

**AGENDA of the  
Portfolio Committee : Protection Services, Economic Development & Tourism  
20 November 2018  
(Also the agenda for the Mayoral Committee Meeting : 28 November 2018)**

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**2.  
AMENDMENTS TO SECTION 1 AND SECTION 7 OF THE OVERSTRAND  
MUNICIPALITY PARKING MANAGEMENT BY-LAW 2015**

17/3/2/1

L Wallace

(028) 313 5031

Hermanus Administration

5 November 2018

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**1. Executive Summary**

In order to cater for changing circumstances and in an attempt to refine the Parking Management By-law with regard to “**disabled parking**”; “**disabled person**”; “**handheld device**” and “**Pay and Display parking spaces**” it was decided to propose amendments to the By-law.

**2. Service Delivery and Budget Implementation Plan - IGNITE**

Directorate: Protection Services

**3. Compliance with Strategic Priority**

Provision of democratic, accountable and ethical governance

**4. Delegated Authority**

None

**5. Legal Requirements**

The Constitution of the Republic of South Africa 1996;  
The National Road Traffic Act 93 of 1996;  
Local Government: Municipal Systems Act No.32 of 2000  
The Overstrand Municipality Parking Management By-law 2014.

**6. Background/Discussion/Evaluation/Conclusion**

**Background**

The amendments indicated in the annexure were proposed as the provisions as per the current By-law were considered inadequate in definition and meaning which may result in said provisions being successfully challenged in the Municipal Additional Court.

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**Discussion**

Legal Services, including the Prosecutor of the Municipal Additional Court, in conjunction with the Director: Protection Services as well as Chief Traffic Officer, recommend the amendment of the following sections of the By-law –

Section 1 of the By-law by defining “disabled parking”, “disabled person”, and “handheld device”;

Section 7 by deleting the existing provision, and inserting a new section 7.

**7. Financial Implications**

None

**8. Staff Implications**

None

**9. Comments from other Departments, Divisions and Administrations**

None

**10. Annexures**

Annexure A: Amendments of the Overstrand Municipality Parking Management By-law 2015

Annexure B: Notice nr. 80/2018 – Published in the Local newspapers on 20 September 2018 (Hermanus Times, Gansbaai Courant and Overstrand Herald)

**RECOMMENDATION TO THE COUNCIL:**

that, in terms of section 11(3)(e) and (m) of the Local Government: Municipal Systems Act No 32 of 2000, the Amendments to the Parking Management By-law 2015, as provided for in Annexure A to the report which served before the Portfolio Committee for Protection Services on 20 November 2018 and the Executive Mayor on 28 November 2018, **be adopted.**

**RESPONSIBLE OFFICIAL :**

**N MICHAELS**

**TARGET DATE FOR IMPLEMENTATION :**

**DATE OF PROMULGATION IN  
GOVERNMENT GAZETTE**

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**2.  
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17/3/2/1

L Wallace  
5 November 2018

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**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON  
20 NOVEMBER 2018, WHICH COMMITTEE RECOMMENDED AS FOLLOWS:**

**RECOMMENDATION TO THE COUNCIL:**

that, in terms of section 11(3)(e) and (m) of the Local Government: Municipal Systems Act No 32 of 2000, the Amendments to the Parking Management By-law 2015, as provided for in Annexure A to the report which served before the Portfolio Committee for Protection Services on 20 November 2018 and the Executive Mayor on 28 November 2018, **be adopted**.

**RESPONSIBLE OFFICIAL :**

**N MICHAELS**

**TARGET DATE FOR IMPLEMENTATION :**

**DATE OF PROMULGATION IN  
GOVERNMENT GAZETTE**

**OVERSTRAND MUNICIPALITY: AMENDMENT OF OVERSTRAND MUNICIPALITY PARKING MANAGEMENT BY-LAW, 2015.**

**GENERAL EXPLANATORY NOTE:**

[ ] Words in bold type in square brackets indicate omissions from the existing enactments

\_\_\_\_\_ Words underlined with solid line indicate insertions in existing enactments.

