

STELLENBOSCH MUNICIPALITY**PREAMBLE**

Stellenbosch Municipality, by virtue of the powers vested in it by **section 156 (2)** of the **Constitution of the Republic of South Africa** as amended, read with **section 13** of the **Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)**, has made the By-law set out below.

In this by-law, words used in the masculine gender include the feminine.

All singular meanings shall include the plural interpretation and vice versa.

The English text shall prevail in the event of an inconsistency between the different texts, and unless the context otherwise indicates.

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DEFINITIONS

1. “**animals**” mean any horses, donkeys, cattle, pigs, sheep, goats, and other animals, with the inclusion of domesticated animals such as dogs and cats.

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

“**informal parking attendant**” means a person who is in possession of a permit issued by the municipality and who assists with the pointing out of parking or supervision of vehicles for security purposes, in a street or parking area.

“**municipality**” means the Municipality of Stellenbosch established in terms of **section 12** of the **Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)**, published in **Provincial Notice 5642** dated **4 December 2000** and includes any political structure, political office-bearer, councillor, or any employee thereof acting in connection with this by-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office-bearer, councillor, or employees.

“**municipal area**” means the area of jurisdiction of Stellenbosch Municipality as determined in terms of the **Local Government: Municipal Demarcation Act, 1998 (Act 27 of 1998)**.

“**Municipal Manager**” means a person appointed in terms of **section 82** of the **Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)**.

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

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

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

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

- (a) in connection with any subdivision or layout of land into erven been provided, reserved or set apart for use by the public or the owners or occupiers of such erven, whether or not it is shown on a general plan, plan of subdivision or diagram;
- (b) at any time been dedicated to the public;
- (c) been used by the public without interruption for a period of at least 30 years; or
- (d) at any time been declared or rendered such by the municipality or other competent authority.

“**public road**” means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which is commonly used by the public or any section thereof or to which the public or any section thereof has a right of access, and includes —

- (a) the verge of any such road, street or thoroughfare;
- (b) any bridge, ferry or drift traversed by any such road, street or thoroughfare; and
- (c) any other work or object forming part of or connected with or belonging to such road, street or thoroughfare.

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

“**sidewalk**” means that portion of a street intended for the exclusive use by pedestrians.

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

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

- (b) any footpath, sidewalk or similar pedestrian portion of a road reserve;
- (c) any bridge, ferry or drift traversed by any such road, street or thoroughfare;
- (d) any other object belonging to such road, street or thoroughfare, which has at any time been —
 - (i) dedicated to the public;
 - (ii) used without interruption by the public for a period of at least 30 years;
 - (iii) declared or rendered such by the municipality or other competent authority, or
 - (iv) constructed by a local authority, or
 - (v) any land with or without buildings or structures thereon, which is shown as a street on —
 - (aa) any plan of subdivision or diagram approved by the municipality or other competent authority and acted upon, or
 - (bb) any general plan as defined in the **Land Survey Act, 1997 (Act 8 of 1997)**, registered or filed in a deeds registry or Surveyor-General's office;

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

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

- (a) any spare wheel and all other accessories and equipment supplied by the manufacturer as standard for the particular model of motor vehicle concerned;
- (b) anything which is a permanent part of the structure of such vehicle;
- (c) anything attached to such vehicle so as to form a structural alteration of a permanent nature; and
- (d) the accumulators, if such vehicle is self-propelled by electrical power, but does not include the mass of —
 - (i) fuel; and
 - (ii) anything attached to such vehicle which is not of the nature referred to in paragraph (a) to (d).

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

STREETS, SIDEWALKS AND ENCROACHMENTS ON STREETS

2. No person shall —

- (a) make, construct, reconstruct, or alter a street or sidewalk; or
- (b) construct a veranda, stoep, steps or other projection or erect a post in a street or public place;

except with the written permission of the municipality, and in accordance with the conditions prescribed by the municipality.

BALCONIES AND VERANDAS

3. No person shall—

- (a) use a balcony or veranda erected beyond the boundary line of a street or public place for purposes of trading or the storage of goods, or for the washing or drying of clothes thereon; or
- (b) enclose or partition a balcony or veranda erected beyond the boundary line of a street or public place or portion thereof as a living area or bedroom;

except with the written permission of the municipality, and in accordance with the conditions prescribed by the municipality.

ADVERTISEMENTS VISIBLE FROM STREETS

4. No person shall display any advertisement, placard, poster or bill in a street, except with the written permission of the municipality, and in accordance with the conditions prescribed by the municipality.

ANIMALS OR OBJECTS CAUSING AN OBSTRUCTION

5. No person shall —

- (a) allow their animals to roam freely in public roads or in a public place; or
- (b) allow their animals to be on sidewalks without the necessary control mechanisms; or
- (c) allow, permit or cause any animal to graze or stray in or about any street or public place.

TREES IN STREETS

6. (1) No person shall —

- (a) plant a tree or shrub in a street or public place; or
- (b) in any way cut down a tree or a shrub in a street or public place or remove it therefrom; or

- (c) climb, break or damage a tree growing in a street or public place; or
 - (d) in any way mark or paint any tree growing in a street or public place; or
 - (e) attach any advertisement to any tree growing in a street or public place, except with the written permission of the municipality, and in accordance with the conditions prescribed by the municipality.
- (2) Any tree or shrub planted in a street or public place, shall become the property of the municipality.

TREES OR GROWTH CAUSING AN INTERFERENCE OR OBSTRUCTION

7. (1) No person shall—
- (a) cause any tree or other growth to interfere with overhead wires; or
 - (b) cause any source of annoyance, damage, danger or inconvenience to persons using a street or public place.
- (2) The municipality may give any owner of property a notice in writing compelling the owner or occupier of such property to prune or remove such tree or growth to the extent that it causes an interference or inconvenience, as referred to in subsection (1).
- (3) Any person failing to comply within the period contained in the notice referred to in subsection (2) shall be guilty of an offence.
- (4) In case of a failure to comply with the notice in terms of subsection (2), then the municipality may itself prune or remove the tree or growth at the expense of the person on whom the notice was served.

REFUSE, MOTOR VEHICLE WRECKS, WASTE MATERIAL, ETC.

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

PROHIBITION OF ACTIVITIES RELATING TO MOTOR VEHICLES ON STREETS AND PUBLIC PLACES

9. No person shall, in a street or public place —
- (a) effect any repairs or service of a vehicle, except where required for the purpose of removing such vehicle; or
 - (b) clean or wash a vehicle.

