

PROVINCIAL NOTICE 39 OF 2016

UBUHLEBEZWE MUNICIPALITY

**BYLAWS RELATING TO THE ESTABLISHMENT
AND CONTROL OF RECREATIONAL FACILITIES**

1ST DRAFT DATE	30th June 2014
ADOPTION BY COUNCIL	4th December 2014
PROMULGATION DATE	9th February 2016

The Municipal Council for Ubuhlebezwe has adopted the following bylaws at its meeting held on the 4th December 2014 in terms of section 156(2) of the Constitution of the Republic of South Africa (Act No. 108 of 1996) read with section 31(2) of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) and hereby publishes the subjoined bylaws in terms of section 13(a) the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) to come into effect on the date of publication hereof in the Provincial Gazette.

UBUHLEBEZWE MUNICIPALITY

BYLAWS RELATING TO THE ESTABLISHMENT AND CONTROL OF RECREATIONAL FACILITIES

Definitions

1. In these Bylaws unless the context otherwise indicates –

“**area**” means the area under the jurisdiction of the Ubuhlebezwe Municipality;

“**camp**” or “**camping**” means the erection or use of temporary structures intended for temporary human occupation for dwelling or sleeping purposes and includes the erection or use of tents intended for such purposes, or the use of a vehicle for habitation and sleeping purposes whether such vehicle is designed or adapted for such purposes or not, but excludes the parking or use of caravans and mobile homes;

“**camper’s permit**” shall mean a permit, approved by the Council, enabling a person, or party of persons, to camp upon any property, other than a licensed tent camp, for a period of 21 days or less in any consecutive period of six months;

“**caravan park**” means an area of land provided with adequate ablution and sanitary facilities with or without a communal kitchen, constructed with permanent materials arranged for the accommodation of caravans which are used primarily as holiday units and provided also with permanent water points, approved refuse receptacles and containing within the curtilage a sufficient open space for recreational purposes, and may also include one dwelling unit for the caretaker or manager’s use;

“**caravanner’s permit**” shall mean a permit, approved by the Council, enabling a person or party of persons, to use a caravan on any property, other than a licensed caravan park, for a period of 21 days or less in any consecutive period of six months;

“**caravan**” means any vehicle or similar portable or movable or towable structure having no foundation other than wheels or jacks and so designed or constructed as to permit human occupation for dwelling or sleeping purposes, and includes, without limiting the definition, a trailer;

“**Council**” means the Ubuhlebezwe Municipality or its successors in title, and includes the council of that municipality or its Executive Committee or any other body acting by virtue of any power delegated to it in terms of legislation, as well as any officer to whom the Executive Committee has delegated any powers and duties with regard to these bylaws;

“**licence**” means the authorisation issued in terms of Bylaw 10 but shall not include a licence required or prescribed under any other law; “**licensed**” and “**licensee**” shall bear corresponding meanings;

“**Municipal Manager**” means the person from time to time holding the said appointment or acting in such capacity or any employee of the Council duly authorised to act on his behalf;

“**owner**” shall include any lessee, occupier or other person having control or the right to dispose of the occupation of any piece of land;

“**picnic place**” means an area of land used, or intended for use for picnic purposes;

“**recreational facilities**” for the purposes of these bylaws means a caravan park, tent camp or picnic place;

“**stand**” means the area allotted to any caravanner or camping party or picnicking party;

“**tent camp**” means any area of land designed, laid out, used or intended for the accommodation thereon of two or more tents affixed to the soil or to trailers designed for that purpose for the accommodation of persons for holiday purposes;

Permission Required for all Recreational Facilities

- 2.1** No person or party of persons shall camp anywhere within the area, except by virtue of a permit issued under Bylaw 3 or in a tent camp approved in terms of these Bylaws.
- 2.2** a) No person shall camp in a licensed caravan park; provided, however, that a person may with the permission of the Council and the licensee camp in a licensed caravan park if the camping equipment to be used is of a standard or type approved of by the licensee and the Council; provided further that camping shall only be allowed on stands specifically set aside in accordance with the requirement set out in Bylaw 7 or where no provision has been so made for separate camping stands, on the stands demarcated for use by caravans. In no case shall camping be allowed in the open spaces which are required for the purposes of a licensed caravan park in terms of Bylaw 8.
- b) In allowing camping in a licensed caravan park in accordance with this bylaw it shall be the duty of the licensee and the Council to ensure that existing ablution and sanitation facilities are sufficient for the purposes of accommodating such campers.
- c) No person shall camp in a picnic place except where separate areas are set aside for this purpose.

Application and Fee for Camper’s or Caravanner’s Permit

- 3.1** Any person or party of persons desirous of camping or using a caravan anywhere in the area upon ground other than an approved tent camp or caravan park shall submit to the Municipal Manager an application in writing on Form A of these Bylaws, which application shall be accompanied by the fee prescribed in the Council’s Tariff of Charges.
- 3.2** The Municipal Manger shall issue $\frac{3}{3}$ such permit if the Council is satisfied that there

are available for the use of campers or caravanners either on the ground in question or adjoining premises, sufficient suitable sanitary accommodation and refuse disposal facilities; and that such camping or use of a caravan is not likely to give rise to a nuisance or danger to health or to be a source of annoyance to the neighbourhood.

