

P.N. 180/1998

3 April 1998

The Premier has approved the following by-law framed by the Municipal Council of Stellenbosch.

STELLENBOSCH TRANSITIONAL LOCAL COUNCIL:

BY-LAW RELATING TO THE PREVENTION AND SUPPRESSION OF NUISANCES

1. In this by-law, unless the context otherwise indicates:—

“Council” means the Stellenbosch Transitional Local Council;

“erf” means any land, whether vacant, occupied or with buildings thereon;

“garden” means any island or circle in any street or public parking area which has been cultivated as a rockery or garden or planted with trees or shrubs;

“objectionable material” means sound, sounds or noise whether caused electronically or mechanically, garden litter, rubbish, waste material, rubble, scrap metal, disused motor cars, machinery or other vehicles, as well as the disused parts thereof, refuse from any building operations, or any refuse capable of being dumped on any land or premises, including new or used building materials not necessarily required in connection with bona fide building operations actually in progress on any land, and includes any solid, liquid or gas which is or may become offensive or dangerous or injurious to health or which materially interferes with the ordinary comfort or convenience of the public;

“occupier”—

- (a) any person in actual occupation;
- (b) any person legally entitled to occupy it; or
- (c) any person in charge of or responsible for the management of any premises and includes the agent of any such person when he is absent from the Republic or his whereabouts are unknown;

“owner”—

- (a) the person in whom is vested the legal title to any immovable property;
- (b) where the property has been leased for fifty years or upwards, the lessee of such property;
- (c) in cases where the person in whom the legal title is vested is insolvent, dead, of unsound mind or his estate has been assigned for the benefit of his creditors, the person in whom the administration of the property is vested as trustee, executor, curator, assignee or administrator, and
- (d) in cases where the owner as above described is absent, the agent or person receiving the rent of the property in question;

“park” shall have the meaning assigned to the term “public place” in section 2 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974);

“premises” means any building or tent together with the land on which the same is situated and the adjoining land used in connection therewith, and any land without buildings or tents, and includes any vehicle, conveyance, ship or boat; and

“Town Clerk” means the Town Clerk of Stellenbosch.

2. (1) No person shall deposit, leave, spill, drop or place any fruit peels, broken glass, paper or any matter or thing likely to interfere with the cleanliness of any park, garden or camping area or cause annoyance, danger or injury to persons in such park, garden or camping area.
- (2) No person shall throw or deposit or permit to be thrown or deposit any plastic bottles, plastic bags, paper, cartons, broken bottles, glass or earthenware, or any fruit or vegetable peelings, or any refuse upon any street, erf, footpath or public place.

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Die Premier het sy goedkeuring gegee aan die volgende verordening opgestel deur die Munisipale Raad van Stellenbosch.

STELLENBOSCH PLAASLIKE OORGANGSRAAD:

VERORDENING VIR DIE VOORKOMING EN ONDERDRUKKING VAN OORLASTE

1. Vir die toepassing van hierdie verordening beteken—

“aanstootlike materiaal” geluid, geluide of geraas hetsy elektronies of meganies veroorsaak, tuinvullis, vuilgoed, afvalmateriaal, rommel, afvalyster, in onbruik geraakte motors, masjinerie of ander voertuie, asook die in onbruik geraakte onderdele daarvan, vullis van enige bouwerksaamhede, of enige vullis wat op enige grond of perseel gestort kan word, met inbegrip van nuwe of gebruikte boumateriaal wat nie noodwendig nodig is in verband met bona fide-boubedrywighede wat werklik op enige grond aan die gang is nie, en omvat dit enige vaste stof, vloeistof of gas wat aanstootlik of gevaarlik of nadelig vir die gesondheid is of kan word, of wat wesenlik inbreuk maak op die gewone gemak of gerief van die publiek;

“eienaar”—

- (a) die persoon by wie die regstiel van enige onroerende eiendom berus;
- (b) waar die eiendom verhuur is vir 'n vyftig jaar of langer, die huurder van sodanige eiendom;
- (c) waar die persoon by wie die regstiel berus, insolvent, dood of geestelik versteurd is of indien sy boedel afgestaan is tot voordeel van sy skuldeisers, die persoon by wie die administrasie van die eiendom berus as trustee, eksekuteur, kurator, regverkrygende of administrateur; en
- (d) waar die eienaar soos hierbo genoem, afwesig is, die agent of persoon wat die huur van die betrokke perseel ontvang.