PROHIBITION RELATED TO ACTIVITIES ON STREETS AND PUBLIC PLACES

10. No person shall —
- (a) play games or discharge fireworks or throw stones, sticks or other projectiles in and or across a street or public place, thus causing an obstruction to vehicular access, or pedestrians; or
 - (b) do anything in a street or public place which may endanger the life or safety of any person, animal or thing or may be a nuisance, obstruction or annoyance to the public.

CONVEYANCE OF REFUSE AND WASTE PRODUCTS ON PUBLIC STREETS AND PUBLIC PLACES

11. No person shall convey—
- (a) any garbage, night soil, refuse, manure, gravel or sand, unless it is properly covered; or
 - (b) allow any offensive liquids or parts of the load to be spilt in the street or public place.

FENCES ON STREET BOUNDARIES

12. No person shall—
- (a) erect a barbed-wire, razor wire, electrified fence or other dangerous fence on the boundary of a street or public place, except with the written permission of the municipality, and in accordance with the conditions prescribed by the municipality.
 - (b) applications referred to in subsection (a) shall be brought in writing to the Building Control Department of the municipality.

BUILDING MATERIALS IN STREETS AND PUBLIC PLACES

13. (a) No person shall store excess building materials in a street or public place, except with the written permission of the municipality, and in accordance with the conditions prescribed by the municipality.
- (b) applications referred to in subsection (a) shall be brought in writing to the Building Control Department of the municipality.

PARKING OF HEAVY VEHICLES AND CARAVANS

14. (1) No person shall park on a street within the municipal area —
- (a) a motor vehicle with a tare exceeding 3500 kg; or
 - (b) a trailer; or

- (c) a semi-trailer; or
- (d) a caravan;

for an uninterrupted period exceeding two hour, except on places reserved for parking of heavy vehicles, provided further that the above provisions will not apply to the actual loading or unloading of such vehicle.

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

PROTECTION OF STREET SURFACE AND PUBLIC PLACES

- 15. (1) No person shall —
 - (a) use a vehicle or allow it to be used in any street or public place if such vehicle is in such a defective condition and may cause damage to any street or public place;
 - (b) undertake any work on motorvehicles, which may cause the surface of any street or public place to be altered, damaged or broken.
- (2) The municipality may recover the cost of repair for any damage from the person who is responsible for conduct referred to in subsection (1).

DAMAGES RELATED TO CONSTRUCTION WORK

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

DAMAGING OF NOTICE BOARDS AND ROAD TRAFFIC SIGN

17. No person shall damage or deface notice boards, road traffic signs, street name boards or other similar signs which has been erected in a street or public place by or with the permission of the municipality.

STREET, DOOR-TO-DOOR COLLECTIONS AND DISTRIBUTION OF HANDBILLS

- 18. (1) No person shall —
 - (a) collect or attempt to collect money in a street or public place;
 - (b) collect from door-to-door, beg or solicit or accept alms;
 - (c) distribute a handbill or similar advertising material or cause it to be placed on or in any vehicle;
 except with the written permission of the municipality, and in accordance with the conditions prescribed by the municipality.
- (2) Said applications should be submitted to the Department of Social Development Services of the municipality.
- (3) Approvals should be produced at the request of the officials of the municipality.

EXCAVATIONS IN STREETS

19. No person shall make or cause to be made an excavation or dig or cause to be dug a pit, trench or hole in a street or public place, except with the written permission of the municipality, and in accordance with the conditions prescribed by the municipality.

WEEDKILLERS AND POISON IN STREETS OR PUBLIC PLACES

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

PROCESSIONS

- 21. No person shall—
 - (1) hold, organise, initiate, control or actively participate in a procession or gathering in a street or public place, or dance or sing or play a musical

instrument, or do anything which is likely to cause a gathering of persons or disruption or obstruction of traffic in such street or public place, or shall use any loudspeaker or other device for the reproduction or amplification of sound, except with the written permission of the municipality, and in accordance with the conditions prescribed by the municipality.

- (2) Any person who intends to perform or carry out any one or more of the actions described in subsection (1) in any street or public place, shall submit a written application for permission thereto, which shall, reach the municipality at least seven days before the date upon which any one or more of such actions is or are intended to be performed or carried out.
- (3) All persons who intend participating actively in a procession, or gathering in any street need not apply to the municipality for permission thereto and it shall not be illegal for such persons to participate actively in such procession or gathering if the organiser, promoter or controller thereof has obtained the permission of the municipality.
- (4) An application made in terms thereof shall contain the following—
 - (a) full details of the name, address and occupation of the applicant;
 - (b) full details of the street or public place where or route ' along which any, or more of the actions prescribed in subsection (1) is or are intended to be performed or carried out, proposed starting and finishing times or any one or more of the aforesaid actions and, in the case of processions and gatherings, the number of persons expected to attend; and
 - (c) general details of the purpose of any one or more of the aforesaid actions intended to be performed or carried out.
- (5) Any application submitted in accordance with subsection (2) and (4) shall be considered by the municipality, and if any one or more of the actions to be performed or carried out as proposed in such application is or are not, in the opinion of the municipality, likely to be in conflict with the interests of public peace, good order or safety. The municipality shall issue a certificate granting permission and authorisation for the performance or carrying out of any one or more of such actions, subject to such conditions as the municipality may deem necessary to uphold public peace, good order or safety.
- (6) The municipality may refuse to grant permission for the performance or carrying out of any one or more of the actions described in subsection (1), if the performance or carrying out of such action or actions will, in the opinion of the municipality, be in conflict with the interest of public peace, good order or safety.
- (7) The municipality may withdraw any permission granted in terms of subsection (2) to (4), if, as a result of further information, it is of the opinion that the performance or carrying out of the action or action in question will be in conflict with the interests of public peace, good order or safety.
- (8) The provisions of this section shall not apply —
 - (a) to wedding or funeral processions;
 - (b) to a gathering or demonstration as contemplated by the **Regulation of Gatherings Act, 1993 (Act 205 of 1993)**, in which case the provisions of the said Act shall be applicable.

PERSONS TO BE DECENTLY DRESSED

22. No person shall appear in any street or public place without being clothed in a manner that is not offensive to other members of the public.

