

SWARTLAND MUNICIPALITY:

Notice is hereby given in terms of section 13 of the Municipal Systems Act, 2000 (Act 32 of 2000) that the Municipal Council of the Swartland Municipality has made the by-law set out in the schedule hereto:

SCHEDULE

BY-LAW RELATING TO THE DISTRIBUTION OF
HANDBILLS

1. In this by-law, unless the context otherwise indicates—

“public road” means any square, park or open space which—

- (a) at any time has been declared or rendered such by the Council or any other competent authority, or
- (b) have been zoned as public place or public open space in terms of any town planning scheme regulations promulgated by the council or any other competent authority, and

“blic road” means any road, street or thoroughfare or any other place which is commonly used by the public or any section thereof or to which the public or any section thereof has a right of access, and includes—

- (a) the verge of any such road, street or thoroughfare;
- (b) any footpath, sidewalk or similar pedestrian portion of a road reserve;
- (c) any bridge, ferry or drift traversed by any such road, street or thoroughfare;
- (d) any other work or object belonging to such road, street or thoroughfare, footpath or sidewalk, and
- (e) any premises with or without structures thereon, used or set aside as a public parking area or public parking place for the parking of motor vehicles whether or not access to such a parking area or place is free of charge.

No person shall distribute or cause to be distributed a handbill or similar advertising matter in any public road, public place or public parking area, or place any handbill or similar advertising matter or cause it to be placed on or in any vehicle without the prior written permission of the Council.

Penalty Clause

3. Any person who contravenes or fails to comply with any provision of this by-law shall be guilty of an offence and liable upon conviction to a penalty not exceeding—

- (1) a fine of one thousand Rands or imprisonment for a period of six months or either such fine or such imprisonment or both such fine and such imprisonment;
- (2) in the case of a continuing offence, an additional fine of fifty Rands or an additional period of imprisonment of ten days or either such additional fine or such additional imprisonment or both such additional fine and imprisonment for each day on which such offence is continued, and
- (3) a further amount equal to any costs and expenses found by the court to have been incurred by the local authority as a result of such contravention or failure.

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MUNISIPALITEIT SWARTLAND:

Kennis geskied hiermee ingevolge die bepalings van artikel 13 van die Munisipale Stelselwet, 2000 (Wet 32 van 2000) dat die Munisipale Raad van die Munisipaliteit Swartland, die verordening soos uiteengesit in die skedule hiertoe, gemaak het.

BYLAE

VERORDENING INSAKE DIE VERSPREIDING VAN
STROOIBILJETTE

1. In hierdie verordening, tensy uit die samehang anders blyk, beteken—

“openbare plek” enige plein, park of openbare plek wat—

- (a) te enige tyd deur die raad of enige ander bevoegde owerheid tot sodanig gemaak of verklaar is, of
- (b) as openbare plek of openbare oop ruimte gestoneer is ingevolge enige dorpsaanlegskemaregulasies afgekondig deur die raad of enige ander bevoegde owerheid, en

“openbare pad” enige pad, straat of deurgang of enige ander plek wat gewoonlik deur die publiek of ’n deel daarvan gebruik word of waartoe die publiek of ’n deel daarvan die reg van toegang het en ook—

- (a) die soom van enige sodanige pad, straat of deurgang;
- (b) enige voetpad, sypaadjie of soortgelyke voetganger gedeelte van ’n padreserwe;
- (c) enige brug, pont of drif waarvoor of waardeur enige sodanige pad, straat of deurgang loop;
- (d) enige ander werk of voorwerp wat ’n deel uitmaak van of verbind is met of behoort tot daardie pad, straat, deurgang, voetpad of sypaadjie, en
- (e) enige perseel, met of sonder geboue of strukture daarop, wat gebruik word of daargestel is as ’n openbare parkeerarea of openbare parkeerplek vir die parkering van motorvoertuie ongeag of toegang tot sodanige parkeerplek of parkeerarea gratis is al dan nie.

2. Niemand mag ’n strooibiljet of soortgelyke advertensiemateriaal versprei of laat versprei in enige openbare pad, openbare plek of openbare parkeergebied, of enige strooibiljet of soortgelyke advertensiemateriaal op of in enige voertuig plaas of laat plaas sonder die voorafverkreë skriftelike toestemming van die raad nie.

Strafbepaling

3. Iedereen wat enige bepaling van hierdie verordening oortree of nalaat om daaraan te voldoen is aan ’n misdryf skuldig en by skuldigebevinding strafbaar met ’n straf van hoogstens—

- (1) ’n boete van een duisend Rand of gevangenisstraf vir ’n tydperk van ses maande, of of sodanige boete of sodanige gevangenisstraf of beide sodanige boete en sodanige gevangenisstraf;
- (2) in die geval van ’n voortdurende misdryf, met ’n addisionele boete van vyftig Rand, of ’n addisionele tydperk van gevangenisstraf van 10 dae, of of sodanige addisionele boete of sodanige addisionele gevangenisstraf, of beide sodanige addisionele boete en gevangenisstraf vir elke dag wat sodanige misdryf voortduur, en
- (3) ’n verdere bedrag gelyk aan enige koste en uitgawes wat na bevinding van die hof deur die plaaslike owerheid aangegaan is as gevolg van sodanige oortreding of versuim.

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