To amend the provisions in the Overstrand Municipality Parking Management by-Law.

BE IT ENACTED by the Council of the Overstrand Municipality, as follows:

**Amendment of Section 1 of the Overstrand Municipality Parking Management By -Law**

**Arrangements**

1. Section 1 of the Overstrand Municipality Parking Management By-Law is hereby amended

by inserting the following definitions:

"Disabled parking" means a special parking bay for vehicles, which includes wheelchairs and quadrucycles, in a public road or public area as demarcated and/or indicated by an appropriate road sign and/or surface marking that is reserved for vehicles carrying or transporting a disabled person or persons".

"disabled person" means a person whose mobility has been significantly impaired and / or who lacks one or more physical powers such as the ability to walk or to coordinate his/her movements, be it congenital or as a result of the effects of a disease, accident, age, infirmity, blindness, or a mental impairment, and includes a person whom uses an orthopaedic walking aid, a walking stick for the elderly, an assistive cane, a crutch or crutches, a wheelchair or a quadrucycle".

"Handheld device" means a portable electronic manually operated device used by a parking marshal for purposes of registering the date, time, vehicle registration number and payment of a prescribed parking tariff by the owner or driver of a motor vehicle for parking at designated pav and display motor vehicle parking spaces"

2. Section 7 of the Overstrand Municipality Parking Management By-law is hereby amended by deleting the existing section 7 in its entirety and inserting a new section 7:

**7. Pay and Display parking spaces**

(1) No person may park or permit any motor vehicle to be parked or remain parked in a pay and display parking space unless:

- (a) The owner or driver of the motor vehicle pays the prescribed parking tariff to, and receives a receipt from the parking marshal operating a handheld device; and,
- (b) The owner or driver displays the receipt on the inside of the driver's side of the front wind screen of the motor vehicle in such a manner that the information printed on the receipt is readily legible from the outside of the vehicle.
- (c) In the event of the motor vehicle being a motor cycle, the receipt shall be displayed in a prominent place on the motor cycle so as to be readily legible.

**Short title**

5. This by-law is called the Overstrand Municipality Amendment Parking Management By-law, 2018.

# Goue stemme bekoor die Noor

Bianca Du Plessis

Die Gospel Bells-mannekoor is 'n bekende gesig by geleenthede in Hawston.

Dié groep manne met hul goue stemme is egter nie net in Hawston bekend nie – hulle tree selfs in die Noord-Kaap op.

Stoffel Kees, of oom Stof soos hy alom bekend is, het al saam met die Morawiese koor in Duitsland opgetree en was saam met die ProMusica-koor in Londen, Skotland en ander Europese lande.

Kees, Nigel Brown en Patrick Jansen het ook onlangs op die plaaslike

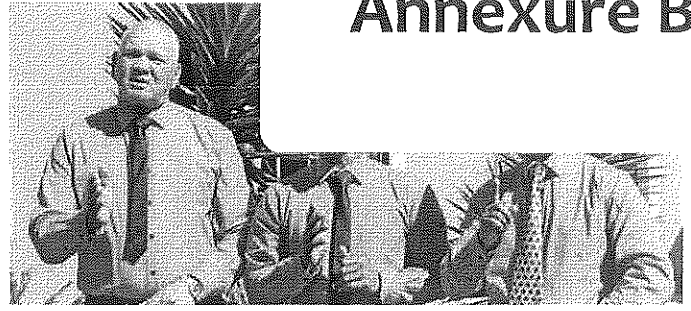
radiostasie Whalecoast FM van hulle laat hoor. Hulle is verlede naweek Noord-Kaap toe om by kerke in dorpe soos Nababeep, Concordia en Okiep op te tree.

Die oorspronklike groep met ses lede is in 1985 gestig, maar deesdae bestaan die koor net uit die drie lede. Hulle tree by geleenthede soos verjaardagspartytjies en begrafnisse op en vra slegs 'n skenking ten opsigte van hul vervoerkoste.

