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INHOUD

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1/31/20

**That the motion be amended**

39. (1) Every amendment shall be relevant to the motion on which it is moved.
- (2) An amendment shall, if required by the speaker, be in writing, signed by the mover and handed to the speaker and such amendment shall be read before being moved.
- (3) An amendment must be read before it is moved.
- (4) An amendment shall not be discussed or put to the council until it has been seconded.
- (5) If there is more than one amendment to a motion the amendment last proposed shall be put to the vote first and if carried the matter shall be resolved accordingly.
- (6) If the amendment last proposed is rejected the amendment proposed immediately prior to the last amendment shall be put to the vote.
- (7) No further amendment shall be moved to a motion or amendment after the speaker has commenced to take the vote upon such motion or amendment.

**Repeal of By-laws**

40. The by-laws listed hereunder are hereby repealed:
- (a) The former Ceres Municipality:  
By-law relating to Procedures at Meetings- PN 1006/1988;
- (b) The former Municipality of Prince Alfred's Hamlet  
By-law relating to Procedures at Meetings—PN 834/1988
- (c) The former Tulbagh Municipality  
By-law relating to Procedures at Meetings—PN 1027/1971
- (d) The former Wolseley Municipality  
By-law relating to Procedures at Meetings—PN 876/1988.

**Short title and commencement**

41. This by-law shall be known as The Rules of Order for the Conduct of Meetings of the Witzenberg Municipality and shall come into operation on the date of publication thereof in the Provincial Gazette

14 October 2005

31610

**WITZENBERG MUNICIPALITY**  
**BY-LAW RELATING TO STREETS**

**Purpose of By-Law**

- To promote the achievement of a safe environment for the benefit of residents within the area of jurisdiction of the municipality;
- To provide for procedures, methods and practices to manage the use and utilisation of streets in the area of jurisdiction of the municipality.

**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 any horses, mules, donkeys, cattle, pigs, sheep, goats, ostriches indigenous mammals and other wild animals;

**Dat die mosie geamendeer word**

39. (1) Elke amendement moet tersaaklik wees vir die mosie waarop dit voorgestel word.
- (2) 'n Amendement moet, indien die speaker dit verlang, skriftelik en deur die voorsteller onderteken wees en aan die speaker oorhandig word.
- (3) 'n Amendement moet gelees word voordat dit voorgestel word.
- (4) 'n Amendement mag nie bespreek of aan die raad gestel word voordat dit gesekondeer is nie.
- (5) As daar meer as een amendement op 'n mosie is, word die amendement wat laaste ingedien is, eerste tot stemming gebring, en as dit aangeneem word, word die aangeleentheid dienooreenkomstig afgehandel.
- (6) Indien die amendement wat laaste ingedien is, verwerp word, word die amendement wat onmiddellik voor die laaste amendement ingedien is, tot stemming gebring.
- (7) Geen verdere amendement op 'n mosie of amendement mag ingedien word nadat die speaker begin het om sodanige mosie of amendement tot stemming te bring nie.

**Herroeping van verordeninge**

40. Die verordeninge hieronder gelys word hiermee herroep:
- (a) Voormalige Ceres Munisipaliteit:  
Verordening insake Prosedures by Vergaderings—PK 1006/1988;
- (b) Voormalige Munisipaliteit van Prince Alfred's Hamlet:  
Verordening insake Prosedures by Vergaderings—PK 834/1988;
- (c) Voormalige Tulbagh Munisipaliteit:  
Verordening insake Prosedures by Vergaderings—PK 1027/1971;
- (d) Voormalige Wolseley Munisipaliteit;  
Verordening insake Prosedures by Vergaderings—PK 876/1988.

**Kort titel en inwerkingtrede**

41. Hierdie verordening heet die Ordereëls vir die hou van vergaderings van die Witzenberg Munisipaliteit en tree in werking op die datum van publikasie daarvan in die Provinsiale Koerant.

14 Oktober 2005

31610

**WITZENBERG MUNISIPALITEIT**  
**VERORDENING INSAKE STRATE**

**Doel van Verordening**

- Om die verwesenliking van 'n veilige omgewing te bevorder tot voordeel van inwoners binne die regsgebied van die munisipaliteit;
- Om voorsiening te maak vir prosedures, metodes en praktyke om die gebruik en aanwending van strate binne die regsgebied van die munisipaliteit te bestuur.

**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:—

“diere” enige perde, muile, donkies, beeste, varke, skape, bokke, volstruise, inheemse soogdiere en enige ander wilde diere;

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

**“council”** means the municipal council of Witzenberg;

**“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;

**“municipal area”** means the area of jurisdiction of Witzenberg Municipality as determined in terms of the Municipal Demarcation Act, 1998;

**“municipal manager”** means a person appointed in terms of section 82 of the Municipal Structures Act, 1998

**“motor vehicle”** means any self-propelled vehicle and includes—

- (a) a trailer, and
- (b) a vehicle having pedals and an engine or an electric motor as an integral part thereof or attached thereto and which is designed or adapted to be propelled by means of such pedals, engine or motor, or both such pedals and engine or motor, but does not include—
  - (i) any vehicle propelled by electrical power derived from storage batteries and which is controlled by a pedestrian; or
  - (ii) any vehicle with a mass not exceeding 230 kilograms and specially designed and constructed, and not merely adapted, for the use of any person suffering from some physical defect or disability and used solely by such person;

**“park”** means to keep a vehicle, whether occupied or not, stationary for a period of time longer than is reasonably necessary for the actual loading or unloading of persons or goods, but does not include any such keeping of a vehicle by reason of a cause beyond the control of the person in charge of such vehicle;

**“public place”** means any square, park, recreation ground, sports ground, sanitary lane or open space which has—

- (a) in connection with any subdivision or layout of land into erven, been provided, reserved or set apart for use by the public or the owners or occupiers of such erven, whether or not it is shown on a general plan, plan of subdivision or diagram;
- (b) at any time been dedicated to the public;
- (c) been used by the public without interruption for a period of at least thirty years, or
- (d) at any time been declared or rendered such by the municipality or other competent authority;

**“semi-trailer”** means a trailer having no front axle and so designed that at least 15% of its tare is super-imposed on and borne by a vehicle drawing such trailer;

**“sidewalk”** means that portion of a street between the outer boundary of the roadway of a road and the boundary lines of adjacent properties or buildings which is intended for the use of pedestrians;

**“street”** means any street, road, cycle path, thoroughfare or any other place, which includes—

- (a) the verge of any such road, street or thoroughfare

**“leunwa”** 'n sleepwa wat geen vooras het nie en aldus ontwerp is dat minstens 15% van sy tarra op die voertuig wat so 'n sleepwa trek, rus en daardeur gedra word;

**“motorvoertuig”** enige selfgedrewe voertuig en ook—

- (a) 'n sleepwa; en
- (b) 'n voertuig met pedale en met 'n enjin of 'n elektriese motor as 'n integrerende deel daarvan of daaraan geheg en wat ontwerp of aangepas is om deur middel van sodanige pedale, enjin of motor, of sodanige pedale sowel as sodanige enjin of motor aangedryf te word, maar nie ook—
  - (i) 'n voertuig wat aangedryf word deur elektriese krag verkry uit opgaarbatterye en wat deur 'n voetganger beheer word nie;
  - (ii) 'n voertuig met 'n massa van hoogstens 230 kilogram nie en wat spesiaal ontwerp en gebou, en nie net aangepas is nie, vir gebruik deur iemand wat aan die een of ander liggaamlike gestremdheid of ongeskiktheid ly en wat uitsluitlik deur sodanige persoon gebruik word;

**“munisipale gebied”** die regsgebied van Witzenberg Munisipaliteit soos bepaal ingevolge die Munisipale Afbakeningswet, 1998;

**“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;

**“munisipale bestuurder”** 'n persoon aangestel in terme van artikel 82 van die Munisipale Strukturewet, 1998;

**“openbare plek”** enige plein, park, ontspanningsterrein, sportterrein, sanitêre steeg of oop ruimte wat—

- (a) in verband met enige onderverdeling of aanleg van grond in erwe, voorsien, gereserveer of afgesonderd is vir gebruik deur die publiek of die eienaars of okkuperders van sodanige erwe, ongeag of dit op 'n algemene plan, onderverdelingsplan of diagram aangetoon word of nie;
- (b) te enige tyd aan die publiek opgedra is;
- (c) sonder onderbreking deur die publiek gebruik is vir 'n tydperk van dertig jaar, of
- (d) te enige tyd deur die munisipaliteit of ander bevoegde owerheid tot sodanig verklaar of gemaak is.

