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LOCAL AUTHORITY NOTICE

No. 40**NELSON MANDELA BAY METROPOLITAN MUNICIPALITY****2010 FIFA WORLD CUP SOUTH AFRICA BY-LAWS.****Introduction**

The Nelson Mandela Bay Metropolitan Municipality adopted the 2010 FIFA World Cup South Africa By-laws, contained herein on 4th December 2008. These By-laws were advertised for Public comment for a period of 30 (thirty) days on 3rd September 2008 to 3rd November 2008 at all Municipal Customer Care Centres, offices, libraries, clinics, service points and Ward Councillors offices. A further period started on 27th October to 14th November 2008. No written objections were received.

A series of presentations to the general public and stake holders were conducted throughout the Metro and all relevant comments received from the public were considered by the Municipal Council prior to the final adoption of these By-laws.

The 2010 FIFA World Cup South Africa By-laws will come into effect on 11 June 2010 to 11 July 2010

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PREAMBLE

WHEREAS:

FIFA, an association organised in accordance with Article 60 of the Swiss Civil Code, is both the world governing body of association football and the lawful owner of the world-wide Marketing Rights, Media Rights and all other commercial rights in respect of the Competition; and

FIFA has selected the Republic of South Africa as the host country of the Competition and has appointed the SAFA as the member association with the responsibility to organise, stage and host the Competition in the Republic of South Africa; and

SAFA has, pursuant to an agreement with the LOC, assigned all its rights and delegated all of its obligations to the LOC, to organise, stage and host the Competition; and

The Nelson Mandela Bay Metropolitan Municipality was included as one of the identified Host Cities in the Bid and by virtue of such inclusion in the Bid has agreed to be a candidate for selection by the LOC and FIFA as one of the host cities in which Matches will be staged; and

Following the selection of the Nelson Mandela Bay Metropolitan Municipality, it has assumed certain obligations with regard to the Competition and in particular, has agreed to ensure that appropriate by-laws are passed to enable the efficient running of the Competition. In this instance, the Nelson Mandela Bay Metropolitan Municipality is required to ensure that appropriate by-laws in the areas listed below are promulgated and implemented, and become effective for the Term to enable an orderly and efficient staging and hosting thereof:

- Advertising,
- Controlled Access,
- Public Open Spaces and City Beautification,
- Public Roads and Traffic Guidance as well as
- Street Trading.

NOW THEREFORE, IN CONSIDERATION OF THE FOREGOING, THE FOLLOWING 2010 FIFA WORLD CUP SOUTH AFRICA BY-LAWS ARE ADOPTED:

CHAPTER 1

PRELIMINARY PROVISIONS

Definitions

1. In these By-laws the following terms shall bear the following meanings, unless the context otherwise indicates-

“**Accreditation**” means accreditation in terms of the Accreditation Systems and Procedure Annex;

“**Accreditation Systems and Procedure Annex**” means the accreditation systems and procedures of FIFA, that will be applicable to the Competition;

“**Advertisement**” means a visual representation including but not limited to a Sign, illustration, object, mark, symbol or device of any kind which is visible to the public from, including but not limited to, any street or any public place or any other vantage point or which is under or over-hanging from any bridge, building or other structure, including sky writing, used for Advertising activity; or any combination of such elements with the object of transferring information;

“**Advertising**” means the act or process of notifying, warning, informing, displaying, making known or any other act of transferring information in a visual manner;

“**Advertising Structure**” means any physical structure erected or positioned so as to display a Sign or Billboard, or to which a Sign or Billboard is attached;

“**Air pollution**” means any change in the composition of the air caused by smoke, soot, dust (including fly ash), cinders, solid particles of any kind, gases, fumes, aerosols and odorous substances;

“**Approval**” means approval by the Municipality including by an Authorised Official, and “**Approve**” has a corresponding meaning;

“**Authorised Official**” means a person authorised to implement the provisions of these By-laws, including but not limited to—

- (a) a peace officer contemplated in section 334 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977);
- (b) a member of a municipal police service established in terms of section 64A of the South African Police Service Act, 1995 (Act No. 68 of 1995); or

- (c) such employees, agents, delegated nominees, representatives or service providers of the Municipality as are specifically authorised by the Municipality in this regard;

"Bid" means the representations, warranties, assurances and promises set forth in the documents submitted by SAFA to FIFA in connection with the Competition bid, including, without limitation, all assurances and undertakings submitted by the relevant governmental authorities supporting the bid and confirming support for the staging and hosting of the Competition;

"Billboard" means any screen, board or Sign supported by a freestanding structure which may be handwritten, hand drawn or hand painted, paper-posted, sign-written, pasted with vinyl or covered, pasted or written upon by a combination of such methods and which may feature special effects, which displays an Advertisement;

"Branded Licensee" means any person, not being a FIFA Partner, FIFA World Cup Sponsor or National Supporter, to which FIFA grants the right to place any of the Competition Marks on products (and related product packaging and product advertising materials) which also bear the corporate identification or trademark of such person;

"Broadcast Rights" means the right to broadcast, transmit, display, film and photograph the Competition, as well as all recordings thereof (or any part thereof) in any form and in all media now known or hereafter and the right to exploit the same;

"Broadcast Rights Holder" means a person that has acquired from FIFA, directly or indirectly, any part of the Broadcast Rights;

"By-laws" means the 2010 FIFA World Cup South Africa By-laws relating to Advertising, Controlled Access Sites, Public Open Spaces, Public Roads and Traffic Guidance, City Beautification and Street Trading and includes any notices promulgated in terms hereof;

"Clear Height" means the minimum vertical distance from the ground, road or surface level, whatever the case may be, to the underside of a Sign;

"Commercial Affiliate" means any FIFA Partner, FIFA World Cup Sponsor, National Supporter and Branded Licensee;

"Competition" means either the 2009 Confederations Cup which is scheduled to be contested in June to July in the year 2009 in the Republic of South Africa or the 2010 FIFA World Cup South Africa™ which is scheduled to be contested from 11 June to 11 July in the year 2010 in the Republic of South Africa, which ever Competition is applicable, under the governance of FIFA, including all Matches and Official Events;

"Competition Marks" means—

- (a) the Official Emblem;

- (b) any official Competition mascot;
- (c) two dimensional representations of the FIFA World Cup trophy; and
- (d) any Competition-related designations;

"Conservation Public Open Space" means Public Open Space which is managed by or on behalf of the Municipality for conservation purposes, and includes any nature reserve, greenbelt, ravine, bird sanctuary and site of historic, ecological or archaeological value;

"Controlled Access Site" means—

- (a) the locations of the Matches including without limitation, the Stadium;
- (b) the locations of the Official Events;
- (c) any other areas in respect of which admission is regulated by Accreditation;
- (d) Accreditation centres;
- (e) International Broadcast Centre;
- (e) Official Training Sites;
- (f) Team Hotels;
- (g) the official hotels for the FIFA Delegation;
- (h) FIFA Fan Parks; and
- (i) any other area within the area of jurisdiction of the Municipality, designated or demarcated by the Municipality as a Controlled Access Site;

"Culture" means the dynamic totality of distinctive, spiritual, material, intellectual and emotional features which characterise a society or a social group and includes the intangible aspects of inherited culture, which includes cultural tradition; oral history; performance; ritual; popular memory; skills and techniques; indigenous knowledge systems; the holistic approach to nature, society and social relationships; language and heritage conservation and further includes any museum, archive, library, historical site and monument and **"Cultural"** shall have a corresponding meaning;

