APPENDIX 1

STELLENBOSCH MUNICIPALITY

EVENTS BY-LAW, 202652024

TABLE OF CONTENTS

PURPOSE AND OBJECTIVES

CHAPTER 1
DEFINITIONS AND APPLICATIONS

1. Definitions
2. Application of this By-Law

CHAPTER 2
APPLICATION PROCESS, REQUIREMENTS, DECISIONS AND ENFORCEMENT

3. Submission of applications for approval to hold or stage events
4. Requirements and conditions
5. Decisions on events
6. Evaluation Criteria
7. Holding of an event
8. Compliance notice
9. Inspections and right of access
10. Suspension and revocation of permit

Chapter 3
SPECIAL INCLUSIONS

11. Micro Events~~Park Run~~
12. Community Fitness Events (Parkrun) ~~Micro School Events~~

CHAPTER ~~4~~3
GENERAL PROVISIONS

13~~11~~. Agreements and partnerships
14~~2~~. Delegations
15~~3~~. Right of Appeal
16~~4~~. Indemnity
17~~5~~. Offences and Penalties
18~~6~~. Short title

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SCHEDULE 1

Amendment and Repeal of By-Law

SCHEDULE 2

Schedule of Events Application Timeframes

SCHEDULE 3

Chapter 29 of the Zoning Scheme By-Law, 2023 (Events and Outdoor Dining Overlay Zone)

SCHEDULE 4

Events Application Requirements

STELLENBOSCH MUNICIPALITY: EVENTS BY-LAW

PURPOSE AND OBJECTIVES

To provide for the management and regulation of events within the jurisdiction of the Stellenbosch Municipality: to provide for the enforcement of this By-Law and to provide for matters incidental thereto.

PREAMBLE

WHEREAS section 156(1) of the Constitution of the Republic of South Africa, 1996 confers on municipalities the executive authority and right to administer local government matters set out in Part B of Schedule 4 and Part B of Schedule 5 to the Constitution;

WHEREAS section 156(2) of the Constitution empowers municipalities to make and administer laws for the effective administration of matters that they have the right to administer;

WHEREAS Part B of Schedule 4 and Part B of Schedule 5 to the Constitution include the following local government matters: public places, control of public nuisances, building regulations, municipal planning, municipal roads, municipal parks and recreation, beaches and amusement facilities, and pounds;

WHEREAS the Stellenbosch Municipality recognizes that the hosting of events is a significant part of its competitive strategy and acknowledges that events have an important role to enhance cultural and social cohesion in communities, support urban rejuvenation and economic growth.

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WHEREAS the Stellenbosch Municipality aims to regulate holding of events in a manner that ensures proper management thereof;

WHEREAS the Stellenbosch Municipality wishes to support the co-ordination and collaboration between all role-players, to promote partnerships and to enhance the impact of events in the municipality;

WHEREAS the Stellenbosch Municipality wants to ensure that events happen safely and securely in a coordinated manner in its jurisdiction;

AND WHEREAS the Stellenbosch Municipality wants to ensure that events take place safely and securely in a coordinated manner through a clear collaboration between Law Enforcement, Fire Services, the South African Police Services, Disaster Management, District Municipality, Traffic Services and other related emergency and safety organisations;

AND NOW THEREFORE, BE IT ENACTED by the Stellenbosch Municipality, as follows:—

CHAPTER 1

DEFINITIONS AND APPLICATIONS

1. Definitions

In this By-Law, unless the context otherwise indicates-

"appeal authority" means the Municipal Manager where a decision is taken by a staff member other than the Municipal Manager.
~~means a designated committee appointed by the Stellenbosch Municipality that is responsible for independently reviewing and making recommendations to the Municipal Manager on appeals lodged by applicants whose event applications have been refused, restricted, or conditions imposed by the initial decision-making authority~~

"authorised municipal official" means the Municipal Event Officer, a member of the Municipal Events Committee, a municipal law enforcement officer, and any other person who is delegated ~~as contemplated in section 41 of the South African Constitution~~ to execute a power, function or duty related to the provisions of this By-Law.

"Community Fitness Events (Parkrun)" means an organised, non-motorised physical activity or series of activities conducted in a public or municipal space, which is open to the public or a defined community group and which promotes health, wellness, and social participation, ~~whether or not~~where no a participation fee is charged.

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"Council" means the council of the Stellenbosch Municipality or any political structure, political office, councillor or any staff member acting under the council's delegated or sub-delegated authority.

"event" means-

(a) any sporting, recreational, entertainment, including live entertainment or event acts;

(b) any educational, cultural or religious event;

(c) any business event including marketing, public relations and promotional events, or exhibition events;

(d) any charitable event, including any conference, organizational event or community event;

~~(e) any filming which is of such a nature that it may have a negative impact on vehicular or pedestrian traffic or may attract crowds;~~

(e)~~(f)~~ any similar event or activity hosted at a stadium, public place, venue or along a route or within its precinct.

"event organizer" means a person who submits an application to hold an event in terms of this By-Law whether he or she submits the application for himself or herself or on behalf of another person, body or organization;

"events committee" a committee represented by officials from affected municipal departments and / or other organs of state, who would meet on an ad hoc basis to consider event applications and make recommendations to the Event Organizer;

"events policy" means the Events Policy of the Stellenbosch Municipality;

"Event Permit Officer" means the head of Stellenbosch Municipality events permit office or any other official delegated by him or her;

"Events Office" means a designated municipal department or unit responsible for regulating, facilitating, and overseeing events within the municipality;

"Law Enforcement Officers" officials of the Municipality involved in law enforcement;

"~~Low-risk~~Micro Event" means an event which, in the opinion of the Events Permit Officer, presents minimal risk to public safety, infrastructure, and the environment, including:

- School sports events hosted on school premises;
- Inter-school sporting fixtures falling within the WC024 jurisdiction only

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~~Community bazaars, markets, and fundraising events;~~

~~Small-scale cultural or recreational gatherings.~~

- Attendance does not exceed ~~2 000~~1000 persons;
- No liquor is sold, supplied, or consumed;
- No temporary grandstands, stages, or hazardous structures are erected;
- The event occurs on school or municipal sports facilities;
- ~~No major road closures or traffic diversions are required~~No impact on traffic;

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"Municipal Manager" means the person appointed as Municipal Manager in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998)

"permit" means a permit issued by the Events Permit Officer~~Coordinator~~ for the holding of events;

Commented [DJ2]: Should the definition not read *events permit officer* instead of *events coordinator*?

