



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

# Provincial Gazette Igazethi Yephondo Provinsiale Koerant

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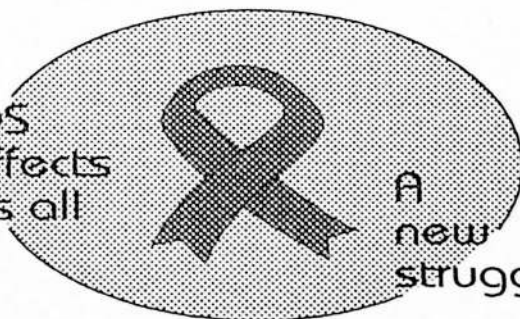
Vol. 12

BISHO/  
KING WILLIAM'S TOWN, 30 MAY 2005

No. 1375

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

AIDS  
affects  
us all



A  
new  
struggle

**Prevention is the cure**

**AIDS  
HELPUNE**

**0800 012 322**

DEPARTMENT OF HEALTH

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## GENERAL NOTICES

### No. 183

#### NDLAMBE MUNICIPALITY

REMOVAL OF RESTRICTIONS ACT, 1967 (ACT 84 OF 1967) AND SUBDIVISION,  
LAND USE PLANNING ORDINANCE, 1985 (ORDINANCE 15 OF 1985)

#### ERF 20, 6 WESTBOURNE ROAD, KENTON-ON-SEA

Notice is hereby given in terms of section 3 (6) of the above Act that the undermentioned application has been received and is open for inspection at Room 229, Department of Housing, Local Government and Traditional Affairs, 55 Albany Road, Central, Port Elizabeth, and at the offices of the relevant local authority.

Notice is further given in terms of section 24 of the Land Use Planning Ordinance, 1985 (Ordinance No. 15 of 1985), that an application has been received for the subdivision of the property into one portion and the remainder and is open for inspection at the Municipal Offices, Civic Centre, Port Alfred and Kenton-On-Sea Administrative Unit, Kenton Road.

Any objections with full reasons therefore, should be lodged in writing to The Municipal Manager, Ndlambe Municipality, P.O. Box 13, Port Alfred, 6170, on or before 24 June 2005 quoting the above act and the objector's erf number.

*Applicant:* Nzelenzele Preston and Medcalf (P E) CC.

*Nature of the application:* Removal of title conditions from the Title Deed No. T84592/1996, Erf 20, Kenton-on-Sea.

#### Paragraph C

2. That one dwelling, together with such outbuilding as are ordinarily required to be used therewith be erected on this erf.
4. That no building or structure or any portion thereof except the boundary walls and fences, shall be erected nearer than 4,72 metres to the street line which forms a boundary of this erf. No such building or structure shall be situated within 1,57 metres of the lateral boundary common to any adjoining erf, provided that an outbuilding not exceeding 3,15 metres in height, measuring from the floor to the wall plate, may be erected in such a position that the distance between it and any buildings situate on this or any adjoining erf, except another such outbuildings is not less than 3,15 metres.

#### Paragraph D

5. That this erf be not subdivided except with the consent in writing of the Administrator.

G. N. NGESI, Municipal Manager

Notice No. 115/2005

19 May 2005

(Ref. KS/20)

#### NDLAMBE MUNISIPALITEIT

WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET 84 VAN 1967) EN SUBDIVISION, LAND USE  
PLANNING ORDINANCE, 1985 (ORDINANCE 15 OF 1985)

#### ERF 20, 6 WESTBOURNE ROAD, KENTON-ON-SEA

Kragtens artikel 3 (6) van bostaande Wet word hiermee kennis gegee dat onderstaande aansoek ontvang is en ter insae lê by Kamer 229, Departement Behuising en Plaaslike Regering: Oos-Kaap, Albanyweg 55, Sentraal, Port Elizabeth, en in die kantoor van die betrokke plaaslike owerheid.

Kennis geskied hiermee verder in terme van artikel 2 van die Grondgebruik Ordinance, 1985 (Ordinansie 15 van 1985) dat 'n aansoek is vir die onderverdeling van die eiendom in een gedeelte en 'n restant. Die aansoek lê ter insae by die Munisipale Kantore, Gemeenskapsaal, Port Alfred en Kenton On Sea Administrative Eenheid, Kentonweg.