“erf” enige grond, hetsy onbebou, geokkupeer of met geboue daarop;

“okkupeerder”—

- (a) enige persoon in werklike okkupasie;
- (b) enige persoon wetlik geregtig om dit te okkupeer, of
- (c) enige persoon wat die beheer of bestuur van 'n perseel uitoefen en omvat dit die agent van sodanige persoon wanneer hy afwesig is uit die Republiek of indien sy adres onbekend is;

“park” die betekenis wat in artikel 2 van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974) aan die uitdrukking “openbare plek” gegee word;

“perseel” enige gebou of tent saam met die grond waarop dit geleë is asook die aangrensende grond wat in verband daarmee gebruik word, en enige grond sonder geboue of tente en omvat dit enige voertuig, vervoermiddel of boot;

“raad” die Stellenbosch Plaaslike Oorgangsraad;

“Stadsklerk” die Stadsklerk van Stellenbosch, en

“tuin” enige eiland of sirkel in enige straat of openbare parkeerterrein wat as rotstuit of tuin uitgelê of met bome of struik geplant is.

2. (1) Niemand mag enige vrugteskille, glasstukke, papier of enige stof of ding wat waarskynlik die skoon toestand van enige park, tuin of kampeergebied sal benadeel of ergernis, gevaar of besering aan persone in sodanige park, tuin of kampeergebied sal veroorsaak, in sodanige park, tuin of kampeergebied plaas, uitgooi, laat bly, neergooi of neersit nie.
- (2) Niemand mag enige plastiekbottels, plastieksakke, papier, kartonne, gebreekte bottels, glas of erdeware, of enige vrugte- of groenteskille, of enige vullis op enige straat, erf, voetpad of openbare plek gooi of plaas of toelaat dat dit daarop gegooi of geplaas word nie.

- (3) No owner or occupier of any shop or business premises or vacant land adjoining such shop or business premises shall use or cause or permit to be used such shop or vacant land adjoining such shop or business premises or any portion thereof which is visible to the public for the purpose of storing, stacking, dumping, disposing of or keeping any waste material, refuse, crates, cartons, containers or other articles of a like nature.

3. Notwithstanding the provisions of any other by-law no person shall—

- (1) (a) dump, accumulate or place or cause or permit to be dumped, accumulated or placed objectionable material in or on any erf, street, drain, waterfurrow, sewer, thoroughfare, public square or commonage except at such place or places as the Council may from time to time set aside or approve for such purposes: provided however, that the Council may permit public garages, workshops and other trades, subject to such conditions as may be imposed in each case to keep, store, repair, dismantle or reassemble any motor vehicle or other vehicles or apparatus on premises approved by the Council;
- (b) at any time of the day or night disturb the public peace by allowing a burglar alarm, car alarm or similar sound device to sound beyond the boundaries of the premises situated within the municipality of Stellenbosch for a continuous period longer than five minutes, or by allowing a car alarm to disturb the peace by ringing for longer than five minutes.
- (2) do work on any erf or use any building or land for purposes calculated to disfigure such erf or to interfere with the convenience or comfort of the neighbours or to become a source of danger to any person. Should the Council be of the opinion that this provision is being ignored, the Council may instruct that such work or use be discontinued forthwith and that the previous condition be reinstated;
- (3) carry on any trade, business or profession on any erf in the municipal area which may be, in the opinion of the Council be a source or become a source of discomfort or annoyance to the neighbourhood;
- (4) allow any erf to be overgrown with bush, grass or other vegetation, except cultivated trees, shrubs and grass, to such an extent that, in the opinion of the Council or any duly authorised employee of the Council, it may be used as a shelter by vagrants, wild animals or vermin or may threaten the public health or the safety of any member of the community or may promote the spread of fires;
- (5) allow any erf to be dirty, neglected or infested with rodents, snakes, mosquitoes, flies, ticks, bugs or other insects harmful to health, or allow any offensive odours or gasses to emanate from such erf;
- (6) allow the fencing of any erf to fall into a state of disrepair or to become unsightly or dilapidated;
- (7) allow any building or structure or any portion thereof on any erf to fall into a dilapidated, neglected or unsightly state, or fail to maintain the roof-water disposal system, pipes, sewers, drains, water fittings, waste water fittings, water closet fittings and all other appurtenances forming part of or attached to any building or structure in good and sound repair;
- (8) keep on his premises any animal or bird which creates a disturbance or a nuisance to the neighbours by making frequent and excessive noise;
- (9) deposit or keep or cause or permit to be deposited or kept any nightsoil on any premises, except in a proper sanitary convenience approved by the Council and in accordance with any by-law of the Council;
- (10) keep or cause or suffer to be kept upon his premises any sanitary convenience of such nature that it is a nuisance or is offensive or injurious or dangerous to health;
- (11) be foul, misuse or damage any public convenience or any