BEHAVIOUR IN STREETS AND PUBLIC PLACES

23. No person shall —

- (a) be loitering, standing, sitting, lying or begging in suspicious circumstances;
- (b) sleep, overnight or erect any shelter in public;
- (c) wash or dry clothes, blankets or any other domestic articles;
- (d) use abusive, insulting, obscene, threatening or blasphemous language;
- (e) fight or act in a riotous manner;
- (f) discharge a firearm, airgun or air pistol;
- (g) annoy or inconvenience any other person by yelling, shouting or making any noise in any manner whatsoever;
- (h) defecate, urinate or wash himself in public;
- (i) solicit or importune any person for the purpose of prostitution or immorality;
- (j) engage in gambling;
- (k) use intoxicating liquor or drugs;
- (l) spit;
- (m) be drunk and disorderly in or on any premises at which liquor is sold;
- (n) be drunk;

in a street or public place.

DISPLAY OF STREET NUMBER OF PLACES

24. (1) The municipality may prescribe by notice in writing to the owner of any premises that a number allocated to such premises by the municipality shall be displayed and the owner of such premises shall, within 30 days of the date of such notice, display the allocated number on the premises.
- (2) A number displayed as contemplated by subsection (1) shall—

- (a) be displayed in a conspicuous position on the premises and must at all times be visible and legible from the adjacent street; and
- (b) be replaced by the owner of the premises as often as it gets obliterated, defaced or illegible.

BRIDGES AND CROSSINGS OVER GUTTERS AND SIDEWALKS

25. No private crossing, pathway, bridge or culvert shall be made or built to or in front of any dwelling or other premises in any street or public place, except with the written permission of the municipality, and in accordance with the conditions prescribed by the municipality.

CONTROL OF AMUSEMENT SHOWS AND DEVICES

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

CONTROL OF ANIMAL-DRAWN VEHICLES

27. No person shall—

- (a) simultaneously drive or be in control of more than one animal drawn vehicle in a street or public place;
- (b) drive or be in control of an animal drawn vehicle in a street or public place if he is under 16 years of age;
- (c) if he is in control of an animal drawn vehicle in a street, allow a person under 16 years of age to drive or be in control of such vehicle;
- (d) park any vehicle drawn by animals in a street or public place, which causes an obstruction for both pedestrians and vehicles.

VEHICLES TO BE ATTENDED

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

INFORMAL PARKING ATTENDANTS

29. No person shall act as informal parking attendant in a street parking

area or public place, without the written permission of the municipality and subject to such conditions as the municipality may impose.

CLOSURE OF STREETS AND PUBLIC PLACES

30. (1) No person shall—
- (a) close or barricade any street or public place or part thereof; or
 - (b) restrict access to any street or public place;
- except with the written permission of the municipality, and in accordance with the conditions prescribed by the municipality.
- (2) The municipality may permanently close or divert any street or public place or part thereof or restrict access to any street or public place.
- (3) When the municipality decides to act in terms of subsection (2), it shall publish such intention in a local newspaper in at least two official languages.
- (4) Any objection against the intended action must be delivered in writing to the Municipal Manager within 30 days from the date of notification in terms of subsection (3) for submission to Council or a committee or person who has delegated powers to decide upon it.
- (5) The municipality may, without complying with the provisions of subsection (2) to (4), temporarily close a street or public place —
- (a) for the purpose of or pending the construction, reconstruction, maintenance or repair of such street or public place; or
 - (b) for the purpose of or pending the construction, erection, laying, extension, maintenance, repair or demolition of any building, structure, works or service alongside, on, across, through, over or under such street or public place; or
 - (i) if such street or public place is in the opinion of the municipality a cause of danger to traffic; or
 - (ii) by reason of any emergency or public event which, in the opinion of the municipality, requires special measures for the control of traffic or special provision for the accommodation of crowds, or
 - (iii) for any other reason which, in the opinion of the municipality, renders the temporary closing of such street necessary, and
 - (c) temporarily divert a street which has been closed in terms of paragraph (a).
- (6) The Municipal Manager may at his discretion, for general information, place a notice of such temporary closure in a local newspaper.

CONSTRUCTION, MAINTENANCE AND NAMING OF STREETS AND PUBLIC PLACES

31. The municipality may in its area —

- (a) make, construct, reconstruct, alter and maintain streets and public places; or
- (b) name and rename streets and public places; or
- (c) allocate and reallocate numbers to properties abutting on streets and public places.

DECLARATION OF STREETS AND PUBLIC PLACES

32. (1) The municipality may —

- (a) declare any land or portion of land under its control to be a street, or any street or portion thereof to be a public place;
 - (b) declare any private street or portion thereof to be a public street, or any place or portion thereof to be public place.
- (2) When the municipality decides to act in terms of subsection (1), it shall give notice of such intention by giving notice of the intention in a local news paper in at least two official languages.
- (3) Any objection against the intended action must be delivered in writing to the Municipal Manager within 30 days from the date of notification in terms of subsection (2) for submission to Council or a committee or person who has delegated powers to decide upon it.

PENALTY

33. Any person who contravenes or fails to comply with any provision of this by-law shall be guilty of an offence and liable upon conviction to—

- (1) a fine or imprisonment, or both such fine and such imprisonment;
- (2) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued;
- (3) a further amount equal to any costs and expenses found by court to have been incurred by the municipality as result of such contravention or failure.

REPEAL OF BY-LAWS

34. The by-laws listed in the schedule hereto are hereby repealed to the extent indicated in the third column thereof.

SHORT TITLE AND COMMENCEMENT

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

SCHEDULE

BY-LAWS OF THE DISESTABLISHED MUNICIPALITY OF STELLENBOSCH		
PN No.	Short title	Extent of repeal
PN 81/1935	Regulations re parking on sidewalks or pavements	Whole
PN 31/1953	Regulation for the stopping or standing of vehicles in certain public roads within the municipality	Whole
PN 196/1959	Regulations for the control of door-to-door collections	Whole
PN 561/1976	By-law relating to streets	Whole
PN 625/1976	By-law for convenience of persons using the streets	Whole
PN 215/1988	By-law relating to streets	Whole

STELLENBOSCH MUNISIPALITEIT

AANHEF

Stellenbosch Munisipaliteit het uit hoofde van die gesag aan hom verleen deur **artikel 156 (2)** van die **Grondwet van die Republiek van Suid-Afrika**, soos gewysig, saamgelees met **artikel 13** van die **Wet op Plaaslike Regering : Munisipale Stelsels Wet, 2000 (Wet 32 van 2000)**, die volgende verordening aanvaar, soos aangedui hieronder.

