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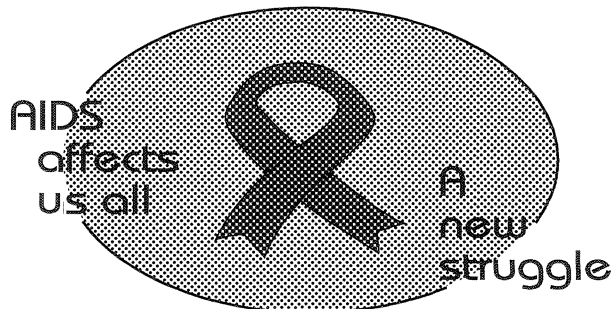
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DEPARTMENT OF HEALTH

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LOCAL AUTHORITY NOTICES

No. 270

CAMDEBOO MUNICIPALITY: AMENDMENT TO CAMDEBOO MUNICIPALITY PUBLIC NUISANCES AND KEEPING OF ANIMALS BY-LAW

Notice is hereby given in terms of section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) that the Council of the Camdeboo Municipality hereby amends the Camdeboo Municipality Public Nuisances and Keeping of Animals By-law, promulgated under Province of the Eastern Cape: Extraordinary Provincial Gazette no 1634 dated 27 December 2006, as follows:-

(1) By repealing section 3 and the insertion of a new section 3 “**Public Nuisances Prohibited**” as follows:

3. Public nuisances prohibited

(1) No one may cause a public nuisance.

(2) A public nuisance is created by, but is not limited to-

(a) the keeping of animals or reptiles, excluding pets on premises unless the premises is in terms of an applicable town planning scheme zoned as suitable for the keeping of such animals or reptiles;

(b) allowing an animal, reptile or domesticated dog to:-

(i) enter upon public or private land other than the premises where it is kept, unless under proper control and, in the case of a dog, on a leash;

(ii) suffer from an infectious or contagious disease, or

(iii) act in such a manner that a nuisance is created for adjacent residents.

(c) in the case of a person in control of a dog on a street or public land, failing to remove the droppings of that dog.

(d) the keeping of pets in such a manner that a nuisance or the potential for a nuisance is created;

(e) the overnight parking of more than one heavy vehicle or boat on premises which is zoned for residential purposes;

(f) the parking of an implement on premises which is zoned for residential purposes;

(g) the repairing, washing, maintenance or servicing of a heavy vehicle, boat or implement on premises which is zoned for residential purposes.

(h) the parking of a vehicle, heavy vehicle, boat or trailer on premises in such a manner that a part of the vehicle, heavy vehicle, boat or trailer extends over the boundaries of the premises on which it is parked.

(i) the letting off of a firework on or over private land in such a manner that the firework or part thereof may land on adjacent premises.

(j) operating a business or engaging in similar activities on residential premises, notwithstanding any approvals granted by the Council in terms of town planning legislation, to the extent that a nuisance to adjacent residents is created by:

(i) the increase of an activity over and above the limits and conditions determined by the Council when the application for the activity was originally approved in terms of legislation;

(ii) the storage of goods or materials on the premises;

- (iii) the operation of a pump, compressor, fan or similar machinery in such a manner that a vibration or noise is caused on adjacent premises;
 - (iv) the use of spray paints or other volatile substances in such a manner that sprays, smells or gases enter onto adjacent properties;
 - (v) the manufacturing or activities related to the manufacturing of goods or materials;
 - (vi) the frequency of deliveries or the calling of persons at the premises;
 - (vii) the frequency of loading or unloading of vehicles in the street or on the premises;
 - (viii) the gathering of workers on or near the premises, or
 - (ix) the frequency of the arrival, departure or parking in the street of vehicles attached to the activities on the premises.
- (k) allowing buildings or vacant land to become:
- (i) unsightly, offensive or in a state of disrepair to such an extent that the values of adjacent properties are detrimentally affected;
 - (ii) a home or shelter for squatters or vagrants;
 - (iii) overgrown with neglected lawns, trees, shrubs or other cultivated or uncultivated vegetation
 - (iv) inundated with an unsightly accumulation of papers, cartons, garden refuse, rubble and/or other waste materials, or
 - (v) a depository for waste materials.
- (l) in relation to business premises, allowing -
- (i) waste materials emanating from the activities on the premises to be deposited in a street refuse bin;
 - (ii) waste materials emanating from the activities on the premises to be deposited on a part of the premises which is open to the street or sidewalk, unless it is in a container provided or approved by the municipality;
 - (iii) the display of goods for sale on a part of the premises outside of a building, which is open to the street or sidewalk, but does not form part of the street or the sidewalk;
 - (iv) a vehicle to be parked on the premises in such a manner that part of the vehicle extends over a boundary of the premises;
 - (v) a means of advertising or promotion to have the effect that a distraction or danger is caused for passing vehicular or pedestrian traffic, a gathering of persons is allowed to form in the vicinity of the premises, or that pedestrians are prevented from using the sidewalk in front of the premises;
 - (vi) shop trolleys attached to the business to accumulate in a street or parking area to the extent that vehicular or pedestrian traffic is impeded or endangered;
 - (vii) a refrigerator, compressor, fan or other machinery, to operate in such a manner that a vibration or noise is caused on adjacent premises;
 - (viii) an increase in the frequency of deliveries or callers at the premises to such an extent that occupiers of adjacent premises are prevented from gaining normal access to their premises; and

- (ix) vehicles attached to the business to be parked in front of adjacent premises in such a manner that the occupiers are prevented to proceed with the normal operation of their activities.
 - (x) use any stoep, verandah or alley of any shop or business premises or vacant land adjoining such shop or business premises for the purpose of storing, stacking, dumping, disposing, displaying or keeping articles or merchandise;
- (m) In relation to general behaviour on streets, parking bays, parking areas and in public places-
- (i) shouting, screaming, whistling or making any other noise to attract attention to such an extent that a nuisance is created;
 - (ii) bringing a vehicle to a stop or driving a vehicle in such a manner that pedestrian and vehicular traffic is impeded;
 - (iii) riding bicycles or similar devices in groups in such a manner that pedestrian and vehicular traffic is impeded;
 - (iv) pushing or parking trolleys or similar devices in such a manner that pedestrian and vehicular traffic is impeded;
 - (v) walking or standing in groups in such a manner that other pedestrian traffic is impeded;
 - (vi) offering services or goods and articles for sale in intersections in such a manner that the attention of drivers of vehicles is distracted;
 - (vii) offering services or goods or articles for sale from the side of the road in such a manner that vehicular or pedestrian traffic is impeded or the attention of drivers of vehicles is distracted;
 - (viii) operating a vehicle drawn by animals at such times when, and on such streets where, a heavy traffic flow is experienced;
 - (ix) being in an inebriated or drug-induced condition in such a manner that a nuisance is created, and
 - (x) acting in a disorderly manner.
- (n) the display of anything which is visually offensive;
- (o) operating any device which interferes with radio and television reception;
- (p) loitering in any street or public place;
- (q) being drunk or under the influence of drugs;
- (r) soliciting or importuning any person for the purposes of prostitution or any other immoral act;
- (s) continuing to beg from a person or closely follow a person after such person has given a negative response to such begging;
- (t) playing loud music or the use of music instruments on any premises;
- (u) bathe or wash him- or herself or any animal, article or clothing in a public stream, pool, water trough, hydrant, fountain or at any place which has not been set aside by the municipality for such purpose;
- (2) (a) In the event of a contravention of any of the provisions of section 3(1), the municipality may issue a notice on the owner, occupier or alleged offender to terminate the action or to abate the nuisance created. In the event of non-

compliance with such order and without prejudice to the municipality's right to prosecute, the municipality may take the necessary steps to remove the cause or source of the nuisance and any costs incurred in connection therewith may be recovered from the person responsible for the nuisance or the owner or occupier of the premises whether or not such owner or occupier is responsible therefore.

- (b) Where any vacant or developed premises or land in the vicinity of a street is used by unauthorised persons or where any of the materials or things mentioned in subsection (1) are dumped or deposited on such premises, the municipality may serve a written notice on the owner or occupier requiring him or her to enclose or fence it in to its satisfaction by a date specified in the notice. Every such enclosure or fence must be so constructed that it will effectively prevent the entry of unauthorised persons and the dumping of materials and things.

(3) For the application of this by-law, any action or condition on any premises that endangers the safety of any person or property or which is untidy, annoying, troublesome, offensive or disturbing to the peace of other people, shall be considered a public nuisance.

(4) Any person who contravenes or fails to comply with any provisions of this section or fails to comply with any notice lawfully given thereunder is guilty of an offence.