- (3) Geen eienaar of okkupeerder van enige winkel of besigheidperseel of onbeboude grond wat aan sodanige winkel of besigheidperseel grens mag sodanige winkel of besigheidperseel of onbeboude grond wat aan sodanige winkel of besigheidperseel grens of enige gedeelte daarvan wat vir die publiek toeganklik of sigbaar is, wat vir die publiek toeganklik of sigbaar is, gebruik of laat gebruik of toelaat dat dit gebruik word vir die doel om enige afvalmateriaal, vullis, kratte, kartonne, houters of ander artikels van 'n dergelike aard op te berg, op te stapel, te stort weg te doen of te hou nie.

3. Ondanks die bepalings van enige ander verordening mag niemand—

- (1) (a) aanstootlike materiaal in of op enige erf, straat, riool, watersloot, vuilriool, deurgang, openbare plein of dorpsgrond stort, ophoop of plaas of laat stort, ophoop of plaas of toelaat dat dit daarin of daarop gestort, opgehoop of geplaas word nie, behalwe op die plek of plekke wat die raad van tyd tot tyd vir sodanige doeleindes afsonder of goedkeur; met dien verstande egter dat die raad toestemming aan openbare garages, werksinkels en ander bedrywe kan verleen, onderworpe aan die voorwaardes wat in elke geval gestel word vir die hou, bewaring, herstel, aftakeling of hermontering van enige motorvoertuig of ander voertuig of apparaat of persele wat deur die raad goedgekeur is;
- (b) te eniger tyd gedurende die dag of nag die openbare vrede versteur deur die toelating van die geraas van enige alarmstelsel of soortgelyke toestel buite die grense van die perseel geleë binne die munisipale gebied van Stellenbosch vir 'n aaneenlopende periode langer as vyf minute of die toelating van die lui van 'n motoralarm vir langer as vyf minute.
- (2) werk op enige erf uitvoer of 'n gebou of grond gebruik vir doeleindes wat daarop bereken is om sodanige erf te ontsier of om inbreuk te maak op die gerief of gemak van die bure of om 'n bron van gevaar vir enige persoon te word nie. Indien die raad van mening is dat hierdie bepaling verontagsaam word, kan hy gelas dat sodanige werk of gebruik onmiddellik gestaak word en dat die vorige toestand herstel word;
- (3) enige handel, besigheid of beroep uitoefen op enige erf in die munisipale gebied wat na die mening van die raad 'n bron van ongerief of ergernis vir die omgewing is of kan word nie;
- (4) toelaat dat enige erf met bosse, onkruid of gras of ander plantegroei, uitgesonderd gekweekte bome, struik en gras, begroei word in so 'n mate dat dit na die mening van die raad of enige behoorlik gemagtigde werknemer van die raad, gebruik kan word as 'n skuilplek vir rondlopers, wilde diere of ongediertes of dat dit die volksgesondheid of die veiligheid van 'n lid van die gemeenskap kan bedreig of die verspreiding van brande kan bevorder nie;
- (5) toelaat dat enige erf vuil, verwaarloos of met knaagdiere, slange, muskiete, vlieë, bosluise, luise of ander insekte wat skadelik is vir die gesondheid, besmet is, of toelaat dat enige onaangename reuke of gasse op sodanige erf afgegee word nie;
- (6) toelaat dat die omheining van enige erf in 'n vervalle, onooglike of verwaarloosde toestand raak nie;
- (7) toelaat dat 'n gebou of struktuur of enige gedeelte daarvan op enige erf in 'n vervalle, verwaarloosde of onooglike toestand raak nie, of in gebreke bly om die dakwaterwegdoenstelsel, pype, vuilriole, riole, water-, afvalwater- en spoelkloset-toerusting en alle ander toebehoere wat deel uitmaak van of bevestig is aan enige gebou of struktuur, in 'n goeie en heel toestand te hou nie;
- (8) op sy perseel 'n dier of voël aanhou wat deur gedurig en te veel te lawaai, die bure steur of vir hulle tot oorlas is nie;
- (9) nagvuil op enige perseel stort of hou of laat stort of hou of toelaat dat dit daarop gestort of gehou word nie, behalwe in 'n behoorlike sanitêre gemak wat die raad goedgekeur het en in ooreenstemming met enige verordening van die raad;
- (10) op sy perseel 'n sanitêre gemak hou of laat hou of toelaat dat dit daarop gehou word wat van so 'n aard is dat dit 'n oorlas of aanstootlik of nadelig of gevaarlik vir die gesondheid is nie;
- (11) 'n openbare gemak of 'n gemak wat in 'n openbare gebou of