In hierdie verordening sluit woorde wat die manlike geslag beteken ook die vroulike geslag in.

Alle interpretasies ten opsigte van enkelvoud, sal ook meervoud insluit, en omgekeerd.

Die Engelse teks van hierdie verordening sal voorrang geniet in die geval van 'n teenstrydigheid tussen die verskillende tekste, tensy dit anders blyk in die interpretasie.

VERORDENING T.O.V. STRATE

INHOUDSOPGAWE

1. Woordomsrywings
2. Strate, sypaadjies en oorskrydings op strate
3. Balkonne en verandas
4. Advertensies sigbaar vanaf strate
5. Diere of voorwerpe wat 'n versperring veroorsaak
6. Bome in strate
7. Bome of gewasse wat 'n hindernis of versperring veroorsaak
8. Vullis, motorvoertuigwrakke, afvalmateriaal, ens.
9. Verbod op sekere werksaamhede in verband met motorvoertuie op strate of openbare plekke
10. Verbod op speletjies en ander handelinge in strate en openbare plekke
11. Vervoer van rommel en afvalstowwe deur strate en openbare plekke
12. Heinings op straatgrense
13. Boumateriaal in strate en openbare plekke
14. Parkering van swaar voertuie, woonwaens, ens. in strate of openbare plekke
15. Beskerming van straatoppervlaktes en openbare plekke
16. Skade as gevolg van konstruksie werk
17. Beskadiging van kennisgewingborde of padverkeerstekens
18. Straat, huis-tot-huis kollekte en verspreiding van strooibiljette
19. Uitgrawings op strate
20. Gifstowwe op openbare paaie
21. Optogte
22. Persone moet behoorlik geklee wees
23. Gedrag in strate en openbare plekke
24. Vertoning van straatnommers van plekke
25. Brûe en oorgange oor vore en sypaadjies
26. Beheer oor vermaaklikheidsvertonings en toestelle
27. Beheer oor voertuie wat deur diere getrek word

28. Voertuie moet opgepas word
29. Informele parkeerbedieners
30. Sluiting van strate en openbare plekke
31. Aanleg, onderhoud en benaming van strate en openbare plekke
32. Verklaring van strate en openbare plekke
33. Strafbepaling
34. Herroeping van verordeninge
35. Kort titel en inwerkingtrede

WOORDOMSKRYWINGS

1. “**diere**” sluit in enige perde, donkies, beeste, varke, skape, bokke, en enige ander diere, met die insluiting van huisdiere soos honde en katte.

“**informele parkeerdieners**” beteken ’n persoon wat in besit is van ’n permit uitgereik deur die munisipaliteit en behulpsaam is met die aanwys van parkering of die hou van toesig oor voertuie vir beveiligings doeleindes, in ’n straat of parkeerterrein.

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

“**motorvoertuig**” beteken enige selfaangedrewe voertuig en ook —

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

“**munisipale gebied**” sluit in die regsgebied van Stellenbosch Munisipaliteit soos bepaal ingevolge die **Wet op Plaaslike Regering: Munisipale Afbekeningwet, 1998 (Wet 27 van 1998)**.

“**munisipaliteit**” beteken die Munisipaliteit van Stellenbosch gestig ingevolge **artikel 12** van die **Wet op Plaaslike Regering: Munisipale Strukture Wet, 1998 (Wet 117 van 1998)**, soos gepubliseer in **Provinsiale Kennisgewing 5642** van **4 Desember 2000** en sluit in enige politieke struktuur, politieke ampsbekleër, raadslid, of enige werknemer daarvan wie, handel ingevolge hierdie verordening uit hoofde van ’n bevoegdheid van die munisipaliteit wat gedelegeer of gesubdelegeer is aan gemelde politieke struktuur, politieke ampsbekleër, raadslid, of werknemer.

“**Munisipale Bestuurder**” beteken ’n persoon aangestel ingevolge **artikel 82** van die **Wet op Plaaslike Regering: Munisipale Strukture Wet, 1998 (Wet 117 van 1998)**.

“**openbare ruimte**” beteken enige plein, park onstpanningsterrein, sportterrein, sanitêre steeg of oopruimte wat —

- (a) in verband met enige onderverdeling of aanleg van grond in erwe, voorsien, gereserveer of afgesonder is vir gebruik deur die publiek of die eienaars of okkupeerders van sodanige erwe ongeag of dit op ’n algemene plan, onderverdelingsplan of diagram aangetoon word al dan nie; of
- (b) ter eniger tyd aan die publiek opgedra is; of
- (c) sonder onderbreking deur die publiek gebruik is vir ’n tydperk van 30 jaar; of
- (d) ter eniger tyd deur die munisipaliteit of ander bevoegde owerheid tot sodanig verklaar of gemaak is.

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

“**parkeerterrein**” beteken enige grond wat deur die munisipaliteit voorsien word vir parkeer doeleindes.

“**Raad**” verwys na die munisipale raad van Stellenbosch Munisipaliteit.

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

“**straat**” beteken enige straat, pad, fietspad, of deurgang of enige ander plek, insluitend —

- (a) die soom van enige sodanige pad, straat of deurgang; of
- (b) enige voetpad, sygaardjie of soortgelyke voetgangergedeelte van ’n padreserwe; of
- (c) enige brug, pont of drif waaroor of waardeur enige sodanige pad, straat of deurgang loop; of

- (d) enige ander voorwerp wat deel uitmaak van sodanige pad, straat of deurgang, wat ter enige tyd —
- (i) aan die publiek opgedra is, of
 - (ii) sonder onderbreking deur die publiek gebruik is vir 'n tydperk van minstens 30 jaar; of
 - (iii) deur die munisipaliteit of ander bevoegde owerheid tot sodanige gebied verklaar of gemaak is; of
 - (iv) deur 'n plaaslike owerheid aangelê is, of
 - (v) enige grond, met of sonder geboue of strukture daarop, wat as 'n straat aangetoon word op —
 - (aa) enige ondervelingsplan of diagram deur die munisipaliteit of ander bevoegde owerheid goedgekeur en waarvolgens gehandel is, of
 - (bb) enige algemene plan soos omskryf in **Opmetingswet, 1997 (Wet 8 van 1997)**, wat in 'n registrasiekantoor of die Landmeter-Generaal se kantoor geregistreer is of gebêre word, tensy sodanige grond op sodanige plan of diagram as 'n private straat beskryf word.

