

- 20.1.1 enter the disposal site at an authorised access point indicated as such;
 - 20.1.2 present the refuse for weighing in the manner required by the Council's official having authority at such site;
 - 20.1.3 give to such official all the particulars required in regard to the composition of the refuse;
 - 20.1.4 follow all instructions given to him in regard to access to the actual disposal point, the place where and the manner in which the refuse should be deposited; and
 - 20.1.5 provide the said official with full information as to the person who is liable to pay the tariff charge for the refuse deposited to enable an account to be rendered to him;
- provided that the provisions of sections 20.1.2, 20.1.3 and 20.1.5 above shall not apply to a person who, in terms of section 9.33, has entered a specially designated garden refuse disposal site for the purpose of disposing of garden refuse.
- 20.2 No person shall bring any intoxicating liquor onto a disposal site controlled by the Council.
 - 20.3 No person shall enter a disposal site controlled by the Council for any purpose other than the disposal of refuse in terms of these bylaws and then only at such times and between such hours as the Council may from time to time determine.
 - 20.4 No person shall cause or allow a vehicle in his charge to remain at a disposal site for longer than is necessary for the discharge of refuse and if for any reason a vehicle becomes incapable of leaving the site under its own power the person having charge of that vehicle shall take immediate steps to prevent any obstruction on the site by the vehicle and to remove it from the site, failing which the Council's official having authority at the site may take such steps or cause them to be taken at the cost of the owner of the vehicle and neither the Council nor any employee of the Council shall incur liability to the owner for any loss or damage which may be suffered by him as a result of such action.

21. Ownership Of Refuse

All refuse removed by the Council and all refuse on disposal sites controlled by the Council shall be the property of the Council and no person who is not duly authorised by the Council to do so shall remove or interfere therewith.

22. Offences And Penalties

- 22.1 Any person who —
 - 22.1.1 contravenes any provision of these bylaws; or
 - 22.1.2 contravenes any conditions imposed upon the granting of any application, consent, approval, concession, relaxation, permit or authority in terms of these bylaws; or
 - 22.1.3 fails to comply with the terms of any notice served upon him in terms of these bylaws;
 shall be guilty of an offence and liable, upon conviction, to the maximum penalty as prescribed in these bylaws.
- 22.2 Failure to comply with the terms of any condition or notice referred to in section 22.1.1, 20.1.2 or 20.1.3 above shall constitute a continuing offence and a person failing to comply with the terms of such condition or notice shall be guilty of a separate offence for each day during which he fails to comply with such terms.

23. Fines And Penalties

- 23.1 The fines and penalties applicable to offences in terms of these bylaws are —
 - 23.1.1 upon conviction of a first offence, the guilty party shall be liable to a fine not exceeding R5000, 00, as adjusted from time to time in terms of the Adjustment of Fines Act 1991, (Act No. 101 of 1991), or in default of payment, to imprisonment for a period not exceeding one month;
 - 23.1.2 in the case of a continuing offence, the guilty party shall be liable to a further fine not exceeding R500, 00 as adjusted from time to time in terms of the Adjustment of Fines Act 1991, (Act No. 101 of 1991);
 - 23.1.3 upon conviction of a second or subsequent offence, the guilty party shall be liable to a fine not exceeding R10000,00 as adjusted from time to time in terms of the Adjustment of Fines Act 1991, (Act No. 101 of 1991) or in default of payment to imprisonment for a period not exceeding 3 months.
- 23.2 A Court convicting a person of an offence in terms of these bylaws may impose an alternative sentence in lieu of a fine or imprisonment.

CHAPTER 10: ROAD TRAFFIC BYLAWS

1. Definitions

- 1.1 For the purpose of this chapter, unless the context otherwise indicates:
 - 1.1.1 "The Act" means the National Road Traffic Act 1996, as amended from time to time;
 - 1.1.2 "The Regulations" means any regulations promulgated under the Act.
- 1.2 The words and phrases defined in the Act and the Regulations shall, when used in these Bylaws, bear the same meanings, unless inconsistent with the context.