- 3.3** No permit shall be granted for a period in excess of 21 days in any unbroken period of six months.

Application for Permission to Establish Recreational Facilities

- 4.1** Subject to the provisions of Bylaw 3, every person desirous of obtaining the approval to the establishment of any recreational facilities referred to in these Bylaws shall make application to the Municipal Manager in accordance with the National Environment Management Act, 1998 (Act No. 107 of 1998) and the Council's Environment Conservation and Management Bylaws, and submit therewith, in addition to the requirements contained therein, the application Form B of these bylaws, the fee prescribed in the Council's Tariff of Charges and plans in triplicate, as required below:-

- a)** A detailed plan, to a scale of not less than 1 : 200, showing -
- (i) the full extent of the property, land, subdivisions, upon which the recreational facility is to be established;
 - (ii) any existing buildings upon the property, their proposed use and details of construction;
 - (iii) 2m contours of the land comprising the recreational facility;
 - (iv) any servitudes and building line restrictions; and
 - (v) the proposed layout and landscaping of the recreational facility with all amenity buildings, access roads and paths, drainage, lighting and water supply points, in compliance with at least the minimum requirements of these Bylaws.
- b)** A site plan to a scale of not less than 1 : 500 showing –
- (i) the property and all existing and proposed buildings and outhouses thereon;
 - (ii) all adjoining properties, with their designations, showing all buildings and outhouses thereon;
 - (iii) all adjoining streets and rights-of-way; and
 - (iv) the North point.

- 4.2** Within three days from the date of lodging the application with the Municipal Manager, the applicant shall, at his own expense, publish once in one or more daily newspapers circulating in the area, a notice as in Form C of these Bylaws. At the same time he shall cause a copy of the notice to be exhibited on the site of the proposed recreational facility and maintain it in a clear and legible condition in a position readily visible from any public road

or thoroughfare abutting the property for the period of fourteen days referred to in the notice.

- 4.3**
- a) Any objections to an application shall be lodged in writing, in duplicate, with the Municipal Manager within 14 days from the date of publication of the application.
 - b) All such objections shall state clearly the nature and grounds thereof and be signed by the objector or his authorised agent.
 - c) The Municipal Manager shall immediately send one copy of such objections to the applicant.

Consideration of Application by Council

- 5.1** Within 28 days after the final date for lodgement of objections, the Municipal Manager shall lay before the Council the application, together with any objections which may have been duly lodged.
- 5.2** After carrying out any inspection or hearing any evidence which it may deem necessary, the Council shall -
- a) if it is satisfied that the recreational facility and the amenity buildings or structures to be provided thereon comply with or will, when completed in accordance with the plans submitted, comply with the requirements of these Bylaws and with the National Building Regulations, Sanitation and other Bylaws of the Council, and
 - b) if in its opinion the establishment of a recreational facility in the locality proposed will not be a source of annoyance to the inhabitants of or depreciate the value of the surrounding properties,
 - c) approve the plans and authorise the applicant to proceed with the erection and construction of the proposed buildings and other amenities.

Approval of Application

- 6.** The Council shall consider any such plans and application following full compliance with the provisions of the National Environmental Management Act, 1998 (Act No. 107 of 1998) and the Council's Bylaws Relating to Environmental Conservation and Management. The Council may refuse any application if it is not satisfied that the relevant minimum requirements set out in these Bylaws have been complied with.

Tent Camps: Minimum Requirements

- 7.1** The following shall be the minimum requirements subject to which a tent camp may be established, and shall, if licensed, be conducted and maintained:-
- a) Stands shall be provided in a proportion of not more than 50 stands per usable hectare, inclusive of paths, ablution areas, amenity buildings and structures, car parks, and the like, but exclusive of land set aside in terms of paragraph (c) hereof, and the stands shall be so arranged that no buildings, structures or tents erected or placed in any tent camp shall be within 4m of the boundaries of the tent camp.
 - b) (i) No stand allocated to any camper and his party shall be of lesser area than

120m² and its minimum width 10m.