"public place" means -

(a) any public land, square, public swimming, bath, public resort, public recreation site, zoological, botanical or other public garden, park or hiking trail, including any portion thereof and any facility or apparatus therein or thereon, as well as any public open space, public road, road reserve, reserve street, lake, dam, or river;

(b) any public building, structure, hall, room or office including any part thereof and any facility or apparatus therein, which is the property of, or possessed, controlled or leased by Stellenbosch Municipality and to which the general public has access, whether on payment of admission fees or not;

(c) any nature conservation area including – nature reserves, protected natural areas, nature conservation worthy areas, natural open spaces.

"public land" means all property owned by government;

"purpose-built venue" means a building, structure, or premises, specifically built, zoned and suitable for the holding of specific events;

"stakeholder" includes any person, organization, entity or body who is affected or has a role to play in the management or holding of an event;

"safety officer" means a person appointed in terms of Regulation 6 of the (Occupational Health and Safety Act 85 of 1993) to assist with the oversight of the safety and security risk management of the event.

"this By-Law" includes the Schedules hereto;

"venue" means any open space, enclosed or semi-enclosed temporary structure or permanent structure, whether a private dwelling or not–

(a) within which a temporary or permanent structure may be erected, where an event is to be hosted; and

(b) which, for the purposes of any categorization, designation and certification of an event may consist of —

(i) ~~seating for~~ spectators, attendees or an audience; or
(ii) a field of play or a permanent or temporary podium or other area within a venue, reserved for the purposes of hosting an event;
(iii) purpose built venue correctly zoned, built and suitable for the holding of specific events;

"venue owner" means any person or legal entity that, now or in the future, will directly or indirectly own, lease, rent, acquire or exercise the powers of an owner or occupier of a venue used for events.

"ward committee" means the ward committee as established by Stellenbosch Municipality from time to time and chaired by the respective appointed ward councillors.

"waste management plan" is a strategic document that outlines how an organisation or project identifies, stores, collects, recycles, and dispose of it's waste.

~~***"appeal authority"*** means a designated committee appointed by the Stellenbosch Municipality that is responsible for independently reviewing and making recommendations to the Municipal Manager on appeals lodged by applicants whose event applications have been refused, restricted, or conditions imposed by the initial decision-making authority~~

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2. Application of this By-Law

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(a) Applications for all types of events must be submitted to the Event Office for consideration.

(b) This By-Law applies to any event held within the area of jurisdiction of Stellenbosch Municipality, including events held on both private land and public land, provided that where an event is held on private land, subject to any other applicable legislation, it has an impact on the resources, infrastructure, traffic and parking of the Municipality and the surrounding community.

~~(b)~~(c) This By-Law does not apply to –

(i) events less than 200 persons in attendance, where there is no amplified sound, no ~~or~~ temporary structures (greater than 100m² in size per structure) to be used, no preparation and or selling of food and does not have an impact on vehicular traffic;
(ii) small events such as family and community events held on private property or purpose-built venues, subject to any other legislation and consent from neighbours;

Commented [JJ3]: This exception has been reconsidered

(ii) ~~actions falling under the provisions of the Regulation of Gatherings Act (Act 205 of 1993) as amended, for which a system of approval is already in place;~~

~~(iii) public participation or meetings held by ward councillor;~~

~~(v) funeral and funeral processions, events held at a purpose-built venue or the grounds of any school, playground, place of worship, hotel and/or any other conference facility, athletic field, arena, auditorium or similar;~~

~~(vi) permanent place of assembly when used for events normally held in or at such venues; provided that this exclusion does not apply to events or parts of events held outside the venue or building, or which by their nature, size or impact are considered outside the normal use parameters for the venue;~~

~~(vii) sport fixtures and events regulated by the Safety at Sports and Recreational Events Act No.2 of 2010;~~

~~(viii) Weddings held at wedding venues established for purposes of weddings or at a community hall or similar entertainment facility, and wedding processions, which fall outside the boundaries of an environmentally protected area;~~

~~(ix) Cultural rituals held by cultural groups and families in the community.~~

~~(c)~~(d) Notwithstanding subsection (2), the Events Permit Officer or a Law Enforcement Officer may —

(i) when the Events Permit Officer or an ~~Law Enforcement Officer~~ Authorised Municipal Officer finds that this By-Law is, or likely to be, contravened by an event organizer; or

(ii) when a stakeholder affected by the impact and risk attached to an event files a complaint with the Event Permit Officer or an Authorised Municipal Officer~~Law Enforcement Officer~~, issue a compliance notice to the Event Organiser in terms of section 8 of this By-Law ~~and act in terms of this By-Law~~.