No. 271**CAMDEBOO MUNICIPALITY:
AMENDMENT TO CAMDEBOO MUNICIPALITY PUBLIC AMENITIES BY-LAW**

Notice is hereby given in terms of section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) that the Council of the Camdeboo Municipality hereby amends the Camdeboo Municipality Public Amenities By-law, promulgated under Province of the Eastern Cape: Extraordinary Provincial Gazette no 1634 dated 27 December 2006, as follows:-

(1) By the insertion of the definition of “**under the influence of intoxicating liquor**” in section 1 as follows:

“**under the influence of intoxicating liquor**” means a person who is under the influence of intoxicating liquor by reason of the liquor he consumed and whose muscular control has been impaired as a result of the liquor, irrespective of whether his mental activities are in order and alert or even intensified by the exhilaration resulting from liquor;

(2) By replacing section 12(1)(a) with the following:

(a) who is drunk or under the influence of intoxicating liquor or any drug having a narcotic effect drug may enter or remain in, and such person will not be admitted to, a public amenity;

No. 272

**CAMDEBOO MUNICIPALITY:
AMENDMENT TO CAMDEBOO MUNICIPALITY STREET TRADING BY-LAW**

Notice is hereby given in terms of section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) that the Council of the Camdeboo Municipality hereby amends the Camdeboo Municipality Street Trading By-law, promulgated under Province of the Eastern Cape: Extraordinary Provincial Gazette no 1634 dated 27 December 2006, as follows:-

- (1) By repealing section 9 and the insertion of a new section 9 “**Confiscated goods register**” as follows:

9. Confiscated goods register

The Municipality must –

- (1) maintain a register containing the information contemplated in Schedule 1, which must be available for public inspection at all reasonable times; and
- (2) complete the confiscated goods register immediately upon the acceptance into the place of safekeeping and storage set aside for this purpose.

- (2) By the insertion of new sections 10, 11, 12 and 13 as follows:

10. Disposal of impounded goods

- (1) Any perishable foodstuffs removed and impounded in terms of section 8(1) may, subject to subsection (2) be sold or destroyed or otherwise be disposed of in terms of any policy of the municipality within a reasonable time after its impoundment, provided that the property will at any time prior to its disposal be returned to the owner at the request of and upon submission of proof of ownership by the owner to the municipality.
- (2) The municipality is entitled to keep and dispose of any impounded perishable foodstuffs claimed by its owner in terms of subsection (1) until all reasonable expenses incurred by it or any fine issued by it have been paid.
- (3) The owner of any goods other than perishable foodstuffs already dealt with by the municipality in terms of subsections (1) and (2) who wishes to claim the return thereof must, within a period of 14 days of the date of the impoundment thereof, apply to the municipality and must present the receipt contemplated in section 8(2)(a), failing which the goods may be sold, subject to section 11.
- (4) In the event of the proceeds of any sale of goods contemplated by this section not being sufficient to defray any expenses incurred by the municipality, the owner thereof shall in terms of section 8(3)(a) remain liable for the difference.

11. Sale of impounded goods

- (1) If the owner of impounded goods, excluding perishable foodstuffs, fails to claim such goods and pay the prescribed fees as determined by the municipality from time to time within 14 days of the impoundment of the goods, the municipality must –
 - (a) apply to the Court for authority to sell the goods; and
 - (b) in the application contemplated in paragraph (a), provide the Court with proof that a statement as contemplated in sub-section (2) was lodged with the owner.
- (2) The statement contemplated in subsection (1)(b) must include the fees and costs due in terms of this by-law.
- (3) The Court, whether the amounts set forth in the statement contemplated in subsection (1)(b) are disputed or not, must –
 - (a) summarily enquire into the matter;

- (b) enquire whether notice was given to the owner of the goods by the municipality; and
- (c) make such order as it considers just and equitable, including an order –
 - (i) as to costs; and
 - (ii) on the process to be followed by the municipality in the sale of the confiscated goods.

12. Municipal employees and councillors may not purchase impounded goods

Employees and councillors of the municipality, or a family member, or a close associate of any municipal employee or councillor, may not purchase any goods offered for sale in terms of this by-law, either personally or through any other person, directly or indirectly.

13. Newspaper vendors

- (1) Any publisher of a newspaper that sells such newspaper by using vendors in or on a road must enter into an agreement with the municipality regarding the areas where and times during which such sales may be undertaken.
- (2) The municipality may determine the hours during which the sale of newspapers in terms of subsection (1) may be undertaken.
- (3) The municipality may levy a tariff for the sale of newspapers in or on any road within its area of jurisdiction.

- (4) By the insertion of a new section 16 as follows:

16. Indemnity

The municipality will not be liable for any loss or damage suffered arising from the impoundment of any goods in terms of this by-law.

- (5) By re-numbering the existing section numbers 12, 13, 14 and 15 to section numbers 17, 18, 19 and 20.

No. 273**CAMDEBOO MUNICIPALITY****BY-LAW RELATING TO ROADS AND STREETS**

The Camdeboo Municipal Council hereby publishes, in terms of Section 13 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000), read with Section 162 of the Constitution of the Republic of South Africa Act, 1996 (Act No. 108 of 1996), the By-Law Relating to Roads and Streets, as passed by the Municipal Council.

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SCHEDULE 2: Code of practice for work in road reserve

1. Definition and Interpretation

In these By-Laws, unless the context otherwise indicates: -

"authorized agent" means an agent which is authorized by the Council to perform specified services;

"Code" means the Code of Practise for work in the Road Reserve as approved by the Council and as agreed to by the parties including any appendices attached hereto:

"Council" means: -

- a) The Camdeboo Municipality established by Provincial Notice No. 6766 of 2000 dated 1 October 2000, as amended, exercising its legislative and executive authority through its Municipal Council; or
- b) Its successor in title; or
- c) A structure or person exercising a delegated power or carrying out an instruction, where any power in these by-laws has been delegated or sub-delegated, or an instruction given, as contemplated in Section 59 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000); or
- d) A service provider fulfilling a responsibility under these by-laws, assigned to it in terms of Section 81(2) of the Local Government: Municipal Systems Act, or any other law, as the case may be.

"municipality" means –

- (a) the Camdeboo Municipality, and includes any political structure, political office bearer, councilor, duly authorised agent thereof or any employee acting in connection with this by-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councilor, agent or employee; or
- (b) a service provider fulfilling a responsibility under this by-law, assigned to it in terms of section 81(2) of the Local Government: Municipal Systems Act, 2000, or any other law as the case may be;

"public road" means road, sidewalk, island in a road, subway, avenue, bridge, as shown on the general plan of a township or in respect of which the public has acquired a prescription or other right of way and which is vested in the Council in terms of the Municipal Ordinance 1974 (Ordinance 20 of 1974), or Section 2 of the Divisional Councils Ordinance 1976 (Ordinance 26 of 1976), or any amendments thereto and includes a street and a sidewalk;

"road reserve" means the full width of a public road, and includes the verge and the roadway;

"service" means any system for supplying a public need that a service agency has on the road reserve;

"service agency" means that any Municipal Department, public agency, company or utility that has a service in the road reserve;

"sidewalk" means that portion of street between the outer boundary of the roadway and the boundary lines of the adjacent property or buildings which are intended for the use of pedestrians;

"stormwater" means water resulting from natural precipitation or accumulation and includes rain water, surface water, subsoil water or spring water;

"stormwater drain" means a pipe, conduit or surface channel situated on a site, which is used to convey stormwater to a suitable point of discharge;

"street" has the meaning assigned thereto by Section 2 of the Municipal Ordinance, 1974 (Ordinance 20 of 1974), or Section 2 of the Divisional Councils Ordinance, 1976 (Ordinance 18 of 1976), or as amended thereto, and, except where inconsistent with the context, includes a sidewalk;

"vehicle" has the meaning assigned thereto by Section 1 of the Road Traffic Ordinance, 1966 (Ordinance 21 of 1966);

"wayleave" means a formal approval to carry out work in the road reserve;

“work in the road reserve” means any activity, including the activities provided for in Section 2 of this Code, carried out within the road reserve.

- (2) The provisions of the Code of Practice for work in the road reserve set out in Schedule 2 of the By-Laws, form part and parcel by these by-laws for all purposes.

2. Sidewalks and encroachments on streets

No person shall:

- a) construct or lay a sidewalk in a street:
 - i) except with the written permission of the municipality, or
 - ii) otherwise than in accordance with the requirements prescribed by the municipality, or
- b) construct a verandah, stoep, wall on a stoep, steps or other projection or erect a post in a street except with the written permission of the municipality.

3. Advertisements visible from streets

- (1) No person shall display any advertisement, placard, poster or bill in a street:
- a) except with the written permission of the municipality, and
 - b) otherwise than in accordance with such conditions as may be determined by the municipality.
- (2) This Section shall not be applicable to signs which have been exempted under the provisions of the Outdoor Advertising and Signage By-Law promulgated under Provincial Gazette Nr. 1634 dated 11 December 2006.

