

- (d) In any criminal proceedings where a person is charged with contravening any of the provisions of paragraph (a) or (b) hereof it shall be presumed unless and until the contrary is proved that the meat concerned was intended for human consumption within the Town.
- 15. (1) Subject to the provisions of the Health Act (Act No. 63 of 1977) and any regulations made thereunder, the Chief of Health Services or any health inspector shall seize and condemn any carcass, meat, fat or offal which, as the result of examination, is found to be diseased, unsound, unwholesome or unfit for human consumption.
- (2) Any carcass, meat, fat or offal seized and condemned, shall, upon certificate by the Chief of Health Services, be destroyed or, alternatively it may, at the owner's risk be treated in such manner as the Chief of Health Services may decide to render it fit for human consumption.
- 16. Nothing contained in these bylaws shall preclude the duly authorised officers of the Council from taking action in terms of the preceding bylaw 15 in respect of any meat or offal which, although marked or branded as approved under these bylaws, is subsequently found to be diseased, unsound, unwholesome or otherwise unfit for human consumption.
- 17. No compensation will be paid for any meat, carcass or animal which had been condemned, seized or destroyed in terms of these bylaws.
- 18. OFFENCES

Any person who contravenes these bylaws shall be guilty of an offence and liable to a fine of R1500,00 or to imprisonment for a period not exceeding three months.

In the case of a second or subsequent conviction of an offence the offender shall be liable to a fine not exceeding R3000,00 or to imprisonment for a period not exceeding six months.

TARIFF OF CHARGES

19. The following fees shall be payable to the Council in respect of the examination and stamping of the meat of animals in terms of these bylaws:

1. Initial inspection

Bovine carcass	R10,00
Sheep carcass	R4,00
Pig carcass	R4,00
Goat carcass	R4,00
Game carcass	R4,00

2. Reinspection

Quarter of beef	R1,00
Sheep, pig, goat, game, per carcass	R1,00

G. F. A. Rademan
Chief Executive Officer

*M.N. 37, 1999

1 July 1999

ULUNDI TRANSITIONAL LOCAL COUNCIL

BYLAWS REGARDING NUISANCES

REGULATIONS governing Nuisances in terms of the provisions of sections 266 and 268 of the Local Authorities Ordinance, 1974 (Ordinance 25 of 1974)

DEFINITIONS

1. In these bylaws, unless the context otherwise indicates —

“Council” means the Town Council of the Ulundi Transitional Local Council;

“Chief Health Officer” shall include a health inspector appointed by Council;

“Authorised Officer” means any person appointed as such by Council, and any person in the service of Council who has been appointed in the capacity of peace officer in terms of the Criminal Procedure Act, 1977 (Act 51 of 1977);

“Refuse”, without somewhat limiting the ordinary meaning of the word, means any unused vehicle or machinery or parts thereof or any scrap material, builder's rubble, garden refuse, refuse, debris, garbage or any other discards or abandoned articles or object;

“Town Clerk” means the person duly appointed by Council or the person temporarily acting as such with the authority of Council, and any word or expression as defined in the Ordinance or to which a meaning has been assigned when used in these bylaws shall bear the same meaning as that assigned to it in the Ordinance.

2. No person shall —

- (a) commit a nuisance or be responsible therefor;
- (b) leave or dump refuse or liquid in a street or in a public place or premises;
- (c) advertise any services in a public place by means of a megaphone, loudspeaker or other similar means or by insistent shouting, blowing of horns or ringing of bells as to constitute a public nuisance in the neighbourhood;
- (d) disturb the public peace in or upon any premises within a residential area by the production of any sound, or permit any sound to be produced which may unreasonably disturb the convenience, comfort, peace or silence of the public;
- (e) use roller skates in or upon any street or sidewalk within the Council area;
- (f) appear indecently clothed in any public place;
- (g) write, print or draw any obscene words or figures in a public place or use indecent or foul language in any public place within the hearing of any person therein;
- (h) distribute any posters brochures handbills notices or books in any street, main road, lane or public place in such a manner without the written permission of the Town Clerk;
- (i) keep or deposit on any premises owned or occupied by him or of which he is in charge, any matter or thing solid or liquid, which is or is liable to become offensive or dangerous or injurious to health;
- (j) deposit or leave in any public place any matter or thing, liquid or solid, which is or is liable to become offensive or dangerous or injurious to health;
- (k) carry or convey, or cause or permit to be carried or conveyed through or in any public place any matter or thing, liquid or solid which is or is liable to become offensive or dangerous or injurious to the health unless such matter or thing is carried or conveyed in such a manner as approved by the Chief Health Officer to prevent the creation of any nuisance;