**“parkeer”** om 'n voertuig, met of sonder insittendes, langer te laat stilhou as wat redelikerwys nodig is om persone of goedere werklik op of af te laai, maar nie ook die stilhou van 'n voertuig weens 'n rede buite die beheer van die persoon in beheer van daardie voertuig nie;

**“raad”** die munisipale raad van Witzenberg;

**“sleepwa”** 'n voertuig wat nie selfgedrewe is nie en wat ontwerp of aangepas is om deur 'n motorvoertuig getrek te word, maar nie ook 'n syspan wat aan 'n motorfiets geheg is nie;

**“straat”** enige straat, pad, fietspad, of deurgang of enige ander plek wat insluit:

- (a) die soom van enige sodanige pad, straat of deurgang;

- (b) any footpath, sidewalk or similar pedestrian portion of a road reserve;
- (c) any bridge, ferry or drift traversed by any such road, street or thoroughfare;
- (d) any other object belonging to such road, street or thoroughfare, which has at any time been—
  - (i) dedicated to the public;
  - (ii) used without interruption by the public for a period of at least thirty years;
  - (iii) declared or rendered such by the municipality or other competent authority, or
  - (iv) constructed by a local authority, and
  - (v) any land, with or without buildings or structures thereon, which is shown as a street on—
    - (aa) any plan of subdivision or diagram approved by the municipality or other competent authority and acted upon, or
    - (bb) any general plan as defined in the Land Survey Act, 1927, registered or filed in a deeds registry or Surveyor General's office;

unless such land is on such plan or diagram described as a private street;

“**tare**”, in relation to a motor vehicle, means the mass of such a vehicle ready to travel on a road and includes the mass of—

- (a) any spare wheel and of all other accessories and equipment supplied by the manufacturer as standard for the particular model of motor vehicle concerned;
- (b) anything which is a permanent part of the structure of such vehicle;
- (c) anything attached to such vehicle so as to form a structural alteration of a permanent structure; and
- (d) the accumulators, if such vehicle is self-propelled by electrical power,

but does not include the mass of—

- (i) fuel, and
- (ii) anything attached to such vehicle which is not of the nature referred to in sub-section (a) or (b);

“**trailer**” means a vehicle which is not self-propelled and designed or adapted to be drawn by a motor vehicle, but does not include a side-car fitted to a motor cycle;

“**vehicle**” means a device designed or adapted mainly to travel on wheels, tyres or crawler tracks and includes such a device which is connected with a draw-bar to a breakdown vehicle and is used as part of the towing equipment of a breakdown vehicle to support any axle or all the axles of a motor vehicle which is being salvaged other than such a device which moves solely on rails; and

“**work**” means work of any nature whatsoever undertaken on any land within the area of jurisdiction of Witzenberg Municipality and, without in any way limiting the ordinary meaning of the word, includes the erection of a new building or alterations or additions to any existing building, the laying of cables and pipes, the dumping of building or other material anywhere in a street or public place, or

- (b) enige voetpad, sypaadjie of soortgelyke voetgangergedeelte van 'n padreserwe;
- (c) enige brug, pont of drif waaroor of waardeur enige sodanige pad, straat of deurgang loop;
- (d) enige ander voorwerp wat 'n deel uitmaak van sodanige pad, straat of deurgang, wat te enige tyd—
  - (i) aan die publiek opgedra is;
  - (ii) sonder onderbreking deur die publiek gebruik is vir 'n tydperk van minstens dertig jaar;
  - (iii) deur die munisipaliteit of ander bevoegde owerheid tot sodanig verklaar of gemaak is, of
  - (iv) deur 'n plaaslike owerheid aangelê is, en
  - (v) enige grond, met of sonder geboue of strukture daarop, wat as 'n straat aangetoon word op—
    - (aa) enige onderverdelingsplan of diagram deur die munisipaliteit of ander bevoegde owerheid goedgekeur en waarvolgens gehandel is, of
    - (bb) enige algemene plan soos omskryf in die Opmetingswet, 9 van 1927, wat in 'n registrasiekantoor of die Landmeter-Generaal se kantoor geregistreer is of gebêre word,

tensy sodanige grond op sodanige plan of diagram as 'n private straat beskryf word.

“**sypaadjie**” dié gedeelte van 'n straat tussen die buitengrens van die ryvlak van 'n pad en die grenslyne van aanliggende eiendomme of geboue wat bedoel is vir die gebruik van voetgangers;

“**tarra**”, met betrekking tot 'n motorvoertuig, die massa van so 'n voertuig wanneer dit gereed is om op 'n pad te gaan en ook die massa van—

- (a) enige noodwiel en van alle ander toebehore en toerusting wat deur die vervaardiger as standaard vir die besondere model van die betrokke motorvoertuig verskaf word;
- (b) enigiets wat 'n permanente deel van die struktuur van so 'n voertuig is;
- (c) enigiets wat aan so 'n voertuig geheg is sodat dit 'n struktuurverandering van 'n permanente aard uitmaak; en
- (d) die opgaarbatterye, indien so 'n voertuig deur elektriese krag selfgedrewe is,

maar nie ook die massa nie van—

- (i) brandstof; en
- (ii) enigiets wat aan die voertuig geheg is en nie van die aard is wat in subartikel (a) of (b) bedoel word nie;

“**voertuig**” 'n toestel ontwerp of aangepas om hoofsaaklik op wiele, bande of rusperbande te loop en ook so 'n toestel wat met 'n trekstang aan 'n teëspoedwa verbind is en gebruik word as deel van die sleeptoerusting van 'n teëspoedwa om enige of al die asse van 'n motorvoertuig wat geberg word, te ondersteun, behalwe so 'n toestel wat uitsluitlik op spore beweeg;

“**werk**” werk van watter aard ook al wat onderneem word op enige grond of straat of openbare plek binne die regsgebied van Witzenberg Munisipaliteit en, sonder om die gewone betekenis van die woord op enige wyse te beperk, omvat dit die oprigting van 'n nuwe gebou of veranderings of aanbouings aan enige bestaande gebou, die lê van kables of pype, die stort van bou- of ander materiaal op enige plek in 'n straat of openbare plek of die

delivery to or removal from any site of any soil or material of any nature whatsoever.

#### Streets, sidewalks and encroachments on streets

2. No person shall—
- (a) make, construct, reconstruct, or alter a street or sidewalk—
    - (i) except with the written permission of the municipality, or
    - (ii) otherwise than in accordance with the requirements prescribed by the municipality, or
  - (b) construct a verandah, stoep, steps or other projection or erect a post in a street or public place except with the written permission of the municipality.

#### Advertisements visible from streets

3. (1) No person shall display any advertisement, placard, poster or bill in a street—
- (a) except with the written permission of the municipality, and
  - (b) subject to such conditions as may be determined by the municipality.
- (2) This section shall not be applicable to signs which have been exempted under the provisions of the municipality's applicable by-law relating to Advertising Signs.

#### Animals or objects causing an obstruction

4. No person shall—
- (a) deposit or leave any goods or articles in a street or public place, or in an area designated therefore, other than for a reasonable period during the course of the loading, off-loading or removal thereof, or
  - (b) in any way obstruct the pedestrian traffic on a sidewalk by bringing or allowing to be brought thereon any animal, object or vehicle (other than a perambulator or wheel-chair which is being used for the conveyance of children or the disabled), or
  - (c) cause or allow any blind, awning, cord or other object to project or to be stretched over or onto a street—
    - (i) except with the written permission of the municipality, and
    - (ii) subject to such conditions as may be determined by the municipality.