- convenience provided in any public building or place of public entertainment;
- (12) carry or convey, or permit to be carried or conveyed through or in any street or public place, any objectionable material or thing, liquid or solid, which is or may become offensive or dangerous or injurious to health, unless such objectionable material or thing is covered with a suitable material in order to prevent the creation of any nuisance;
- (13) bury or dispose of any dead body in any unauthorised place;
- (14) permit the carcass of any animal, being his property or of which he is in charge and which has died on his premises or elsewhere in the municipal to remain unburied;
- (15) cause or permit any stream, pool, ditch, drain, gutter, water-course, sink, bath, cistern, water closet, privy or urinal on any land or premises owned or occupied by him or of which he is in charge to be or to become so foul or in such a state or to be so situated or constructed as to be offensive or dangerous or injurious to health;
- (16) cause or permit any foul or polluted water or any foul liquid or objectionable material to run or flow from any premises owned or occupied by him, whether occupied for trade, business, manufacturing, dwelling or any other purposes, into any street or onto any land;
- (17) commit or cause or permit to be committed any act which may pollute any water to which inhabitants of the municipality have the right to use or which is provided or reserved for the use of such inhabitants;
- (18) bathe or wash himself or any animal or article of clothing or any other article or thing in any public stream, pool or water trough or at any public hydrant or fountain or at any place which has not been set aside by the Council for any such purpose;
- (19) at any time of the day or night disturb the public peace in any street or public place by making unseemly noises or by shouting, insistent hooting, wrangling or quarrelling or by collecting a crowd or by organising any demonstration or by fighting or challenging to fight, or by striking with or brandishing or using in a threatening manner any stick or other weapon, or by any other riotous, violent or unseemly behaviour;
- (20) loiter in any street or public place or gather or crowd on pavements;
- (21) advertise wares or services in any street or public place by means of any megaphone, loudspeaker or similar device or by insistent shouting, striking of gongs, blowing of horns or ringing of bells in such manner as to constitute a public nuisance in the neighbourhood, except with prior permission from the Council, which permission the Council may, if it so deems desirable, refuse or grant;
- (22) while he is in or on any private premises, disturb the public peace in the neighbourhood of such premises by making therein or thereon any unseemly noises, or by shouting, wrangling, quarrelling or singing or by the continuous and over-loud use of loudspeakers, radios, television sets or the like;
- (23) in any street or public place use any abusive or threatening language or commit any act which may or is calculated to cause a breach of the peace;
- (24) solicit alms in any street or public place or endeavour by the exposure of wounds, sores, injuries or deformities or the production of begging letters to obtain alms;
- (25) cleanse or wash any vehicle or any offensive article or utensil in any street or public place;
- (26) occupy or suffer to be occupied any dwelling not provided with proper sanitary conveniences of such description as may be prescribed by the by-laws (if any) of the Council in that behalf in force at the time being;
- openbare vermaaklikheidsplek voorsien is, bevuil, misbruik of beskadig nie;
- (12) enige aanstootlike materiaal of ding, vloeibaar of vas, wat aanstootlik of gevaarlik of nadelig vir die gesondheid is of kan word, deur of in enige straat of openbare plek dra of vervoer of toelaat dat dit daardeur of daarin gedra of vervoer word nie, tensy sodanige aanstootlike materiaal of ding met geskikte materiaal bedek is ten einde te voorkom dat enige oorlas ontstaan;
- (13) 'n dooie liggaam op enige onwettige plek begrawe of wegdoen nie;
- (14) toelaat dat die karkas van enige dier wat sy eiendom of onder sy beheer is en wat op sy perseel of elders in die munisipale gebied gevrek het, onbegrawe bly nie;
- (15) duld of toelaat dat 'n spruit, poel, sloot, rioolgeut, waterloop, opwasbak, bad, tenk, spoelkloset, privaat of urinaal op enige grond of perseel wat aan hom behoort of deur hom geokkupeer word of onder sy beheer is, so vuil is of word of in so 'n toestand verkeer of verval of so geleë is of gebou is dat dit aanstootlik of gevaarlik of nadelig vir die gesondheid is nie;
- (16) duld of toelaat dat vuil of besoedelde water of enige vuil vloeistof of aanstootlike materiaal vanaf 'n perseel wat aan hom behoort of deur hom geokkupeer word, ongeag of dit vir handels-, besigheids-, fabrieks-, woon- of enige ander doeleindes geokkupeer word, in 'n straat of op enige grond afloop of vloei nie;
- (17) 'n daad pleeg of laat pleeg of toelaat dat dit gepleeg word wat kan lei tot die besoedeling van water wat inwoners in die munisipaliteit die reg het om te gebruik of wat vir die gebruik van sodanige inwoners verskaf of afgesonder is nie;
- (18) in 'n openbare stroom, dam of watertrog baai of hom of 'n dier of 'n kledingstuk of ander artikel of ding daarin of by 'n openbare brandkraan of fontein of plek wat nie deur die raad vir enige sodanige doel afgesonder is, was nie;
- (19) te eniger tyd gedurende die dag of nag die openbare vrede in 'n straat of openbare plek versteur deur onbetaamlike geluide te maak of deur te skreeu, aanhoudend te toeter, te twis of rusie te maak, of deur 'n skare byeen te bring, of deur 'n betoging te reël, of deur te baklei of 'n bakleiers uit te lok, of deur met 'n stok of ander wapen te slaan of dit te swaai of op 'n dreigende wyse te gebruik of deur enige ander oproerige gewelddadige of onbetaamlike gedrag nie;
- (20) in enige straat of openbare plek rondsletter of op sypaadjies vergader of saamdrom nie;
- (21) ware of dienste in 'n straat of openbare plek adverteer deur middel van 'n megafoon, luidspreker of dergelike toestel of deur aanhoudend te skreeu, op 'n ghong te slaan, toeters te druk of klokke te lui op so 'n wyse dat dit 'n openbare oorlas in die buurt uitmaak nie, behalwe indien toestemming daarvoor vooraf by die raad verkry word, welke toestemming die raad na goeddunke kan weier of verleen;
- (22) wat in of op 'n private perseel is; die openbare vrede in die omgewing van sodanige perseel versteur deur daarin of daarop onbetaamlike geluide te maak, te skreeu, te twis, rusie te maak of te sing, of deur luidsprekers, radio's, televisiestelle of iets dergeliks aanhoudend en te hard te gebruik nie;
- (23) in enige straat of openbare plek beledigende of dreigende taal besig of iets doen wat die vrede kan versteur of wat daarop bereken is om die vrede te versteur nie;
- (24) in enige straat of openbare plek om aalmoese bedel of deur die vertoning van wonde, sere, beserings, gebreke of bedelbriewe aalmoese probeer verkry nie;
- (25) 'n voertuig of 'n aanstootlike artikel of stuk gereedskap in enige straat of openbare plek skoonmaak of was nie;
- (26) enige woning okkupeer of toelaat of duld dat dit geokkupeer word, wat nie voorsien is van 'n behoorlike sanitêre gemak van die aard wat voorgeskryf word deur die verordeninge van die raad (indien daar is) wat dan van krag is nie;

