

**KWAZULU-NATAL PROVINCE
KWAZULU-NATAL PROVINSIE
ISIFUNDAZWE SAKWAZULU-NATALI**

Provincial Gazette • Provinsiale Koerant • Igazethi Yesifundazwe

(Registered at the post office as a newspaper) • (As 'n nuusblad by die poskantoor geregistreer)
(Irejistiwee njengephephandaba eposihhovisi)

PIETERMARITZBURG,

30 JULY 2009
30 JULIE 2009
30 kuNTULIKAZI 2009

Vol. 3

No. 310

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Ikhasi

IMPORTANT NOTICE

The
KwaZulu-Natal Provincial Gazette Function
will be transferred to the
Government Printer in Pretoria
as from 26 April 2007

NEW PARTICULARS ARE AS FOLLOWS:**Physical address:**

Government Printing Works
149 Bosman Street
Pretoria

Postal address:

Private Bag X85
Pretoria
0001

New contact persons: Louise Fourie Tel.: (012) 334-4686
Mrs H. Wolmarans Tel.: (012) 334-4591
Awie van Zyl.: (012) 334-4523

Fax number: (012) 323-8805

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Hester.Wolmarans@gpw.gov.za

Contact persons for subscribers:

Mrs S. M. Milanzi Tel.: (012) 334-4734
Mrs J. Wehmeyer Tel.: (012) 334-4753
Fax.: (012) 323-9574

This phase-in period is to commence from **26 April 2007**, which is the closing date for all adverts to be received for the publication date of **3 May 2007**.

Subscribers and all other stakeholders are advised to send their advertisements directly to the **Government Printing Works**, one week (five working days) before the date of printing, which will be a Thursday.

Payment:

- (i) Departments/Municipalities: Notices must be accompanied by an order and official letterhead, including financial codes, contact person and address of Department.
- (ii) Private persons: Must pay in advance before printing.

AWIE VAN ZYL
Advertising Manager

IT IS THE CLIENTS RESPONSIBILITY TO ENSURE THAT THE CORRECT AMOUNT IS PAID AT THE CASHIER OR DEPOSITED INTO THE GOVERNMENT PRINTING WORKS BANK ACCOUNT AND ALSO THAT THE REQUISITION/COVERING LETTER TOGETHER WITH THE ADVERTISEMENTS AND THE PROOF OF DEPOSIT REACHES THE GOVERNMENT PRINTING WORKS IN TIME FOR INSERTION IN THE PROVINCIAL GAZETTE.

No ADVERTISEMENTS WILL BE PLACED WITHOUT PRIOR PROOF OF PRE-PAYMENT.

$\frac{1}{4}$ page **R 187.37**

Letter Type: Arial Size: 10

Line Spacing: At:
Exactly 11pt

**A PRICE
INCREASE OF
8,5% WILL BE
EFFECTIVE ON
ALL TARIFFS
FROM
1 MAY 2009**

$\frac{1}{4}$ page **R 374.75**

Letter Type: Arial Size: 10

Line Spacing: At:
Exactly 11pt

$\frac{1}{4}$ page **R 562.13**

Letter Type: Arial Size: 10

Line Spacing: At:
Exactly 11pt

$\frac{1}{4}$ page **R 749.50**

Letter Type: Arial Size: 10

Line Spacing: At:
Exactly 11pt



REPUBLIC
OF
SOUTH AFRICA

LIST OF FIXED TARIFF RATES AND CONDITIONS

FOR PUBLICATION OF LEGAL NOTICES
IN THE *KwaZulu-Natal PROVINCE*
PROVINCIAL GAZETTE

COMMENCEMENT: 1 MAY 2007

CONDITIONS FOR PUBLICATION OF NOTICES

CLOSING TIMES FOR THE ACCEPTANCE OF NOTICES

1. (1) The *KwaZulu-Natal Provincial Gazette* is published every week on Thursday, and the closing time for the acceptance of notices which have to appear in the *KwaZulu-Natal Provincial Gazette* on any particular Thursday, is **15:00 one week prior to the publication date**. Should any Thursday coincide with a public holiday, the publication date remains unchanged. However, the closing date for acceptance of advertisements moves backwards accordingly, in order to allow for 5 working days prior to the publication date.
- (2) The date for the publication of an **Extraordinary KwaZulu-Natal Province Provincial Gazette** is negotiable.
2. (1) Notices received **after closing time** will be held over for publication in the next *KwaZulu-Natal Provincial Gazette*.
- (2) Amendments or changes in notices cannot be undertaken unless instructions are received **before 10:00 on Fridays**.
- (3) Notices for publication or amendments of original copy can not be accepted over the telephone and must be brought about by letter, by fax or by hand. The Government Printer will not be liable for any amendments done erroneously.
- (4) In the case of cancellations a refund of the cost of a notice will be considered only if the instruction to cancel has been received on or before the stipulated closing time as indicated in paragraph 2(2).

APPROVAL OF NOTICES (This only applies to Private Companies)

3. In the event where a cheque, submitted by an advertiser to the Government Printer as payment, is dishonoured, then the Government Printer reserves the right to refuse such client further access to the *KwaZulu-Natal Provincial Gazette* until any outstanding debts to the Government Printer is settled in full.

THE GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY

4. The Government Printer will assume no liability in respect of—
 - (1) any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
 - (2) erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;

- (3) any editing, revision, omission, typographical errors, amendments to copies or errors resulting from faint or indistinct copy.

LIABILITY OF ADVERTISER

5. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

COPY

6. Notices must be typed on one side of the paper only and may not constitute part of any covering letter or document.
7. At the top of any copy, and set well apart from the notice, the following must be stated:

Where applicable

- (1) The heading under which the notice is to appear.
- (2) The cost of publication applicable to the notice, in accordance with the "Word Count Table".

PAYMENT OF COST (This only applies to Private Companies)

9. **With effect from 26 April 2007 no notice will be accepted for publication unless the cost of the insertion(s) is prepaid in CASH or by CHEQUE or POSTAL ORDERS. It can be arranged that money can be paid into the banking account of the Government Printer, in which case the deposit slip accompanies the advertisement before publication thereof.**
10. (1) The cost of a notice must be calculated by the advertiser in accordance with the word count table.
- (2) Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the **Advertising Section, Government Printing Works, Private Bag X85, Pretoria, 0001 [Fax: (012) 323-8805], before publication.**
11. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and the notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or by cheque or postal orders, or into the banking account.

12. *In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the Government Printing Works.*
13. The Government Printer reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the Word Count Table, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

PROOF OF PUBLICATION

14. **Copies of the *KwaZulu-Natal Provincial Gazette* which may be required as proof of publication, may be ordered from the Government Printer at the ruling price.** The Government Printer will assume no liability for any failure to post such *KwaZulu-Natal Provincial Gazette(s)* or for any delay in despatching it/them.

GOVERNMENT PRINTERS BANK ACCOUNT PARTICULARS

Bank:	ABSA
	BOSMAN STREET
Account No.:	4057114016
Branch code:	632-005
Reference No.:	00000006
Fax No.:	(012) 323 8805

Enquiries:

Mrs. L. Fourie	Tel.: (012) 334-4686
Mrs. H. Wolmarans	Tel.: (012) 334-4591
Mr. A. van Zyl	Tel.: (012) 334-4523

PROVINCIAL NOTICES—PROVINSIALE KENNISGEWINGS—IZAZISO ZESIFUNDAZWE

The following notices are published for general information.

Onderstaande kennisgewings word vir algemene inligting gepubliseer.

DR K. B. MBANJWA
Director-General

DR K. B. MBANJWA
Direkteur-generaal

300 Langalibalele Street
Pietermaritzburg
30 July 2009

Langalibalelestraat 300
Pietermaritzburg
30 Julie 2009

Izaziso ezilandelayo zikhishelwe ulwazi lukawonkewonke.

DKT. K. B. MBANJWA
uMqondisi-Jikelele

300 Langalibalele Street
Pietermaritzburg
30 kuNtulikazi 2009

No. 139

30 July 2009

KWAZULU-NATAL GAMBLING BOARD**PUBLIC HEARINGS FOR TYPE "A" SITE OPERATOR LICENCES – BATCH 18: DURBAN AND SOUTH COAST**

1. In terms of Regulation 22 of the Regulations published under the KwaZulu-Natal Gambling Act, 1996 (Act No. 10 of 1996), notice is hereby given that public hearings for the following applicants for Type "A" Site Operator Licences will be held on **Tuesday, 11 August 2009** at Royal Hotel, 267 Smith Street in Durban, commencing at 10:00.

ROUTE OPERATOR	SITE "A" OPERATOR APPLICANT	ADDRESS
Gold Circle KZN Slots (Pty) Ltd	1. Dhuram Singh t/a D. Singh Tattersalls	135 Chatsworth Main Road, Chatsworth.
	2. Gold Circle (Pty) Ltd t/a Pinetown Tab Branch	48 – 50 Old Main Road, Pinetown.
	3. Gold Circle (Pty) Ltd t/a Tavern on the Park	89 Berrier Lane, Merewent.
	4. Meenakumari Chhagan t/a Lotus Park Tab	Shop 3, Fay Centre, Lotus Park, Durban.
	5. Norman Keith Volka t/a Comfort Zone.	71 Wood Road, Montclair.
	6. Sheldon Peterson t/a Hillcrest Tab	Shop 20D Hillcrest Centre, 38-/ 42 Old Main Road, Hillcrest
	7. Rajhdaw Sathanarian Singh t/a Pineparkade Tab	Shop 7-260 Pine Street, Durban
	8. Timothy Thulane Nduli t/a Dizah's Guest House	BB 566 Umlazi
	9. Venogaren Chettiar t/a Maxerz Pool Bar and Lounge	Shop 7 & 8 Chelin's Road, 300 Watsonia Road, Bluff

Luck At It KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Anastasios Felemengas t/a Lido Disco 2. Hilltop Bar & Restaurant cc t/a Hilltop 3. Manival Pillay t/a Spingo Action Bar 4. Pathmanathan Chetty t/a Easy Eats Restaurant 5. RDLI Bowling Club 	<p>82 Smith Street, Durban</p> <p>246 West Road, Overport, Durban</p> <p>Shop 1, 150 Old Main Road, Isipingo</p> <p>5 Blace Road, New Germany, Pinetown</p> <p>1 DLI Avenue, Greyville</p>
Thuo Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Classy Trade & Investment 1150 t/a Action Sports & Entertainment Centre 2. Goodwill Similo Mabaso t/a Sonethile Tavern 3. New Germany Sports Club 4. Nobuhle NP Malinde t/a Crown Eating House 5. Queensburgh Sports Association 6. River North Trading 196 CC t/a Canecutters 7. Sugarberry Trading 372 CC t/a 3rd Avenue 8. Visual Media cc t/a Linga Longa 	<p>33 Berg Street, Marburg.</p> <p>1247 KwaMakhutha Mbumbulu</p> <p>3 Harvey Road, New Germany.</p> <p>95 Umbilo Road, Durban.</p> <p>44 Bowker Road, Queensburgh.</p> <p>Shop 1 & 2, 3M Centre, 235 Main Road, Tongaat.</p> <p>REM of 948, 3rd Avenue, Umtentweni, Port Shepstone.</p> <p>27 Protea Hill Road, Drummond</p>
Vukani Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Berea Tattersalls Bar CC t/a Sports Junction 2. Bright Idea Project 2105 CC T/A Popeye's 11 Pub 3. Brivak Enterprise CC t/a Hot Spot Tavern 4. La Braserrie Entertainment CC t/a V -Cafe 5. Mathavan Moodley t/a Gaysans 	<p>72 Brickfield Road, Overport, Durban</p> <p>957 Marine Drive, Ramsgate</p> <p>Old Main Durban Road, Louisiana, Port Shepstone</p> <p>14 School Road, Pinetown</p> <p>Upper Level, 19/21 Burlington Road, Shallcross, Chatworth.</p>

6. Poison Apple Pub and Grill CC t/a Poison Apple Pub and Restaurant	Shop 35 Village Mall, Lot 1243, Impathle Road, Pennington.
7. Rubendran Naidoo t/a Links Place	Shop 3, 1 ST Floor, 46 Chatsworth Main Road, Durban
8. Thamaravelli Govender t/a Sunset Action Bar	Shop 38, 625 Sunset Avenue, Woodhurst, Chatsworth

No. 139

30 Julie 2009

KWAZULU-NATAL DOBBELRAAD

**OPENBARE VERHORE VIR DIE AANSOEK OM TIPE "A" PERSEELOPERATEURSLISENSIE
– GROEP 18: DURBAN EN SUID KUS**

1. Ingevolge regulasie 22 van die regulasies onder die KwaZulu-Natal Dobbelwet, 1996 (Wet No. 10 van 1996), word hierby kennis gegee dat openbare verhore vir die volgende applikante vir Tipe "A" Perseeloperateurs lisensies gehou sal word om 10:00 op **Dinsdag, 11 Augustus 2009**, te Royal Hotel, Smith straat 267, Durban.

ROETE OPERATEUR	TIPE "A" OPERATEUR APPLIKANT	ADRES
Gold Circle KZN Slots (Pty) Ltd	1. Dhuram Singh t/a D. Singh Tattersalls	135 Chatsworth Main Road, Chatsworth.
	2. Gold Circle (Pty) Ltd t/a Pinetown Tab Branch	48 – 50 Old Main Road, Pinetown.
	3. Gold Circle (Pty) Ltd t/a Tavern on the Pack	89 Berrier Lane, Merewent.
	4. Meenakumari Chhagan t/a Lotus Park Tab	Shop 3 Fay Centre, Lotus Park, Durban
	5. Norman Keith Volka t/a Comfort Zone	71 Wood Road, Montclair.
	6. Sheldon Peterson t/a Hillcrest Tab	Shop 20D Hillcrest Centre, 38 / 42 Old Main Road, Hillcrest
	7. Rajhdaw Sathanarian Singh t/a Pineparkade Tab	Shop 7-260 Pine Street, Durban

	<ol style="list-style-type: none"> 8. Timothy Thulane Nduli t/a Dizah's Guest House 9. Venogaren Chettiar t/a Maxerz Pool Bar and Lounge 	<p>BB 566 Umlazi</p> <p>Shop 7 & 8 Chelin's Road, 300 Watsonia Road, Bluff</p>
Luck At It KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Anastasios Felemengas t/a Lido Disco 2. Hilltop Bar & Restaurant cc t/a Hilltop 3. Manival Pillay t/a Spingo Action Bar 4. Pathmanathan Chetty t/a Easy Eats Restaurant 5. RDLI Bowling Club 	<p>82 Smith Street, Durban</p> <p>246 West Road, Overport, Durban</p> <p>Shop 1, 150 Old Main Road, Isipingo</p> <p>5 Blace Road, New Germany, Pinetown</p> <p>1 DLI Avenue, Greyville</p>
Thuo Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Classy Trade & Investment 1150 t/a Action Sports & Entertainment Centre 2. Goodwill Similo Mabaso t/a Sonethile Tavern 3. New Germany Sports Club 4. Nobuhle NP Malinde t/a Crown Eating House 5. Queensburgh Sports Association 6. River North Trading 196 CC t/a Canecuttersl 7. Sugarberry Trading 372 CC t/a 3rd Avenue 8. Visual Media cc t/a Linga Longa 	<p>33 Berg Street, Marburg.</p> <p>1247 Kwamakhutha, Mbumbulu</p> <p>3 Harvey Road, New Germany.</p> <p>95 Umbilo Road, Durban.</p> <p>44 Bowker Road, Queensburgh.</p> <p>Shop 1 & 2, 3M Centre, 235 Main Road, Tongaat.</p> <p>REM of 948, 3rd Avenue, Umtentweni, Port Shepstone.</p> <p>27 Protea Hill Road, Drummond</p>
Vukani Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Berea Tattersall's Bar CC t/a Sports Junction 2. Bright Idea Project 2105 CC T/A Popeye's 11 Pub 3. Brivak Enterprise CC t/a Hot Spot Tavern 	<p>72 Brickfield Road, Overport, Durban</p> <p>957 Marine Drive, Ramsgate</p> <p>Old Main Durban Road, Louisiana, Port Shepstone</p>

4. La Braserrie Entertainment CC t/a V –Café	14 School Road, Pinetown
5. Mathavan Moodley t/a Gaysans	Upper Level, 19/21 Burlington Road, Shallcross, Chatworth.
6. Poison Apple Pub and Grill CC t/a Poison Apple Pub and Restaurant	Shop 35 Village Mall, Lot 1243, Impathle Road, Pennington.
7. Rubendran Naidoo t/a Links Place	Shop 3, 1 ST Floor, 46 Chatsworth Main Road, Durban
8. Thamaravelli Govender t/a Sunset Action Bar	Shop 38, 625 Sunset Avenue, Woodhurst, Chatsworth

No. 139

30 kuNtulikazi 2009

IBHODI YEZOKUGEMBULA YAKWAZULU-NATALI

**ISAZISO NGEZINKUNDLA ZOKULALELWA KWEZICELO EZAMUKELWE ZENDAWO ENGU
“A” YOHLOBO LWAMALAYISENSI OKUQHUBA IMISHINI – UMTHAMO WE – 18:
ETHEKWINI NA-NASOGWINI OLUSENZANSI NESIFUNDAZWE**

1. Ngokomthethonqubo 22 weMithethonqubo ngaphansi koMthetho wezokuGembula waKwaZulu-Natali, (uMthetho No. 10 of 1996), ngalokhu lapha kukhishwa isaziso sokuthi izinkundla zomphakathi zezicelo ezilandelayo zeNdawo engu “A” yohlobo lwamaLayisensi okuqhuba ibhizinisi lemishini yasekhasino zizobanjwa ngo**Lwesibili ziyi-11 kuNcwaba 2009**, eRoyal Hotel, kwanombolo 267 Smith Street, eThekwini ngehora le-10:00.

UMUNTU OWENGAMELE IBHIZINISI LOKUGEMBULA KULEYO NDAWO	UHLOBO “A” LWEZICELO SOKUQHUBA IBHIZINISI LOKUGEMBULA	IKHELI
I – Gold Circle KZN Slots (Pty) Ltd	1. Dhuram Singh t/a D. Singh Tattersalls	135 Chatsworth Main Road, Chatsworth.
	2. Gold Circle (Pty) Ltd t/a Pinetown Tab Branch	48 – 50 Old Main Road, Pinetown.
	3. Gold Circle (Pty) Ltd t/a Tavern on the Pack	89 Berrier Lane, Merewent.
	4. Meenakumari Chhagan t/a Lotus Park Tab	Shop 3 Fay Centre, Lotus Park, Durban.

	5. Norman Keith Volka t/a Comfort Zone 6. Sheldon Peterson t/a Hillcrest Tab 7. Rajhdaw Sathanarian Singh t/a Pineparkade Tab 8. Timothy Thulane Nduli t/a Dizah's Guest House 9. Venogaren Chettiar t/a Maxerz Pool Bar and Lounge	71 Wood Road, Montclair. Shop 20D Hillcrest Centre, 38 / 42 Old Main Road, Hillcrest Shop 7-260 Pine Street, Durban BB 566 Umlazi Shop 7 & 8 Chelin's Road, 300 Watsonia Road, Bluff
I – Luck At It KZN (Pty) Ltd	1. Anastasios Felemengas t/a Lido Disco 2. Hilltop Bar & Restaurant cc t/a Hilltop 3. Manival Pillay t/a Spingo Action Bar 4. Pathmanathan Chetty t/a Easy Eats Restaurant 5. RDLI Bowling Club	82 Smith Street, Durban 246 West Road, Overport, Durban Shop 1, 150 Old Main Road, Isipingo 5 Blace Road, New Germany, Pinetown 1 DLI Avenue, Greyville
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	8. Visual Media cc t/a Langa Longa	27 Protea Hill Road, Drummond
I – Vukani Gaming KZN (Pty) Ltd	<ol style="list-style-type: none"> 1. Berea Tattasalls Bar CC t/a Sports Junction 2. Bright Idea Project 2105 CC t/a Popeye's 11 Pub 3. Brivak Enterprise CC t/a Hot Spot Tavern 4. La Braserrie Entertainment CC t/a V -Cafe 5. Mathavan Moodley t/a Gaysans 6. Poison Apple Pub and Grill CC t/a Poison Apple Pub and Restaurant 7. Rubendran Naidoo t/a Links Place 8. Thamaravelli Govender t/a Sunset Action Bar 	<p>72 Brickfield Road, Overport, Durban</p> <p>957 Marine Drive, Ramsgate</p> <p>Old Main Durban Road, Louisiana, Port Shepstone</p> <p>14 School Road, Pinetown</p> <p>Upper Level, 19/21 Burlington Road, Shallcross, Chatworth.</p> <p>Shop 35 Village Mall, Lot 1243, Impathle Road, Pennington.</p> <p>Shop 3, 1ST Floor, 46 Chatsworth Main Road, Durban</p> <p>Shop 38, 625 Sunset Avenue, Woodhurst, Chatsworth</p>

No. 140**30 July 2009****DEPARTMENT OF LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS****NOTICE IN TERMS OF SECTION 25(4) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, 1998: BY-ELECTION IN WARD 52 OF THE ETHEKWINI MUNICIPALITY**

I, Thembinkosi Willies Mchunu, Member of the KwaZulu-Natal Executive Council responsible for Local Government and Traditional Affairs, and after consultation with the Electoral Commission, hereby give notice under powers vested in me by section 25(4) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), that I have called a by-election in Ward 52 of the Ethekwini Municipality as a result of a vacancy that has occurred in the said Ward, and that I have set 2 September 2009 as the date for the said by-election.