#### Trees in streets

5. (1) No person shall—
- (a) plant a tree or shrub in a street or public place, or in any way cut down a tree or a shrub in a street or public place or remove it there from, except with the written permission of the municipality;
  - (b) climb, break or damage a tree growing in a street or public place, or
  - (c) in any way mark or paint any tree growing in a street or public place or attach any advertisement thereto.

aflewering aan of verwydering vanaf enige perseel van enige grond of materiaal van watter aard ook al;

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

#### Strate, sypaadjies en oorskrydings op strate

2. Niemand mag—
- (a) 'n straat of 'n sypaadjie bou, aanlê, heraanlê of verander nie—
    - (i) behalwe met die skriftelike toestemming van die munisipaliteit, of
    - (ii) behalwe in ooreenstemming met die vereistes wat die munisipaliteit bepaal, of
  - (b) behalwe met die skriftelike toestemming van die munisipaliteit 'n veranda, muur of 'n stoep, trappies of ander uitsteeksel bou of 'n paal oprig in 'n straat of openbare plek nie.

#### Advertensies sigbaar vanaf strate

3. (1) Niemand mag 'n advertensie, aanplakbiljet, plakkaat of biljet in 'n straat of openbare plek vertoon nie—
- (a) behalwe met die skriftelike toestemming van die munisipaliteit, en
  - (b) onderworpe aan die voorwaardes wat die munisipaliteit stel.
- (2) Hierdie artikel is nie van toepassing op tekens wat kragtens die bepalings van die munisipaliteit se toepaslike verordening insake Advertensietekens toegelaat word nie.

#### Diere of voorwerpe wat 'n versperring veroorsaak

4. Niemand mag—
- (a) goedere of artikels in 'n straat, of op 'n area waar daarvoor voorsiening gemaak is, of op of in 'n openbare plek neersit of laat bly nie, behalwe vir 'n redelike tydperk terwyl dit op- of afgelaai of verwyder word, of
  - (b) op enige wyse die voetgangverkeer op 'n sypaadjie belemmer deur enige dier, voorwerp of voertuig (uitgesonderd 'n kinderswaentjie of rolstoel wat vir die vervoer van kinders of gestremdes gebruik word) daarop te bring of toe te laat dat dit daarop gebring word nie, of
  - (c) 'n blinding, skerm, tou of ander voorwerp oor of op 'n straat laat uitsteek of span of toelaat dat dit daarvoor uitsteek of gespan word nie
    - (i) behalwe met die skriftelike toestemming van die munisipaliteit, en
    - (ii) onderworpe aan die voorwaardes wat die munisipaliteit stel.

#### Bome in strate

5. (1) Niemand mag—
- (a) behalwe met die skriftelike toestemming van die munisipaliteit, 'n boom of struik in 'n straat of openbare plek plant, of dit op enige wyse in 'n straat of openbare plek afkap of daarvandaan verwyder nie;
  - (b) in 'n boom klim wat in 'n straat of openbare plek groei, of dit breek of beskadig nie, of
  - (c) 'n boom wat in 'n straat of openbare plek groei, op enige wyse merk of beschilder of 'n advertensie daarop aanbring nie.

- (2) Any tree or shrub planted in a street or public place shall become the property of the municipality.

**Trees or growth causing an interference or obstruction**

6. (1) Whenever there is upon any property any tree or other growth which interferes with overhead wires or is a source of annoyance, damage, danger or inconvenience to persons using a street or public place, the municipality may by notice in writing order the owner or occupier of such property to prune or remove such tree or growth to the extent and within the period specified in such notice.
- (2) Any person failing to comply with a notice issued in terms of subsection (1) shall be guilty of an offence.
- (3) If any person fails to comply with a notice in terms of this section, the municipality may itself prune or remove the tree or growth at the expense of the person on whom the notice was served.

**Refuse, motor vehicle wrecks, waste material, etc.**

7. No person shall—
- (a) dump, leave or accumulate any garden refuse, motor vehicle wrecks, spare parts of vehicles, building or waste materials, rubbish or any other waste products in any street or public place, or
- (b) permit any such objects or substances to be dumped or placed in a street or public place from premises owned or occupied by him,

except with the written permission of the municipality and subject to such conditions as may be determined by the municipality.

**Prohibition upon certain activities in connection with objects in streets and public places**

8. No person shall, in a street or public place—
- (a) effect any repairs or service to a vehicle, except where necessary for the purpose of removing such vehicle from the place where it was involved in an accident, or
- (b) clean or wash a vehicle.

**Prohibition upon games and other acts in streets and public places**

9. No person shall—
- (a) roll a hoop, fly a kite, shoot with a bow and arrow or catapult, discharge fireworks or throw a stone, stick or other projectile in, onto or across a street or public place, or
- (b) do anything in a street or public place which may endanger the life or safety of any person, animal or thing or may be a nuisance, obstruction or annoyance to the public unless such street or public place is provided with clear signs and identifiable paving and furniture which distinguishes it as "residential erf" or "street park".

**Use of explosives**

10. No person shall in or upon a street or public place use explosives or undertake blasting operations—
- (a) except with the written permission of the municipality, and
- (b) subject to such conditions as may be determined by the municipality.

- (2) 'n Boom of struik wat in 'n straat of openbare plek geplant word, word die eiendom van die munisipaliteit.

**Bome of gewasse wat 'n hindernis of versperring veroorsaak**

6. (1) Wanneer daar ook al op 'n eiendom 'n boom of ander gewas is wat lugrade belemmer of wat ergernis, skade, gevaar of ongerief veroorsaak vir persone wat 'n straat of openbare plek gebruik, kan die munisipaliteit by skriftelike kennisgewing die eienaar of okkupeerder van sodanige eiendom gelas om sodanige boom of gewas te snoei of te verwyder in die mate en binne die tydperk wat in sodanige kennisgewing bepaal word.
- (2) Iedereen wat in gebreke bly om te voldoen aan 'n kennisgewing wat ingevolge subartikel (1) uitgereik word, is skuldig aan 'n misdryf.
- (3) Indien iemand versuim om te voldoen aan 'n kennisgewing ingevolge hierdie artikel, kan die munisipaliteit self die boom of gewas snoei of verwyder op koste van die persoon aan wie die kennisgewing beteken is.

**Vullis, motorvoertuigwrakke, afvalmateriaal, ens.**

7. Niemand mag—
- (a) enige tuinvullis, motorvoertuigwrakke, onderdele van voertuie, bou- of afvalmateriaal, rommel of enige ander afvalprodukte in 'n straat of openbare plek stort of laat lê of ophoop nie, of
- (b) toelaat dat sodanige voorwerpe of stowwe vanaf 'n perseel waarvan hy die eienaar of okkupeerder is, in 'n straat of op 'n openbare plek gestort of geplaas word nie,

behalwe met die skriftelike toestemming van die munisipaliteit en onderworpe aan die voorwaardes wat sodanige munisipaliteit stel.

**Verbod op sekere werksaamhede in verband met voorwerpe in strate of openbare plekke**

8. Niemand mag in 'n straat of openbare plek—
- (a) 'n voertuig herstel of versien nie, behalwe waar dit nodig is om sodanige voertuig te kan verwyder van die plek waar dit in 'n ongeluk betrokke was, of
- (b) 'n voertuig skoonmaak of was nie.

**Verbod op speletjies en ander handelinge in strate en openbare plekke**

9. Niemand mag—
- (a) in, op of oor 'n straat of openbare plek 'n hoepel rol, 'n vlieër oplaai, met 'n pyl en boog of 'n rekker skiet, vuurwerk afskiet of 'n klip, stok of ander werptuig gooi nie, of
- (b) enigiets in 'n straat of openbare plek doen wat die lewende veiligheid van 'n persoon, dier of ding in gevaar kan stel of 'n oorlas, belemmering of ergernis vir die publiek kan wees nie, tensy sodanige straat of openbare plek voorsien is van duidelike tekens en identifiseerbare plaveisel en meublement wat dit onderskei as "woonerf" of "straatpark".

**Gebruik van springstowwe**

10. Niemand mag in of op 'n straat of openbare plek springstowwe gebruik of skietwerk uitvoer nie—
- (a) behalwe met die skriftelike toestemming van die munisipaliteit en
- (b) onderworpe aan die voorwaardes wat die munisipaliteit stel.