~~(d)~~(e) Purpose-built venues are excluded from this By-Law in respect of events normally held in such venue, provided that –

(i) this exclusion does not apply to events or parts of events held outside the venue or building or which by their nature, size or impact are considered outside the normal use parameters for the venue;

(ii) owners or managers of purpose-built venues must submit their programme of events ~~an application~~ to the Events Permit Office two months prior to the events taking ~~-~~ place; ~~for approval of their events programmes which shall be valid for one year~~;

(iii) the Events Permit Officer may, from time to time, issue directives regarding specific or special application process for any specific or special event which may vary in respect of the criteria referred to in section 6 of this By-Law;

(iv) in the event of a conflict between this By-Law and any other By-Law of the Municipality this By-Law shall prevail regarding the management and holding of events;

(v) this By-Law does not apply to the holding of public gatherings and demonstrations as provided for in terms of the Regulation of Gatherings Act, 1993 (Act No. 205 of 1993).

(vi) No temporary structures erected.

(f) The Events Office has the right to classify an application as an event and implement the necessary processes to be adhered to.

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CHAPTER 2

APPLICATION PROCESS, REQUIREMENTS, DECISIONS AND ENFORCEMENT

3. Submission of applications for approval to hold or stage events

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(a) A formal application to stage an event must be made by the event organizer to the Events Permit Officer and submitted –

(i) by a person who is at least 18 years old;
(ii) in a form and or manner as prescribed by the Events Permit Officer;
(iii) within the time frames as prescribed in Schedule 2 of this By-Law;
(iv) by a person or on behalf of a person who possesses the necessary capacity and resources.

(b) The application must include all information required as indicated in the prescribed form and any additional information as may be requested by the Stellenbosch Municipality.

(c) All applications must be accompanied by proof of payment of the applicable fees ~~and deposit~~ payable for the event.

(d) In the event of failure to submit the information referred to in subsection 3(b) and proof of payment in terms of subsection 3(c) an application will not be considered in terms of this By-Law.

4. Requirements and conditions

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(a) No person may hold or stage any event without obtaining a permit referred to in section 5(c) of this By-Law.

(b) An application for an event must comply with the provisions of this By-Law and contain such information as indicated in the prescribed application form as set out in section ~~Schedule~~ 3 of this By-Law.

~~(c) The Event Organiser may not advertise/market or sell tickets for the planned event before an application is submitted to the Municipality and the Event Permit Officer has informed the Event Organiser in writing that the application has been approved in terms of section 5(a).~~ ~~The event organiser may at own risk advertise the planned event before an application has been approved in terms of se~~

(c) ~~i~~ Advertising before the approval of an application for an event does not obligate the Event Permit Officer to grant any approvals and it is undertaken at the applicant's own risk.

(d) ~~ii~~ The event organiser must ensure that a Section 63 application form is completed and submitted ~~separately~~ ~~is required to apply separately and within the~~ to the South African ~~-~~Police Services for a risk categorisation as required by the Safety at Sports and Recreational Events Act 2 of ~~,~~2010 within the prescribed timeframe ~~to the National Commissioner of South African Police Services for a risk categorisation as contemplated in the Safety at Sports and Recreational Events Act, 2010 (Act No. 2 of 2010)~~

(~~iii~~) ~~-~~The South African Police Service may require the event organiser to participate in separate event safety and security planning committee

~~(d) The Event Organiser must address a formal letter to the National Commissioner of South African Police, within the required timeframe to request a risk categorisation for their event, as required by the Safety at Sports and Recreational Events Act of 2010 (Act No.2 of 2010) is required to apply separately and within the required timeframe to the National Commissioner of the South African Police Services for a risk categorisation as contemplated in the Safety at Sports and Recreational Events Act, 2010 (Act No.2 of 2010).~~

(e) The Event Organiser is required to pay the ~~Payment of an~~ administration fee and or applicable tariffs determined by the Municipality ~~must be required from the Event Organiser ahead~~prior to the ~~of~~ approval of an application for an event.

(f) The Events Permit Officer must ensure that consultation with relevant stakeholders identified by the Municipality is undertaken by the event organizer.

(g) The Event Permit Officer must, in terms of the Event Policy and depending on the nature of the event, ensure that consultation takes place with the Events Committee, which will include an official from the municipality's environmental services department; and with any other relevant stakeholder, including the relevant ward councillor.

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(h) The Events Permit Officer must satisfy him /or herself by written documentation that the relevant zoning scheme, environmental legislation and all health and safety regulations are complied with; that adequate public liability insurance cover, and that appropriate indemnity cover is obtained for an event by the Event Organiser. Similarly, where an activity which may put the public at risk will be triggered, proof of appropriate specialized risk insurance, blanket liability or work cover must be provided to the Events Permit Officer by the Event Organiser.

(i) The ~~Council~~ Municipal Council must, as part of its budgeting process in terms of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), determine tariffs ~~and deposits~~ payable for events.

(j) The Municipality shall not, in respect of any planning for an event, application, approval or permit issued for an event in terms of this By-Law or any third party, be held liable for any:-

(i) damage to or loss of any property of the Event Organizer; or
(ii) costs incurred by an Event Organizer or any third party;

(k) The event organizer, or the venue owner shall be liable for the cost of any service provided by the municipality for or in respect of an event.

(l) If the event exceeds 500pax the event organiser is required to appoint an accredited -waste management service provider with Stellenbosch Municipality.

4.1 Event Safety Officer

The Event Organiser must appoint an event safety officer for the event.

(a) The responsibility for the safety of all present at the event lies primarily with the Event Organiser;

(b) The safety officer is tasked with monitoring and maintaining a safe environment for the duration of the event, including the set-up and breakdown of ~~stages~~ structures of the event;

(c) The areas of responsibility of the safety officer include operational safety, occupational health and safety compliance and hygiene management;

(d) The safety officer maintains the right to halt any event should he/she identify a significant risk threatening the safety of any individual present at the event;

(e) The mandate of the safety officer includes the event venue as well as all associated facilities;

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(f) The safety officer is required to be on-site for the entire duration of the event, including the set-up and breakdown stages of an event;

(g) The safety officer is to reasonably identify any risks or dangers and recommend suitable mitigation and management measures to the Event Organiser;

(h) The safety officer is responsible for ensuring that the event-specific written safety and security plan is adhered to.

