11.9	LOCAL ECONOMIC DEVELOPMENT AND TOURISM:(PC: CLLR R DU TOIT)

11.9.1	REQUEST TO UNDERTAKE THE PUBLIC PARTICIPATION PROCESS ("PPP") IN RESPECT OF THE DRAFT STELLENBOSCH MUNICIPALITY EVENTS PERMITTING BY-LAW, 2023

Collaborator No:
IDP KPA Ref No:
Meeting Date: **17 May 2023 and 24 May 2023**

1. SUBJECT: REQUEST TO UNDERTAKE THE PUBLIC PARTICIPATION PROCESS ("PPP") IN RESPECT OF THE DRAFT STELLENBOSCH MUNICIPALITY EVENTS PERMITTING BY-LAW, 2023

2. PURPOSE

To provide Council with the pertinent facts in order to approve that the draft Stellenbosch Municipality Inclusionary Zoning Policy be advertised for a period of thirty (30) days to obtain public comment in respect of the subject draft by-law.

3. DELEGATED AUTHORITY

Council

4. EXECUTIVE SUMMARY

The draft policy document aims to replace the Stellenbosch Municipality events By-law and is aimed at updating the current by-law, which has be adopted during 2016.

A number of concerns were raised by Local tourism organisations and stakeholders within the tourism fraternity regarding the outdated by-law, as well as the tedious land use application processes, and an update of the by-law was requested.

5. RECOMMENDATIONS

(a) that Council takes note of the draft Stellenbosch Municipality Events Permitting By-law, 2023, attached as **APPENDIX 1** to this report, and

(b) that Council approves that the draft Stellenbosch Municipality Events Permitting By-law, 2023, be advertised for public comment for a period of thirty (30) days, whereafter same be resubmitted to Council for final consideration and subsequent approval in terms of the Local Government Municipal Systems Act No. 32 of 2000.

6. DISCUSSION / CONTENTS

6.1 Background

Stellenbosch Municipality is known for hosting and being a municipal area for major local, national and international events. The Events By-law will assist and guide the municipality in regulating and managing event related activities in an efficient and effective manner thereby providing clarity to all role players and stakeholders. Stellenbosch Municipality would like to ensure that it becomes a town for great events for visitors to the town and the events industry, by creating stability in the town's events calendar and clearly defining processes and systems that support events. The Municipality plays an important role in: the regulations of events, partnerships with

events organized in the WC024, events organization, facilitation and the provision of services at events. Currently events are regulated by the Events Act of 2010 and the Municipal Events By-law, 2016.

6.2 Discussion

Events are established occurrences within the Cape Winelands and contributes significantly to the appeal of the Cape Winelands as a tourist destination and the resulting contribution that these events make to the local economy.

As noted above, the by-law was promulgated during 2016, and have not been reviewed, and therefore a request has been received from the events fraternity to review and update the current by-law.

The Department as used the Model By-law for events Permitting compiled by Western Cape Government's Department of Economic Development & Tourism ("DEDAT") and WESGRO, as a basis for the development of this draft by-law, which is required to be advertised for public comment.

6.4. Financial Implications

None, the by-law has been drafted using the resources within the Municipality.

6.4 Legal Implications

The recommendations in this report comply with Council's policies and all applicable legislation.

6.5 Staff Implications

This report has no additional staff implications to the Municipality.

6.6 Previous / Relevant Council Resolutions

None

6.7 Risk Implications

The risks are addressed through the content of the report.

APPENDICES

Appendix 1: Draft Stellenbosch Municipality Events Permitting By-law, 2023

FOR FURTHER DETAILS CONTACT:

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REPORT DATE	***12 May 2023***

APPENDIX 1

DRAFT STELLENBOSCH MUNICIPALITY EVENTS PERMITTING BYLAW

PREAMBLE

WHEREAS Stellenbosch Municipality recognises the important role that events plays in the economy of the Western Cape;

AND WHEREAS the Municipality wishes to increase, in a sustainable manner, growth, job creation, investments and social inclusivity by establishing the Municipality as an events – ready and events – friendly location;

AND WHEREAS it is desirable for the Municipality to facilitate effective and efficient event permitting processes and events in the Municipality whilst ensuring regulatory compliance to safeguard public health and safety, the environment and the surrounding community;

BE IT THEREFORE ENACTED by the Council of Stellenbosch Municipality in terms of Section 11 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), as follows: -

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CHAPTER 1
DEFINITIONS, OBJECTIVES AND APPLICATION

1. Definitions

(1) Words derived from, or which are the singular or plural of the word or terms defined, have corresponding meanings, unless the context indicates otherwise.

(2) Any terms or provision of this Bylaw must be reasonably interpreted in a manner that is consistent with the purpose and objectives of this By-law.

(3) In this Bylaw, unless the context indicates otherwise—

"authorised municipal official" means the Municipal Event Officer, a member of the Municipal Event Committee, a municipal law enforcement officer, and any other person who is delegated as contemplated in section 41 to execute a power, function or duty related to the provisions of this Bylaw;

"business day" means any day other than a Saturday, Sunday or official public holiday in the Republic of South Africa;

"Council" means the Municipal Council of the Municipality;

"day" means a period of 24 hours;

"District Municipality" means the Cape Winelands District Municipality;

"existing permit holder" means a person who has been issued with an event permit prior to the commencement of this By-law as contemplated in section 43;

"Fees and Tariffs Policy" means the Stellenbosch Municipality Fees and Tariff Policy, 2023, promulgated by the Municipality in terms of section 75 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);

"event organiser" means the person contemplated in in section 10;

"event" means sporting, entertainment, recreational, educational, religious, cultural, exhibitional or similar activity, that is accessible to the general public and is hosted either at a specific place (i.e. on a single property) or along a specified route, and which is of a temporary nature, and which can occur on a specific day or on consecutive days for a limited period, and excludes functions such as weddings.

"event party" includes any person who is involved in events and/or event-related activities;

"event-related activity" means any activity undertaken by an event organiser and their event party that is part of, or related to, the preparation, implementation, and winding up of events, including, but not limited to, the activities contemplated in section 23.

