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PROVINCE OF THE EASTERN CAPE  
IPHONDO LEMPUMA KOLONI  
PROVINSIE OOS-KAAP

# Provincial Gazette Igazethi Yephondo Provinsiale Koerant

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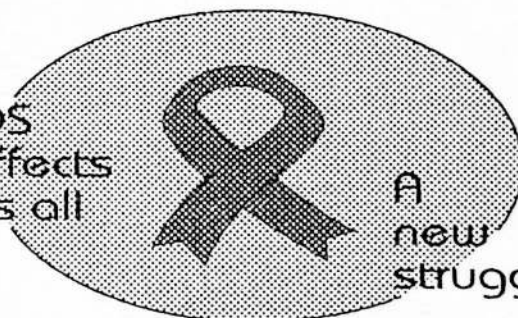
Vol. 11

BISHO/  
KING WILLIAM'S TOWN, 9 AUGUST 2004

No. 1195

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

**AIDS  
HELPUNE**

**0800 012 322**

DEPARTMENT OF HEALTH

**Prevention is the cure**

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**GENERAL NOTICES**

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**No. 95****PROVINCE OF THE EASTERN CAPE****DEPARTMENT OF HOUSING, LOCAL GOVERNMENT AND TRADITIONAL AFFAIRS UPGRADING OF LAND TENURE****RIGHTS ACT, 1991****(ACT No. 112 OF 1991)****NOTICE IN TERMS OF SECTION 15 (1) OF THE UPGRADING OF LAND TENURE RIGHTS ACT, 1991****(ACT No. 112 OF 1991)**

Gugile Ernest Nkwinti, Member of the Executive Council for Housing, Local Government and Traditional Affairs, duly authorized thereto, hereby declare in terms of Section 15 (1) of Act No. 112 of 1991, that the townships situated on Farm 1404, East London, and Erf 351, Potsdamt on which the Townships known as Mdantsane and Potsdamt are situated, be formalized townships for the purposes of Section 2 of Chapter 1 of the said Act No. 112 of 1991.

The abovementioned Townships have been approved in terms of the provisions of the Land Use Regulations Act, Act 15/1987 and shall be registered in accordance with the provisions of Section 46 of the Deeds Registries Act, 1937 (Act No. 47 of 1937), with regard to the provisions of Act No. 15/1987 and in respect of which land tenure mentioned in Schedule 1 of Act No. 112 of 1991 have been granted.

**G E NKWINTI, MEC for Housing, Local Government and Traditional Affairs**

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**No. 96****NOTICE No. 64/2004****REZONING OF ERF 414 FROM SINGLE RESIDENTIAL TO COMMERCIAL: QUEENSTOWN**

Notice is hereby given in terms of Section 18 of Ordinance 15 of 1985 that the Lukhanji Town Council has amended the Zoning Scheme applicable to Queenstown by rezoning Erf 414 situated at 7 Joubert Street from Single Residential to Commercial.

Any persons who do not understand the content of this advert or are illiterate are invited to contact the Administration and Human Resources office at 045-8072641 or 70 Cathcart Road, Queenstown during office hours.

Umntu ongayi qondiyo lengxelo uyacelwa aqhakamshela i-ofisi ye-Administration ne Human Resources kule nombolo 045-8072641 kwanombolo 70 Cathcart Road, Queenstown ngamaxesha omsebenzi 08h00 ukuya kwicala lentsimbi yesine.

Esi saziso singafumaneka ngolwimi lwesiXhosa kwi-ofisi ka Sosiba we-Dolophu; kwisakhiwo seHolo yeDolophu, kwi-Cathcart Road, kuKomani

**P. BACELA, Municipal Manager**

Town Hall, Cathcart Road, Queenstown

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## LOCAL AUTHORITY NOTICES

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### NOTICE 67 OF 2004

#### CAMDEBOO MUNICIPALITY

##### A. PARKING-METER AND PARKING-GROUND BY-LAWS

Notice is hereby given in terms of section 12(3) of the Local Government Municipal Systems Act, 32 of 2000, that the Camdeboo Municipality has resolved to approve Parking-Meter and Parking-Ground By-Laws as set out in the Schedule hereto.