2. Use Of Roads Demarcated Into Traffic Lanes

- 2.1 When any roadway has been demarcated into traffic lanes, a driver of a vehicle shall drive so as to be entirely within a single traffic lane and shall not cause or permit his vehicle to encroach over any lane line demarcating such traffic lane, except when moving from one lane into or across another.
- 2.2 All vehicles proceeding along any public road demarcated into traffic lanes at less than the normal speed of traffic at the time and place and under the conditions then existing, all animal-drawn vehicles, bicycles and all heavy motor vehicles shall be driven in the left-hand traffic lane then available for traffic or as close as practicable to the left edge of the roadway, except when overtaking another vehicle proceeding in the same direction or when making a right-hand turn.

3. Vehicles Not To Be Driven On Sidewalks

No person shall drive, draw or propel any vehicle (other than a perambulator, invalid's chair or the like) upon any footpath or sidewalk designed for use by pedestrians, except when it is necessary to do so to cross (by the shortest route) any such sidewalk or footpath for the purpose of entering or leaving any property abutting thereon.

4. Roller Skating And Use Of Soap Box Carts

No person shall use rollerskates, skateboard, soapbox cart or any similar article to which rollers or wheels are fixed or cause or permit them to be used upon a public road or sidewalk provided however that the Council in its discretion authorise the use of such in connection with organised events.

5. Control Of Parking Places

Whenever the public or any number of persons are entitled or allowed to use, as a parking place, any area of land, including land which is not part of a public road or a public place, law enforcement officers shall, in cases of emergency or when it is desirable in the public interest, have authority to direct and regulate traffic thereon, and no person shall disregard the instructions of any law enforcement officer while so engaged.

6. Repair Of Motor Vehicles On Public Roads Prohibited

No person shall repair any motor vehicle in any public street or place within the Municipality; provided that this Bylaw shall not prohibit the carrying out of minor repairs necessitated by a temporary or sudden stoppage of such vehicle for the purpose of setting such vehicle in motion.

7. Excessive Noise

No person shall operate a motor vehicle upon a public road in such a manner as to cause any excess noise that can be avoided by the exercise of reasonable care on his part.

8. Parking Restrictions

8.1 No person operating or in charge of a vehicle on a public road shall —

8.1.1 allow such vehicle to remain stationary in a loading zone between the hours of 07:00 and 17:00 Mondays to Fridays and 07:00 to 12:00 Saturdays except where any such day is a Public Holiday or during such other restricted hours as may be specified in respect of any particular loading zone by a road traffic sign or marking.

8.1.1.1 in the case of a vehicle other than a goods vehicle, for more than five minutes continuously and only while actually loading or off-loading persons or goods and while a licensed driver is in attendance at such vehicle; or

8.1.1.2 in the case of a goods vehicle for more than thirty minutes continuously and only while the vehicle is being actually loaded or unloaded;

8.1.2 and no person shall keep any vehicle stationary in a loading zone for any other purpose. The driver of a vehicle, other than a goods vehicle, stationary in a loading zone shall remove such vehicle therefrom immediately upon being directed to do so by a law enforcement officer, notwithstanding that it has not been stationary therein for longer than the maximum period allowed in respect of a vehicle of that class.

8.1.2.1 in the case of a vehicle other than a bus, allow such vehicle to remain stationary in a bus stop between the hours of 06h00 and 18h00.

8.1.2.2 park such vehicle in any public road within the Municipality for a period beyond that indicated on any road traffic sign duly erected in terms of the Act or regulations as the case may be.

8.2 No driver or other person in charge of any vehicle which has been parked in a parking area defined as such by road traffic signs shall move such vehicle from the position in which it was parked and again park that vehicle within a distance of 22,9 metres of the place where it was so parked until an interval of thirty minutes shall have elapsed after so moving such vehicle..

8.3 No heavy motor vehicle designed, adopted or used for the conveyance of goods shall, without the written permission of the Chief Traffic Officer, be parked by any person between the hours of 7:00 p.m. and 5:00 a.m. anywhere in the Municipality, except on private land or on those portions of the following public roads on which there have not been displayed road traffic signs regulating such parking.