"Demarcated Space" means a portion of a road or the road reserve which has been identified and demarcated as a place where a vehicle may be lawfully parked;

"Environment" means the surroundings within which humans exist and that are made up of—

- (a) the land, water and atmosphere of the earth;

- (b) micro-organisms, plant and animal life;
- (c) any part or combination of the above and the interrelationships among and between them;
and
- (d) the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being;

“Exclusion Zone” means the controlled zone situated immediately outside the outer perimeter of the Stadium, as designated or demarcated by the Municipality;

“FIFA” means Fédération Internationale De Football Association;

“FIFA Congress” means the bi-annual congress of FIFA, being FIFA’s supreme body constituted by representatives of all FIFA Member Associations held in conjunction with the Competition;

“FIFA Delegation” means with respect to the Competition, the following persons—

- (a) FIFA staff and the staff of all FIFA subsidiary companies;
- (b) members of FIFA’s internal official committees;
- (c) guests of FIFA; and
- (d) any other individual nominated by FIFA as a member of the FIFA Delegation;

“FIFA Fan Park” means a fan park to be established by the Municipality under the auspices and guidance of FIFA;

“FIFA Member Association” means any national football association officially affiliated to FIFA;

“FIFA Partner” means a person to which FIFA grants the most comprehensive package of available Marketing Rights;

“FIFA World Cup Sponsor” means a person to which FIFA grants the second most comprehensive package of available Marketing Rights;

“Final Draw” means the official draw ceremony for the Competition, by means of which the Participating Member Associations are allocated to Competition groups;

“Goods” means any item or stock displayed or kept by a Street Trader for the purpose of selling, including animals as defined in the Animals Protection Act, 1962 (Act No. 71 of 1962);

“Intersection” means any intersection as defined in the regulations promulgated in terms of the National Road Traffic Act, 1996 (Act No. 93 of 1996);

“**Litter**” includes any receptacle, container or other matter, which has been discarded or abandoned or left behind by a Street Trader or his or her customers;

“**LOC**” means the 2010 World Cup Organising Committee, an association incorporated under section 21 of the Companies Act, 1973 (Act No. 61 of 1973) (Registration No. 2005/029945/08);

“**Local Community**” in relation to the Municipality includes:

- (a) the residents within the area of jurisdiction of the Municipality;
- (b) the ratepayers of the Municipality;
- (c) any civic organisation and non-governmental, private sector or labour organisation or body which is involved in local affairs within the Municipality; and
- (d) persons visiting the area of jurisdiction of the Municipality, including visitors to the Competition, who, because of their presence in that area, make use of services or facilities provided by the Municipality;

“**Marketing Rights**” means all advertising, promotional, marketing, merchandising, licensing, franchising, sponsorship, hospitality, publishing, and any other rights and/or associated commercial opportunities (other than the Media Rights) related to or in connection with the Competition;

“**Match**” means each and every football match in their entirety (including extra time and penalty kick phases) of the Competition, including training matches and any delayed or deferred matches and replays;

“**Media**” means all members of the written press, photographers and electronic media entitled to media Accreditation;

“**Media Rights**” means the right to broadcast, transmit, display, film and photograph the Competition, as well as all recordings thereof (or any part thereof) in any form and in all Media now known or hereafter and the right to exploit such rights;

“**Municipality**” means—

- (a) the Nelson Mandela Bay Metropolitan Municipality established in terms of the Local Government: Municipal Structures Act 1998 (Act No. 117 of 1998);
- (b) its successors in title; or
- (c) a municipal owned entity or a delegated nominee fulfilling a responsibility under these By-laws, assigned to it in terms of section 81(2) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), or any other law, as the case may be;

“Municipal Services” means any municipal service provided or system conducted by or on behalf of the Municipality for the collection, conveyance, treatment or disposal of refuse, sewage or storm water or for the generation, impounding, storage, purification or supply of water, gas or electricity, or any other services that may be required for or in connection with the Competition;

“National Supporter” means a person to which FIFA grants a package of specified Marketing Rights, such rights to be exercisable only in the Republic of South Africa;

“Nuisance” means—

- (a) any stream, pool, marsh, ditch, gutter, watercourse, cistern, watercloset, earthcloset, urinal, cesspool, cesspit, drain, sewer, dung pit, slop tank, ash heap or dung heap so foul or in such a state or so situated or constructed as to be offensive or to be injurious or dangerous to health;
- (b) any stable, kraal, shed, run or premises used for the keeping of animals or birds and which is so constructed, situated, used or kept as to be offensive or to be injurious or dangerous to health;
- (c) any accumulation of refuse, offal, manure or other matter which is offensive or is injurious or dangerous to health;
- (d) any public building which is so situated, constructed, used or kept as to be unsafe or to be injurious or dangerous to health;
- (e) any occupied dwelling for which no proper and sufficient supply of pure water is available within a reasonable distance;
- (f) any factory or industrial or business premises not kept in a cleanly state and free from offensive smells arising from any drain, water closet, earth closet, urinal or any other source, or not ventilated so as to destroy or render harmless and inoffensive as far as practicable any gases, vapours, dust or other impurities generated, or so overcrowded or so badly lighted or ventilated as to be injurious or dangerous to the health of those employed therein or thereon;
- (g) any factory or industrial or business premises causing or giving rise to smells or effluvia which are offensive or which are injurious or dangerous to health;
- (h) any area of land kept or permitted to remain in such a state as to be offensive;
- (i) any other activity, condition or thing declared to be a nuisance by the Minister in terms of section 39(2) of the Health Act, 1977 (Act No. 63 of 1977);
- (j) an unreasonable interference with—

- (i) the health or well-being of a person;
- (ii) the use and enjoyment by an owner or occupier of his or her property;
- (ii) the use and enjoyment by a member of the public of a Public Open Space;

“Official Emblem” means any official logo or official device of the Competition;

“Official Events” means any organisational, social, cultural and other official functions, ceremonies and draws staged, hosted or organised by the LOC or FIFA in connection with the Competition;

“Official Training Site” means a venue within the jurisdiction of the Municipality selected to host any Competition-related training sessions for a Team, including the surrounding and adjacent areas, parking facilities, media areas, concourses, fencing and entrances, under the control of the Municipality;

“Organ of State” means—

- (a) any department of State or administration in the national, provincial or local sphere of government; and
- (b) any other functionary or institution—
 - (i) exercising a power or performing a function in terms of the Constitution of the Republic of South Africa Act, 1996 or a provincial Constitution; or
 - (ii) exercising a public power or performing a public function in terms of any legislation, but does not include a court of law and a judicial officer;

“Owner” in relation to a Sign includes a person who owns or leases the Advertising Structure applicable to a Sign, or will own or lease such Advertising Structure once it has been erected, and any person who has a right to share in the ownership or lease of such Advertising Structure;

“Parking Meter” means a device for registering and visibly recording the period that a vehicle is permitted to occupy a Demarcated Space in accordance with the insertion of a coin, token, card or other prescribed object therein and includes a post or fixture to which it is attached or permitted by a valid road traffic sign specifying a permissible time period within which to park;

“Parking Period” means that period of parking in a Demarcated Space which is permitted by the insertion into the Parking Meter allocated to such Demarcated Space of a coin, token, card or other object as prescribed or permitted by a valid road traffic sign specifying a permissible time period within which to park;