Enige besware, met volledige redes daarvoor, moet voor of op 24 Junie 2005 skriftelik by die Munisipale Bestuurder, Ndlambe Munisipaliteit, Posbus 13, Port Alfred, 6170, ingedien word met vermelding van bogenoemde Wet en die beswaarmaker se ernommer.

*Aansoeker:* Nzelenzele, Preston and Medcalf (P E) CC.

*Aard van die aansoek:* Opheffing van beperkende voorwaardes van Titellakte No. T84592/1996, Erf 20, Kenton-on-Sea.

#### Paragraaf C

2. Dat slegs een woonhuis, tesame met sodanige buite geboue soos gebruiklik daarmee benodig, op genoemde erf opgerig word.

4. Dat geen gebou of struktuur of enige gedeelte daarvan, uitsluitend grensmure en omheinings opgerig mag word nader as 4,72 meter vanaf die straatgrens boulyn wat die grens van hierdie erf vorm. Geen sodanige gebou of struktuur mag nader as 1,57 meter vanaf die laterale grens vanaf enige aangrensende erf, opgerig word nie op voorwaarde dat 'n buitegebou nie hoër as 3,15 meter nie hoogte gemeet vanaf die vloer tot die dakkaphoogte, mag opgerig word, in sodanige posisie dat die afstand tussen die geboue en/of enige ander geboue op die erf of enige aangrensende erf, behalwe in die geval waar ander sodanige buitegeboue nie minder is dan 3,15 meter nie.

**Paragraaf D**

5. Dat hierdie erf nie onderverdeel mag word, behalwe met die goedkeuring van die administrateur nie.

**G. N. NGESI, Munisipale Bestuurder**

Kennisgewing No. 115/2005

19 Mei 2005

(Verw. KS/20)

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## No. 184

### BUFFALO CITY MUNICIPALITY

#### REMOVAL OF RESTRICTIONS ACT, 1967 (ACT No. 84 OF 1967)

It is hereby notified in terms of section 3 (6) of the above Act that the undermentioned application has been received and is open to inspection at Room 4145, 4th Floor, Department of Housing and Local Government and Traditional Affairs, Eastern Cape Regional Office, Tyamzashe Building, Civic Square, Bisho, and at the Town Planning Enquiry Counter, First Floor, City Engineering Centre, 26 Oxford Street, East London, on weekdays from 08:00 to 13:00.

Any objections, with full reasons therefor, must be lodged in writing with the City Manager, P.O. Box 134, East London, not later than 20 June 2005, quoting the above Act and the objector's erf number.

*Nature of application:* Removal of title conditions C (3) (a), (b), (c) and (d) applicable to Erf 1333, 14 Elf Road, Beacon Bay, in order to subdivide the property.

*Applicants:* A. and S. C. Pelser.

**M. B. TSIKA, City Manager (3349)**

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### BUFFALOSTAD MUNISIPALITEIT

#### WET OP OPHEFFING VAN BEPERKINGS, 1967 (WET No. 84 VAN 1967)

Kragtens artikel 3 (6) van bostaande Wet word hiermee kennis gegee dat onderstaande aansoek ontvang is en ter insae lê by Kamer 4145, 4de Verdieping, Departement Behuising, Plaaslike Regering en Tradisionele Sake, Oos-Kaap Streekkantoor, Tyamzashegebou, Burgerplein, Bisho, en by die navraetoonbank van die Stadsbeplanningstak, Eerste Verdieping, Stadsingenieursentrum, Oxfordstraat 26, Oos-Londen, op weekdae van 08:00 tot 13:00.

Enige besware, met volledige redes daarvoor, moet voor of op 20 Junie 2005 skriftelik by die Stadsbestuurder, Posbus 134, Oos-Londen, ingedien word met vermelding van bogenoemde Wet en die beswaarmaker se ernommer.

*Aard van aansoek:* Opheffing van titelvoorwaardes C (a), (b), (c) en (d) van toepassing op Erf 1333, Elfweg 14, Beacon Bay, sodat dit onderverdeel kan word.