Given under my hand at Durban this 20th day of July Two thousand and Nine

MR T.W. MCHUNU, MPL

Member of the Executive Council of the Province of KwaZulu-Natal
responsible for local government

No. 140**30 Julie 2009****DEPARTEMENT VAN PLAASLIKE REGERING EN TRADISIONELE SAKE****KENNISGEWING INGEVOLGE ARTIKEL 25(4) VAN DIE WET OP PLAASLIKE REGERING: MUNISIPALE STRUKTURE, 1998: TUSSENVERKIESING IN WYK 52 VAN DIE ETHEKWINI MUNISIPALITEIT**

Ek, Thembinkosi Willies Mchunu, Lid van die Uitvoerende Raad van KwaZulu-Natal verantwoordelik vir plaaslike regering en tradisionele sake, en na oorelegging met die Kieskommissie, gee hiermee kragtens die bevoegdheid aan my verleen deur artikel 25(4) van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet No. 117 van 1998), kennis dat ek 'n tussenverkiesing geroep het in Wyk 52 van die eThekwinini munisipaliteit na aanleiding van 'n vakature wat in gemelde wyk ontstaan het, en dat ek 2 September 2009 vasgestel het as die datum vir die vermelde tussenverkiesing.

Gegee onder my hand te Durban op hierdie 20^{ste} dag van Julie, Tweeduisend-en-nege.

MNR TW MCHUNU, LPW

Lid van die Uitvoerende Raad van die provinsie KwaZulu-Natal
verantwoordelik vir plaaslike regering

No. 140**30 kuNtulikazi 2009****UMNYANGO WEZOHULUMENI BASEKHAYA NEZENDABUKO****ISAZISO NGOKWESIGABA 25(4) SOMTHETHO WEZINHLAKA ZOMASIPALA WOHULUMENI BASEKHAYA, 1998: UKHETHO LOKUCHIBIYELA KUWADI 52 KUMASIPALA WASETHEKWINI**

Mina, Thembinkosi Willies Mchunu, iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali elibhekele oHulumeni baseKhaya nezeNdabuko, ngemva kokubonisana neKhomishana yoKhetho, ngalokhu ngikhipha isaziso ngokwamandla engiwanikwe yisigaba 25(4) soMthetho weziNhlaka zoMasipala woHulumeni baseKhaya, 1998 (uMthetho No. 117 ka 1998), sokuthi ngibiza ukhetho lokuchibiyela kuWadi 52 kuMasipala waseThekwini ngenxa yokuvela kwesikhala somsebenzi kule Wadi, nokuthi sengibeke umhla zingama-2 kuMandulo 2009 njengosuku lokhetho lokuchibiyela.

Sinikezwe ngaphansi kwesandla sami eThekwini ngalolu suku lwe-20 kuNtulikazi, oNyakeni weziNkulungwane eziMbili nesiShiyagalolunye.

MNU. TW MCHUNU, iLungu lesiShayamthethetho sesiFundazwe

iLungu loMkhandlu oPhethe esiFundazweni saKwaZulu-Natali
elibhekele ohulumeni basekhaya

No. 141**30 July 2009****NATIONAL ROAD TRAFFIC ACT, 1996 (ACT NO. 93 OF 1996): CANCELLATION OF VEHICLE TESTING STATION**

The MEC for Transport in KwaZulu-Natal has, in terms of Section 40 of the National Road Traffic Act, 1996 (Act No. 93 of 1996), cancelled the registration of a private B-graded vehicle testing station as scheduled hereunder, with effect from **5 May 2009**.

SCHEDULE

Sea Cow Lake Vehicle Testing Station T/A Thekwini Roadworthy Centre

65 / 67 Moore Road

DURBAN

4001

No. 141**30 Julie 2009****NASIONALE PADVERKEER, 1996 (WET NO. 93 VAN 1996): KANSELLASIE VAN VOERTUIGTOETSSTASIE**

Die LUR vir Vervoer in KwaZulu-Natal het, ingevolge artikel 40 van die Nasionale Padverkeerswet, 1996 (Wet No. 93 van 1996), die registrasie van 'n privaat B-gegradeerde voertuigtoetsstasie gekanselleer soos hieronder genome met inwerkingtreding vanaf **5 Mei 2009**.

BYLAE

Sea Cow Lake Vehicle Testing Station T/A Thekwini Roadworthy Centre

Mooreweg 65 / 67

DURBAN

4001

No. 141**30 kuNtulikazi 2009**

UMTHETHO WEZOKUHAMBA KWEZIMOTO EMGWAQENI, 1996 (UMTHETHO NO. 93 KA 1996): UKWESULWA KWENDAWO YOKUHLOLA IZITHUTHI

UNgqongqoshe wezokuThutha waKwaZulu-Natali, ngokweSigaba 40 soMthetho wezokuHamba kweziMoto eMigwaqeni, 1996 (uMtheth No. 93 ka 1996), wesula indawo yokuhlola izimoto ebhaliswe ngokuzimele kuhiu olungu-B njengalokhu kuhleliwe ngenzansi, kusukeia ngalolu suku kwama-5 uMeyi 2009.

UHLELO

Sea Cow Lake Vehicle Testing Station T/A Thekwini Roadworthy Centre

65 / 67 Moore Road

DURBAN

4001

No. 142

30 July 2009

DEPARTMENT OF HEALTH: KWAZULU-NATAL**INVITATION FOR NOMINATIONS FOR APPOINTMENT OF MEMBERSTO
MENTAL HEALTH REVIEW BOARD FOR ALL HEALTH INSTITUTIONS
PROVIDING MENTAL HEALTH CARE IN TERMS OF THE MENTAL HEALTH
CARE ACT, NO. 17 OF 2002**

Nominations are hereby called for, for names of suitably qualified persons for the consideration and appointment by the MEC for Health: KwaZulu-Natal, to serve on the Mental Health Care Review Boards of various health institutions providing Mental Health Care Services in the Province.

CRITERIA FOR NOMINATION

In order to be considered for appointment, the following criteria must be adhered to:

- All nominees must be South African citizens,
- The nominee must be a Mental Health Care Practitioner, or
- A Magistrate, an Attorney or an Advocate admitted in terms of the law of the Republic of South Africa, and
- Member or members of the community concerned.

Appointment will be for appointment as members of Mental Health Review Boards for the following Districts/Institutions:

1. Uthungulu :Ngwelezana Hospital
2. Umgungundlovu :TownHill, Fort Napier and Umgeni Hospitals
3. Ethekwini : King George V Hospital, Ekuhlengeni Hospitals
4. Amajuba : Madadeni Hospital

REQUIREMENTS

Nominations in respect of the professional categories mentioned above must ensure valid registration with the relevant professional bodies/boards and /or are admitted by law to the relevant profession.

POWERS AND FUNCTIONS OF THE REVIEW BOARD

The powers and functions of the Review Boards will be in terms of Section 19 of the Mental Health Care, Act No. 17 of 2002 and are stipulated hereunder:

- Consider appeals against decisions of the head of a health establishment;
- Make decisions with regard to assisted or involuntary mental health care, treatment and rehabilitation services;
- Consider reviews and make decisions on assisted or involuntary mental health care users;
- Consider 72-hours assessment made by the head of the health establishment and make decisions to provide further involuntary care, treatment and rehabilitation;
- Consider applications for transfer of mental health care users to maximum security facilities; and
- Consider periodic reports on the mental health status of mentally ill prisoners.

REMUNERATION

Remuneration will be at the prescribed rate per hour, and travelling and subsistence allowance will be at the rate applicable to public servants. Members appointed to a Review Board and who are in full-time employment of the State will not be paid any remuneration as a member. Subsistence and travel for such members will be in accordance with their terms and conditions as employees of the State.

HOW TO APPLY

All interested persons wishing to be considered for the abovementioned positions are invited to submit the following documents:

- Comprehensive Curriculum Vitae
- Certified copies of educational qualifications
- Certified copies valid registration relevant to the applicable profession (not required for community members)
- Certified copy of identity document
- Certified copy of proof of admission to the practice in the case of magistrates/attorneys/advocates (not applicable to community members)
- Consent in writing by the nominee to serve on the Review Board

ALL NOMINATIONS MUST BE SUBMITTED TO:

The Head of Department

For attention: Reverend S.J. Mtetwa

KwaZulu-Natal Department of Health
Natalia Building
330 Langalibalele Street
Pietermaritzburg
Postal address:
Private Bag X9051
Pietermaritzburg
3200

Enquiries: Tel (033) 395 3218

Fax: 033 – 395 2258

Email: sipho.mtetwa@kznhealth.gov.za

CLOSING DATE FOR APPLICATIONS: 31 July 2009

No. 142

30 Julie 2009

DEPARTEMENT VAN GESONDHEID: KWAZULU-NATAL**UITNODIGING VIR BENOEMINGS VIR AANSTELLING VAN LEDE IN
HERSIENINGSRADE VIR GEESTESGESONDHEID VIR ALLE
GESONDIHEIDINSTELLINGS WAT GEESTESGESONDHEIDSORG VERSKAF
INGEVOLGE DIE OP GEESTESONDHEIDSORG, WET NO. 1- V AN 2002**

Benoemings word hiermee genooi vir die name van toepaslik gekwalifiseerde persone vir oorweging vir aanstelling deur die LUR vir Gesondheid in KwaZulu-Natal om te dien in die Hersieningsrade vir Geestesgesondheid van verskillende instellings wat geestesgesondheidsorg dienste in the Provinsie lewer.

BENOEMINGS KRITERIA

Aanstelling is vir lede van Geestesgesondheids sorg Hersienings Rade vir die volgende Distrikte/Instellings:

- | | | |
|----|---------------|---|
| 1 | Uthungulu | :Ngwelezana Hospitaal |
| 2 | Umgungundlovu | :TownHill, Fort Napier and Umgeni Hospitale |
| 3. | Ethekwini | : King George V Hospital, Ekuhlengeni Hospitale |
| 4. | Amajuba | : Madadeni Hospitaal |

Benoemings moet aan die volgende kriteria voldoen:

- Alle benoemdes moet Suid-Afrikaanse burgers wees;
- Alle benoemdes moet in diens van die Staat wees
- Die benoemde moet ñ geestesgesondheids praktisyn of regs praktisyn wees

VEREISTES

Professionele persone wat benoem word, moet bewys lewer van huidige, geldige registrasie of toelating tot die regsberoep

Bevoeghede an werksaamhede van die Hersieningsraad

Die bevoeghede en werksaamhede van die hersieningsraad is in ooreenstemming met artikel 19 van die Wet op Geestesgesondheidsorg, Wet nr. 17 van 202, en is soos hieronder gemeld :

- Oorweeg appelle teen besluite van die hoof van 'n gesondheidsinstelling;
- Neem besluite met betrekking tot ondersteunde of nie-vrywillige gesondheidsorg, behandeling en rehabilitasie dienste;
- Oorweeg hersienings a neem besluite oor ondersteunde of nie- vrywillige gesondheidsorg verbruikers;
- Oorweeg 72-uur-waarnemings deur die hoof van die gesondheidsinstelling , en neem besluite oor verdere nie-vrywillige sorg, behandeling en rehabilitasie ;
- Oorweeg aansoeke vir oorplasing van geestesgesondheid sorg verbruikers na maksimumsekruiteits geriewe;
- Oorweeg periodieke verslae oor die geestesgesondheid status van geestesongestelde gevangenes

HOE ON AANSOEK TE DOEN

Alle belangstellende persone wat graag oorweeg wil word vir die genoemde posisies word uitgenooi om die volgende dokumente in te handig:

- Volledige Curriculum Vitae
- Gewaarmerkte afskrifte van opvoedkundige kwalifikasies
- Gewaarmerkte afskrifte van geldige sertifikate van toepassing op die betrokke professie
- Gewaarmerkte afskrif van identiteitsdokument
- Skriftelike toestemming van die benoemde om in die Hersienings raad te dien

ALE BENOEMINGS MOET GESTUUR WORD AAN:

Die Hoof van die Department

Aandag: Reverend S.J. Mtetwa

KwaZulu-Natal Department van Gesondheid
Natalia Gebou
330 Langalibalele Straat
Pietermaritzburg
Pos Adress:
Privaatsak X 9051
Pietermaritzburg
3200

Navrae: Tel (033) 395 3218

Faks: 033 – 395 2258

Email: sipho.mtetwa@kznhealth.gov.za

SLUITINGSDATUM VIR BENOEMINGS: 31 Julie 2009

No. 142

30 kuNtulikazi 2009

UMNYANGO WEZEMPILO: WAKWAZULU-NATAL**ISIMEMO SOKUNGENELA UKUQOKWA KWAMALUNGU EBHODI
ELICUBUNGULA IMPILO YABANGAPHILILE NGOKOMQONDO KUZO ZONKE
IZIKHUNGO EZINAKEKELA IMPILO YABANGAPHILILE NGOKOMQONDO
NGOKOMTHETHO WEZOKUNAKEKELA ABANGAPHILILE NGOKOMQONDO
ONGU NO.17 KA 2002KWE ZOKUPHILA KOMQONDO, (UMTHETHO No. 17 ka
2002)**

Lapha kubizwa abazongenelela, amagama abantu abakhethekile nabafanelekile ukuhlungwa futhi baqokwe ngu Ngqongqoshe wezeMpilo: KwaKwaZulu-Natali, nabazohlala kwiBhodi ukuba basebenze kwiBhodi elizocubungula ngokuNakekelwa kweMpilo yabaNgaphilile ngokoMqondo kwizikhungo ezehlukene zempilo nelizohlizeka abasebenzi abenza umSebenzi wokukuNakekela abaNkqubo ngokoMqondo kwisiFundazwe.

INDLELA YOKUNGENELELA ESETSHENZISWAYO

Ukuze kube ngumuntu ofanelekile ozqokwa, lezi zindlela ezilandelayo kumele kukgadlukwa kuzo:

- Bonke abangeneli kumele kube ngabahlali base Ningizimu Afrika,
- Abangeneli kumele kube ngabantu abangoChwepheshe kwezeMpilo nasekuNakekelweni kwabangaphilile ngokoMqondo, okanye
- IMantshi, uMmeli noma uMmeli waseMajajini ongeniswe ngokomthetho wase Ningizimu Afrika, kanye
- neLungu noma amaLungu omphakathi anentshisekelo

Ukuqokwa kuyoba ngukuqokwa njengeLungu leBhodi ecubungula ngokuNakekelwa kwe Mpilo yabaNgaphilile ngokoMqondo kulezi ziFunda/IziKhungo

1. Uthungulu – IsiBhedlela iNgwelezana
2. Umgungundlovu – Town Hill, Fort Napier kanye nesiBhedlela Umgeni
3. Ethekwini – IsiBhedlela iKing George V , Ekuhlengeni
4. Amajuba – Madadeni

OKUDINGAKALAYO

Abangeneli ngendlela asethsensisiwe yezemikhakha yemfundo ebaluliwe ngenhla kumele baqinisekise ukuthi ukubhalisa okufanele ngokwemikhakha ehambelana nebhodi/imigwamanda okanye/noma bengene ngokomthetho kwimikhakha ehambelana nalokhu

Igunya lamandla kanye neMisebenzi yeBhodi ecubungulayo

Igunya lamandla kanye nemisebenzi yeBhodi eliCubungulayo iyokuba ngokoMthetho wezokuNakekela abangaPhilile koMqondo, uMthetho No. 17 ka 2002 kanye nalokhu okubalulwe ngezansi:

- Ukucubungula izikhalazo ezingahambisani nezinqumo zoMphathi wezokusungulwa kwezempilo ;
- Ukukhipha izinqumo ezimaqondana nokusiza noma ngokwejoyalekile ukunakekela imilo yabangaphilile ngokomqondo, ukwelashwa kanye nezindawo zokuhlumeleliswa komqondo.
- Ukucubungula okuhlaziwayo futhi likhiphe izinqumo ekusizeni noma ngokwejoyalekile ukunakekela impilo yabantu abangaphilile ngokomqondo.

- Ukucubungula amahoraangu 72- alinganiswe nenziwe ngumphathi wezokusungulwa kwezempilo futhi lithathe izinqumo zokuhlinzeka okukhulu nokujwayelekile ukunakekela impilo yabangaphilile ngokomqondo, ukwelashwa kanye nezindawo zokuhlumelelwa komqondo.
- Ukucubungula izicelo ezifakiwe ezidlulisa abantu abathola usizo lokunakekelwa kwempilo yabangaphilile ngokomqondo ezindaweni eziningi ezivikelekile, futhi
- Ukucubungula imibiko eyehluka hlukene ngezikhathi zonke yamazanga empilo yeziboshwa eziphilile ngokomqondo.

UKUKHOKHELWA

Ukukhokhelwa kuyoba sezingeni lenani elinqunyiwe ngehora, futhi imali yokuhambakanye nokuzibheka lyoba yinani elinqunyelwe abasebenzi bakahulumeni. Amalungu aqokelwe kwi Bhodi elicubungulayo futhi asebenzela uMbuso ngokuGcwele angeke akhokhelwe lutho ngokuba ngamalungu eBhodi. Ukukhokhelwa kokuhamba kanye nokuzibheka kulawo malungu kuyoba ngendlela efanelekile kanjalo futhi nezimiso abamiselwe zona njengabantu abasebenzela uMbuso

SIFAKWA KANJANI ISICELO

Bonke abantu abashisekela nabafisa ukuba bacutshungulelwe lezi zikhundla ezibalulwe ngenhla bayacelwa ukuba bathumele lezi zincwadi ezilandelayo:

- Incwadi echaza isimo sakho sonke ngokwemfundo nangokomsebenzi okuthiwa yi -CV
- Amakhophi ezitifiketi zezinga lemfundo onayo
- Amakhophi encwadi yokurejistwa ahambelana nalomsebenzi afakwa isigxivizo sokuqinisekisa esisayiniwe (ayidungeki kumalunga omphakathi)
- Ikhophi kamazisi efakwe isigxivizo sokuqinisekisa esisayiniwe
- Ikhophi ewubufakazi bokungena ekwenzeni umsebenzi kuhlangothi lwezimantshi/abameli/nabameli basemajajini (ayidingeki kumalungu omphakathi)
- Incwadi ebhalwe nonjenele yokuvuma yokusebenza kwi Bhodi ecubungulayo.

BONKE ABANGENELE KUMELE BATHUMELE KU:

The Head of Department

Qondisa Ku: Reverend S.J. Mtetwa

KwaZulu-Natal Department of Health
Natalia Building
330 Langalibalele Street
Pietermaritzburg
Postal address:
Private Bag X9051
Pietermaritzburg
3200
Imibuzo: Tel (033) 395 3218
Fax: 033 – 395 2258
Email: sipho.mtetwa@kznhealth.gov.za

USUKU LOKUGCINA LUKUFAKWA KWEZICELO: 31 July 2009

MUNICIPAL NOTICES

No. 122**30 July 2009**

The municipal council for Ubuhlebezwe has adopted the following bylaws at its meeting held on 10 April 2009 in terms of section 156(2) of the constitution of the Republic of South Africa (Act No. 108 of 1996) read with section 31(2) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) and hereby published the subjoined bylaws in terms of section 13(a) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) to come into effect on the date of publication hereof in the Provincial Gazette.