5. Decisions on events

(a) The Events Permit Officer must approve or decline an application for an event within a reasonable time in terms of this By-Law.

(b) Once a decision has been taken in terms of subsection 5(a) the applicant must be informed thereof in writing.

(c) Where an application for an event has been approved, the Events Permit Officer must issue a permit specifying the conditions applicable to the event.

(d) The Event Organizer must make sure that the permit is available at the venue for inspection ~~at all stages and~~ at all times of the event, and that any additional licences, including liquor licences can be clearly displayed in public.

(e) Where an application for an event has been declined, reasons for the decision must be communicated to the applicant in writing, and the applicant must be informed of his/her right to appeal the decision in terms of section 62 of the Municipal Systems Act.

(f) The Event Permit Officer may decline an application for an event permit where–

(i) an event application is received outside of the prescribed timeframes as set out in Schedule 2;
~~(i)~~(ii) If the application is incomplete;
(iii) the event clashes with another event and will have a significant impact ~~on impact~~ on the resources, –infrastructure, traffic and parking of the Municipality and the surrounding community.
(iv~~iii~~) the event safety and security plan is deemed insufficient by the ~~———~~Municipality's services;
(iv) the event is not approved by the South African Police Services;
(vi) the event is non-compliant with applicable legislation; ~~or~~
(vii) the event owner, the event organiser or the safety officer concerned, has been found guilty in a court of law of committing any fraudulent or dishonest act, or
(viii) the events permit officer on reasonable grounds suspects that the event owner, event organiser or the safety officer may be engaging in fraudulent or dishonest activities that may impact on the safe, satisfactory or proper holding of the event; or

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(ix)~~(vi)~~ any other factor which, in the opinion of the Event Permit Officer, may negatively impact on the –

- safe ~~conclusion~~ hosting of an event; or
- human or other resources of Stellenbosch Municipality.

6. Evaluation Criteria

(a) The Events Permit Officer must ensure that applications for staging an event are considered in accordance with the following criteria, where applicable:

(i) the type and size of an event;
~~(ii) the impact of the event in terms of the strategic fit to the Events Policy;~~
(ii)~~(iii)~~ the impact of the event on municipal services including services relating to noise control, traffic, parking, local amenities, public places, health and all incidental services affected by the holding of the event, logistical aspects, as well as marketing, economic, social and environmental objectives;
(iii)~~(iv)~~ whether the proposed use of the land complies with the applicable zoning scheme and any conditions applicable thereunder;
(iv)~~(v)~~ the safety and security risk management of the event in respect of the event plan, logistics, location, site design and other activities taking place near or at the event venue and other threats to the event. The risk assessment will include, but not limited to, obtaining details of the evacuation routes, emergency plans, site plans of access, and the inference of public open space;
(v)~~(vi)~~ that the event complies with all applicable legislation;
(vi)~~(vii)~~ the impact of the event on the environment;
(vii) ~~(viii)~~Previous offences as listed under 5(f).

(b) The criteria referred to in subsection 6(a) must be considered in respect of-

(i) the review and assessment of events;
(ii) the decision processes for event applications;
(iii) prioritisation of events;
(iv) the type and level of support to be provided by the Municipality for events; and
(v) the services to be provided by the Municipality to events.

(c) The Events Permit Officer may impose reasonable conditions to the permit to protect the environment and the health, safety and welfare of the public pertaining to:

(i) Location and hours during which the event may be held;
(ii) Sanitation, ablution facilities and availability of water;

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(iii) Security and crowd management;
(iv) Parking and traffic issues;
(v) Emergency and medical services;
(vi) Clean-up of premises and surrounding area and waste disposal;
(vii) Insurance;
(viii) Lighting;
(ix) Fire services and safety;
(x) Temporary construction, barricades and fencing;
(xi) Removal of advertising and promotional materials after the event;
(xii) Noise levels;
(xiii) Any other conditions pertaining to the Event;
(xv) The environmental impact.

7. Holding of an event

(a) An Event Organizer whose applications have been approved in terms of this By-Law are responsible for the event and must ensure that —

(i) the event is held in compliance with the provisions of this By-Law, the conditions imposed by the Events Permit Officer and does not contravene any other law;
(ii) the conduct of persons attending an event and the activities undertaken or carried out at the event do not negatively impact on affected communities and the environment during such an event;
(iii) any compliance notice issued by the Events Permit Officer in terms of section 8 is complied with.

8. Compliance notice

(a) When the Events Permit Officer or a Law Enforcement Officer finds that a provision of this By-Law is being or has been contravened by an Event Organizer or that a condition has arisen that has the potential to lead to a contravention of this By-Law or any other law, he or she –

(i) may issue a compliance notice to the Event Organizer; or
(ii) may, on receipt of information from an authorised municipal official relating to the contravention of this By-Law or any other law in respect of the holding or staging of an event, issue a ~~compliance~~ contravention notice to the Event Organiser.

(b) A notice issued in terms of subsection 8(a) must state —

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(i) the provision of the By-Law; that is being contravened or will be contravened if the condition is allowed to continue;
(ii) the measures that must be taken to rectify the condition; and
(iii) the time period in which the notice must be complied with.

(c) If an Events Organiser on whom notice was served in terms of subsection 8(a), fails to comply with the requirements of the notice, the Event Permit Officer, a Law Enforcement Officer or an authorised municipal official may, for the purposes of this By-Law, take such steps as may be necessary to rectify the condition at the cost of the Event Organizer.

(d) A person who fails to comply with a compliance notice issued in terms of subsection 8(a) commits an offence.