*Aansoekers:* JA. en S. C. Pelser.

**M. B. TSIKA, Stadsbestuurder (3349)**

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## No. 185

### BUFFALO CITY MUNICIPALITY

#### REMOVAL OF RESTRICTIONS ACT 1967 (ACT No. 84 OF 1967)

It is hereby notified in terms of section 3 (6) of the above Act that the undermentioned application has been received and is open to inspection at Room 4145, 4th Floor, Department of Housing and Local Government and Traditional Affairs, Eastern Cape Regional Office, Tyamzashe Building, Civic Square, Bisho, and at the Town Planning Enquiry Counter, First Floor, City Engineering Centre, 26 Oxford Street, East London, on weekdays from 08:00 to 13:00.

Any objections, with full reasons therefor, must be lodged in writing with the City Manager, P.O. Box 134, East London, not later than 20 June 2005, quoting the above Act and the objector's erf number.



*Nature of application:* Removal of title conditions 4 (a), (b), (c) and (d) applicable to Erf 1181, 42 Grace Crescent, Beacon Bay in order to subdivide the property.

*Applicant:* T.F.G. Jason.

**M. B. TSIKA, City Manager**  
(3348)

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#### BUFFALOSTAD MUNISIPALITEIT

#### WET OP OPHEFFING VAN BEPERKINGS 1967 (WET No. 84 VAN 1967)

Kragtens artikel 3 (6) van bostaande Wet word hiermee kennis gegee dat onderstaande aansoek ontvang is en ter insae lê by Kamer 4145, 4de Verdieping, Departement Behuising, Plaaslike Regering en Tradisionele Sake Oos-Kaap Streekkantoor, Tyamzashe Gebou, Burgerplein, Bisho, en by die navraetoonbank van die Stadsbeplanningstak, Eerste Verdieping, Stadingenieursentrum, Oxfordstraat 26, Oos-Londen, op weekdae van 08:00 tot 13:00.

Enige besware, met volledige redes daarvoor, moet voor of op 20 Junie 2005, skriftelik by die Stadsbestuurder, Posbus 134, Oos-Londen, ingedien word met vermelding van bogenoemde Wet en die beswaarmaker se ernommer.

*Aard van aansoek:* Opheffing van titelvoorwaardes 4 (a), (b), (c) en (d) van toepassing op Erf 1181, Gracesingel 42, Beacon Bay sodat dit onderverdeel kan word.

*Aansoeker:* T.F.G. Jason.

**M. B. TSIKA, Stadsbestuurder**  
(3348)

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### No. 186

#### PROVINCE OF THE EASTERN CAPE

#### DEPARTMENT OF HOUSING, LOCAL GOVERNMENT & TRADITIONAL AFFAIRS

#### NELSON MANDELA METROPOLITAN MUNICIPALITY (PORT ELIZABETH)

#### LESS FORMAL TOWNSHIP ESTABLISHMENT ACT, 1991 (ACT No. 113 OF 1991)

#### NOTICE OF TOWNSHIP ESTABLISHMENT

I, Sam Kwelita, Member of the Executive Council for Housing, Local Government and Traditional Affairs, duly authorized thereto, thereby give notice in terms of section 11 (2) of the Less Formal Township Establishment Act, 1991 (Act No. 113 of 1991), that an application for the establishment of a township on the property specified below has been received and is open to inspection during the normal office hours at the office of the Deputy Director, Department of Housing, Local Government and Traditional Affairs (Eastern Cape), Room No. 4145, Tyamzashe Building, Phalo Avenue, Bisho, until and including 6 June 2005.

*Proposed township name:* Walmer Township.

*Property description:* Portion of Remainder Erf 1935 and Remainder Erf 4151, Walmer.

*Location:* Walmer Township is situated on portion of Remainder Erf 1935 and portion Erf 4151, Walmer/Gqebera, Port Elizabeth.

*Applicant:* Nelson Mandela Metropolitan Municipality.