Municipal Manager

UBUHLEBEZWE MUNICIPALITY**BYLAWS RELATING TO OFFENCES, PENALTIES AND APPEALS****Offences and penalties****1. Any person who-**

- (a) contravenes or fails to comply with any provision contained in any bylaw which has been duly promulgated by the council in terms of any applicable law;
- (b) fails to comply with any lawful instruction given in terms of any bylaw which has been duly promulgated by the council;
- (c) obstructs or hinders any authorized official in the execution of his or her duties under any bylaw which has been duly promulgated by the council-
- (d) contravenes any condition imposed upon the granting of any application, consent, approval, concession, relaxation or authority in terms of any bylaw which has been duly promulgated by the council
- (e) fails to comply with the terms of any notice served upon him in terms of any bylaw which has been duly promulgated by the council;
- (f) supplies false or misleading information when applying for a licence, permit, authority in terms of any bylaw duly promulgated by the council;
- (g) takes out a licence required in terms of any bylaw duly promulgated by the council, in any name other than his own;
- (h) falsely represents himself to be a person to whom a licence has been issued in terms of any bylaw duly promulgated by the council;
- (i) forges or fraudulently alters or uses or permits any other person to use any licence or certified copy of a licence issued in terms of any bylaw duly promulgated by the council;

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one thousand rand (R 1000) in the case of a first conviction, or in the case of a second or subsequent conviction for the same offence, a fine not exceeding two thousand rand (R2000) or, in default of payment of any fine imposed in either case, to imprisonment for any period not exceeding three months, and any further amount as imposed by the court equal to any costs and expenses found by the court to have been incurred by the council as a result of any such breach, provided that in the case of a continuing offence a fine not exceeding fifty rand (R50) for each day upon which the contravention continued may be prescribed, but no such fine shall in any one prosecution or within any one month exceed two thousand rand (R2000);

Appeals

- 2 (1) A person whose rights are affected by a decision taken by any authorized officer under any bylaw which has been duly promulgated by the council in terms of any applicable law, may appeal against the decision by giving notice of the appeal and reasons therefore to the Municipal Manager within 21 days of the date of notification of the decision.

- (2) The Municipal Manager must promptly submit the appeal to **the appropriate** appeal authority mentioned in subsection (4) hereunder;

- (3) The appeal authority must consider the appeal, and confirm, vary or revoke the decision, but no such variation or revocation of a decision may detract from any rights that may have accrued as a result of the decision;
- (4) When an appeal is against a decision taken by-
 - (a) a staff member other than the Municipal Manager, the Municipal Manager is the appeal authority; or
 - (b) the Municipal Manager, the Executive \mayor is the appeal authority
- (5) An appeal authority must commence with and decide on an appeal within 45 days from date of receipt thereof and inform the appellant of the outcome by the duration of this period.

No. 123

30 July 2009

The Municipal Council for Ubuhlebezwe has adopted the following bylaws at its meeting held on 10 April 2008 in terms of section 156(2) of the Constitution of the Republic of South Africa (Act No 108 of 1996) read with section 31(2) of Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) and hereby publishes the subjoined bylaws in terms of section 13(a) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000) to come into effect on the date of publication hereof in the Provincial Gazette

Municipal Manager

UBUHLEBEZWE MUNICIPALITY
BYLAWS RELATING TO THE KEEPING OF DOGS

Note: [Words applying to any individual shall include persons, companies and corporations, and the masculine shall include females as well as males and the singular shall include the plural and vice versa],

1. For the purpose of these bylaws-

“Animal welfare organization” means any association of persons, corporate or unincorporated, or institution, the objects of which are the prevention of cruelty to animals and the promotion of animal welfare;

“Area of jurisdiction” unless otherwise stated in the context of these bylaws means the area of jurisdiction of the Ubuhlebezwe Municipality;

“Authorized Officer” means:

- (a) a traffic officer or warden appointed in terms of the National Road Traffic Act, 1996 (Act No 93 of 1996);
- (b) a member of the Services as defined in section 1 of the South African Police Services Act, 1995 (Act No 58 of 1995);
- (c) a peace officer contemplated in section 34 of the Criminal Procedure Act, 1977 (Act No 51 of 1977);
- (d) any other official duly authorized by the council

“Breeder” means a member of KUSA (Kennel Union of South Africa) or similar organization;

“Council” means the Ubuhlebezwe Municipality or its successors in title, and includes the council of that municipality or its executive committee or any other body acting by virtue of any power delegated to it in terms of legislation, as well as any officer to whom the executive committee has delegated any powers and duties with regard to these bylaws;

“Dog” means the male or female of this species;

“Farm” means a portion or portions of agricultural land as defined in the Subdivision of Agricultural Land Act, 1970 (Act No 70 of 1970), and includes a small holding, on which the utilization of the means of

production and the utilization by man of the natural agricultural resources for the production of, inter alia, food, fibre, and drink of quality takes place;

“Nuisance” unless otherwise provided for in these bylaws means any condition, thing, act or sound which is offensive or injurious or tends to prejudice the safety, good order, peace or health of the area or part thereof the rights or reasonable comfort, convenience or quiet of any neighborhood within the area;

“Premises” shall be any building together with the land on which the same is situated and adjoining land used in connection therewith or any land without buildings thereon;

“Prescribed fee” means the fee as provided for in the Council’s tariff of charges;

“Public place” shall mean an area as defined in section 1 of the Town Planning Ordinance, 1949(Ordinance 27 of 1949)

“Public street” means any street, road, lane, passage or other right-of-way and includes any bridge, subway, drain, culvert or the like in a street;

“Traditional Council” means a traditional council as defined in section 1 of the Traditional Leadership and Governance Framework Act, 2003(Act No 41 of 2003);

“Traditional Community” means a traditional community recognized as such in terms of section 2 of the Traditional Leadership and Governance Framework Act, 2003(Act No 41 of 2003) and which:

- (a) is subject to a system of traditional leadership in terms of that community’s customs; and
- (b) observes a system of customary law;

“Traditional Leadership” means the customary institutions or structures or customary systems or procedures of governance, recognized, utilized or practiced by traditional communities, as provided for in section 1 of the Traditional Leadership and Governance Framework Act, 2003(Act No 41 of 2003);

2. No person shall keep on any premises within the area-

- (a) any dog which is ferocious or vicious unless such a dog is kept on a lead or chain so that lawful visitors to the premises are safe from attack. (For the purpose of this paragraph, a dog which has bitten or attempted to bite a person or animal other than in defense of itself or it’s custodian, on the premises shall be deemed to be vicious);
- (b) any dog on any premises where such premises are not properly surrounded by a fence of such material as to ensure that such a dog is confined to such premises, or suitably enclosed area of not less than

70m² in which any dog can be confined, unless such a dog is kept on a leash, provided that where it is physically impossible to provide an enclosure of 70m² on the property, such enclosure shall be to the size as determined by the authorised officer, taking into account the size of the property, any obstructions or buildings thereon, the topography and shape thereof, and the type of the dog;

- (c) any bitch in season unless he keeps such a bitch under proper control so as to prevent her from being a nuisance to the neighbors or public. The Council may through an authorised officer, by notice in writing, require the owner or person in control of such premises to remove it to a place in which suitable accommodation has been provided for the housing of such a bitch and at the owner's expense there to be kept until she is out of season;
- (d) with the exception of a farm and/ or a Traditional Community as defined herein, more than three dogs without the consent in writing of the Council which consent may be given subject to conditions and may be withdrawn by the Council. An authorized breeder may, with the permission of council, keep breeding stock, subject to such conditions as may be imposed by council;
- (e) any dog for which no valid license is held, all such license fees being due to the Council on the first day of January in each year in respect of every dog which is then of the age of six months or more and shall be payable on or before the last day of the March next succeeding except in the following cases of exemptions from licensing:-
 - (1) The Society for the Prevention of Cruelty to Animals or any similar body approved by Council, or any authorized representative of said Society or body living in the area in cases where the Society / body does not have official premises in the area, in respect of any dog or dogs in it's possession or under his control as a result of any action taken in terms of these bylaws, including strays; and
 - (2) A blind person, in respect of one dog used by such a person as a guide dog, if such dog has been supplied to that person by the South African Guide Dog Association or similar body, or such a dog is certified in writing by a responsible official of the aforesaid Association or similar body or any branch thereof, to be a dog suitable for blind persons.
- (f) any dog for which he does not hold a valid rabies inoculation certificate;
- (g) any dog which attacks, bites or savages any person, unless it can be proved that such action was in defense of the owner or person keeping the dog, their dependants or property and that the person bitten seriously threatened the owner, dependants or property of the owner or

person keeping such a dog, or that the person bitten entered the property without the owners permission or in defiance thereof;

(to prove the said contravention it shall not be necessary to prove that the dog in question had previously shown a vicious nature nor that it was acting against the nature of domestic pets)

- (h) any dog which, by reason of continued barking, yelping, howling, or making other noises, disturbs the public peace or is a source of nuisance to the neighborhood, commits a breach of these bylaws if the nuisance or disturbance continues after the expiration of a reasonable time to be stipulated in a notice signed by the Municipal Manager or his authorized representative, upon receipt of a written and signed complaint, and served upon such person, requiring him to abate such disturbance or nuisance; provided that any officer duly appointed in terms of the Criminal Procedure Act, 1977 (Act No. 51 of 1977) may, in any circumstances in which the nuisance is of such a nature as to require immediate abatement, disregard the service of a notice as herein before provided, and provided he has witnessed the nuisance first hand, issue a notification in terms of Section 341 of the aforementioned Act upon the owner of such dogs or proceed immediately with further action as provided for in these bylaws. If any person is found guilty of a second contravention of this bylaw in respect of the same animal, it shall be competent for the court, which has found him guilty, in addition to imposing any other sentence, to order the removal of the animal in accordance with bylaw 5(a)

- 3 For the purpose of Bylaw 2 and without in any way detracting from or diminishing the liability of the owner of or person keeping any dog for a breach of these regulations:
 - (a) the owner of any premises, if he resides on such premises, shall be deemed to be keeping any dog kept on such premises;
 - (b) if the owner of the premises does not reside on the premises, any person over the age of twenty one years who resides on such premises shall be deemed to be keeping the dog on such premises.
In the case of any prosecution in terms of these bylaws, it shall be competent to charge the true owner of the dog in question or alternatively, to charge the person keeping or deemed to be keeping the dog in question.
- 4 (a) No person shall allow any dog being his property or in his charge to be in any street or place to which the public has access unless it is on a leash held by the person or under some form of bodily restraint, provided that no dog shall be permitted on any portion of town lands under Council's jurisdiction where signs expressly prohibiting dogs have been erected, except in the case provided for in bylaw 2(e)(2);

- (b) Any dog which is not on a leash held by a person or under some other form of bodily restraint and is found at large in any public street, public place, or in a diseased state and apparently ownerless, may be removed or seized in accordance with bylaw 5(a) or (b) and, if found to be dangerous, vicious or diseased, may be destroyed by an authorized officer.
- (c) Any dog, not being the property of the owner of any land or property on which it is found, may, if such dog has the tendency to attack any animal belonging to the owner of such land, be dealt with in accordance with the provisions of section 5(a) to (g) of these bylaws; provided that in the event of it being impossible for any authorized officer or owner to capture such dog for any reason, the authorized officer may authorize the destruction of such dog by the owner or any competent person nominated by him, or may destroy it himself. In either case, the circumstances surrounding the destruction of any dog in terms of this section shall be reported to the council as soon as possible after the event;
- (d) Unless otherwise authorized in terms of the Kwazulu Nature Conservation Act, 1992(Act No 29 of 1992) or any other applicable legislation, no person, being the owner of, or in possession of any dog or dogs used for hunting purposes, shall permit such dog or dogs to hunt on any property within the council's area of jurisdiction without the consent, in writing, of the appropriate minister and the owner of the property in question first having been obtained. Any consent thus obtained shall be produced by the owner of such dog or dogs to any authorized officer on demand.

(For the purpose of this regulation, any dog not wearing a collar disc or other means of identifying the owner thereof and which appears to be ownerless shall be deemed to be ownerless).

- 5
- (a) Any police officer or other officer duly authorized by the Council who shall remove or seize any dog in the exercise of the power hereby conferred shall take or convey the same to a place of safety or any animal welfare organization or dog pound approved by the Council.
 - (b) Any person claiming that any dog so removed or seized is his property shall be allowed to take away the same on satisfying the officer in charge of such place of safety, animal welfare organization or such dog pound that he is owner of such dog and upon payment of the following charges:

Lodging, vet fees, feeding and traveling payable to such place of safety, animal welfare organization or dog pound in accordance with rate laid down from time to time.

- (e) Any dog not claimed within 7 (seven) days may be sold by the person in charge of such place of safety, animal welfare organization or dog pound. The proceeds of such sale shall be applied in defraying the expenses incurred in connection with removal and maintenance of the dog so sold and the balance, if any, paid to the place of safety, animal welfare organization or such dog pound.
 - (f) If any dog is not claimed within 7 (seven) days or cannot be sold under the provision of sub-bylaw (c) or if any dog is found to be suffering from any infection or incurable diseases or injury or to be so vicious as to be dangerous, the person in charge of the place of safety, animal welfare organization or dog pound may act in terms of Section 5(1) and (2) of the Animals Protection Act, 1962 (Act No. 71 of 1962), as amended from time to time.
 - (g) The powers herein conferred upon any police officer may be exercised by any officer of an animal welfare organization or dog pound authorized under the provision of section 8 of the Animal Protection Act, (Act No. 71 of 1962), as amended from time to time.
 - (h) Any such officer may convey any dog removed or seized by him to any building or place provided for the purpose of keeping stray dogs.
 - (i) The provisions of sub-bylaw (e) and (f) of this bylaw shall apply to the sale or destruction of dogs removed or seized by any such officer.
- 6 Any person claiming any dog impounded under the preceding bylaws shall be deemed, unless he proves the contrary, to be the owner thereof and thus liable to prosecution for a contravention of these bylaws.
- 7 No person shall use or cause or allow any premises in a residential area of the Councils area of jurisdiction to be used for the accommodation for reward of dogs which are the property of some other person, or for the commercial breeding thereof.
- 8 The owner or person in charge of any dog which has died shall be responsible for its proper burial at such place as may be approved by the Council, and should the owner or person in charge of any dead dog fail or be unable to bury it, the Council shall cause it to be buried or otherwise disposed of at the expense of the owner or person in charge, in accordance with the tariff of charges prescribed.
- 9 No person, being in a street or public place, shall by any means willfully frighten, tease or enrage any dog.

OFFENCES AND PENALTIES AND APPEALS

- 10 The provisions of the council's Bylaws Relating to Offences and Penalties and Appeals shall mutatis mutandis apply.

REPEAL OF BYLAWS / REGULATIONS

11. (a) The Bylaws relating to the keeping of dogs as well as the Bylaws relating to Dog Licenses of the former Ixopo Health Committee, together with any amendments thereto as published on 26 April 1984 under Provincial Notice No 210 of 1984 are hereby repealed;
- (b) Part RX1: Keeping of Animals and birds of the Development and Services Board with specific reference to dogs only as they applied to the under mentioned area will no longer apply as from the date of publication of these bylaws:-
Part RX 1: Regulated Area: Stuartsville

NOTE: The Animals Protection Act, 1962 (Act No. 77 of 1962)

1. Section 5 deals with the circumstances in which a police officer may destroy any animal. It provides authority for a police officer to destroy any animal in the absence of the owner or in circumstances where the owner will not grant consent, if the animal is injured or diseased to the extent that such police officer considers the destruction thereof to be necessary, provided he summonses a veterinarian who concurs. In the event of there being no veterinarian available the police officer shall call upon two adults who he considers to be reliable and of sound judgement. If they concur with the opinion of the officer, he may destroy the animal.
2. Section 8 deals with the powers conferred upon officers of a society for the prevention of cruelty to animals. This section empowers such an officer, if authorized thereto by writing under the hand of the Magistrate of a District, to exercise the duties of a police officer in terms of section 5.

No. 124

30 July 2009

The Municipal Council for Ubuhlebezwe has adopted the following bylaws at its meeting held on 10 April 2008 in terms of section 156(2) of the Constitution of the Republic of South Africa (Act No 108 of 1996) read with section 31(2) of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) and hereby publishes the subjoined bylaws in terms of section 13(a) of the Local Government : Municipal Systems Act, 2000 (Act No 32 of 2000) to come into effect on the date of publication hereof in the Provincial Gazette

Municipal Manager

UBUHLEBEZWE MUNICIPALITY

BYLAWS RELATING TO THE KEEPING OF ANIMALS AND BIRDS BUT EXCLUDING DOGS

In these bylaws, unless inconsistent with the context :-

- | | |
|--------------------------------|---|
| “Area of Jurisdiction” | means the area of jurisdiction of the Ubuhlebezwe Municipality; |
| “Authorised Officer” | <p>means:-</p> <ul style="list-style-type: none"> (a) a traffic officer or warden appointed in terms of the National Road Traffic Act, 1996 (Act No 93 of 1996) (b) a member of the Services as defined in section 1 of the South African Police Services Act, 1995 (Act No 58 of 1995) (c) a peace officer contemplated in section 34 of the Criminal Procedure Act, 1977 (Act No 51 of 1977) (d) any other official duly authorized by the council, as defined herein |
| “Council” | means the Ubuhlebezwe Municipality or its successors in title, and includes the council of that municipality or its Executive Committee or any other body acting by virtue of any power delegated to it in terms of legislation, as well as any officer to whom the executive committee has delegated any powers and duties with regard to these bylaws. |
| “Environmental Health Officer” | means the person appointed to this post by the council or his authorized representative. |
| “Farm” | means a portion or portions of agricultural land as defined in the Subdivision of Agricultural Land Act, 1970 (Act No 70 of 1970), and includes a smallholding, on which the utilization of the means of production and |

- the utilization by man of the natural agricultural resources for the production of, inter alia, food, fibre, and drink of quality takes place.
- “Livestock” means horses, mules, sheep, goats, donkeys, cows and pigs.
- “Poultry” means and includes fowls, ducks, geese, turkeys and guinea-fowls.
- “Premises” means any building together with the land on which the same is situated and adjoining land used in connection therewith and any land without buildings, or any portion of a building, the sole use and occupation of which portion is reserved to a single person or persons.
- “Stable” means and includes any stable, cowshed, shed, kraal, sty kennel, fowl-house, aviary or enclosure used for the keeping therein of any animal or bird.
- “Traditional Community” means a traditional community recognized as such in terms of section 2 of the Traditional Leadership and Governance Framework Act, 2003 (Act No 41 of 2003) and which :-
- (a) is subject to a system of traditional leadership in terms of that community’s customs; and
 - (b) observes a system of customary law
- “Traditional Council” means a traditional council as defined in section 1 of the Traditional Leadership and Governance Framework Act, 2003 (Act No 41 of 2003).
- “Traditional Leadership” means the customary institutions or structures or customary systems or procedures of governance, recognized, utilized or practiced by traditional communities, as provided for in section 1 of the Traditional Leadership and Governance Framework Act, 2003 (Act No 41 of 2003)
- “Wild Animals” means any non-domesticated animal
1. No person shall keep any animal or bird in any stable so constructed or so situated that the animals or birds kept therein are likely to cause a nuisance or constitute a danger to health, or on premises which the Environmental Health Officer shall certify to be unfit for the purpose;

2. No person shall keep any animal or bird, other than a domestic pet or small bird in a cage, in any sleeping or living apartment in any dwelling-house or residential building;
3. No person shall keep or sell or slaughter any livestock or poultry on any premises within the Council's area of jurisdiction except in Traditional Communities and on Farms. The slaughter of any livestock for ritual purposes, shall only be permitted in any Traditional Community or on any Farm, subject to this being in accordance with the written authority of the Council which shall include health requirements for the slaughter of such animals as prescribed by the Environmental Health Officer and contained in a procedure guideline adopted for this purpose by resolution of the Council; Any person intending to slaughter an animal for religious or ceremonial purposes in/at any place other than at a recognized and approved abattoir, must:
 - a) Notify the council in writing, fourteen days prior to the event;
 - b) Notify all neighbours in writing, seven days prior to the event;
 - c) Screen the slaughtering process from the public, including neighbours;
 - d) Use the meat derived from the slaughtered animal solely for the purposes of the religious or ceremonial feast;
 - e) Handle the meat in a hygienic manner at all times; and
 - f) Dispose of any portions of the animal that are not used or consumed, in the manner prescribed by the Environmental Health Officer.
4. No person shall, in any zoned residential area within the Council's area of jurisdiction, erect any stable or convert any existing building for use as a stable for any purposes, whether connected with any trade, industry or business, or not, unless :-
 - (a) the written permission of the Council has been applied for, and obtained;
 - (b) the application relates to a stable for horses only;
 - (c) with the exception of an aviary for birds or a rabbit hutch as provided for in bylaw 10, the property is 5000m² or greater in extent in respect of any property falling within an area controlled by a Town Planning Scheme applicable to it and in terms of which it is not zoned for agricultural purposes;
 - (d) the property is a farm or in a Traditional Community or Traditional Council area, as defined in these bylaws.
5. No person shall erect or use as a fowl-house or aviary any structure which does not comply with the following requirements:-
 - (a) the floor shall be constructed of cement, stone or other impermeable material;
 - (b) walls shall be constructed of unlined wood or other suitable impermeable material, other than corrugated material, provided that where provision is to be made for the ingress of natural light, or ventilation, the use of welded or plastic mesh may be permitted;