(e) The municipality shall, in respect of a person who fails to comply with a compliance notice in respect of one or more events:—

(i) keep a record of non-compliance and consider any appropriate action as may be required;
~~(ii) require an increased deposit from the person for future events to be held or staged by such person;~~ and
~~(ii)~~(iii) require proof of measures in place to ensure compliance of this By-Law where the party defaulted at a former event.

9. Inspections and right of access

(a) The Events Permit Officer, an authorised municipal official or a law enforcement officer may conduct inspections of a venue after the ~~submission~~ approval of an application as well as during and after the staging or holding of an event to determine compliance with this By-law and the conditions ~~made;~~imposed;

(b) The Events Permit Officer or a law enforcement officer has a right of access to ~~or over~~ any venue for the purposes of:—

(i) performing all necessary acts ~~or~~ required to be done by the municipality under this By-Law;
(ii) ascertaining whether there is or has been a contravention of the provisions of this By-Law; and the conditions made subject to the approval of the event application;
(iii) enforcing compliance with the provisions of this By-Law.

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(c) An Events Permit Officer, an authorised municipal official, or a law enforcement officer may require such owner, event organiser or occupier to provide, at any reasonable date and time access to such property to a person and for a purpose referred to in subsection 9(b) of this By-Law.

10. Suspension and revocation of permit

(a) The Event Permit Officer, may, where the Event Organizer fails to comply with a compliance notice issued in terms of section 8 of this By-Law, by notice in writing to the Event Organiser:

(i) suspend the permit immediately until the Event Organiser has complied with the compliance notice;

(ii) revoke the permit and take such steps as may be necessary in terms of this By-Law, ~~for which~~and where costs are incurred by the Municipality, the Event Organiser shall be liable; or

(iii) on receipt of information from a Law Enforcement Officer or an ~~authorised official~~ authorised municipal official relating to failure to comply with a compliance notice, suspend or revoke the permit of an Event Organizer.

~~(b) The Municipality may, where the Events Permit Officer has acted in terms of subsection 10(a), withhold the deposit paid by the Event Organizer for an event as security for the payment of such costs.~~

CHAPTER 3

~~GENERAL PROVISIONS~~SPECIAL INCLUSIONS

11. Micro events

11.1 Purpose

The purpose of this section is to:

(i) Promote equitable access to sport and recreation, particularly for public and rural schools.

(ii) Reduce administrative and financial burdens associated with hosting of micro events;

(iii) Ensure proportional application of safety measure in line with the Safety at Sports and Recreation Events Act 2 of 2010;

(iv) Enable the Municipality to support community-based activities without compromising public safety.

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11.2 Event classification

(i) The Municipality may classify events as:
- Micro Events

(ii) School sporting events meeting subsection (2) must, where appropriate, be classified as mico-event;
(iii) An event application must be submitted to the events office to determine the classification of the event;
(iii) This provision is only for inhouse sporting events, and a full event application must be submitted to the events office;
(iv) Should a school be competing against other schools falling outside the WC024 jurisdiction, a full compliance will apply.

11.3 Qualification criteria for micro events

(i) An event may be classified as micro where:

- Attendance is generally below 1,000;
- The event occurs during weekdays and daytime hours (Monday-Friday; between 09h00 – 17h00 and Saturday between 08h00 – 13h00) ;
- No traffic impact occurs;
- No high-risk activities (fireworks, extreme sports) are present;
- The venue is controlled (school premises or municipal facility);
- COC for the preparation and selling of food is approved;
- No alcohol sales;
- Population certificate presented and
- No temporary structures greater than 3x3 m² in size to be used.

11.4 An application process

Notwithstanding other provisions of the By-Law:

(i) An application process will need to be followed;
(ii) Application depicting the following will be required:
- Basic event details;
- Site layout (if applicable);
- Basic safety arrangements;
- Organiser contact details.

11.5 Concessions for micro school events

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The Municipality can apply:

(i) Simplified Safety Measures

Accept in-house arrangements:

- Safety Officer: School Governing Body member or teacher;
- Security: Neighbourhood Watch, school marshals, or internal staff;
- Medical: School first aider or nurse, with nearest hospital notified of the event activities.

(ii) Municipal In-Kind Support (to be applied for)

- Waste;
- Parking.

(iii) Annual Approvals

- Schools must submit annual event calendars with an application form for approval.

11.6 Minimum compliance requirements

All micro events must:

- Ensure basic health and safety measures;
- Provide access to first aid;
- Avoid public nuisance;
- Comply with environmental and waste regulations;
- Ensure adequate supervision;
- COC for selling of food (on-site);
- Does not exceed more than two (2) sport codes simultaneously;
- Population certificate (on-site).

11.7 Responsibility of the organiser

The organiser remains responsible for:

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- Safety of attendees;
- Compliance with applicable laws;
- Implementation of reasonable risk mitigation.

11.8 Restrictions

Liquor restrictions

- No sale or consumption of liquor at events.

Structure restrictions

- No temporary structures greater than 3 x 3 to be used.

11.9 Revocation of micro status

The Municipality will withdraw classification where:

- Event thresholds are exceeded;
- False information is provided;
- Risk levels increase.

11.10 Municipal discretion

The Municipality can at its own discretion:

- Request upgrade of the risk classification in consultation with SAPS;
- Impose additional conditions;
- Require further information from event organisers.

11.11 Compliance with National Legislation

Nothing in this section exempts compliance with Safety at Sports and Recreational Events Act (SASREA) Act 2 of 2010.