"*Gazette*" means the official Provincial *Gazette* of the Western Cape;

"in writing" means by email or written letter: Provided that a copy of a written letter must also be emailed to the person concerned;

"linear event" means an event along a route taken from a starting point to a destination during which the event takes the form of either a recreational activity or a procession, and which may traverse a single property or a number of properties, and includes marathon, trail running, cycling and mountain biking (including E-bikes) events, but excludes the use of motorized vehicles;

"Municipal Event Committee" means the committee contemplated in section 7;

"Municipal Event Officer" means the person contemplated in section 5;

"Municipal Finance Management Act" means the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003);

"Municipal Manager" means the person appointed as municipal manager in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act 107 of 1998);

"Municipality" means the Stellenbosch Municipality, established by Provincial Notice 488 of 2000 issued in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act 107 of 1998), and, where the context requires, includes—
(a) the Council;
(b) the Municipal Manager;
(c) an authorised municipal official; and
(d) a duly authorised representative of the Municipality;

"permit" means an event permit granted in terms of this By-law; **"person"** means a

natural person or a juristic person;

"**place-bound event**" means an event that takes place at an existing venue, or on a

specific property;

"private property" means a property owned by a private natural or juristic person;

"Province" means the Province of the Western Cape;

"public property" means a property owned or managed by the Municipality, Western Cape Government or national government, and includes a **"public space"**;

"remotely piloted aircraft system" means an unmanned aircraft which is piloted from a remote pilot station, and includes—
(a) the associated remote pilot station;

(b) the required C2 Link; and

(c) any other component as specified in a type design, but excludes a—

(i) model aircraft; and

(ii) toy aircraft.

"temporary structure" means a non-permanent structure constructed purely on a temporary basis for a specific period, which shall require building plan approval (if applicable) and which shall be demolished on completion of the event for which it was erected.

2. Objectives of the Bylaw

The objectives of this By-law are to—

(a) provide for the necessary municipal structures and systems to facilitate permit applications for events in the area of jurisdiction of the Municipality;

(b) regulate permit applications, consideration, approval, rejection, refusal, implementation and related processes;

(c) establish the Municipality as an events-ready and events-friendly location;

(d) increase, in a sustainable manner, growth, job creation, investments and social inclusivity through effective and efficient permitting; and

(e) provide for matters connected thereto.

3. Application of Bylaw

This By-law—

(a) applies to all instances of events as defined in section 1 in the area of jurisdiction of the Municipality, except to the extent that such events are exempted as contemplated in section 42;

(b) does not derogate from the provisions of any other By-law or national or provincial legislation;

(c) binds all persons, entities, organisations, bodies and groups to the extent applicable; and

(d) binds organs of state.

CHAPTER 2
STRUCTURES AND FUNCTIONS

4. Functions of the Municipality

(1) The Municipality is the controlling body for the approval and regulation of events within its area of jurisdiction.

(2) The functions of the Municipality relating to events are to—

(a) establish the necessary structures and systems to fulfil its mandate;

(b) consider permit applications and issue permits for events;

(c) regulate events;

(d) facilitate events by coordinating the responsibilities of all role players;

(e) ensure access to municipal services during events;

(f) ensure health, safety, environmental and regulatory compliance before, during and after events;
(g) attract investment into the event industry through marketing and communications initiatives and interventions;
(h) bid for events opportunities and host events;
(i) support the event industry through targeted financial and non-financial means; and
(j) perform functions connected therewith.

5. Appointment of Municipal Events Officer

(1) The Municipal Manager must, within 30 business days of the commencement of this By- law—
(a) appoint a person; or
(b) designate a municipal employee, as the Municipal Event Officer.

(2) The person contemplated in subsection (1) must have the necessary skills and experience to perform their functions effectively and efficiently.

(3) The Municipal Manager must delegate overall responsibility for events in the area of jurisdiction of the Municipality to the Municipal Event Officer.

(4) The Municipal Manager may—
(a) provide the Municipal Event Officer with dedicated project-specific support in the event of complex events; and
(b) appoint or assign administrative and operational staff members to support the Municipal Event Officer in the performance of their functions.

(5) *(a)* The contact details of the Municipal Event Officer must be made available to event organisers and on the Municipality's website.
(b) The contact details must include the physical office address, email address, telephone number and an emergency after hours telephone number.

6. Functions of Municipal Event Officer

(1) The functions of the Municipal Event Officer are to—
(a) facilitate, coordinate and support events in the Municipality;
(b) act as the central point of contact in the Municipality for event organisers;
(c) act as liaison and intermediary between event organisers and municipal directorates;
(d) facilitate communication and coordination between event organisers, municipal directorates and other events sector stakeholders;
(e) act as chairperson and coordinate the activities of the Municipal Event Committee;
(f) coordinate the submission, review, consideration, and approval, rejection or refusal of permit applications;

(g) consider and decide on permit applications as contemplated in section 13(3)(i);

(h) act as central point of contact, liaison, intermediary and repository for event organisers for any additional municipal permissions, approvals and processes that are required by municipal directorates;

(i) assist event organisers with regard to additional third-party permissions, approvals and processes that may be required;

(j) coordinate the Municipality's operational requirements with regard to events;

(k) coordinate and facilitate the execution of events in line with permits issued in terms of this By-law;

(l) ensure compliance with the provisions of a permit and any conditions attached to a permit, any additional municipal and third-party permissions, approvals and processes, the Code of Conduct, the implementation arrangements, this By-law, any other applicable By-law, and relevant national and provincial legislation;

(m) coordinate responses to non-compliance by event organisers;

(n) coordinate reporting, monitoring and evaluation of events;

(o) pursue standardisation of permitting, planning and monitoring procedures within the Municipality, the District Municipality, the Province and the broader event industry;

(p) coordinate, develop and manage the Event Permitting Policy and this By-law; and

(q) perform such other functions as may be provided for in this By-law.

(2) (a) The Municipal Event Officer must establish and maintain—

(i) an event permit application register;

(ii) an event calendar;

(iii) an event location portfolio;

(iv) a directory of local suppliers, goods and services; (v) an event restrictions schedule;

(vi) a non-compliance register as contemplated in section 32; and

(vi) a Code of Conduct for event organisers as contemplated in section 22.

(b) The Municipality may publish in the Event Permitting Policy specific requirements in respect of the items listed in paragraph *(a)*.

7. Appointment of Municipal Event Committee

(1) The Municipal Manager must, in consultation with the Municipal Event Officer and within 40 business days of the commencement of this By-law—

(a) establish a Municipal Event Committee chaired by the Municipal Event Officer; and

(b) designate municipal employees to be members of such committee.

(2) The persons contemplated in subsection (1)*(b)*—

(a) must include a representative of the following municipal directorates:

(i) community services;
(ii) community safety;
(iii) planning, building control and economic development; and
(iv) infrastructure services; and

(b) may include representatives from such other municipal directorates as may be deemed necessary.