4. Animals or objects causing an obstruction

No person shall:

- a) deposit or leave any goods or articles in a street, other than for a reasonable period during the course of the loading, off-loading or removal thereof, or
- b) in any way, obstruct the pedestrian traffic on a sidewalk by bringing or allowing to be brought thereon any object or vehicle (other than a perambulator or wheelchair which is being used for the conveyancing of children or the disabled), or
- c) cause or allow any blind, awning, cord or other object to project over or onto a street: -
 - i) except with the written permission of the municipality, or
 - ii) otherwise than in accordance with such conditions as may be determined by such municipality.

5. Trees in streets

(1) No person shall:

- a) plant a tree or shrub in a street, or in any way cut down a tree or a shrub in a street or remove it therefrom, except with the written permission of the municipality.
- b) climb, break or damage a tree growing in a street, or
- c) in any way mark or paint any tree growing in a street or attach any advertisement thereto.

- (2) Any tree or shrub planted in a street shall become the property of the municipality.

6. Trees causing an interference or obstruction

- (1) Whenever there is upon any property any tree or other growth which interferes with overhead wires or is a source of annoyance, danger or inconvenience to persons using a street,

the municipality may by notice in writing order the owner or occupier of such property to prune or remove such tree or growth to the extent and within the period specified in such notice.

(2) Any person failing to comply with a notice issued in terms of subsection (1) shall be guilty of an offence.

(3) If any person fails to comply with a notice in terms of this section, the municipality may itself prune or remove the tree or growth at the expense of the person on whom the notice is served.

7. Refuse, motor vehicle wrecks, waste material etc.

No person shall:

- a) dump, leave or accumulate any garden refuse, motor vehicle wrecks, spare parts of vehicles, building or waste materials, rubbish or any other waste products in any street or public place, or
- b) permit any such objects or substances to be dumped or placed in a street or public place from premises owned or occupied by him.
- c) except with the written permission of the municipality and otherwise than in accordance with such conditions as may be determined by the municipality.

8. Prohibition upon certain activities in connection with objects in streets

No person shall, in a street:

- a) effect any repairs to a vehicle, except where necessary for the purpose of removing such vehicle from the place where it was involved in an accident, or
- b) clean a vehicle or wash, clean, dry or bleach any other article or thing

9. Prohibition upon games and other acts in streets

No person shall:

- a) roll a hoop, fly a kite, shoot with a bow and arrow or catapult, discharge fireworks or throw a stone, stick or other projectile in, onto or across a street, or
- b) do anything in a street which may endanger the life or safety of any person, animal or thing or may be a nuisance, obstruction or annoyance to the public.

10. Use of explosives

No person shall use explosives or undertake blasting operations:

- a) except with the written permission of the municipality, and
- b) otherwise than in accordance with such conditions as may be determined by the municipality.

11. Conveyance of animal carcasses or other waste products through streets

No person shall carry out or convey through a street the carcass of an animal or any garbage, nightsoil, refuse, litter, rubbish, manure or any other product that may be detrimental to the street:

- a) unless it is properly covered, and
- b) unless it is conveyed in such type of container as will not allow any offensive liquids or parts of the load to be spilt in the street.

12. Fences on street boundaries

- (1) No person shall erect a fence on the boundary of a street except with the written permission of the municipality.
- (2) The maintenance of fences along street boundaries or road reserves is for the account of the property owner.

13. Building materials in streets

No person shall:

- a) bore or cut stone, slake or sift lime, or mix building materials in a street; and
- b) store or place building materials in a street or transport building materials, mixed or unmixed, across the street in such a way as to damage the street.

14. Balconies and verandahs

No person shall, except with the written permission of the municipality:

- a) use a balcony or verandah erected beyond the boundary line of a street for purposes of trading or the storage of goods, or for the washing or drying of clothes thereon, or
- b) enclose or partition a balcony or verandah erected beyond the boundary line of a street or portion thereof as a living room or bedroom.

15. Outspanning in streets

No person shall outspan or allow to be outspanned in any street any vehicle or detach or leave in any street any trailer, caravan or vehicle which is not self-propelled; provided that this provision shall not apply to the actual loading or unloading of such vehicle.

16. Protection of street surface and roadside furniture

(1) No person shall:

- a) use a vehicle or allow it to be used in any street if such vehicle is in such a defective condition that it will or may cause damage to any street or roadside furniture, and
- b) drive, push, roll, pull or propel any object, machine or other material through or along a street in such a way, or while such object, machine or material is in such a condition, as may damage, break or destroy the surface of the street or roadside furniture in any way.

(2) If the municipality identifies a person who, as a result of the actions referred to in subsection (1), has damaged, broken or destroyed the surface of a street or roadside furniture, the cost of repairs, as determined by the said local authority, may be recovered from the offender.

(3) No person other than an authorised official of the municipality in the performance of his duties may apply, mark, paint or draw lines, marks, works, signs or advertisements on the surface of a street.

17. Damaging of notice boards

No person shall deface, damage or in any way interfere with any notice board, road traffic sign, street name board or other similar sign or any hoarding which has been erected in a street by or with the permission of the municipality.

18. Excavation in streets

No person shall make or cause to be made an excavation or dig or cause to be dug a pit, trench or hole in a street:

- a) except with the written permission of the municipality, and

- b) otherwise than in accordance with the requirements prescribed by the municipality attached as schedule 2.

19. Poison in streets

No person other than an official of the municipality or an authorised person who administers legally approved weed-killers or poisons shall set or cast poison in any street.

20. Roller-skating and skating on skateboards prohibited in streets

No person shall, except with the prior written permission of the municipality, skate in a public parking area or street on roller skates or a skateboard or similar device.

21. Overflow of water into streets

No person shall cause or allow any water other than rain water to flow into a street.

22. Behaviour in streets

(1) No person shall cause a nuisance to other persons by loitering, standing, sitting or lying in a street or public place.

(2) No person may in a street or public place:

- a) use abusive, insulting, obscene, threatening or blasphemous language;
- b) fight or act in a riotous manner;
- c) beg or ask members of the public for money or contributions;
- d) annoy or inconvenience any other person by yelling, shouting or making any noise in any manner whatsoever;
- e) obey the call of nature at a place other than a sanitary convenience provided and approved for such purpose by the municipality;
- f) solicit or importune any person for the purpose of prostitution or immorality;
- g) engage in gambling;
- h) use intoxication liquor, or
- i) spit.

23. Animals

No owner or person in charge of any wild or ferocious animal, monkey or horned cattle shall allow such animals at any time to be insufficiently attended or at large in any street or shall keep any such animal in such a manner as to be a danger or annoyance to the public.

24. Display of street number of places

The municipality may prescribe by notice in writing that a number allocated to premises by such Council shall be displayed on such premise, and may also prescribe the position where it is to be displayed, and the owner or occupier of such premises shall, within 30 days of the date of such notice, display the allocated number on the premises in accordance with such notice.

25. Control of stands at which flowers and other produce are offered for sale

(1) The municipality may by resolution and by means of an advertisement in a newspaper published within its area of jurisdiction from time to time allocate and assign stands where flowers or other goods or produce may be offered for sale upon the streets: provided that the position of such stands may in the same manner be amended or abolished from time to time by resolution and advertisement.

(2) No person shall display or offer for sale upon the streets flowers or other goods or produce except at such stands as may be prescribed by the municipality in terms of this section and unless he has received a permit from the municipality in terms of section and unless he has received a permit from the municipality to do so; provided that this section shall not apply to

temporary stalls upon the streets for the sale of flowers and produce in aid of charity or public funds or charitable or public institutions, for which permission has been granted by the municipality; provided further that this section shall not apply to duly licensed hawkers and peddlers.

26. Bridges and crossings over gutters and sidewalks

No private crossing, pathway, bridge or culvert shall be made or built to or in front of any dwelling or other premises in any street or public place:

- a) except with the written permission of the municipality, and
- b) otherwise than in accordance with the following requirements:
 - i) gutter bridges type entrances must be avoided and depressed or roll over construction is the preferred option.
 - ii) entrances may not exceed 6.0m in width .
 - iii) no alterations to the sidewalks or street levels may be made.
 - iv) maintenance and construction of entrances are for the property owner's account.
 - v) only one entrance/exit will permitted per property .
 - vi) all deviations from above must be approved in writing by the municipality .
 - vii) all costs will be for the account of the applicant or property owner.

27. Control of amusement shows and devices

(1) No person may set up or use in any street or public place any circus, whirligig, roundabout or other side show or device for the amusement or recreation of the public:

- a) except with the written permission of the municipality;
- b) otherwise than in accordance with such conditions as may be determined by the municipality;
- c) unless suitable sanitary conveniences for both sexes of the staff have been provided there, and
- d) if it is in any way dangerous or unsafe for public use.

(2) An authorised official of the municipality or a member of the South African Police shall, for the purposes of inspection at all reasonable times have free access to such circus, whirligig, roundabout or other sideshow or device.