“**sypaadjie**” beteken die gedeelte van 'n straat wat bedoel is vir die gebruik van voetgangers.

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

- (a) enige noodwiel en van alle ander toebehore en toerusting wat deur die vervaardiger as standaard vir die besondere model van die betrokke motorvoertuig verskaf word;
- (b) enigiets wat 'n permanente deel van die struktuur van so 'n voertuig is;
- (c) enigiets wat aan so 'n voertuig geheg is sodat dit 'n struktuurverandering van 'n permanente aard uitmaak; en
- (d) die opgaarbattery, indien so 'n voertuig deur elektriese krag selfgedrewe is, maar sluit nie ook die massa van die volgende in nie ;
 - (i) brandstof; en
 - (ii) enigiets wat aan die voertuig geheg is en nie van die aard is wat in subartikel (a) tot (d) bedoel word nie;

“**voertuig**” beteken 'n toestel ontwerp of aangepas om hoofsaaklik op wiele, bande of rusperbande te loop en ook so 'n toestel wat met 'n trekstang van 'n insleepwa om enige of al die asse van 'n motorvoertuig wat geberg word, te ondersteun, behalwe so 'n toestel wat uitsluitlik op spore beweeg.

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

STRATE, SYPAADJIES EN OORSKRYDINGS OP STRATE

2. Niemand mag —

- (a) 'n straat of 'n sypaadjie bou, aanlê, heraanlê of verander nie; of
- (b) enige veranda, muur of 'n stoep, trappies of ander uitbreiding bou of 'n paal oprig in 'n straat of openbare plek nie, behalwe met die skriftelike toestemming van die munisipaliteit, en in ooreenstemming met die vereistes wat die munisipaliteit bepaal.

BALKONNE EN VERANDAS

3. Niemand mag—

- (a) 'n balkon of veranda wat verby die grenslyn van 'n straat of openbare plek opgerig is, gebruik vir die doel van handeldryf of die opberg van goedere, of vir die was of droogmaak van klere daarop nie; of
- (b) 'n balkon of veranda wat verby die grenslyn van 'n straat of openbare plek opgerig is of gedeelte daarvan as 'n woon of slaapvertrek omsluit of afskort;

behalwe met die skriftelike toestemming van die munisipaliteit, en in ooreenstemming met die vereistes wat die munisipaliteit bepaal.

ADVERTENSIES SIGBAAR VANAF STRATE

4. Niemand mag 'n advertensie, aanplakbiljet, plakkaat of biljet in 'n straat of openbare plek vertoon nie, behalwe met die skriftelike toestemming van die munisipaliteit, en in ooreenstemming met die vereistes wat die munisipaliteit bepaal.

DIERE OF VOORWERPE WAT 'N VERSPERRING VEROORSAAK

5. Niemand mag —

- (a) toelaat dat diere in die strate beweeg sonder enige toesig; of
- (b) toelaat dat diere op sypaadjies beweeg sonder enige toesig en beheer; of
- (c) mag duld, toelaat of veroorsaak dat enige dier in of op enige straat of openbare plek wei of rondloop nie.

BOME IN STRATE

6. (1) Niemand mag —

- (a) 'n boom of struik in 'n straat of openbare plek plant nie; of
- (b) 'n boom of 'n struik op enige wyse in 'n straat of openbare plek afkap of daarvandaan verwyder nie; of

- (c) in 'n boom klim wat in 'n straat of openbare plek groei, of dit breek of beskadig nie; of
- (d) 'n boom wat in 'n straat of openbare plek groei, op enige wyse merk of beskilder; of
- (e) 'n advertensie daarop aanbring nie;

behalwe met die skriftelike toestemming van die munisipaliteit, en in ooreenstemming met die vereistes wat die munisipaliteit bepaal.

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

BOME OF GEWASSE WAT 'N HINDERNIS OF VERSPERRING VEROORSAAK

- 7. (1) Geen persoon sal —
 - (a) toelaat dat enige boom of ander gewas luggrade belemmer; of
 - (b) wat ergenis, skade, gevaar of ongerief veroorsaak vir persone wat 'n straat of openbare plek gebruik.
- (2) Die munisipaliteit mag 'n skriftelike kennisgewing dien op die eenaar of ookupeerder van sodanige eiendom wat die hindernis of verspering veroorsaak en gelas dat die eenaar van die sodanige boom of gewas wat die problem veroorsaak, gesnoei of verwyder word.
- (3) Iedereen wat in gebreke bly om te voldoen aan die bepalings van die kennisgewing wat ingevolge subartikel (2) uitgereik word, is skuldig aan 'n misdryf.
- (4) Indien iemand versuim om te voldoen aan 'n kennisgewing ingevolge hierdie subartikel (2), mag die munisipaliteit self die boom of gewas snoei of verwyder en die koste van die persoon aan wie die kennisgewing beteken is, verhaal.

VULLIS, MOTORVOERTUIGWRASSE, AFVALMATERIAAL, ENS.

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

VERBOD OP SEKERE WERKSAAMHEDE IN VERBAND MET MOTORVOERTUIE OP STRATE OF OPENBARE PLEKKE

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

VERBOD OP SPELETJIES EN ANDER HANDELINGE IN STRATE EN OPENBARE PLEKKE

- 10. Niemand mag —
 - (a) speletjies speel in of op 'n straat of openbare plek nie, of vuurwerke laat afgaan, of klippe, takke, of ander voorwerpe gooi of plaas in 'n straat of openbare plek, wat 'n obstruksie sal veroorsaak vir motorvoertuie of voetgangers nie; of
 - (b) enigiets in 'n straat of openbare plek doen wat die lewe en die veiligheid van 'n persoon, dier of ding in gevaar stel of 'n oorlas, belemmering of ergeris vir die publiek veroorsaak nie.

VERVOER VAN ROMMEL EN AFVALSTOWWE DEUR STRATE EN OPENBARE PLEKKE

- 11. Niemand mag —
 - (a) afval, nagvuil, vullis, rommel, gruis of sand, vervoer in strate, tensy dit behoorlik bedek is nie; of
 - (b) aanstootlike vloeistowwe stort op strate of openbare plekke nie.