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11.12 Micro Classification Framework

(i) Risk Classification Table

Criteria	Micro
Attendance	<1 000
Event Type	Schools
Venue	Controlled
Traffic	No impact
Alcohol	None
Infrastructure	Minimal (less than 9m²)
Duration	<6 hrs
Safety Risk	Minimal

Implementation Note

This framework applies primarily to:

- In-house school sporting events;
- Subject to approval by the Events Committee;
- Inter-school events (when hosting schools outside of the WC024) will require full compliance depending on risk;
- This risk classification excludes fun runs hosted outside of the school premises;
- In the event that the schools operate outside the parameters of this framework, the school shall assume full liability and be held solely responsible for any and all incidents, damages, or claims arising during the event.

121. Community Fitness Events (Parkrun)

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(a) A Parkrun event is defined as a low-risk, recurring, non-competitive, community-based physical activity event conducted in public place, typically consisting of a timed five (5)- kilometre walking, jogging or running activity.

(b) Parkrun events are classified as **low-risk events** for the purposes of this By-Law, subject to compliance with the provisions contained herein and applicable national legislation.

(c) Notwithstanding the provisions of the By-Law, Parkrun events may be approved on a recurring or annual basis. Subject to the submission of:

(i) an annual application to the Events Office;
(ii) an annual event management and safety plan; and
(iii) proof of public liability.

(d) The Events Permit Officer may exempt Parkrun events from full event permitting requirements, provided that the event remains within the low-risk classification parameters.

(e) All Parkrun events must comply with:

(i) the Safety at Sports and Recreational Events Act, 2010 (Act No. 2 of 2010);
(ii) any applicable ~~traffic,~~ environmental and public space legislation; and
(iii) this By-Law.

(f) The Event organizer must ensure that:

(i) an annual risk assessment of the route is conducted; '
(ii) a pre-event safety inspection is undertaken prior to each event;
(iii) identified risks are mitigated and documented.

(g) The Event organizer must provide, at a minimum:

(i) a basic first aid kit;
(ii) access to emergency communication;
(iii) incident reporting procedures; and
(iv) clearly designated safety personnel, including an appropriately trained first aider, run director and marshals.

(h) The event must be cancelled where conditions pose a risk to public safety, including but not limited to severe weather conditions.

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(i) Parkrun events must:

(i) be volunteer-led and community-based;
(ii) remain free of charge to all participants;
(iii) be non-commercial and non-political in nature.

(j) The Event Organiser must ensure that:

(i) the route is clearly defined and safe for participants;
(ii) the event does not unreasonably interfere with other users of public spaces and traffic; and
(iii) adequate supervision is provided along the route.

(k) Parkrun event must not:

(i) obstruct public access to municipal facilities;
(ii) damage municipal infrastructure; or
(iii) create a public nuisance, and

(iv) impact any traffic related services nor infringe on any public road.
(v) Erect any temporary structures bigger that 9m^{2}2.

(l) The Event organiser must implement measures to ensure coexistence with other users of the public space.

(m) Children under the age of eleven (11) years must always be accompanied by a responsible adult.

(n) The Event organiser must take reasonable steps to ensure the safety of vulnerable persons.

(o) Participants may be accompanied by one dog on a short handheld leash, subject to safety considerations.

(p) The Municipality must:

(i) monitor compliance of Parkrun events to the relevant legislation listed under 11 (e);
(ii) require submission of all incident reports;

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(iii) suspend or revoke approval where safety or compliance is compromised; and

(iv) conduct ad-hoc site assessments.

(g) -Waste Management:

(i) -A Waste management plan is submitted with their event application;

(ii) -The event organiser to ensure that clean-up of premises and surrounding area and -waste disposal is done after the event has been concluded and;

(iii) -If the event exceeds 500pax the event organiser is required to appoint an accredited- waste management service provider with Stellenbosch Municipality.

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CHAPTER 4
GENERAL PROVISIONS

13. 11. Agreements and Partnerships

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(a) The Municipality may enter into such agreements and partnerships with Event Organiszers as may be necessary for the holding and management of events in terms of this By-Law.

(b) The Municipality may, under an agreement or partnership contemplated in subsection 13~~1~~(a), provide support either logistically, financially or both to specific events which are aligned to the strategic objectives of the Municipality.

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(c) The agreements and partnerships contemplated in subsection 13~~1~~(a) must provide for service levels which must be met by the parties in order to ensure compliance with this By-Law and the Municipal Finance Management Act, 2003 (Act No. 56 of 2003).

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(d) Notwithstanding the provisions of this By-Law relating to offences and penalties, an agreement concluded in terms of this section may provide for penalties for which an Event Organizer shall be liable in the event of non-compliance therewith.

14. Delegations
~~12. Delegations~~

(a) The Events Permit Officer may delegate any of the powers conferred on him or her either in whole or in part under this By-Law to any other competent official of the Municipality.

(b) The Municipal Manager may appoint competent officials in the employment of the Municipality as authorised ~~officials~~municipal officials to enforce the provisions of this By-Law.

15.

15. Right of Appeal
~~13. Right of Appeal~~

(a) Parties to a dispute arising from a conflict in terms of this By-Law must attempt to resolve such conflict before exercising the right of appeal contemplated in subsection 15 (b) through consultation with each other.

~~(b) The Events Permit Officer have the right to decline an application, if the application is incomplete and does not meet the timeframes as set out in Schedule 3.~~

(b~~c~~) The Event Organizer may appeal against a decision where his or her application to hold an event has been declined or against the conditions of approval.~~.~~

(c~~d~~) The Appeal Authority~~Committee~~ will attend to appeals ~~prior to the submission of such appeals in writing to the Municipal Manager~~ within a period as indicated in Schedule 2 in relation to the type of event concerned.

~~(e) The application which is a subject of appeal must be decided in terms of section 5 before the appellant may lodge an appeal within the applicable timeframes set out in Schedule 2.~~

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(df) An appeal lodged in terms of this section must be considered and decided within such time as indicated in Schedule 2 in relation to the type of event concerned.