8. Functions of Municipal Event Committee

(1) The functions of the Municipal Event Committee are to—

(a) consider and decide on permit applications as contemplated in section 13(3)(ii);

(b) determine legislative requirements for events;

(c) determine operational requirements for events;

(d) support the Municipal Event Officer in the coordination, operational aspects, management and monitoring of events;

(e) assist the Municipal Event Officer and event organisers with regard to additional municipal and third-party permissions, approvals and processes that may be required; (f) assist the Municipal Event Officer in ensuring compliance with the provisions of a permit and any conditions attached to a permit, any additional municipal and third-party permissions, approvals and processes, the Code of Conduct, the implementation arrangements, this By-law, any other applicable By-law, and relevant national and provincial legislation;

(g) report, monitor and evaluate events in line with this By-law; and

(h) perform such other functions as may be provided for in this By-law.

(2) *(a)* The Municipal Event Committee must meet as and when necessary to discuss—

(i) forthcoming events as indicated in the Event Calendar; and
(ii) other matters of importance.

(b) The Municipal Event Officer must provide administrative support to, and keep proper minutes of, meetings of the Municipal Event Committee.

(c) The Municipal Event Officer may invite representatives of other municipal directorates, national, provincial and municipal organs of state and other events sector stakeholders to attend meetings of the Municipal Event Committee in an advisory capacity as and when needed.

CHAPTER 3
PERMITTING ARRANGEMENTS

9. Permission for events

(1) A person may only organise an event in the area of jurisdiction of the Municipality with a valid permit issued by the Municipality as contemplated in section 16, unless such event is—

(a) specifically excluded from the definition of events in section 1; or

(b) exempted from permit requirements as contemplated in section 37.

(2) Notwithstanding the provisions of subsection (1), the Municipality may require a person to apply for a permit where the potential impact or risk attached to such events is, in the opinion of the Municipal Event Officer, of such a nature to necessitate a permit.

10. Designation of event organiser

(1) A person, entity, organisation, body or group who intends to apply for a permit must identify and designate a key individual as the event organiser.

(2) An event organiser must—

(a) be 18 years of age or older; and

(b) possess the necessary capacity, resourcing skills and experience to organise the proposed events.

(3) An event organiser is the designated person that—

(a) applies for a permit;

(b) is in charge of, plans, manages and supervises events;

(c) is responsible for events; and

(d) is accountable to the Municipal Event Officer and the Municipality for events.

11. Categories, classification criteria and internal processing times of permit applications

(1) The-

(a) permit application categories;

(b) classification criteria for the permit application categories; and

(c) internal processing time for each permit application category, are provided for in Schedule 2.

(2) The Municipality may, by notice in the Gazette, amend the categories, classification criteria and internal processing times contemplated in subsection (1).

12. Application for permits

(1) (a) An event organiser who intends to organise an event within the area of jurisdiction of Stellenbosch Municipality as contemplated in section 9 must apply for a permit from the Municipal Event Officer.

(b) A permit application must be submitted timeously, taking into account the permit application categories and related internal processing times contemplated in Schedule 2.

(2) The permit application must include, but not be limited to, the submission of-

(a) a completed permit application form with the following information:

(i) full name, identity number, address, contact number and email address of the event organiser;

(ii) full name, identity number, address, contact number and email address of the individual shooting the event if different from the event organiser or, in the case of an entity, organisation, body or group, the registered name, registration number and full name, identity number, address, contact number and email address of each member, director or trustee; and

(iii) such other information as the Municipal Event Officer may prescribe; and

(b) the following prescribed documents:

(i) an event plan providing a detailed description of the proposed events;

(ii) a completed checklist providing further information on the proposed events;

(iii) a signed resolution authorising the individual to act as event organiser;

(iv) a signed Code of Conduct as contemplated in section 22;

(v) a signed indemnity form indemnifying the Municipality as contemplated in section 42;

(vi) proof of payment of the prescribed fess as contemplated in section 24, if applicable; and

(vii) such additional documents as the Municipal Event Officer may prescribe.

(3) The event organiser must submit the completed permit application form and prescribed documents to the Municipal Event Officer online, by email or physically.

(4) The Municipal Event Officer must provide the event organiser with the-

(a) permit application form contemplated in subsection (2)(a); and

(b) prescribed documents as contemplated in subsection 2(b)(i) to (v), that must be completed and signed by such event organiser.

13. Review of permit applications

(1) On receipt of the permit application, the Municipal Event Officer must-

(a) review the completed permit application form and prescribed documents; and

(b) confirm the permit application category

(2) (a) If the Municipal Event Organiser determines that-

(i) the proposed date or location for the event is not available;

(ii) the event organiser has not complied with the permit application requirements; or

(iii) additional information is required,

that must, within 5 business days from receiving the permit, issue a written notice to such event organiser.

(b) The event organiser must, within 5 business days from receipt of the notice-

(i) indicate an alternative date or location for the event;

(ii) comply with all permit application requirements; or

(iii) provide the required additional information to the Municipal Event Officer,

as the case may be.

(c) If the event organiser fails to comply with the request in the notice, the Municipal Event Officer may reject the permit application as contemplated in section 17.

(3) If the Municipal Event Officer is satisfied that-

(a) the event organiser has complied with the permit application requirements; and

(b) no additional information is required;

they must—

(i) in the case of a micro event or small event category, consider the permit application;

or

(ii) in the case of a medium, large, major or special event category, refer the permit application to the Municipal Event Committee for consideration together with their recommendation that the permit application be approved or refused.

14. Considering of permit applications

(1) The Municipal Event Officer or Municipal Event Committee, as the case may be, must consider each permit application on its own merit in an objective, rational and reasonable manner, having regard to the internal processing times contemplated in Schedule 2.

(2) The following factors must be considered:

(a) the Municipality's strategic objectives, policies, by-laws, guidelines and procedures;

(b) the District Municipality's policies, by-laws, guidelines and procedures;

(c) national and provincial policies, legislation, regulations and guidelines;
(d) the recommendation of the Municipal Event Officer, if applicable;
(e) the permit application category of the proposed events;
(f) the scale and nature of the impact on public health and safety, the environment and the surrounding community;
(g) security, traffic, noise, lighting and other nuisance considerations;
(h) the availability of sufficient municipal and emergency services;
(i) the potential contribution to economic development;
(j) recording of the event organiser or their event party in the non-compliance register as contemplated in section 32;
(k) any additional municipal permissions, approvals and processes that may be required;
(l) any additional third-party permissions, approvals and processes that may be required;
(m) whether any concerns that the Municipal Event Officer or Municipal Event Committee may have, can be satisfactorily addressed; and
(n) any other relevant factors.

(3) The Municipal Event Officer may request the event organiser to—
(a) clarify or amend submitted information; and
(b) submit such additional information as may be necessary to consider the permit application.

(4)(a) In the case of a permit application for a medium, large, major or special event, the Municipal Event Officer must obtain comments from all members of the Municipal Event Committee.
(b) Each member of the Municipal Event Committee must ensure that the requirements of their municipal directorate are factored in before a decision is made.