**Conveyance of animal carcasses or other waste products through streets and public places**

11. No person shall carry or convey through a street or public place the carcase of an animal or any garbage, night soil, refuse, litter, rubbish, manure, gravel or sand—
- unless it is properly covered, and
  - unless it is conveyed in such type of container as will not allow any offensive liquids or parts of the load to be spilt in the street or public place.

**Fences on street boundaries**

12. No person shall erect a barbed-wire-, razor wire-, electrified fence or other dangerous fence on the boundary of a street or public place except with the written permission of the municipality.

**Building materials in streets and public places**

13. No person shall bore or cut stone or bricks, slake or sift lime, or mix building materials, or store or place building materials or any other materials in a street or public place except with the written permission of the municipality, and subject to the requirements prescribed by the municipality.

**Balconies and verandahs**

14. No person shall, except with the written permission of the municipality
- use a balcony or verandah erected beyond the boundary line of a street or public place for purposes of trading or the storage of goods, or for the washing or drying of clothes thereon, or
  - enclose or partition a balcony or verandah erected beyond the boundary line of a street or public place or portion thereof as a living or bedroom.

**Drying of washing on fences on boundaries of streets and public places**

15. No person shall dry or spread washing on a fence on the boundary of a street or public place.

**Outspanning in streets**

16. No person shall outspan or allow to be outspanned in any street or public place any vehicle drawn by animals, or detach or leave in any street or public place any trailer, caravan or vehicle which is not self-propelled; provided that this provision shall not apply to the actual loading or unloading of such vehicle.

**Protection of street surface and public places**

17. (1) No person shall—
- use a vehicle or allow it to be used in any street or public place if such vehicle is in such a defective condition that it will or may cause damage to any street or public place, and
  - drive, push, roll, pull or propel any object, machine or other material through or along a street or public place in such a way, or while such object, machine or material is in such a condition, as may damage, break or destroy the surface of the street or public place in any way.
  - undertake any work which may cause the surface of any street or public place to be altered, damaged or broken without the permission of the municipality.

**Vervoer van karkasse van diere of ander afvalstowwe deur strate en openbare plekke**

11. Niemand mag die karkas van 'n dier of afval, nagvuil, vullis, rommel, vuilgoed, mis, gruis of sand deur 'n straat of openbare plek dra of vervoer nie—
- tensy dit behoorlik bedek is, en
  - tensy dit in so 'n tipe houer vervoer word dat aanstootlike vloeistowwe of dele van die vrug nie in die straat of openbare plek gestort word nie.

**Heinings op straatgrense**

12. Behalwe met die skriftelike toestemming van die munisipaliteit mag niemand 'n doringdraadheining, lemmetjiesdraadheining, geëlektrifiseerde heining of ander gevaarlike heining op die grens van 'n straat of openbare plek oprig nie.

**Boumateriaal in strate en openbare plekke**

13. Niemand mag in 'n straat of openbare plek klippe of stene boor of kap, kalk blus of sif, of enige boumateriaal meng nie, of boumateriaal of enige ander materiaal opberg of plaas nie behalwe met die skriftelike toestemming van die munisipaliteit en onderworpe aan die vereistes wat die munisipaliteit bepaal.

**Balkonne en verandas**

14. Behalwe met die skriftelike toestemming van die munisipaliteit, mag niemand—
- 'n balkon of veranda wat verby die grenslyn van 'n straat of openbare plek opgerig is, gebruik vir die doel van handeldryf of die opberg van goedere, of vir die was of droog van klere daarop nie, of
  - 'n balkon of veranda wat verby die grenslyn van 'n straat of openbare plek opgerig is of gedeelte daarvan as 'n woon- of slaapvertrek omsluit of afkort nie.

**Droogmaak van wasgoed op heinings op grense van strate en openbare plekke**

15. Niemand mag wasgoed op 'n heining op die grens van 'n straat of openbare plek droogmaak of dit daaroor hang nie.

**Uitspan in strate of openbare plekke**

16. Niemand mag 'n voertuig wat deur diere getrek word, in 'n straat of openbare plek uitspan of laat uitspan, of enige sleepwa, woonwa of voertuig wat nie selfaangedrewe is, in 'n straat of openbare plek afhaak of laat staan nie; met dien verstande dat dié bepaling nie van toepassing is op die werklike op- of aflaai van sodanige voertuig nie.

**Beskerming van straatoppervlak en openbare plekke**

17. (1) Niemand mag—
- 'n voertuig in 'n straat of openbare plek gebruik of toelaat dat dit daarin gebruik word indien sodanige voertuig in so 'n gebrekkige toestand is dat dit skade aan 'n straat of openbare plek sal veroorsaak of moontlik sal veroorsaak nie, en
  - enige voorwerp, masjien of ander materiaal deur of langs 'n straat of openbare plek bestuur, stoot, rol, trek of laat voortbeweeg op so 'n wyse, of terwyl sodanige voorwerp, masjien of materiaal in so 'n toestand is, dat die oppervlak van die straat of openbare plek op enige wyse daardeur beskadig, gebreek of vernietig kan word nie.
  - enige werk, waardeur die oppervlakte van 'n straat of openbare plek verander, beskadig of gebreek word, onderneem sonder die toestemming van die munisipaliteit nie.



- (2) If the municipality identifies a person who, as a result of the actions referred to in subsection (1), has damaged, broken or destroyed the surface of a street or public place, the cost of repairs, as determined by the municipality, may be recovered from the offender.
- (3) Any person who is the owner of land on which any work is done shall be liable for any damage to any portion of a street or public place caused by or in connection with the execution of such work by such owner, his or her employee or any independent contractor acting on behalf of such owner.
- (4) When any work which has to be undertaken on any land entails the driving of vehicles over kerbs, sidewalks or road verges, the owner of such land shall not commence, or allow any other person to commence, any such work unless and until such a person has deposited with the municipality an amount sufficient to cover the cost of repairing any damage which may be caused to any portion of such street or public place as a result of, or in connection with, the execution of such work by such owner, his or her employee or any independent contractor acting on behalf of such owner.
- (5) After completion of such work, the municipality shall itself undertake the repair of any portion of such street or public place as may have been damaged by such work and shall set off the cost of such repairs against such deposit. If such cost is less than the amount of the deposit, the municipality shall refund the balance to the depositor, but if the amount of the deposit does not cover such cost, the owner shall be liable for the difference, which shall become payable on receipt of an account specifying the additional amount due.
- (6) No person other than an authorised official of the municipality in the performance of his or her duties may apply, mark, paint or draw lines, marks, words, signs or advertisements on the surface of a street or public place.

#### Damaging of notice-boards

18. No person shall deface, damage or in any way interfere with any notice-board, road traffic sign, street-name board or other similar sign or any hoarding which has been erected in a street or public place or with the permission of the municipality.

#### Street-, door-to-door collections and distribution of handbills

19. No person shall—
  - (a) collect or attempt to collect money in a street or public place or organise or in any way assist in the organisation of such collection, except with the written permission of the municipality and subject to such conditions as may be determined by the municipality, or
  - (b) collect from door to door, beg or solicit or accept alms, except with the written permission of the municipality;
  - (c) distribute a handbill or similar advertising material or cause it to be distributed in any street or public place, or place any handbill or similar advertising material or cause it to be placed on or in any vehicle without prior permission of the municipality;
  - (d) an application fee as determined by the municipality from time to time may be levied in respect of any application in terms of sub-section (c).