- (27) occupy or cause or suffer to be occupied any dwelling not provided with such a proper, sufficient and wholesome water supply within a reasonable distance as under the circumstances it is possible to obtain;
- (28) before giving up possession of, or ceasing actually to occupy for a longer period than one week, any premises, fail to cause to be removed therefrom all nightsoil, refuse and bedroom or kitchen slopwater;
- (29) occupy or cause or suffer to be occupied any premises so as to be injurious or dangerous to health, whether by overcrowding or otherwise;
- (30) if he is the owner of any premises which are let to more than one tenant, fail at all times to maintain in a clean and sanitary condition every part of such premises which is used in common by more than one tenant;
- (31) if he owns or occupies a factory or trade premises, fail to keep or cause to be kept such factory or trade premises in a cleanly state and free from any offensive smells arising from any drain, privy, water closet, earth closet or urinal and so ventilated as to destroy or render harmless and inoffensive as far as practicable any gases, vapours, dust or other impurities generated, and no such person shall permit such factory or trade premises to be overcrowded or lighted and ventilated so as to be injurious or dangerous to the health of those employed therein, or
- (32) keep or prepare for sale or cause to be kept or prepared for sale any article of food or drink intended for human consumption on premises so situated or so used or kept as to be liable to render any such article contaminated or unwholesome or injurious or dangerous for human consumption.