- (ii) No single stand shall be occupied by more than eight persons.
- c) No buildings, structures, tents or caravans erected or placed in any tent camp shall be within 10m of any dwelling house or residential building. Should there be a dwelling-house or residential building on the property, such dwelling-house or residential building shall be built on a stand measuring a minimum of 550m² which has been set aside exclusively for such dwelling-house or residential building and on which no person shall camp.
- d) If required by the Council, every tent camp shall be provided with open space for recreational purposes in the maximum proportion of 2 500m² for every fifty stands where adequate public open space is not within reasonable distance of the tent camp; provided that no such space shall consist of -
 - (i) marshlands or land (other than a swimming pool) lying under water; or
 - (ii) land which in the opinion of the Council is so steep or rocky as to be dangerous or suitable only for climbing purposes.
- e) One permanent water point providing a sufficient supply of potable water shall be provided in a convenient position for every 8 stands. Stand pipes shall be provided with a standard gully with a gully trap grating and pipe connection to a soakpit for the disposal of waste water, to the satisfaction of the Council.
- f) There shall be provided a water supply which, after passing through the reticulation system -
 - (i) has a yield of at least 250 litres per stand per day,; provided that where flush sanitation is provided the yield shall be at least 400 litres per stand per day;
 - (ii) exerts a pressure at any stand pipe sufficient to supply 15 litres in a minute; and
 - (iii) supplies water which in the opinion of the Council is fit for human consumption.
- g) The water supply and reticulation system shall be approved by the Council as complying with the requirements of paragraph (f).
- h)
 - (i) Separate sanitary conveniences shall be provided for the different sexes in the ratio of one closet for every seven (7) stands subject to a minimum of two (2) closets for women and one (1) closet for men.
 - (ii) Such sanitary conveniences shall be provided in accordance with the requirements of the National Building Regulations;
 - (iii) In the case of males the number of closets to be provided in subparagraph (i) may be modified by the substitution of urinals for closets to the following extent :-

Less than three closets, no modification; three or more closets, one urinal in every four closets (where a calculation results in a fraction, the number of

urinals will be to the nearest whole number with a half fraction counting as the preceding lowest whole number).

- (iv) Every sanitary block or portion thereof provided for the separate sexes in terms of subparagraph (i) shall include at least one wash-hand basin.
- i) Separate showers or bathrooms as well as wash-hand basins, properly screened from the public view shall be provided for the different sexes in the ratio of one (1) shower or bathroom for each sex for every seven (7) stands or part thereof and one (1) wash-hand basin for every seven (7) stands or part thereof.
- j) A working hot water system shall be provided and kept working whenever there are occupants in the tent camp.
- k) For every 25 stands, or part thereof in the event of the tent camp having less than 25 stands, there shall be provided a laundry area for the washing and ironing of clothes, such laundry area being provided with -
- (i) a laundry building having a floor area not less than 10m² and provided with a minimum of -
- (a) one permanent water stand pipe;
- (b) two deep laundry sinks fitted with hot and cold water and a drain board and connected to the drainage system in accordance with the Council's bylaws;
- (c) two tables or boards for ironing purposes;
- (d) two power plug points for electric irons;
- (ii) a suitably screened drying yard provided with clothes lines adequate for the number of tents served but providing a minimum space of 2,5m² per tent; provided that this requirement shall not apply when electric tumble drying facilities are provided in the ratio of one (1) 3kg drier for every 25 stands.
- l) Fly-proof, portable refuse bins of circular shape and capacity not exceeding 60 litres, with handles and close-fitting covers shall be provided in a convenient position for every two tent camp stands and the licensee shall arrange for the daily clearance of such bins. The refuse bins shall be kept in a good state of repair and shall be emptied, cleaned and disinfected daily.
- m) Drains capable of carrying off and disposing of all stormwater, and French drains or soakpits for the disposal of waste water where there is no connection to a sewerage system of the Council shall be provided to the satisfaction of the Council.
- n) Fire buckets filled with water and with sand or other suitable fire-fighting appliances as may be approved by the Council shall be placed at convenient points throughout the ground, which shall, in the case of buckets, be kept full, and in the case of appliances, be kept maintained in proper working condition at all times.
- o) Roadways and paths and also all latrines and buildings containing public or communal toilets or showers and washing points shall be adequately lighted for traffic and safety purposes between sunset and sunrise.

- p) Where employees of campers or the licensee are permitted to stay in the tent camp, adequate accommodation and sanitation and ablution facilities shall be provided for such employees of each sex in a position approved by the Council. Accommodation shall so be provided in the ratio of 5m² per person. Sanitary conveniences shall be provided in the ratio of one (1) closet for every sixteen (16) persons of each sex. Separate showers or bathrooms and wash-hand basins shall be provided in the ratio of one (1) to every twenty (20) persons of each sex.
- q) Any cooking within the caravan park shall be conducted in a clean and sanitary manner so as not to give rise to excessive smoke or other nuisance or danger to health, and all cooking places, utensils, crockery and the like, provided by the licensee shall at all times be maintained in a clean condition. For this purpose adequate sinks of materials and pattern approved by the Council with hot water laid on, shall be provided.
- r) The tent camp shall be properly and attractively laid out and landscaped and it shall be a condition of approval that the design shall be approved by the Council and thereafter adhered to by the licensee.
- s) Roadways of at least 4m in width shall be laid out and hardened to provide adequate all-weather vehicular access to all stands; provided that where a one-way traffic system is practiced such roadways may be laid out at a minimum width of 3m. Such roadways shall give clear and unobstructed access to a public street.
- t) The position and details of access to the tent camp shall be subject to approval by the Council in respect of a local road, or the relevant Provincial Roads Department in respect of any District, Main or Provincial Road and access shall be had only in the positions and manner so approved.
- u) Pedestrian lanes shall be provided, where necessary, for the free access of campers to all amenities provided in the tent camp, and these lanes shall be demarcated and shall not encroach upon any camping stand.
- v) Where no nightwatchman or security guard is provided, a security fence, as approved by Council, shall be provided to enclose the whole area of every tent camp.
- w) A tent camp supervisor appointed by the licensee shall be in attendance whenever there are occupants in the tent camp.
- x) Only tents, which are in a good state of repair and of good external appearance, shall be permitted in any tent camp.
- y) It shall be the duty of the licensee or other person responsible for the conduct of the tent camp to refuse accommodation to any users of an unsightly tent.