HEININGS OP STRAATGRENSE

- 12. (a) Niemand mag — 'n doringdraadheining, lemmetjiesdraadheining, geëlektrifiseerde heining of ander gevaarlike heining op die grens van 'n straat of openbare plek oprig nie, behalwe met die skriftelike toestemming van die munisipaliteit, en in ooreenstemming met die vereistes wat die munisipaliteit bepaal.
- (b) genoemde aansoeke verwys in subartikel (a) moet op skrif verwys word na die Boubeheer Departement van die munisipaliteit.

BOUMATERIAAL IN STRATE EN OPENBARE PLEKKE

- 13. Niemand mag—
 - (a) oortollige boumateriaal stoor op strate en openbare plekke, behalwe met die skriftelike toestemming van die munisipaliteit, en in ooreenstemming met die vereistes wat die munisipaliteit bepaal.
 - (b) genoemde aansoeke verwys in subartikel (a) moet op skrif verwys word na die Boubeheer Departement van die munisipaliteit.

PARKERING VAN SWAAR VOERTUIE, WOONWAENS, ENS. IN STRATE OF OPENBARE PLEKKE

- 14. (1) Niemand mag binne die munisipale gebied —
 - (a) 'n motorvoertuig met 'n tarra wat 3500 kilogram oorskry; of

- (b) 'n sleepwa; of
- (c) 'n leunwa.; of
- (d) 'n woonwa;

in 'n straat of openbare plek parkeer vir 'n ononderbroke tydperk wat twee uur oorskry nie, buiten op plekke wat vir sodanige voertuie geormerk is, met dien verstande dat die bepaling nie van toepassing is op die werklike op of aflaai van sodanige voertuig nie.

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

BESKERMING VAN STRAATOPPERVLAK EN OPENBARE PLEKKE

- 15. (1) Niemand mag —

- (a) 'n voertuig in 'n straat of openbare plek gebruik of toelaat dat dit daarin gebruik word indien sodanige voertuig in so 'n gebrekkige toestand is dat dit skade aan 'n straat of openbare plek sal veroorsaak of moontlik sal veroorsaak nie; of
- (b) enige werk onderneem, waardeur die oppervlakte van 'n straat of openbare plek verander, beskadig of gebreek word nie.

- (2) Indien die munisipaliteit 'n persoon identifiseer wat as gevolg van die handeling in subartikel (1) vermeld die oppervlak van 'n straat of openbare plek beskadig, gebreek of vernietig het, mag die munisipaliteit die herstelkoste, van die herstelwerk, van die oortreder verhaal.

SKADE AS GEVOLG VAN KONSTRUKSIE WERK

- 16. (1) Enige eenaar van grond waarop enige konstruksie werk 'gedoen word, is aanspreeklik vir enige skade wat aangerig is op enige straat of openbare plek in verband met die uitvoering van sodanige werk deur sodanige eenaar, sy werknemer of enige onafhanklike aannemer wat namens sodanige eenaar handel.

- (2) Wanneer enige werk wat op enige grond onderneem moet word, meebring dat voertuie oor randstene, sypaadjies of padrandte moet ry, mag die eenaar van sodanige grond nie 'n aanvang met enige sodanige werk maak of enige ander persoon toelaat om 'n aanvang daarmee te maak nie-

- (a) tensy die eenaar geskrewe goedkeuring van die munisipaliteit bekom het nie; en

- (b) 'n deposito van beraamde koste ten opsigte van vermeende herstelwerk van sodanige skade gedeponeer het by die munisipaliteit nie.

- (3) Na die voltooiing van sodanige werk mag die munisipaliteit self die herstel van enige gedeelte van sodanige straat of openbare plek wat deur sodanige werk beskadig is regstel en verreken die munisipaliteit die koste van sodanige herstelwerk teen sodanige deposito.

- (4) As sodanige koste minder is as die bedrag van die deposito, mag die munisipaliteit die saldo aan die deponeerder terug betaal, maar indien die bedrag van die deposito nie sodanige koste dek nie, is die eenaar aanspreeklik vir die verskil, wat betaalbaar word by die ontvangs van 'n rekening waarin die addisionele bedrag wat verskuldig is, aangetoon word.

- (5) Niemand behalwe 'n gemagtigde amptenaar van die munisipaliteit mag by die vervulling van sy pligte strepe, woorde, tekens of advertensies op die oppervlak van 'n straat of openbare plek aanbring, wat beskadig was in die aktiwiteit genoem in subartikel (1) merk, verf of skilder nie.

BESKADIGING VAN KENNISGEWINGBORD OF PADVERKEERSTEKEN

- 17. Niemand mag 'n kennisgewingbord, padverkeersteken, skuiling, straatnaambord of ander soortgelyke teken of 'n skutting wat deur die munisipaliteit in 'n straat of openbare plek opgerig is, ontsier of beskadig nie.

STRAAT, HUIS-TOT-HUIS KOLLEKTES EN VERSPREIDING OF STROOIBILJETTE

- 18. (1) Niemand mag —

- (a) geld insamel of probeer insamel of op enige wyse behulpsaam wees met die insameling van geld; of

- (b) van huis-tot-huis kollekteer, bedel of aalmoese vra of invorder nie; of

- (c) 'n strooibiljet of soortgelyke advertensiemateriaal versprei of laat versprei in enige straat of openbare plek, of enige strooibiljet of soortgelyke advertensiemateriaal op of in enige voertuig plaas of laat plaas nie;

behalwe met die skriftelike toestemming van die munisipaliteit, en in ooreenstemming met die vereistes wat die munisipaliteit bepaal.

- (2) Genoemde aansoeke kan ingedien word by die Departement van Sosiale Ontwikkelingsdienste van die munisipaliteit.

- (3) Goedkeurings moet ten alle tye getoon word aan relevante amptenare van die munisipaliteit.

UITGRAWINGS OP STRATE

- 19. Niemand mag in 'n straat of openbare plek 'n uitgraving maak of laat maak of 'n put, sloot of gat grawe of laat grawe nie, behalwe met die skriftelike toestemming van die munisipaliteit, en in ooreenstemming met die vereistes wat die munisipaliteit bepaal.

