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LIMPOPO PROVINSIE
XIFUNDZANKULU XA LIMPOPO
PROFENSE YA LIMPOPO
VUNDU LA LIMPOPO
IPHROVINSI YELIMPOPO

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13 APRIL 2021
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**PREMIER’S NOTICE • PREMIERS KENNISGEWING
PREMIER’S NOTICE 2 OF 2021**



**LOCAL GOVERNMENT NOTICE
POLOKWANE LOCAL MUNICIPALITY**

POLOKWANE MUNICIPALITY LEETO LA POLOKWANE OPERATIONAL BY-LAW

Notice is given that the Municipal Manager of Polokwane Local Municipality hereby publishes, in terms of the provisions of **Section 13 & 21** of the Local Government: Municipal Systems Act 32 of 2000, read with **Section 162** of the Constitution of the Republic of South Africa, 1996, the By-Law set forth hereunder.

The said By-Law hereto attached shall take effect on the date of publication of this Notice.

CITY OF POLOKWANE

LEETO LA POLOKWANE OPERATIONAL BY-LAWS

Preamble

Whereas the Polokwane Local Municipality is responsible for the functions of Municipal Public Transport, Traffic, Parking and Municipal roads in terms of Parts B of Schedules 4 and 5 of the Constitution of the Republic of South Africa, 1996, read with section 11(1)(c) of the National Land Transport Act, 2009 (Act No. 5 of 2009);

The Municipality is empowered by that legislation as well as in section 80A of the National Road Traffic Act, 1996 (Act No. 93 of 1996) and Chapter 2 Section 11(1) (c) (ii) of the National Land Transport Act, 2009 (Act No. 5 of 2009); to develop and promulgate the Municipal By-laws and conclude agreements in the Municipal sphere.

BE IT HEREBY ENACTED by Polokwane Local Municipality as follows:

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PART 1: INTRODUCTORY PROVISIONS

1. DEFINITIONS

In these By-laws, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act or the National Road Traffic Act, 1996 (No.93 of 1996) has the same meaning, and:

“accessible transport” means transport that is accessible to all persons in the Municipal area, as well as those travelling to and from that area, including, but not limited to, special categories of persons, pedestrians and cyclists to their intended destinations in a safe and convenient manner, and in relation to infrastructure means the design of facilities that are usable by all people to the greatest extent possible, with or without the need for adaptation or specialised design;

“Act” or **“the Act”** means the National Land Transport Act, 2009 (Act No. 5 of 2009);

“approved format” in relation to a form or decal means the format approved by the Municipality and published in the *Gazette*;

“authorised officer” means an inspector, traffic officer or member of the South African Police Service contemplated in the definition of authorised officer in chapter 1 of the Act;

“authorised official” means an official appointed and authorised by the Municipality in writing to enforce or implement these By-laws;

“BRT lane” means a dedicated lane on a public road that has been set aside for the exclusive use of Leeto La Polokwane vehicles;

“By-laws” means these By-laws;

“CITP” means the Comprehensive Integrated Transport Plan contemplated in section 36 of the Act together with the Minimum Planning Requirements for Integrated Transport Plans promulgated or recognised under that section;

“cycle lane” means a road or path designated by the Municipality or other competent authority for the exclusive use of cyclists by means of appropriate road traffic signs or road markings;



“cyclist” means a person riding or using a bicycle or tricycle, defined as a pedal cycle in the National Road Traffic Act;

“dangerous object” means any explosive or incendiary material, any explosive or incendiary device, any firearm, and any gas, material, weapon or other article, object or instrument which may be employed to cause bodily harm to a person, or to render a person temporarily paralysed or unconscious, or to cause damage to property

“Department” means the National Department of Transport;

“Disaster Management Framework” means the Municipality’s Disaster Management Framework contemplated in section 42 of the Disaster Management Act, 2002 (Act No. 57 of 2002);

“facility” means a public transport facility;

“Freight” refers to either the sending of goods or the goods themselves.

“Freight Transport” means any vehicle that is used to transport goods or articles, whether for personal or commercial gain

“Gazette” means the Provincial Gazette of Limpopo Province;

“jogger” means a person running on or along a public road or in NMT infrastructure for purposes of exercise or recreation;

“Leeto La Polokwane” means the public transport systems developed by the Polokwane Municipality.