Caravan Parks: Minimum Requirements

8.1 The following shall be the minimum requirements subject to which a caravan park may be established and shall, if licensed, be conducted and maintained :-

- a) Caravan stands shall be provided in a proportion of not more than 45 stands per usable hectare, inclusive of paths, ablution areas, amenity buildings and structures, car parks, and the like, but ⁸exclusive of land set aside in terms of paragraph

- (c) hereof, and the caravan stands shall be so arranged that there is in every case a space of at least 4m between any caravan and the boundaries of the caravan park.
- b)** (i) No caravan stand shall be of lesser area than 120m² and its minimum width 10m; provided that this requirement shall not apply to caravan stands in existence in caravan parks prior to the date of adoption of these bylaws by the Council.
- (ii) No single caravan stand shall be occupied by more than eight persons.
- c)** No buildings, structures, tents or caravans erected or placed in any caravan park shall be within 10m of any dwelling-house or residential building; should there be a dwelling-house or residential building on the property, such dwelling-house or residential building shall be built on a stand measuring a minimum of 550m² which has been set exclusively for such dwelling-house or residential building and on which no person shall camp.
- d)** If required by the Council, every caravan park shall be provided with open space for recreational purposes in the maximum proportion of 2 500m² for every forty-five stands where adequate public open space is not within reasonable distance of the caravan park, provided that no such space shall consist of:
- (i) marshlands or land (other than a swimming pool) lying under water; or
- (ii) land which in the opinion of the Council is so steep or rocky as to be dangerous or suitable only for climbing purposes.
- e)** One permanent water point providing a sufficient supply of potable water shall be provided in a convenient position for every 4 caravans stands. Stand pipes shall be provided with a standard gulley with a gulley trap grating and pipe connection to a soak-pit for the disposal of waste water, to the satisfaction of the Council.
- f)** There shall be provided a water supply which, after passing through the reticulation system –
- (i) has a yield of at least 350 litres per stand per day, provided that where flush sanitation is provided the yield shall be at least 500 litres per stand per day;
- (ii) exerts a pressure at any stand pipe sufficient to supply 15 litres in a minute; and
- (iii) supplies water which in the opinion of the Council is fit for human consumption.
- g)** The water supply and reticulation system shall be approved by the Council as complying with the requirements of paragraph (f).
- h)** (i) Separate sanitary conveniences shall be provided for the different sexes in the ratio of one closet for each sex for every seven (7) stands subject to a minimum of two (2) closets for women and one (1) closet for men.
- (ii) Such sanitary conveniences shall be provided in accordance with the requirements of the National Building Regulations.

- (iii) In the case of males the number of closets to be provided in sub-paragraph (i) may be modified by the substitution of urinals for closets to the following extent:
- Less than three closets, no modifications; three or more closets, one urinal in every four closets (where a calculation results in a fraction, the number of urinals will be to the nearest whole number with a half fraction counting as the preceding lowest whole number).
- (iv) Every sanitary block or portion thereof provided for the separate sexes in terms of sub-paragraph (i) shall include at least one wash-hand basin.
- (v) A disposal point (for the cleaning of chemical closets) shall be provided, which shall consist of a bed-pan sink with hardwood pad on the front rim, 15 litres high level cistern, rod pull and guide, flush pipe and 15mm diameter chromiumplated jets with lever-handle valves. One such disposal point shall be provided for each caravan park, situated outside but under cover of the roof and accessible to both men and women.
- i) Separate showers or bathrooms as well as wash-hand basins, properly screened from the public view shall be provided for the different sexes, in the ratio of one (1) shower or bathroom for each sex for every seven (7) caravan stands or part thereof and one (1) wash-hand basin for each sex for every seven (7) caravan stands or part thereof.
- j) A working hot water system shall be provided and kept working whenever there are occupants in the caravan park.
- k) For every 25 caravan stands or part thereof in the event of a caravan park having less than 25 stands, there shall be provided a laundry area for the washing and ironing of clothes, such laundry area being provided with -
- (i) a laundry building having a floor area not less than 10m² and provided with a minimum of –
- (a) one permanent water stand pipe;
- (b) two deep laundry sinks fitted with hot and cold water and a drain board and connected to the drainage system in accordance with the Council's bylaws;
- (c) two tables or boards for ironing purposes;
- (d) two power plug points for electric irons;
- (iii) a suitably screened drying yard provided with clothes lines adequate for the number of tents served but providing a minimum space of 2,5m² per tent; provided that this requirement shall not apply when electric tumble drying facilities are provided in the ratio of one (1) 3kg drier for every 25 stands.
- l) Fly-proof, portable refuse bins of circular shape and capacity not exceeding 60 litres, with handles and close-fitting covers shall be provided in a convenient position for every two caravan stands and the licensee shall arrange for the daily clearance of such bins. The ¹⁰refuse bins shall be kept in a good state of repair

and shall be emptied, cleaned and disinfected daily.