#### Excavations in streets

20. No person shall make or cause to be made an excavation or dig or cause to be dug a pit, trench or hole in a street or public place—

- (2) Indien die munisipaliteit 'n persoon identifiseer wat as gevolg van die handeling in subartikel (1) vermeld die oppervlak van 'n straat of openbare plek beskadig, gebreek of vernietig het, kan die herstelkoste, soos deur die munisipaliteit vasgestel, van die oortreder verhaal word.
- (3) Iedereen wat die eienaar is van enige grond waarop enige werk gedoen word, is aanspreeklik vir enige skade aan enige gedeelte van 'n straat of openbare plek wat veroorsaak word deur of wat in verband staan met die uitvoering van sodanige werk deur sodanige eienaar, sy werknemer of enige onafhanklike aannemer wat namens sodanige eienaar handel.
- (4) Wanneer enige werk wat op enige grond onderneem moet word, meebring dat voertuie oor randstene, sypaadjies of padrande moet ry, mag die eienaar van sodanige grond nie 'n aanvang met enige sodanige werk maak of enige ander persoon toelaat om 'n aanvang daarmee te maak nie, tensy en voordat so 'n persoon 'n bedrag by die munisipaliteit gedeponeer het wat vasgestel word as voldoende om die koste te bestry van die herstel van enige skade wat aan enige gedeelte van sodanige straat of openbare plek veroorsaak word as gevolg van of in verband met die uitvoering van sodanige werk deur sodanige eienaar, sy werknemer of enige onafhanklike aannemer wat namens sodanige eienaar handel.
- (5) Na die voltooiing van sodanige werk onderneem die munisipaliteit self die herstel van enige gedeelte van sodanige straat of openbare plek wat deur sodanige werk beskadig is en verreken die munisipaliteit die koste van sodanige herstelwerk teen sodanige deposito. As sodanige koste minder is as die bedrag van die deposito, betaal die munisipaliteit die saldo aan die deponeerder terug, maar indien die bedrag van die deposito nie sodanige koste dek nie, is die eienaar aanspreeklik vir die verskil, wat betaalbaar word by die ontvangs van 'n rekening waarin die adisionele bedrag wat verskuldig is, aangetoon word.
- (6) Niemand behalwe 'n gemagtigde amptenaar van die munisipaliteit by die vervulling van sy of haar pligte mag strepe, woorde, tekens of advertensies op die oppervlak van 'n straat of openbare plek aanbring, merk, verf of skilder nie.

#### Beskadiging van kennisgewingborde

18. Niemand mag 'n kennisgewingbord, padverkeersteken, straatnaambord of ander soortgelyke teken of 'n skutting wat deur of met die toestemming van die munisipaliteit in 'n straat of openbare plek opgerig is, ontsier of beskadig of hom of haar op enige wyse daarmee bemoei nie.

#### Straat-, huis-tot-huiskollektes en verspreiding van strooibiljetje

19. Niemand mag—
  - (a) in 'n straat of openbare plek geld insamel of probeer insamel of sodanige insameling organiseer of op enige wyse behulpsaam wees met die organisering daarvan nie, behalwe met die skriftelike toestemming van die munisipaliteit en onderworpe aan die voorwaardes deur die munisipaliteit gestel, of
  - (b) van huis tot huis kollekteer, bedel of aalmoese vra of invorder nie, behalwe met die skriftelike toestemming van die munisipaliteit.
  - (c) 'n strooibiljet of soortgelyke advertensiemateriaal versprei of laat versprei in enige straat of openbare plek, of enige strooibiljet of soortgelyke advertensiemateriaal op of in enige voertuig plaas of laat plaas sonder voorafverkreë toestemming van die munisipaliteit nie.
  - (d) aansoekgelde soos van tyd tot tyd deur die munisipaliteit bepaal kan deur die munisipaliteit gehef word ten opsigte van enige aansoek ingevolge subartikel (c)

#### Uitgrawings in strate

20. Niemand mag in 'n straat of openbare plek 'n uitgraving maak of laat maak of 'n put, sloot of gat grawe of laat grawe nie—

- (a) except with the written permission of the municipality, and
- (b) subject to the requirements prescribed by the municipality.

#### Poison in streets or public places

21. No person other than an official of the municipality or an authorised person who administers legally approved weed-killers or poisons, shall use, set or cast poison in any street or public place.

#### Processions

22. (1) Subject to the provisions of sub-section (6) no person shall hold, organise, initiate, control or actively participate in a procession or gathering in a street or public place, or dance or sing or play a musical instrument, or do anything which is likely to cause a gathering of persons or the disruption or obstruction of traffic in such street or public place, or shall use any loudspeaker or other device for the reproduction or amplification of sound without the written permission of the municipality in terms of subsections(2) and (3).
- (2) Any person who intends to perform or carry out any one or more of the actions described in subsection (1) in any street or public place shall submit a written application for permission thereto, which shall reach the municipality at least seven days before the date upon which any one or more of such actions is or are intended to be performed or carried out; provided that persons who intend participating actively in a procession, or gathering in any street need not apply to the municipality for permission thereto and it shall not be illegal for such persons to participate actively in such procession or gathering if the organiser, promoter or controller thereof has obtained the permission of the municipality. An application made in terms hereof shall contain the following:
- (a) full details of the name, address and occupation of the applicant;
  - (b) full details of the street or public place where or route along which any one or more of the actions prescribed in subsection(1) is or are intended to be performed or carried out, proposed starting and finishing times or any one or more of the aforesaid actions and, in the case of processions and gatherings, the number of persons expected to attend, and
  - (c) general details of the purpose of any one or more of the aforesaid actions intended to be performed or carried out.
- (3) Any application submitted in accordance with subsection (2) shall be considered by the municipality, and if any one or more of the actions to be performed or carried out as proposed in such application is or are not, in the opinion of the municipality, likely to be in conflict with the interests of public peace, good order or safety, the municipality shall issue a certificate granting permission and authorisation for the performance or carrying out of any one or more of such actions subject to such conditions as the municipality may deem necessary to uphold public peace, good order or safety.
- (4) The municipality may refuse to grant permission for the performance or carrying out of any one or more of the actions described in subsection(1), if the performance or carrying out of such action or actions will, in the opinion of the municipality, be in conflict with the interests of public peace, good order or safety.
- (5) The municipality may withdraw any permission granted in

- (a) behalwe met die skriftelike toestemming van die munisipaliteit en
- (b) onderworpe aan die vereistes wat die munisipaliteit bepaal.

#### Gif in strate en openbare plekke

21. Niemand behalwe 'n amptenaar van die munisipaliteit of 'n gemagtigde persoon wat wetlig goedgekeurde onkruidodders of gifstof toedien, mag gif in 'n straat of openbare plek plaas, gebruik of gooi nie.

#### Optogte

22. (1) Behoudens die bepalinge van sub-artikel (6) mag niemand in enige straat of openbare plek 'n optog, of byeenkoms hou, organiseer, op tou sit of beheer of daadwerklik daaraan deelneem, of dans of sing of 'n musiekinstrument bespeel, of enigiets doen wat waarskynlik 'n byeenkoms van persone of 'n verwarring of versperring van verkeer in sodanige straat of openbare plek sal veroorsaak, of enige luidspreker of ander toestel vir die reproduksie of versterking van klank gebruik nie sonder die skriftelike toestemming van die munisipaliteit ingevolge subartikels (2) en (3).
- (2) Iedereen wat voornemens is om een of meer van die handeling in subartikel (1) beskryf, in enige straat of openbare plek te verrig of uit te voer, moet 'n skriftelike aansoek om toestemming daartoe indien, wat die munisipaliteit moet bereik minstens sewe dae voor die datum waarop dit die voorneme is om een of meer van sodanige handeling te verrig of uit te voer; met dien verstande dat persone wat voornemens is om daadwerklik aan 'n optog, byeenkoms in enige straat of openbare plek deel te neem, nie by die munisipaliteit om toestemming daartoe aansoek hoef te doen nie en dit nie vir sodanige persone onwettig is om daadwerklik aan sodanige optog of byeenkoms deel te neem nie indien die organiseerder, ondernemer of beheerder daarvan die toestemming van die munisipaliteit verkry het. 'n Aansoek wat hierkragtens gedoen word, moet die volgende bevat:
- (a) volledige besonderhede van die naam, adres en beroep van die aansoeker;
  - (b) volledige besonderhede van die straat of openbare plek waar en roete waarlangs dit die voorneme is om een of meer van die handeling beskryf in sub-artikel (1) te verrig of uit te voer, die voorgestelde aanvangs- en sluitingstyd van een of meer van voornoemde handeling en, in die geval van optogte, en byeenkomste, die getal persone wat na verwagting teenwoordig sal wees, en
  - (c) algemene besonderhede en die doel van een of meer van voornoemde handeling wat dit die voorneme is om te verrig of uit te voer.
- (3) Enige aansoek wat ooreenkomstig subartikel (2) ingedien word, moet deur die munisipaliteit oorweeg word, en indien een of meer handeling wat verrig of uitgevoer gaan word soos in sodanige aansoek voorgestel, na die mening van die munisipaliteit waarskynlik nie in stryd met die belange van die openbare vrede, goeie orde of veiligheid sal wees nie, moet die munisipaliteit 'n sertifikaat uitreik waarby toestemming en magtiging verleen word vir die verrigting of uitvoering van een of meer van sodanige handeling, onderworpe aan die voorwaardes wat die munisipaliteit nodig ag vir die handhawing van die openbare vrede, goeie orde of veiligheid.
- (4) Die munisipaliteit kan weier om toestemming te verleen vir die verrigting of uitvoering van een of meer van die handeling wat in sub-artikel (1) beskryf word, indien die verrigting of uitvoering van sodanige handeling of handeling na die mening van die munisipaliteit in stryd met die belange van die openbare vrede, goeie orde of veiligheid sal wees.
- (5) Die munisipaliteit kan enige toestemming wat kragtens

terms of subsection (3), if, as a result of further information, it is of the opinion that the performance or carrying out of the action or action in question will be in conflict with the interests of public peace, good order or safety.