“MEC” means the Member of the Executive Council of the province of Limpopo who is responsible for public transport in the province;

“Municipal area” means the geographical area of jurisdiction of the Municipality;

“Municipality” means the City of Polokwane Local Municipality, and includes authorised agents of and successors in title to the Municipality;

“National Road Traffic Act” means the National Road Traffic Act, 1996 (Act No. 93 of 1996);



“National Road Traffic Regulations” means the National Road Traffic Regulations, 2000, made in terms of the National Road Traffic Act;

“NMT” means Non-Motorised Transport; Transportation of goods, mobility by methods other than the combustion motor

“NMT infrastructure” means and includes cycle paths, walkways, sidewalks, public open spaces and other buildings and structures used or intended for, or to promote, NMT;

“non-motorised transport” means transport by any mode other than a motor vehicle including, but not limited to, walking, cycling and animal-drawn vehicles, but for purposes of these By-laws includes cycles, scooters and wheelchairs assisted by motors of a prescribed type and capacity whereby the speed of the cycle, scooter or wheelchair is not significantly enhanced;

“operator” means a person carrying on the business of operating a public transport service and, for purposes of these By-laws, is confined to persons holding valid operating licences or permits as required by section 50(1) of the Act;

“park” in relation to a vehicle means to keep the vehicle, whether occupied or not, stationary for longer than is reasonably necessary actually to load or unload persons or goods, but does not include keeping the vehicle stationary owing to a cause beyond the control of the person in charge of the vehicle;

“prescribe” or **“prescribed”** means prescribed by the Municipality by notice in the Gazette;

“Province” means the Province of Limpopo;

“public road” means a public road as defined in the National Road Traffic Act, 1996 (No.93 of 1996);

“public transport facility” means and includes a–

- (a) bus terminal;
- (b) rapid transport station;
- (c) rapid transport layover;
- (d) mini-bus taxi rank;
- (e) metered taxi rank;



- (f) stopping place dedicated to Leeto La Polokwane vehicles, mini-bus taxis and buses; and
- (g) bus or taxi stop;

“public transport interchange” means a location where facilities are provided for specified types of public transport services for the interchange of passengers between those services;

“public transport service” means a scheduled or unscheduled service for the carriage of passengers by road or rail, whether subject to a contract or not, and where the service is provided for a fare or any other consideration or reward, including cabotage in respect of passenger transport as defined in the Cross-Border Road Transport Act, 1998 (Act No. 4 of 1988), and except where clearly inappropriate the term “public transport” must be interpreted accordingly;

“public transport vehicle” means a motor vehicle used for public transport services;

“road traffic sign” means a road traffic sign or marking contemplated in the National Road Traffic Act;

“roadway” means that portion of a road, street or thoroughfare improved, constructed or intended for vehicular traffic which is between the edges of the roadway;

“SANRAL” means the South African National Roads Agency Limited established by section 2 of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998);

“shoulder” means that portion of a road, street or thoroughfare between the edge of the roadway and the kerb line;

“sidewalk” means that portion of a verge intended for the exclusive use of pedestrians;

“special categories of persons” means persons with disabilities, the aged, pregnant women and those who are limited in their movement by children;

“Systems Act” means the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

“traffic signal” means a traffic signal contemplated in the National Road Traffic Regulations;



“**valid ticket/card**” means a ticket/card that has been legally issued by the Leeto La Polokwane operator or their authorised agent and has not been blocked for use on Leeto La Polokwane.

“**verge**” means that portion of a road, street or thoroughfare, including the sidewalk, which is not the roadway or the shoulder; and

“**Website**” means the Municipality’s official website contemplated in section 21B of the Systems Act.

2. APPLICATION AND PURPOSE OF THESE BY-LAWS

- 1) These By-laws apply in the geographical area of jurisdiction of the Municipality.
- 2) The purpose of these By-laws is-
 - (a) To promote the safety of passengers making use of Leeto La Polokwane;
 - (b) To provide a regulatory framework for Leeto La Polokwane in the Municipality, subject to and in addition to the Act;
 - (c) to give effect to National, Provincial and Municipal policy on non-motorised transport and accessible transport in the Municipal area;
 - (d) To promote such transport, and to protect and promote the safety of pedestrians, joggers, cyclists, scholars, students and special categories of persons; and
 - (e) To promote training and awareness of NMT issues by means of, but not confined to, recreational parks, simulated road traffic situations, awareness campaigns, training of persons to cycle safely and by other similar methods.
- 3) Should a provision of the National Road Traffic Regulations that is referred to in these By-laws be amended, the concomitant provision of these By-laws will continue to apply unless in conflict with those Regulations.
- 4) These By-laws must be read with the Municipality’s Street Trading By-laws promulgated under *Notice 185 in Provincial Gazette no. 2771 of 2016 page 31*

3. PENALTIES

Any person who contravenes or fails to comply with any provision of these By-laws commits an offence and is liable on conviction to a fine as specified in the fine schedule or to imprisonment for a period not exceeding six months.



4. EXEMPTIONS

Notwithstanding the provisions of these By-laws, the Municipality may, on written application, exempt any person or class of persons from any or all of the requirements of these By-laws and in considering such exemption it may impose any conditions or requirements it deems appropriate.