15. Decision on permit applications

After considering a permit application as contemplated in section 14, the—
(a) Municipal Event Officer, in the case of a micro or small event; or
(b) Municipal Event Committee, in the case of a medium, large, major or special event, must decide to approve or refuse the permit application.

16. Approval of permit applications

(1) If the Municipal Event Officer or the Municipal Event Committee, as the case may be, decides to approve a permit application, the Municipal Event Officer must determine if any-
(a) conditions must be attached to the permit to minimise any potential adverse implications for public health and safety, the environment and the surrounding community;

(b) additional municipal permissions, approvals or processes are required by the municipal directorates or in terms of the Municipality's bylaws; and

(c) additional third-party permissions, approvals and processes may, in the opinion of the Municipal Event Officer, be required by other organs of state or public or private entities or in terms of national or provincial legislation: Provided that the event organiser is responsible for identifying, applying for and obtaining all required third party permissions, approvals and processes.

(2) (a) The Municipal Event Officer must then-

(i) issue the permit;

(ii) attach the necessary conditions to the permit;

(iii) inform the event organiser of any additional municipal permissions, approvals or processes that are required; and

(iv) advise the event organiser on any additional third-party permissions, approvals and processes that may be required.

(b) An electronic version of the-

(i) permit;

(ii) conditions; and

(iii) letter detailing the additional municipal and third-party permissions, approvals or processes that are or may be required, must be forwarded to the event organiser.

(3) The approval of a permit application and issuance of a permit is subject to the event organiser having obtained or finalised the required additional municipal and third-party permissions, approvals and processes as contemplated in sections 18, 19 and 20.

(4) An event organiser must, on request by an authorised municipal official, present the permit electronically or by means of a printout.

17. Rejection or refusal of permit applications

(1) The Municipal Event Officer or Municipal Event Committee, as the case may be, may reject or refuse a permit application based on objective, rational and reasonable grounds.

(2) If the Municipal Event Officer or Municipal Event Committee, as the case may be, decides to reject or refuse a permit application, the Municipal Event Officer must, in writing, inform the event organiser and provide reasons for such decision.

(3) An event organiser may appeal a rejection or refusal as contemplated in section 40.

CHAPTER 4
ADDITIONAL MUNICIPAL AND THIRD-PARTY PERMISSIONS, APPROVALS AND PROCESSES

18. Commencement of events prohibited

An event organiser may not commence an event before the required additional municipal and third-party permissions, approvals and processes as contemplated in sections 19 and 20 have been obtained or finalised, as the case may be.

19. Additional municipal permissions, approvals and processes

(1) The Municipal Event Officer must act as the central point of contact, liaison, intermediary and repository for an event organiser for any additional municipal permissions, approvals and processes that are required.

(2) Additional municipal permissions, approvals and processes that may be required may, depending on the nature of the events, relate to, amongst others, the-

(a) need to obtain indemnity or risk insurance;
(b) submission of a contingency plan;
(c) need to notify the public of the event;
(d) land use planning and zoning arrangements;
(e) erection or construction of temporary structures; (f) construction of buildings or permanent structures;
(g) utilisation of municipal services;
(h) impact on municipal electricity supply infrastructure and systems;
(i) utilisation of municipal properties, venues or facilities;
(j) utilisation of municipal parks, reserves and coastal areas;
(k) utilisation of municipal dams and other water infrastructure;
(l) utilisation of or impact on municipal roads and provincial and national roads in the Municipality;
(m) generation of excessive noise;
(n) impact of lighting;
(o) utilisation of fireworks, special effects, smoke machines, stunts and other potentially dangerous acts;
(p) utilisation of explosives, flammable liquids or materials, incendiary devices and fire caused by explosions;
(q) utilisation of firearms and ammunition;
(r) utilisation of fixed wing aircraft and helicopters;
(s) utilisation of remotely piloted aircraft systems ("RPAS");
(t) utilisation of motorised watercraft;
(u) involvement of children;
(v) involvement of animals;
(w) utilisation of outdoor advertising and other municipal advertising channels; and

(x) utilisation of heritage sites, protected areas, places in a heritage register and heritage areas under the ownership or control of the Municipality

(3) The Municipality may publish in the Event Permitting Policy specific requirements in respect of the additional third-party permissions, approvals and processes contemplated in this section.

CHAPTER 5
CONTROL OF EVENTS

21. General prohibitions

No person may organise an event in the jurisdiction of the Municipality other than-

(a) an event organiser to whom a permit was issued as contemplated in section 16 and their event party;
(b) in the venues and on the locations specified in a permit;
(c) on the dates and during the hours specified in a permit;
(d) in accordance with the provisions of a permit and any conditions attached to a permit;
(e) in accordance with any additional municipal and third-party permissions, approvals and processes as contemplated in sections 18, 19 and 20;
(f) in compliance with the Code of Conduct contemplated in section 22;
(g) in compliance with the implementation arrangements contemplated in section 23;
(h) this By-law;
(i) any other applicable By-law; and
(j) relevant national and provincial legislation.

22. Code of Conduct

(1) The Municipality must, within 60 business days of the commencement of this Bylaw, develop a Code of Conduct to ensure that event organisers and event parties conduct themselves in a manner that-

(a) promotes friendly relations and cooperation with the Municipality, business owners and the public;
(b) does not cause harm to public health and safety, the environment and the surrounding community; and
(c) promotes the integrity of the events sector in the Municipality.

(2) An event organiser must-

(a) adhere to the Code of Conduct; and
(b) inform the event party of the contents of the Code of Conduct and ensure compliance therewith.

23. Implementation arrangements

(1) The Municipality must, within 60 business days of the commencement of this By-law, publish in the Event Permitting Policy implementation arrangements to regulate events and event-related activities before, during and after events.

(2) Implementation arrangements may, depending on the nature of the events, relate to, amongst others-

(a) marketing of events;
(b) the impact of weather and other factors on scheduled events and the provisions of a permit;
(c) the erection and removal of signboards;
(d) the impact on public roads and supervision by traffic officers;
(e) the utilisation of storm water systems;
(f) the impact on municipal electricity supply infrastructure and systems;
(g) the impact on Eskom electricity supply infrastructure and systems;
(h) the utilisation of generators, lighting and cabling;
(i) the utilisation or involvement of explosives, flammable liquids or materials, incendiary devices, fire, fireworks, special effects, smoke machines, stunts and other potentially dangerous acts;
(j) the utilisation of firearms and ammunition;
(k) the utilisation of fixed wing aircraft and helicopters;
(l) the utilisation of remotely piloted aircraft systems (RPAS);
(m) the utilisation of motorised watercraft;
(n) the availability of first aid kits and medical rescue equipment;
(o) he availability of emergency care practitioners and lifeguards;
(p) the dismantling, clearing and cleaning of event locations or venues;
(q) the handling, storage and disposal of hazardous and medical waste;
(r) minimising disruptions to residents and businesses;
(s) compensation for residents and businesses for inconvenience or disruptions;
(t) the procurement of local goods and services; and
(u) community involvement in events and event-related activities

(3) An event organiser must-

(a) adhere to the implementation arrangements; and
(b) inform their event party of the implementation arrangements and ensure compliance therewith.