Interested parties are requested to submit their comments within a period of 21 days from the date of publication hereof to:

**The Municipal Manager  
Camdeboo Municipality  
P.O. Box 17  
GraafReinet  
6280**

#### SCHEDULE

##### PART I

##### DEFINITIONS

1. For the purpose of these by-laws, unless the context otherwise indicates -

**"Council"** means the Camdeboo Municipal Council, and includes the management committee of that Council or any officer employed by the Council;

**"demarcated parking place"** means a demarcated parking place referred to in regulation 2;

**"National Road Traffic Act, 1996"** means the National Road Traffic Act, 1996(Act No. 93 of 1996);

**"parking ground"** means any area of land set aside by the Council, or any area controlled by, or of which the Council has gained control, as a parking ground for the parking of vehicles therein by members of the public, whether or not charges are prescribed by these by-laws for use thereof;

**"parking-meter attendant"** means a person possessing a valid appointment card, employed by a service provider who for or on behalf of the Municipality or the Service provider collects parking fees under a contract with the Municipality or service provider;

**"parking-meter"** means a device for the registration, recording and display of the passage of the parking time period, including the display thereof in a mechanical or electronic format on a display panel and/or indicator and which is operated by a parking-meter attendant;

**"parking period"** means that period of time of parking in a demarcated parking place which is determined by a parking-meter device upon insertion into it of the registration number of a vehicle.

**"service provider"** means a person or legally constituted entity who for, or on behalf of the Municipality, collects parking fees under a contract with the Municipality;

**"traffic officer"** means a traffic officer as defined in section 1 of the National Road Traffic Act, 1996;

**"vehicle"** means a vehicle as defined in section 1 of the National Road Traffic Act, 1996.





## 6 It shall be unlawful –

- (a) to park any vehicle, not being a vehicle as defined in section 1, in a demarcated parking place;
- (b) to offer any money other than South African currency in lieu of payment of parking fees;
- (c) to offer to a parking-meter attendant any false or counterfeit money or any foreign object, including bribes of money or bribes in any other form;
- (d) in any way whatsoever to cause or attempt to cause a parking-meter to record the passage of time incorrectly;
- (e) to jerk, knock, shake, damage or in any way interfere with a parking-meter which is not in proper working order, in order to make it do so, or for any other purpose;
- (f) to deface, soil, obliterate or otherwise render less visible or interfere with any mark painted on the roadway, or any legend, sign, or notice affixed or erected for the purposes of these by-laws;
- (g) to remove or attempt to remove the mechanism or any other part of a parking-meter or to attempt to physically interfere with the working of said parking-meter, or by word or deed hinder the parking-meter attendant in his duty; and
- (h) to fail to key in a vehicle's details into the parking-meter by means of the correctly displayed motor vehicle registration number and specific bay number that the vehicle occupies, directly upon arrival of that specific vehicle.

## 7 (1) No driver or person in charge of a vehicle, shall park such vehicle or cause it to be parked–

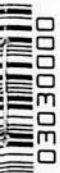
- (a) in a demarcated parking place across any painted line marking the confines of the parking place or in such a position that the said vehicle shall not be entirely within the area demarcated;
- (b) in a demarcated parking place which is already occupied by another vehicle;
- (c) In an area demarcated for commercial loading purposes.

## (2) The person or driver in charge of a vehicle shall park such vehicle in a demarcated parking place –

- (a) if the demarcated parking place is parallel to the curb or sidewalk of the public road in such a way that it shall be headed in the general direction of the movement of traffic on the side of the road on which the vehicle is parked and so that the left-hand wheels of the vehicle are substantially parallel to and within 450mm of the left-hand curb: provided that where in a one-way street such demarcated parking place is in existence on the right-hand side of the road of a vehicle in such demarcated parking place, apply to the right-hand wheels and the right-hand curb respectively;
- (b) if the demarcated parking place is at an angle to the curb or sidewalk of a public road in such manner that it is headed substantially in the general direction of the movement of traffic on the side of the road on which such vehicle is parked.