- (l) bury or place any carcass or part of a carcass in an inadmissible place, or permit any carcass or dead thing or any decomposable or offensive material or thing which is his property or is under his care or control to be placed on his premises or elsewhere or to remain thereon so as to cause any nuisance;
- (m) cause or permit any stream, drain, gutter, watercourse, sink, bath, tank, water closet, urinal, compost heap or swimming-bath on any land or premises owned or occupied by him or of which he is in charge to be or become so foul or in such a state or to be so situated or constructed as to be offensive or to be dangerous or injurious to health;
- (n) cause or permit any foul or polluted water or any foul liquid or matter to run or flow from any premises occupied by him, into any street or on to any land so as to be offensive or dangerous or injurious to health;
- (o) commit or cause within the Council area any act tending to the pollution of any water used by the inhabitants of the Council;
- (p) (i) permit any rank weeds or grass or undergrowth or bush to grow upon any premises or vacant land occupied or owned by him, and the Chief Health Officer may cause such person to be served with a notice requiring him within the time specified in such notice to destroy, cut down or remove such rank weeds, grass or undergrowth or bush specified in such notice;
- (ii) should any person upon whom any notice has been served by this bylaw fail to comply with the terms of such notice within the time specified therein, any authorised officer of Council may enter upon the property and may destroy or cut down and remove the rank weeds, grass or undergrowth or bush and Council may recover the cost incurred in this regard from the person upon whom such notice has been served;
- (q) burn any rubbish, refuse or garden refuse on any premises in the Council area or create any nuisance or offensive smells or any smoke nuisance thereon;
- (r) wash or cleanse any clothes, vehicle, animal or any other article or utensil on or in any public place or street;
- (s) wash or bath himself or any other person in public;
- (t) defecate or urinate in public.
3. No public meeting or gathering or procession or persons or vehicles, other than in connection with funerals, weddings or for naval, military or police purposes, shall be permitted in any street without the prior written consent of the Town Clerk, which consent shall not be withheld unless the Town Clerk has reasonable grounds for believing that such public meeting or gathering or procession of persons or vehicle, if held, will or is likely to —
- (a) cause a nuisance or be injurious to public health;
- (b) obstruct or interfere with vehicular or pedestrian traffic in any public street or endanger or cause annoyance or discomfort to persons using the same;
- (c) be offensive to public morals or decency;
- (d) result in public disturbances or damage to property.
- (2) Written application for such consent shall be made to the Town Clerk at least seven days before such meeting or gathering or procession of persons or vehicles, and such application shall contain the full names and addresses of the holders, conveners or organisers of the proposed meeting, gathering or procession of persons or vehicles, and shall specify the nature and object thereof and the date, time, place or route and approximate duration thereof.
- (3) In granting consent in terms of paragraph (1) of the bylaw the Town Clerk may impose such conditions and restrictions as he may deem necessary for the prevention or avoidance of the conditions referred to in subparagraphs (a), (b), (c) and (d) of paragraph (1) of this bylaw, and generally for the maintenance of good order, decency and the public peace.
4. (1) No person, being the owner or occupier of any premises abutting on any street or footpath shall permit —
- (a) any tree, branch or shrub growing on such premises to overhang or extend on to such street or footpath in such manner as to cause an obstruction or discomfort to the public, nor permit the roots of any such tree or shrub to grow to such an extent that they cause, or are likely to cause, any damage to the surface of any footpath or street or to any drain, sewer, water main, underground cable or pipe laid in or under the surface of such footpath or street;
- (b) any builders rubble, sand, stone or any other material to be shifted, blown or washed from such premises to any other street, sidewalk or footpath.
- (2) The owner or occupier shall upon receipt of a notice signed by an authorised officer instructing him to rectify the above conditions, comply with such notice within the time specified therein, and if he shall fail to comply with such notice the Council may cause such tree or shrub or the roots thereof to be cut down or hacked or removed and may recover the cost of such work from such owner or occupier.
5. (1) It is the duty of each occupier or in the event of any premises which are used jointly by a number of occupants the duty of the owner of the premises to prevent the breeding or sheltering thereon of mosquitoes, flies, rodents or other vermin.
- Any such occupier or owner who fails to comply with these requirements is considered to have contravened this bylaw.
- (2) The occupier or owner of any premises shall upon receipt of a notice signed by the Chief Health Officer execute such measures as specified therein for the removal of conditions which are promotive to the presence or increase or sheltering of mosquitoes, flies, rodents or other vermin, within the time specified in such notice.
- (3) Should the occupier or owner refuse to execute such measures in accordance with this bylaw or neglect to execute such measures within the specified time, the Chief Health Officer shall arrange for the execution of such measures and the cost pertaining thereto shall be recovered by Council from the person upon whom the notice was served.
6. (1) No person being the owner or occupier of any premises within the residential area, whether such premises are fenced or not shall store within the public view thereon, or on any premises other than residential premises any disused, abandoned or redundant vehicle or boat or caravan or machinery or parts thereof or any secondhand building materials or any rubbish or refuse or any other like thing, unless he shall have obtained the written consent of the Town Clerk.
- (2) Any consent given under the preceding subsection of these bylaws may be revoked, cancelled or amended by written notice to that effect signed by the Town Clerk.
7. No person being the owner of a vehicle or any other motor sort or any person being in charge of such vehicle shall permit any repair work or panel-beating to be carried out to such vehicle or part thereof on any premises used or designated for residential purposes.