Bel Stoffel by 072 974 7943 vir besprekings.

Stoffel Kees, Patrick Jansen en Nigel Brown van die Hawston Gospel Bells-mannekoor het verlede naweek in die Noord-Kaap opgetree.

## Annexure B 1/3



UMASIPALA WE-OVERSTRAND  
UMTHETHWANA OPHATHELELE KULAWULO LWEMITHI

Esi sisiziso sokuba uMasipala uneenjongo zokwamkela lo mthethwana ungenila. Ufuntu luyacelwa ngokwesahluko 12 sooRhulumente Basemakhaya: UMthetho-Nkqubo woMasipala, wovama-2000 (Umthetho 32 wovama-2000) ukuba bangenise izimvo ngokwalo mthethwana uphakanyiswayo kuMasipala phambi okanye ngomhla wama 05 Novemba 2018 kuMpathi kaMasipala (zithunyelwe kuMnu. Lionel Wallace)kule dilisi nenombolo zefekisi ezingezantsi.

Lo mthethwana ucetywayo uza kufumaneka kwi-ofisi zabaphathi bengenigi bakamasipala eGansbaai, eStanford, eHermanus naseKleinmond nakuwo onke amathala encwadini aseOverstrand nakuwo i-ofisi ephhezulu kamasipala eHermanus, nakwi-webhusayithi [www.overstrand.gov.za](http://www.overstrand.gov.za), kwabo bafuna ukuwulunda. Abantu abangakwaziyo ukubhala bangandwendwela ii-ofisi zabaphathi bengenigi zikamasipala eGansbaai, eStanford, eHermanus naseKleinmond apho baza kufumana uncedo lokubhala izimvo zabo. Abaphathi bengenigi ababelwe lo msebenzi ngaba balandelayo:

Gansbaai, Stanford: F Myburgh  
Hermanus: D Kearney  
Kleinmond: D.Lahey  
C GROENEWALD  
UMPHATHI KAMASIPALA

Umasipala weOverstrand  
PO Box 20  
HERMANUS  
7200  
Inombolo yefekisi: 028-313 8930

Inombolo yesaziso: 108/2018

### OVERSTRAND MUNICIPALITY STANDARD BY-LAW WITH REGARD TO TREES

Notice is herewith given that the Municipality intends adopting the abovementioned by-law. The public is in terms of section 12 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) invited to submit representations in connection with the proposed by-law to the Municipality by submitting such representation on or before 05 November 2018 to the Municipal Manager (For attention Mr. Lionel Wallace) at the under mentioned address or fax number.

The proposed by-law will be available for perusal during office hours at the offices of the Area Managers in Gansbaai, Stanford, Hermanus and Kleinmond, in all the public libraries in the Overstrand and the Corporate Head Office of the municipality in Hermanus, as well as the official website at [www.overstrand.gov.za](http://www.overstrand.gov.za). Persons who cannot write can visit the Area Managers in Gansbaai, Stanford, Hermanus or Kleinmond during office hours where such persons will be assisted to transcribe their comments or representations. The designated officials for the different municipal areas are as follows:

Gansbaai, Stanford: F Myburgh  
Hermanus: D Kearney  
Kleinmond: D.Lahey  
C GROENEWALD  
MUNICIPAL MANAGER

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PO Box 20  
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Fax number: 028-313 8930

Notice number: 108/2018

### OVERSTRAND MUNISIPALITEIT STANDAARD VERORDENING MET BETREKKING TOT BOME

Kennisgewing geskied hiermee dat die Munisipaliteit beoog om bogenoemde verordening aan te neem. Die publiek word ingevolge artikel 12 van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) uitgenooi om vertoë in verband met die voorgestelde verordening aan die Munisipaliteit te rig deur sodanige vertoë voor of op 05 November 2018 aan die Munisipale Bestuurder (Vir aandag van mnr. Lionel Wallace) by ondergemelde adres of faksnummer te stuur.

