegdoen van kombuis- en ander vuilwater moet verskaf word.</p> <p>19. (1) Alleenlik sanitêre geriewe wat deur die munisipaliteit goedgekeur word, mag verskaf word.</p> <p>(2) Alle sanitêre geriewe moet skoon en in 'n goeie werkende toestand gehou word.</p> <p>20. Daar moet vir elke geslag ten opsigte van die eerste ses persele 'n minimum van twee sanitêre geriewe en twee handwasbakke verskaf word en daarna 'n minimum van een sanitêre gerief en een handwasbak vir elke tien persele of gedeelte daarvan.</p> <p>21. Vir elke geslag moet daar ten opsigte van elke twaalf persele of gedeelte daarvan 'n minimum van een badkamer en een storthokkie verskaf word.</p> <p>22. (1) Geen stelsel vir die wegdoen op die plek van riooluitvloeiels of kombuis- en ander vuilwater mag opgerig word nie tensy dit deur die munisipaliteit goedgekeur is.</p> <p>(2) Enige stelsel waarna in subartikel (1) verwys word, moet in 'n goeie werkende toestand en op so 'n wyse gehou word dat dit nie 'n oorlas uitmaak nie.</p> <p>23. Die munisipaliteit kan die addisionele vereistes vir water-, riolerings- en stormwaterdienste voorskryf wat hy nodig ag ten opsigte van persele wat op 'n permanente basis geokkupeer word.</p> <p>24. (1) Vir die was van wasgoed moet daar 'n gebied van minstens 100 vierkante meter verskaf word wat voorsien moet wees van—</p> <p>(a) een permanente waterstaanpyp;</p> <p>(b) een watertrog of ander toestel waarin klere en linnegoed gewas kan word, en</p> <p>(c) een tafel of plank vir strykwerk.</p> <p>(2) Die gebied waarna verwys word in subartikel (1), moet op so 'n wyse afgeskerm wees dat artikels wat uitgehang word om te droog, nie van buite genoemde gebied af gesien kan word nie.</p> <p>25. (1) Vliegdigte, draagbare vullisblikke ten genoë van die munisipaliteit moet verskaf word en op so 'n wyse geplaas word dat geen perseel verder as 20 meter van die naaste vullisblik af geleë is nie.</p> <p>(2) Die vullisblikke moet in 'n goeie toestand gehou word en moet daagliks leeggemaak, skoongemaak en ontsmet word.</p> <p style="text-align: center;">Algemeen</p> <p>26. Niemand mag op 'n perseel 'n ander tent of struktuur as 'n doeksonskerm wat aan die kant van die woonwa vasgeheg word, opslaan nie.</p> |
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27. No person shall wash or hang out to dry any article elsewhere than in the area referred to in section 24.
28. No person shall dispose of refuse elsewhere than in the refuse bins provided in terms of section 25.
30. (1) The municipality may from time to time cause every park to be inspected for the purpose of ascertaining whether this by-law is being complied with.
- (2) Every person sent to inspect a park in terms of subsection (1) shall be granted admission to the park.
- (3) The municipality shall provide each person sent in terms of subsection (1) to inspect parks with a written authority which such person shall produce if required to do so.

Penalties

31. 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 or failure. 6652

27. Niemand mag enige artikel elders was of uithang om droog te word as in die gebied wat in artikel 24 vermeld is nie.
28. Niemand mag vullis elders wegdoen as in die vullisblikke wat in gevolge artikel 25 verskaf word nie.
30. (1) Die munisipaliteit kan van tyd tot tyd elke park laat inspekteer vir die doel om vas te stel of hierdie verordening nagekom word.
- (2) Aan iedereen wat gestuur word om 'n park ingevolge subartikel (1) te inspekteer, moet toegang tot die park verleen word.

Strafbepaling

31. Iedereen wat enige bepaling van hierdie verordening oortree 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 ses maande, of 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, of 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. 6652