28. Control of animal-drawn vehicles

(1) No person may:

- a) simultaneously drive or be in control of more than one animal-drawn vehicle in a street;
- b) drive or be in control of an animal-drawn vehicle in a street if he is under 16 years of age, or
- c) if he is in control of an animal-drawn vehicle in a street, allow a person under 16 years of age to drive or be in control of such vehicle.

29. Vehicles to be attended

No person may, in a street, sleep in a vehicle other than a motor vehicle parked in a taxi rank or on some other stand duly allocated by the Council authority.

30. Municipality may act and recover costs

(1) Notwithstanding any other provisions of this By-Law, the municipality may:

- a) where the permission of the municipality is required before a person may perform a certain action or build or erect anything, and such permission has not been obtained, and

- b) where any provision of this By-Law is contravened under circumstances in which the contravention may be terminated by the removal of any structure, object, material or substance

serve a written notice on the owner of the premises or the offender, as the case may be, to terminate such contravention, or to remove the structure, object, material or substance, or to take such other steps as the municipality may require to rectify such contravention within the period stated in such notice.

(2) Any person who fails to comply with a notice in terms of subsection (1) shall be guilty of an offence, and the municipality may, without prejudice to its powers to take action against the offender, take the necessary steps to implement such notice at the expense of the owner of the premises or the offender, as the case may be.

31. Penalties

(1) Any person who contravenes or fails to comply with any of the provisions of this By-Law shall be guilty of an offence.

(2) Any person shall who continues to commit an offence after notice has been served on such person has been convicted of such offence shall be guilty of a continuing offence.

(3) Any person convicted of an offence under this By-Law for which no penalty is expressly provided shall be liable to a fine not exceeding ten thousand rands or imprisonment for a period not exceeding six months or a combination of the aforementioned; and, in the case of a continuing offence, for each day on which such offence is continued, to an additional fine not exceeding two hundred rands per day or additional imprisonment for a period not exceeding ten days for each additional imprisonment for a period not exceeding ten days for each day on which such offence is continued or a combination thereof.

(4) Every person committing a breach of the provisions of this By-Law shall be liable to recompense the Municipality for any loss or damage suffered or sustained by it in consequence of such breach.

32. Repeal of By-Laws

The Camdeboo Roads and Traffic By-law published in Provincial Gazette 1634 dated 11 December 2006 are hereby repealed.

33. Short title and commencement

This by-law shall be known as the By-law Relating to Roads and Streets and shall come into operation on the date of publication thereof in the Provincial Gazette.

SCHEDULE 2

CODE OF PRACTISE FOR WORK IN ROAD RESERVE

FOREWORD

Although the municipality is solely responsible for its own road network, the value of other services in the road reserve are often more than that of the road itself and therefore require as much maintenance, rehabilitation and replacement. These activities, together with the work that has to be carried out on the road itself, result in considerable delays, inconvenience, danger and additional costs to the road users. Furthermore, any work which is done in the road reserve can have serious cost implications as a result of the following:

- Damage to roads and other services
- Damage to vehicles
- Injury to vehicle occupants or pedestrians
- Reduction of the effective life of the road, footway or other services; and
- Time and social costs caused by delays

There is therefore a need to ensure careful control and co-ordination of all work in the road reserve. This is the duty of the municipality who is the custodian of all municipal road reserves. In order to fulfill this duty, the municipality produced this document that attempts to ensure maximum co-ordination and co-operation between all the various departments and agencies that have to share the road reserve to provide Services to their customers.

It is the aim of this document to minimize the effect of all work in the road reserve to the benefit of all concerned, and in particular the ratepayers, road users (motorists and pedestrian), service agencies and the municipality. Included are the procedures to apply, process and approve wayleaves, procedures to follow while doing the work, and on completion of the work, as well as specifications according to which the work must be done.

This initiative can only succeed if every agency and department that works in the road reserve co-operate by working according to this Code and by providing feedback on how the system can be improved.

DEFINITIONS

In this Code, unless the context otherwise indicates-

“authorized agent” means an agent which is authorized by the Council to perform specified services;

“Code” means the Code of Practise for work in the Road Reserve as approved by the Council and as agreed to by the parties including any appendices attached thereto;

“Council” means –

- a) The Camdeboo Municipality established by Provincial Notice No. 6766 of 2000 dated 1 October 2000, as amended, exercising its legislative and executive authority through its Municipal Council; or
- b) its successor in title; or

- c) a structure or person exercising a delegated power or carrying out an instruction, where any power in these by-laws has been delegated or sub-delegated, or an instruction given, as contemplated in Section 59 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000); or
- d) a service provider fulfilling a responsibility under these by-laws, assigned to it in terms of Section 81 (2) of the Local Government: Municipal Systems Act, or any other law, as the case may be.

“road reserve” means the full width of a public road, and includes the verge and the roadway;

“service” means any system for supplying a public need that a service agency has on the road reserve;

“service agency” means any municipal department, public agency, company or utility that has a service in the road reserve;

“wayleave” means a formal approval to carry out work in the road reserve;

“work in the road reserve” means any activity, including the activities provided for in Section 2 of this Code, carried out within the road reserve.

1. PROCEDURE

1.1 The basic procedure which is required for work in the road reserve is as follows:

1.1.1 Approval must first be obtained for the proposed work from the relevant municipal department or authorized agent.

1.1.2 Any wayleave must then be applied for in accordance with the procedure set out in this document, before any approved work can be carried out in the road reserve.

1.1.3 If the wayleave application conforms to the requirements in this document, a wayleave will be issued by the municipality which allows for the work to be carried out.

1.1.4 The municipality must be informed 48 hours prior to the commencement of the work.

1.1.5 The work must be carried out according to the procedures and specifications in the Code, the conditions under which the work was approved and any other requirements of every affected service agency;

1.1.6 On completion of the work all trenches and excavations in the road reserve must be backfilled and reinstated according to the specifications contained in the Code.

1.1.7 On completion of the work and temporary or permanent reinstatement, as applicable, a completion notice must be sent to the municipality by the wayleave holder. A reinstatement order must accompany the completion notice for the municipality has to do the permanent reinstatement.

1.1.8 The municipality will then carry out an inspection and issue a certificate of completion once all requirements have been met.

1.2 The code applies to every person who carries out work in municipal road reserves in the municipal area of the Council, such as internal municipal departments, external organizations, service agencies and contractors. It does not apply to work in national or provincial road reserves within the municipal area of the Council.

1.3 The municipality undertakes to inform the relevant service agency in writing before commencing with any work in the road reserve that may affect the services of the service agency in the road reserve.

2. WORK IN THE ROAD RESERVE

- 2.1 Work in the road reserve includes the digging of trenches, tunneling, erection of signboards, erection of structures, shaping and landscaping and any other work that may affect motorists, cyclists, pedestrians, the road, footways, kerbing, traffic signs, traffic calming, traffic signals, street lighting, underground or overhead services or any other structure or service that is contained within the road reserve.

3. WAYLEAVE

- 3.1 The municipality has jurisdiction over the road reserve and no work may be done on the road reserve before a wayleave in respect thereof has been issued by the municipality. A wayleave is permission ("leave") to cross the "way", i.e. the road.
- 3.2 To obtain a wayleave, a wayleave application form (see Appendix A) must be submitted, accompanied by three copies of the approved drawing showing details of the proposed work. Details required on the drawing are:-
- 3.2.1 a clear description of the proposed work
- 3.2.2 where any service is to be installed, the depth of the every service below the level of the surface of the road;
- 3.2.3 distance of the service from the road reserve boundary (i.e. the property boundary)
- 3.2.4 position and extent of all structures including underground structures such as manholes, chambers, junction boxes, etc.
- 3.3 Once all these requirements have been complied with, a wayleave will be issued by the municipality. An example of a wayleave appears in Appendix A.
- 3.4 The application for a wayleave must be submitted timeously to ensure that a wayleave can be issued before the work is programmed to start. Work being carried out in the road reserve without a wayleave will be stopped by the municipality. A copy of the wayleave must therefore always be on site when work is being done in the road reserve.
- 3.5 The wayleave holder accepts full responsibility for all costs associated with the work, including any damage to any other service, the cost of relocation of any other service, backfilling and reinstatement, test and any claim that may result from the work.
- 3.6 Only work described in the wayleave may be done and only at the locations given in the wayleave. The work described in the wayleave must commence within 90 days of date of issue of the wayleave, failing which the wayleave lapses and re-application is required.

4. COSTS

- 4.1 Reinstatement Cost
- 4.1.1 When the municipality does the permanent reinstatement, the cost involved will be payable by the applicant to the municipality.

4.1.2 In this case the wayleave application form must be accompanied by official order for an amount based on the expected area to be reinstated. The final invoiced amount payable will be determined using the measured area of the final reinstatement as determined by the municipality.