GIFSTOWWE OP OPENBARE PAAIE

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

OPTOGTE

21. Niemand mag—

- (1) 'n optog, of byeenkoms hou, organiseer, op tou sit of beheer of daadwerklik daaraan deelneem, of dans of sing of 'n musiek instrument bespeel, of enigiets doen wat waarskynlik 'n byeenskoms van persone of 'n verwarring of versperring van verkeer in sodanige straat of op openbare plek sal veroorsaak, of enige luidspreker of ander toestel vir die reproduksie of versterking van klank gebruik nie, behalwe met die skriftelike toestemming van die munisipaliteit, en in ooreenstemming met die vereistes wat die munisipaliteit bepaal.
- (2) Iedereen wat van voornemens is om een of meer van die handeling in subartikel (1) beskryf, in enige straat of openbare plek te verrig of uit te voer, moet 'n skriftelike aansoek om toestemming daartoe indien, wat die munisipaliteit moet bereik minstens sewe dae voor die datum waarop dit die voorneme is om een of meer van sodanige handeling te verrig of uit te voer.
- (3) Alle persone wat van voornemens is om daadwerklik aan 'n optog, byeenkoms in enige straat of openbare plek deel te neem, hoef nie by die munisipaliteit om toestemming daartoe aansoek te doen nie indien die organiseerder, ondernemer of beheerder daarvan die toestemming van die munisipaliteit verkry het.
- (4) 'n Aansoek wat hierkragtens gedoen word, moet die volgende bevat —
 - (a) volledige besonderhede van die naam, adres en beroep van die aansoeker;
 - (b) volledige besonderhede van die straat of openbare plek waar en roete waarlangs dit die voorneme om een of meer van die handeling beskryf in subartikel (1) te verrig of uit te voer, die voorgestelde aanvangs en sluitingstyd van een of meer van voorgenoemde handeling en, in die geval van optogte, en byeenkomste, die getal persone wat na verwagting teenwoordig sal wees;
 - (c) algemene besonderhede en die doel van een of meer van voorgenoemde handeling wat die aansoeke van voorneme is om te verrig of uit te rig of uit te voer.
- (5) Enige aansoek wat ooreenkomstig subartikel (2) tot (4) ingedien word, moet deur die munisipaliteit oorweeg word, en indien een of meer handeling wat verrig of uitgevoer gaan word, nie teen openbare vrede, goeie orde of veiligheid sal wees nie, moet die munisipaliteit 'n sertifikaat uitreik waarby toestemming en magtiging verleen word vir die verrigting of uitvoering van een of meer van sodanige handeling, onderworpe aan die voorwaardes wat die munisipaliteit nodig ag vir die handhawing van die openbare vrede, goeie orde of veiligheid.
- (6) Die munisipaliteit kan weier om toestemming te verleen vir die verrigting of uitvoering van een of meer van die handeling wat in subartikel (1) beskryf word, indien die verrigting of uitvoering van sodanige handeling of handeling na die mening van die munisipaliteit in stryd met die belange van die openbare vrede, goeie orde of veiligheid sal wees.
- (7) Die munisipaliteit kan enige toestemming wat kragtens subartikel (1) verleen is, terugtrek indien hy, as gevolg van nadere inligting van mening is dat die verrigting of uitvoering van die betrokke handeling of handeling in stryd met die belang van die openbare vrede, goeie orde of veiligheid sal wees.
- (8) Die bepaling van hierdie artikel is nie van toepassing nie op —
 - (a) optogte vir huwelike of begrafnisse;
 - (b) 'n byeenkoms of betoging soos beoog by die Wet op die **Reëling van Byeenkomste, 1993 (Wet 205 van 1993)**, in welke geval die bepaling van die betrokke wet van toepassing sal wees.

PERSONE MOET BEHOORLIK GEKLEE WEES

22. Niemand mag op straat of in 'n openbare plek verskyn sonder om geklee te wees op so 'n manier wat nie aanstoot veroorsaak vir ander lede van die publiek nie.

GEDRAG IN STRATE EN OPENBARE PLEKKE

23. Niemand mag in 'n straat of openbare plek —

- (a) slenter, staan, sit, lê of bedel nie, in verdagte omstandighede nie;
- (b) slaap of oornag of enige skuiling oprig nie;
- (c) klere, komberse of ander huishoudelike artikels was, skoonmaak of droogmaak nie;
- (d) skel, belegende, onweloweglike, dreigende of godslasterlike taal besig nie;
- (e) baklei of oproerig optree nie;
- (f) 'n vuurwapen, windbuks of windpistool afvuur nie;
- (g) tot ergernis of ongemak van enige ander persoon skreeu, gil of enige lawaai op watter wyse ook al maak nie;
- (h) homself was, ontlas of urineer nie;
- (i) met die oog op prostitusie of onsedelikheid iemand aanspreek of lastig val nie;
- (j) dobbelary beoefen nie;
- (k) bedwelkende drank of ander dwelmmiddels gebruik nie;
- (l) spuug nie;
- (m) dronk en oproerig wees op enige perseel waar drank verkoop word nie; of
- (n) dronk wees op enige straat of plek waartoe die publiek toegang het nie.

VERTONING VAN STRAATNOMMER VAN PLEKKE

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

BRÛE EN OORGANGE OOR VORE EN SYPAADJIES

25. Geen private oorgang, voetpaadjie, brug of duiker mag na of voor 'n woning of ander perseel in 'n straat of op 'n openbare plek gemaak of gebou word nie, behalwe met die skriftelike toestemming van die munisipaliteit, en in ooreenstemming met die vereistes wat die munisipaliteit bepaal.

BEHEER OOR VERMAAKLIKHEIDSVERTONINGS EN TOESTELLE

26. (1) Niemand mag 'n sirkus, draaimeule, mallemeule of ander byvertoning of toestel vir die vermaak of onspanning van die publiek in 'n straat of op 'n openbare plek oprig of gebruik nie —
- behalwe met die skriftelike toestemming van die munisipaliteit, en in ooreenstemming met die vereistes wat die munisipaliteit bepaal; en
 - tensy geskikte sanitêre geriewe vir albei geslagte, sowel as die personeel aldaar verskaf is, en
 - as dit enigszins gevaarlik of onveilig vir die gebruik van publiek is.
- (2) 'n Gemagtigde amptenaar van die munisipaliteit het vir inspeksiedoeleindes te alle redelike tye vrye toegang tot sodanige sirkus, draaimeule, mallemeule of ander byvertonings toestel.