PART 2: OPERATIONS

5. PASSENGERS ON THE BUS

- 1) Passenger must have a valid ticket to travel on Leeto La Polokwane. Only valid ticket/card holders will be permitted to use the buses.
- 2) Unruly behaviour is not permitted on Leeto La Polokwane and at a public transport facility. Such behaviour includes but is not limited to the following-
 - (a) Jumping over ticket gates;
 - (b) Tampering with buses e.g. attempting to forcefully open the doors of a bus, damage to electronic equipment on the bus;
 - (c) Singing or shouting in a manner that is disturbing to other passengers on Leeto La Polokwane;
 - (d) Putting feet on a seat on Leeto La Polokwane buses;
 - (e) Hanging onto the exterior of Leeto La Polokwane buses while the vehicle is in motion;
 - (f) Writing, drawing or painting on Leeto La Polokwane buses.
- 3) No person shall leave any object or luggage unattended on Leeto La Polokwane. Unattended luggage will be removed.
- 4) Smoking is not permitted on Leeto La Polokwane buses and in the stations.
- 5) No littering is permitted on Leeto La Polokwane. Passengers are to use the bins provided.
- 6) Eating and drinking are not permitted on Leeto La Polokwane buses.
- 7) The carrying of firearms, explosives, flammable items and other dangerous objects is not permitted on Leeto La Polokwane.
- 8) Passengers are not permitted to bring any animal onto Leeto La Polokwane buses or stations except a guide dog being used to guide a sight-impaired passenger.
- 9) Priority to use the preferential seats shall be given to special categories of persons.



6. PASSENGERS AT STOPS/STATIONS

- 1) No person shall display any advertising material on or at a Leeto La Polokwane bus, stop or station. All unauthorised advertising material will be removed.
- 2) No person shall, except with the written permission of the Municipality, conduct any informal trading in and around Leeto La Polokwane stations and stops or on buses.
- 3) Unruly behaviour is not permitted at Leeto La Polokwane stations and stops. Such behaviour includes but is not limited to the following-
 - (a) Jumping over ticket gates;
 - (b) Damage to station or stop infrastructure;
 - (c) Damage to electronic equipment at the station or stop;
 - (d) Singing or shouting in a manner that is disturbing to other passengers at stations or stops;
 - (e) Writing, drawing or painting on Leeto La Polokwane station or stop infrastructure.

7. BRT LANES

- 1) No one shall drive any motorised vehicle in a BRT lane except a bus or other vehicle authorised by the Municipality to use the lane.
- 2) No one shall park a vehicle or place any item in a BRT lane, at a station or stop in such a manner as to obstruct Leeto La Polokwane vehicles, unless the written permission of the Municipality has been obtained.
- 3) The provisions of sub-section (1) and (2) do not apply in case of emergencies to the following-
 - (a) An emergency medical response vehicle or ambulance;
 - (b) A firefighting vehicle or firefighting response vehicle;
 - (c) A vehicle engaged in civil protection in terms of the Disaster Management Act, 2002 (Act No. 57 of 2002); or
 - (d) An authorised officer driving the vehicle in the execution of his or her duties.

8. DEPOT AND LAYOVER FACILITIES

- 1) Overnight parking of private vehicles at the depot or layover facility is not permitted unless the owner of such vehicle is on duty or has obtained written permission to do so.



9. CUSTOMER INFORMATION AND LOST PROPERTY

- 1) The Municipality will provide information on the public transport system for passengers in compliance with section 11(1) (c) (xii) of the Act. The Municipality will provide timetables of the public transport services and such timetables will be displayed at public transport facilities for easy visibility to passengers.
- 2) The Municipality shall maintain a customer information database that will be kept confidential and may be used for promotions and related customer communication.
- 3) The Municipality will make every reasonable effort to collect and store any lost property found on Leeto La Polokwane premises to be reclaimed by the person who lost the property.

10. LEETO LA POLOKWANE FARES

- 1) Fares will be charged in accordance with the applicable tariff table as approved by the Council.

11. BOARDING AND ALIGHTING FROM LEETO LA POLOKWANE VEHICLES

- 1) No person shall board or alight a Leeto La Polokwane vehicle-
 - (a) At a location other than a designated station or stop.
 - (b) While the vehicle is in motion.
 - (c) Until all passengers wishing to alight from the vehicle have done so unless the vehicle is provided with more than one entrance and no passengers are alighting from the entrance in question.
 - (d) Once given an instruction by an authorised official that the vehicle is at full capacity or out of service, or that the passenger may not board for any other reasonable reason.

12. STOPPING OF LEETO LA POLOKWANE VEHICLES

- 1) Leeto La Polokwane vehicles shall not stop at any place other than a designated station or stop for purposes of picking up or alighting passengers.



PART 3: NON-MOTORISED TRANSPORT

13. PROMOTION OF NON-MOTORISED TRANSPORT

- 1) The Municipality must take steps in performing its functions under the Act and these By-laws to promote accessible transport and non-motorised transport and to promote the safety of pedestrians, joggers and cyclists.
- 2) The Municipal Manager must develop a policy for the Municipality on non-motorised transport, taking into account national and provincial policy.
- 3) In developing its CITP, the Municipality must give due attention to non-motorised transport, including the matters dealt with in these By-laws.