4. (1) Where any material, article or thing of whatsoever nature has been accumulated, dumped, stored or deposited on any erf, or where there is an overgrowth of bush, weeds, grass or vegetation on any erf in contravention of section 3(1) and 3(4) the Council may serve a notice on—

- (a) the person directly or indirectly responsible for such accumulation, dumping, storing or depositing;
- (b) the owner of such material, article or thing, whether or not he is responsible for such accumulation, dumping, storing or depositing;
- (c) the owner of the erf on which such accumulation, dumping, storage or depositing takes place, whether or not he is responsible therefor, or
- (d) the owner of the erf on which there is an overgrowth of bush, weeds, grass or vegetation;

requiring such persons or owners to dispose of, destroy or remove such material, article or thing or to clear such overgrowth to the satisfaction of the Council within a period of 14 days from the date of such notice or such further period as the Council may, on written application, grant.

(2) Should any person or owner fail to comply with the requirements of a notice in terms of subsection (1) within the period stipulated by the Council, the Council may itself dispose of or destroy or remove such material, article or thing, or clear the overgrowth from any erf at the cost of any one or more of the persons or owners mentioned in subsection (1)(a), (b), (c) and (d).

(3) Where on any erf there is a contravention of section 3(5), (6) (7) or (19), the Council may at its discretion serve a notice on either the owner or the occupier to abate the nuisance.

5. Every person engaged in building operations, road construction or construction work of any nature shall, when required to do so, provide adequate sanitary accommodation for himself and his employees to the satisfaction of and in accordance with any requirements specified by the Council.

(27) enige woning okkupeer of toelaat of duld dat geokkupeer word, wat nie voorsien is van 'n behoorlike, genoegsame en suiwer watervoorraad nie, binne 'n redelike afstand wat dit onder die omstandighede moontlik is om te verkry nie;

(28) wat ophou om 'n perseel vir langer as een week te okkupeer, versuim om alle nagvuil, vullis en slaapkamer- of kombuisvuilwater van sodanige perseel te laat verwyder nie;

(29) enige perseel okkupeer of toelaat of duld dat dit geokkupeer word op 'n wyse wat skadelik of gevaarlik vir die gesondheid is nie, hetsy by wyse van oorbewoning of andersins;

(30) wat die eienaar is van enige perseel wat aan meer as een huurder verhuur word, versuim om iedere gedeelte van sodanige perseel wat gesamentlik deur meer as een huurder gebruik word, te alle tye in 'n skoon en higiëniese toestand te onderhou nie;

(31) wat 'n fabriek of handelsperseel besit of okkupeer, versuim om sodanige fabriek of handelsperseel skoon en vry te hou van aanstootlike reuke wat moontlik kan ontstaan in enige dreineervoor, emmergemak, spoelgemak, grondkloset of urinaal, en dit sodanig te ventileer dat enige gasse, dampe, stof of ander onsuiverhede wat ontstaan, sover as moontlik vernietig of onskadelik gestel word, en geen sodanige persoon mag toelaat dat sodanige fabriek of handelsperseel oorbewoon is of sodanig belig en geventileer is dat dit skadelik of gevaarlik is vir die gesondheid van diegene wat daarin werk nie, of

(32) enige voedsel of drinkware wat bedoel is vir menslike gebruik verkoop hou of berei of toelaat dat dit vir verkoop gehou of berei word op 'n perseel wat sodanig geleë of gebou is of so gebruik of onderhou word dat dit moontlik sodanige voedsel of drinkware kan besoedel of ongesond of skadelik of gevaarlik vir menslike gebruik kan maak nie.