“Participating Member Association” means any FIFA Member Association whose representative Team has qualified to participate in the Competition;

“Person” means a legal person which includes a natural person, partnership, firm, corporation, corporation trust, unincorporated association, joint venture, company and close corporation;

“Premises” means an erf, stand, land, lot, plot, agricultural holding, farm portion or similar land entity registered in a deeds registry, or traditional land allotment;

“Prescribed” means prescribed by Municipal resolution;

“Prohibited Area” means a place declared in terms of section 6A(2) of the Businesses Act, 1991 (Act No. 71 of 1991) to be an area in which Street Trading is prohibited;

“Property” in relation to a person carrying on the business of Street Trading, means any article, receptacle, vehicle or structure used or intended to be used in connection with such business;

“Public Advertising Media” means such advertising media space (including, without limitation, light and electricity posts, and advertising space on public buildings) as is owned, leased, administered by or under the direct control of the Municipality;

“Public Amenity” means—

- (a) any public land, square, public swimming bath, public resort, public recreation site, zoological, botanical or other public garden, park or hiking trail, including any portion thereof and any facility or apparatus therein or thereon, as well as any Public Road, road reserve, reserve street, lake, dam, or river;
- (b) any public building, structure, hall, room or office including any part thereof and any facility or apparatus therein, which is the property of, or possessed, controlled or leased by the Municipality and to which the general public has access, whether or not on payment of admission fees;
- (c) any nature conservation area including -
 - (i) nature reserves;
 - (ii) protected natural areas;
 - (iii) nature conservation worthy areas;
 - (iv) natural open spaces;

“Public Open Space” means any land which—

- (a) is owned by an Organ of State; or
- (b) is let or over which an Organ of State has certain real rights arising from the filing in the Deeds Office or other registration office of a general plan of a township, agricultural holding or other division of land, or any alteration, addition to or amendment of such land approved by the Surveyor General, on which is marked the land to which the public has a common right of use; and
- (c) is controlled and managed by the Municipality; and
- (d) is either –
 - (i) set aside in terms of any law, zoning scheme or spatial plan, for the purpose of public recreation, conservation, the installation of public infrastructure or agriculture; or
 - (ii) predominantly undeveloped and open and has not yet been set aside for a particular purpose in terms of any law, zoning scheme or spatial plan;
 - (iii) used for public recreational or cultural purposes, and includes a FIFA Fan Park, any park, botanical garden, sports ground and playground, libraries, multimedia libraries, museums, art centres, sports facilities, sports fields, sports centres, public gymnasiums and swimming pools, community halls, community centres and any place at which group activities of an indoor sporting, cultural or recreational nature can be pursued;

“**Public Road**” means a square, public street, avenue, road, sidewalk, an island located within a street, avenue or road, subway, avenue, bridge, walkway, public passageway and any thoroughfare shown on the general plan of a township or in respect of which the public has acquired a prescriptive or other right of way and which is more fully described in the National Road Traffic Act, 1996 (Act No. 93 of 1996);

“**Recreation**” or “**Recreational**” means any leisure activity;

“**Restricted Area**” means any area designated as such by the Municipality for the purpose of Street Trading during the Competition subject to such specific conditions and restrictions as the Municipality may deem fit;

“**SAFA**” means South African Football Association;

“**Safety and Security Plan**” means the safety and security plans to be implemented by the Municipality during the Competition;

“**Sell**” includes—

- (a) offer to render a service;
- (b) barter, exchange or hire out;
- (c) display, expose, offer or prepare for sale;
- (d) store with a view to selling; or
- (e) provide a service for reward,

and "**Sale**" and "**Selling**" have corresponding meanings;

"**Service**" includes any advantage or gain for consideration or reward;

"**Sign**" means any method of displaying writing, letters, numbers, figures, objects, Competition Marks, photographs, symbols or illustrations, and includes but is not limited to a non-physical sign projected onto a building or other structure or in the air with the aid of modern technology (e.g. laser beams), which device, article or non-physical sign is visible or distributed in any way whatsoever from a road or public place, for the purpose of advertising, providing information, or attracting the public to any place, public display, article or merchandise for sale, and whether the surface of the sign is attached to or forms part of a building, or is fixed to the ground or to a pole, tree, screen or hoarding, person, vehicle or other movable object, or is displayed or distributed in any other way including but not limited to security signs, projecting signs, trailer signs, boundary wall signs, tourism signs, window signs, signs on buildings, sky signs, roof signs, flat signs, signs painted on walls and roofs of buildings, aerial signs, development signs, service facility signs, signs for sponsored road traffic projects, building wrap signs, construction site signs, tower and bridge signs, on-Premises business signs, signs at residential properties or community signs, forecourt signs, balcony, veranda, canopy and under-awning signs, functional signs by public bodies, real estate agent signs, electronic signs, signs for sale of goods or livestock, signs pulled or attached to vehicles or aircrafts including sky banners, including any Billboard, but excluding road traffic signs and street name signs;

"**Special Event**" means a parade, procession, race, concert, show, exhibition, festival, ceremony, film shoot, photographic shoot or any other similar event of a sporting, cultural or recreational nature which requires, for that purpose, exclusive use of the whole or a part of a Public Open Space;

"**Stadium**" means any stadium within the geographical area of jurisdiction of the Municipality that will be used for purposes of the Competition, including the entire premises thereof inside the perimeter fence, the aerial space above such stadium premises, all parking facilities, hospitality areas, media zones, concession areas and commercial display areas;

"**Street Furniture**" means any furniture installed by, or on behalf of the Municipality on a Public Road for public use;

"**Street Trader**" means a person selling Goods and includes a seller, peddler or hawker and also—

- (a) a person who as principal, agent, assistant, subcontractor, employer or employee carries on the business of Street Trading or on behalf of whom or for whose benefit the business of Street Trading is carried on; and
- (b) a person to whom a stand has been leased or allocated by the Municipality and for as long as such person is carrying on the business of Street Trading on it;

"Street Trading" means the selling of any Goods by a Street Trader;

"Team" means any team which represents a Participating Member Association and which has qualified to participate in the Competition. References to **"Team"** include all squad members and coaches as stipulated in the 2010 Regulations as well as medical personnel and other auxiliary staff;

"Team Hotel" means a hotel and any other location providing accommodation within the area of jurisdiction of the Municipality, for a Team;

"Term" means the period as specified in the attached schedule;

"Ticket" means the evidential item representing that the Ticket Holder has the right to enter a Stadium to attend a particular Match and/or Official Event of the Competition and to obtain a particular seat allocated to the Ticket for that purpose in accordance with the Ticket terms and conditions and all applicable laws, and **"Ticketing"** shall have a corresponding meaning;

"Ticket Holder" means a person who has the right in terms of a Ticket to attend a particular Match or Official Event and to obtain a particular seat allocated to the Ticket for that purpose;

"Traffic-free Zone" means any Public Road or area that is identified by the National Commissioner of the South African Police Service, after consultation with all other stakeholders, as a traffic-free zone and that is clearly marked in the prescribed manner as a traffic-free zone;

"Trolley" means a push trolley, push cart or any table, stand or basket on wheels;

"Verge" means a verge as defined in the National Road Traffic Act, 1996 (Act No. 93 of 1996); and

"Waste" means refuse and includes but not limited to any substance or article which a Person wishes to dispose of because it is unwanted, superfluous, broken, worn out, contaminated or otherwise spoilt and that has been discarded or has been accumulated or stored so that it can be discarded, reused, reclaimed or recycled.