- (6) The provisions of this section shall not apply—
- (a) to wedding or funeral processions
  - (b) to a gathering or demonstration as contemplated by the Regulation of Gatherings Act No 205 of 1993 in which case the provisions of the said act shall be applicable.

#### **Roller-skating and skating on skate-boards**

23. No person shall, except with the prior written permission of the municipality, skate on roller skates or a skate board or a similar device in or on a street or public place or in or upon an area where skating is prohibited by an applicable road traffic sign.

#### **Persons to be decently clad**

24. No person shall appear in any street or public place without being clothed in such a manner as decency demands.

#### **Overflow of water into streets and public places**

25. No person shall cause or allow any water other than rain water to flow into a street or public place.

#### **Behaviour in streets and public places**

26. No person shall—
- (a) cause a nuisance to other persons by loitering, standing, sitting or lying or begging;
  - (b) sleep, overnight or erect any shelter;
  - (c) wash or dry clothes, blankets or any other domestic articles;
  - (d) use abusive, insulting, obscene, threatening or blasphemous language;
  - (e) fight or act in a riotous manner;
  - (f) discharge a fire-arm, airgun or air-pistol;
  - (g) annoy or inconvenience any other person by yelling, shouting or making any noise in any manner whatsoever;
  - (h) defecate, urinate or wash himself;
  - (i) solicit or importune any person for the purpose of prostitution or immorality;
  - (j) engage in gambling;
  - (k) use intoxicating liquor or drugs;
  - (l) spit
- in a street or public place.

#### **Animals in a street or public place**

27. No owner or person—
- (a) in charge of any wild or ferocious animal, monkey or horned cattle shall allow such animals at any time to be insufficiently attended or at large in any street or public place or shall keep any such animal in such a manner as to be a danger or annoyance to the public; or

subartikel (3) verleen is, terugtrek indien hy, as gevolg van nadere inligting van mening is dat die verrigting of uitvoering van die betrokke handeling of handelinge in stryd met die belange van die openbare vrede, goeie orde of veiligheid sal wees.

- (6) Die bepalings van hierdie artikel is nie van toepassing nie op—
- (a) optogte vir huwelike of begrafnisse;
  - (b) 'n byeenkoms of betoging soos beoog by die Wet op die Reëling van Byeenkomste, No 205 van 1993 in welke geval die bepalings van die betrokke wet van toepassing sal wees.

#### **Rolskaats en skaats op skaatsplanke**

23. Niemand mag, behalwe met die voorafverkreë skriftelike toestemming van die munisipaliteit, met rolskaats of 'n skaatsplank of soortgelyke toestel in of op 'n straat of openbare plek, of in of op 'n terrein waar dit deur 'n toepaslike padverkeersteken verbied word, skaats nie.

#### **Persone moet behoorlik geklee wees**

24. Niemand mag op straat of in 'n openbare plek verskyn sonder om geklee te wees op 'n wyse wat aan die eise van welvoeglikheid voldoen nie.

#### **Oorloop van water in strate en openbare plekke**

25. Niemand mag enige water, behalwe reënwater, in 'n straat of openbare plek laat loop of toelaat dat dit daarin loop nie.

#### **Gedrag in strate en openbare plekke**

26. Niemand mag in 'n straat of openbare plek—
- (a) tot oorlas van ander persone slenter, staan, sit, lê of bedel nie;
  - (b) slaap of oornag of enige skuiling oprig nie;
  - (c) klere, komberse of ander huishoudelike artikels was, skoonmaak of droogmaak nie;
  - (d) skel-, beledigende, onwelvoclike, dreigende of godslasterlike taal besig nie;
  - (e) baklei of oproerig optree nie;
  - (f) 'n vuurwapen, windbuis of windpistool afvuur nie;
  - (g) tot ergernis of ongemak van enige ander persoon skreeu, gil of enige lawaai op water wyse ook al maak nie;
  - (h) homself was, ontlas of urineer nie;
  - (i) met die oog op prostitusie of onsedelikheid iemand aanspreek of lastig val nie;
  - (j) dobbelary beoefen nie;
  - (k) bedwelmende drank of ander dwelmmiddels gebruik nie, of
  - (l) spuug nie.

#### **Diere in 'n straat of openbare plek**

27. Geen eienaar of persoon—
- (a) wat beheer het oor 'n wilde of kwaai dier, aap of horingvee, mag toelaat dat dit te eniger tyd in 'n straat of openbare plek sonder voldoende toesig is of los rondloop, of mag sodanige dier op so 'n wyse aanhou dat dit gevaarlik of 'n ergernis vir die publiek kan wees nie.

- (b) shall, allow, permit or cause any animal to graze or stray in or about any street or public place.

**Display of street number of places**

28. (1) The municipality may prescribe by notice in writing to the owner of any premises that a number allocated to such premises by the municipality in terms of section 37(c) shall be displayed and the owner of such premises shall, within 30 days of the date of such notice, display the allocated number on the premises.
- (2) a number displayed as contemplated by sub-section (1) shall—
- (a) be displayed in a conspicuous position on the premises and must at all times be visible and legible from the adjacent street; and
- (b) be replaced by the owner of the premises as often as it gets obliterated, defaced or illegible.

**Bridges and crossings over gutters and sidewalks**

29. No private crossing, pathway, bridge or culvert shall be made or built to or in front of any dwelling or other premises in any street or public place—
- (a) except with the written permission of the municipality, and
- (b) subject to the requirements prescribed by the municipality.

**Control of amusement shows and devices**

30. (1) No person shall set up or use in any street or public place any circus, whirligig, roundabout or other side-show or device for the amusement or recreation of the public—
- (a) except with the written permission of the municipality and subject to such conditions as may be determined by the municipality.
- (b) unless suitable sanitary conveniences for both sexes of the staff have been provided, and
- (c) if it is in any way dangerous or unsafe for public use.
- (2) An authorised official of the municipality shall, for the purposes of inspection, at all reasonable times have free access to such circus, whirligig, roundabout or other side-show or device.

**Control of animal-drawn vehicles**

31. (1) No person shall—
- (a) simultaneously drive or be in control of more than one animal-drawn vehicle in a street or public place;
- (b) drive or be in control of an animal-drawn vehicle in a street or public place if he or she is under 16 years of age, or
- (c) if he or she is in control of an animal-drawn vehicle in a street, allow a person under 16 years of age to drive or be in control of such vehicle.

**Vehicles to be attended**

32. No person shall, in a street or public place, sleep in a vehicle other than a motor vehicle parked in a taxi rank or on some other stand duly allocated by the municipality.

- (b) mag duld, toelaat of veroorsaak dat enige dier in of op enige straat of openbare plek wei of rondloop nie.