## 8 Where by reason of the length of any vehicle, such vehicle cannot be parked wholly within a demarcated parking place, it shall be lawful to park such vehicle by encroaching upon a demarcated parking place adjoining the first-mentioned parking place, if such be the case, and any person so parking shall be liable for payment of parking fees in respect of both the said places.

- 9 The chief traffic officer may, whenever he or she deems it necessary or expedient to do so in the interest of the movement or control of traffic, place or erect a road traffic sign or signs indicating that there shall be no parking at any demarcated parking place or places, and it shall be unlawful for any person to park or cause or permit to be parked a vehicle in such demarcated parking place or places while such sign is so displayed.
10. (1) It shall be unlawful for any person to cause, allow, permit or suffer any vehicle of which he or she is the driver or which is under his control to be parked in any demarcated parking place, except as permitted by the provisions of these by-laws.
- (2) Where any vehicle is found to have been parked in contravention of these by-laws, it shall be deemed to have been caused, allowed, permitted or suffered to have been so parked by the person in whose name such vehicle is registered in terms of the Road Traffic Act, 1996, unless and until he or she proves otherwise.
- 11 Notwithstanding anything contained in these by-laws:
- (a) the driver of a fire-fighting vehicle;
  - (b) the driver of a rescue vehicle;
  - (c) the driver of an ambulance;
  - (d) a traffic officer;
  - (e) the driver of a vehicle engaged in civil protection; and
  - (f) the driver of a vehicle engaged in essential services,
  - (g) a driver of a vehicle that is the property of the Council or a vehicle used by an official or member of the Council in his or her official capacity, provided that the official badge, designed and approved of by the Council, is displayed in a prominent place and in accordance with regulation 24(3),
- who drives such vehicle in the performance of his or her duties, whilst parking in a demarcated parking place, shall be exempt from payment of the prescribed fees.
- 12 The passage of time as recorded by a parking-meter shall for the purposes of these by-laws and in any proceedings arising out of the enforcement thereof, be deemed to be correct unless and until the contrary is proved, and the burden of so proving to the contrary shall be on the person alleging that the parking-meter has recorded such passage of time inaccurately.
- 13 A duly appointed service provider shall supply the Municipality, within seven working days from the beginning of each month, with a report dealing with the number of vehicles, which during the previous month –
- (i) parked within each and every block under the jurisdiction of the service provider, each block's figures to be supplied separately from one another; and
  - (ii) the number of parking-meter attendants within each and every block under the jurisdiction of the service provider, each block's figures to be supplied separately from one another.
14. Whenever a vehicle is parked in contravention of any provision of these by-laws it shall be presumed, until the contrary is proved, that it was so parked by the person registered as its owner in terms of the National Road Traffic Act, 1996.



**PART III****CONTROL OF PARKING WITHIN PARKING GROUNDS***Place of Parking*

15. Where demarcated spaces are marked on a parking ground no person shall park a vehicle or cause or permit it to be parked or to remain in such parking ground unless it is parked in such a manner in a demarcated space that it will not obstruct the access or exit of another vehicle in or on an adjacent parking space.

*Closure of Parking Grounds*

16. (1) Notwithstanding anything to the contrary in these by-laws contained, the Council may at any time close any parking ground or portion thereof temporarily or permanently and shall indicate the fact and the period of such closure by notice displayed at the entrances to the ground closed or at the portion closed, as the case may be.
- (2) No person shall introduce a vehicle into or park or cause or permit a vehicle to be parked or to remain in any parking ground or portion of a parking ground while it is closed in terms of subsection (1).