Application of By-Laws

2.(1) To the extent that any notices, directives, instructions, regulations, policies or procedures issued by FIFA or the LOC will be administered and enforced by the Municipality and will or may create

obligations binding on the Local Community, such notices, directives, instructions, regulations, policies or procedures must be published by the Municipality as notices to these By-laws.

(2) For the purpose of these By-laws a reference to any legislation is a reference to that legislation and the regulations promulgated there under, as at the date of promulgation of these By-laws and as amended or re-enacted from time to time.

(3) These By-laws must be construed as an addition to the Municipality's existing by-laws relating to Advertising; Controlled Access Sites, Public Open Spaces and City Beautification; Public Roads and Traffic Guidance and Street Trading, if any, and to the extent that conflicts may arise between the Municipality's existing by-laws relating to Advertising; Controlled Access Sites, Public Open Spaces and City Beautification; Public Roads and Traffic Guidance and Street Trading , if any, and these By-laws, the provisions of these By-laws prevail.

(4) If any provision in these By-laws vests or imposes any power, function or duty of the Municipality in or on an employee of the Municipality, and such power, function or duty has in terms of section 81(2) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), or any other law been assigned to a service provider, the reference in such provision to such employee must be read as a reference to the service provider or, where applicable, an employee of the service provider authorised by it.

Purpose of By-Laws

3.(1) The Municipality has the responsibility to manage, administer, maintain and implement these By-laws and ensure that Advertising, Controlled Access Sites, Public Open Spaces, Public Roads and Traffic Guidance, City Beautification and Street Trading are effectively dealt with in accordance with these By-laws and schedules and notices thereto as well as any other applicable provincial and national legislation relevant to the staging and hosting of the Competition.

(2) In this regard, the Municipality is, within its area of jurisdiction during the Term, responsible for—

- (a) the regulation of Advertising;
- (b) the effective administration of Controlled Access Sites;
- (c) the regulation of Special Events and the administration, management, maintenance and the general enhancement of neatness of Public Open Spaces;
- (d) appropriate traffic guidance, the adoption of management and control measures including the provision of Public Road users with all necessary information, such as, including but not limited to, information about actual and anticipated road closures, detours, parking areas, Traffic-free Zones, and where possible, directions and

suitable routes to and from Stadiums and Official Events to ensure the orderly and safe flow of traffic; and

- (e) the regulation of Street Trading.

CHAPTER 2**ADVERTISING****General Prohibitions**

4.(1) A person may not, except with the prior approval of the Municipality, conduct any advertising activity on any Public Advertising Media—

- (a) during the Final Draw and for a period of one week immediately prior to and one week immediately following the Final Draw;
- (b) during the period of the Competition and for a period of two weeks immediately prior to the first Match and two weeks immediately following the final Match,

in the following areas –

- (i) within a one kilometre radius of the venue of the Final Draw, or of a Stadium or as demarcated by the Municipality;
- (ii) within a 100 (one hundred) meter radius of a FIFA Fan Park or as demarcated by the Municipality; and
- (iii) at any place visible from the principal public roads, as designated by the Municipality by means of appropriate signage, leading to the venue of the Final Draw or to a Stadium, and within two kilometres from the perimeter of the Final Draw venue or Stadium, as the case may be, or as demarcated by the Municipality.

(2) A person may not, except with the prior approval of the Municipality, and to the extent applicable and within the Municipality's jurisdiction, conduct any advertising activity on any Public Advertising Media—

- (a) during the Final Draw and for a period of two weeks immediately prior to the Final Draw;
- (b) during the period of the Competition and for a period of two weeks immediately prior to the first Match and two weeks immediately following the final Match,

in the following areas-

- (i) immediately outside or surrounding airports;
- (ii) in or immediately outside or surrounding main train stations; and

- (iii) within one kilometre radius of the central business district of the area of jurisdiction of the Municipality or as demarcated by the Municipality; and
- (iv) to the extent the Municipality has jurisdiction, on the principal routes from the airport and main train stations to the central business district of the area of jurisdiction of the Municipality and to the Stadium.

(3) A person may not, during the Term, erect, maintain or display a Sign or a Billboard at a Controlled Access Site or within an Exclusion Zone, without the prior written approval of the Municipality.

Safety

5. A person may not erect, maintain or display a Sign, a Billboard or an Advertising Structure in a Controlled Access Site or an Exclusion Zone which—

- (a) constitutes a danger to any person or property;
- (b) is so placed or contains an element which distracts the attention of drivers in a manner likely to lead to unsafe driving conditions;
- (c) is illuminated to the extent that it causes discomfort to or inhibits the vision of approaching pedestrians or drivers;
- (d) is attached to a road traffic sign or signal;
- (e) combined with a road traffic sign or signal obscures a road traffic sign or signal;
- (f) creates confusion with a road traffic sign or signal;
- (g) interferes with the functioning of a road traffic sign or signal or creates a road safety hazard;
- (h) obscures a pedestrian's or driver's view of pedestrians, road or rail vehicles and features of the road, railway or pavement such as junctions, bends and changes in width;
- (i) projects over a pedestrian or cycle circulation route, unless the Clear Height of such Sign is approved by the Municipality;
- (j) obstructs a fire escape or fire fighting equipment; or
- (k) is placed closer than the minimum clearance prescribed by the Municipality with regard to overhead power lines.

Design and Construction

6.(1) Advertising Structures in a Controlled Access Site or an Exclusion Zone must be designed and constructed according to applicable South African Bureau of Standards (“SABS”) approved standards.

(2) Every Sign in a Controlled Access Site or an Exclusion Zone in which electricity is used, including electronic and illuminated Signs, must—

- (a) have power cables and conduits containing electrical conductors positioned and fixed in such a manner that they are not unsightly;
- (b) be designed in such a manner that the Sign is not a fire risk;
- (c) be provided with an external switch in an accessible position and at a height of at least three metres from the ground by means of which the electricity supply to the Sign may be switched off;
- (d) be wired and constructed in accordance with and subject to the provisions of all applicable laws and regulations; and
- (e) be installed and erected by a qualified electrician.

(3) A person may not erect, maintain or display a Sign, Billboard or an Advertising Structure in a Controlled Access Site or an Exclusion Zone which interferes with or is detrimental to the functioning of the natural environment.

Maintenance

7. All Signs in Controlled Access Sites and Exclusion Zones must be maintained by their owners on a proper regular basis, and the owner must ensure that such signs are kept in a safe, neat and tidy manner.

CHAPTER 3**CONTROLLED ACCESS SITES****Designation of Controlled Access Sites and Exclusion Zones**

8.(1) The Municipality may designate an area referred to in the definition of "Controlled Access Site" as a Controlled Access Site.

(2) Designation of Controlled Access Sites must be indicated to the Local Community by means of signage, notice in the newspapers or in the Government or Provincial Gazette.

(3) The Municipality may designate an area, referred to in the definition of "Exclusion Zone", which falls within its jurisdiction, as an Exclusion Zone.

(4) Designation of Exclusion Zones must be indicated to the Local Community by means of signage, notice in the Government or Provincial Gazette or newspapers.