~~(g) The Municipal Manager may delegate any official of the Municipality to consider and decide on appeals referred to in subsection 13(b).~~

16. ~~14.~~ Indemnity

(a) The Event Organiser must provide –

(i) evidence, to the satisfaction of the Event Permit Officer, of appropriate indemnity cover; and

(ii) where an activity which may put the public at risk will be involved, evidence to the satisfaction of the Events Permit Officer of appropriate specialised risk insurance, public liability insurance or work cover must be provided.

(b) The Municipality shall not be liable for any costs, including any damage or loss incurred or suffered as a result of an event held without an approval in terms of this By-Law.

(c) Event owners shall be held liable for any damages to the municipality's property resulting from the holding of an event.

17. ~~15.~~ Offences and Penalties

(a) Any person who-

(i) holds an event without a permit in contravention of section 4(a) of this By-Law;

(ii) is an Event Organiser and whose application to hold an event has been approved, fails to comply with any provision of this By-Law, any condition made subject to the approval of the event

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application; or contravenes a provision of any other law for which the municipality is responsible for implementation and enforcement, in contravention of section 7(a)(i);

(iii) fails to ensure that the conduct of persons attending an event and the activities undertaken or carried out at an event do not disturb the neighbouring community, residents, or the environment in contravention of section 7(a)(i);

(iv) fails to comply with the compliance notice issued by the Events Permit Officer or a Law Enforcement Officer in terms of section 8(a)(i) or (ii), in contravention of section 7(a)(iii), shall be guilty of an offence.

(b) A person who commits an offence in terms of this By-Law shall, on conviction, be liable –

(i) in the case of an offence referred to in subsection 175(a)(i) or (ii) to a fine as the court may deem fit to impose or to imprisonment for a period not exceeding twelve months, or to both such fine and such imprisonment;

(ii) in the case of an offence referred to in subsection 175(a)(iii), to such fine as the court may deem fit to impose or to imprisonment for a period not exceeding five years, or to both such fine and such imprisonment;

(iii) in the case of an offence referred to in subsection 175(a)(iv), to such fine as the court may deem fit to impose or to imprisonment for a period not exceeding ten (10) years, or to both such fine and imprisonment.

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18. ~~16.~~ Short title

-This By-Law is called Stellenbosch Municipality: Events By-Law,2026~~5~~~~2024~~.

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SCHEDULE 1
REPEAL OF BY-LAW

No. and Year of Bylaw or Repeal	Short Title	Extent of Repeal
By-Law No. 7564/2016 12 February 2016	Stellenbosch Municipality: Events By-Law	Entire By-Law
By-Law No. 8944/2024 24 June 2024	Stellenbosch Municipality: Events and Filming By-Law	Entire By-law

SCHEDULE 2 Schedule of Events Application Timeframe
Subject to Application Criteria, the following Timeframes Below will apply:

Size	Crowd Size/ No of Participants	Minimum time for submission of an application to the Municipality by the event organiser before the date of an event [all required information relating to the application must be submitted in terms of section 3 (2)]	Minimum time for the Municipality to respond to an application for staging an event	Appeals to be lodged by applicant with the Municipality within	Appeal to be decided by Municipality within
Micro/Small	200 to 2000	~~20 working days (4 weeks)~~ 60 working days	10 working days(2 weeks)	~~48 hours~~ 21 calendar Days of receipt of written notice from the Municipality indicating that the application has been refused	~~48 hours~~ 7 Days of receipt of written notice of appeal
Medium	2001 to 5000	~~25 working days (5 weeks)~~ 65 working days	15 working days (3 weeks)	~~48 hours~~ 21 calendar Days of receipt of written notice from the Municipality indicating that the application has been refused ~~failure to resolve conflict~~	~~48 hours~~ 7 Days of receipt of written notice of appeal
Large	5001 to 10 000	~~30 working days (6 weeks)~~ 70 working days	20 working days (4 weeks)	~~48 hours~~ 21 calendar Days of receipt of written notice from the Municipality indicating that the application has been refused ~~failure to resolve conflict~~	~~48 hours~~ 14 Days of receipt of written notice of appeal
Very Large	10 001 and above	90 working days (minimum 34months~~, preferably 6 months~~)	40 working days (2 months)	~~48 hours~~ 21 calendar Days of receipt of written notice from the Municipality indicating that the application has been refused ~~failure to resolve conflict~~	~~48 hours~~ 14 Days of receipt of written notice of appeal

Note:

1. The timeframes do not include events applications where a land use planning approval in terms of the Land Use Planning Bylaw is required i.e. where an

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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.

2. If a small event includes food vendors, a minimum of ~~15~~ 60 days will be required if food vendors need to apply for licences and certificates of acceptability.
3. In the event of a liquor licence required for an event, it should be applied for in advance before your event application submission to the Municipality.
4. No events will be approved in any circumstances less than 14 days prior to the event (which includes the finalisation of application/ appeals/ and appeal outcome). The event approval must be finalised 14 days prior to any event.

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CHAPTER 29: EVENTS AND OUTDOOR DINING OVERLAY ZONE

273. Zone name and designation on map

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

274. Purpose of the zone

(1) The purpose of the Events and Outdoor Dining Overlay zone is to facilitate the hosting of events and outdoor dining 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) A person may only organize an event with a valid permit issued by the Municipality as regulated in the Stellenbosch Municipality Events Permitting By-Law. "Event" has the same meaning as contemplated in subject By-Law.

(3) Provide for a clear distinction between "events" and "occasional use" events, as contemplated in section 30.

(4) Notwithstanding the intention for the overlay zone to be less restrictive with regards to the hosting of events and promoting outdoor dining on public streets, 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 and outdoor dining on the receiving environment and mitigate such impacts where they cannot be avoided.