CHAPTER 6
FEES, TARIFFS AND DEPOSITS

24. Fees, tariffs and deposits

(1) (a) The Municipality may impose—
(i) permit application fees; and
(ii) permit amendment application fees.
(b) If the Municipality decides to impose application fees, it may provide for the exemption of payment of application fees in certain circumstances.

(2) The Municipality must levy the approved municipal fee or tariff for—
(a) the provision of a municipal service to an event organiser; and
(b) the utilisation of a municipal property, venue or facility by an event organiser.

(3)(a) The Municipality may require an event organiser to pay a deposit—
(i) to cover the provision of a municipal service;
(ii) for the utilisation of a municipal property, venue or facility;
(iii) to cover any contingencies; and
(iv) to recover any damages that may arise from events or the utilisation of a municipal property, venue or facility.
(b) An event organiser must, if applicable, pay—
(i) such deposit on receipt of the permit; and
(ii) any shortfall that may arise after conclusion of events.
(c) The Municipality must refund the remainder of a deposit, if applicable, to the event organiser after conclusion of events.

(4) The fees and tariffs contemplated in this section—
(a) are subject to change; and
(b) must be published in the Fees and Tariffs By-law, as amended from time to time.

CHAPTER 7
COMPLAINCE AND ENFORCEMENT

25. Obligation to comply

An event organiser and their event party must comply with-
(a) the provisions of a permit and any conditions attached to a permit;
(b) any additional municipal and third-party permissions, approvals and processes as contemplated in sections 18,19 and 20;
(c) the Code of Conduct contemplated in section 22;
(d the implementation arrangements contemplated in section 23;
(e) any lawful request by an authorised municipal official;
(f) his Bylaw;

(g) any other applicable By-law; and

(h) relevant national and provincial legislation.

26. Right of entry, inspection and monitoring

(1) An authorised municipal official may, at any reasonable time and without prior notice, enter any public or private place—

(a) where events or event-related activities are being conducted; and

(b) where they have reasonable grounds to suspect that events or event-related activities are being conducted, to carry out such inspection and monitoring as they may deem necessary to determine compliance with this By-law as contemplated in section 25.

(2) No person may—

(a) interfere with, hinder, obstruct or prevent; or

(b) attempt to interfere with, hinder, obstruct or prevent, an authorised municipal official from entering, inspecting and monitoring as contemplated in subsection (1).

27. Management of non-compliance

(1) In the case of non-compliance of a non-serious nature, the Municipal Event Officer must—

(a) attempt to manage and resolve such non-compliance in an informal manner; and

(b) if such non-compliance cannot be resolved informally, issue a compliance notice as contemplated in section 28.

(2) (a) In the case of non-compliance of a serious nature, the Municipal Event Officer must—

(i) issue a compliance notice as contemplated in section 28; or

(ii) where it is necessary, reasonable and justifiable to do so to protect public health and safety, the environment or the surrounding community, suspend or revoke the permit with immediate effect.

(b) If a permit has been suspended or revoked as contemplated in paragraph *(a)*(ii), the provisions of section 29(2) or 30(2), as the case may be, apply.

28. Compliance notices

(1) The Municipal Event Officer may serve a compliance notice on an event organiser instructing him or her to comply with section 25.

(2) A compliance notice must be writing and specify-

(a) reasons for the compliance notice being issued;

(b) the provisions of a permit or conditions attached to a permit, any additional municipal and third-party permissions, approvals and processes, the Code of Conduct, the implementation

arrangements, this By-law, any other applicable By-law, and relevant national and provincial legislation not being complied with;

(c) remedial actions to be taken;

(d) time and date on which the remedial actions must have been implemented;

(e) consequences of continued non-compliance; and

(f) the right of the event organiser to respond to the compliance notice.

29. Suspension of permits pending compliance

(1) The Municipal Event Officer may suspend a permit pending compliance with the remedial actions specified in a compliance notice contemplated in section 28: Provided that the event organiser is given reasonable notice of such suspension and an opportunity to be respond.

(2) An event organiser whose permit has been suspended must immediately cease all event-related activities.

30. Revocation of permits and shutting down of events due to continued non-compliance

(1) (a) If an event organiser fails to comply with the remedial actions by the time and date specified in a compliance notice, the Municipal Event Officer—

(i) must inform the event organiser in writing that they are guilty of an offence as contemplated in section 39; and

(ii) may revoke the permit: Provided that the event organiser must be given reasonable notice and an opportunity to respond.

(b) The Municipality may undertake the necessary remedial actions itself and hold the event organiser liable for any resultant costs associated with such actions.

(2) (a) An event organiser whose permit has been revoked must immediately shut down such event and cease all event-related activities.

(b) If the event organiser fails to shut down the event and cease all event-related activities, the Municipality may take the necessary action to shut down the event and hold the event organiser liable for any resultant costs associated with such action(s).

31. Suspension or revocation of permits due to emergencies

(1) The Municipal Manager or Municipal Event Officer may suspend or revoke a permit in the event of an emergency.

(2) If a permit has been suspended or revoked as contemplated in subsection (1), the provisions of section 29(2) or 30(2), as the case may be, apply.

32. Recording of particulars in non-compliance register

(1) Whenever an-

(a) event organiser has been issued with a compliance notice as contemplated in section 28;

(b) event organiser has their permit suspended or revoked due to a non-compliance or continued non-compliance as contemplated in section 27(2)*(a)*(ii), 29 or 30, as the case may be; or

(c) event organiser or an event party has been convicted of an offence as contemplated in section 39, the Municipal Event Officer must record the details of such person and the particulars of the non-compliance or offence, as the case may be, in the non-compliance register.

(2)(a) The Municipal Event Officer must, in writing, inform the event organiser or event party concerned of such recording.

(b) The event organiser or event party concerned may—

(i) appeal the recording in accordance with section 40; and

(ii) after a period of three years and on good cause shown, request the Municipal Event Committee in writing to consider their removal from the non-compliance register.