General Prohibition applicable to Controlled Access Sites

9. A person may not—

- (a) smoke, eat, drink or sleep in any Controlled Access Site where these activities are forbidden;
- (b) interfere with any works being carried out, including but not limited to, installation of equipment, plant or infrastructure located within or upon a Controlled Access Site;
- (c) remove any object or part thereof or any fixture, fitting or equipment from a Controlled Access Site;
- (d) bring any animal except guide dogs or animals assisting Authorised Officials in the execution of their duties into any Controlled Access Site;
- (e) use abusive or otherwise objectionable language or behave in an abusive, objectionable or disorderly manner in a Controlled Access Site;
- (f) hamper, disturb, obstruct or harass any other person using or entering any Controlled Access Site;
- (g) damage or indirectly cause damage to any part of a Controlled Access Site or its contents or equipment;

- (h) spill or drop any substance that may cause danger or harm to any user of a Controlled Access Site;
- (i) commit any act of vandalism including but not limited to painting, defacing or marking any part of any Controlled Access Site;
- (j) lie, sit, stand, congregate or walk, in a manner that otherwise causes an obstruction of any nature whatsoever, within any Controlled Access Site;
- (k) tout or solicit a driver of a motor vehicle who parks a motor vehicle at a Controlled Access Site for the purpose of or under pretext of looking after or watching over the motor vehicle;
- (l) urinate, excrete or behave or act in a manner that may be considered an act of public indecency within any Controlled Access Site;
- (m) deposit or leave or cause to be left any object which may endanger or cause harm to or be a Nuisance to any user of a Controlled Access Site;
- (n) carry, brandish or otherwise display or use within a Controlled Access Site any weapon, traditional weapon or any other object that may cause harm; or
- (o) throw any object, of any nature whatsoever, within or onto a Controlled Access Site.

Exclusion Zone

10. A person may not conduct business activities on a Match day in the Exclusion Zone without the written approval of the Municipality.

CHAPTER 4

PUBLIC OPEN SPACES AND CITY BEAUTIFICATION

City Beautification for Competition

11.(1) A person engaged in major construction during the Term which is visible to the public view and close to, major or concentrated transport centres or entertainment areas which will or may be used for the Competition, Controlled Access Sites and the Exclusion Zone, must take all necessary measures at their own cost to cover or conceal such construction sites from public view to the satisfaction of the Municipality.

(2) The Municipality may request the holder of an existing licence, permit, approval or other authorisation who undertakes a major public or major private construction works which is in progress at the start of the Competition, at any concentrated transport centre or entertainment area which will or may be used for the Competition, Controlled Access Sites and the Exclusion Zone, to suspend any such construction works for the whole or any part of the Term, without any obligation on the part of the Municipality to compensate such holder, provided that the period of any such suspension may be added to the duration of that licence, permit, approval or other authorisation following the termination of such suspension at the end of the Term.

(3) A person may not write, paint, or by any other means, display pictures, signs, writing or symbols in the area of jurisdiction of the Municipality during the Competition which in the reasonable opinion of the Municipality amounts to graffiti.

General Prohibition

12. A person may not at a Special Event or in a Public Open Space—

- (a) cause a Nuisance to other users of the Public Open Space;
- (b) use abusive or otherwise objectionable language or behave in an abusive, objectionable or disorderly manner towards any other user of a Public Open Space;
- (c) hamper, disturb, obstruct or harass any other person using or entering a Public Open Space;
- (d) damage or indirectly cause damage to any part of a Public Open Space or its infrastructure, plant, equipment, fixtures, fittings, buildings or structures;
- (e) smoke, eat, drink or sleep in a Public Open Space where these activities are forbidden;
- (f) spill or drop any substance that may cause danger or harm to any user of a Public Open Space;
- (g) interfere with any works being performed or the installation of any equipment, plant or infrastructure located within or upon a Public Open Space;
- (h) remove or damage any object or part of any fixture, fitting, equipment, plant or infrastructure from a Public Open Space;
- (i) commit any act of vandalism including but not limited to painting, defacing or marking any part of a Public Open Space or any infrastructure, plant, equipment,

fixtures, fittings, buildings or structures erected, constructed, installed or otherwise located within or upon a Public Open Space;

- (j) lie, sit, stand, congregate or walk so as to cause a wilful obstruction, or otherwise cause any obstruction, of any nature whatsoever in a Public Open Space;
- (k) tout or solicit a driver of a motor vehicle who parks a motor vehicle at or immediately adjacent to a Public Open Space for the purpose of or under pretext of looking after or watching over the motor vehicle;
- (l) urinate, excrete or act in any manner that may be considered an act of public indecency in a Public Open Space;
- (m) beg or solicit money in a Public Open Space;
- (n) deposit or leave or cause to be left any object which may endanger or cause harm to any user of a Public Open Space;
- (o) carry, brandish or otherwise display or use within a Public Open space any weapon, traditional weapon or any other object that may cause harm;
- (p) throw any object, of any nature whatsoever, within or onto a Public Open Space;
- (q) unlawfully enter a Public Open Space to which access has been restricted or prohibited;
- (r) cause a Nuisance including play loud or offensive music;
- (s) bathe, wade, or swim in or wash himself, an animal or any object, including clothing, in any water body located within or upon a Public Open Space;
- (t) make, light or otherwise start a fire except in a facility specifically designed for and provided by the Municipality for that purpose; and
- (u) camp or reside;
- (v) perform any action prohibited in terms of any sign erected by the Municipality in a Public Open Space.

Access Restriction

13.(1) The Municipality may restrict the general access to and use of any Public Open Space in order to protect a Public Open Space or to reduce vandalism or the destruction of Municipality property at any Public Open Space.

(2) The Municipality may restrict the general access to and use of any Public Open Space in order to develop or undertake any activity which it reasonably considers necessary or appropriate to achieve the purposes of these By-laws in preparation for the Competition.

Waste

14. A person may not—

- (a) deposit, dump or discard any Waste, other than in a receptacle provided by the Municipality for that purpose, at a Public Open Space; or
- (b) pollute or deposit any Waste in a manner which may detrimentally impact on any water body located upon or within a Public Open Space.

Vehicles

15. A person may not—

- (a) except at times specified and on roads or pathways provided by the Municipality, drive, draw or propel any vehicle other than a bicycle or a vehicular device used by a person with disability at a Public Open Space;
- (b) drive, draw or propel any vehicle of whatsoever nature in excess of 40 (forty) kilometres per hour within a Public Open Space; or
- (c) park any vehicle of whatsoever nature in a Public Open Space, except in designated area or other area where parking is otherwise permitted by the Municipality at a Public Open Space.

Vegetation and Animals

16. A person may not, within a Public Open Space—

- (a) disturb, damage, destroy or remove any tree, shrub or other vegetation;
- (b) affix, place, arrange or create any Advertisement of whatever nature anywhere within a Public Open Space;

- (c) plant any vegetation;
- (d) alter the slope or drainage pattern so as to interfere with the access of water, air or nutrients to any tree or other plant;
- (e) capture or attempt to capture, chase, shoot at, injure, throw objects at, tease, molest or in any other way disturb any animal, fish, or bird or its nest or egg;
- (f) ride a horse, except—
 - (i) in an area designated by the Municipality for that purpose; and
 - (ii) a person who in the performance of his or her official duties, patrols such Public Open Spaces on horseback;
- (g) walk, carry, ride or bring an animal other than a horse or dog, provided that the presence of such horse or dog is not prohibited within such Public Open Space;
- (h) walk any dog unless—
 - (i) walking a dog in such a Public Open Space is permitted by the Municipality; or
 - (ii) such dog, while walking within a Public Open Space remains at all times under the control of a person walking such dog.