OFFENCES AND PENALTIES

Any person who shall contravene any of these bylaws shall be guilty of an offence and liable upon conviction to a fine not exceeding R300,00 (three hundred rand) in the case of a first conviction, or in the case of a second or subsequent conviction due to the contravention of the same bylaw, to a fine not exceeding R500,00 (five hundred rand), or in default of payment of any fine imposed in either case, to imprisonment for a period not exceeding three months.

C. F. A. Rademan
Chief Executive Officer

ULUNDI TRANSITIONAL LOCAL COUNCIL

BYLAWS REGARDING NUISANCE

DEFINITIONS

1. *In these bylaws, unless the context otherwise indicates –*

“Council” means the Town Council of the Ulundi Transitional Local Council.

“Chief Health Officer” shall include a Health Inspector appointed by Council.

“Authorised Officer” means any person appointed as such by Council, and any person in the service of Council which has been appointed in the capacity of Peace Officer in terms of the Criminal Procedure, Act 1977 (Act 51 of 1977)

“Refuse” without somewhat limiting the ordinary meaning of the word, means any unused vehicle or machinery or parts thereof or any scrap material builder rubble garden refuse, refuse debris garbage or any other discards or abandoned articles or object.

“Town Clerk” means the person duly appointed by Council or the person temporarily acting as such with the authority of Council, and any word or expression as defined in the Ordinance or to which a meaning has been assigned when used in these bylaws shall bear the same meaning as that assigned to it in the Ordinance.

2. *No person shall –*

- (a) commit a nuisance or be responsible therefor;*
- (b) leave or dump refuse or liquid in a street or in a public place or premises;*
- (c) advertise any services in a public place by means of a megaphone, loudspeaker or other similar means or by insistent shouting, blowing of horns or ringing of bells as to constitute a public nuisance in the neighbourhood;*
- (d) disturb the public peace in or upon any premises within a residential area by the production of any sound, or permit any sound to be produced which may unreasonably disturb the convenience, comfort, peace, or silence of the public;*

use roller skates in or upon any street or sidewalk, within the Council area;

- (e) appear indecently clothed in any public place;*
- (f) write, print or draw any obscene words or figures in a public place or use indecently or foul language in any public place within the hearing of any person therein;*
- (g) distribute any posters brochures handbills notices or books in any street main road, lane or public place in such a manner without the written permission of the Town Clerk;*
- (h) keep or deposit on any premises owned or occupied by him or of which he is in charge, any matter or thing solid or liquid, which is or is liable to become offensive or dangerous or injurious to health.*
- (i) Deposit or leave in any public place any matter or thing, liquid or solid, which is or is liable to become offensive or dangerous or injurious to health;*
- (j) No person shall carry or convey, or cause or permit to be carried or conveyed through or in any public place any matter or thing, liquid or solid which is or is liable to become offensive or dangerous or injurious to the health unless such matter or thing is carried or conveyed in such a manner as approved by the Chief Health Officer to prevent the creation of any nuisance;*
- (k) Bury or place any carcass or part of a carcass in an inadmissible*

place, or permit any carcass or dead thing or any decomposable or offensive material or thing which is his property or is under his care or control to be placed on his premises or elsewhere or to remain thereon so as to cause any nuisance;