- m)** Drains capable of carrying off and disposing of all stormwater, and French drains or soakpits for the disposal of waste water where there is no connection to a sewerage system of the Council shall be provided to the satisfaction of the Council.
- n)** Fire buckets filled with water and with sand or other suitable fire-fighting appliances as may be approved by the Council shall be placed at convenient points throughout the caravan park, which shall, in the case of buckets, be kept full, and in the case of appliances, be kept maintained in proper working condition at all times.
- o)** Roadways and paths and also all latrines and buildings containing public or communal toilets or showers and washing points shall be adequately lighted for traffic and safety purposes between sunset and sunrise.
- p)** Where employees of campers or the licensee are permitted to stay in the caravan park, adequate accommodation and sanitation and ablution facilities shall be provided for such employees of each sex in a position approved by the Council. Accommodation shall so be provided in the ratio of 5m² per person. Sanitary conveniences shall be provided in the ratio of one (1) closet for every sixteen (16) persons of each sex. Separate showers or bathrooms and wash-hand basins shall be provided in the ratio of one (1) to every twenty (20) persons of each sex.
- q)** Any cooking within the tent camp shall be conducted in a clean and sanitary manner so as not to give rise to excessive smoke or other nuisance or danger to health, and all cooking places, utensils, crockery and the like, provided by the licensee shall at all times be maintained in a clean condition. For this purpose adequate sinks of materials and pattern approved by the Council with hot water laid on, shall be provided.
- r)** The caravan park shall be properly and attractively laid out and landscaped and it shall be a condition of approval that the design shall be approved by the Council and thereafter adhered to by the licensee.
- s)** Roadways of at least 5m in width shall be laid out and hardened to provide adequate all-weather vehicular access to all caravan stands; provided that where a one-way traffic system is practiced such roadways may be laid out at a minimum width of 3m. Every caravan stand shall have direct access to such a roadway and roadways shall give clear and unobstructed access to a public street.
- t)** The position and details of access to the caravan park shall be subject to approval by the Council in respect of a local road, and the relevant Provincial Roads Department in respect of a District, Main or Provincial Road and access shall be had only in the positions and manner so approved.
- u)** Pedestrian lanes shall be provided, where necessary, for the free access of campers to all amenities provided in the caravan park, and these lanes shall be demarcated and shall not encroach upon any caravan stand.
- v)** Where no nightwatchman or security guard is provided, a security fence, as approved by Council, shall be provided to enclose the whole area of every caravan park.
- w)** A park supervisor appointed by the licensee shall be in attendance whenever there are occupants in the caravan park.

- x) Apart from buildings or structures and other amenities which form part of the caravan park, the caravans and the vehicles used for moving them, no structures, tent, shelter or other similar thing other than as provided for in Bylaw 2(2) shall be permitted in the caravan park, except only for the fabric side tents or awnings which are affixed to the caravans, or where separate areas are set aside for camping purposes.
- y) Only caravans which are in a good state of repair and of good external appearance shall be permitted into or remain in any caravan park.
- z) It shall be the duty of the licensee or other person responsible for the conduct of the caravan park to refuse admittance to any unsightly or dilapidated caravan.

8.2 In the case of those caravan parks where an approved ablution unit containing at least a bath or shower, a hand-basin and a closet has been provided on each and every caravan stand for the exclusive use of the occupiers of the caravan stand, the provisions of bylaws 8.1 (h) (i), (ii), (iii), (iv) and (v) and 8.1 (i) shall not be applicable.

Picnic Place: Minimum Requirements

9. The following shall be the minimum requirements subject to which a picnic place may be established, and shall, if licensed, be conducted and maintained :-

- a) No buildings, structures, tents or caravans erected or placed in any picnic place shall be within 10m of any dwelling-house or residential building. Should there be a dwelling-house or residential building on the property, such dwelling-house or residential building shall be built on a stand measuring a minimum of 550m² which has been set aside exclusively for such dwelling-house or residential building and on which no person shall picnic.
- b) A supply of potable water shall be laid on at such points as are approved by the Council.
- c) All water points, unless indicated otherwise, shall be provided with a concrete apron of not less than 1m² in size, complete with a 75mm high kerbing, dished with fall to gully trap, grating and pipe connection to soak-pit for the disposal of waste water, to the satisfaction of the Council.
- d)
 - (i) Separate sanitary conveniences shall be provided for picnickers and for the different sexes in such a portion or portions as to be accessible to all the occupants with reasonable convenience, on the scale of not less than one closet for every 25 persons or portion thereof permitted.
 - (ii) Such sanitary conveniences shall be provided in accordance with the requirements of the National Building Regulations.
 - (iii) In the case of males the number of closets to be provided in sub-paragraph (i) may be modified by the substitution of urinals for closets to the following extent –

Less than three closets, no modifications; three or more closets, one urinal in every four closets (where a calculation results in a fraction, the number of urinals will be to the $\frac{1}{2}$ nearest whole number with a half fraction

counting as the preceding lowest whole number).