*Defective Vehicles*

17. No person shall park or cause or permit any vehicle which is out of order and for any reason incapable of movement to be parked or to be or remain in any parking ground : Provided that no offence against this by-law shall be deemed to have been committed in respect of any vehicle which, after having been parked in a parking ground, develops a mechanical defect which immobilizes it if the person in control of the vehicle proves that he took reasonable steps to have the vehicle repaired or removed as soon as possible.

*Behavior in Parking Ground*

18. (1) No person shall in any parking ground —
- (a) park or cause or permit to be parked or cause to be or remain, any vehicle other than a vehicle as defined in section 1;
  - (b) when called upon by a traffic officer to do so, fail or refuse to furnish him with his or her full and correct name and address;
  - (c) use or cause or allow any vehicle to be used for plying for hire for the conveyance of passengers or goods or both;
  - (d) clean, wash or, save in an emergency, work on or effect repairs to any vehicle or any part thereof;
  - (e) drive any vehicle recklessly or negligently or without reasonable consideration for the safety or convenience of other persons;
  - (f) drive any vehicle at more than 15 km/h;
  - (g) park a vehicle otherwise than in compliance with any notice or sign displayed therein or with an instruction or direction given him by a traffic officer or introduce or remove a vehicle otherwise than through an entrance thereto or exit therefrom appointed for that purpose;
  - (h) so park or load a vehicle or allow anything to be on it that it obstructs other vehicles or persons or impedes their movement or is likely to do so;



- (i) without reasonable cause or without the knowledge and consent of the owner or person in lawful control of a vehicle, enter or climb upon such vehicle or set the machinery thereof in motion or in any way tamper or interfere with its machinery or any other part of it or with its fittings, accessories or contents;
  - (j) remove, obscure, deface, damage or interfere with any notice, sign or marking erected or made by the Council or any other property belonging to it;
  - (k) do any act or introduce anything which obstructs or is likely to obstruct the movement of persons and vehicles;
  - (l) subject to the provisions of regulation 4, so park any vehicle that any part of it lies across or straddles any white line forming a boundary of a demarcated space or that it is not entirely within the confines of such a demarcated space;
- (2) A sign which the Council displays in a parking ground and which conforms to a road traffic sign promulgated in terms of the National Road Traffic Act, 1996, shall for the purpose of these by-laws bear the same significance as is given to that sign by that Act and the regulations made thereunder.

#### *Damage to Vehicles*

19. The Council shall not be liable for the loss of any vehicle or for its unlawful removal, from the parking ground, or for damage to any vehicle or its fittings, accessories or contents while in a parking ground or for such damage even if it is the consequence of it being moved in terms of regulation 20 or 21.

#### *Obstruction*

20. If a vehicle has been parked in such a position that in the opinion of traffic officer it is likely to obstruct or impede the movement of other vehicles or persons in the parking ground, he may move it or cause to be moved to another part of the ground.

#### *Abandoned Vehicles*

21. Any vehicle which has been parked in the same place on a parking area for a continuous period of seven days or longer without being removed by the owner or his representative, shall be deemed to be an abandoned vehicle in terms of Regulation 320 of the National Road Traffic Regulations of 1999, and the vehicle shall be dealt with in accordance with the procedure prescribed in Regulation 320 of the said Regulations. The Council shall be indemnified accordingly.