275. 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) Purpose-built tracks, buildings, and infrastructure to be used for events requires land use approval for the facility or amenity as contemplated in subsection (1).

(3) Events contemplated in this chapter are exempt from the provisions of section 30(1).

(4) 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. A calendar year means a period of twelve months from January 1 to December 31.

(5) 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-site parking area, to the satisfaction of the Municipality.

(6) Any event contemplated in this chapter may involve the construction of temporary structures to facilitate the hosting of such event. Temporary structures or non-permanent structures constructed purely on a temporary basis for a specific period, shall require building plan approval and shall be demolished on completion of the event for which it was erected.

(7) Commercial services at the same venue that are not directly associated with the event, and which is not an event related activity shall require prior land use approval for such activity.

(8) 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 type of an event as contemplated in this chapter.

276. Linear events

(1) A 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.

(2) An unlimited number of linear events shall be permitted in the following zones:

(a) Community zone.

(b) Transport Facilities zone.

(c) Public Road and Parking zone; and

(d) Public Open Space zone.

(3) An unlimited number of linear events shall be permitted in the following zones, provided that the total number of people involved in the event, including any support staff or spectators are limited to the capacity of the venue or do not exceed 1000 people, whichever is the lesser:

(a) Education zone.

(b) Private Open Space zone.

(c) Agriculture and Rural zone; and

(d) Natural Environment zone.

(4) For a linear event involving more than 1000 people, 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).

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

(a) a maximum of 3 consecutive days; and

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

(6) A linear event occurring on a property with a zoning stipulated in subsections (2)(c) and 2(d):

(a) must make use of existing routes, farm tracks and infrastructure.

(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.

(7) A linear event occurring on a property with a zoning stipulated in subsection 2(a) does not include ancillary events typically associated with the primary uses thereon such as any school related functions.

277. Place-bound events

(1) A Place-bound event means an event that takes place at a specific venue, or on a specific property.

(2) An unlimited number of place-bound events shall be permitted in the following zones:

(a) Community zone.

(b) Transport Facilities zone.

(c) Public Road and Parking zone; and

(d) Public Open Space zone.

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

(a) Education zone.

(b) Private Open Space zone; and

(c) Agriculture and Rural zone.

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

(a) a maximum of 3 consecutive days; and

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

(5) Notwithstanding subsection (2), a place-bound event occurring on a property with a zoning stipulated in subsection (2)(c) that involves any amplified music such as an outdoor music concert, rave or festival, shall not be permitted to extend beyond 18h00.

(6) A place-bound event occurring on a property with a zoning stipulated in subsections (2)(b) and 2(c):

(a) must make use of existing facilities, amenities, and infrastructure; 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.

(7) A place-bound event occurring on a property with a zoning stipulated in subsection (2)(a) does not include ancillary events typically associated with the primary uses thereon such as any school related functions.

(8) 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 as part of the event permit.

278. Specific provisions: outdoor dining

(1) Outdoor dining means dining outdoors on sidewalks or 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)

(2) Outdoor dining shall be permitted as a primary use right on a property zoned Public Road and Parking zone, subject to the following conditions:

(a) The location of the outdoor dining area must be directly abutting the confines of a property with land use rights in place for a business premises or equivalent.

(b) The outdoor dining area must be compliant with the technical specifications and guidelines provided in the Policy on Outdoor Dining, Trading and the use of Public Places for Commercial Ventures and Display, or any such subsequent policy or directive as the Municipality may adopt.

(c) The owner of a property incorporating an outdoor dining area as contemplated in this chapter must enter into a written agreement with the Municipality.

(d) Only temporary structures specified in the written agreement contemplated in paragraph (c) shall be permitted and shall be subject to building plan approval where applicable.

(e) Should a written agreement as contemplated in paragraph (c) not be concluded between the relevant parties, the Municipality may institute enforcement proceedings, either –

(i) as contemplated in section 273 of this By-law; or

(ii) in accordance with the Municipality's Roads and Streets By-law.

SCHEDULE 4
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
Micro/ Small	200 – 2000	A minimum of 60 working days ~~20 working days (4 weeks)~~
Medium	2001 – 5000	A minimum of 65 working days ~~25 working days (5 weeks)~~
Large	5001 – 10 000	A minimum of 70 working days ~~30 working days (6 weeks)~~
Very large	10 001 above	90 working days (3 4 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
- Property description (erf or farm number)
- 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
   - Crowd Management 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
   - Optimal Public Transport Utilisation
   - Detailed Parking Plan, incl. secured/identified Parking Areas
   - Detailed Event Signage/Communication Plan (warning signage, alternative routes, parking, etc.)

6. **Integrated Waste Management Plan** (including immediate precinct)

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

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

9. **Zoning confirmation of the permitted land use or land use planning** (approval where necessary)

10. **Community Participation/Consultation Plan, including:**
   - Communication with Councillor/s
   - Consultation with Community/Residents Organisations/Associations
   - Communication with Affected Residents/Businesses/Business Associations or other stakeholders.

11. **Application Forms /Approvals**, incl.
   - Noise Exemption (including public participation/consultation)
   - Erection of Stages/Marquees/Temporary Structures
   - Confirmation of Venue: Written approval from venue owner/venue manager to authorise the event organiser to use the facility/ venue to host the event.
   - Liquor Licence/s/ Fireworks/ Civil Aviation (if applicable)

12. **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
   - Transport
   - Roads and storm water

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

14. **Environmental Management Plan** (if applicable)
   - A rehabilitation plan
   - Financial guarantee
   - Any other applicable environmental or heritage permission.

15. **Indemnity Forms**, incl.
   - Completed Indemnity Form
   - Confirmation of Public Liability insurance as well as the prescribed insurance confirmation letter.

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