4.1.3 It is important to note that the decision on who does the permanent reinstatement lies with the municipality.

5. EXISTING SERVICES IN THE ROAD RESERVE

5.1 The wayleave holder must obtain information from every service agency supplying a service within the municipal area of the Council on the location of its service. Every service must then be indicated on the drawings to be submitted with the wayleave application form. Every service agency may impose additional conditions relating to work in the vicinity of its service.

5.2 As part of the undertaking/indemnity on the wayleave application form, the applicant has to confirm that the necessary information has been obtained from every service agency and has to undertake to adhere to any additional conditions imposed by any service agency.

6. ROAD CATEGORIES

6.1 All roads are classified into one of the following categories as described below. The category of a road determines the nature of the specification for backfilling and reinstatement.

6.2 The following definitions apply for the road categories:

Function	Category	Road Type	Administration
A (Class 1)	A1	National Roads	SANRAL
	A2	Primary – (inter) provincial	Eastern Cape DOT
	A3	Urban Freeway/Motorway	Municipality
B (Class 2)	B2	Primary – (inter) provincial	Eastern Cape DOT
	B3	Major – (inter) urban arterials	Municipality
C (Class 3)	C2	(Inter) district connectors	Eastern Cape DOT
	C3	Minor (intra) urban arterials	Municipality
D (Class 4)	D2	Intra district connectors	Eastern Cape DOT
	D3	(Intra) district collectors	Municipality
	D4	(Intra) district collectors & industrial roads	Municipality
E (Class 5)	E4	Urban distributors	Municipality
F (Class 6)	F4	Local access roads	Municipality
G (Class 7)	G5	Private roads / Cul-de-Sac	Municipality/Residen

6.3 Every road has been categorized into one of the above by the municipality and this information can be obtained from it.

7. PROTECTED ROADS

- 7.1 Over and above the seven road categories, defined in Section 6 of the Code, certain roads are further classified as protected roads (no-dig roads).
- 7.2 A protected road is a road across which no digging of trenches is permitted. A road is protected if it has been designated a protected road by the municipality. A road is designated as protected when it is of particular strategic importance or if it poses special engineering difficulties. Every arterial is, for example, protected. Any road that has been newly constructed, overlaid or resurfaced will be protected for a period of seven years.
- 7.3 If a road is protected it will be indicated as such on the wayleave.
- 7.4 A protected road may only be crossed using An approved trenchless method. If a trenchless method cannot be used for some reason in a protected road, special permission to excavate must be obtained from the municipality.
- 7.5 For the purpose of planning work done by a service provider, F4 and G5 may be regarded as unprotected unless the road has been newly constructed, overlaid or resurfaced and falls within the seven year protected period: Provided that the first 20m from an intersection with any other class road is considered to be protected.

8. TRAFFIC SIGNS AND BARRICADING

- 8.1 It is the responsibility of the wayleave holder to ensure that any law regarding traffic safety, traffic signs and barricading is complied with.
- 8.2 The wayleave holder must take all necessary measures and provide all necessary facilities to ensure an adequately safe and easy passage for traffic and pedestrians through areas in which work is in progress, or is uncompleted.
- 8.3 Any traffic sign and barricading must be done according to the latest edition of the South African Roads and Traffic Signs Manual (SARTSM), Volume 2, Chapter 13. An extract from that document appears in Appendix B.
- 8.4 A wayleave holder must contact the relevant traffic authority to ensure that all requirements have been met for the particular location where the work us being done.
- 8.5 The importance of adequate traffic signs and barricading must be stressed. These measures are intended to ensure the maximum safety for motorists, pedestrians and workers and also the minimum disruption of vehicles and pedestrians. Work sites must be properly barricaded and signposted irrespective of how long the work will take.

9. ROAD CLOSURES

- 9.1 The granting of a wayleave does not give the wayleave holder the authority to close the road completely to traffic. Methods of construction and programmes of work must be determined on the basis that no road, or portion of road, may be completely closed to traffic for any appreciable period.
- 9.2 In exceptional circumstances permission will be granted for the closure of a road or portion of road to traffic, subject to the provisions of any law. The wayleave holder must

apply to the municipality and traffic department separately for approval of such closure two weeks prior to the road being closed. Such a road closure will be approved for a specific period i.e. from and to a specific time on a specific date and is only valid for this specific period. If the work is not completed in this specific period, an application for a new road closure will have to be made.

- 9.3 Work carried out on any arterial, major collector and CBD road will be restricted to outside the following periods, namely from 6:30 to 09:00 and 15:30 to 18:00, to ensure free flow of traffic during peak hours.

10. EXCAVATIONS

- 10.1 The area which is excavated must always be kept to a minimum. The width of the trench must be uniform in length and in depth, in other words the sides must be parallel and vertical. The top of the trench must be cut with a saw to ensure smooth uniform edges.
- 10.2 The minimum depth that any service may be placed under a road is 800mm measured from the level of the surfacing of the road to the top of the service. The minimum depth at any other place in the road reserve, e.g. on a verge, is also 800mm measured from the lowest level of the surfacing of the road and not from natural ground level. Any service not subject to being laid at a specific grade such as water pipes and cables, should not be placed at a depth in excess of the 800mm as this could interfere with a future service that has to be laid at a specific grade, such as sewers and stormwater pipes.
- 10.3 All excavated material and equipment must be placed and demarcated in such a way as to cause the minimum disruption to vehicles and pedestrians. A safe passage must be kept open for pedestrians at all times.
- 10.4 The wayleave holder will be responsible for any damage to any existing service. Any service, indicated on the drawings or on site by a representative from any service agency, must be opened by careful hand digging. If the service cannot be found, the relevant service agency must be contacted again for further instructions. Under no circumstances may a wayleave holder dig with mechanical equipment before every known service has been found and marked. When found, a service must be marked and protected or supported as required by the owner. If any service needs to be moved, instructions from the owner must be followed carefully. The wayleave holder will be responsible for all movement costs. If any service is damaged during excavations, the relevant service agency must be contacted immediately.
- 10.5 Adequate preventative measures must be taken to ensure that no water (e.g. due to rain) flows into the open trenches since this will result in the weakening of the structural layers of the road. Any water that is present in a trench must be pumped out before backfilling. Water must be pumped into the stormwater system and not into a sewer manhole. Any material that has become wet must be removed from the bottom of the trench before backfilling.
- 10.6 The wayleave holder must prevent any foreign material from entering any drain and ensure that silting does not occur either from pumping operations or as a result of rain.

If any silting or other contamination does occur, the wayleave holder must clean the drain or request the municipality to do it at the cost of the wayleave holder.

- 10.7 All re-usable material such as concrete blocks, slabs, kerbs, gutters, channels and stormwater inlets must be removed with care and re-used if possible.
- 10.8 If any street furniture (e.g. street names, traffic signs, bus shelters, etc) has to be removed, arrangements must be made with the relevant authority for the removal, storage and re-erection thereof.
- 10.9 If an excavation is made through entrances to properties, access must be maintained by using steel plates, planks or other temporary bridges of sufficient strength and properly secured against movement. The occupants of the properties must be kept informed at all times of how their access will be affected.

11. TRENCHLESS METHODS

- 11.1 If the trenchless method is used, disruption of traffic flow and pedestrian movement can be reduced considerably or totally eliminated. However, it is important that the wayleave holder using such method must have all necessary equipment and expertise to complete the work successfully. Trenchless methods can be used for all road categories, but must be used for all roads classified as protected in terms of Section 7.
- 11.2 The position of every existing service must be located accurately. If any service is damaged, the wayleave holder will be responsible for all costs to repair such damage.
- 11.3 The depth to the top of any tunnel that is drilled for the installation of a new service, must be at least 800mm measured from the level of the surfacing of the road.

12. EMERGENCY WORK

- 12.1 Emergency work is defined as any work which is required to prevent or end a dangerous situation, to prevent or end an unplanned interruption in the supply of a service, or to avoid any substantial losses.
- 12.2 The municipality must be informed of emergency work by the service agency concerned in writing within 24 hours from commencing such work. If the municipality is not timeously informed, the work will be reinstated by the roads authority and the cost thereof will be invoiced against the service agency at the increased tariff for work without a wayleave permission.

13. SPECIFICATIONS FOR BACKFILLING AND REINSTATEMENTS

13.1 General

- 13.1.1 Any trench activity disturbs the structural integrity of a road or footway. Backfilling and reinstatement must therefore be done in such a way as to ensure that the reinstated trench and its immediate surroundings do not fail structurally, thus resulting in road user discomfort and increased costs.