4. (1) Indien enige materiaal, voorwerp of ding van watter aard ook al op enige erf opgehoop, gestort, opgeberg of geplaus is of waar enige erf met bosse, onkruid, gras of plantegroei is in stryd met artikel 3(1) en 3(4), kan die raad 'n kennisgewing beteken aan—

- (a) die persoon wat regstreeks of onregstreeks vir sodanige ophoping, storting, opberging of plasing verantwoordelik is;
- (b) die eienaar van sodanige materiaal, voorwerp of ding, ongeag of hy vir sodanige ophoping, storting, opberging of plasing verantwoordelik is of nie, of
- (c) die eienaar van die erf waarop sodanige ophoping, storting, opberging of plasing plaasvind, ongeag of hy daarvoor verantwoordelik is of nie;
- (d) die eienaar van die erf wat met bosse, onkruid, gras of plantegroei oorgroei is;

waarin daar van sodanige persone of eienaars vereis word om sodanige materiaal, voorwerp of ding weg te doen, te vernietig of te verwyder of om sodanige oorgroei ten genoë van die raad te verwyder binne 'n tydperk van 14 dae vanaf die datum van sodanige kennisgewing of binne die verdere tydperk wat die raad op skriftelike aansoek toestaan.

(2) Indien enige persoon of eienaar in gebreke bly om binne die tydperk wat deur die raad bepaal is, aan die vereistes van 'n kennisgewing ingevolge subartikel (1) te voldoen, kan die raad self sodanige materiaal, voorwerp of ding wegdoen, vernietig of verwyder of die oorgroei van enige erf verwyder op koste van enigeen of meer van die persone of eienaars in subartikel (1)(a), (b), (c) en (d) gemeld:

(3) Waar daar op enige erf 'n oortreding van artikel 3(5), (6), (7) of (19) plaasvind, kan die raad na goeë dunde 'n kennisgewing van of die eienaar of die okkupeerder beteken om die oorlas te verwyder.

5. Iedereen wat met bouwerk, padhou of konstruksiewerk van enige aard besig is, moet, wanneer dit van hom vereis word, voldoende sanitêre geriewe vir hom en sy werknemers verskaf ten genoë van en ooreenkomstig enige vereistes gespesifiseer deur die raad.

6. No person shall, without the permission of the Council, occupy or permit to be occupied for human habitation a caravan, tent or other similar shelter of any description except on an authorised camping or caravan site controlled by the Council; provided that a caravan, tent or shelter parked or erected on a private residential site on which has been erected a dwelling with all the necessary ablution and toilet facilities, may be used for the temporary accommodation of visitors for a period not exceeding 60 days.
7. Any person contravening any provision of this by-law shall be guilty of an offence and liable on conviction to the penalties in section 189(23) of the Municipal Ordinance, 1974 (Ordinance 20 of 1974).

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The Premier has approved the subjoined amendment framed by the West Coast Peninsula Transitional Council.

**WEST COAST PENINSULA TRANSITIONAL COUNCIL:
AMENDMENT TO THE BY-LAW RELATING TO THE
REMOVAL OF SEWAGE**

The By-law promulgated by the former Vredenburg-Saldanha Municipality under Provincial Notice 399 dated 18 April 1980, as amended by Provincial Notice 558 dated 17 January 1997 and Provincial Notice 432 dated 5 December 1997, is hereby further amended:

In section 6—

- (1) By the deletion of the expression “, which in terms of the Town Planning Scheme is zoned for *bona fide* residential purposes.” where it occurs in subsection (3) and subsection (3)(b);
- (2) By the addition of the following proviso to subsection (3):

“provided that this provision shall not apply in cases where township establishment conditions prescribe specific alternative sewage disposal methods.”

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**OVERBERG DISTRICT COUNCIL AREA:
ESTABLISHMENT OF A PRIVATE NATURE RESERVE**

Notice is hereby given in terms of section 12(4) of the Nature and Environmental Conservation Ordinance, 1974 (Ordinance 19 of 1974), that the Minister of Environmental Affairs has granted approval to Dr. P. M. Grant, to establish a private nature reserve on her property being the Remainder of the Farm No. 632 and Portion 1 of the Farm Waterfal No. 635, Caledon, situated in the area of the Overberg District Council, to which the name “Waterfall Private Nature Reserve” has been assigned and the boundaries of which are as indicated on a map filed in the office of the Acting Head of Department: Environmental and Cultural Affairs, Utilitas Building, 1 Dorp Street, Cape Town.

PAARL MUNICIPALITY:

**REMOVAL OF RESTRICTIONS ACT, 1967
(ACT 84 OF 1967): ERF 6463, PAARL**

It is hereby notified in terms of section 3(6) of the above Act that the undermentioned application has been received by the Premier and is open for inspection at Room 1023, I.S.M. Building, 27 Wale Street, Cape Town, and at the office of the relevant local authority. Any objections, with full reasons therefor, should be lodged in writing with the Town Clerk, P.O. Box 12, Paarl, on or before 24 April 1998 quoting the above Act and the objector's erf number.