14. PROTECTION OF CYCLISTS

14.1 Duties of drivers of motor vehicles in relation to cyclists

- 1) The driver of a motor vehicle when passing a cyclist on a public road must-
 - (a) exercise due care while passing the cyclist so as to avoid colliding with the cyclist or giving the cyclist a shock or fright so that he or she falls or is involved in a collision;
 - (b) leave a distance of at least one point five metres between the motor vehicle and the cyclist; and
 - (c) maintain that distance until safely clear of the cyclist.
- 2) Where there is a solid barrier line or other road traffic sign or marking prohibiting encroachment on the other side of the road, a driver contemplated in subsection (1) may, where the roadway is not wide enough to allow him or her to comply with that subsection, encroach upon the other side of the road, but only if-
 - (a) it can be done without endangering or obstructing other persons or vehicles;
 - (b) it is safe to do so, and
 - (c) it is done no longer than is necessary to pass the cyclist safely.
- 3) A driver opening the door of a motor vehicle on the side facing the street of a public road must, before doing so, ensure that opening the door will not pose an actual or potential danger to any cyclist passing that vehicle.

14.2 Duties of cyclists

- 1) Where a cycle lane has been provided on a public road, a cyclist using that road must ride only in that lane unless crossing the road or executing a right turn, or where it is necessary to do so to avoid a collision or pass an obstruction.



- 2) Where a cyclist is using a public road with no cycle lane, he or she must ride as close as possible to the left edge of the roadway.
- 3) Cyclists on public roads must comply fully with the National Road Traffic Regulations by, without derogating from the generality of that requirement, giving conspicuous signals of their intention to turn or stop and complying fully with regulation 309 of those Regulations.
- 4) A cyclist riding on a public road shall not–
 - (a) ride on the right hand side of a motor vehicle going in the same direction, except when passing it or turning right;
 - (b) ride abreast of another cycle going in the same direction except when passing it;
 - (c) use headphones, a headset or any other device that will impair his or her hearing, or use any hearing device other than a hearing aid; or
 - (d) carry another person or persons on the cycle unless the cycle is specifically equipped or adapted to carry more than one person.
- 5) A cyclist must exercise due care while passing a motor vehicle or another cycle, or when turning right, in order to avoid endangering him- or herself or other road users or pedestrians.

14.3 Lamps, illumination and visibility of cycles and cyclists

- 1) No one shall ride a cycle between sunset and sunrise unless–
 - (a) the cycle is fitted in front with a headlamp capable of emitting a white light in terms of regulations 158 and 178 of the National Road Traffic Regulations;
 - (b) the cycle is fitted at the rear with a rear lamp capable of emitting a red light in accordance with those regulations; and
 - (c) those lamps are kept lighted.
- 2) During daylight hours, the lamps contemplated in subsection (1) must be kept lighted when the cycle is not clearly visible from a distance of 150 metres due to insufficient light or unfavourable weather conditions.
- 3) No one shall ride a cycle on a public road, including a cycle lane, unless–
 - (a) the cycle is fitted on the front with a white retro-reflector in accordance with regulation 186(3) of the National Road Traffic Regulations; and
 - (b) the cycle is fitted at the rear with a red retro-reflector in accordance with regulation 187(4) of those Regulations.



14.4 Races and sporting events involving cyclists

- 1) Where the MEC or Municipality has granted consent for a race or sporting event involving cycles on a public road in terms of regulation 317(2) of the National Road Traffic Regulations, the Municipality may exempt any person or category of persons taking part in that race or event from any provision of these By-laws.

15. PROTECTION OF PEDESTRIANS, JOGGERS, SCHOLARS AND STUDENTS

15.1 Protection of pedestrians

- 1) In addition to complying with the provisions of the National Road Traffic Regulations, drivers of motor vehicles must take special care to protect the safety of pedestrians.
- 2) Without derogating from the generality of subsection (1), drivers of motor vehicles must—
 - (a) anticipate situations where pedestrians may or will cross the road in question, either legally or illegally, and reduce speed or take other measures to avoid danger to them; and
 - (b) immediately reduce speed, despite the applicable speed limit, where a pedestrian is crossing or using a road either legally or illegally, to avoid causing a danger to such pedestrian or other road users.

15.2 Protection of scholars and students

- 1) All schools and other educational institutions in the Municipal area must provide areas off of busy public roads where scholars and students may be picked up or set down by motor vehicles in compliance with regulation 42(8) of the National Land Transport Regulations, 2000 made under the Act.
- 2) The Municipal Manager may by written notice direct such a school or institution to provide such an area within a time specified in the notice, and the school or institution must comply with such a direction.
- 3) Drivers of motor vehicles shall not pick up or set down scholars or students on a public road except in places—
 - (a) that are safe to do so; and
 - (b) where the scholars or students are able to cross the road after being set down at a pedestrian crossing, traffic light or other place that is safe to cross.
- 4) Where a marked public transport vehicle carrying scholars or students is loading or offloading passengers on a public road, all other vehicles in its vicinity must slow down or



stop to ensure the safety of the scholars or students that may or will be likely to cross the road, in compliance with regulation 42(11) of the National Land Transport Regulations.