Selling and Special Events

17.(1) A person may not, within a Public Open Space—

- (a) use the Public Open Space in a way that unfairly restricts or prevents other users of the Public Open Space from enjoying that Public Open Space; or
- (b0) except within a Public Open Space or part thereof which has been let to a person by the Municipality for that purpose, sell, hawk, offer or display any goods or articles for sale or hire.

(2) A person may not undertake any event or a Special Event at a Public Open Space or in its surrounding vicinity, which will or may be used for the purposes of the Competition unless specifically authorised by the Municipality.

CHAPTER 5**PUBLIC ROADS AND TRAFFIC GUIDANCE****General Prohibition in respect of Public Roads**

18.(1) A person may not during the Competition—

- (a) erect or cause, or permit to be erected, or place any object including any banner, rope, wire, cord, pole, barbed-wire fence, railing, paling, wall or any other barrier or obstruction of any nature whatsoever upon, under, over or across any Public Road;
- (b) use any material or goods that are likely to cause any damage or harm to any part of a Public Road or to harm any of its users including but not limited to pedestrians, cyclists, motorcyclists and motorists;
- (c) spill or drop any substance on or over or across a Public Road including but not limited to discharging any water, chemical or oil substance, that may in any way endanger or harm any road users including but not limited to pedestrians, cyclists, motorcyclists and motorists;
- (d) interfere with any works being carried out by the Municipality or any authorised service provider or third party on a Public Road or in relation to any municipal services including digging holes, trenches, pits or tunnels on or under any Public Road; or painting, defacing or marking any Public Road;
- (e) commit any act of vandalism including but not limited to painting, defacing or marking any part of a Public Road;
- (f) hamper, disturb, obstruct or harass any Public Road user including but not limited to any pedestrian, cyclist, motorcyclist or motorist using or entering any Public Road;
- (g) cause any animal to stray or walk onto a Public Road, excluding guide dogs and animals assisting an Authorised Official in law enforcement duties;
- (h) tout or solicit a driver of a motor vehicle who parks a motor vehicle in a Public Road at or near a place of entertainment for the purpose of or under pretext of looking after or watching over the motor vehicle;
- (i) urinate, excrete or behave in a manner that may be considered an act of public indecency on a Public road or within any Controlled Access Site.;
- (j) beg on a Public Road.

- (2) A person may not during the Competition, without the approval of the Municipality—
- (a) push or otherwise convey any Trolley on a Public Road within an Exclusion Zone or at a Controlled Access Site;
 - (b) deposit or leave or cause to be left any sand, stone, earth, bricks, timber, lime, cement or other building or excavated material of whatsoever nature on any portion of a Public Road; or
 - (c) park or leave any vehicle of any nature whatsoever including but not limited to any car, bus, minivan, truck, bicycle, pedal-cycle, coaster, sled, motor cycle, caravan, trailer, cart, tractor or earth moving equipment, whether or not unattended, on any Public Road other than in a Demarcated Space.

General Prohibitions in Respect of Road Traffic Control

19.(1) A person who is not an Authorised Official, may not direct any form of traffic by means of any visible or audible signal.

(2) A person may not drive a vehicle of any nature whatsoever including but not limited to any car, bus, minivan, truck, bicycle, pedal-cycle, coaster, sled, motor cycle, caravan, trailer, cart, tractor or earth moving equipment into or within a Traffic-free Zone or park any such vehicle in that Traffic-free Zone unless a prescribed notice authorising the presence of the vehicle in that Traffic-free Zone has been validly issued and obtained and is visibly displayed on the vehicle in the prescribed manner.

(3) A person travelling upon a pedal cycle, motor cycle, coaster, sled, roller-skates, or any other similar device may not cling to or attach himself or herself or such pedal cycle, coaster, sled, roller-skates or device to any other moving vehicle, on a Public Road.

(4) A person may not, except with the Approval of the Municipality where applicable, park or cause to be parked any vehicle of whatsoever nature in a Demarcated Space without paying the appropriate amount or inserting the appropriate token or card in the applicable Parking Meter for the required Parking Period.

(5) A person may not use or obstruct any emergency lane or any other special lane on any Public Road which has been demarcated by the Municipality for special use by the FIFA Delegation or any body, authority or person during the Term.

General Prohibitions in respect of parking

20. The Municipality may restrict public access to Demarcated Spaces and other parking areas in or around a Stadium or other Controlled Access Site on Match days or on the occurrence of Official Events, and in this regard the Municipality may—

- (a) restrict the right to use certain Demarcated Spaces and other parking areas inside the Stadium and immediately outside the entrances thereof, to the following persons—
 - (i) VIPs;
 - (ii) Teams; and
 - (iii) Match officials (including referees);
- (b) restrict the right to use certain Demarcated Spaces and other parking areas inside the Stadium perimeter as close as possible to the Stadium building and where required for the service providers to the following persons:
 - (i) the FIFA Delegation;
 - (ii) members of the LOC delegation;
 - (iii) Commercial Affiliates;
 - (iv) Broadcast Rights Holders;
 - (v) FIFA guests; and
 - (vi) services providers;
- (c) restrict the right to use certain Demarcated Spaces and other parking areas inside the Stadium to representatives of the Media and the Media shuttle service.

Instruction by Authorised Official

21. An Authorised Official may, for purposes of implementing or giving effect to the Safety and Security Plan where the circumstances necessitate, and in the interests of ensuring or promoting traffic control or safety on a Match day—

- (a) instruct any person to refrain from using a Public Road; and
- (b) instruct any person to remove any vehicle of whatsoever nature, whether parked, stationary or in transit, from a Public Road.

Road closure action by Municipality

22. The Municipality may, after giving appropriate notices as it may deem necessary, close temporarily any Public Road, street or thoroughfare vested in the Municipality for purposes of traffic control, management or guidance or for purposes of implementing or giving effect to the Safety and Security Plan whether or not in the vicinity of any Stadium, Official Event, FIFA Fan Park, Official Training Site, Exclusion Zone or Controlled Access Site.

CHAPTER 6**STREET TRADING****Conduct of Street Traders in general and during course of Trading**

23.(1) A Street Trader may not, for the Term—

- (a) occupy any part of a Public Road or Public Amenity with his or her property or Goods, except to the extent prescribed by the Municipality;
- (b) on conclusion of his or her daily business activities, leave any or all of his or her property and Goods in a Public Road or Public Amenity;
- (c) place his or her property or Goods on a Verge or Public Amenity except for the purposes of setting up a stall prior to commencing trade or for the purposes of conducting Street Trading;
- (d) place or stack his or her property and Goods in such a manner that they do or may constitute a nuisance or danger to any person or property, or are likely to injure any person or cause damage to property;
- (e) attach any object by any means to any Public Amenity, Verge, tree, parking meter, lamp-pole, electricity pole, telephone pole, telephone booth, post box, traffic sign, bench or any other Street Furniture in or on a Public Road or a Public Amenity;
- (f) make a fire in any place or in circumstances where it could cause injury or loss to a Person, building, vehicle, or Street Furniture, except Street Traders that are in possession of a Street Trading permit, authorizing them to prepare foodstuffs by utilizing open-flame fire or gas-fired implements;
- (g) sleep overnight at the place of his or her Street Trading business;
- (h) erect any structure for the purpose of providing shelter at the place of his/her Street Trading business;
- (i) interfere with the ability of a person using a Verge to view the goods displayed behind a shop display window, or obscure such goods from view;
- (j) carry on business, or take up a position, or place his or her property on a portion of a Verge or Public Amenity, in contravention of a sign or notice erected or displayed by the Municipality for the purpose of these By-laws;
- (k) store his or her property or Goods in a manhole, storm water drain or a public toilet, bus or taxi shelter or under a publicly accessible tree;

- (l) carry on Street Trading in such a manner as to—
 - (i) create a Nuisance;
 - (ii) damage or deface the surface of a Public Road or Public Amenity or any public or private property;
- (m) create a traffic obstruction or obstruct access to pedestrian crossings, parking or loading bays or other facilities for vehicular traffic or pedestrians or ignore, disobey or refuse a request by an Authorised Official to remove his or her property and Goods so as to permit the carrying out of any work or service in relation to a Public Road or Public Amenity;
- (n) display his or her Goods or property on or in a Public Amenity except with the approval of the Municipality.