**Vertoning van straatnommer van plekke**

28. (1) Die munisipaliteit kan by wyse van skriftelike kennisgewing aan die eienaar van enige perseel, voorskryf dat 'n nommer wat deur die munisipaliteit ingevolge artikel 37(c) aan so 'n perseel toegeken is, op sodanige perseel vertoon moet word en die eienaar van sodanige perseel moet binne 30 dae na die datum van sodanige kennisgewing die toegekende nommer op die perseel aanbring.
- (2) 'n Nommer wat vertoon word soos beoog by sub-artikel (1) moet
- (a) op 'n opsigtelike plek op die perseel vertoon word en moet te alle tye sigbaar en leesbaar vanaf die aangrensende straat wees; en
- (b) deur die eienaar van die perseel vervang word so dikwels as wat dit uitgewis of geskend of onleesbaar word.

**Brûe en oorgange oor vore en sypaadjies**

29. Geen private oorgang, voetpaadjie, brug of duiker mag na of voor 'n woning of ander perseel in 'n straat of op 'n openbare plek gemaak of gebou word nie—
- (a) behalwe met die skriftelike toestemming van die munisipaliteit en
- (b) onderworpe aan die vereistes wat die munisipaliteit bepaal.

**Beheer oor vermaaklikheidsvertonings en -toestelle**

30. (1) Niemand mag 'n sirkus, draaimeule, mallemeule of ander byvertoning of toestel vir die vermaak of ontspanning van die publiek in 'n straat of op 'n openbare plek oprig of gebruik nie—
- (a) behalwe met die skriftelike toestemming van die munisipaliteit en onderworpe aan die voorwaardes wat die munisipaliteit stel;
- (b) tensy geskikte sanitêre geriewe vir albei geslagte van die personeel aldaar verskaf is, en
- (c) as dit enigsins gevaarlik of onveilig vir die gebruik van die publiek is.
- (2) 'n Gemagtigde amptenaar van die munisipaliteit het vir inspeksiedoeleindes te alle redelike tye vrye toegang tot sodanige sirkus, draaimeule, mallemeule of ander byvertoning of toestel.

**Beheer oor voertuie wat deur diere getrek word**

31. (1) Niemand mag—
- (a) tegelykertyd meer as een voertuig wat deur diere getrek word, in 'n straat of openbare plek bestuur of beheer daaroor hê nie;
- (b) 'n voertuig wat deur diere getrek word, in 'n straat of openbare plek bestuur of beheer daaroor hê nie as hy of sy onder die ouderdom van 16 jaar is, of
- (c) as hy of sy in 'n straat beheer het oor 'n voertuig wat deur diere getrek word, iemand onder die ouderdom van 16 jaar toelaat om sodanige voertuig te bestuur of beheer daaroor te hê nie.

**Voertuie moet opgepas word**

32. Niemand mag in 'n straat of openbare plek in 'n voertuig slaap nie, behalwe in 'n motorvoertuig wat geparkeer is op 'n huurmotor- of ander staanplek wat behoorlik deur die munisipaliteit aangewys is.

**Municipality may act and recover costs**

33. (1) Notwithstanding any other provisions of this by-law, the municipality may—
- (a) where the permission of the municipality is required before a person may perform a certain action or build or erect anything, and such permission has not been obtained, and
  - (b) where any provision of this by-law is contravened under circumstances in which the contravention may be terminated by the removal of any structure, object, material or substance,
- serve a written notice on the owner of the premises or the offender, as the case may be, to terminate such contravention, or to remove the structure, object, material or substance, or to take such other steps as the municipality may require to rectify such contravention within the period stated in such notice.
- (2) Any person who fails to comply with a notice in terms of subsection (1) shall be guilty of an offence, and the municipality may, without prejudice to its powers to take action against the offender, take the necessary steps to implement such notice at the expense of the owner of the premises or the offender, as the case may be.

**Closure of streets and public places**

34. No person shall, without the approval of the municipality, close or barricade any street or public place or restrict access thereto.
35. (1) The municipality may permanently close or divert any street or public place or part thereof or restrict access to any street or public place;
- (2) When the municipality decides to act in terms of subsection (1), it shall give notice of such intention in terms of its communication policy; in the absence of such policy the municipality shall give notice of its intention in a local newspaper in at least two official languages;
- (3) Any objection against the intended action must be delivered in writing to the municipal manager within 30 days from the date of notification in terms of subsection (2) for submission to Council or a committee or person who has delegated powers to decide upon it.
36. The municipality may, without complying with the provisions of section 35—
- (1) temporarily close a street or public place—
    - (a) for the purpose of or pending the construction, reconstruction, maintenance or repair of such street or public place;
    - (b) for the purpose of or pending the construction, erection, laying, extension, maintenance, repair or demolition of any building, structure, works or service alongside, on, across, through, over or under such street or public place;
      - (i) if such street or public place is, in the opinion of the municipality, in a state dangerous to traffic;
      - (ii) by reason of any emergency or public event which, in the opinion of the municipality, requires special measures for the control of traffic or special provision for the accommodation of crowds, or

**Munisipaliteit kan optree en koste verhaal**

33. (1) Ondanks enige andersluidende bepalings van hierdie verordening kan die munisipaliteit—
- (a) waar die toestemming van die munisipaliteit benodig is alvorens 'n persoon 'n sekere daad mag verrig of iets mag bou of oprig, en sodanige toestemming nie verkry is nie, en
  - (b) waar enige bepaling van hierdie verordening oortree word in omstandighede waar die oortreding beëindig kan word deur die verwydering van enige struktuur, voorwerp, materiaal of stof,
- 'n skriftelike kennisgewing aan die eienaar van die perseel of die oortreder, na gelang van die geval, beteken om sodanige oortreding te beëindig, of die struktuur, voorwerp, materiaal of stof te verwyder, of die ander stappe te doen wat die munisipaliteit vereis om sodanige oortreding reg te stel binne die tydperk in sodanige kennisgewing vermeld.
- (2) Iedereen wat versuim om aan 'n kennisgewing ingevolge subartikel (1) te voldoen, is skuldig aan 'n misdryf, en die munisipaliteit kan, sonder inkorting van sy bevoegdhede om teen die oortreder op te tree, die nodige stappe doen om op koste van die eienaar van die perseel of die oortreder, na gelang van die geval, uitvoering aan sodanige kennisgewing te gee.

**Sluiting van strate en openbare plekke**

34. Niemand mag, sonder die toestemming van die munisipaliteit, enige straat sluit of openbare plek of toegang daartoe versper of beperk nie.
35. (1) Die munisipaliteit kan enige straat of openbare plek permanent sluit of enige gedeelte van 'n straat of openbare plek sluit of verlé of toegang na 'n straat of openbare plek beperk;
- (2) Indien die munisipaliteit ingevolge subartikel (1) wil handel, moet hy ingevolge sy kommunikasiebeleid kennis gee van sy voorneme om dit te doen; by gebrek aan sodanige beleid moet die munisipaliteit sy voorneme deur middel van 'n toepaslike kennisgewing in minstens twee amptelike tale in 'n plaaslike nuusblad bekend maak.
- (3) Enige besware teen die voorgename handelings moet binne 30 dae na datum van kennisgewing ingevolge subartikel (2) skriftelik by die Munisipale Bestuurder ingedien word vir voorlegging aan die Raad of 'n komitee of persoon aan wie bevoegdheid gedelegeer is om daaroor te besluit.
36. Die munisipaliteit kan, sonder nakoming van die bepalings van artikel 35—
- (1) 'n straat of openbare plek tydelik sluit—
    - (a) vir die doeleindes of in afwagting van die aanleg, heraanleg, onderhoud of herstel van sodanige straat of openbare plek;
    - (b) vir die doeleindes of in afwagting van die bou, oprigting, aanleg, uitbreiding, onderhoud, herstel of sloping van enige gebou, struktuur, werke of diens langsaaan, op, dwarsoor, deur, oor of onder sodanige straat of openbare plek;
      - (i) indien sodanige straat na die mening van die munisipaliteit in 'n toestand is wat gevaarlik is vir verkeer;
      - (ii) omrede van enige noodtoestand of openbare geleentheid wat na die mening van die munisipaliteit spesiale maatreëls vir die beheer van verkeer of spesiale voorsiening vir die akkommodasie van skares verei, of

(iii) for any other reason which, in the opinion of the municipality, renders the temporary closing of such street necessary, and

(c) temporarily divert a street which has been closed in terms of paragraph (a).

(2) The municipal manager may in his discretion, for general information, place a notice of such temporary closure in a local newspaper.