**S. KWELITA, MEC for Housing, Local Government and Traditional Affairs**

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### No. 187

#### KING SABATA DALINDYEBO LOCAL MUNICIPALITY APPLICATION FOR REZONING OF CONSOLIDATED ERVEN 898 AND 899, NOW ERF 1224, UMTATA FROM SPECIAL RESIDENTIAL AND AGRICULTURE TO INSTITUTIONAL USE

King Sabata Dalindyebo Local Municipality has received an application for rezoning of consolidated Erven 898 and 899 now Erf 1224, Umtata, from special residential and agriculture to institutional use for the purpose of constructing a Church and a Christian School. Copies of the layout and supporting documentation will lie for inspection at office 221, Munitata Building, during normal working hours.

Any objections must be lodged in writing to the above office within 21 days from date of publication.

**Mr M.A. Gumbi**  
Municipal Manager, KSD Municipality, Munitata Building, Umtata

## No. 188

**GAMBLING AND BETTING ACT, 1997 (EASTERN CAPE)  
(ACT NO. 5 OF 1997) (as amended)**

**NOTICE OF LODGEMENT OF APPLICATIONS IN RESPECT OF GAMBLING  
LICENCES**

**NOTICE IS HEREBY GIVEN** that applications in regard to gambling licences, particulars of which are set out in the schedules hereunder, have been lodged with the Eastern Cape Gambling and Betting Board.

The applications may be inspected by any person at the offices of the Board and at the premises of the applicant concerned.

Any objections, petitions or representations shall be lodged with the Chief Executive Officer of the Board within one month of the date of publication of this notice.

All objections and comments shall specify: the application to which the objection or comment relates; the grounds on which the objection is founded; in the case of comment, full particulars and facts in substantiation thereof: the name, address, telephone and fax number of the objector or person making the comment and a statement whether the objector or person making the comment wishes to make oral representations when the application is heard.

A person lodging representations may show cause why the Board may determine that his or her identity should not be divulged.

The under-mentioned figures used in brackets in the schedules have the following meanings:

- 1 The name and address of the applicant;
- 2 If the applicant is a company or other corporate body, the names of all persons who have a financial or other interest of 5% or more in the applicant;
- 3 In the case of a company, the initials and surnames of all directors of the company;
- 4 The type of licence applied for;
- 5 The address of the premises from which the applicant intends to operate.

**V G MATI**  
**CHIEF EXECUTIVE OFFICER**  
**EASTERN CAPE GAMBLING AND BETTING BOARD**  
ECGBB Building  
Quenera Park  
Quenera Drive  
Beacon Bay  
EAST LONDON



**SCHEDULE A: APPLICATION RECEIVED FROM LUCK AT IT (EASTERN CAPE) (PTY) LTD**

- |   |  |
|---|--|
| A | <ol style="list-style-type: none"> <li>1 Sovereign Liquor Cellars (Pty) Ltd (Registration No. 1991/003817/07) trading as Sovereign Sports Café, 26 Da Gama Street, Jeffrey's Bay</li> <li>2 Mark Bellingan and Johannes Van Heerden Bellingan</li> <li>3 M Bellingan and J Van H Bellingan</li> <li>4 Limited Gambling Machine Site licence (20 to 40 machines)</li> <li>5 26 Da Gama Street, Jeffrey's Bay</li> </ol> |
|---|--|

**SCHEDULE B: APPLICATION RECEIVED FROM VUKANI GAMING (EASTERN CAPE)  
(PTY) LTD**

- |   |  |
|---|--|
| A | <ol style="list-style-type: none"> <li>1 Pioneers Heritage Pub &amp; Grills (Pty) Ltd (Registration No. 2004/028361/07) trading as Slip Stream Sports Bar, 57 Worraker Street, Port Elizabeth</li> <li>2 C Gouws, D L Erasmus, L Bezuidenhout, P Smuts</li> <li>3 C Gouws, D L Erasmus, L Bezuidenhout</li> <li>4 Limited Gambling Machine Site licence (20 to 40 machines)</li> <li>5 19 New Street, Grahamstown</li> </ol> |
|---|--|

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## LOCAL AUTHORITY NOTICES

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### No. 136

#### QAUKENI MUNICIPALITY

#### AMENDMENT TO APPROVED TOWNSHIPS LUSIKISIKI

Notice is hereby given that the Qaukeni Municipality intends to apply to the Honourable MEC of Housing and Local Government in terms of Planning Ordinance 33 of 1934 for approval of the amendments to the following residential townships in Lusikisiki.