15.3 Duties of drivers of motor vehicles in relation to pedestrians and joggers

- 1) The driver of a motor vehicle when passing a jogger on a public road must–
 - (a) exercise due care while passing the jogger so as to avoid colliding with the jogger or giving the jogger a shock or fright so that he or she falls or swerves into the line of traffic;
 - (b) leave a distance of at least one point five metres between the motor vehicle and the jogger; and
 - (c) maintain that distance until safely clear of the jogger.
- 2) Where there is a solid barrier line or other road traffic sign or marking prohibiting encroaching on the other side of the road, a driver contemplated in subsection (1) may, where the roadway is not wide enough to allow him or her to comply with that subsection, encroach upon the other side of the road, but only if–
 - (a) it can be done without endangering or obstructing other persons or vehicles;
 - (b) it is safe to do so; and
 - (c) it is done no longer than is necessary to pass the jogger safely.

15.4 Duties of pedestrians

- 1) No pedestrian shall walk on the roadway of a public road where a shoulder or sidewalk has been provided, except to cross the road at a point where crossing it is permitted.
- 2) Where no shoulder or sidewalk has been provided on a public road, pedestrians–
 - (a) must not walk on the roadway unless it is impossible or impractical not to do so;
 - (b) when walking on the roadway must keep as close as possible to the left edge of the roadway; and
 - (c) shall not use headphones, a headset or any other device that will impair his or her hearing, or use any hearing device other than a hearing aid, when walking on the shoulder or roadway of a road.

15.5 Duties of joggers

- 1) Where a shoulder has been provided on a public road, joggers using that road must jog only on the shoulder or otherwise off of the roadway unless crossing the road or where it is necessary to do so to avoid a collision or pass an obstruction.



- 2) Where a jogger is using a public road with no shoulder, he or she must jog off of the roadway if possible, or otherwise as close as possible to the left edge of the roadway.
- 3) A jogger on a public road shall not–
 - (a) where a sidewalk has been provided, jog on any part of that road except the sidewalk except when crossing the road;
 - (b) jog on the right hand side of a parked or slowly moving motor vehicle going in the same direction, except when it is not possible to pass it on the left;
 - (c) jog abreast of another jogger on such road going in the same direction except when passing him or her; or
 - (d) use headphones, a headset or any other device that will impair his or her hearing, or use any hearing device other than a hearing aid, except when jogging on the sidewalk.
- 4) A jogger must exercise due care while passing a motor vehicle or another jogger or a pedestrian in order to avoid endangering him- or herself or other road users or pedestrians.

15.6 Obstructing sidewalks

- 1) No road traffic sign, advertising sign, pole, barrier or other obstruction shall be erected or placed on a sidewalk that obstructs the free movement of pedestrians or wheelchairs, unless it is essential to do so for reasons of safety or security, or for another reason that is acceptable to the Municipal Manager.
- 2) No one shall place any building material, goods, boxes, pipes or other objects on a sidewalk for longer than is necessary for loading purposes or where the sidewalk is temporarily part of a building site and appropriate road traffic signs have been erected to signify that it is a building site.
- 3) Where hawking or street trading is permitted on a sidewalk in terms of any law, no hawker or street trader shall position his or her wares or furniture in such a position that the sidewalk is obstructed and must ensure that his or her property or goods do not cover an area of the sidewalk in excess of three square metres without the written consent of the Municipality and that such property or goods do not impede the safe passage of pedestrians or wheelchairs. Where an authorised officer or authorised official perceives that a person is obstructing or blocking a sidewalk in contravention of this section, he or she may direct that person to remove the obstruction or blockage, and that person must comply with the direction forthwith.



16. ROAD SAFETY CAMPAIGNS AND TRAINING

16.1 Road safety and NMT promotional campaigns and events

- 1) The Municipal Manager may arrange road safety campaigns or promotional events aimed at promoting road safety in general or specifically aimed at the safety of motorists, cyclists, joggers, pedestrians, scholars, students or other road users, or aimed at promoting non-motorised transport.
- 2) Before arranging such a campaign or event, the Municipal Manager must consult with the MEC and the Department, and where the campaign or event will take place on a provincial or national road, also with the Limpopo Roads Agency or with SANRAL, as the case may be.

16.2 Training in road safety

- 1) The Municipal Manager may arrange and hold training courses or sessions for drivers or operators of public transport vehicles, or specific classes thereof, or for cyclists, joggers, pedestrians, scholars, students or other road users.