BEHEER OOR VOERTUIE WAT DEUR DIERE GETREK WORD

27. Niemand mag —
- tergelykertyd meer as een voertuig wat deur diere getrek word, in 'n straat of openbare plek bestuur of beheer daarvoor hê nie; of
 - 'n voertuig wat deur diere getrek word, in 'n straat of openbare plek bestuur of beheer daarvoor hê nie, as hy onder die ouderdom van 16 jaar is; of
 - as hy in 'n straat beheer het oor 'n voertuig wat deur diere getrek word, iemand onder die ouderdom van 16 jaar toelaat om sodanige voertuig te bestuur of beheer daarvoor te hê nie; of
 - 'n voertuig wat deur diere getrek word in 'n straat of openbare plek uitspan of laat uitspan nie.

VOERTUIE MOET OPGEVAS WORD

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

INFORMELE PARKEERBEDIENERS

29. Niemand mag in 'n straat, parkeerterrein of openbare plek optree as informele parkeerbediener sonder die skriftelike toestemming van die munisipaliteit en onderhewig aan die voorwaardes deur die munisipaliteit opgelê is nie.

SLUITING VAN STRATE EN OPENBARE PLEKKE

30. (1) Niemand mag—
- enige straat sluit of openbare plek; of
 - toegang daartoe versper of beperk nie;
- behalwe met die skriftelike toestemming van die munisipaliteit, en in ooreenstemming met die vereistes wat die munisipaliteit bepaal.
- Die munisipaliteit kan enige straat of openbare plek permanent sluit of enige gedeelte van 'n straat of openbare plek sluit of verlê of toegang na 'n straat of openbare plek beperk.
 - Indien die munisipaliteit ingevolge subartikel (2) wil handel, moet daardie voorneme om dit te doen gepubliseer word in die plaaslike koerante in minstens twee amptelike tale.
 - Enige besware teen die voorgenome handeling moet binne 30 dae na datum van kennisgewing ingevolge subartikel (3) skriftelik by die Munisipale Bestuurder ingedien word vir voorlegging aan die Raad of 'n komitee of persoon aan wie bevoegdheid gedelegeer is om daarvoor te besluit.
 - Die munisipaliteit kan, sonder nakoming van die bepalinge van subartikel (2) tot (4) 'n straat of openbare plek tydelik sluit —
 - vir die doeleindes of in afwagting van die aanleg, heraanleg, onderhoud of herstel van sodanige straat of openbare plek;
 - vir die doeleindes of in afwagting van die bou, oprigting, aanleg, uitbreiding, onderhoud, herstel of sloping van enige gebou, struktuur, werke of diens langsaan, op, dwarsoor, deur, oor of onder sodanige straat of openbare plek;

- (i) indien sodanige straat na die mening van die munisipaliteit in 'n toestand is wat gevaarlik is vir verkeer;
 - (ii) omrede van enige noodtoestand of openbare geleentheid wat na die mening van die munisipaliteit spesiale maatreëls vir die beheer van verkeer of spesiale voorsiening vir die akkommodasie van skares vereis, of
 - (iii) of vir enige rede wat in die opinie van die munisipaliteit die sluit van strate noodsaak.
- (c) tydelik 'n straat sluit in terms van subartikel (a).
- (6) Die Munisipale Bestuurder mag in sy diskresie die voorneme om 'n straat te sluit publiseer in die plaaslike koerant.

AANLEG, ONDERHOUD EN BENAMING VAN STRATE EN OPENBARE PLEKKE

31. Die munisipaliteit kan binne sy resgebied —

- (a) strate en openbare plekke maak, aanlê, heraanlê, verander en onderhou;
- (b) strate en openbare plekke benoem en herbenoem;
- (c) nommers toeken en hertoeken aan eiendomme wat aan strate en openbare plekke grens.

VERKLARING VAN STRATE EN OPENBARE PLEKKE

32. (1) Die munisipaliteit mag —

- (a) enige grond of grond gedeelte onder sy beheer tot straat, of enige straat of gedeelte daarvan tot 'n openbare plek verklaar;
 - (b) enige privaat straat of gedeelte daarvan tot openbare straat of enige plek of gedeelte daarvan tot openbare plek verklaar.
- (2) Indien die munisipaliteit ingevolge subartikel (1) wil handel, moet daardie voorneme om dit te doen; gepubliseer word in die plaaslike koerante in minstens twee amptelike tale.
- (3) Enige besware teen die voorgename moet binne 30 dae na datum van kennisgewing ingevolge subartikel(2) skriftelik by die Munisipale Bestuurder ingedien word vir voorlegging aan die Raad of 'n komitee of persoon aan wie bevoegdheid gedelegeer is om daarvoor te besluit.

STRAFBEPALING

33. Iedereen wat enige bepaling van hierdie verordening oortree of nalaat om daaraan te voldoen is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met —

- (1) 'n boete of gevangenisstraf, of sodanige boete of sodanige gevangenisstraf, of beide sodanige boete en sodanige gevangenisstraf;
- (2) in die geval van 'n voordurende misdryf, met 'n addisionele boete, of 'n addisionele tydperk van gevangenisstraf of sodanige addisionele boete of sodanige addisionele boete en gevangenis-straf vir elke dag wat sodanige misdryf voortduur, en
- (3) 'n verdere bedrag, gelykstaande aan enige koste en uitgawes wat na bevinding van die hof deur die munisipaliteit aangegaan is as gevolg van sodanige oortreding of versuim.

HERROEPING VAN VERORDENINGE

34. Die verordeninge gelys in die bylae hiertoe word hiermee herroep in die mate aangedui in die derde kolom daarvan.

KORT TITEL EN INWERKINGSTREDE

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

BYLAE

VERORDENINGE VAN DIE AFGESKAFTE MUNISIPALITEIT VAN STELLENBOSCH		
PN No.	Kort titel	Mate waarin herroep
PN 81/1935	Regulasies betreffende parkering op sy- of voetpaadjies	In geheel
PN 31/1953	Regulasies om te verbied dat sekere voertuie in sekere openbare paaie binne die munisipaliteit tot stilsand gebring word of staan	In geheel
PN 196/1959	Regulasies insake die beheer van huis-tot-huis kolleksies	In geheel
PN 561/1976	Verordening insake straatparkering	In geheel
PN 625/1976	Verordening vir die gerief van persone wat strate of openbare plekke gebruik	In geheel
PN 215/1988	Verordening insake strate	In geheel