8.4 No person shall park a vehicle upon a traffic island, unless directed to do so by a Law enforcement officer.

8.5 No dealer shall park or allow to be parked in any public road within the Municipality, any vehicle which has been placed in his custody or under his control or which is in his possession for the purpose of sale, exchange or garaging, in the course of any dealers' business carried on by him unless at the time such vehicle is being used for demonstration or testing purposes or is in the course of being delivered to the owner or purchaser thereof.

8.6 No person responsible for the control of a business of recovering or repairing vehicles shall park, cause or permit to be parked, in any public road or place within the Municipality any vehicle that is in an obvious state of disrepair which has been placed in his charge in the course of the said business.

9. Exemption Of Medical Practitioners and Certain Nurses From Parking Restrictions

9.1 A registered medical practitioner or nurse, shall be exempt from the provisions of any law relating to parking in force in the Umdoni Municipal area when using, on bona fide professional domiciliary visits, a motor vehicle on which is displayed a badge conforming with the requirements of section 9.2 hereof issued on the authority of the Chief Traffic Officer

9.2 The badge shall be a windscreen sticker badge of a design approved by the Chief Traffic Officer displaying on the face thereof, a serial number, and the name of the person to whom it is issued.

9.3 The badge shall be displayed on the lower nearside corner of the windscreen and shall have a pocket in which is inserted a white card showing the address at which the holder of the badge is actually making a professional domiciliary visit at the time the motor vehicle to which it is affixed is parked. The address shown on the card must be easily legible from outside the vehicle.

9.4 Written application for the issue of a badge shall be made in a form approved by the Chief Traffic Officer..

9.5 The Chief Traffic Officer shall keep a register in which he shall record the serial number allocated by him of the badge the issue of which has been authorised by him and the name of the holder.

9.6 No duplicate badge shall be issued without the prior consent of the Chief Traffic Officer.

9.7 Where the Chief Traffic Officer has reason to believe that any holder is abusing the privileges conferred by a badge he shall notify the issuing body which shall thereupon withdraw the badge from the holder and the privileges conveyed by the badge shall thereupon cease.

10. Prohibitions And Restrictions On Use Of Certain Roads By All Or Certain Classes Of Vehicles

10.1 Except with the written permission of the Chief Traffic Officer, no person shall operate any animal drawn vehicle on any public road within the Municipality.

10.2 In granting any permission in terms of (a) hereof, the Chief Traffic Officer may impose any restrictions or conditions that he may deem necessary in the interest of traffic.

11. Pedestrian Crossings

11.1 Where marked pedestrian crossings are in existence within an intersection, no pedestrian shall cross or attempt to cross such intersection except within any such marked pedestrian crossing.

11.2 Wherever a robot (or traffic control light signal) embodying pedestrian signals is in operation at an intersection, no pedestrian shall commence to cross the roadway in any pedestrian crossing at such intersection while the red light of a pedestrian signal is displayed in the direc-

tion opposite to that in which he is proceeding; provided that where no pedestrian signals are in operation at an intersection, but such intersection is controlled by a robot (or traffic control light signal), no pedestrian shall commence to cross the roadway in any pedestrian crossing at such intersection while the red light of such robot, or traffic control light signal is displayed in the direction opposite to that in which he is proceeding.

- 11.3 Wherever a robot (or traffic control light signal) embodying pedestrian signals is in operation at a pedestrian crossing elsewhere than at an intersection, no pedestrian shall commence to cross the roadway in such pedestrian crossing when the red light of a pedestrian signal is displayed in the direction opposite to that in which he is proceeding.
- 11.4 A pedestrian crossing the roadway within a demarcated pedestrian crossing, whether at an intersection or otherwise, shall walk on the left of such pedestrian crossing.
- 11.5 No person or persons shall sit or lie on any sidewalk, footpath or public road, neither shall any persons stand, congregate or walk so as to obstruct the movement of traffic or to the annoyance or inconvenience of the public after being requested by a law enforcement officer to move on or disperse.
- 11.6 No pedestrians, when in or upon a public road, shall carelessly, negligently or recklessly disregard or endanger his own safety or the safety of any person or vehicle using the public road.