17. PLANNING OF INFRASTRUCTURE AND TRAVEL DEMAND MANAGEMENT

17.1 Planning of infrastructure, and travel demand management

- 1) Any person planning a public transport facility, public transport interchange, shopping centre, mall, business complex or similar development must ensure adequate provision for the needs of non-motorised transport in accordance with the applicable standards, specifications and requirements, which standards and requirements are available on the Website and at the Municipal offices.
- 2) In evaluating a traffic impact assessment or public transport assessment in terms of section 38(2)(b) of the Act, the Municipality must give due attention to the provision of infrastructure that promotes and accommodates non-motorised transport including, but not limited to–
 - (a) secure places to store cycles;
 - (b) easy and convenient access to the premises by pedestrians and cyclists;
 - (c) safe pedestrian crossings over public roads giving access to the property;
 - (d) traffic calming measures, such as zebra crossings, pelicans, toucans and midblock crossings;
 - (e) accommodating special categories of persons and pedestrians; and
 - (f) pedestrian walkways and cycle lanes where appropriate.



- 3) Landscaping in developments contemplated in subsection (1) must give due attention to non-motorised transport, including, but not limited to–
 - (a) cycle lanes and pedestrian paths;
 - (b) the separation of pedestrian, cycle and vehicle lanes where possible;
 - (c) planting of trees and landscaping that promotes social interaction;
 - (d) park benches, seating areas and drinking fountains; and
 - (e) measures to promote safety and security, such as intelligent lighting and security cameras.
- 4) All parking areas planned or provided after the date of commencement of these By-laws must provide space for cycles, unless the Municipal Manager is satisfied that adequate storage place for cycles exists in the vicinity.
- 5) In developing its CITP, the Municipality must give due attention to travel demand management, including the reduction of trips by developing park-and-ride facilities or other appropriate measures.
- 6) In planning developments and facilities, the Municipality and the developer must give due regard to the Disaster Management Framework.

17.2 Standards, specifications and requirements for NMT infrastructure

- 1) The Municipality shall prescribe standards, specifications and requirements for NMT infrastructure and must publish them on its Website and in the Gazette and keep copies available for inspection at the offices and libraries mentioned in section 17(1)
- 2) The standards, specifications and requirements contemplated in this section–
 - (a) must comply with the National Building Regulations and Building Standards Act, 1997 (Act No. 103 of 1997) and any regulations and standards made in terms of or recognised by that Act, as well as any other applicable national or provincial legislation, or By-laws of the Municipality; and
 - (b) shall include, but need not be limited to–
 - (i) standards and dimensions for kerbs at the road edge;
 - (ii) specifications for paving placement and materials;
 - (iii) kerbs or barriers for cycle and pedestrian paths;
 - (iv) specifications for landscaping, greening and tree planting;
 - (v) specifications for park benches, seating areas and water fountains;
 - (vi) specifications for lighting and placing of street lights, and the avoidance of dark areas;



- (vii) specifications for the maintenance, upkeep, cleaning and upgrading of NMT infrastructure;
 - (viii) specifications for dedicated bus or taxi lanes, subject to the National Road Traffic Regulations;
 - (ix) specifications for signage and road markings, subject to the National Road Traffic Regulations;
 - (x) standards and specifications to make the infrastructure more easily usable by special categories of persons and pedestrians with disabilities;
 - (xi) the transformation of streets for the exclusive use of pedestrians or cyclists;
 - (xii) prohibiting or regulating the placing of signage, dustbins and other structures on sidewalks and in cycle and pedestrian paths that impede the passage of pedestrians or cyclists;
 - (xiii) standards or requirements for establishing NMT networks and preventing the interruption of journeys by pedestrians and cyclists; and
 - (xiv) standards or requirements for roads, sidewalks, shoulders or verges in rural areas.
- 3) Before finalising those standards, specifications or requirements the Municipal Manager of the Municipality must publish them for comment on the Website and in the Gazette and allow any interested or affected person to comment on them by a date to be determined in the notice, which shall not be less than 30 days after publication.
 - 4) The Municipality must consider any comments received under subsection (3) before finalising the specifications, standards or requirements.
 - 5) As from a date to be determined by the Municipality and published on its Website and in the Gazette, all NMT infrastructure planned or constructed after that date must comply with those standards, specifications or requirements.
 - 6) Where NMT infrastructure is planned or constructed in contravention of those standards, specifications or requirements, the Municipality may direct the owner of the land in question or the developer of the infrastructure by written notice to adapt, reconstruct or retro-fit it to comply with the relevant standard, specification or requirement, and the owner or developer must comply with such directive within the time specified in the notice.
 - 7) Where an owner or developer fails to comply with a directive contemplated in subsection (6), the Municipality may approach the High Court having jurisdiction for an order compelling compliance or compelling the demolition or reconstruction of the



infrastructure at the cost of the owner or developer, or such other order as the Court may deem fit.