- (iv) Each sanitary block shall be provided with at least one wash-hand basin for the use of each sex.
- e) Fly-proof, portable refuse bins of circular shape and capacity not exceeding 60 litres, with handles and close-fitting covers shall be provided in a convenient position for every two picnic stands and the licensee shall arrange for the daily clearance of such bins. The refuse bins shall be kept in a good state of repair and shall be emptied, cleaned and disinfected daily.
- f) Drains capable of carrying off and disposing of all stormwater, and French drains or soakpits for the disposal of waste water where there is no connection to the sewerage system of the Council shall be provided to the satisfaction of the Council.
- g) Suitable roadways shall be laid out to provide adequate vehicular access to sites or parking areas. Such roadways shall give clear and unobstructed access to a public thoroughfare.
- h) Adequate parking provision shall be made as required by the Council within the picnic place.
- i) The position and details of access to the picnic place shall be subject to approval by the Council in respect of a local road or the relevant Provincial Department of Roads in respect of a District, Main or Provincial Road and access shall be had only in the positions and in the manner so approved.

Issue of Licences

- 10.1** Upon the completion to the satisfaction of the Council of the buildings or structures and other amenities in accordance with the conditions subject to which the establishment of the tent camp, caravan park or picnic place on the land has been approved, and the provisions of Bylaws 7, 8 or 9 as the case may be, the Municipal Manager shall issue to the applicant, upon payment of the fee as prescribed in the councils tariff of charges, an authorization in the form of a licence in accordance with Form D to these bylaws approving the tent camp, caravan park or picnic place in accordance with the conditions of such licence and the provisions of these Bylaws.
- 10.2** A tent camp licence shall specify the maximum number of persons who may be accommodated in the tent camp, calculated on the basis prescribed in Bylaw 7.
- 10.3** A caravan park licence shall specify the maximum number of caravans which may be permitted in the caravan park at any one time, calculated on the basis prescribed in Bylaw 8.
- 10.4** A picnic place licence shall specify the maximum number of picnic stands which may be demarcated at any one time on the basis prescribed in Bylaw 9.

Duties of Licensee of Tent Camp, Caravan Park or Picnic Place

- 11.1** In a duly licensed tent camp, caravan park or picnic place the following provisions shall apply :-

- a) All activities therein shall be carried out in a clean and tidy manner so as not to cause any annoyance to the inhabitants of or depreciate the value of neighbouring properties or give rise to any danger to health.
- b) All buildings, drains, roads, water and sanitary fitments and other necessary amenities provided therein shall at all times be maintained in a clean, efficient and sanitary condition.
- c) No vagrant or disorderly person shall loiter or harbour therein.
- d) No more than the maximum number of persons, caravans or picnic parties permitted in terms of the licensee's licence shall be accommodated therein at any one time.
- e) (i) No person shall camp or keep or be permitted to camp or keep a caravan in the same tent camp or caravan park, as the case may be, for a continuous period exceeding sixty (60) days. Should any person have camped or had a caravan in a tent camp or caravan park, as the case may be, for a continuous period exceeding seven(7) days, and have left, not less than five (5) days shall have elapsed before he may again camp or be permitted to camp in the same tent camp or keep or be permitted to keep a caravan in the same caravan park.
- (ii) Notwithstanding the provisions of sub-paragraph (i) the owner may, subject to the provisions of Bylaw 8 -
- (a) permit up to 20% of approved stands in any caravan park being set aside for the permanent siting of caravans for occupation whether on a permanent or a temporary basis, inclusive of any caravans permanently sited and occupied in any caravan park prior to the date of adoption of these bylaws; provided that –
- (aa) no other permanent or temporary structure shall be permitted on such stands other than any fabric side tent or awning or any porch or verandah which is affixed to the caravan, all of whose siting, design, appearance and materials of construction are to the satisfaction of the Council;
- (bb) such permanently sited caravans and additional structures as may be permitted by the Council in terms of provision (aa) above, together with the stand upon which they are sited are to be maintained in a clean and tidy condition;
- (cc) such stands shall be clearly identified and depicted on a drawing which shall be approved by the council which shall be to such scale as required by the council and indicate such further details as it may require;
- (dd) within any stand, no part of any caravan or any additional structure referred to in proviso (bb) above shall be closer than 2m from the boundary of such stand and the total area covered by such a caravan and any such additional structures shall not exceed, as a ratio, one-third of the area of such stand; and

holding area in any caravan park for the storage of unoccupied caravans whose owners or occupiers have, in compliance with subparagraph (i), been obliged to vacate the park. Such holding area shall be maintained in a clean and tidy condition and caravans stored therein shall be parked in such a manner as to allow free passage between caravans for the purpose of periodic maintenance and for emergency (fire fighting) vehicles