- 13.1.2 Backfilling refers to the replacement of the structural layers in the trench or excavation and includes the base, subbase, selected subgrade and subgrade but excludes the surfacing.
- 13.1.3 Reinstatement refers to replacing the bituminous surfacing or paving blocks in the case of roads, or the paving blocks, paving slabs, bituminous surfacing or grass in the case of footways and verges.
- 13.1.4 Backfilling must in every case be done by the wayleave holder in accordance with the applicable specifications in Section 13.2 and 13.3. Permanent reinstatement (100mm asphalt layer), as specified in Section 13.4 and 13.5 must be done by the municipality.
- 13.1.5 If the permanent reinstatement must be done by the municipality, the wayleave holder must do a temporary reinstatement as specified in Section 13.7. The wayleave holder will then be charged for the permanent reinstatement at the applicable rates. A reinstatement order must in such case be submitted together with the completion notice. The temporary reinstatement will be removed by the municipality and the backfilling will then be tested. If this does not comply with the applicable specifications it will be replaced at the cost of the wayleave holder. These costs are to be over and above the normal reinstatement costs.

13.2 Preparation of the Bottom of the Trench and Backfilling around Service

The trench bottom must be prepared and compacted according to the requirements of the service agency concerned, to ensure that the service is not damaged. The same applies to the backfilling around the service. If any service with a diameter of more than 300mm is installed, the subgrade material used for the reinstatement must be soilcrete (in-situ material mixed with 8% cement), placed with poker vibrators up to a level of 300mm above the top of the service.

13.3 Backfilling of Roads

- 13.3.1 The minimum requirements of the municipality are that the structural layers of the backfilled trench, i.e. the base, subbase, selected subgrade and subgrade down to a depth of 800mm below the level of the surfacing of the road, must have at least the same shear strengths as those of the adjacent undisturbed structural layers.
- 13.2.2 It should be noted that it is generally very difficult to obtain the same quality structural layers in the confinement of a narrow trench as that of the undisturbed adjacent structural layers when the same materials are re-used.
- 13.3.2 One of the following methods must therefore be used to ensure adequate shear strengths in trench filling. The wayleave holder may use one of the following three methods for backfilling:

Method A. Re-using excavated material

During excavation of the trenches, the material from the top 400mm of the excavation (or in the case of arterials, collectors and industrial roads the top 550mm) must be stockpiled separately from the rest of the material being excavated. This material must then be improved through chemical

stabilization with cement and used for the base and subbase layers during backfilling, and in the case of arterials, collectors and industrial roads also for the selected subgrade layers.

The requirements for this method is given in Figure 1 following on Section 13.8.7.

If the material is not stockpiled separately during excavation, the municipality will require that material with the required properties be imported. Material which was originally stabilized cannot be re-used and must be discarded.

Method B Importing Material

Import a G5 gravel material and stabilize with 60kg of cement per m³ of material. Water must be uniformly mixed into the material. The material must then be placed in the trench in 75 to 100mm layers and compacted to the required Mod. AASHTO densities as specified in Figure 1 of the Code. The final layer must be finished to a level of 100mm below the level of the surrounding sound surface of the road.

Method C Low strength concrete: Specially designed concrete mix (SDCM) for Trench Backfilling

All road Trenches/Openings: Place 300mm SDCM concrete of minimum 2.5Mpa crushing strength (28 days) and manufactured to an approved manufacturer's specification. The SDCM concrete mix is to be placed 500mm below the level of the surrounding sound surface of the road. The rest of the trench is backfilled with selected approved material compacted to 90% of Mod AASHTO density.

All Footway Trenches/Opening: Place 150mmSDCM concrete of minimum manufacturer's specification. The SDCM concrete mix is to be placed 300mm below the level of the surrounding sound surface of the road. The rest of the trench is backfilled with selected approved material compacted to 90% of MOD AASHTO density.

- 13.3.3 Quality control of the backfilled structural layers can be done by measuring the shear strengths of the adjacent structural layers as well as that of the backfilled layers. The shear strength can be measured with a dynamic cone penetrometer (DCP) or a rapid compaction control device (RCCD). Although the shear strengths of the backfilled layers will be measured against the undisturbed structural layers, an indication of probable acceptance on most roads can be obtained from the typical DCP and RCCD Penetration diagram shown on Figure 2 following on Section 13.8.7.

13.4 Backfilling of Footways

- 13.4.1 Any footway, where there is no possibility of vehicles crossing the footway, must be backfilled using the G5 material, placed in the trench in 150mm layers and compacted to 90% Mod AASHTO density (maximum DCP penetration of 19mm/blow) for all layers

below the base and 93% Mod AASHTO density (maximum DCP penetration of 14mm/blow) for the base.

- 13.4.2 Any footway where there is a possibility of light vehicles (cars and LDV's) crossing the footway, typically where there is mountable kerbing, must be backfilled using Method A or Method B described in Section 13.3.3 according to the standards for local streets specified in Figure 1 following on Section 13.8.7.
- 13.4.3 Where any heavy vehicles make use of a footway, such as loading zones in industrial areas, the footway must be backfilled using Method A or Method B described in Section 13.3.3 according to the standards for arterials, collectors and industrial roads on Figure 1 following on Section 13.8.7.
- 13.4.4 Any excavation in an unconstructed verge must be backfilled in such a way that the verge is in the same condition after backfilling as it was before excavation. All excess material must be removed and not spread over the verge. Topsoil must be removed and stored separately and replaced as the final layer if required.

13.5 Permanent Reinstatement of Roads

- 13.5.1 The same method of reinstatement must be used independent of the method of backfilling of the structural layers.
- 13.5.2 The permanent reinstatement of the surfacing must consist of 100mm hot-mix asphalt. The lower 70mm can be "blackbase" (26.5mm nominal stone size, continuously graded) and the top 30mm fine (4.75mm nominal stone size, continuously graded). Cold mix may only be used only for temporary reinstatement. Both these surfacing layers must be compacted to 95% Marshall density.
- 13.5.3 The reinstated surfacing must be at least 100mm wider than the trench on both sides to accommodated any edge break where saw cutting was not possible.
- 13.5.4 The material used for the reinstatement of the surfacing must comply with the relevant requirements of Section 4200: Asphalt Base and Surfacing of the Committee of Land and Transport Officials (COLTO) or its successor in title, Standard Specification for Road and Bridge Works.
- 13.5.5 In the case of any road surfaced with interlocking paving blocks, the general procedure would be to re-use the material removed during the excavation of the trench. If new material has to be used, it must be of the same type and size as the existing material and must comply with the requirements of SABS 1058-1985, as amended.

13.6 Permanent Reinstatement of Footways

- 13.6.1 Material used must comply with the following requirements.
 - a) Precast concrete kerbs and channels: Any precast concrete kerbs and channel must comply with the requirements of Section 2300: Concrete Kerbing, Concrete Channeling, Open Concrete Chutes and Concrete Linings for Open Drains of the COLTO Standard Specification for Road and Bridge Works. All cast in-situ concrete must be Class 25/19.

- b) Concrete paving blocks: All concrete paving blocks must comply with the requirements of SABS 1058-1985 as amended.
- c) Cast In-situ concrete: All cast in-situ concrete must comply with the relevant requirements of Section 6400: Concrete for Structures of the COLTO Standard Specification for Roads and Bridge Works. All cast in-situ concrete must be Class 25/19.
- d) Precast concrete paving slabs: All concrete paving must comply with the requirements of SABS 541-1971, as amended.

- 13.6.2 Any constructed footway must be reinstated with the same surfacing materials that existed originally (e.g. concrete blocks, slabs, etc.). Material may be re-used if undamaged, or else replaced with similar material.
- 13.6.3 If a private driveway and footway with non-standard materials are to be excavated, the owner of the property concerned must be informed in advance and in writing of the intended work. The owner must then supply the wayleave holder with the materials that are to be used for the reinstatement.
- 13.6.4 If any unconstructed verge has an established lawn, this must be removed, stored and replaced in sods in such a way that the lawn is in the same condition after reinstatement as it was before excavation. If the sods are allowed to dry out or become damaged in any way, they must be replaced.
- 13.6.5 If any unconstructed verge has been planted with garden vegetation other than lawn, the owner of the adjacent property must be consulted before excavation, to obtain instructions on what to do with the plants that are affected. Every effort must be made to preserve all plants.

13.7 Temporary Reinstatements by the Wayleave Holder

If the permanent reinstatement is to be done by the municipality, the wayleave holder must do temporary reinstatement with a suitable material that is compacted to an adequate density to ensure that it will carry the traffic for a period of at least 14 days without deforming or potholing. The temporary reinstatement must be maintained by the wayleave holder in a serviceable condition for a period of 14 days from the date on which the completion certificate has been issued by the municipality. After the 14 days period the maintenance will be taken over by the municipality.

It is recommended that cold mix asphalt be used for temporary reinstatement.

13.8 Performance Specifications

- 13.8.1 The performance of any trench permanently reinstated by the wayleave holder will be monitored for 12 months, during which period the wayleave holder will be held responsible for any remedial work that may be required.
- 13.8.2 The tests that were used for quality control (density or shear strength) will be used to determine whether or not the work was done according to specifications. The

municipality may do additional tests if the quality control tests are not considered to be adequate.