(2) A Street Trader must ensure that when liquefied petroleum gas is used during its activities of Street Trading the liquefied petroleum gas complies with appropriate standards and requirements applicable to the use of such gas.

Conduct of a Street Trader with regard to ensuring place of trading is kept clean

24. A Street Trader must, for the Term—

- (a) dispose of Litter generated by his or her business in whatever receptacle provided by the Municipality for the public or at a dumping site of the Municipality;
- (b) not dispose of Litter in a manhole, storm water drain or other place not intended for the disposal of Litter;
- (c) on request by an Authorised Official, move his or her Property and Goods so as to permit the cleansing of the area or site where he or she is trading, or the effecting of Municipal Services or for any other lawful reason;
- (d) ensure that no smoke, fumes or other substance causes Air Pollution;
- (e) ensure that no odour, or noise emanating from his or her activities causes a Nuisance of any kind;
- (f) keep the area or site occupied by him or her for the purposes of such business in a clean and sanitary condition;
- (g) keep his or her property in a clean, sanitary and well maintained condition;

- (h) take such precautions in the course of conducting his or her business as may be necessary to prevent the spilling onto a Public Road or Public Amenity, or into a storm water drain, of any fat, oil or grease or any other substance that may be harmful to the general public and users of the Public Road or Public Amenity; and
- (i) ensure that on conclusion of his or her business for the day, the area or site occupied by him or her for the purposes of trade is free of Litter and must do so within the prescribed periods of time.

Prohibition on Street Trading

25.(1) A person may not, except with the prior written approval of the Municipality,

- (a) carry on the business of Street Trading at any Controlled Access Site or Exclusion Zone during the Term;
- (b) carry on the business of Street Trading in a Restricted Area;
- (c) carry on the business of Street Trading in a garden or park to which the public has a right of access.

(2) A person may not carry on the business of Street Trading—

- (a) in a Prohibited Area;
- (b) on a Verge contiguous to an auto teller bank machine;
- (c) except to the extent that the carrying on of such business is permitted by a sign erected or displayed by the Municipality and in compliance therewith, on a Verge contiguous to—
 - (i) a building declared to be a heritage resource in terms of the National Heritage Resources Act, 1999 (Act No. 25 of 1999); except where special permission has been granted in terms of the same legislation;
 - (ii) a building belonging to or occupied solely by the State or the Municipality;
 - (iii) a church or other place of worship;
 - (iv) a Public Amenity
- (d) at a place where—

- (i) it causes obstruction of the entrance or exit from a building;
 - (ii) it causes an obstruction of a fire hydrant; and
- (e) on that half of a Public Road contiguous to a building used for residential purposes if the owner or person in control or any occupier of the building objects to it;
- (f) on that half of a Public Road contiguous to a shop or that part of a building in which business is being carried on by a person who sells goods of the same nature as, or of a similar nature to, Goods being sold by the Street Trader if that person objects to it;
- (g) on a stand or in any area demarcated by Municipality in terms of section 6A(3)(b) of the Businesses Act, 1991 (Act No. 71 of 1991), if he or she is not in possession of written proof that he or she has rented such stand or area from the Municipality or that such stand has been allocated to him; nor may he or she trade in contravention of the terms and conditions of such lease or allocation; and

(3) The Municipality may prescribe the distance from a Controlled Access Site within which the business of Street Trading may take place.

Restricted and Prohibited Trading Areas

26.(1) The Municipality may, in terms of section 6(A)(2) of the Businesses Act, 1991 (Act No. 71 of 1991), declare any place within its area of jurisdiction as a Prohibited Area or a Restricted Area, with reference to—

- (a) certain specific periods during the Term;
- (b) the boundaries of Restricted Areas or Prohibited Areas;
- (c) the boundaries of a stand or area set apart for the purposes of carrying on the business of Street Trading;
- (d) any other category of restriction or prohibition against Street Trading, which the Municipality may prescribe.

(2) The Municipality may identify and demarcate any such Restricted Area or Prohibited Area in any manner it deems appropriate.

Prohibition on persons under the age of sixteen

27. A person under the age of sixteen years may not engage in the business of Street Trading in or near a Public Road or Public Amenity.

Vicarious Liability

28.(1) When a person who is an employee, subcontractor, agent or assistant of a Street Trader performs any act or omission which constitutes an offence in terms of these By-laws, the Street Trader is deemed to have committed the act or omission himself, herself or itself and is guilty of the same offence as the employee, subcontractor, agent or assistant unless he, she or it can prove that—

- (a) in committing the act or omission the employee, subcontractor, agent or assistant was acting without his, her or its permission or knowledge;
- (b) he, she or it took all reasonable steps to prevent the act or omission; and
- (c) it was not within the scope of authority of the employee, subcontractor, agent or assistant to perform such act or omission.

(2) Proof that prior instructions forbidding the act or omission were issued to the employee does not excuse the Street Trader from liability for the employee, subcontractor, agent or assistant's act or omission which amounts to a contravention of provisions of these By-laws.

CHAPTER 7**MISCELLANEOUS PROVISIONS****Powers of entry to inspect premises**

29. An Authorised Official may, in relation to any Sign, Billboard, Advertising Structure or Advertisement erected, positioned or displayed in a Controlled Access Site, an Exclusion Zone or on any Public Advertising Media in the areas referred to in section 4(1)(b)(i) and (ii), inspect the approval granted in respect of that Sign, Billboard, Advertising Structure or Advertisement, as the case may be.

Removal and impoundment of Signs

30.(1) The Municipality may, in relation to any Sign, Billboard, Advertising Structure or Advertisement erected, positioned or displayed in a Controlled Access Site, an Exclusion Zone or on any Public Advertising Media in the areas referred to in section 4(1)(b)(i) and (ii)—

- (a) direct the Owner of a Sign, Billboard, Advertising Structure or Advertisement that wholly or partially projects over or encroaches on any boundary of a Premises, whether public or private, by notice to remove the projecting or encroaching part or the whole of the Sign immediately.
- (b) remove a Sign, Billboard or Advertisement or serve a notice on the responsible person to remove such Sign, Billboard or Advertisement if, in the opinion of the Municipality, such Sign, Billboard or Advertisement is detrimental to the environment or to the amenity of the neighbourhood, or is otherwise in contravention of these By-laws;

(2) The Municipality is not obliged to compensate any person for loss or damage resulting from the removal of such a Sign, Billboard or Advertisement.