The following approved township comprising the following erven:

**1. Extension No. 19**

- 110 Special Residential;
- 2 General Business;
- 3 Community Facilities;
- 1 Educational;
- 5 Public open space.

**2. Subdivision of Erf 80**

- 65 Special Residential.

Copies of the layout Plans and supporting documentation will lie for inspection at the Municipal Manager's office during working hours and any objections must be lodged in writing with the Municipal Manager within 21 days.

**Acting Municipal Manager**

Qaukeni Local Municipality

Flagstaff

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### No. 137

#### MBHASHE LOCAL MUNICIPALITY

#### APPLICATION FOR EXTENSION OF VALIDITY FOR MIDDLE-INCOME TOWNSHIP EXTENSION 5, PORTION OF ELLIOTDALE COMMONAGE

Mbhashe Local Municipality intends to submit subject to the approval by the MEC for Housing and Local Government an application for revalidation of middle-income township development Extension 5, Elliotdale. A copy of a layout plan showing the development can be inspected at the Mbhashe Municipal Offices, contact Ms Mkhosana during working hours.

Any objections must be lodged in writing to the above office within 21 days from date of publication.

**Mr M. BHONGCO, Municipal Manager**

100 Kiddell Street, P.O. Box 25, Idutywa

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### No. 138

#### MBHASHE LOCAL MUNICIPALITY

#### APPLICATION FOR EXTENSION OF VALIDITY FOR A MIDDLE-INCOME TOWNSHIP, EXTENSION 5, PORTION OF ERF 65, ELLIOTDALE, AND EXTENSION 3, PORTION OF COMMONAGE IDUTYWA

Mbhashe Local Municipality intends to submit subject to the approval by the MEC for Housing and Local Government an application for revalidation of middle-income township development Extension 5, Elliotdale and Extension 3, Idutywa. A copy of a layout plan showing the development can be inspected at the Mbhashe Municipal Offices, contact Ms Mkhosana during office hours.

Any objections thereto must be lodged in writing to the above office within 21 days from the date of publication.

**Mr M. BHONGCO, Municipal Manager**

100 Kiddell Street, P.O. Box 25, Idutywa

0000040000  
01040000

**No. 139****KING SABATA DALINDYEBO MUNICIPALITY****CLOSURE OF PORTION OF CHATHAM STREET ADJOINING ERF 9377, UMTATA**

Notice is hereby given in terms of section 136 (1) of the Municipalities Act, 1979, that a portion of Chatham Street adjoining Erf 9377, Umtata, measuring approximately 1 139 square metres in extent has been closed (Survey-General's Reference 13/3/024 V2 p73).

**Prof M.A. GUMBI, Municipal Manager**

Munitata Building, Mthatha

**KING SABATA DALINDYEBO MASIPALA****UKUVALWA KOMHLATYANA CHATHAM STREET, WESIZA 9377 UMTATA**

Ngokwenjenje kuyaziswa ngokweSiquendu 136 soMthetho wooMasipala ka-1979 ukuba umhlatyana wesiza 9377 Umtata obungakanani bawo buyi 1139 ivaliwe (Surveyor-General's Reference 13/2/024 V2 p73).

**Prof M.A. GUMBI, Municipal Manager**

Munitata Building, Mthatha

**No. 140****CAMDEBOO MUNICIPALITY****CLOSURE OF PASSAGE PUBLIC OPEN SPACE, ERF 2313, GRAAFF-REINET**

Notice is hereby given, in terms of section 137 (1) of Ordinance No. 20 of 1974, that the Camdeboo Municipality has closed the Public Open Space, Erf 2313 (S.G. Ref. S/7698/34 v1 p. 215 dated 2005/02/22).

**M.G. LANGBOOI, Acting Municipal Manager**

Notice 31/2005

(28512 & 9474)

**CAMDEBOO MUNISIPALITEIT: GRAAFF-REINET****SLUITING VAN OPENBARE PLEK, ERF 2313, GRAAFF-REINET**

Kennis geskied hiermee, ingevolge die bepalings van artikel 137 (1) van Ordonnansie Nr. 20 van 1974, dat die Camdeboo Munisipaliteit die Openbare Plek, Erf 2313, Graaff-Reinet gesluit het (L.G. verw. S/7698/34 v1 bl. 215 gedateer 2005/02/22).