- (c) the roof shall be constructed of any suitable and recognised roofing material ;
 - (d) The walls and roof shall not provide hollow spaces capable of harbouring rodents;
 - (e) No part of any fowl-house, aviary or runway shall be within 2 metres of the nearest part of any dwelling and 5 metres of any boundary of the property on which it is erected.
- 6. No person shall keep more than 10 head of live poultry on any property of a lesser extent than 5000m² within any residential area in the Council's Area jurisdiction;
- 7. No person shall keep live poultry for sale on any premises within any residential area of the Council's area of jurisdiction.
- 8. No person shall keep any poultry on any premises in any part of the Council's area of jurisdiction unless he shall keep such poultry in a properly constructed fowl-house with a runway enclosed with wire netting, unless the property is a farm or in a Traditional Community or Traditional Council area, as defined in these bylaws;
- 9. Every person using any fowl-house, aviary or runway for the keeping of poultry or birds shall:-
 - (a) keep same thoroughly clean and free from vermin at all times, and shall cause same to be lime-washed at least once every four months;
 - (b) prevent the accumulation of manure therein and keep any manure removed therefrom for use as fertilizer in a galvanised iron or plastic receptacle provided with a close-fitting cover or other suitable receptacle approved by the Council, unless such manure is mixed with compost in a compost heap and kept in such a manner or position on a property so as not to cause any nuisance of any kind
- 10. No person shall keep birds (including homing pigeons) or rabbits within the Council's area of jurisdiction without the written consent of the Council and any aviary (pigeon loft) rabbit hutch or run constructed within the Council's area of jurisdiction shall comply with the conditions set out in 5a, b, c, d and e of these bylaws. This provision shall not apply to persons keeping ten or less rabbits, or to any premises in the council's area of jurisdiction which is zoned "Agriculture" in terms of any approved Town Planning Scheme, or on a farm or Traditional Community or Traditional Council area as defined in these bylaws;
- 11. Any person who keeps on his premises any animal or bird which, by reason of continued howling, crowing or making other noise, disturbs the public peace or is a source of nuisance to the neighbourhood, after the expiration of a

reasonable time to be stipulated in a notice signed by the Municipal Manager or his duly authorised representative and served upon him, requiring him to abate such disturbance or nuisance, shall be guilty of an offence and liable, upon conviction, to the penalty prescribed for breach of these bylaws. If any person is found guilty of a second contravention of this bylaw in respect of the same animal, it shall be competent for the court which has found him guilty, in addition to imposing any other sentence, to order the removal of the animal.

12. No person being the owner or person in charge thereof, shall permit or allow any livestock to be on any street or public place except while such livestock is being transported in or on a vehicle or except with the prior written consent of the Council and in compliance with any conditions imposed by it, and no person shall leave any livestock or allow it to be in a place from where it may stray onto any street or public place.
13. No person shall keep any livestock on any premises within the council's area of jurisdiction except in any area zoned for agricultural purposes in terms of any approved Town Planning Scheme or on a farm or in a Traditional Community or Traditional Council area as defined in these bylaws
14. No person shall keep on any premises within the Council's area of jurisdiction any ferocious or dangerous animal. Wild animals may be kept provided that the written consent of the council has been obtained, and subject to any conditions which may be prescribed in such written consent. This provision does not apply to any wild animal which exists in any parts of the area in a natural state.
15. Not more than two cats shall be kept on any premises within the Council's area of jurisdiction, with the exception of a farm as defined in these bylaws, without the consent, in writing, of the Council, which consent may be given subject to conditions and may be withdrawn by the Council at any time.
16. No person may keep bees on any premises in the council's area of jurisdiction, with the exception of a farm as defined in these bylaws, unless;
 - 1) The person is in possession of a valid permit, which may be issued subject to such conditions as the environmental Health Officer may deem fit; and
 - 2) The beehive is situated-
 - a) A minimum of 5 metres from any boundary of the premises; and
 - b) A minimum of ten metres from any public place or building used for human occupation;
 - 3) the bees are kept in an approved bee hive; and
 - 4) the bee hive is-
 - a) kept in an area inaccessible to children and animals;
 - b) kept in the shade at all times; and
 - c) supplied with a source of drinking water within five metres of the hive.

- 5) No person may dump or deposit any garbage, compost, grass cuttings or manure within five metres of any bee hive;

OFFENCES, PENALTIES AND APPEALS

17. The provisions of the council's Bylaws Relating to Offenses and Penalties and Appeals shall mutatis mutandis apply.

REPEAL OF REGULATIONS

18. Part R X 1, keeping of animals and birds of the Development and Services Board as they applied to the under-mentioned areas will no longer apply as from the date of publication of these bylaws :-

Part R X 1 Regulated Area : Stuartsville

UBUHLEBEZWE MUNICIPALITY

Dear Sir/Madam,

SLAUGHTER OF ANIMALS

Your letter/ request dated _____ refers.

In reply thereto you are advised that in terms of regulation R.677 of the Abattoir Hygiene Act 1992 (Act No 121 of 1992) – Relating to Exemption of Certain Categories of Persons from Section 3(1) of the Act, my Council raises no objection to your request to slaughter _____ at the abovementioned premises.

This exemption is valid for _____ only.

Furthermore this approval is granted subject to:

1. The conditions as listed in the attached guidelines being adhered to, paying particular attention to item 2 which states that animals shall not be brought onto the premises more than 24 hours prior to the event.
2. The animals being so kept so as not to give rise to any nuisance to any persons residing on the above premises or the surrounding neighbourhood.

Your attention is drawn to Section 3(b) of the abovementioned regulations which states that a person who slaughters animals under this exemption shall obtain prior permission thereto from the owner, tenant or person in control of the land where such slaughtering occurs if the person who performs the slaughtering is not the owner, tenant or person in control of the relevant land.

Yours faithfully,

MUNICIPAL MANAGER

HEALTH REQUIRMENTS FOR THE SLAUGHTERING OF ANIMALS FOR RITUAL PURPOSES AS ADOPTED BY THE UBUHLEBEZWE MUNICIPAL COUNCIL

It is important for safe and hygienic practices to be followed when slaughtering animals. This is not only to safe-guard the health of those who eat the meat, but also in the interests of harmony in our communities.

Your attention is therefore brought to the following requirements relating to the inspection and slaughter of animals other than in an abattoir.

1. Permission must be obtained from the Local/District Environmental Health Officer prior to the animal/s being brought into the area. Each application is assessed on its own merits and specific conditions may need to be imposed (e.g. screening of the slaughter from immediate neighbours).
2. It is preferred that the animal/s intended for slaughter should be brought onto the premises not more than 24 hours before the event. The animal/s shall be securely maintained on the premises in such a manner so as not to create any nuisance.
3. An animal to be slaughtered must be securely held or tied up properly so that the slaughtering can be done quickly and without subjecting the animal to excessive pain.
4. Where a knife is used for slaughter it should be sharp and clean and hot water provided for washing it.
5. The slaughtered animal should be hung by its hind legs to drain off all the blood, and the offal (intestines, head, trotters, lungs liver, heart, tripe, etc) as well as other internal organs should be removed.
6. The offal and other internal organs should be put in separate clean containers, and together with the carcass should be kept aside for inspection.
7. Care should be taken not to soil the carcass with the bowel contents. Any part of the carcass soiled in this way may have to be discarded.
8. The stomach contents and blood (if it is not to be consumed) should be disposed of at a waste disposal site or buried deeply so as to prevent fly infestation and any other nuisance from occurring.
9. The carcass (meat) as well as the offal should be made available for inspection at a mutually agreed upon time.

10. The meat of an animal slaughtered outside the councils area of jurisdiction should also be inspected.
11. Keeping of privately slaughtered meat in a butchery or any food premises without the permission of the Local/District Health Department is **not** allowed.
12. If the carcass/offal (or part thereof) is found to be diseased/soiled, it should be disposed of in a manner agreed to by the Local/District Health Department.

NB: The permission of the local police authorities will be required if it is the intention to utilise a fire-arm or similar devise for slaughtering the animal.

No. 125

30 July 2009

The Municipal Council for Ubuhlebezwe has adopted the following bylaws at its meeting held on 10 April 2008 in terms of section 156(2) of the Constitution of the Republic of South Africa (Act No 108 of 1996) read with section 31(2) of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) read with section 80 A of the National Road Traffic Act, 1996 (Act No 93 of 1996) and hereby publishes the subjoined bylaws in terms of section 13 (a) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000) to come into effect on the date of publication hereof in the Provincial Gazette.

Municipal Manager

UBUHLEBEZWE MUNICIPALITY

BYLAWS RELATING TO THE REGULATION OF MINI BUS TAXIS & BUSES

1. APPLICATION OF BYLAWS

These bylaws shall apply to all minibus-taxis or public buses operating within the uBuhlebezwe Municipality Councils area of jurisdiction and cover:-

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(a) Subject to the provision of subsection (b) hereof, no provision of these Bylaws shall be applied to discriminate between persons on the ground of race, religion or gender nor shall it be so construed as to authorise such discrimination.

(b) Despite the provisions of subsection (a) hereof, discrimination on the grounds of gender may expressly be authorised in terms of any provision of these bylaws that describes the wearing of appropriate apparel in a public place or imposes a restriction upon the entry of persons into public ablution, toilet and change room facilities or prescribes different standards for such facilities

PART 1**DEFINITIONS**

For the purpose of these Bylaws any word that has a meaning assigned to it in the National Road Traffic Act or the Road Traffic Regulations promulgated thereunder, shall have the meaning in these Bylaws. In case of any conflicts in the definitions, the meanings as described in the National Road Traffic Act 1996(Act No.93 of 1996)

prevails. Unless the context otherwise indicates, the under-mentioned words shall have the following meanings:-

- “Act” means the National Road Traffic Act, 1996 (Act No. 93 of 1996);
- “Authorised Officer” means an examiner of vehicles, examiner for driving licenses, or traffic officer and also any other person declared by the Minister of Transport by regulation to be an authorised officer, from time to time, and shall include a peace officer as defined in the National Road Traffic Act, 1996 (Act No. 93 of 1996);
- “Bylaw” means a Bylaw drawn up in terms of Section 80A of the National Road Traffic Act, 1996 (Act No. 93 of 1996) read with section 31(2) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);
- “Municipal Manager” means the Official duly appointed by Council to this position or any person authorised to act for him;
- “Conductor” means the person in the employ of the “operator” having charge of a minibus-taxi vehicle and/or bus for the purposes of collecting fares thereon, and shall include, in the case of a one-manned vehicle, the employee in charge of such vehicle;
- “Council” means the uBuhlebezwe Municipal Council and includes any person with delegated authority to act on behalf of the Council;
- “Driver” means any person who drives or attempts to drive a public transport vehicle;
- “Holding” is the parking of a minibus-taxi and/or bus between trips;
- “Midibus” means a sub-category of bus, designed or modified solely or principally for the conveyance of more than 16 and less than 35 seated persons (including the driver)
- “Minibus-Taxi” means a public transport vehicle designed solely or principally for the conveyance of not more than fifteen passengers and not less than nine including the driver, and used for hire or reward and operating or plying for hire and reward or as defined by future legislation in terms of unscheduled services;
- “Mini bus-taxi operator” means the person responsible for the use of a minibus-taxi, and who has been registered as the operator with the provincial Registrar and in terms of the National Road Traffic Act;

“Minibus-taxi and/or Bus Rank” is any place set aside by Council, marked by means of prescribed road markings and/ or traffic signs and numbered, for the exclusive use of the minibus-taxi or bus displaying the appropriate minibus-taxi or bus rank permit disc;

“Minibus-taxi or bus rank permit” is a written consent, issued by Council for a minibus-taxi or bus operator to operate from a specific minibus-taxi or bus rank;

“Minibus-taxi or bus rank permit disc” is a disc, issued by Council indicating the rank number that can be used by the minibus-taxi or bus displaying the said minibus-taxi or bus rank permit disc;

“Minibus-taxi or bus stop” is an area indicated by prescribed road markings and / or traffic signs, designated by Council for the exclusive use of a minibus-taxi or bus displaying the appropriate minibus-taxi or bus rank permit disc, for loading and off-loading passengers only and it is not a parking or holding area;

“Police Official” means a member of the South African Police Services, or legal successor;

“Public Bus or Bus” means a public transport vehicle designed solely or principally for the conveyance of more than 15 passengers and used for hire and reward and operating or plying for hire and reward in terms of a scheduled service and in respect of which a public road carrier permit has been issued by a Local Road Transportation Board over a route falling within or partially within the area of jurisdiction of the Council.

PART 2

ESTABLISHMENT AND CONTROL OF MINIBUS-TAXI AND OR PUBLIC BUS RANKS AND STOPS

Section 1: Establishment of Minibus-Taxi and or Bus Ranks and Stops

- (1) These Bylaws shall apply to all minibus-taxi and bus ranks and stops, which have been or may hereafter be set aside by the Council as minibus-taxi and / or bus ranks or stops for minibus-taxi and/ or buses authorised to use them by a Minibus-taxi or bus rank permit issued in terms of these bylaws.
- (2) Minibus-taxi ranks and bus ranks or stops shall be those set out in the schedules prepared by the delegated officer of the Council as amended from time to time.

Section 2: Designation of Minibus-Taxi and/or Bus Ranks and Stops for Minibus-Taxis or buses

The setting aside of minibus-taxi or bus ranks and stops for use only by minibus-taxis or buses shall be effected and defined by the erecting, marking or placing at such places (whether on a public road or not), as the Council may determine, of appropriate road traffic signs prescribed by the Regulations made in terms of the Act.

Section 3: Demarcation Within Minibus-Taxi or Bus Ranks

The Council may demarcate in each rank a specific area or areas for a specific purpose or purposes, such as the loading or off-loading of passengers, holding, informal traders.

Section 4: Allocation of Minibus-taxi or bus Ranks and Stops

- (1) The ranks established in terms Section 1 shall be for the exclusive use of minibus-taxis or buses displaying valid minibus-taxi or bus rank permit discs issued in respect of such minibus-taxi or bus rank;(provided that this restriction shall not apply to a minibus-taxi or bus, the substitution or interchange of which has been authorised in terms of Section 14).
- (2) The stops established in terms of Section 1 shall either be common to all minibus-taxis or buses operating on that route or allocated to a specific operator, association, route or destination as indicated on the road traffic sign erected at such stops.

Section 5: Holding and Stopping Time at Minibus-Taxi or Bus Ranks and Stops

- (1) The Council may, by a road traffic sign erected at or near the rank, stipulate the maximum continuous period during which minibus-taxis or buses may hold within a rank.
- (2) No minibus-taxi or bus shall be allowed to stop at a minibus-taxi or bus stop for a longer period of time than is reasonably necessary for setting down or picking up passengers.
- (3) No minibus-taxi or bus shall be allowed to stop while operating, except in a demarcated bay or stop.

Section 6: Unauthorised use of Minibus-Taxi or Bus Ranks and Stops

- (1) Only the driver of a minibus-taxi or bus in respect of which a minibus-taxi or bus permit to use a rank or stop has been issued under these Bylaws shall cause or allow the said vehicle to use the specified rank or stop at any time (Provided that this prohibition shall not apply to a minibus-taxi or bus the substitution or interchange of which has been authorised in terms of Section 14.)
- (2) It shall be unlawful for any person to stop any minibus-taxi or bus in respect of which a minibus-taxi or bus rank permit disc has been issued in terms of these Bylaws, at any rank or stop or any other place other than the minibus-taxi or bus rank and stops allocated to it and specified on such a minibus-taxi or bus rank permit disc.
- (3) The driver of a minibus-taxi or bus shall remain in attendance of such vehicle during the time it occupies such rank or stop.

Section 7: Council's Liability

The Council shall in no way be liable for:

- (1) the loss of or damage to any vehicle or any accessory or contents of such a vehicle which has been parked in any or stopped at any stop or driven in, through or out of any rank or stop;
- (2) any death, injury, damage or loss (including consequential loss) to any person in any rank or stop.

Section 8: Minibus-Taxi or Bus Rank Closure

- (1) The Council shall have the right to temporarily close any rank established under these Bylaws and, if necessary, to establish elsewhere another temporary rank in lieu thereof. Such temporary closure and establishment shall be deemed to have been effected by the display of notices thereof at or near to the rank concerned and during any such temporary closure any minibus-taxi or bus rank permit disc issued in respect of the rank so closed shall be deemed to be valid for the rank established in lieu thereof.
- (2) no rights possessed by the holder of any minibus-taxi or bus rank permit under these Bylaws shall debar the Council from permanently

closing or removing any rank established hereunder or from amending these Bylaws. Provided, however, that no rank shall be permanently closed or removed until after the expiry of three months' written notice to the holders of any current discs issued in respect thereof in terms of these Bylaws, except in case of emergency, and any fees paid will be refunded pro-rata.

PART 3:

RANK PERMITS

Section 9: Application for Minibus-Taxi or Bus Rank Permit

- (1) The owner / operator shall apply to use any minibus-taxi or bus rank in writing to the Municipal Manager. Such application shall be made in the form prescribed by the Council.
- (2) All minibus-taxi or buses for which a minibus-taxi or bus rank permit is applied, shall have:-
 - (a) a valid COF (Certificate of Fitness);
 - (b) an LRTB permit or permission to operate a service in terms of the Road Transportation Act or any legislation replacing it;
 - (c) the owner's name and address legibly, permanently and conspicuously affixed on the left side of the vehicle;
 - (d) the destination displayed in the front of the vehicle;
 - (e) proof of being registered with the Provincial Registrar where applicable;
 - (f) the vehicle carrying capacity displayed
- (3) A fee as specified and revised from time to time by Council shall be payable in respect of each minibus-taxi or bus rank permit allocated, provided that when application for a new minibus-taxi or bus rank permit is granted, the amount shall be based on the pro-rata time period left for the usage of the rank during the current year, calculated to the nearest month.

Section 10: Issue of Minibus-Taxi or Bus Rank Permits

- (1) The granting of minibus-taxi or bus rank permits is the responsibility of the Council which may include certain conditions pertaining to the vehicle as necessary, such as:

- (a) restricting any vehicle to a particular loading bay or holding area;
 - (b) limiting the hours during which any rank may be used;
 - (c) specifying the number of vehicles which may use any portion of the rank;
 - (d) Specifying the route which the minibus-taxi or bus must use;
 - (e) Any other condition to ensure a fair allocation of the rank or to avoid obstruction and congestion of vehicles and passengers or to ensure the proper regulation of traffic.
- (2) Whenever an application to use a rank is granted, the applicant shall be issued with a minibus-taxi or bus rank permit and numbered minibus-taxi or bus rank permit disc of a design approved by the Council, displaying on the face thereof the registration number of the minibus-taxi or bus and where applicable the rank number and description for which its use has been authorised.
- (3) A minibus-taxi or bus rank permit not allocated within 3 months shall lapse, unless an extension of time has been requested and approved by the Council. A minibus-taxi or bus rank permit shall be valid only for the period stated thereon.
- (4) A minibus-taxi or bus rank permit issued in terms of these Bylaws shall not be transferred to any other person except by the written approval of the Council.
- (5) The Council may, at its discretion, replace a minibus-taxi or bus rank permit disc which has been lost or has become damaged on payment of a fee, as prescribed by Council resolution, and submission of an affidavit setting out the circumstances occasioning such loss or damage.