#### *Refusal of Admission*

22. (1) It shall be in the discretion of a traffic officer to refuse to admit to a parking ground a vehicle which with or without any load is by reason of its length, width, height or weight likely to cause damage to persons or property or to cause an obstruction or undue inconvenience within the said parking ground.
- (2) Any person in control of a vehicle who, having been refused admission in terms of sub-regulation (1), proceeds to drive it into a parking ground, shall be guilty of an offence.
23. (1) Subject to the conditions prescribed in regulation 17, it is illegal to park a vehicle in a demarcated space on or in a parking-meter parking ground without making a payment at the same time as prescribed in these by-laws: Provided that the obligation to make such a payment is only applicable on the following days (exclusive of public holidays) and during the following hours:

Monday to Friday:	08h00 to 17h00
Saturday:	08h00 to 13h00

**PART IV***Annually Issued Parking Discs*

24. (1) Notwithstanding anything to the contrary contained in these by-laws, the Council may, subject to section 80 of the National Road Traffic Act, 1996, in respect of any demarcated parking place within a parking ground, annually issue on payment of an amount as determined by the relevant authorities, a parking disc entitling the holder thereof, to park a specified vehicle in any parking ground under the control of the Council, if space therein is available, for the period indicated on the parking disc. Such parking disc shall not be transferable.
- (2) The Council may annually issue to any of its officers, a parking disc enabling the holder, when using a vehicle on the business of the Council, to park such vehicle free of charge within the confines of any parking ground under the control of the Council, if space therein is available, for the period indicated on the parking disc. Such parking disc shall not be transferable.
- (3) A parking disc issued in terms of sub-regulation (1) or (2) shall be affixed by the holder thereof to the windscreen of the vehicle in respect of which it is issued, in such manner and place that its written or printed context is readily legible from the outside of such vehicle, and the parking disc readily visible to a person standing in front or to the left in front of such vehicle.

**PART V  
TARIFFS**

25. (1) Parking fees shall be payable by a person parking any vehicle or causing any vehicle to be parked in any demarcated parking place.
- (2) The Council has a right to determine parking tariffs from time to time by means of a Resolution.

**PART VI  
PROHIBITIONS**

26. No person shall within the area of the local municipality operate as car guard formal or informal except where such person is registered with –
- (1) the Security Industry Regulatory Authority;
- (2) the car guard forum that consist of parties of the following organisations :
- (a) community services department ;
- (b) safety and security department ;
- (c) Community policy forum (CPF) ;
- (d) It's approved service provider as such.

**PART VII  
OFFENCES**

27. Any person who contravenes or cause or permits a contravention of any provision of these by-laws, shall be guilty of an offence and liable on conviction to a fine not exceeding R750 or, in default of payment, imprisonment for a period not exceeding six months.

**PART IX****REVOCATION OF THE PARKING METER BY-LAWS PROMULGATED UNDER ADMINISTRATOR'S  
NOTICE NO 287 ON 20 MARCH 1968 AND THE PARKING GROUND BY-LAWS PUBLISHED  
UNDER ADMINISTRATOR'S NOTICE 91 OF 31 JANUARY 1979**

28. The Parking Meter By-laws promulgated under Administrator's Notice No 287 on 20 March 1968 and the Parking Ground By-Laws published under Administrator's Notice 91 of 31 January, 1979 are hereby revoked *in toto*.

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**No. 68****NELSON MANDELA METROPOLITAN MUNICIPALITY  
(UITENHAGE)**

[S/1510 Vol 8 p 138]

6/2/2/2/1/1A

**CLOSURE OF PUBLIC PLACE ERF 18537 ADJOINING ERF 18536, UITENHAGE**

Notice is hereby given in terms of Section 137(1) of Ordinance 20 of 1974 that a Portion of Public Place Erf 18537, adjoining Erf 18536, has been closed.

**M MANGCOTYWA, Municipal Manager****NELSON MANDELA METROPOLITAANSE MUNISIPALITEIT  
(UITENHAGE)**

[S/1510 Vol 8 p 138]

6/2/2/2/1/1A

**SLUITING VAN PUBLIEKE PLEK ERF 18537 AANGRENSEND ERF 18536, UITENHAGE**

Kennis geskied hiermee ingevolge Artikel 137(1) van Ordonnansie 20 van 1974 dat 'n Gedeelte van Openbare Plek Erf 18537, aangrensend Erf 18536, nou gesluit is.

**M MANGCOTYWA, Munisipale Bestuurder**