- f) A suitable record shall be kept by every licensee of a caravan park to the satisfaction of the Council to ensure that the number of stands occupied by permanent residents does not exceed 20 percent of the total stands in any caravan park.
- g) No person shall introduce into or keep in or permit to be introduced into or kept in a caravan park any accommodation unit of the type commonly known as "Plettenberg" or any similar such unit which –
 - (i) is not a caravan; and
 - (ii) is designed or adapted to be semi-permanently or permanently sited at any place;
- h) No tent camp stand, caravan park stand or picnic place stand shall encroach upon any roadway provided for access purposes or upon any area subject to any building line restriction, or within 2m of any public or communal convenience, shower or bathroom or septic tank, and no person shall camp or be permitted to camp within the ground except upon a properly allocated camping stand.
- i) No caravan, tent or structure of any kind shall be located closer than 1m from the boundary of the stand upon which it is accommodated.
- j) Every tent camp, caravan park and picnic place shall have direct access to a roadway.
- k) No dogs or other domestic animals shall run at large within the tent camp, caravan park or picnic place, and the licensee may restrict or prohibit such animals.
- l) No poultry shall be kept within the tent camp, caravan park or picnic place.
- m) No washing shall be done or clothing hung out to dry except in places specially provided for this purpose.

11.2 It shall be the duty of the licensee in addition to any duties imposed upon him to ensure that the provisions of sub-by-law (l) are duly observed.

11.3 The licensee or some competent person appointed by him, shall at all times be in charge of the tent camp, caravan park or picnic place and shall keep such records as the Council may deem necessary to ensure that camping therein is conducted in a proper and sanitary manner and that the requirements of these Bylaws are being duly observed.

11.4 The licensee shall ensure that policemen or watchmen are provided during any holiday season, as defined by the licensee and displayed prominently in the reception office, for the protection of property and to keep out loiterers unless he can show just cause as to why he should not have to comply herewith, in 15 writing, to the satisfaction of the

Council; provided that the licensee shall not be held responsible for the loss of any property belonging to a camper, caravanner or picnicker.

Recreational Facilities Subject to Inspection

12. Officials of the Council may enter the tent camp, caravan park or picnic place at all reasonable times for the purpose of ensuring that the conditions of the licence and provisions of these Bylaws are being complied with.

Cancellation of Licence

13. In the event of any of the requirements of these Bylaws or of any other condition of the licence not being complied with, the Municipal Manager shall, without prejudice to the Council's right to prosecute for a breach of these Bylaws give not less than seven days written notice to the owner to remedy the breach complained of. Should the owner fail to comply with such notice, the Council may revoke and cancel the licence issued under Bylaw 10 hereof.

Condition Applicable to Every Licence

14. It shall be a condition of every licence issued in terms of Bylaw 10 that at any time, being not earlier than five years after the granting of a licence in terms of Bylaw 10, should the Council be of opinion that the continued existence of such recreational facility has become unsightly, objectionable, or a source of annoyance to the inhabitants of or is depreciating the value of surrounding properties, it may, after giving one year's notice to the owner of its intention to do so, prohibit the further use of the ground for the purpose of such recreational facility, from a date to be specified in such notice, from which date the licence issued in terms of Bylaw 10 shall lapse and be of no effect; provided that the Council may upon appeal to it, stay the execution of a decision taken under this bylaw for such period as it may consider necessary to enable the owner to make such alterations or changes to the recreational facility as the Council may consider necessary to remove the need for prohibition.

Existing Recreational Facilities at Date of Promulgation of these Bylaws

15. The provisions of these Bylaws shall apply to recreational facilities in existence at the date of promulgation thereof; provided that owners of such recreational facilities shall be permitted a period of two years from the date of notice given by the Municipal Manager, within which to carry out any constructional or any other work necessary to comply with the requirements of these Bylaws; and provided, further, that for the purpose of Bylaw 14 of these Bylaws the date of authorization of such recreational facility shall be deemed to be the date of promulgation of these Bylaws.

Failure to Comply with Bylaws an Offence

16. Any person who contravenes or fails to comply with any provision of these Bylaws whether or not such contravention or failure is elsewhere in these Bylaws declared to be an offence, shall be guilty of an offence.

Erection of Permanent Buildings

- 17. All permanent buildings or structures associated with the recreational facility, including any dwelling house or residential building, any office or administrative building, any latrine and ablution blocks or other similar buildings shall be constructed of sound approved materials and in accordance with the National Building Regulations. No material, which is damaged, decayed, unsanitary or infested with vermin, affected by dry rot or is likely to deteriorate rapidly shall be used in the construction of any such permanent building or structure. Designs, materials and methods of construction, which have received a favourable report from the Agreement Board of South Africa under and in terms of an Agrément Certificate issued by it or from the South African Bureau of Standards or the Council for Scientific and Industrial Research may be used in the construction of any such permanent building or structure.

Offences, Penalties and Appeals

- 18. The provisions of the council’s Bylaws Relating to Offences, Penalties and Appeals shall apply mutatis mutandis to these bylaws.

FORM A

**UBUHLEBEZWE MUNICIPALITY
 APPLICATION TO PARK A CARAVAN ON A PROPERTY WHICH IS NOT A
 CARAVAN PARK OR TENT CAMP**

No. of permanent residents on the property

No. and type of sanitary accommodation existing

.....
No. of bathrooms/ showers on property

Type of water supply on property
State number of campers to use property

State period required by campers: From
To **Number of days**
Further relevant remarks

.....