Section 11: Minibus-Taxi or Bus Rank Permit to be Carried and Minibus-Taxi or Bus Rank Permit Disc to be Displayed

- (1) The minibus-taxi or bus rank permit shall be carried at all times in the minibus-taxi or bus for which it was issued. The driver of the said vehicle shall produce on demand the said minibus-taxi or bus rank permit to any Authorised Officer or Police Official. Failure to produce the said minibus-taxi or bus rank permit on demand will deem the driver guilty of an offence.
- (2) A minibus-taxi or bus rank permit disc issued in terms of Section 10 of these Bylaws shall at all times be displayed in a weather proof holder on the left-hand side of the front windscreen of the minibus-

taxi or bus to which it was issued, and it is to be clearly legible and visible from outside the said vehicle. Failure to display such a minibus-taxi or bus rank permit disc, as required by this bylaw, shall deem the driver, operator and owner of such a vehicle to be guilty of an offence.

Section 12: Expiry and Renewal of Minibus-Taxi or Bus Rank Permits

- (1) No minibus-taxi or bus rank permit will be valid for longer than a year.

A minibus-taxi or bus rank permit issued in terms of these bylaws shall expire on the last day of December in each year. Applications for the renewal of a minibus-taxi or bus rank permit for the following year shall be made to the Council before the 1st day of December in each year in the same manner as provided in Section 9 of these Bylaws.

- (2) No Application for renewal of a minibus-taxi or bus rank permit will be accepted after 3 months from the expiry date unless an application in writing for an extension has been made to and accepted by the Council.

- (3) An application for the renewal of a minibus-taxi or bus rank permit not renewed before the expiry date, may at the discretion of the Council, be treated as a new application.

Section 13: Power to refuse Application for or Cancel Minibus-Taxi or Bus Rank Permit

- (1) The Council shall be entitled to cancel or to refuse to renew or grant any minibus-taxi or bus rank permit if:
- (a) the motor carrier exemption certificates of the vehicle to which the minibus-taxi or bus rank permit relates is cancelled or withdrawn or is not renewed;
 - (b) the minibus-taxi or bus rank permit was granted on incorrect information furnished by the applicant;
 - (c) the minibus-taxi or bus operator has been found guilty of offences relating to the Road Traffic Act or the Bylaws that deem him to be an unsuitable person to operate within the public transport sector;
 - (d) If the application for renewal of the minibus-taxi or bus rank permit is not submitted before the expiry date thereof;

- (e) There is no minibus-taxi or bus rank space available.
 - (f) The driver of the vehicle to which the permit relates, is not the holder of a valid drivers license for the class of vehicle concerned or he is not in possession of a valid professional drivers permit as provided for in the National Road Traffic Act, 1996 (Act No 93 of 1996)
 - (g) The vehicle is not insured as required in terms of section 20
- (2) The cancellation or suspension of a minibus-taxi or bus rank permit in terms of this section shall not entitle the holder to any refund in respect of the fee paid.

Section 14: Power to Authorise Substitution of Minibus-Taxi or Bus

- (1) If at any time the minibus-taxi or bus to which a minibus-taxi or bus rank permit was issued is under repair, or if for any other reason the owner thereof so desires, the Council may authorise the substitution of another minibus-taxi or bus, either temporarily or for the duration of the minibus-taxi or bus rank permit, provided that the said minibus-taxi or bus rank permit holder is also the owner of the minibus-taxi or bus and has paid the prescribed administration fee as per Council resolution. The minibus-taxi or bus rank permit holder must return his minibus-taxi or bus rank permit so as to be issued with a new one, provided that in the case of a lost minibus-taxi or bus rank permit an affidavit must be submitted.
- (2) Notwithstanding the provisions of these Bylaws the Council may authorise the holder of a minibus-taxi or bus rank permit to interchange the minibus-taxi or bus to which that minibus-taxi or bus rank permit relates with any other minibus-taxi or bus of the same type owned by him or belonging to the same association where the Public Road Carrier permits issued to him in terms of the Road Transportation Act, 1977 allow such a minibus-taxi or bus to be interchanged provided that the total number of minibus-taxi or buses owned by the holder and using any minibus-taxi or bus rank on any particular day shall not exceed the total number of minibus-taxi or bus rank permits issued to such a holder in respect of that minibus-taxi or bus rank.

Section 15: Transferability of minibus-taxi or bus Rank Permit to another Minibus-Taxi or Bus Rank

Subject to the provisions, *mutatis mutandis*, of Section 9 and 10, a current minibus-taxi or bus permit may, on application by the holder thereof to the Council and with its approval, be transferred without the payment of any additional fee to another minibus-taxi or bus rank, and the fact of such transfer shall be endorsed on the minibus-taxi or bus rank permit, whereupon the minibus-taxi or bus rank permit shall be deemed for all purposes of these bylaws to have been issued in respect of the minibus-taxi or bus rank to which it has been transferred.

PART 4

OPERATOR'S / DRIVERS' CODE OF CONDUCT

Section 16: Drivers to observe Bylaws and instructions of Authorised Officer or Police Officials

- (1) The driver or other person in control of any minibus-taxi or bus shall exercise the rights conferred by the minibus-taxi or bus rank permit authorising such vehicle to use specific ranks and /or stops with due regard to the rights and convenience of passengers and other minibus-taxis or buses authorised to use the rank; and shall, besides observing the requirements of these bylaws obey all lawful instructions or signals given by any Authorised Officer or Police Official.
- (2) For these Bylaws, Authorised Officers or Police Officials are hereby authorised to give such instructions or signals, which may be necessary to avoid obstruction and congestion of vehicles or passengers and for the proper regulation of traffic at or near the rank.

Section 17: Unauthorised behaviour on a Public Road or at a Rank

- (1) No driver or person in charge of any minibus-taxi or bus shall stop on a public road, where minibus-taxi or bus stops or ranks exist, for the purpose of plying for hire, or picking up or off-loading passengers or allowing any passenger or intending passenger to board or leave such minibus-taxi or bus except at a rank or stop established in terms of these bylaws where such facilities exist along the road;
- (2) No person shall tout, importune or solicit for passengers for any minibus-taxi or bus by loitering, calling out, hooting or in any other manner whatsoever.

- (3) No person shall operate a minibus-taxi or bus upon a public road in any way that causes any excess noise which can be avoided by the exercise of reasonable care on his part.
- (4) No person shall wash any minibus-taxi or bus on any public road or rank within the Council's area of jurisdiction except within a demarcated washing area which may be provided by the Council at its sole discretion.
- (5) No person shall repair any minibus-taxi or bus on any public road, rank or place within the Council's area of jurisdiction provided that this Bylaw shall not prohibit the carrying out of minor repairs necessitated by a temporary or sudden stoppage of such minibus-taxi or bus for the purpose of setting such vehicle in motion.

Section 18: Display of Destination

When any bus is proceeding to its authorised minibus-taxi or bus rank, the driver of such vehicle shall cause the destination to which it is proceeding to be displayed clearly on the front of the vehicle.

Section 19: Cleanliness of Vehicle and Premises

- (1) Every person operating any minibus-taxi or bus within the Council's area of jurisdiction shall maintain the vehicle in a clean condition and in a proper state of appearance and repair.
- (2) Every association operating from a minibus-taxi or bus rank shall be responsible for the cleanliness of that minibus-taxi or bus rank.

Section 20: Insurance

The owner or operator of a minibus-taxi or bus shall insure any such vehicle in terms of which a ranking permit is required on a comprehensive basis, and all passengers and their belongings in terms of public liability as required by law, prior to the granting and issuing of any ranking permit, and shall furnish such proof as may be required by the council

PART 5:

PASSENGERS 'CODE OF CONDUCT

Section 21: Entering and Leaving Minibus-taxi or buses

- (1) Every passenger shall enter or depart from a minibus-taxi or bus by the entrance provided.
- (2) No person shall board a minibus-taxi or bus until all persons desiring to alight from the minibus-taxi or bus have done so.
- (3) It shall be an offence for any person to enter or attempt to enter any minibus-taxi or bus which contains the total number of passengers which it is authorised to carry.
- (4) On routes where stops or ranks are provided, no person shall board or attempt to board, leave or attempt to leave any minibus-taxi or bus at any point along the road other than at a designated minibus-taxi or bus stop or rank, if minibus-taxi or bus stops or ranks exist along the road.
- (5) No person shall board or attempt to board, leave or attempt to leave any minibus-taxi or bus while such vehicle is in motion.

Section 22: Queues and Queue Marshals

- (1) At any minibus-taxi or bus rank established in terms of these bylaws the Council may erect or cause to be erected queue signs consisting of a notice board indicating the position and manner in which persons waiting to board a minibus-taxi or bus shall stop and form a queue which sign may or may not be supplemented by queuing barriers in the form of rails or lines marked on the surface of the area to be demarcated for the purpose of queuing.
- (2) Persons intending to board any vehicle at any terminus or other stopping place at which queuing barriers have been erected shall form a queue at and from the point from which it is indicated that such vehicle will leave.
- (3) Where no queue sign has been erected persons waiting at or near any minibus-taxi or bus rank or stop for the purpose of boarding a minibus-taxi or bus shall form themselves in a queue not exceeding two abreast, or in single file when required thereto by any Authorised Officer or Police Official.
- (4) Persons forming any such queue shall take and give precedence according to their arrival. No person shall take any place in a queue in front of any other person who has precedence over him.

- (5) No person shall board any vehicle at any minibus-taxi or bus rank or stopping place except from a queue (unless there are no other persons waiting to board the vehicle), and no person shall take any place in a queue in front of any other person who has precedence over him.
- (6) Every person standing in any queue or boarding or attempting to board any minibus-taxi or bus at any minibus-taxi or bus rank where a queue has assembled shall comply with all instructions given by any Authorised Officer or Police Officials as may be for the control of the queue or for the prevention of obstruction to vehicular or pedestrian traffic.
- (7) A queue marshal engaged at any rank must be clearly identifiable and must display his or her name in a conspicuous manner on his or her clothing below the left shoulder.
- (8) A queue marshal must discharge his or her duties in a courteous and polite manner and show respect to every passenger.
- (9) Where a queue marshal is controlling entry onto a taxi or bus, he or she must not allow more than the number of passengers permitted by law, onto such vehicle.

Section 23: Payment of Fares : Onus on Passenger to Effect Payment

Every passenger shall pay the legal fare for the journey

PART 6:

RANK MANAGER

Section 24: Need for Rank Managers

- (1) The taxi/bus ranks within the municipality are the property of the council and, where, in the opinion of one or more taxi associations, a taxi rank warrants the appointment of a rank manager, the council may, following consultation with all associations and other role players using such rank, decide whether the appointment of a rank manager is necessary.
- (2) The council requires the following data in respect to the appointment of a Rank Manager to be submitted by the Taxi Association/Bus Company in writing:
 - (a) Name of the Taxi Association or Bus Company;
 - (b) Full names of the chairman or owner;
 - (c) Contact details: Telephone and Address;

- (d) The name of the rank in respect of which the application is being made;
- (e) Full names of the proposed Rank Manager;
- (f) The identity Number of the proposed Rank Manager;
- (g) The number of authorized taxis or buses using the rank;
- (h) The names of, and number of other associations/ bus companies using the rank;
- (i) The association's/owners reasons for wanting a rank manager appointed by it, in full;
- (j) A signed undertaking by the association or owner that the association/owner and rank manager, if appointed, will abide by any conditions as may be prescribed by the council in granting it's approval and that such managers will not interfere with the activities, vehicles, drivers, passengers and office bearers of other associations/ owners other than in the performance of his duties, nor will he create any tension between any of the aforementioned.

The councils approval will not be unreasonably with-held.

Section 25: The role of Rank Managers

- (1) Any Rank Manager appointed in terms of this section will;
 - (a) Control the entry to and exit from the rank, of any taxi or bus using the rank to ensure that no congestion occurs at such entry or exit points, or elsewhere in the rank;
 - (a) Control, within reason, the behaviour of people within the confines of the rank;
 - (b) Give direction to any person wishing to make use of a taxi or bus as to the whereabouts of the taxi or bus required by that person;
 - (c) Allocate the maximum legal number of passengers to any one taxi or bus and not permit any over-loading to take place;
 - (d) Attempt to mediate on any dispute or disagreement between traders, pedestrians, passengers or drivers with regard to the allocation or use of any space in the rank, and, if not successful, to contact the Protection Services Officer to report the incident and to restore order;
 - (e) Without endangering himself, attempt to discourage the carrying of any weapon by any driver, operator or passenger and to report any incidents relating to weapons to the SAPS or an Authorized Officer;
 - (f) Ensure that queues formed by passengers waiting to board taxis or buses are so formed in accordance with any of the provisions of section 22 of these bylaws;
 - (g) Ensure that any queues are formed in the manner directed by him and in the positions directed by him;

- (i) Ensure that any people in queues do not interfere with any other users of the rank and do not block any walkway, sidewalk or pavement so as to prevent other pedestrians or passengers from utilizing these;
- (k) Ensure that people in queues board their taxi or bus in an orderly manner on a first come, first to board basis;
- (l) Ensure that passengers formed in queues or waiting in any part of the rank do not deposit any litter anywhere except in litter bins provided for the purpose, and to arrange with the works foreman that such bins are emptied by the council at regular intervals or when full;
- (m) Ensure that no taxi or bus is washed or cleaned, except in any area designated for this purpose, and that no servicing or repairs are carried out within the rank, other than urgent repairs required to allow the driver to move the taxi to a proper repair center;
- (n) Report to the works foreman or his representative on the cleanliness of the facilities at the rank and to ensure, through this official that these are cleaned on a regular basis or when in an unhygienic state, or that essential repairs are reported and followed up;
- (o) That the taxis or buses are parked within the bays or area allocated to them. Any ongoing irregularities are to be drawn to the attention of any perpetrator in the case of a first infringement or to the councils Protection Services or Traffic Department in the event of repeated incidents for resolution. At no stage is the Rank Manager or Controller to become embroiled in any argumentative or confrontational situations with any third party;
- (p) Ensure that no passenger is permitted to board a taxi or bus which appears to him to be in any state of disrepair so as to render it un-roadworthy, and to draw the drivers attention to any apparent fault/s with a request that these are rectified;
- (q) Undertake to liaise with an Authorised Officer in respect of any other duty or duties which he believes he should be responsible for or on any of the above clauses which may cause him any undue hardship.
- (r) If any remuneration is to be paid, be so remunerated by the association which requested his or her appointment.

Section 26:**Removal of Rank Manager**

- (1) In the event of any continuous breach of any of the above conditions by any Rank Manager, the council may, following consultation with the Taxi Association or bus company by whom he was appointed, have the appointment of the offending Rank

Manager cancelled, in which case he shall quietly and without hindrance leave the rank in question

PART 7:

GENERAL

Section 27: Rights and Duties of Passengers when Minibus-Taxi or Bus Becomes Defective

If at any time a minibus-taxi or bus becomes defective or from any cause whatever is unable to proceed, the passengers shall on request of the driver, or conductor leave same, and if such passengers have paid their fares they shall be entitled to either demand back the amount of their fares so paid, or shall be allowed to travel by the next minibus-taxi or bus available, at the cost of the defective minibus-taxi's or bus driver or conductor, for the remainder of the distance in respect of which they have paid their fares.

Section 28: Dangerous or Offensive Articles

Persons travelling in or on any minibus-taxi or bus with any article, instrument or implement which may be considered dangerous or offensive by the passengers, driver, conductor or Authorised Officer or Police Official, may be removed.

Section 29: Animals

The driver or conductor of any minibus-taxi or bus or Authorised Officer or Police Official may refuse to admit upon such minibus-taxi or may at any time require a passenger to remove therefrom any animal which, in his opinion, is likely to cause or which does cause annoyance to any passengers, provided that his fare is refunded.

Section 30: Actions Prohibited on a Minibus-Taxi or Bus

The following actions are prohibited on a minibus-taxi or bus :-

- (a) Smoking, if prohibited by signage;
- (b) Playing offensive or excessively loud music;
- (c) Using obscene or offensive language;
- (d) Interfering with the comfort of any passenger;
- (e) Damaging any minibus-taxi or bus or the fittings thereof;
- (f) Interfering with the equipment of the minibus-taxi or bus in any way;

- (g) Forcibly causing the driver to deviate from his route.

Any person committing any of the above actions shall, in addition to incurring the penalty hereinafter provided, forfeit his or her fare and be summarily removed from the minibus-taxi or bus.

Section 31: Riotous or Indecent Behaviour

Any person who causes a disturbance or behaves in a riotous or indecent manner, shall be guilty of an offence and may be removed from a minibus-taxi or bus, a queue or from the vicinity of a minibus-taxi or bus rank by any Authorised Officer or Police Official.

Section 32: Damage to Municipal Property Prohibited

No person shall damage, disfigure, mutilate, obliterate, remove or in any other way interfere with any municipal property.

Section 33: Offences and Penalties and Appeals

- (1) Any vehicle parked or stopped :-

- (i) In contravention of any of the bylaws; or
- (i) that has outstanding summons or warrants of arrest against the owner or driver or;
- (ii) that is un-roadworthy

may be impounded by an Authorised Officer or Police Official.

- (2) Failure to comply with the terms of any condition or notice referred to in subsection (1) above shall constitute a continuing offence and a person failing to comply with the terms of such condition or notice shall be guilty of a separate offence for each day during which he fails to comply with such terms.

- (3) The provisions of the council's Bylaws Relating to Offences and Penalties and Appeals shall mutatis mutandis apply to these bylaws.

No. 126

30 July 2009

The Municipal Council for Ubuhlebezwe has adopted the following bylaws at its meeting held on 10 April 2008 in terms of section 156(2) of the Constitution of the Republic of South Africa (Act No 118 of 1996) read with section 31(2) of Local Government: Municipal Structures Act 1998 (Act No 117 of 1998) and hereby publishes the subjoined bylaws in terms of section 13(a) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) to come into effect on the date of publication hereof in the Provincial Gazette.

Municipal Manager

UBUHLEBEZWE MUNICIPALITY

LIBRARY BYLAWS

Note: [Words applying to any individual shall include persons, companies and corporations, and the masculine shall include females as well as males and the singular shall include the plural and vice versa],

DEFINITIONS

1. In these bylaws, unless the context otherwise indicates:-

“Adult” shall mean any person over the age of 18 years and shall include any person who has already left school and who earns his living independently of his parents or guardian;

“Borrower” shall mean a person to whom a borrower’s ticket has been issued in accordance with the regulations;

“Council” shall mean the Ubuhlebezwe Municipality or its legal successors;

“Librarian” shall mean the person from time to time appointed by the Council to exercise control of and manage the library, and shall include any of his/her subordinates acting in terms of his/her directions.

“Library material” or **“item”** shall mean any book, magazine, document, print, newspaper, map, video, audio cassette, CD or DVD disc, framed art print, microfilm, microfiche or similar publication;

“Minor” shall mean any person under the age of 18 years and who is dependent upon his parents or guardian.

“Provincial library” shall mean the KwaZulu-Natal Provincial Library Service of which the library is a member;

“Public room” shall mean any room in the library building which is open to the public.

ADMISSION TO LIBRARY BUILDINGS

2. (1) The librarian may refuse library material or admission to any person whenever he is of the opinion that the issue of items to or the admission of such a person would not be in the public interest, and so deciding, the librarian may have regard to the comfort, health, convenience and feelings of other users of the library, the habits and modes of life of the person concerned, the locality to which he would in the ordinary course remove the items borrowed by him, and questions of public health. The regulation also applies to any person who neglects or refuses to comply with these regulations. Any such person to whom library material or admission has been refused shall have the right to appeal to the Council.
- (2) Subject to the provisions of subsection (1) and to the further provisions of these regulations, admission to the public rooms shall be free of charge and any person may read or view or consult any material, and / or listen to video, audio cassettes DVDs or CDs during the hours of opening prescribed by the Council.

LENDING DEPARTMENT

3. (1) Any person may be enrolled as a library borrower and shall, subject to the same terms of sub regulation (2) hereof, be entitled to borrow library material from the lending department of the library.
- (2) Any person wishing to be enrolled as a borrower shall apply to the librarian on a form provided by her for the purpose. Separate application forms shall be made available for adults and minors and applications by minors shall be counter-signed by the parent or guardian responsible for them. In the application form there shall in each case be given an undertaking on the part of the applicant to pay for any library material lost or damaged while in his possession, in terms of and on the basis provided for in Regulation 6.
- (3) Any duly enrolled borrower shall, at the discretion of the librarian, be entitled to take out one or more items at a time upon the production of a ticket or card issued to the borrower by the librarian. No item will be issued unless the borrowers tickets are produced. Lost or damaged

tickets or cards will be replaced by the librarian upon request and payment of the prescribed fee where applicable.