12. Motor Vehicle Attendants

- 12.1 No person shall act as motor vehicle attendant within the Municipality, except under authority of a written permit granted by the Chief Traffic Officer, which permit the Chief Traffic Officer may grant, subject to such conditions as he may determine, or refuse.
- 12.2 Every permit granted in terms of section 12.1 shall, unless cancelled or suspended in terms of subsection 12.6, be valid until the 31st December of the year of issue.
- 12.3 No person authorised in terms of this Bylaw to act as a motor vehicle attendant shall charge an amount more than that determined by the Council from time to time for his services in connection with any one motor vehicle.
- 12.4 Every motor vehicle attendant shall, upon demand by a law enforcement officer or a member of the public who engages or proposes to engage his services, produce the permit issued to him in terms of subsection 12.1.
- 12.5 A permit granted in terms of subsection 12.1 hereof may be revoked or suspended by the Chief Traffic Officer if the holder thereof —
 - 12.5.1 commits a breach of this Bylaw or of any condition subject to which the permit was granted;
 - 12.5.2 leaves unattended any motor vehicle left in his care;
 - 12.5.2.1 while performing his duties as a motor vehicle attendant, is or becomes intoxicated;
 - 12.5.2.2 directs the driver of any motor vehicle into an area in which the parking or stopping of vehicles is prohibited;
 - 12.5.3 fails to observe or carry out the lawful instructions of any law enforcement officer.
- 12.6 With the exception of a person holding a permit issued in terms of section 12.1 hereof who has been authorised by the Chief Traffic Officer in writing specifically or generally to do so, or who is acting on the authority or under the control a law enforcement officer, no person shall —
 - 12.6.1 on more than one occasion within any period of 30 minutes direct or offer to direct the driver of any motor vehicle into any area on a public street or public place; or
 - 12.6.2 in a public street or public place make an offer to provide care for or supervision of a motor vehicle whilst it is parked in such street or place.
- 12.7 No person shall in a public street or public place —
 - 12.7.1 clean or wash any motor vehicle; or
 - 12.7.2 offer to clean or to wash any motor vehicle.
- 12.8 No person shall in a public street or public place inform or threaten the driver or person in charge of a motor vehicle that such vehicle will or may suffer damage or be stolen unless it is left in his care or under his supervision.
- 12.9 If on a charge of contravening any of the provisions of this section the accused person avers that the driver or person in charge of a motor vehicle made a request of him concerning the motor vehicle, the onus of proof in respect thereof shall rest upon the accused person.

13. Penalties

Any person who contravenes any of the provisions of these Bylaws shall be guilty of an offence and shall be liable on conviction to a fine not exceeding R200 in the case of a first conviction, or in the case of a second or subsequent conviction, for the same offence, a fine not exceeding R400, or in default of payment of any fine imposed in either case, imprisonment for any period not exceeding three months.

CHAPTER 11: SEASHORE AND PUBLIC AMENITIES BYLAWS

1. Applicability Of By Laws

These bylaws shall apply, save where the context otherwise requires, to the sea-shore and the sea along the whole of the coast of the Umdoni Municipality; to any beach area as defined; to any Admiralty Reserve and to any bathing pool constructed on the sea- and all public amenities within these areas.

2. Offences Relating, Nuisances, And Offensive Behaviour

- 2.1 Any person shall be guilty of an offence who —
 - 2.1.1 deposits or discharges upon the sea-shore, beach area or in the sea or in any bathing pool, any offal, rubbish or anything liable to be a nuisance or a danger to public safety or public health; or
 - 2.1.2 whilst suffering from any infectious or contagious disease enters or remains on the sea-shore or in the sea or in any bathing pool; or
 - 2.1.3 whilst upon or in the sea-shore, beach area or in the sea or in any bathing pool —
 - 2.1.3.1 uses any obscene, offensive or indecent language; or
 - 2.1.3.2 behaves in an offensive, improper or disorderly manner; or
 - 2.1.3.3 wilfully or negligently does any act which causes discomfort to other users of the sea-shore or the sea or any bathing pool, or is likely to cause a breach of the peace.
- 2.2 No person shall in or at a public amenity —
 - 2.2.1 dump, drop or place any refuse, rubble, material or any object or permit it to be done, except in a container provided for that purpose in or at the amenity;