Signature of Applicant

FOR OFFICIAL USE ONLY

Environmental Health Inspector’s report (if insufficient space, submit as an annexure).

.....

Signature.

Date
Approved / Rejected by Council on (date)
Conditions of approval / reasons for rejection (Attach as annexure, if insufficient space).

Permit No. **Date**

FORM B

UBUHLEBEZWE MUNICIPALITY
APPLICATION FOR AUTHORITY TO ESTABLISH A RECREATIONAL FACILITY

For Official Use
Application No.
Date fee paid
Receipt No.
File reference

The Municipal Manager
Ubhlebezwe Municipality

Date:

I(full names) of

.....(Postal Address)

hereby apply for the Council's authority to establish a proposed tent camp/ caravan park/
picnic place on erf

.....(full title deed description)

and submit herewith the following :-

1. Size of property:(ha/m²)
2. Zoning of property (if any):
3. External road frontages:(name these)
4. Approval from the controlling road authority to the access point/s to the recreation facility;
5. Number of proposed stands:
6. Minimum size of stands:
7. Number of toilets:
8. Number of urinals:
9. Number of laundry facilities:
10. Water supply: Borehole / Municipal / Service Provider
11. If borehole, quality test of water and type of treatment to be used
.....
12. Yield of water supply in terms of bylaw 7 (f)
13. Number of standpipes for sites
14. Electricity supply : Municipal / Service Provider
15. Plug points to stands: Yes / No Amperage: 5 / 15
16. Width of internal roads(m)
17. Permit/ approval / exemption in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998) or Council's bylaws;
18. Plans in triplicate showing :-
 - (a) the property;
 - (b) the proposed layout, of the recreational facility including all buildings to be erected and their uses;
 - (c) the reticulation of water and electricity and the locality of all standpipes and the electricity points;

- (d) the positions and width of all roads and the type of surface;
- (e) access point/s to any road frontage to the property;
- (f) details of all buildings to be erected in compliance with the National Building Regulations;

I hereby confirm that the proposed recreational facility complies with the provisions of the council’s Bylaws Relating to the Establishment and Control of Recreational Facilities.

In the event of the property not being zoned in terms of the Council’s Town Planning Scheme in the course of preparation, I undertake to advertise my intention to establish this recreational facility in a newspaper having a circulation in the area in which the property is situated. To this end, the notice will appear in the (name of newspaper) on the(date of publication) in English and Zulu and I undertake to furnish the Council with proof of publication.

.....
Signature of Applicant

FOR OFFICIAL USE ONLY

Application submitted to Council on:

Approved/ Rejected:

Conditions of Approval / Reasons for Rejection:

.....
.....
.....

Applicant advised in writing on:

Objectors advised in writing on:

FORM C

**FACILITY WITHIN THE AREA OF JURISDICTION OF THE
UBUHLEBEZWE MUNICIPALITY**

Notice is hereby given that the undersigned has applied to the Ubuhlebezwe Municipality for the establishment by me of a tent camp/ caravan park/ picnic place on the property described as: (full title deed description)

The tent camp/ caravan park/ picnic place will have frontage/access onto _____ Street/ Road, and is in the area known as _____

Plans and particulars have been lodged with the Municipal Manager and can be inspected in the office of the Building Inspector during normal office hours (08h00 to 16h30 Mondays to Fridays)

Any objections or representations to this application are to be submitted to the Municipal Manager, Ubuhlebezwe Municipality, P O Box 132, Ixopo, 3276 or delivered to the municipal offices at 29 Margaret Street, Ixopo, 3276 by no later than 16h30 on (date)_____

_____ Date
_____ (name & address of applicant)

FORM D

**UBUHLEBEZWE MUNICIPALITY
AUTHORITY TO ESTABLISH A RECREATIONAL FACILITY**

I, _____, in my capacity as Municipal Manager of the Ubuhlebezwe Municipality, hereby certify that the provisions of the National Environmental Management Act, 1998 (Act No 107 of 1998) and regulations framed there-under, the Councils Bylaws Relating to the Establishment of Recreational Facilities, the National Building Regulations and the conditions of approval stipulated by the Council, have been complied with to the satisfaction of the Council in so far as the under-mentioned recreational facility is concerned:

Name of Applicant: _____
Name of Recreational Facility: _____
Type of Recreational Facility: _____
Full property description on which it is situated: _____

This Recreational Facility is hereby licenced as such and the said applicant, Mr. _____, as licensee is hereby authorized to conduct and maintain the said recreational facility in accordance with the aforesaid provisions and conditions, the latter hereby being incorporated as conditions of this licence.

The maximum number of stands in the tent camp/ caravan park is _____ and the maximum number of persons to be accommodated at any one time is _____.

This licence is subject to cancellation for non-compliance with the conditions of the bylaws Relating to the Establishment of Recreational Facilities under the circumstances stated in

bylaws 12 and is also subject to cancellation in terms of bylaw 15 of the said bylaws.

Date

Municipal Manager