Applicants	Nature of Application
E. B. and K. Lewis	Removal of title conditions applicable to Erf 6463, 45 Magennis Street, Paarl, so as to erect a second garage and a roof over the recreational area on the property.

A. J. Sauls, Town Clerk.

6. Niemand mag sonder die toestemming van die raad 'n woonwa, tent of ander soortgelyke beskutting van enige aard vir menslike bewoning okkupeer of toelaat dat dit daarvoor geokkupeer word nie, behalwe op 'n gemagtigde woonwa- of kampeerterrin wat deur die raad beheer word; met dien verstande dat 'n woonwa, tent of beskutting wat geparkêer of opgerig is op 'n private woonperseel waarop 'n woning met al die nodige was- en toiletgeriewe opgerig is, vir 'n tydperk van hoogstens 60 dae vir die tydelike huisvesting van besoekers gebruik kan word.
7. Iedereen wat 'n bepaling van hierdie verordening oortree is skuldig aan 'n misdryf en by skuldigebevinding strafbaar met die strawwe voorgeskryf in artikel 189(23) van die Munisipale Ordonnansie, 1974 (Ordonnansie 20 van 1974).

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Die Premier het sy goedkeuring geheg aan die volgende wysiging opgestel deur die Weskus Skiereiland Oorgangsrraad.

**WESKUS SKIEREILAND OORGANGSRAAD:
WYSIGING VAN DIE VERORDENING INSAKE
RIOOLVUILVERWYDERING**

Die verordening afgekondig deur die voormalige Munisipaliteit Vredenburg-Saldanha by Provinsiale Kennisgewing 399 van 18 April 1980, soos gewysig deur Provinsiale Kennisgewing 558 van 17 Januarie 1997 en Provinsiale Kennisgewing 432 van 5 Desember 1997, word hierby verder gewysig:

In artikel 6—

- (1) Deur die uitdrukking “wat ingevolge die dorpsaanlegskema vir *bona fide* woondoeleindes gesoneer is” waar dit in subartikel (3) en aubartikel 3(b) voorkom, te skrap;
- (2) Deur die volgende voorbehoudsbepaling tot subartikel (3) toe te voeg:

“met dien verstande dat hierdie bepaling nie geld in gevalle waar dorpsstigtingsvoorwaardes spesifieke alternatiewe rioolvuilbeskikkingsmetodes voorskryf nie.”

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**OVERBERG DISTRIKSRAADSGBIED:
STIGTING VAN 'N PRIVATE NATUURRESERVAAT**

Kennisgewing geskied hierby kragtens artikel 12(4) van die Ordonnansie op Natuur- en Omgewingsbewaring, 1974 (Ordonnansie 19 van 1974), dat die Minister van Omgewingsake goedkeuring verleen het aan Dr. P. M. Grant, om 'n private natuurreservaat op haar eiendom, synde die Restant van die Plaas Nr. 632 en Gedeelte 1 van die Plaas Waterfal Nr. 635, Caledon, geleë in die gebied van die Overberg Distriksraad te stig, waaraan die naam “Waterfall Private Natuurreservaat” toegewys is en waarvan die grense is soos aangedui op 'n kaart geliasseer in die kantoor van die Waarnemende Hoof van Departement: Omgewing- en Kultuursake, Utilitas-gebou, Dorpstraat 1, Kaapstad.

MUNISIPALITEIT PAARL:

**WET OP OPHEFFING VAN BEPERKINGS, 1967
(WET 84 VAN 1967): ERF 6463, PAARL**

Kragtens artikel 3(6) van bostaande Wet word hiermee kennis gegee dat onderstaande aansoek deur die Premier ontvang is en ter insae lê by Kamer 1023, I.S.M.-gebou, Waalstraat 27, Kaapstad, en in die kantoor van die betrokke plaaslike owerheid. Enige besware, met die volledige redes daarvoor, moet skriftelik by die Stadsklerk, Posbus 12, Paarl, ingedien word op of voor 24 April 1998 met die vermelding van bogenoemde Wet en beswaarmaker se erfnummer.

Aansoekers	Aard van Aansoek
E. B. en K. Lewis	Opheffing van titelvoorwaardes van toepassing op Erf 6463, Magennisstraat 45, Paarl, ten einde die eienaar in staat te stel om 'n tweede motorhuis en 'n onderdak braai-area op die eiendom op te rig.

A. J. Sauls, Stadsklerk.