**M.G. LANGBOOI, Acting Municipal Manager**

Kennisgewing 31/2005

(28512 & 9474)

**No. 141****KING SABATA DALINDYEBO MUNICIPALITY****PROPOSED ESTABLISHMENT OF RESIDENTIAL TOWNSHIP ON PORTION OF REMAINDER OF ERF 912, MTHATHA**

Notice is hereby given, in terms of section 11 (5) of Ordinance No. 33 of 1934, that the King Sabata Dalindyebo Municipality intends to establish a residential township of 160 erven on a portion of Remainder of Erf 912, Mthatha, known as Zimbane Valley, King Sabata Dalindyebo Municipality, Eastern Cape.

The proposed township consists of—

- 149 Residential erven;
- 1 Business erf;
- 2 Church erven;
- 1 Creche;
- 3 Public Open Spaces.



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The site is broadly situated south of Mthatha Town and east of the N2 Freeway. The proposed N2 Freeway abuts the northern boundary of the site. An existing railway is located to the north of the site.

Copies of the layout and supporting documents may be inspected at the offices of the Department of Housing and Local Government, Office No. 4149, Fourth Floor, Tyamzashe Building, Bisho, as well as Office No. 217B, Munitata Building, Mthatha, during normal office hours.

Any objections or representations must be lodged with the Secretary of the Township Board, Office No. 4149, Fourth Floor, Tyamzashe Building, Bisho, and the Municipal Manager, Munitata Building, Mthatha, not later than the close of business on 8 July 2005.

**KING SABATA DALINDYEBO, Municipal Manager**

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**No. 142****LUKHANJI MUNICIPALITY****PARKING-METER AND PARKING-GROUND BY-LAWS**

The Municipal Manager hereby publishes, in terms of Section 13 of the Local Government Municipal Systems Act, 2000 [Act 32 of 2000] read with Section 162 of the Constitution of the Republic of South Africa Act 1996 [Act 108 of 1996] the Parking-Meter and Parking-Ground By-Laws which By-law shall come into operation on the date of publication thereof.

**PART I****DEFINITIONS**

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

"Council" means the Lukhanji Municipality and includes the management committee of that Council or any officer employed by the Council, acting by virtue of any power vested in the Council in connection with these by-laws and delegated to him in terms of Section 58 of the Local Government (Administration and Elections) Ordinance, 1960 (Ordinance No. 40 of 1980);

"demarcated parking place" means a demarcated parking place as contemplated in the National Road Traffic Act, 1996, in conjunction wherewith a parking-meter device exists;

"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 appointed in terms of Section 3 (1) (c) of the Road Traffic Act 1989 and includes a member of the South African Police Service and a traffic warden;

"vehicle" means a vehicle as defined in the National Road Traffic Act, 1996, and any other word or expression has the meaning assigned thereto in the National Road Traffic Act, 1996.

**PART II****CONTROL OF PARKING WITHIN DEMARCATED PARKING PLACES.**

- [2] (i) It shall be unlawful to park any vehicle in any demarcated parking place without at the same time inserting and submitting, or having the vehicle's registration number inserted and submitted by the parking-meter attendant: Provided that the obligation to make payment as prescribed in subsection (3) shall apply only during such hours as the Council may by resolution determine.
- (ii) Each parking-meter shall -
- (a) clearly indicate the time taken for parking in such demarcated parking place (hereinafter referred to as the parking period),
  - (b) clearly indicate the outstanding monetary value to be paid in respect of parking for the said period.
  - (c) be fitted with an easily visible device (hereinafter referred to as an indicator) which shall clearly indicate the motor vehicle registration number and the bay number where the vehicle is parked.
  - (d) When the "payment submitted" key or "refused" key is pressed, either by the parking-meter attendant or the motorist, a corresponding message of confirmation that the specific key has been activated, shall be clearly indicated.
- [3] (i) No person shall park any vehicle, or cause any vehicle to be parked, in any demarcated parking place, unless at the completion of the parking period and before such vehicle leaves such demarcated parking bay