13.8.3 Remedial work will be required if any of the following defects exists:

- a) Depressions;
- b) Humps (crowning);
- c) Edge depression (trips, vertical discontinuities) at the interface; or
- d) Cracking.

13.8.4 Any depression or hump will be measured with a straight edge across the reinstatement and will require remedial work if the following limits are exceeded over 100mm or more of the length of the trench:

Reinstatement Width (mm)	Height of Deformation or Hump as measured with straight edge (mm)
Up to 400	4
400 to 500	4
500 to 600	6
600 to 700	6
700 to 800	8
800 to 900	8
Over 900	8

13.8.5 Remedial work will also be required if a depression results in standing water wider than 500mm or exceeding one square metre, one hour after rain has stopped.

13.8.6 Any edge depression exceeding 10mm over 100mm or more of the length of the trench will require remedial work.

13.8.7 Any open crack wider than 3mm and longer than 100mm will require remedial work.

Layer	Treatment		Layer Thickness (mm)	Depth (mm)
Surfacing	Temporary Surfacing Material from to 400 (550)mm 4% OPC (Ordinary Portland Cement) 98% Mod AASHTO	Permanent Surfacing 30mm Bitumen hot-mix fine 70mm Bitumen hot-mix: BTB	100	
				100
Base	G2 Base Course Stabilize with 4% OPC Compact with 98% Mod AASHTO		150	
				250
Subbase	G5 or similar Stabilize with 4% OPC Compact to 95% Mod AASHTO		150	
				400

Layer	Treatment	Layer Thickness (mm)	Depth (mm)
Subgrade	<u>Arterials, Collectors and Industrial Streets:</u> Local Street Material from top 550mm stockpile Stabilize with 4% OPC Compact to 93% Mod AASHTO	150	
			800

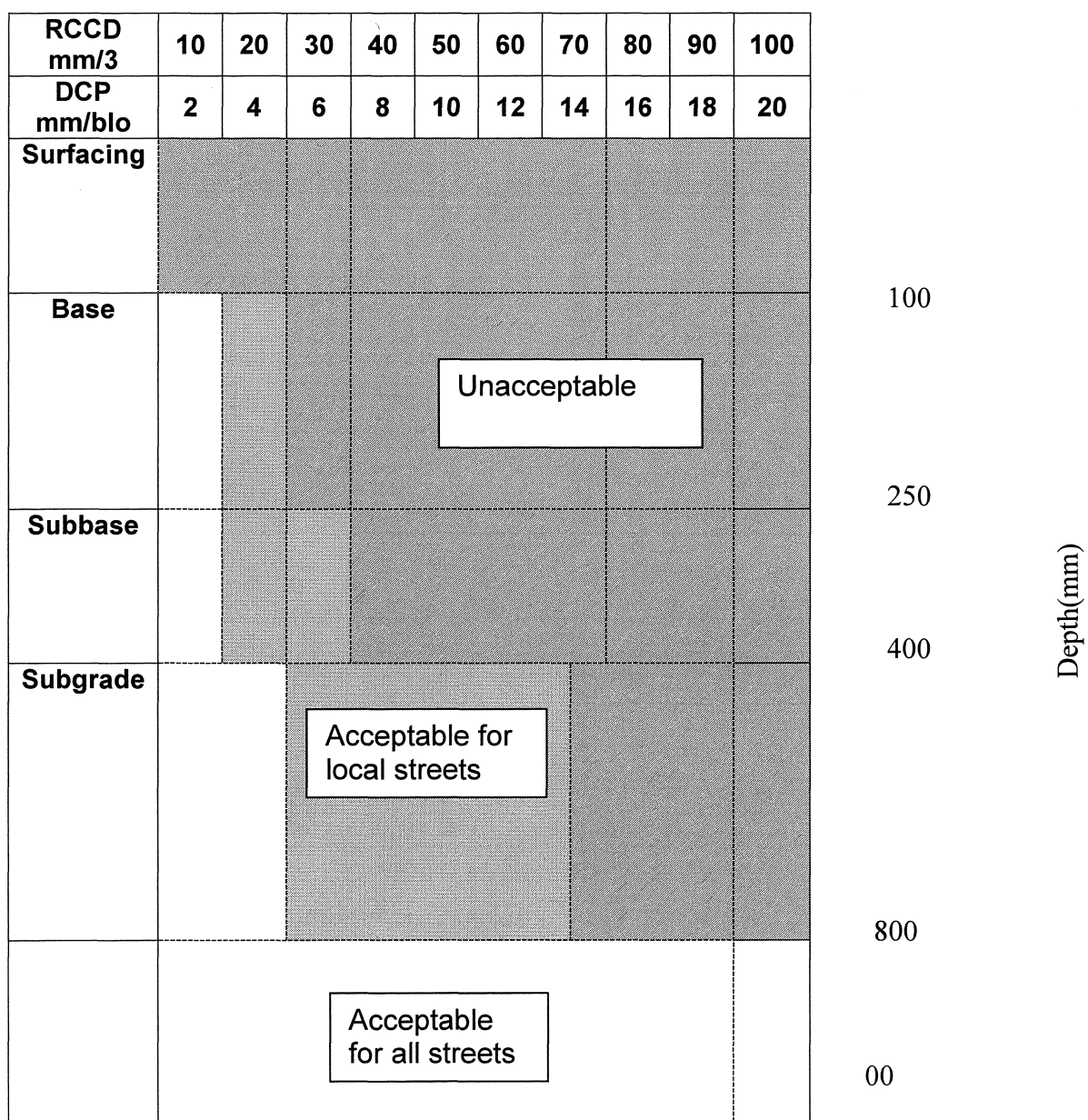
MAXIMUM PENETRATION

Figure 2
Typical DCP and RCCD Penetration Diagram

14. COMPLETION NOTICE AND CERTIFICATE OF COMPLETION

- 14.1 On completion of the work concerned the wayleave holder must fill in a completion notice and return it to the municipality within 24 hours (see Appendix A for an example and a completion notice). The municipality will then arrange a site meeting with the wayleave holder to do an inspection and to issue a certificate of completion if all requirements have been met. The 12-month period of permanent reinstatement by the wayleave holder, or the 14 day maintenance period for temporary reinstatement by the wayleave holder, commences on the day after the date of issue of the certificate of completion.
- 14.2 Completion of the work means that all work has been completed and that all material, equipment and rubble have been removed and the site is completely cleared and cleaned and that either the permanent or temporary reinstatement, as applicable, has been done by the wayleave holder.
- 14.3 If work involves more than one street link (street block), a completion notice must be submitted after completion of each link.

CAMDEBOO MUNICIPALITY**PROCEDURE FOR WAYLEAVE APPLICATION**

STEP 1:	BY APPLICANT
----------------	---------------------

Obtain detailed information from all relevant service agencies with regard to all services adjacent to where the work is to be carried out. Provide them with a drawing at minimum scale 1:500, with NORTH POINT, BLOCK PLAN WITH STAND NUMBERS, STREET NAMES AND HOUSE NUMBERS (where possible). All service information must be obtained before applicant applies for wayleave.

Please Note:

If information of the position, or levels or the services are required, exposing and backfilling these services must be undertaken by hand. Give the relevant service agency two weeks prior notice to obtain this information.

STEP 2:	BY APPLICANT
----------------	---------------------

Prepare a drawing of the proposed work showing the following details:

1. PROPOSED WORK
2. DEPTH OF PROPOSED SERVICE BELOW ROAD LEVEL
3. DISTANCE OF PROPOSED SERVICE FROM BOUNDARY
4. POSITION OF ALL STRUCTURES INCLUDING UNDERGROUND STRUCTURES
5. EXTENT OF UNDERGROUND STRUCTURES
6. LOCATION OF ALL OTHER SERVICES
(If there is no service from a particular service agency for that area, written confirmation to that effect from that agency is required)

STEP 3:	BY APPLICANT
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The signed copies of the drawings and the signed application form must be handed over to the Roads, for final approval.

STEP 4:	BY APPLICANT
----------------	---------------------

The Roads office will check whether all requirements have been met.

The Roads office will register the application. When it has been registered a wayleave number will be allocated and the wayleaves will be issued. The applicant must take note of all the special condition (see Annexure A in the Code).

The Roads Branch office will forward the details of the approved wayleave to the relevant District Engineer in whose area the excavation will take place and he will monitor the site and make sure that the correct standards and the Code is adhered to during the excavation.

STEP 5:	BY WAYLEAVE OFFICE
----------------	---------------------------

On completion of the work the applicant must contact the Manager Technical Services who will arrange a site meeting to sign off the completed work.

Thereafter a certificate of completion will be issued once all requirements have been met. The 12 month guarantee period of permanent reinstatements by the wayleave holder commences on the day after the date of issue of the certificate of completion.