#### Construction, maintenance and naming of streets and public places

37. The municipality may in its area—

(a) make, construct, reconstruct, alter and maintain streets and public places;

(b) name and re-name streets and public places;

(c) allocate and re-allocate numbers to properties abutting on streets and public places.

#### Declaration of streets and public places

38. (1) The municipality may;

(a) declare any land or portion of land under its control to street, or any street or portion thereof to be a public place;

(b) declare any private street or portion thereof to be a public street, or any place or portion thereof to be a public place;

(2) When the municipality decides to act in terms of subsection (1), it shall give notice of such intention in terms of its communication policy; in the absence of such policy, the municipality shall give notice of its intention in a local newspaper in at least two official languages.

(3) Any objection against the intended action must be delivered in writing to the municipal manager within 30 days from the date of notification in terms of subsection (2) for submission to Council or a committee or person who has delegated powers to decide upon it.

#### Parking of Heavy Vehicles and Caravans

39. (1) No person shall park on a street within the municipal area—

(a) a motor vehicle with a tare exceeding 3 500 kg;

(b) a trailer;

(c) a semi-trailer, or

(d) a caravan,

for an uninterrupted period exceeding two hours except on places reserved for parking of heavy vehicles.

(2) Whenever a vehicle is parked in contravention of sub section (1), it shall be deemed that such vehicle has been parked by the owner thereof unless the contrary is proved.

#### Penalty

40. 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 imprisonment or to both such fine and such imprisonment and,

(iii) om enige ander rede wat na die mening van die mening van die munisipaliteit die tydelike sluiting van sodanige straat of openbare plek wenslik maak, en

(c) 'n straat wat ingevolge paragraaf (a) gesluit is, tydelik verlé.

(2) Die munisipale bestuurder kan, indien hy dit nodig ag, 'n kennisgewing van sodanige tydelike sluiting vir algemene inligting in 'n plaaslike nuusblad plaas.

#### Aanleg, onderhoud en benaming van strate en openbare plekke

37. Die munisipaliteit kan binne sy regsgebied—

(a) strate en openbare plekke maak, aanlê, heraanlê, verander en onderhou;

(b) strate en openbare plekke benoem en herbenoem;

(c) nommers toeken en hertoeken aan eiendomme wat aan strate en openbare plekke grens.

#### Verklaring van strate en openbare plekke

38. (1) Die munisipaliteit kan:

(a) enige grond of gedeelte grond onder sy beheer tot straat, of enige straat of gedeelte daarvan tot 'n openbare plek verklaar;

(b) enige privaat straat of gedeelte daarvan tot openbare straat of enige plek of gedeelte daarvan tot openbare plek verklaar.

(2) Indien die munisipaliteit ingevolge subartikel (1) wil handel moet hy ingevolge sy kommunikasiebeleid kennis gee van sy voorneme om dit te doen; by gebrek aan sodanige beleid moet die munisipaliteit sy voorneme deur middel van 'n toepaslike kennisgewing in minstens twee amptelike tale in 'n plaaslike nuusblad bekendmaak.

(3) Enige besware teen die voorgename handelinge moet binne 30 dae na datum van kennisgewing ingevolge subartikel (2) skriftelik by die munisipale bestuurder ingedien word vir voorlegging aan die Raad of 'n komitee of persoon aan wie bevoegdheid gedelegeer is om daaroor te besluit.

#### Parkering van swaar voertuie en woonwaens

39. (1) Niemand mag binne die munisipale gebied—

(a) 'n motorvoertuig met 'n tarra wat 3500 kilogram oorskry;

(b) 'n sleepwa;

(c) 'n Icuunwa, of

(d) 'n woonwa.

in 'n straat of openbare plek parkeer vir 'n ononderbroke tydperk wat twee ure oorskry nie, buiten op plekke wat vir swaar voertuie ge-oormerk is.

(2) Wanneer ook al 'n voertuig geparkeer is in stryd met subartikel (1), word daar, totdat die teendeel bewys word, vermoed dat sodanige voertuig geparkeer is deur die eienaar daarvan.

#### Strafbepaling

40. 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, of óf sodanige boete of sodanige gevangenisstraf óf beide sodanige boete en sodanige gevangenisstraf;

- (2) 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,
- (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.

#### Repeal of by-laws

41. The By-law relating to Streets as published by Witzenberg Municipality per PN 20/2004 dated 1 March 2004 is hereby repealed.

#### Short title and commencement

42. This by-law shall be known as the By-law relating to Streets and shall come into operation on the date of publication thereof in the Provincial Gazette.

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- (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.

#### Herroeping van verordeninge

41. Die Verordening insake Strate soos afgekondig deur Witzenberg Munisipaliteit per PK 20/2004 gedateer 1 Maart 2004 word hiermee herroep

#### Kort titel en inwerkingtrede

42. Hierdie verordening heet die Verordening insake Strate en tree in werking op die datum van publikasie daarvan in die Provinsiale Koerant.

14 Oktober 2005

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### WESTERN CAPE GAMBLING AND RACING BOARD

#### OFFICIAL NOTICE

#### RECEIPT OF APPLICATIONS FOR LIMITED GAMBLING MACHINE PREMISES LICENCES

In terms of the provisions of Section 32(2) of the Western Cape Gambling and Racing Law, 1996 (Law 4 of 1996), as amended, the Western Cape Gambling and Racing Board hereby gives notice that an eleventh batch of applications for limited gambling machine premises licences, as listed below, has been received. A limited gambling machine premises licence will authorise the licence holder to place a maximum of five limited gambling machines in approved premises outside of casinos for play by the public.

#### DETAILS OF APPLICANTS

- 1. Name of business:** Jannies  
(Sole Proprietorship)  
t/a Jannies
- At the following premises:** Shop 5, cnr. De Bron Road & Brackenfell Boulevard, Brackenfell 7560
- Erf number:** Erf 7177, Brackenfell
- Persons having a financial interest of 5% or more in the business:** J.P. Smit
- 2. Name of business:** The Village Inn  
(Sole Proprietorship)  
t/a The Village Inn
- At the following premises:** 11 Church Street, Muizenberg 7945
- Erf number:** Erf 86812, Muizenberg
- Persons having a financial interest of 5% or more in the business:** C.J. Esterhuysen
- 3. Name of business:** Kwikcorp 47 CC  
Reg. No. CK 2005/130912/23  
t/a Ye Old Bell Pub

### WES-KAAPSE RAAD OP DOBBELARY EN WEDRENNE

#### AMPTELIKE KENNISGEWING

#### ONTVANGS VAN AANSOEKE OM BEPERKTE DOBBELMASJIE-PERSEELISSENSIES

Kragtens die bepaling van artikel 32(2) van die Wes-Kaapse Wet op Dobbelary en Wedrenne, 1996 (Wet 4 van 1996), soos gewysig, gee die Wes-Kaapse Raad op Dobbelary en Wedrenne hiermee kennis dat 'n elfde stel aansoeke om beperkte dobbelmasjien-perseellisensies, soos onder aangedui, ontvang is. 'n Beperkte dobbelmasjien-perseellisensie sal die lisensiehouer magtig om 'n maksimum van vyf beperkte dobbelmasjiene in goedgekeurde persele buite die casino's te plaas om deur die publiek gespeel te word.

#### BESONDERHEDE VAN AANSOEKERS

- I. Naam van besigheid:** Jannies  
(Alleeneienaarskap)  
h/a Jannies
- By die volgende perseel:** Winkel 5, h/v De Bronweg & Brackenfell Boulevard, Brackenfell 7560
- Erfnommer:** Erf 7177, Brackenfell
- Persone met 'n finansiële belang van 5% of meer in die besigheid:** J. P. Smit
- 2. Naam van besigheid:** The Village Inn  
(Alleeneienaarskap)  
h/a The Village Inn
- By die volgende perseel:** Keckstraat 11, Muizenberg 7945
- Erfnommer:** Erf 86812, Muizenberg
- Persone met 'n finansiële belang van 5% of meer in die besigheid:** C.J. Esterhuysen
- 3. Naam van besigheid:** Kwikcorp 47 BK  
Reg. Nr. CK 2005/130912/23  
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