- he or she pays to the parking-meter attendant to whom such parking bay has been allocated, an amount equal to the amount indicated on the parking-meter device adjacent to such vehicle's registration number.
- (ii) The duty to effect payment of the fees accrued to the vehicle in respect of parking, rests with the driver of such vehicle, such payment shall be made in South African coinage.
- (iii) It is also lawful to effect such payment by means of an electronic transfer should the parking-meter device be able to accept such payment.
- [4] The payment for parking as contemplated in subsection 3 shall however, not entitle any person to contravene any road traffic sign prohibiting the parking of:
- (i) vehicles between specified hours;
- (ii) specific categories of vehicles;
- (iii) vehicles for periods in excess of specified time periods; and
- (iv) any vehicle, where the parking and/or stopping of such vehicle contravenes any provision as determined by the National Road Traffic Act, 1996, relating to the parking and/or stopping of a vehicle.
- [5] The period during which a vehicle may be parked in any demarcated parking place and the amount payable in respect of that period to the parking attendant allocated to such place, shall be such as the Council may from time to time by resolution prescribe, in terms of section 80A of the National Road Traffic Act, 1996.
- [6] It shall be unlawful -
- (i) to park any vehicle, not being a vehicle as defined in section 1, in a demarcated parking place;
- (ii) to offer any money other than South African currency in lieu of payment of parking fees;
- (iii) 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;
- (iv) in any way whatsoever to cause or attempt to cause a parking-meter to record the passage of time incorrectly;
- (v) 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;
- (vi) 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;
- (vii) 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
- (viii) 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] (i) 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.
- (ii) 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 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] (i) It shall be unlawful for any person to cause, allow, permit or suffer any vehicle of which he 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.
- (ii) 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 shall have proved the contrary.
- [11] Notwithstanding anything contained in these by-laws:
- (i) the driver of a fire-fighting vehicle;
- (ii) the driver of a rescue vehicle;
- (iii) the driver of an ambulance;
- (iv) a traffic officer;
- (v) the driver of a vehicle engaged in Disaster Management; and
- (vi) the driver of a vehicle engaged in essential services,
- (vii) 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 official capacity, provided that the official badge, designed and approved of by the Council, is displayed in a prominent place and in accordance with paragraph 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 be 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 be proved, that it was so parked by the person registered as its owner in terms of the National Road Traffic Act, 1986.

### 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] (i) 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



(ii) 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).

[17] No person shall park or cause or permit any vehicle to be parked or to be or remain in any parking ground which is out of order for any reason incapable of movement : 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.

[18] (i) 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 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; 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 section 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;

(ii) 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 regulations thereof.

[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 section 20 or 21.

[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 1998, 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] (i) 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 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 said parking ground.
- (ii) Any person in control of a vehicle who, having been refused admission in terms of subsection (1), proceeds to drive it into a parking ground, shall be guilty of an offence.
- [23] Subject to the conditions of Section 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 days and times as advertised.

**PART IV****ANNUALLY ISSUED PARKING DISCS**

- [24] (i) 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.
- (ii) 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.
- (iii) A parking disc issued in terms of subsection (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] (i) Parking fees shall be payable by a person parking any vehicle or causing any vehicle to be parked in any demarcated parking place.
- (ii) The Lukhanji Municipality has the right to determine parking tariffs from time to time by means of Council 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 by the Directorate of Community Services of the municipality.

**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.

**REPEAL OF BY-LAWS**

[28] The by-laws listed below are hereby repealed.

Number and year	Name of by-law	Extent of repeal
Administrator=s Notice No 287, dated 20 March 1968	Parking Meter By-laws	The whole
Administrator=s Notice No 91, dated 31 January 1979	Parking Ground By-law	The whole
Local Authority Notice No 4 in Eastern Cape Provincial Gazette 1118 dated 2 February 2004	Parking-meter and Parking-ground By-laws	The whole

**SHORT TITLE**

[29] These By-laws are called the Parking-meter and Parking-ground By-laws, 2005