- (4) Videos, audiocassettes, DVDs or CDs may be borrowed free of charge by any enrolled library borrower who has been so enrolled for a minimum period of 3 months.

BORROWERS TICKETS

4. (1) Every borrower shall be responsible for the ticket or ticket issued in his name and shall, until the cancellation thereof, be liable for any fine or claim for damage or loss arising from the unauthorized use thereof.
- (2) When a borrowers ticket is lost during the time of membership, the borrower shall forthwith give notice thereof to the librarian who may issue a duplicate of such ticket. The issue of a duplicate borrowers' *ticket shall in no way relieve the holder of any liability incurred by him under sub-regulation (1) hereof.
- (3) Any enrolled borrower who for any reason ceases to be entitled borrow library material from the lending department of the library or who wishes to cease borrowing library material from the said department shall forthwith return his borrower's ticket or tickets to the librarian for cancellation. Failure to do so will in no way absolve him from any liability incurred by him in sub-regulation (1) hereof.

OVERDUE LIBRARY MATERIAL

5. (1) Every item borrowed shall be returned to the lending department of the library from which it was borrowed not later than fourteen days from date of issue; provided that:-
 - (a) the issue of an item not required by another person may be renewed for a further period of fourteen days upon a written or verbal request to the librarian .
 - (b) no person shall retain any item issued to him after a written demand by the librarian for the return of such item has been delivered at the registered address of such person, or, in the event of there being no postal delivery service, to the post office box of the member.
 - (c) art reproductions may be borrowed for a period in excess of fourteen days, at the discretion of the librarian.

- (2) A borrower shall be liable to a fine as prescribed in the Council's tariff of charges per week or part thereof for each item retained beyond that period or whenever a renewal is granted as above beyond the period of such renewal; provided that the librarian may remit any fine incurred whenever, in his opinion, the delay in returning the item was due to circumstances beyond the control of the borrower.
- (3) In special cases library material may, at the discretion of the librarian, be lent to borrowers (such as bona fide students) for any period in excess of 14 days. The librarian may also, at his discretion, issue popular materials for periods of less than 14 days.
- (4) The librarian is empowered to refuse to lend any item to a borrower who fails to pay fines incurred.
- (5) In the case where the librarian finds it necessary, after repeated written demands for the return of the library material by a borrower, to send a messenger to the borrower's address in an endeavor to recover the library material and where the messenger does not succeed in recovering the items, no further items shall be issued and the librarian may cancel such membership; should such items be returned, however, no further items shall be issued until all outstanding fines have been paid in full.
- (6) Habitual over-retention of library material may lead to the suspension or cancellation of the borrower's membership.

LOST AND DAMAGED LIBRARY MATERIAL

6. (1) Should any item be lost, the borrower shall pay to the librarian, in addition to any fine or charges which may be due in respect of such item, the value of the lost item in respect of provincial library stock, or he shall pay in respect of the library stock of the Council the value of such item or replace such item with a new copy of equal value.
- (2) Any item not returned to the librarian within a period of two months from the date of issue, or whenever a renewal is granted within a period of two months from the date of renewal, shall be deemed to be lost.
- (3) The borrower shall be responsible for any damage caused to any item while in his possession, and shall be required to pay the amount of such damage as assessed by the librarian, or, alternatively, to replace such item with a new copy of equal value in respect of the library

stock. In respect of provincial library stock he shall pay the value as assessed by the library service, as stated on the printed item card of the damaged item. Items found to be damaged when presented for issue must be reported, otherwise the borrower may be held responsible for the damage.

- (4) No person who has lost or damaged library material shall be permitted to borrow any further items until such lost or damaged items shall have been replaced or until the amount of damage caused or any other charge has been paid to the librarian, as the case may be.
- (5) Neglect to pay for the loss, damage or non-return of library material shall be a debt due from the borrower and recoverable at law at the discretion of the Council.

NOTIFICATION OF CHANGE OF ADDRESS

- 7. Any borrower who changes his address from that given by him in his application form and shown on the borrower's ticket or tickets issued to him shall within seven days thereafter, notify the librarian of both his old and new address.

REFERENCE DEPARTMENT

- 8 (1) Any person may consult any library item in the reference department to which he is entitled to be admitted in terms of Regulation 2.
- (2) No such item shall be removed from the reference department; provided that the librarian may, upon receipt of such deposit as he may deem advisable, permit any registered borrower to borrow an item from the reference department for a specified time upon receipt of a written undertaking by the borrower to return the item (a) in a good condition, (b) within the specified time.
- (3) The librarian may require any person consulting any item in the reference department of the library to do so in any such place in the library building as he may specify. Any person consulting a reference item will be held responsible for any damage such an item may sustain.

USE OF GROUP ACTIVITIES ROOM

- 9. The group activities room will be at the disposal, without any charge, to persons who are admitted to the library buildings in terms of Regulation 2, for use where the promotion of culture, such as book discussions, art, evaluations, musical evenings and similar activities are involved; provided

that where the promotion of culture is not pursued, the room may, should it be available for use, be hired by members of the public at a rental determined by the Council.

UNAUTHORISED POSSESSION OF LIBRARY MATERIAL

10. (1) No person shall be in a possession of or remove from any department of the library any item which has not been duly recorded by the librarian. Any person removing any item from the library without its being duly recorded shall be guilty of an offence and liable to prosecution and forfeiture of membership.
- (2) Any item bearing the mark or stamp of either the provincial library service or the Council and not containing an official notification that it has been withdrawn, discarded or sold, shall be deemed the property of the provincial library service or the Council, as the case may be.
- (3) No item shall be removed from the general reading room without prior approval of the librarian.

NON-ACTIVE MEMBERS

11. The librarian is empowered to cancel the membership of any borrower who has been continuously non-active for a period of 12 months, unless such a borrower has informed the librarian of any prolonged absence due to illness or leave or any other valid reason. The borrower thus having his membership cancelled does not forfeit his right to be re-registered at any further date, within the provisions of these regulations.

CARE OF LIBRARY MATERIAL

12. (1) Any person to whom library material has been issued in terms of these regulations shall keep such library material in a clean and sound condition and shall take all such steps as may be necessary to protect it while in route to and from the library building in wet weather.
- (2) No person shall:-
 - (a) turn down or stain the leaves or make pencil or other marks upon or in any way cause damage to any book forming part of the library;
 - (b) make copies of any such book or part thereof or of instructions therein by the means of tracing or otherwise without permission of the librarian;

- (c) remove or mutilate any color plates or any other illustrations or leaves of any book whatsoever;
- (d) remove the plastic covering and / or book jacket from any book issued to him;
- (e) return library materials without appropriate wrapping or without placing them in a suitable container; the librarian may refuse to issue further items if, after due warning to the borrower this requirement is not complied with;
- (f) return videos, audio cassettes, DVDs and CDs in covers other than those in which they have been issued;
- (g) expose videos, audio cassettes, DVDs and CDs to excessive heat or handle them in any manner which may cause damage.

EXPOSING LIBRARY MATERIAL TO INFECTIOUS DISEASES

- 13 (1) No person suffering from any notifiable disease shall borrow and use the library material and no person shall permit any library material issued to him to be exposed to any notifiable disease.
- (2) No person shall return to the library any material which he knows to have been exposed to infection from any notifiable disease nor permit any such library material which is under his control to be returned but shall immediately give notice to the Council that the library material has been so exposed, and the Council shall thereupon cause the library material to be disinfected and then returned to the library, should the infected library material be of the local stock it may be destroyed by the Council if necessary.

HOURS OF OPENING

- 14 (1) The library will be open for such hours as the Council may decide; provided that the hours shall be prominently displayed on the notice board and the door of the library and that sufficient notice of any changes contemplated shall be given.
- (2) The library will not be open on public holidays and the Council is authorized to close the library or part of it temporarily for such days or at such times as it may consider necessary, provided that the notice of the Council's intention is posted up on the notice board seven days before the actual closing.

GENERAL

- 15 (1) No person shall willfully obstruct the librarian or any assistants in the execution of their duties;
- (2) No person shall affix or post any bill, placard or notice to or upon any part of the library with out the prior permission of the librarian.
- (3) No person shall bring into any part of the library any wheeled vehicle or conveyance other than a hand propelled or motorised invalid chair, baby's perambulator or pushcart, without the permission of the librarian.
- (4) No person shall give a false name and address for the purpose of entering any part of the library or obtaining any privilege from such part.

CONDUCT IN THE LIBRARY

- 16 (1) No person shall, to annoyance of any other person, engage in audible conversation in any part of the library, or willfully obstruct, disturb, interrupt, or annoy any other person in the proper use of the library.
- (2) No person shall behave in a disorderly manner in any part of the library, use violent, obscene or abusive language, bet, gamble, or persist after proper warning in remaining therein beyond the hours fixed for the closing of the library or any part thereof.
- (3) No person shall cause or permit any animal belonging to him or under his control to enter or remain in the library.
- (4) No person shall drink intoxicating liquor, spit, sleep or consume food in any part of the library.
- (5) No person shall carelessly, negligently or maliciously damage or injure anything belonging to or forming part of the library.

OFFENCES AND PENALTIES AND APPEALS

17. The provisions of the council's Offences, Penalties and Appeals bylaws shall mutatis mutandis apply to these bylaws

No. 127

30 July 2009

The Municipal Council for Ubhlebezwe has adopted the following bylaws at its meeting held on 10 April 2008 in terms of section 156(2) of the Constitution of the Republic of South Africa (Act No 117 of 1996) read with section 31(2) of Local Government: Municipal Structures Act 1998 (Act No 117 of 1998) and hereby publishes the subjoined bylaws in terms of section 13 (a) of in the Local Government: Municipal System Act, 2000 (Act No. 32 of 2000) to come into effect on the date of publication hereof in the Provincial Gazette.

Municipal Manager

**UBUHLEBEZWE MUNICIPALITY
BYLAWS RELATING TO THE CARRYING ON OF THE BUSINESS OF
STREET VENDOR, PEDLAR OR HAWKER**

Note: [Words applying to any individual shall include persons, companies and corporations, and the masculine shall include females as well as males and the singular shall include the plural and vice versa],

DEFINITIONS:

- (1) In these bylaws, except as otherwise expressly provided or unless the context otherwise indicates-

“Act” means the Businesses Act, 1991 (Act No. 71 of 1991), as amended, and includes the regulations made there under;

“Carrying on of business” includes the opening or keeping open of any premises for such

“Council” means the Ubhlebezwe Municipality or its successors in title, and includes the council of that municipality or its Executive Committee or any other body acting by virtue of any power delegated to it in terms of legislation, as well as any officer to whom the Executive Committee has delegated any powers and duties with regard to these bylaws;

“Dangerous weapon” means any object which in the opinion of an officer is designed as a means of attack or is likely to cause serious bodily harm if it were used to commit an assault;

“Licence” in relation to a business means a licence referred to in section 2 (3) of the Act;

“Litter” includes any receptacle, container or other matter discarded or abandoned by a trader or his customers or left behind by him or them;

“Municipal service” means any system conducted by or on behalf of a municipality for collection, conveyance, treatment or disposal of refuse, sewage or storm water or for generation, impounding, storage, purification, or supply of water, gas, or electricity;

“Municipal service works” means all property of whatsoever nature necessary or desirable for or incidental to any municipal service;

“Nuisance” means any condition, thing, act or sound which is offensive or injurious or which tends to prejudice the safety, good order, peace or health of the area or part thereof or rights or reasonable comfort, convenience, peace or quite of any neighborhood within the area;

“Officer” means-

- (a) a traffic officer or warden appointed under section 3 of the National Road Traffic Act, 1996 (Act No. 93 of 1996)
- (b) a member of the Force as defined in section 1 of the South African Police Services Act 1995 (Act No. 58 of 1995)
- (c) a peace officer contemplated in section 334 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977)

“Ordinance” means the Local Authorities Ordinance, 1974 (Ordinance No.25 of 1974)

“Perishable foodstuffs” means any food in the form of meals for consumption on or off the premises or any perishable foodstuffs the relevant Minister for KwaZulu-Natal has declared unpreserved, milk, meat off all animals and birds, and fish, fish spawn, mollusks and crustaceans.

“Property” in relation to street vendor, pedlar or hawker means any goods, receptacle, vehicle or moveable structure used or intended to be used in connection with the carrying out of his business as such;

“Public place” means a public place as defined in section 1 of the Ordinance;

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

“Sell” includes-

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

and “sale” has corresponding meaning;

“Sidewalk” means a sidewalk as defined in section 1 of the National Road Traffic Act, 1996 (Act No. 93 of 1996)

“Street trading” means the selling of any goods (including livestock) or the supplying or offering to supply for reward as a street vendor, pedlar or hawker in a public road or public place but does not include the sale of newspapers only;

“Vehicle” includes-

- (a) a self-propelled vehicle;
- (b) a trailer;
- (c) a hand-drawn or propelled vehicle;

“Verge” means a verge as defined in section 1 of the National Road Traffic Act, 1996 (Act No. 93 of 1996)

- (2) In these bylaws, unless the context indicates otherwise, any word or expression defined in the Act shall bear the meaning given to it.
- (3) For the purpose of these bylaws a single act of offering for sale or selling of goods or services in or from a public road or public place constitutes the carrying on of the business of a street vendor, pedlar, or hawker.
- (4) For the purposes of the provisions of these bylaws, a reference to a person carrying on the business of street vendor, pedlar or hawker shall include any employee of such a person.

APPLICATION

2. Licence required by certain businesses

- (1) no person shall carry on any business or offer for sale any foodstuffs in the form of meals or any perishable foodstuffs without a valid licence.
- (2) Every person who is required to hold a licence in terms of sub-section (1) shall comply with every condition or requirement set out in such licence by the Licensing Authority.

PROHIBITED OR RESTRICTED AREAS

3. No person shall carry on the business of street vendors, pedlars, or hawkers-

- (a) on a verge contiguous to-
 - (i) a building belonging to, or occupied solely by, the State or a Municipality

- (ii) a church or other place of worship; or
- (iii) a building declared to be a national monument under the National Monuments Act 1969 (Act No. 28 of 1969);

Unless otherwise authorized by Council in writing

- (b) on the verge contiguous to a building in which business is being carried on by any person who sells only or mainly goods of the same or similar nature as goods being sold by the street vendor, pedlar or hawker concerned, without the consent of that person;
- (c) on that half of a public road contiguous to premises used for residential purposes, if the owner or person in control or any occupier of the premises objects thereto;
- (d) in a garden or park to which the public has a right of access, unless otherwise authorized by Council in writing;
- (e) in a place or area which been declared by the Council by resolution to be a prohibited or restricted area in terms of Section 6A (2)(a) of the Act;
- (f) at a place which causes an obstruction to vehicular traffic.

GENERAL

4. No person carrying on the business of a street vendor, pedlar or hawker shall-
- (a) take up a position or place his property on a sidewalk in such a manner that he occupies more than two-thirds of the width of a sidewalk;
 - (b) in any way obstruct free access to any-
 - (i) entrance to or exit from a building;
 - (ii) fire hydrant
 - (iii) service or service works of the Council or of the State or any statutory body;
 - (iv) pedestrian arcade or mall;
 - (v) loading zone;
 - (vi) disability parking bay;
 - (vii) ambulance parking bay;
 - (viii) bus or taxi stop bay;

- (ix) on a stand or in any area contemplated in section 6A (3)(b) of the Act if he is not in possession of proof that he has hired such stand or area from the Council or that it has otherwise been allocated to him;
 - (x) in contravention of the terms and conditions of the lease or allocation to him of a stand or area contemplated in section 6A (3)(b) and (c) of the Act.
- (c) interfere with the ability of persons using the sidewalk to view the goods displayed behind a shop display window;
- (d) if such business is carried out on any public road or public place-
- (i) sleep overnight at the place of such business; or
 - (ii) erect any structure (other than a device which operates in the same manner as, and is shaped like, an umbrella) for the purpose of shelter; without the prior written approval of the Council;
- (e) carry on such business in such a manner as to-
- (i) create a nuisance;
 - (ii) damage or deface the surface of any public road or public place or any public or private property;
 - (iii) create a traffic hazard;
- (f) other than in a refuse receptacle approved or provided by the Council, accumulate, dump or store or deposit or cause or permit to be accumulated, dumped, stored or deposited any litter on any land or premises or on any public road or public place;
- (g) fail or refuse to remove any goods, receptacle, vehicle or movable structure after having been requested to do so by an officer acting in terms of the provisions of section 7(2);
- (h) carry on business or take up a position or place on a portion of a sidewalk or public place in contravention of a notice or sign erected or displayed by the Council for the purposes of these bylaws;
- (i) anywhere within the Council's area or jurisdiction set up any stand, shelter, or other object for the purpose of trading on or from any loading platform or island within a demarcated bus or taxi rank without the prior written permission of Council

- (j) obstruct access to the use of street furniture such as bus passenger benches or shelters and queuing lines, refuse disposal bins, and other facilities designed for the use of the general public;
- (k) obscure any road traffic sign displayed in terms of the National Road Traffic Act, 1996 (Act No. 93 of 1996), and regulations made there under or any marking, notice or sign displayed or made in terms of these bylaws.

CLEANLINESS OF PLACE OF BUSINESS AND PROTECTION OF PUBLIC HEALTH

5. Every person carrying on the business of street vendor, pedlar or hawker shall-
- (a) unless prior written approval exempting him from the provisions of this paragraph has been given by Council, daily remove from any public road or public place at the end of each trading day or at the conclusion of trading, all goods, movable structure, waste, packaging material, stock and equipment of whatsoever nature which are utilized in connection with such a business;
 - (b) carry on his business in such manner as not to be a danger or threat to public health or public safety;
 - (c) at the request of an officer or an employee of the Council, move or remove anything so that the place of business may be cleared;
 - (d) keep the area or stand occupied by him for the purpose of his business as well as his property in a clean and sanitary condition and free of litter;
 - (e) if his activities involve the cooking or other preparation of food, take steps to ensure that no fat, oil or other substances drop or overflows onto the surface of a sidewalk or splashes against a building or other structures;
 - (f) ensure that any structure, container, surface or other object used by him for the preparation, display, storage or transportation of goods-
 - (i) is maintained in a good state of repair and in clean and sanitary condition;
 - (ii) is not so placed or stacked so as to constitute a danger to any person or so as to be likely to injure any person.

DANGEROUS WEAPONS

6. No street vender, hawker or pedlar shall sell or display any object after he has been informed by an officer that in his opinion such an object is a dangerous weapon.

REMOVAL AND IMPOUNDMENT

7. (1) For the purposes of this section “**goods**” includes any receptacle, vehicle or moveable structure.
- (2) An officer may remove and impound any goods-
- (a) which he reasonably suspects are being used or are to be used or have been used in connection with the carrying on of any business of street vendor, pedlar or hawker; and
 - (b) which he finds at a place where the carrying on of such business-
 - (i) is prohibited in terms of section 3 and which, in his opinion, constitutes an infringement of such section;
 - (ii) contravenes the provisions of section 4;

whether or not such goods are in the possession or under the control of any person at the time of such removal or impoundment;

- (c) which the person carrying on the business of street vendor, pedlar or hawker has failed or refused to remove from a place after having been requested to do so by an officer or which have been left there or abandoned.
- (3) Neither the Council nor Councilor, Official or Officer or Employee of the Council shall be liable for any loss or damage to any goods removed and impounded in terms of this section.

CARRYING OF WRITTEN APPROVAL

8. Any person carrying on the business of street vendor, pedlar or hawker shall, whenever such person is carrying on such business, carry on his person any written approval granted or issued to him by the Council in terms of section 6A (3) of the Act and shall produce such a written approval to the officer on demand.

DECLARATION OF PLACES IN WHICH TRADING IS RESTRICTED

9. Restrictions on the carrying on of street trading imposed by resolution of the Council in terms of section 6A (2)(a) of the Act, may, without derogating from the generality of the Council’s powers there-under, include the following-
- (a) specifying the maximum number of traders who may trade in such area at any one time;
 - (b) restricting trading to specified goods or services;
 - (c) restricting trading to specified days or hours or both;
 - (d) restricting trading to portions of the area;

- (e) specifying the maximum area that may be occupied by the street trader for the purposes of trading.

OFFENCES AND PENALTIES

10.