Die voorgestelde verordening sal gedurende kantoorure ter insae beskikbaar wees by die kantore van die Areabestuurders in Gansbaai, Stanford, Hermanus en Kleinmond, by al die openbare biblioteke in die Overstrand en by die Korporatiewe Hoofkantoor van die Munisipaliteit in Hermanus, asook op die amptelike webwerf by [www.overstrand.gov.za](http://www.overstrand.gov.za).

Personne wat nie kan skryf nie, kan die Areabestuurders in Gansbaai, Stanford, Hermanus of Kleinmond gedurende kantoorure besoek, waartydens sodanige persone hulp sal ontvang om hulle kommentaar of vertoë op skrif te stel. Die aangewese amptenare vir die verskillende munisipale gebiede is soos volg:

Gansbaai, Stanford: F. Myburgh  
Hermanus: D. Kearney  
Kleinmond: D. Lahey  
C. GROENEWALD  
MUNISIPALE BESTUURDER

Overstrand Munisipaliteit  
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Kennisgewingnummer: 108/2018



UMASIPALA WE-OVERSTRAND  
UMTHETHO OYILWAYO WESIQHELO EPHATHELELE KULAWULO LWENDAWO EMISA IZITHUTHI

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Inombolo yesaziso: 80/2018

### OVERSTRAND MUNICIPALITY DRAFT AMENDMENT TO THE STANDARD BY-LAW RELATING TO PARKING MANAGEMENT

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### OVERSTRAND MUNISIPALITEIT KONSEP STANDAARDVERORDENING TEN OPSIGTE VAN VERKEERS EN PARKEERBESTUUR

Kennisgewing geskied hiermee dat die Munisipaliteit beoog om bogenoemde verordening aan te neem. Die publiek word ingevolge artikel 12 van die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) uitgenooi om vertoë in verband met die voorgestelde verordening aan die Munisipaliteit te rig deur sodanige vertoë voor of op 05 November 2018 aan die Munisipale Bestuurder (Vir aandag van mnr. Lionel Wallace) by ondergemelde adres of faksnummer te stuur.

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Kennisgewingnummer: 80/2018



### UMASIPALA WE-OVERSTRAND

#### IZILUNGISO OQULUNQWAYO ZEMITHETHWANA YESIQHELO EPHATHELELE KULAWULO LONIKEZELO NGAMANZI KUNYE NENKONZO ZOCOCEKO

Esi sisaziso sokuba uMasipala uneenjongo zokwamkela lo mthethwana ungentla.

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### OVERSTRAND MUNICIPALITY

#### DRAFT AMENDMENT TO THE STANDARD BY-LAW RELATING TO PARKING MANAGEMENT

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MUNICIPAL MANAGER

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### OVERSTRAND MUNISIPALITEIT

#### KONSEP STANDAARDVERORDENING TEN OPSIGTE VAN VERKEERS EN PARKEERBESTUUR

Kennisgewing geskied hiermee dat die Munisipaliteit beoog om bogenoemde verordening aan te neem.

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Faksnommer: 028 313 8930

Kennisgewingnommer: 80/2018



#### UMASIPALA WE-OVERSTRAND

#### UMTHETHO OYILWAYO EPATHELELE KULAWULO LWEZITHUTHI NEENDAWO EZIMISA KUZO

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UMPHATHI KAMASIPALA

Umasipala weOverstrand, PO Box 20, HERMANUS, 7200

Inombolo yefekisi: 028-313 8930

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C GROENEWALD

MUNICIPAL MANAGER

Overstrand Municipality, PO Box 20, HERMANUS, 7200

Fax number: 028-313 8930

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#### OVERSTRAND MUNISIPALITEIT

#### KONSEP STANDAARDVERORDENING TEN OPSIGTE VAN VERKEERS EN PARKEERBESTUUR

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