(3) If a Sign, Billboard, Advertising Structure or Advertisement in the reasonable opinion of the Municipality, constitutes a danger or is obscene the Municipality may, without serving any notice, carry out the removal of such Sign.

(4) Any costs incurred by the Municipality in removing, storing, or undertaking alterations to a Sign, Billboard, Advertising Structure or Advertisement may be recovered from the Owner of the Sign, Billboard, Advertising Structure or Advertisement;

(5) The Owner of a Sign, Billboard, Advertising Structure or Advertisement that is removed by the Municipality may, except where court proceedings have been instituted against such Owner, apply to the Municipality within 7 (seven) days of the date of the removal or impoundment of the Sign, to have the Sign returned, subject to reimbursement of the Municipality's costs of removal and storage;

(6) Should the Owner of any Sign, Billboard, Advertising Structure or Advertisement that is removed by the Municipality fail to collect such Sign, Billboard, Advertising Structure or Advertisement within 30 (thirty) days after a court case relating to such removal is finalised, the Municipality may destroy the Sign, Billboard, Advertising Structure or Advertisement or otherwise dispose of it as it deems fit;

(7) The Municipality is not be liable for damages of whatever nature arising from the impoundment, removal or disposal of any Sign, Billboard, Advertising Structure or Advertisement.

Access Rights and restrictions on Controlled Access Sites

31. The right of access to and use of a Controlled Access Site is regulated through Accreditation and Ticketing. Depending on the nature of the Controlled Access Site and the nature of the event being held at such Controlled Access Site, a person other than—

- (a) an Accredited Person;
- (b) a Ticket Holder; or
- (c) a person duly authorised or permitted to enter a Controlled Access Site,

may not be permitted access to a Controlled Access Site.

Instructions by Authorised Officials in respect of Public Open Spaces

32. An Authorised Official may instruct any person to leave a Public Open Space if—

- (a) the Authorised Official reasonably believes that the person is contravening any provision of these By-laws, and
- (b) such person fails to immediately terminate such contravention upon the instruction of that Authorised Official.

Search and seizure powers of the Municipality on Public Roads and in respect of contraventions on Street Trading

33.(1) Subject to any applicable legislation including without limitation the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000) and the Road Traffic Act 1989 (Act No 29 of 1989), an Authorised Official may search, remove or impound any Goods, property, container, structure, materials, substance, shelter, tent vehicle of any nature whatsoever, whether or not unattended—

- (a) which he or she reasonably suspects of being used or are intended to be used or have already been used in or in connection with the business of Street Trading;
- (b) left or parked at any unauthorised parking area;
- (c) which he or she finds in a park or on a public road or public place and which in their opinion constitutes an infringement of these By-laws, whether or not such Goods, property, container, structure, materials, substance, shelter, tent or vehicle which is in the possession of or under the control of any person at the time of such impoundment or removal.

(2) An Authorised Official must issue a receipt from an approved receipt book to the person who appears to be in control of the Goods, property, structure, materials, substance, container, shelter, tent or vehicle concerned.

(3) Any Goods, property container, structure, materials, substance, shelter, tent or vehicle contemplated in subsection (1) must be marked in a suitable manner and kept in safe custody.

(4) The Street Trader whose Goods, Property, container, structure, material, substance, shelter or tent is impounded in terms of these by-laws must, before such Goods, property, materials, substance, container, shelter, tent or vehicle is returned to him or her pay to the Municipality the storage costs as determined by Municipality from time to time.

(5) The owner thereof may claim any impounded Goods, property, container, structure, materials, substance, shelter, tent or vehicle, on production of proof of ownership to the satisfaction of the Municipality.

(6) Any Goods, property, structure, materials, substance, container, shelter, tent or vehicle which has not been claimed within a period of three months from the date of impoundment, may be destroyed if of no commercial value, or sold by public auction and the proceeds thereof may be retained by the Municipality to defray its costs and expenses with regard to the contravention, impoundment and storage.

(7) The Municipality is not liable for compensation to any person for damages arising out of the damage to or the loss of any Goods, Property, container, structure, materials, substance, shelter, tent or vehicle removed in terms of sub section 7.5.1 or sale thereof by public auction, and the owner of such Goods, property, materials, substance, container, tent or vehicle may not claim and does not have a right of redress against the Municipality, should such Goods, property, materials, substance, container, tent or vehicle be handed over in good faith to a person other than the owner thereof.

(8) Any Goods of a perishable nature will only be kept for 24 hours from impoundment and will be disposed of at the discretion of the Municipality.

Offences and Penalties:

34. A person who—

- (a) contravenes or fails to comply with any provision of these By-laws;
- (b) or which employs or engages or requests a person under the age of sixteen years to conduct the business of Street Trading or to assist therewith;
- (c) does not cease any action which that person is required to cease under these Bylaws; or
- (d) fails or refuses, neglects to comply or continuously fails, refuses, neglects to comply even after notices of breach or lawful instructions have been issued in terms of these By-laws; or
- (e) fails to comply with any notice, or direction, or conditions contained in any licence granted by the Municipality; or
- (f) obstructs an Authorised Official in the execution or performance or attempted execution or performance of any duty to be discharged by such Authorised official in the exercise of any power conferred by these Bylaws;

is guilty of an offence and liable on conviction to a fine not exceeding Ten Thousand Rand (R10 000, 00) or in default of payment to imprisonment for a period not exceeding six (6) months, or both, and in the case of a continuing offence, to a further fine not exceeding Fifteen Thousand Rand (R15 000. 00), or in default of payment to imprisonment not exceeding twelve months (12), for every day during the continuance of such offence after a written notice has been issued by the Municipality and served on the Person concerned requiring the discontinuance of such offence.

CHAPTER 8**FINAL PROVISIONS****Short Title and Commencement**

35. These By-laws are called the 2010 FIFA World Cup South Africa By-laws, and shall operate for the Term.

SCHEDULE

FIFA FAN PARK

1. The Municipality has chosen as its preferred site(s) for purposes of establishing a fan park the below mentioned sites. It is intended that only of the sites will eventually become the official fan park:

- St Georges Park;
- King's Beach Parking Lot.

2. The Municipality will through a notice in the newspapers, municipal notice boards and / or other notice boards and / or appropriate medium, choose either of the sites as the official FIFA fan park.

EXCLUSION ZONE

3. The enclosed aerial photographic plan of area designated with the dotted line, followed by a narrative description of the area depicts the Exclusion Zone as determined by the Municipality with the concurrence of FIFA:

- From the corner of Sydenham Street and Milner Avenue (including Milner Avenue) towards Uitenhage Road
- across the green field down (and including) North Street, across the Law Courts, towards Harrower Road
- along (and including) Harrower Road up to Lanchester Street
- along (and including) Lanchester Street up to halfway between York and Fettes Streets
- straight across midway the blocks up Fettes Street
- along Fettes/Harrower Road up to (and including) McHardy Street – including the green field
- around North End Lake's edge, excluding Coca Cola factory
- around the lake, including Gibaud Street up to Neil Boss, Milner and Voyle Street intersection
- along (and including) Voyle Street up to Pogson Street
- along (and including) Pogson Street up to Pyott Street
- across two green fields and Lawson street, up to Uitenhage Road
- along (and excluding) Uitenhage Road up to Voyle Street
- along (and including) Voyle Street up to Sydenham Street
- along (and including) Sydenham Street back to Milner Avenue

TERM SCHEDULE

4. 11 June 2010 to 11 July 2010 both the start day and end day inclusive.