- (1) The provisions of the council's Offences, Penalties and Appeals shall *mutatis mutandis* apply to these bylaws
- (2) When an employee of a street vendor, pedlar or a hawker performs any act or is guilty of any omission which constitutes an offence under these bylaws the employer shall be deemed to have preformed the act or to be guilty of the omission himself and he shall be liable on conviction to the penalties mentioned in subsection (1) unless he proves to the satisfaction of the Court that-
 - (a) in performing the act or being guilty of the omission the employee was acting without his knowledge or permission;
 - (b) all reasonable steps were taken by him to prevent the act or omission in question; and
 - (c) it was not within the scope of the authority or the course of the employment of the employee to perform an act of this kind in question.
- (3) the fact that an employer issued instructions forbidding any act or omission referred to in subsection (2) shall not of itself be excepted as sufficient proof that he took all steps referred to in paragraph (b) of that subsection.
- (4) When an employer is by virtue of the provisions of subsection (2) liable for anything done or omitted by his employee, then that employee shall also be liable to prosecution for the offence.

PRESUMPTIONS

- 11. In any prosecution of a street vendor, pedlar or hawker for a contravention of these bylaws, the accused shall be deemed to know the provisions of these bylaws and to know that the offence with which he is charged is a contravention thereof.

REPEAL OF BYLAWS

- 12. The Bylaws Relating to the Carrying on of the Business of Street Vendor, Pedlar or Hawker as adopted by the former Ixopo Transitional Local Council on 23 June 1998 under Municipal Notice No.39,1998 are hereby repealed.

No. 128

30 July 2009

The Municipal Council for Ubuhlebezwe has adopted the following bylaws at its meeting held on 10 April 2008 in terms of section 156(2) of the Constitution of the Republic of South Africa (Act No 108 of 1996) read with section 31(2) of the Local Government: Municipal Structures Act, 1998 (Act No 117 of 1998) and hereby publishes the subjoined bylaws in terms of section 13 (a) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000) to come into effect on the date of publication hereof in the Provincial Gazette.

Municipal Manager

UBUHLEBEZWE MUNICIPALITY

SIGNS BYLAWS

1. DEFINITIONS

In these bylaws:-

1,1 **“Advertisement”** means :-

1.1.1 any visible representation of a word, name, letter, figure or object or of an abbreviation of a word or name, or of any sign or symbol, or

1.1.2 any light which is not intended solely for illumination or as a warning against any danger;

1.2 **“Aerial sign”** means any sign attached to a kite, balloon, or similar device whereby it is suspended in the air;

1.3 **“Alter”** in relation to a sign means to materially alter, modify, adjust or move any sign but does not include the substitution of one sign for another (of exact kind i.e. replacement) or the complete change of an advertisement;

1.4 **“Building”** means any structure whatsoever with or without walls, having a roof or canopy and a means of ingress and egress thereunder, covering an area in excess of 4.6m and having an internal height of more than 1.65m;

1.5 **“Municipal Manager”** means the person duly appointed by the Council or the person temporarily acting as such or his duly authorised representative;

- 1.6 **“Clear height”** means the vertical distance between the lowest edge of a sign and the level of the ground, footway or side walk or surface immediately below such sign;
- 1.7 **“Combustible”** means will burn or ignite at or below a temperature of 750 C when tested for combustibility in accordance with SABS Standard Specification Definitions of Fire-Resistance Incombustibility and Non-Inflammability of building materials and structures [including Methods of tests]
- 1.8 **“Council”** means the Ubuhlebezwe Municipality or its successors in title, and includes the council of that municipality or its Executive Committee or any other body acting by virtue of any power delegated to it in terms of legislation, as well as any officer to whom the Executive Committee has delegated any powers and duties with regard to these bylaws;
- 1.9 **“Depth”** means the vertical distance between the uppermost and lowest edges of a sign;
- 1.10 **“Display”** means to erect and/or expose a sign to the public view by any method whatsoever;
- 1.11 **“Encroaching sign”** means a sign which extends beyond the street line;
- 1.12 **“Entertainment sign”** means any sign: –
- 1.12.1 relating solely to current or forthcoming programmes displayed on or within any premises used for public entertainment
 - 1.12.2 of a poster or bill type temporarily displayed solely for or in connection with a particular occasion, function or event to which it relates;
- 1.13 **“Flag sign”** means any sign on a durable non-rigid material displayed on a flagpole secured to a building, canopy, wall or the ground;
- 1.14 **“Flat sign”** means any sign which is affixed to the main wall of a building and which at no point projects more than 230mm from the surface of such wall;
- 1.15 **“Ground sign”** means any sign, other than an aerial sign, detached from a building and displayed on: –
- 1.15.1 poles, standards or pylons, the bases of which are firmly embedded and fixed in the ground and are entirely self-supporting, rigid and inflexible, or

- 1.15.2 any fence or wall not being the wall of a building;
- 1.16 **“Interchangeable poster”** means a poster displayed in a poster-type sign;
- 1.17 **“Main wall”** means any external wall of a building excluding any parapet wall, balustrade or railing of a verandah or balcony forming part of a building;
- 1.18 **“Owner”** in respect of a sign means the owner of the sign or of the premises on which it is displayed or the person in possession of or having control over the sign or the premises;
- 1.19. **“Poster type sign”** means a sign designed to accommodate interchangeable posters;
- 1.20 **“Portable sign”** means a sign which: –
- 1.20.1 does not exceed 0,5sq m in area , and
- 1.20.2 may be moved from place to place by one person;
- 1.21 **“Projecting sign”** means any sign which is affixed to a main wall of a building and which at any point projects 230mm or more from the surface of such wall;
- 1.22 **“Public street”** means a public street as defined in Section 1 of the Local Authorities Ordinance, 1974 (Act No 25 of 1974);
- 1.23 **“Rotating sign”** means a sign which rotates on any axis;
- 1.24 **“Show sign”** means any sign displayed on any public street advertising the sale or lease of movable property or that such property has been sold or let provided that such signs:
- 1.24.1 give directions to a show house or building, being a house, building or property that is for sale and is open for viewing by the public on a specific day or days;
- 1.24.2 are displayed on Saturdays, Sundays or public holidays for the duration of such days or for not more than 2 succeeding days;
- 1.24.3 do not exceed 0.5sqm in area;

- 1.24.4 do not obstruct vehicular or pedestrian traffic or the lines of sight of drivers or pedestrians;
- 1.24.5 are not supported on any stake, post or like support which is driven into or buried in the ground.
- 1.25. **“Sign”** means any signboard, structure or device whatsoever, used or intended or adapted for the display of an advertisement, and includes: –
 - 1.25.1 any advertisement painted, written, printed or otherwise affixed onto any surface, and
 - 1.25.2 supports, braces and all other structures and/or equipment used to display the sign;
- 1.26 **“Sky sign”** means: –
 - 1.26.1 any sign displayed on the roof of a building, not being that portion of a roof which is the roof of a verandah or balcony;
 - 1.26.2 any sign displayed on the top of a parapet of a roof not being the parapet of a roof of a verandah or balcony, but does not include an advertisement painted on the roof of a building;
- 1.27 **“Street line”** means the boundary of a public street;
- 1.28 **“Temporary sign”** means a sign which: –
 - 1.28.1 relates to an election or referendum held in terms of any law;
 - 1.28.2 relates to the sale of current newspapers and the like within a public street;
 - 1.28.3 is displayed upon any premises during the course of building operations referring to architects, engineers, plumbing, electrical, wiring, painting and renovations and the like, carried out on such premises, and which are commonly referred to as “builders’ boards” or “contractors’ boards” which shall be displayed and removed in accordance with bylaw 10.2;
 - 1.28.4 relates to the sale of goods usually at reduced prices, commonly referred to as a “sale”;

- 1.28.5 is carried by any person on a public street;
- 1.28.6 relates to any event or occasion not classified or construed as an "Entertainment sign" as defined in bylaw 1.12 above (e.g. blood transfusion services);
- 1.28.7 pamphlets placed in post boxes;
- 1.29 **"Window sign"** means a sign painted on or attached to the window glass;

2. APPLICATION OF THESE BYLAWS

- 2.1 The provisions of bylaws 4 and 5 shall not apply to the signs listed in Schedule 1.
- 2.2 The provisions of these bylaws shall not relieve any person from complying with the provisions of the Advertising on Roads and Ribbon Development Act, 1940 (Act no 21 of 1940) or any other law, regulation or act.

3. APPROVAL REQUIRED FOR DISPLAY OF SIGNS

Save as otherwise provided for in Schedule 1 hereto, no person shall display or permit the display of any sign which :-

- 3.1 has not been approved in writing by the Council in terms of bylaw 4, or bylaw 5, or
- 3.2 does not comply with conditions of approval granted by the Council.

4. APPLICATION TO DISPLAY SIGNS

- 4.1 Application to display any sign (other than those signs exempted in terms of Schedule 1) shall be made in the manner prescribed in Schedule 2.
- 4.2 The Council may approve the display of any sign which does not comply with these bylaws if it is of the opinion that such sign –
 - ☐ will be integrated with the building or premises on which it is intended to be displayed, and
 - ☐ will not detract from or disfigure the appearance thereof or the integrity of the environment,

and in arriving at such opinion the Council shall take into account –

- ❑ the special nature, design, proposed arrangement, position and size of the sign, and
- ❑ the layout of the building and premises on which the sign is intended to be displayed,

but may refuse to approve any sign which, in its opinion –

- ❑ will, or is likely to detract from or disfigure, the appearance of any building or premises on which the sign is intended to be displayed;
- ❑ will be unsightly;
- ❑ is of an obscene, indecent, repulsive, revolting or objectionable character;
- ❑ will, or is likely to constitute, a danger to traffic or the public in general, or
- ❑ will, or is likely to be, so intrusive as to disturb the residents or occupants of adjacent or nearby buildings.

- 4.3 Notwithstanding any approval granted in terms of these bylaws, the Council may at any time require the owner of any sign to alter, partially screen, reduce the intensity of illumination on or remove such sign, if it is subsequently of the opinion that such sign is a danger or potential danger to traffic or the public in general or disturbs the residents or occupants of adjacent or nearby buildings.

5. ALTERATIONS AND ADDITIONS TO SIGNS

- 5.1 The total area of a flat sign or flat signs may not exceed one quarter of the area of a main wall of a building, to which it or they are affixed.
- 5.2 A projecting sign shall not be displayed within 2m of any other projecting sign displayed on the same building;
- 5.3 A sky sign shall not be displayed within 10m of any other sky sign displayed on the same building;
- 5.4 Not more than one ground sign may be displayed on any subdivision, provided that in respect of any subdivision with a street frontage in excess

of 30m one ground sign may be displayed on such subdivision for every 15m of frontage thereof.

6. GENERAL PROHIBITIONS

Notwithstanding Schedule 1 hereto, no person shall display any sign which: –

- 6.1 will obstruct any fire escape or the means of egress to a fire escape;
- 6.2 will obstruct or interfere with any window or opening required for ventilation purposes;
- 6.3 will or is likely to obscure, obstruct or otherwise interfere with any road traffic sign or will or is likely to create confusion in the minds of users of the public street insofar as the regulation of traffic is concerned.
- 6.4 is illuminated and contains any one or more of the colours red, green, or amber, unless such sign has a clear height of 6m or unless such sign is more than 15m (measured horizontally) from the vertical line of the street line at the corner of a public street or streets;
- 6.5 is of such intense illumination that it disturbs the residents or occupants of adjacent or nearby buildings, or
- 6.6 is erected or supported by the use of nails or staples;
- 6.7 is specifically otherwise regulated in terms of any Town Planning Schemes applicable within the uBuhlebezwe Municipality;
- 6.8 excluding a sign, is an advertisement, upon the column of a street, verandah or balcony;
- 6.9 is fixed between the columns of a street verandah or balcony, except a sign not exceeding 800mm in height fixed to a beam over verandah columns or to a parapet of a verandah to which sub-bylaw 6.10 does not apply;
- 6.10 projects below any fascia, bearer, beam, or balustrade of any splayed or rounded corner or return of a verandah over a street;
- 6.11 is a swinging sign, not being a sunblind;
- 6.12 which flashes and which is substantially illuminated for intervals of more than 2 seconds;
- 6.13 is to be painted onto or attached in any manner to a tree or plant or to any road traffic sign.

7. METHODS OF CONSTRUCTION OF SIGNS

- 7.1 Every sign, including these provided for in Schedule 1 hereto, shall be neatly and properly constructed and erected and finished to the satisfaction of the Council.
- 7.2 Every sign attached to or on a building, fence or wall shall be securely and safely attached thereto in such a manner that the method of attachment is capable of securing and supporting not less than twice the weight of the sign as well as any other force to which the sign may be subjected, to the satisfaction of the Council.
- 7.3 All signs and supports thereof which are attached to brickwork, masonry or concrete shall be securely and effectively attached thereto by: –
- 7.3.1 means of bolts, of a size and strength acceptable to the Council, securely embedded in such brickwork, masonry or concrete or passing through the same and secured on the opposite side, or
- 7.3.2 any other method acceptable to the Council.
- 7.4 All exposed metalwork or timber in a sign or its supports shall be suitably painted or otherwise treated to prevent corrosion or decay.
- 7.5 No sign shall be constructed in whole or in part of cloth, canvas, cardboard, paper or like material unless such sign is an entertainment, flag sign or is displayed on a sunblind or is a poster sign.
- 7.6 Unless the Council otherwise approves, all projecting or suspended signs shall have not less than four attachment points: –
- 7.6.1 which shall be of metal;
- 7.6.2 any two of which shall be capable of carrying the weight of a sign;
- 7.6.3 the design strength of which acting together shall be calculated on a mass equal to twice the mass of the sign, as well as any other force to which the sign may be subjected, to the satisfaction of the Council;
- 7.6.4 which shall be neatly constructed as an integral part of the design of the sign or otherwise concealed from view;

7.7 All glass used in signs, other than glass tubing used in neon and similar signs, shall be safety glass with a thickness of at least 3mm.

7.8 Glass panels in signs shall not exceed 1m² in area and each panel shall be securely fixed in the body of the sign independently of all other panels.

7.9 Every illuminated sign and every sign in which electricity is used shall be

7.9.1 constructed of material which is not combustible ;

7.9.2 provided with an external switch in an accessible position approved by the Supplier of Electricity whereby the electricity supply to such sign may be disconnected, and

7.9.3 Wired and constructed in accordance with and subject to the provisions of the applicable SABS Code of Practice.

8. ENCROACHING SIGNS

8.1 Notwithstanding any provision of these bylaws, including Schedule 1, any person intending to display any encroaching sign shall make application in the manner described in Schedule 2 and shall pay the application fee set out in the tariff of charges.

8.2 Any approval granted by the Council in terms of this bylaw shall be conditional upon the owner: –

8.2.1 entering into a written agreement of encroachment with the Council;

8.2.2 indemnifying the Council in respect of the sign, and

8.2.3 paying the prescribed fee relating to such encroachment.

8.3 The Council may at any time revoke its approval for the display of an encroachment sign, cancel the encroachment agreement and shall forthwith give notice in writing to the owner of such decision.

8.4 Whenever the owner of an encroachment sign intends transferring ownership, he shall inform the Council thereof in writing giving details of the name and address of the new owner.

9. MAINTENANCE OF SIGNS

The owner of any sign, including those provided for in Schedule 1 hereto, shall at all times maintain such sign in good repair and safe condition.

10. REMOVAL OF SIGNS

10.1 Any sign which: –

- 10.1.1 is displayed in contravention of these bylaws;
- 10.1.2 notwithstanding the provisions of Schedule 1 hereto, by virtue of a change in use, ownership or occupancy of the premises of which it relates or for any other reason, ceases to be relevant to the premises on which it is displayed,

shall forthwith be removed by the owner.

10.2 No sign or advertisement: –

- 10.2.1 advertising a particular occasion, function, sale or event other than an election or referendum or signs relating to the sale or letting of immovable property as provided for in Schedule 1, paragraph 11, or show signs as provided for in bylaw 1.24 shall be displayed for longer than 14 days before the day on which such event begins or longer than three days after the day on which it ends;

- 10.2.2 advertising an election or referendum shall be displayed for longer than the period:-

- i. in respect of an election, from the date following the official acceptance of nominations of parties or candidates; and
- ii. in respect of a referendum, from the date following official notification in the Gazette / Press of the date on which such referendum is to take place;

Until the end of the tenth day after the final date set aside for the casting of votes for such election or referendum.

10.3 If any person :-

- 10.3.1 fails to remove a sign referred to in this bylaw, or
- 10.3.2 is in the course of displaying or altering a sign in contravention of these bylaws;

the Council shall by notice in writing, served upon the owner at the time of issue of such notice and within a period of time specified, which shall be not less than 14 days, in such notice, order him :-

- ☐ to remove such sign;
- ☐ to alter such sign so that it complies with these bylaws;
- ☐ or may order the owner to forthwith cease all work in connection with such display or alteration.

- 10.4 If any person fails to comply with the terms of an order referred to in this bylaw the Council may either institute legal action or may itself remove, conceal or obliterate the sign and recover from the owner the costs incurred in doing so.

11. EXISTING SIGNS

- 11.1 Any existing sign lawfully displayed on the date of promulgation of these bylaws which complies with the provisions of these bylaws may continue to be displayed and shall be deemed to have been approved in terms of these bylaws.

- 11.2 Any existing sign lawfully displayed on the date of promulgation of these bylaws which does not comply with the provisions of these bylaws may continue to be displayed, provided that :-

11.2.1 no such sign shall be repainted, renovated or reconstructed unless it is first made to comply with the provisions of these bylaws and the approval of the Council thereto has been obtained in terms of bylaw 4 hereto;

11.2.2 in respect of any sign other than an encroaching sign, the Council may at any time after the expiration of a period of 5 years from the date of promulgation of these bylaws by notice in writing order the alteration, modification, adjustment or removal of such sign within a period of 30 days from the date of issue of such notice or such longer periods as the Council may specify.

- 11.3 Any existing sign not lawfully displayed at the date of promulgation of these bylaws and in contravention of these bylaws shall be subject to the provisions of Bylaw 10 and 12.

12. OFFENCES, PENALTIES AND APPEALS

- 12.1 The provisions of the council's Offences, Penalties and Appeals Bylaws apply mutatis mutandis to these bylaws

13. REPEAL OF BYLAWS / REGULATIONS

- 13.1 Chapter 1 (Buildings) of the Regulations published on 9 March 1961 under Provincial Notice No 119, 1961 by the former Ixopo Health Committee, together with any amendment thereto, are hereby repealed;
- 13.2 Part RX 1, Advertising Regulations, of the Development and Services Board as they applied to the under-mentioned areas, will no longer apply as from the date of publication of these bylaws:-

Part RX 1 : Regulated Areas : Stuartsville

SCHEDULE 1

NOTE: This schedule relates to signs erected on any privately owned property/premises only. It does not address signs erected or to be erected on public streets, public places or on any property owned or under the control of the council, which do require the consent of the council

Subject to the provisions of bylaws 5,6,7,8,9,10,11 and 12 and to the payment of the prescribed fee as set out in the Council's tariff of charges, where applicable, no approval of the Council is required to display the following signs on any privately owned immovable premises or property in all parts of the area which are controlled by a town planning scheme unless specifically stated otherwise :-

1. Entertainment signs which do not exceed 0,5sqm in area, provided that no such signs shall be erected on any property used or zoned for residential purposes;
2. All temporary signs, provided that any sign as referred to in bylaw 1.28.3. shall be restricted to one main contractors board of a maximum size of 1,5sqm and two sub-contractors boards each not exceeding 0,5sqm; provided further that no signs referred to in bylaw 1. 28.1, 1.28.5 and 1.28.6 shall be erected on any property used or zoned for residential purposes.
3. Signs required to be displayed by law.
4. Signs displayed upon a vehicle ordinarily in use as such.
5. Signs displayed in a book, newspaper, magazine or similar publication.
6. Signs displayed flat on any part of a building, not being that part of a building which exists beyond the street line, advertising only the name, address and telephone number of the occupier thereof, with or without a concise description of the type of business lawfully conducted on such premises and the hours of attendance, provided that any such sign does not exceed 0,3sqm in area and does not project more than 75mm from the surface on which it is displayed.