(3) If an—

(a) event organiser; or

(b) event organiser whose event party includes a person, whose details have been recorded in the non-compliance register by reason of the issuance of a compliance notice, applies for a permit, the Municipal Event Officer or Municipal Event Committee, as the case may be, must consider the nature of the non-compliance as contemplated in section 14 before deciding to approve or refuse a permit application.

(4) Notwithstanding the provisions of subsection (3), an

(a) event organiser; or

(b) event organiser whose event party includes a person, whose details have been recorded in the non-compliance register by reason of—

(i) the revocation of a permit due to non-compliance or continued non-compliance as contemplated in section 27(2)(a)(ii) or 30, as the case may be; or

(ii) having been convicted of an offence as contemplated in section 39, is disqualified from being issued with a permit.

CHAPTER 8
GENERAL PROVISIONS

33. Financial and non-financial support for events

(1)(a) The Municipality may, on application and on a case-by-case basis, decide to provide support to events.

(b) Support may include support of a financial or non-financial nature, or a combination of financial and non-financial support.

(2) The Municipality must, before providing support as contemplated in subsection (1),

(a) identify priority or strategic areas for support;

(b) ensure that such support is in line with the Municipal Finance Management Act and municipal financial policies; and

(c) publish in the Event Permitting Policy guidelines to effectively manage such support.

34. Bidding and hosting by the Municipality

(1) The Municipality may—

(a) on its own accord; and

(b) with other organs of state and private entities, bid to host events in the area of jurisdiction of the Municipality.

(2) The hosting of any events and the procurement of any goods and services in support of such events by the Municipality—

(a) must be conducted in line with the Municipal Finance Management Act and Municipal Supply Chain Management Policy; and

(b) are subject to budget availability and budgetary approval.

(3) The Municipality may develop guidelines to manage municipal events bidding and hosting.

35. Permit amendments

(1) A permit issued in terms of this Bylaw is not transferrable.

(2) in the event that an event organiser wishes to amend-

(a) the venues

(b) the dates or hours of events,

as specified in the permit or in the conditions attached to a permit, they must submit-

(i) a completed permit amendment application form; and

(ii) proof of payment of the prescribed fees as contemplated in section 24, if applicable, to the Municipal Event Officer online, by email or physically.

(3) If the Municipal Event Officer is of the opinion that such amendment-

(a) will not have a material impact on the factors contemplated in section 14(2), they must reissue the permit with the amended details; or

(b) will have a material impact on the factors contemplated in section 14(2) or cannot be effected due to practical or operational reasons, they must decline the permit amendment application.

(4) The Municipal Event must provide the event organiser with the permit amendment application form contemplated in subsection (2)(i) that must be completed and signed by the event organiser.

(5)(a) A permit amendment as contemplated in section does not derogate the event organiser from—

(i) the provisions, terms or conditions of any additional municipal and third-party permissions, approvals and processes that have already been applied for, obtained or finalised; and

(ii) any additional municipal and third-party permissions, approvals and processes that must still be applied for, obtained or finalised, as contemplated in sections 18, 19 and 20.

(b) The event organiser is responsible for ensuring that any amendments to a permit are, where applicable, effected in such additional municipal and third-party permissions, approvals and processes.

36. Exemptions

(1) Notwithstanding the provisions of this By-law, the Municipality may, on reasonable grounds, decide to exempt certain permit application categories from the permit requirements contemplated in section 9.

(2) The Municipality must, before granting an exemption as contemplated in subsection (1)—

(a) take reasonable measures to ensure that any person whose rights may be adversely affected by the granting of such exemption is notified of the envisaged exemption;

(b) provide any such person with a reasonable opportunity to object to the envisaged exemption; and

(c) duly consider any objections received.

(3) The Municipality may impose any such conditions to an exemption as it may deem necessary.

37. Prescribed forms

The Municipality must publish such prescribed or standard forms and other documents—

(a) as specified in this By-law; and

(b) as may be needed to further contribute to effective, efficient and streamlined permitting processes.

38. Offences and penalties

(1) A person who—

(a) commences an event without a valid permit;
(b) contravenes a provision of a permit or a condition attached to a permit;
(c) fails to obtain, finalise or adhere to, as the case may be, any additional municipal and third-party permissions, approvals and processes as contemplated in sections 18, 19 and 20;
(d) fails to comply with the Code of Conduct contemplated in section 22;
(e) fails to comply with the implementation arrangements contemplated in section 23;
(f) fails to comply with a lawful request by an authorised municipal official;
(g) deliberately furnishes false or misleading information to an authorised municipal official;
(h) threatens, resists, interferes with, hinders or obstructs an authorised municipal official in the performance of their duties as contemplated in this Bylaw;
(i) fails to comply with the terms of a compliance notice as contemplated in section 28;
(j) fails to immediately cease all event-related activities when a permit has been suspended as contemplated in sections 27(2)(a)(ii) and 29;
(k) fails to immediately cease all event-related activities and shut down such event- related activities when a permit has been revoked as contemplated in sections 27(2)(a)(ii) and 30;
(l) fails to pay any shortfall that may arise after conclusion of the events as contemplated in section 24(3)(b)(ii);
(m) contravenes a provision of this Bylaw;
(n) contravenes a provision of any other applicable Bylaw; or
(o) contravenes a provision of relevant national or provincial legislation, is guilty of an offence and may, on conviction, be liable to the payment of a fine or imprisonment, or both a fine and imprisonment.

(2) An offence provided for in another applicable By-law or in national or provincial legislation must be dealt with by the relevant authority as contemplated in the legislation concerned.

39. Appeals

Any person whose rights are affected by a decision taken in terms of this By-law, may appeal such a decision as contemplated in section 62 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

40. Delegations

(1) The Municipal Manager—

(a) must delegate overall responsibility for events in the area of jurisdiction of the Municipality to the Municipal Event Officer as contemplated in section 5; and

(b) may delegate such other powers, functions and duties to the Municipal Event Officer, another authorised municipal official or municipal staff member as may be necessary to ensure the effective and efficient implementation of this By-law and the Event Permitting Policy.

(2) Any delegation contemplated in subsection (1)—

(a) may be made subject to such conditions as the Municipal Manager may determine; and

(b) must be in writing.

(3)(a) The Municipal Manager may, at any time, withdraw a delegation contemplated in subsection (1).

(b) A withdrawal of a delegation must be in writing.

41. Exemption liability

The Municipality is not liable for any damage, loss or compensation-

(a) resulting from any lawful actions performed in good faith in terms of this Bylaw by the Municipality, an authorised municipal official or any municipal staff member; and

(b) arising from any events conducted by an event organiser, an event party or any other person in the area of jurisdiction of the Municipality.