(l) Cause or permit any stream, drain, gutter, watercourse, sink, bath, tank, watercloset, urinal, compost heap or swimming-bath on any land or premises owned or occupied by him or of which he is in charge to be or become so foul or in such a state or to be so situated or constructed as to be offensive or to be dangerous or injurious to health;

(m) Cause or permit any foul or polluted water or any foul liquid or matter to run or flow from any premises occupied by him, into any street or on to any land so as to be offensive or dangerous or injurious to health;

(n) Commit or cause within the Council area any act tending to the pollution of any water used by the inhabitants of the Council;

(o) (i) permit any rank weeds or grass or undergrowth or bush to grow upon any premises or vacant land occupied or owned by him, and the Chief Health Officer may cause such person to be served with a notice requiring him within the time specified in such notice to destroy cut down or remove such rank weeds, grass, or undergrowth or bush specified in such notice;

- (ii) *should any person upon whom any notice has been served by this bylaw fail to comply with the terms of such notice within the time specified therein, any authorised officer of Council may enter upon the property and may destroy or cut down and remove the rank weeds grass or undergrowth or bush and Council may recover the cost incurred in this regard from the person upon whom such notice has been served.*

- (p) *burn any rubbish, refuse or garden refuse on any premises in the Council area or create any nuisance or offensive smells or any smoke nuisance thereon.*
- (q) *Wash or cleanse any clothes, vehicle, animal or any other article or utensil on or in any public place or street.*

- (r) *Wash or bath himself or any other person in public.*

- (s) *defecate or urinate in public.*

- 3. (1) *No public meeting or gathering or procession or persons or vehicles, other than in connection with funerals, weddings or for naval, military or police purposes, shall be permitted in any street without the prior written consent of the Town clerk, which consent shall not be withheld unless the Town clerk has reasonable grounds for believing that such public meeting or gathering or procession of persons or vehicle, if held, will or is likely to –*
 - (a) *cause a nuisance or be injurious to public health;*

public, nor permit the roots of any such tree or shrub to grow to such an extent that they cause, or are likely to cause, any damage to the surface of any footpath or street or to any drain, sewer, water main, underground cable or pipe laid in or under the surface of such foot path or street.

(b) any builders rubble, sand, stone or any other material to be shifted, blown or washed, from such premises to any other street, sidewalk or footpath.

(2) The owner or occupier shall upon receipt of a notice signed by an authorised officer instructing him to rectify the above conditions, comply with such notice within the time specified therein, and if he shall fail to comply with such notice the Council may cause such tree or shrub or the roots thereof to be cut down or hacked or removed and may recover the cost of such work from such owner or occupier.

5. (1) It is the duty of each occupier or in the event of a premises which is used jointly by a number of occupants the duty of the owner of the premises to prevent the breeding or sheltering thereon of mosquitoes flies rodents or other vermin.

Any such occupier or owner whom fails to comply with these requirements is considered to have contravened this bylaw.

(2) The occupier or owner of a premises shall upon receipt of a notice signed by the Chief Health Officer execute such measures as specified therein for the removal of conditions which are promotive

to the presence or increase or sheltering of mosquitoes, flies rodents, or other vermin, within the time specified in such notice.

- (3) *Should the occupier or owner refuse to execute such measures in accordance with this bylaw or neglect to execute such measures within the specified time, the Chief Health Officer shall arrange for the execution of such measures and the cost pertaining thereto shall be recovered by Council from the person upon whom the notice was served.*

6. (1) *No person being the owner or occupier of a premises within the residential area, whether such premises is fenced or not shall store within the public view thereon, or on any premises other than a residential premises any disused abandoned or redundant vehicle or boat or caravan or machinery or parts thereof or any secondhand building materials or any rubbish or refuse or any other like thing, unless he shall have obtained the written consent of the Town Clerk.*

- (2) *Any consent given under the preceding subsection of these bylaws may be revoked, cancelled or amended by written notice to that effect signed by the Town clerk.*

7. *No person being the owner of a vehicle or any other motor sport or any person being in charge of such vehicle shall permit any repair work or panelbeating to be carried out to such vehicle or part thereof on a premises used or designated for residential purpose.*

OFFENCES AND PENALTIES

Any person who shall contravene any of these bylaws shall be guilty of an offence and liable upon conviction, to a fine not exceeding R300-00 (three hundred rand) in the case of a first conviction, or in the case of a second or subsequent conviction due to the contravention of the same bylaw, to a fine not exceeding R500-00 (five hundred rand), or in default of payment of any fine imposed in either case, to imprisonment for a period not exceeding three months.