7. Signs not exceeding 0.5sqm in area advertising only the name and telephone number of the occupier of any dwelling house and the address thereof, provided that such signs are displayed upon the premises to which they relate.
8. Signs displayed from the interior of any building being that part of a building enclosed by walls, windows and doors.
9. Rotating signs, except in any property used or zoned for residential purposes, or to be situated on any public street.
10. Window signs, except in any property used or zoned for residential purposes.
11. Signs, not exceeding 0.5sqm in area, restricted to one per property, per agent, displayed on private immovable premises or property or erected parallel to the evident street boundary of the property and encroaching not more than 200mm beyond such boundary to advertise that property for sale or lease or that it has been sold or let, provided that in the case of a sign advertising that immovable property has been let or sold, such sign shall cease to be exempt from the provisions of these bylaws upon the expiry of a period of 30 days calculated from the date on which such sign was erected.
12. Except on any property used or zoned for residential purposes, Verandah signs, being signs which are placed on top of the roof of a verandah only where such roof does not have a parapet wall, balustrade or railing and :-
 - 12.1 are constructed in a straight line;
 - 12.2. do not exceed 1m in depth;
 - 12.3 do not extend beyond the extremities of the verandah roof nor project beyond the rear of any verandah roof gutter;
 - 12.4 are set parallel to that end of the verandah which faces the street and are as near thereto as the design of the verandah roof allows; and
 - 12.5 are displayed in such a manner that the bottom of the sign rests directly on the verandah roof; or
13. Signs painted on the roof of a building not being the roof of a building other than one in which an industry or manufacturing process is conducted, provided that such signs advertise only the name of the person, firm, company, society or association occupying the building.

14. Except on any property used or zoned for residential purposes, ground signs on poles, standards or pylons, the base of which are firmly embedded and fixed in the ground and are entirely self-supporting, rigid and inflexible that :-
 - 14.1 do not exceed 2 sqm in area;
 - 14.2 if displayed flat against a wall, do not:
 - 14.2.1 project at any point more than 100mm from the surface of the fence or wall, and
 - 14.2.2 extend above the top or beyond either end of the fence or wall, or
 - 14.3 if placed onto the top of a fence or wall, rest directly thereon and are displayed in the same vertical plane as the fence or wall.
- 15 except on any property used or zoned for residential purposes, flag signs not exceeding 4sqm in area and maintained to the satisfaction of the Council.
- 16 Except on any property used or zoned for residential purposes, portable signs which are displayed upon premises to which the sign relates.

SCHEDULE 2

Application to display any sign, other than those exempt in terms of Schedule 1, shall :-

- 1.1 be made on a form obtainable from the Municipal Manager
- 1.2 be addressed to the Municipal Manager

be accompanied by :-

- 2.1 the prescribed fee as set out in the tariff of charges;
- 2.2 a drawing, on durable paper, to a scale of not less than 1:50 showing the full text, colour, material, construction, overall dimensions and method of attachment, suspension and support of the sign;
- 2.3 a scale drawing on durable paper, showing clearly the proposed position of the sign and its clear height;

provided that the Council may at any time prior to considering the application call upon the applicant to provide it with any other information which it deems necessary or relevant.

UBUHLEBEZWE MUNICIPALITY**APPLICATION TO ERECT A SIGN IN TERMS OF THE COUNCIL'S SIGNS BYLAWS****THE MUNICIPAL MANAGER
UBUHLEBEZWE MUNICIPALITY**

I, the undersigned _____ hereby apply for permission to erect and display a sign on / near Erf _____ in full accordance with the specification hereinafter set forth and the attached drawings, and the provisions of the Council's bylaws relating to advertising, and tender herewith _____ application fee.

**In the event of there being insufficient space provided hereunder, relevant details can be supplied on the drawings to be submitted or on a separate annexure.*

1. The sign is manufactured of
.....
2. The sign is SINGLE / DOUBLE / - faced (delete incorrect)
3. Type of sign GROUND / WALL / PROJECTING / VERANDAH / SKY
4. Measurements
 - (a) Total height above ground level
.....
 - (b) Min. Clearance above ground level
.....
 - (c) Length
.....m
 - (d) Width
.....m
5. Projecting from building
.....mm
6. Colour of
 - (a) Background
.....
 - Colour & Size of (b) Lettering
.....
7. Position on premises (describe)
.....
.....
.....
8. Sky signs
 - (a) Number of storeys
.....
 - (b) Total height of buildingm

9. State how sign is to be secured, type of supports, anchorage, bolts etc

.....

NOTE: Drawings of the proposed signs as required in terms of clauses 2.2 and 2.3 of schedule 2 are to be attached to this form

I hereby undertake to maintain the sign, fittings and supports in a safe condition and in proper repair and hereby indemnify the Council harmless from any and all claims whatsoever that may arise as a result of, or in connection with the erection and / or display of the sign.

DATED AT _____ THIS _____ DAY OF _____ 20__

SIGNATURE OF APPLICANT

WITNESSES:

1.
.....

2.
.....

I, the undersigned _____ owner of the premises referred to above, do hereby consent to the erection of the abovementioned sign on the terms and conditions set forth above.

DATED AT _____ THIS _____ DAY OF _____ 20__

SIGNATURE OF OWNER OF PREMISES

I, the undersigned _____ owner of the sign referred to above do hereby acknowledge that I have read the foregoing conditions and agree to abide by them in so far as they effect me or my company.

DATED AT _____ THIS _____ DAY OF _____ 20__

SIGNATURE OF OWNER OF SIGN

ADVERTISEMENTS—ADVERTENSIES—IZIKHANGISO**DFA APPLICATION****Regulation 21(10) of the Development Facilitation Regulations in terms of the Development Facilitation Act, 1995**

PATHEN ESTATE (Pty) Ltd has lodged an application in terms of the Development Facilitation Act, 1995, for the establishment of a land development area on Portion 25 (of 8) of the Farm Rosetta No.2983, Mpofana Municipality. The development will consist of 10 sectional title units, conversion of existing dwelling to a lodge and wedding chapel and agricultural land. The relevant plans, documents and information are available for inspection at the offices of the Designated Officer, 10 Cloughton Terrace, Mooi River for a period of 21 days from 23 July 2009.

The application will be considered at a Tribunal hearing to be held at the, Mpofana Council Chambers, Mooi River on 16 October 2009 at 10h00 and the prehearing conference will be held at Mpofana Council Chambers, Mooi River, on 19 August 2009 at 10h00. You may attend an inspection in loco of the land development area which will be conducted by the Tribunal on 15 October 2009 at 14h00.

Any person having an interest in the application should please note: You may within a period of 21 days from the date of the first publication of this notice, provide the designated officer with your written objections or representations; or if your comments constitute an objection to any aspect of the land development application, you must appear in person or through a representative before the Tribunal at the prehearing conference, on the date mentioned above. Any written objection or representation must be delivered to the designated officer Mr S Makhaye, 10 Cloughton Terrace, Mooi River, P.O Box 47, Mooi River, 3300 and you may contact the designated officer if you have any queries at the following : (T) 033 2637700 (F) 033 2631127

DFA APPLICATION**[Umthetho 21(10) wemithetho yokuKhuthaza iNtuthuko ngokulandela uMthetho wokuKhuthaza iNtuthuko ka-1995]**

PATHEN ESTATE (Pty) Ltd ufake isicelo ngokulandela uMthetho wokuKhuthaza iNtuthuko mayelana nokumiswa kwendawo Portion 25 (of 8) of the Farm Rosetta No.2983, Mpofana Municipality. Ukuthuthukisa kubabandakanya lokhu okulandelayo: 10 sectional title units, conversion of existing dwelling to a lodge and wedding chapel and agricultural land (ipulani (amapulani), incwadi (izincwadi) neminingwane edingekayo ukuze ihlolwe itholakala: offices of the Designated Officer, 10 Cloughton Terrace, Mooi River, isikhathi esiyizinsuku ezingama-21 kusukela 23 July 2009.

Isicelo siyocutshungulwa eNkundleni yokulalela izicelo eyohlala Mpofana Council Chambers, Mooi River mhla ka 16 October 2009 ngo 10h00 kanti umhlangano wokwendulela uyoba Mpofana Council Chambers, Mooi River mhla ka 19 August 2009 ngo 10h00. Ungaba khona lapho kuhlolelwa mathupha indawo ethuthukiswayo okuyokwenziwa yiNkundla yokulalela izicelo mhla ka 15 October 2009 ngo 14h00

Yinoma yimuphi umuntu onentshisekelo mayelana nesicelo kumele aqaphele lokhu: Ezinsukwini ezingu-21 lesi sazizo sokuqala simenyezwe, unganikeza isiphathi-mandla esiqokiwe isikhalo noma umbono wakho obhalwe phansi; noma uma umbono wakho kuyisikhalo esiqondene nokuthile mayelana nesicelo sokuthuthukisa umhlaba, kumele ube khona mathupha noma umelwe ummeli eNkundleni ngosuku olubalulwe ngenhla. Noma yisiphi isikhalo noma umbono obhalwe phansi kumele uthunyelwe kwisiphathi-mandla esiqokiwe Mr S Makhaye, 10 Cloughton Terrace, Mooi River, P.O Box 47, Mooi River, 3300 futhi ungathintana nesiphathi-mandla lapha : (T) 033 2637700 (F) 033 2631127

DFA APPLICATION

Regulation 21(10) of the Development Facilitation Regulations in terms of the Development Facilitation Act, 1995

Mr B.A Couchman has lodged an application in terms of the Development Facilitation Act, 1995, for a development on Remainder of Sub 72 (of 71) of the Farm Camperdown No.1330. The development will consist of 22 residential subdivisions. The relevant plans, documents and information are available for inspection at the offices of the Designated Officer for a period of 21 days from 23 July 2009.

The application will be considered at a Tribunal hearing to be held at the Council Chamber, Mkhambathini Municipality on 23 October 2009 at 10h00 and the prehearing conference will be held at the Council Chamber, Mkhambathini Municipality on 24 August 2009 at 10h00. You may attend an inspection in loco of the land development area which will be conducted by the Tribunal on 22 October 2009 at 14h00.

Any person having an interest in the application should please note: You may within a period of 21 days from the date of the first publication of this notice, provide the designated officer with your written objections or representations; or if your comments constitute an objection to any aspect of the land development application, you must appear in person or through a representative before the Tribunal at the prehearing conference, on the date mentioned above. Any written objection or representation must be delivered to the designated officer Mrs E Donaldson Private Bag X04, Camperdown, 3720 and you may contact the designated officer if you have any queries at the following : (T)031 7859313 (F)031 7851278

DFA APPLICATION

[Umthetho 21(10) wemithetho yokuKhuthaza iNtuthuko ngokulandela uMthetho wokuKhuthaza iNtuthuko ka-1995]

Mr B.A Couchman ufake isicelo ngokulandela uMthetho wokuKhuthaza iNtuthuko mayelana nokumiswa kwendawo yokuthuthukiswa Remainder of Sub 72 (of 71) of the Farm Camperdown No.1330. Ukuthuthukisa kubabandakanya lokhu okulandelayo: 22 residential subdivisions. Ipulani (amapulani), incwadi (izincwadi) neminingwane edingekayo ukuze ihlolwe itholakala: the offices of the Designated Officer, isikhathi esiyizinsuku ezingama-21 kusukela 23 July 2009.

Isicelo siyocutshungulwa eNkundleni yokulalela izicelo eyohlala the Council Chamber, Mkhambathini Municipality mhla ka 23 October 2009 ngo 10h00 kanti umhlango wokwendulela uyoba the Council Chamber, Mkhambathini Municipality mhla ka 24 August 2009 ngo 10h00. Ungaba khona lapho kuhlolwa mathupha indawo ethuthukiswayo okuyokwenziwa yiNkundla yokulalela izicelo mhla ka 22 October 2009 ngo 14h00

Yinoma yimuphi umuntu onentshisekelo mayelana nesicelo kumele aqaphele lokhu: Ezinsukwini ezingu-21 lesi sazizo sokuqala simenyezwe, unganikeza isiphathi-mandla esiqokiwe isikhalo noma umbono wakho obhalwe phansi; noma uma umbono wakho kuyisikhalo esiqondene nokuthile mayelana nesicelo sokuthuthukisa umhlaba, kumele ube khona mathupha noma umeli eNkundleni ngosuku olubalulwe ngenhla. Noma yisiphi isikhalo noma umbono obhalwe phansi kumele uthunyele kwisiphathi-mandla esiqokiwe Mrs E Donaldson Private Bag X04, Camperdown, 3720, futhi ungathintana nesiphathi-mandla lapha T)031 7859313 (F)031 7851278

DFA APPLICATION

Regulation 21(10) of the Development Facilitation Regulations in terms of the Development Facilitation Act, 1995

Mr V.R.T Crow, Mr D and Mrs N Sampson, Mr J.A Staley and Mr W.R Beghin has lodged an application in terms of the Development Facilitation Act, 1995, for a development of four subdivisions on Portion 69 of the farm Hilton, No 12304, four subdivisions on Portion 42 (of 1) of the farm Hilton, No 12304, three subdivisions on Portion 27 (of 15) of the farm Woodburn, No 13614 and three subdivisions on Rem of Portion 15 of the farm Woodburn, No 13614. The relevant plans, documents and information are available for inspection at the offices of the Designated Officer for a period of 21 days from 23 July 2009.

The application will be considered at a Tribunal hearing to be held at the, uMngeni Council Chambers, Howick on 9 October 2009 at 10h00 and the prehearing conference will be held at the uMngeni Council Chambers, Howick on 17 August 2009 at 10h00. You may attend an inspection in loco of the land development area which will be conducted by the Tribunal on 8 October 2009 at 14h00.

Any person having an interest in the application should please note: You may within a period of 21 days from the date of the first publication of this notice, provide the designated officer with your written objections or representations; or if your comments constitute an objection to any aspect of the land development application, you must appear in person or through a representative before the Tribunal at the prehearing conference, on the date mentioned above. Any written objection or representation must be delivered to the designated officer Mr S Simpson, P.O Box 5, Howick, 3290, and you may contact the designated officer if you have any queries at the following : (T) : 033 2399285 (F) : 033 3302965

DFA APPLICATION

[Umthetho 21(10) wemithetho yokuKhuthaza iNtuthuko ngokulandela uMthetho wokuKhuthaza iNtuthuko ka-1995]

Mr V.R.T Crow, Mr D and Mrs N Sampson, Mr J.A Staley and Mr W.R Beghin ufake isicelo ngokulandela uMthetho wokuKhuthaza iNtuthuko mayelana nokumiswa kwendawo yokuthuthukiswa four subdivisions on Portion 69 of the farm Hilton, No 12304, four subdivisions on Portion 42 (of 1) of the farm Hilton, No 12304, three subdivisions on Portion 27 (of 15) of the farm Woodburn, No 13614 and three subdivisions on Rem of Portion 15 of the farm Woodburn, No 13614. Ipulani (amapulani), incwadi (izincwadi) neminingwane edingekayo ukuze ihlolwe itholakala: the offices of the Designated Officer, isikhathi esiyizinsuku ezingama-21 kusukela 23 July 2009.

Isicelo siyocutshungulwa eNkundleni yokulalela izicelo eyohlala uMngeni Council Chambers, Howick mhla ka 9 October 2009 ngo 10h00 kanti umhlangano wokwendulela uyoba uMngeni Council Chambers, Howick mhla ka 17 August 2009 ngo 10h00. Ungaba khona lapho kuhlolwa mathupha indawo ethuthukiswayo okuyokwenziwa yiNkundla yokulalela izicelo mhla ka 8 October 2009 ngo 14h00

Yinoma yimuphi umuntu onentshisekelo mayelana nesicelo kumele aqaphele lokhu: Ezinsukwini ezingu-21 lesi sazizo sokuqala simenyezwe, unganikeza isiphathi-mandla esiqokiwe isikhalo noma umbono wakho obhalwe phansi; noma uma umbono wakho kuyisikhalo esiqondene nokuthile mayelana nesicelo sokuthuthukisa umhlaba, kumele ube khona mathupha noma umelwe ummeli eNkundleni ngosuku olubalulwe ngenhla. Noma yisiphi isikhalo noma umbono obhalwe phansi kumele uthunyelwe kwisiphathi-mandla esiqokiwe Mr S Simpson, P.O Box 5, Howick, 3290, futhi ungathintana nesiphathi-mandla lapha (T) : 033 2399285 (F) : 033 3302965

PUBLIC NOTICE

[Regulation 21(10)(c) of the Development Facilitation Regulations in terms of the Development Facilitation Act, Act 67 of 1995.

Alibi Props 4 (Proprietary) Limited, represented herein by Siyazama Consulting, has lodged an application for the establishment of a land development area in terms of Chapter V of the Development Facilitation Act, Act 67 of 1995.

The land development area will comprise a shopping centre. The land development area is situated on a portion of the Remainder of Reserve No. 14 No. 15834 and is situated within in the jurisdiction of the Umhlabuyalingana Local Municipality and the uMkhanyakude District Municipality.

The relevant plan(s), document(s) and information are available for inspection at reception of the offices of the Umhlabuyalingana Local Municipality, Manguzi (Kwangwanase).

The application will be considered at a hearing to be held in the Umhlabuyalingana Municipal Boardroom, Manguzi (Kwangwanase), on Friday 30 October 2009 at 10h00.

All interested and affected parties are hereby informed that they may attend an *inspection in loco* of the land development area, which will be conducted by the Tribunal on 29 October 2009 at 10h00.

A Pre-hearing conference will be held in the Umhlabuyalingana Municipal Boardroom, on 1 September 2009 at 10H00. Any person having an interest in the application should please note:

1. You may within a period of 21 days from 30 July 2009, provide the Designated Officer with your written objections or representations; or
2. If your comments constitute an objection to any aspect of the land Development application, you must appear in person or through a Representative before the Tribunal on the date mentioned above.

Any written objection or representation must be delivered to the Designated Officer, Kobus Marais at: Jozini Municipality, Circle Street, Jozini, 4450

And you may contact the Designated Officer if you have any queries on telephone no. 035-572 1292 or fax no. 035-572 1266.

ISAZISO SOMPHAKATHI

Ngokomgomo 21(10) (c) wokukhuthaza intuthuko owaziwa ngokuthi (Development Facilitation Act.67 of 1995)

Alibi Props 4 (Pty) Ltd. Emelwe uSiyazama Consulting ifake isicelo sokusungula uhlelo lokuthuthukisa umhlaba ngokwemigomo ekusahluko somthetho wokukhuthaza intuthuko owaziwa ngokuthi (Development Act, 67 of 1995)

Indawo ezothuthukiswa izokuba nenxanxathela yezitolo. Lendawo ikwingxenye ye Reserve no 14. kanye no no15834 neyakhele uMasipala wesigodi uMhlabuyalingana kanye noMasipala wesifunda uMkhanyakude.

Amapulani kanye nezinye izincwadi ezinayo yonke imininingwane kuyatholakala ukuba kucutshungulwe ehhovisi likanobhala elikuMasipala wesigodi eUmhlabuyalingana, ku Manguzi (Kwangwanase).

Izicelo ziyocutshungulwa mhla zingu 30 kuMfumfu 2009 ngehora leshumi ekuseni kobe kunguLwesihlanu kuMasipala uMhlabuyalingana, Manguzi, (KwaNgwanase).

Bonke abathintekayo kanye nalabo abanentshisekelo bayacelwa ukuba bahlanganyele kucwaningo lokuthuthukiswa kwezomhlaba oluyokuba mhla zingu 29 kuMfumfu 2009 ngehora leshumi ekuseni. Inkomfa yokulalela kabusha iyokubanjelwa ezindlini zikaMasipala uMhlabuyalingana mhla lulunye ku Mandulo 2009 ngehora leshumi ekuseni.

Wonke umuntu onentshisekelo ekufakeni isicelo komele aqaphele lokhu:

1. ngaphambi kwezinsuku ezingamashumi amabili nanye (21), kusuka mhla zingu 30 kuNtulikazi 2009, wazise olilungu lehhovisi ngokubhaliwe phansi, uma unezwi lokuphikisa, imibono noma ukumelwa okanye izikhalo.
2. uma imibono okanye ukuphawula kwakho kuphathelene nempikiswano noma engaba iluphi uhlobo ekufakweni kwezicelo zentuthuko, komele uzifikele wena mathupha noma umelwe ngaphambi kosuku olubekiwe.

Zonke izikhalo, imibono ephikisayo, noma ukumelwa okanye izikhalo ezibhaliwe zingathunyelwa eDesignated Office, Kobus Marais kuMasipala iJozizi, kuCircle Street;Jozini 4450

Uma unemibuzo ungathintana neDesignated Officer kulenombolo 035 572 1292 noma kwisikhahlezi 035 572 1226.