42. Transitional Arrangements

(1) Notwithstanding the provisions of this Bylaw, an existing permit remains valid—

(a) until such permit expires;

(b) until such permit is revoked; or

(c) for 60 business days of the commencement of this Bylaw, whichever occurs first, whereafter the existing permit holder must apply for a new permit as contemplated in section 12.

(2) An existing permit holder must comply with—

(a) the provisions of such permit and any conditions attached to such permit;

(b) any additional municipal and third-party permissions, approvals and processes that have been obtained or finalised, as the case may be;

(c) the Code of Conduct contemplated in section 22;

(d) the implementation arrangements contemplated in section 23;

(e) any other applicable By-law; and
(f) relevant national and provincial legislation.

43. Monitoring, evaluation and review

(1) The Municipal Event Committee must—
(a) monitor and evaluate the implementation of this Bylaw and the Event Permitting Policy on an ongoing basis; and
(b) review this Bylaw and the Event Permitting Policy at least every three years.

(2) The Municipality may develop a monitoring, evaluation and review framework for the Bylaw and the Event Permitting Policy.

44. Impact on existing bylaws, processes and procedures

The Municipality must align existing bylaws, policies, processes and procedures to ensure—
(a) the realisation of the objectives; and
(b) the full and effective implementation, of this Bylaw.

45. Amendment and repeat of bylaws

The bylaws mentioned in Schedule 1 are hereby amended or repealed to the extent indicated in the third column of the Schedule.

46. Short Title

This Bylaw is called the Stellenbosch Municipality Event Permitting Bylaw, 2023.

SCHEDULE 1
AMENDMENT AND REPEAL OF LAW
(Section 45)

No. and Year of Bylaw or Repeal	Short Title	Extent of Amendment

SCHEDULE 2
EVENTS APPLICATION REQUIREMENTS GUIDELINE

The following information and documentation are required from ALL organisers of events wishing to host events in the Stellenbosch Municipality.

The timeous provision of the complete information will support and assist with the processing of the application, the approval processes by the range of Municipality Departments and compliance with legislative requirements.

SIZE	CATEGORY ATTENDEE / PARTICIPATION SIZE	MINIMUM TIME BEFORE AN EVENT TO SUBMIT A COMPLETE APPLICATION TO THE MUNICIPALITY
Small	200 – 2000	A minimum 15 working days (3 weeks)
Medium	2001 – 5000	A minimum of 20 working days (4 weeks)
Large	5001 – 10 000	A minimum of 25 working days (5 weeks)
Very large	10 0001-above	60 working days (3 months minimum – preferably 6 months)

NOTE:

1. Events of fewer than 200 persons where there is no amplified sound or no temporary structures to be used need not submit an application. However, the Municipality may determine whether the impact and risk attached to an event of fewer than 200 persons would require the submission of an application.

2. Note this excludes any specific or special application directives which the Municipality may issue from time to time, which may vary by event type, risk, size, the time of the year, duration, venue or location (for example over the festive season or public holiday or related to a type of event or specific venue/location) or impact on the transport network or any other Municipality activity.

3. These timeframes do not include events applications where a land use application approval is required i.e. where an event is to be held on land which is not appropriately zoned. In such instances, the time frames for a very large event will apply.

REQUIREMENTS:

- A formal Application detailing the name and contact numbers of the organizer, date/s, venue, nature of event and as much information as possible, and
- An Event Plan including at least the following information:

1. Description of Event:

Type of event: International, National, Local, Linear or Place-bound

- Date/s
- Duration (daily)
- Locality/Area
- Venue
- Anticipated number of participants and spectators
- Details of VIPS attending event (including artist/s)
- Details of nearby Key Point/s or Restricted Areas

2. **Event Programme** (full details and times, plus contact details for person responsible for each aspect of event)

3. **Layout Plan** for event, indicating:
   - Stages, Marquees & Other Temporary Structures
   - Access and Evacuation Flows
   - Fencing and Crowd Barriers
   - Catering Facilities and Vendor Areas
   - Restricted/VIP Areas
   - VOC Location
   - Ticket Selling Booths

4. **Event Safety Plan**:
   - Medical Plan – including details of private medical service provider/s
   - Security Plan – including details of private security service provider/s
   - Departmental Emergency Response Plan
   - Emergency Procedure/Evacuation Plan
   - LP Gas Plan (if applicable)
   - Accreditation Plan
   - Facility Emergency Plan (if applicable)
   - Civil Aviation Application/Approval (if applicable)

5. **Transport Management Plan**
   - Detailed Transportation Plan, incl. transportation modes, routes for event
   - Details of Road Closures (and times)
   - Emergency Vehicle Access Routes
   - Detailed Parking Plan, incl. secured/identified Parking Areas
   - Detailed Event Signage/Communication Plan (warning signage, alternative routes, parking, etc.)

6. **Traffic Management Plan**
   - Detailed plan of event venue/location and surrounds;
   - Details of event specific Road Signage (if applicable)
   - Marshalling Plan (if applicable)

7. **Health Requirements:**
   - Ablution Facilities and/or Mobile Toilets
   - Details of Vendors / Caterers, including licences
   - Certificate/s of Acceptability – food vendors

Community Participation/Consultation Plan, including:

- Communication with Councillor/s
- Consultation with Community/Residents Organisations/Associations
- Communication with Affected Residents/Businesses/Business Associations.

8. **Application Forms /Approvals**, incl.
   - Noise Exemption (including public participation/consultation)
   - Erection of Stages/Marquees/Temporary Structures
   - Confirmation of Venue
   - Liquor Licence/s (if applicable)

9. **Municipal Services Requirements:**
   - Waste Management Plan, incl.
     - Details of Service Provider/s
     - Arrangements for venue cleansing (prior to and post event)
     - Receipt slip from landfill site (post event)
   - Electricity – including wayleaves
   - Water

10. **Event Communications Plan**
    - Ticket Selling Strategy
    - Emergency Communications Plan
    - Approval or application for Municipal Outdoor Advertising and Signage
    - Any specific requirements

11. **Environmental Protection Plan** (if applicable)

12. **Indemnity Forms**, incl.
    - Completed Indemnity Form
    - Confirmation of Public Liability insurance

13. **Confirmation of Appointment of Safety Officer/s**

SCHEDULE 3

EVENTS OVERLAY ZONE

1. Zone name and designation on map

(1) The Events Overlay zone may be referred to by the code (EO) and shall cover the entire area of the Stellenbosch Municipality's zoning map.

2. Purpose of the zone

(1) The purpose of the Events Overlay zone is to facilitate the hosting of events on public streets in certain circumstances, with the aim of promoting the tourism and leisure sector as a key driver of local economic development, as well as to enhance the cultural and social cohesion of communities, while protecting the amenity on which these activities rely.