18. REGULATION OF FREIGHT MOVEMENT IN THE CBD

- 18.1. Freight transport shall be regulated on the road by the use of road signs and markings. All affected freight transport vehicles shall adhere to the directions as communicated by means of road signs and markings.
- 18.2. No freight transport vehicle shall stop or park in areas that are prohibited or restricted by the displaying of an official road marking and/or road sign.
- 18.3. Freight transport shall be regulated along routes that are being used by the PIRPTS buses.
- 18.4. Unless otherwise permitted by the issuing of a special permit, no vehicle larger than a Class 5 vehicle concept (Class 5 vehicle as described by the Road Freight Association (RFA) shall be permitted to undertake deliveries and/or collection along designated PIRPTS routes.
- 18.5. No freight transport vehicle may undertake deliveries and/or collection of goods and/or articles along the designated PIRPTS routes outside of the following days and times:
- 18.5.1. Monday to Friday:
- 18.5.1.1. 08:00 AM to 09:00 AM
- 18.5.1.2. 11:30 AM to 12:30 PM
- 18.5.1.3. 15:00 to 16:00
- 18.5.2. Saturdays and Sundays
- 18.6. When undertaking deliveries and/or collections at a designated loading or parking bay, no freight transport vehicle shall exceed 60 minutes of delivery time or the duration as would be indicated by a posted road sign and/or marking.

PART 4: MISCELLANEOUS PROVISIONS

19. ANIMAL-DRAWN VEHICLES

- 1) Persons operating or driving animal-drawn vehicles must comply with regulation 314 of the National Road Traffic Regulations and other applicable laws.
- 2) No one shall on a public road or in NMT infrastructure–



- (a) drive an animal-drawn vehicle or cause it to be driven during the hours when drivers of motor vehicles are required to have the lights of the vehicle switched on;
 - (b) simultaneously drive or be in control of more than one animal-drawn vehicle; or
 - (c) drive or be in control of an animal-drawn vehicle, or allow it to be driven, while under the age of 16 years.
- 3) Drivers of motor vehicles in the vicinity of or overtaking animal-drawn vehicles must exercise due caution while doing so to avoid colliding with them or startling the animal so as to cause it to rear up or bolt.
- 4) The Municipality may prescribe standards or requirements for animal-drawn vehicles or their operation with which their owners or operators must comply, and failure to comply with those standards or requirements will constitute an offence.

20. PROHIBITIONS

- 1) No one shall without the prior written permission of the Municipality–
- (a) litter or deposit or leave rubbish on or in NMT infrastructure except in a receptacle provided for that purpose;
 - (b) encroach on or erect any building, structure, fence, furrow, ditch, channel or other structure or obstacle in, over or under NMT infrastructure;
 - (c) leave or place obstructions or structures which may be dangerous to pedestrians or cyclists, or any debris, refuse, ash, glass, tins, spikes, nails, pieces of metal, timber, tree stumps, stones or other material in or on NMT infrastructure;
 - (d) dig up, alter or remove soil or paving from NMT infrastructure;
 - (e) erect advertising boards or signs on, in or visible from NMT infrastructure except in accordance with the Polokwane Outdoor Advertising By-laws, 2014 which apply with the necessary changes to NMT infrastructure;
 - (f) paint or affix any figure, letter, drawing, sign, symbol or graffiti on or in NMT infrastructure unless it is permitted by the Polokwane Outdoor Advertising By-laws, 2014 or other By-laws;
 - (g) wilfully damage any trees, shrubs or improvements in NMT infrastructure;
 - (h) unlawfully occupy or reside in any NMT infrastructure;
 - (i) trade or offer goods for sale in NMT infrastructure except in compliance with Municipal By-laws and other legislation on street trading;
 - (j) cause or permit water to run onto NMT infrastructure;
 - (k) wash or repair a motor vehicle in NMT infrastructure;



- (l) load or offload passengers in NMT infrastructure except in areas specifically set aside for that purpose;
 - (m) obstruct the free movement of pedestrians or special categories of persons by storing or leaving any furniture or goods for sale on any sidewalk or in NMT infrastructure; and
 - (n) trade or offer goods for sale in any NMT infrastructure except in a place or area specially demarcated for that purpose or as otherwise permitted by law.
- 2) An authorised officer or authorised official may enforce these By-laws subject to the Criminal Procedure Act, 1977 (Act No. 51 of 1977).

21. SHORT TITLE AND COMMENCEMENT

- 1) These By-laws are called the Leeto La Polokwane By-laws, 2018 and come into operation on the date of their publication in the Provincial Gazette of Limpopo Province.



CITY OF POLOKWANE LOCAL MUNICIPALITY
LEETO LA POLOKWANE AND NON-MOTORISED TRANSPORT BY-LAWS
PENALTIES FOR VIOLATION OF THE BY-LAWS

SECTION	DESCRIPTION	FINE (R)
5(1)	Travelling without a valid ticket/card	R.....
5(2), 6(3)	Unruly behaviour	R.....
5(4)	Smoking and littering	R.....
5(5)	Eating and drinking	R.....
6(2)	Unauthorised informal trading	R.....
7	Driving and/or parking motorised vehicle in BRT lane	R.....
8	Unauthorised parking of private vehicles at depot or layover overnight	R.....
11	Boarding or alighting in a manner that contravenes these By-laws	R.....
12	Driving, parking or repair motorised vehicle on NMT facility	R.....