Name: _____
Contact No. _____
Cell. No. _____
Fax.No. _____

CAMDEBOO MUNICIPALITY**WAYLEAVE APPLICATION FORM**

Application is hereby made by the undersigned to do work in the road reserve as detailed below. The applicant undertakes to do the work according to the latest edition of the CODE OF PRACTICE FOR WORK IN THE ROAD RESERVE.

No work may commence before a wayleave is issued in respect thereof. All permanent reinstatements (100mm asphalt layer) will be done by the municipality unless specific permission is granted to the applicant to do it for this wayleave. All applicable fees are to accompany this application.

APPLICANT

AGENCY/DEPARTMENT/PRIVATE: _____
CONTACT PERSON: _____ CONTACT TEL. _____
CONTRACT FAX. _____ E-mail: _____
PROJECT NO. _____ ORDER NO. _____

PROVISIONAL DATES

STARTING DATE: _____ COMPLETION DATE: _____

DRAWING NUMBER: _____

LOCATION OF WORK (give full details)

SUBURB	:	_____	STREET NAME:	_____
STREET (FROM)	:	_____	STREET (TO):	_____
ERF NO'S	:	_____		
HOUSE NO'S	:	_____		

EXCAVATION DETAILS:

LENGTH OF EXCAVATION: RIDING SURFACE _____m²: KERBS _____m²

ASPH FOOTWAY: _____m² INTERNAL BLOCK _____m²

UNPAVED FOOTWAY _____m²

SPECIAL NOTE

For the purpose of planning work done by service providers, local streets may be regarded as unprotected unless it has been newly surfaced and provided that the first 20m from an intersection with any other class road are considered to be protected.

THE FOLLOWING AGENCIES ARE AWARE THAT THE APPLICANT WILL BE WORKING WITHIN THE VICINITY OF THEIR SERVICES, HAVE GIVEN THE APPLICANT THEIR CONDITIONS FOR WORKING WITHIN THE VICINITY OF THEIR SERVICES AND THEREFORE HAVE NO OBJECTION TO APPLICANT APPLYING FOR A WAYLEAVE.

AGENCY	REMARKS/SIGNATURE/DATE
ELECTRICITY	
WATER	
WASTEWATER	
TELKOM	
OTHER	

Municipality OFFICE USE:

DATE RECEIVED

NAME OF OFFICIAL

SIGNATURE

APPROVED:

YES	NO	WAYLEAVE NO.	
-----	----	--------------	--

UNDERTAKING INDEMNITY

CAMDEBOO MUNICIPALITY

UNDERTAKING / INDEMNITY

I, the undersigned hereby,

- Acknowledge the receipt of a brochure containing the procedures and conditions pertaining to wayleave application and understand that it will be my responsibility to contact the relevant service agencies within and outside the area of jurisdiction of Camdeboo Municipality, undertake to adhere to the conditions not applicable to this Department, e.g. TELKOM, ESKOM.
- Undertake to furnish the relevant service agencies with all necessary application forms and information obtained as a result of this application, in order to obtain final wayleave approval and permission to work within the road reserve,
 - Acknowledge that service information is given in good faith and that the accuracy of this information is not guaranteed.
 - Guarantee all backfilling and permanent reinstatement work done by Contractor, for a period of 12 months that will start 14 days after the work is signed off as completed by the Manager Technical Services.
 - Accepts responsibility for all costs associated with the work, including any damage to other services, backfilling and reinstatements of trenches, the cost of any tests

that may be required and any claims that may result from the work done by the Contractor until the work is taken over by the municipality the permanent reinstatement is completed.

- Accept the terms and conditions of the aforesaid Code of Practice for Work in the Road Reserve.

Signature (Applicant)

Date

Signature (Manager Technical Services)

CAMDEBOO MUNICIPALITY
ANNEXURE A

SUMMARY CONDITIONS FOR WORK IN THE ROAD RESERVE

This page is intended to provide a summary of conditions and specifications. Please refer to Camdeboo Municipality's Code of Practice for Work in the Road Reserve for more detail.

Before any work is done in the road reserve, a wayleave must be issued by the Municipality. This will only be done after a completed wayleave application form has been received by the Roads Branch. Before submitting the form, approval must be obtained from all other agencies indicated on the form

In the case of emergency work, (i.e. burst pipes) a wayleave application form must be submitted within 24 hours and the municipality maintenance depot must be informed.

All work must be done according to the aforementioned Code of Practice. Only work indicated on the wayleave form must be done and only during the period indicated, unless approval has been obtained from the Roads Branch to change the dates.

The wayleave holder is responsible for all costs, including any damage to another service, backfilling, reinstatement, tests and any claim that may result. The wayleave holder is also responsible for traffic signs, barricading and the safety of motorists, pedestrian and workers.

If any trees or road furniture are affected by the proposed work, then the relevant office must be contacted.

Any underground service must not have less than 800mm cover and all manhole or valve covers must be finished flush with the surface of the road or the verge.

Backfilling and reinstatement: Backfilling must be done according to the specifications given in the aforesaid Code of Practice. The minimum requirement is that the backfilled layers must have at least the same shear strengths as those of the adjacent undisturbed pavement layers. The tests done with a DCP or a RCCD will either be done by the municipality or a copy of the results handed into the issuing wayleave office. The reinstatement (100mm asphalt layer) of the surface will be done by the municipality.

The wayleave holder is responsible for obtaining the required strengths, but the following is recommended as a method that should be adequate in most cases.

The reinstatement of the surfacing must consist of 100mm hot-mix asphalt. The lower 70mm can be "blackbase" (26,5 mm nominal size, continuously graded) and the top 30mm fine (4,75mm nominal stone size, continuously graded hot mix). Cold mix may only be used for temporary backfills (Emergency backfill).

If desired the wayleave holder may place foamed concrete of a minimum 4 MPa crushed strength and manufactured to an approved manufacture's specification. The foamed concrete is to be placed to level 100mm below the surrounding surface level. As soon as the foamed concrete has set sufficiently, a 70mm layer of asphalt basecourse material must be placed on top followed by a 30mm layer of continuously graded asphalt wearing course material.

The top 100mm of a trench must be backfilled by the wayleave holder, compacted and maintained in a serviceable condition for a period of 14 days commencing on the day after the date of issue of the certificate of completion.

Constructed footways must be reinstated with the original surfacing materials and the supporting layers compacted to obtain shear strengths at least equal to those of the adjacent undisturbed footway.

Unconstructed verges must be backfilled in such a way that the verge is in the same condition as it was before excavation.

After completion of any work in the road reserve, the site must be cleared and cleaned and all excess material, tools and equipment must be removed within 24 hours.

The wayleave form, or a copy thereof, must be returned to the Roads Branch within 24 hours after completion of the work with the completion notice and signed by all parties and must be accompanied by the DCP or RCCD tests results.

Any excavation left unattended for a period of more than 5 days, will be made safe by the municipality and charged to the service agency or contractor, who made the excavation.

CAMDEBOO MUNICIPALITY**CERTIFICATE OF INSPECTION AND COMPLETION**

Wayleave No. : _____

The Manager Technical Services must sign this form. The signature is just for administrative control and by no means implies that the work has been done according to the specifications and conditions of the wayleave. The onus and responsibility of ensuring that the service has been correctly installed, is that of the applicant.

Description of wayleave

Date:

Street on _____

Street from _____

Street to _____

Suburb _____

Responsible person (for the erection/installation of the service)

Name: _____

Company: _____

Telephone No.: (____) _____

COMPLETION NOTICE

The Roads Branch is hereby informed that:

- The work is done in terms of the above wayleave has been completed according to the conditions as prescribed in the wayleave.

AND

- A temporary reinstatement has been done.

Name (Wayleave Holder) _____

Signed _____

Date _____

CERTIFICATE OF COMPLETION

It is hereby certified that the site of the work carried out in terms of the above wayleave was inspected on the above date and that:

- The work has been completed; and
- The site has been cleared and cleaned; and
- The 12 month defects liability period commences from date.

OR

The wayleave holder did a temporary reinstatement and the 14 day maintenance period commences from the day after the date of issue of the certificate of completion. A reinstatement order was received from the wayleave holder.

SITE INSPECTIONS

REMARKS:

REINSTATEMENT ORDER NO: _____

The municipality wayleaves inspector was present when the DCP tests were done (see site inspection remarks).

Name: _____
MANAGER TECHNICAL SERVICES

Signed: _____

Date: _____

APPENDIX B**ROADWORKS SIGNING FOR URBAN STREETS**

(Extract from the South African Road and Traffic Signs Manual (SARTSM), Volume 2, Chapter 13)

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Sidewalk deviation	13.10.4
Localized work site – good visibility	13.10.6
Lane closed beyond a junction	13.10.8
Work within a junction	13.10.10
Work in a one-way street	13.10.12
Road closure – CBD	13.10.14
Road closure – dual carriageway street	13.10.16
Road closure – detour	13.10.18

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