(2) Provide for a clear distinction between "events" and "occasional use" events.

(3) Notwithstanding the intention for the overlay zone to be less restrictive with regards to the hosting of events, the overlay zone gives the Municipality a mechanism whereby additional measures and conditions can be imposed which can assist to avoid potential adverse impact of events on the receiving environment, and mitigate such impacts where they cannot be avoided.

3. Definitions in this chapter

The following words shall have the meaning assigned to them below:

"calendar year" means a period of twelve months from January 1 to December 31;

"event" means sporting, entertainment, recreational, educational, religious, cultural, exhibitional or similar activity, that is accessible to the general public and is hosted either at a specific place (i.e. on a single property) or along a specified route, and which is of a temporary nature, and which can occur on a specific day or on consecutive days for a limited period, and excludes functions such as weddings;

"event organizer" has the same meaning contemplated in the Stellenbosch Municipality Events By-law;

"linear event" means an event along a route taken from a starting point to a destination during which the event takes the form of either a recreational activity or a procession, and which may traverse a single property or a number of properties, and includes marathon, trail running, cycling and mountain biking (including E-bikes) events, but excludes the use of motorized vehicles;

"outdoor dining" means dining outdoors on a portion of public street with tables, chairs, and other furnishings for the purpose of selling, offering for sale, and serving

food and beverages in an area set up directly outside the confines of a property with land use rights for a business premises (or equivalent);

"place-bound event" **means an event that takes place at an existing venue, or on a specific property;**

"temporary structure" means a non-permanent structure constructed purely on a temporary basis for a specific period, which shall require building plan approval (if applicable) and which shall be demolished on completion of the event for which it was erected.

4. General provisions

(1) The primary, additional and consent uses, and development parameters set out in the applicable base zone remain applicable to any land unit subject to this overlay zone, unless varied in the provisions provided in this chapter.

(2) Events contemplated in this chapter are exempt from the provisions of section 30(1) (relating to occasional use events).

(3) A maximum of 12 events per calendar year can be hosted on an individual property, irrespective of the event being a linear event or place-bound event (as contemplated in this chapter), unless otherwise stipulated in this chapter.

(4) Any event occurring on a property that takes direct access from a proclaimed road shall provide effective traffic control for safe access off such road to the on-stie parking area, to the satisfaction of the Municipality.

(5) Any event contemplated in this chapter:

(a) May involve the construction of temporary structures to facilitate the hosting of such event.

(b) That involves the provision of temporary commercial services that are not directly associated with the event shall require prior approval for such land use.

(c) That involves amplified sound, whether it be for music, entertainment, public announcements or otherwise, shall require the event organizer to provide written confirmation to the Municipality's relevant department that the noise to be generated at the event will be compliant with the Western Cape Noise Control Regulations.

(6) The Municipality may order that an event be ceased if, in the sole opinion of the Municipality, the event:

(a) is not compliant with the provisions stipulated in this schedule; or

(b) causes a public nuisance; or

(c) impacts on the health, welfare or safety of other properties in the surrounding area (particularly with regard to noise or traffic); or

(d) causes damage or poses a potential risk to existing environmental, agricultural or heritage resources.

(7) Notwithstanding the wording used in the definitions contained in section 3, no event can be both a "linear event" and a "place-bound event", and the Municipality's Development Management Department has the sole discretion to determine the specific category of an event as contemplated in this schedule.

(8) Notwithstanding the specific provisions contained in sections 5, 6 and 7 of this schedule, all events must still comply with the provisions of applicable legislation and policy, including, but not limited to, the Municipality's:

(a) Events By-law; and

(b) Roads and Streets By-law; and

(c) Policy on Outdoor Dining, Trading and the use of Public Places for Commercial Ventures and Display.

5. Specific provisions: linear events

(1) Unlimited linear events shall be permitted in the following zones:

(a) Transport Facilities zone;

(b) Public Road and Parking zone; and

(c) Public Open Space zone.

(2) Unlimited linear events shall be permitted in the following zones, provided that such events do not exceed 300 persons (including any support staff or spectators associated with such event):

(a) Education zone;

(b) Community zone;

(c) Private Open Space zone;

(d) Agriculture and Rural zone; and

(e) Natural Environment zone.

(3) For a linear event involving more than 300 persons, including any support staff or spectators associated with such event, a maximum number of 12 events per calendar year shall be permitted on a property with a zoning stipulated in subsection (2), subject to section 4(3).

(4) A linear event occurring on a property with a zoning stipulated in subsection (2) may not exceed:

(a) a maximum of 3 consecutive days;

(b) a cumulative number of 12 days in a calendar year.

(5) A linear event occurring on a property with a zoning stipulated in subsection (2)(d) and 2(e):

(a) must make use of existing routes and/or farm tracks approved by the relevant authority;

(b) must include the provision of sufficient on-site parking for all vehicles associated with the event, or to the satisfaction of the Municipality; and

(c) may not involve any motorized vehicles.

(6) This section only applies in instances where the Municipality has not already granted approval for such land use or activity on a property.

6. Specific provisions: place-bound events

(1) Unlimited place-bound events shall be permitted in the following zones:

(a) Public Road and Parking zone; and

(b) Public Open Space zone.

(2) A maximum of 12 place-bound events per calendar year shall be permitted on a property in the following zones, subject to section 4(3):

(a) Education zone;

(b) Community zone;

(c) Private Open Space zone; and

(d) Agriculture and Rural zone.

(3) Notwithstanding subsection (2), a place-bound event that involves any amplified music such as an outdoor concert, rave or festival, shall not be permitted to extend beyond 18h00 without the prior written consent of the owners of the surrounding properties, as directed by the Municipality.

(4) A place-bound event occurring on a property with a zoning stipulated in subsection (2)(a) and 2(b) does not include ancillary events typically associated with the primary uses thereon.

(5) A place-bound event occurring on a property with a zoning stipulated in subsection (2)(c) and 2(d):

(a) will only be permitted if the event makes use of existing facilities and/or infrastructure, including approved structures and landscaped areas, subject to 5(a); and

(b) must include the provision of sufficient on-site parking for all vehicles associated with the event, or to the satisfaction of the Municipality.

(6) A place-bound event occurring on a property with a zoning stipulated in subsection (2) may not exceed:

(a) a maximum of 4 consecutive days; and

(b) a cumulative number of 12 days in a calendar year.

(7) All place bound events, regardless of the base zoning of the property on which such event takes place, shall not continue past 22h00 without prior written permission from the Municipality's Development Management Department.

(8) This Section only applies in instances where the Municipality has not already granted approval for such land use or activity on a property.