CITY OF POLOKWANE LOCAL MUNICIPALITY

LEETO LA POLOKWANE

DO's

1. Always have a valid ticket to travel on Leeto La Polokwane
2. Allow the following passengers to use the priority seat:
 - a. Wheelchair users
 - b. Passengers with small children and luggage
 - c. Elderly persons
3. The following may drive or park in BRT lane only in an event of emergency
 - a. An emergency medical response vehicle or ambulance;
 - b. A firefighting vehicle or firefighting response vehicle;
 - c. A vehicle engaged in civil protection in terms of the Disaster Management Act, 2002 (Act No. 57 of 2002);
 - d. An authorised officer driving the vehicle in the execution of his or her duties.
4. Motorists should exercise due care while passing the cyclist so as to avoid colliding with the cyclist or giving the cyclist a shock or fright so that he or she falls or is involved in a collision;
5. Motorists should leave a distance of at least one point five (1.5m) metres between the motor vehicle and the cyclist;

DON'TS

1. Do not forcefully open the doors of a bus as it will damage to electronic equipment on the bus;
2. Do not sing or shout in a manner that is disturbing to other passengers on Leeto La Polokwane;
3. Do not put feet on a seat on Leeto La Polokwane buses;
4. Do not hanging onto the exterior of Leeto La Polokwane buses while the vehicle is in motion;



5. Do not write, draw or paint on Leeto La Polokwane buses.
6. Do not leave any object or luggage unattended on Leeto La Polokwane
7. Do not smoke on Leeto La Polokwane buses
8. Do not litter on Leeto La Polokwane. Passengers are to use the bins provided.
9. Do not eat and drink on Leeto La Polokwane buses.
10. Do not carry dangerous goods and weapons on Leeto La Polokwane.
11. Do not bring any animal onto Leeto La Polokwane buses. guide dog being used to guide a sight-impaired passenger.
12. Do not drive any motorised vehicle in a BRT lane
13. Do not park a vehicle or place any item in a BRT lane, at a station or stop in such a manner as to obstruct Leeto La Polokwane vehicles,
14. Do not board or alight a Leeto La Polokwane vehicle-
 - (e) At a location other than a designated station or stop.
 - (f) While the vehicle is in motion.
 - (g) Until all passengers wishing to alight from the vehicle have done so unless the vehicle is provided with more than one entrance and no passengers are alighting from the entrance in question.
 - (h) Once given an instruction by an authorised officer that the vehicle is at full capacity or out of service, or that the passenger may not board for any other reasonable reason.
15. Do not litter or deposit or leave rubbish on or in NMT infrastructure except in a receptacle provided for that purpose;
16. Do not encroach on or erect any building, structure, fence, furrow, ditch, channel or other structure or obstacle in, over or under NMT infrastructure;
17. Do not leave or place obstructions or structures which may be dangerous to pedestrians or cyclists, or any debris, refuse, ash, glass, tins, spikes, nails, pieces of metal, timber, tree stumps, stones or other material in or on NMT infrastructure;
18. Do not dig up, alter or remove soil or paving from NMT infrastructure;
19. Do not erect advertising boards or signs on, in or visible from NMT infrastructure except in accordance with the Polokwane Outdoor Advertising By-laws, 2014 which apply with the necessary changes to NMT infrastructure;
20. Do not paint or affix any figure, letter, drawing, sign, symbol or graffiti on or in NMT infrastructure unless it is permitted by the Polokwane Outdoor Advertising By-laws, 2014 or other By-laws;



21. Do not wilfully damage any trees, shrubs or improvements in NMT infrastructure;
22. Do not unlawfully occupy or reside in any NMT infrastructure;
23. Do not trade or offer goods for sale in NMT infrastructure except in compliance with Municipal By-laws and other legislation on street trading;
24. Do not cause or permit water to run onto NMT infrastructure;
25. Do not wash or repair a motor vehicle in NMT infrastructure;
26. Do not load or offload passengers in NMT infrastructure except in areas specifically set aside for that purpose;
27. Do not obstruct the free movement of pedestrians or special categories of persons by storing or leaving any furniture or goods for sale on any sidewalk or in NMT infrastructure; and
28. Do not trade or offer goods for sale in any NMT infrastructure except in a place or area specially demarcated for that purpose or as otherwise permitted by law.
29. Do not park or stop in the bus stop area
30. Do not park in areas where the roadway space is not demarcated by means of official road markings and/or a parking sign.
31. Do not park for a duration that is longer than is permitted by the posted road sign.
32. Do not straddle the road marking lane lines, unless changing lanes or overtaking
33. Do not straddle parking lines when parked.
34. No freight is allowed within the freight regulated areas outside of the permitted loading times.

Mr D.H. Makobe
Municipal Manager
Landros Mare
Polokwane

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