

NOTICE 112 OF 2017

CARAVAN PARKS BY-LAW, 2012

By-law No.3, 2012

BY-LAW**As Amended by the Caravan Parks Amendment By-Law 2017**

To provide for the establishment of caravan parks in the Dawid Kruiper Municipality; and for matters connected therewith.

WHEREAS Section 156(1) of the Constitution of the Republic of South Africa, 1996 confers on municipalities the executive authority and right to administer Local Government matters set out in Part B of Schedule 4 and Part B of Schedule 5 to the Constitution;

WHEREAS section 156(2) of the Constitution empowers municipalities to make and administer laws for the effective administration of matters that it has the right to administer;

WHEREAS in terms of section 12 of the Local Government: Municipal Structures Act, 1998, The Dawid Kruiper Municipality has been established, subsequent to the disestablishment of the Mier and //Khara Hais Municipalities;

WHEREAS the disestablished Mier and //Khara Hais Municipalities had their former areas of jurisdiction merged under the jurisdiction of the Dawid Kruiper Municipality;

WHEREAS the Dawid Kruiper Municipality intends to regulate and control caravan parks in a responsible and sustainable manner;

AND NOW THEREFORE BE IT ENACTED by the Council of the Dawid Kruiper Municipality as follows:

Definitions

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

"**caravan**" means any vehicle fitter out for use by persons for living and sleeping purposes, whether or not such vehicle is a trailer and shall include its towing vehicle;

"**caravan park**" means a caravan park established or deemed to be established under section 2;

"**caretaker**" means an officer appointed by the Municipality in terms of section 3 as caretaker of a caravan park;

"**Municipality**" means the Dawid Kruiper Municipality;

"**municipal land**" means land Situated inside the area of jurisdiction of the Municipality of which the Municipality is the owner, or of which the control, to the entire exclusion of the owner, is vested in the Municipality; and

"**site**" means the land set aside within a caravan park for -

- (i) the parking of a caravan; or
- (ii) the pitching of a tent and the parking of the vehicle of its inhabitants.

Establishment of caravan parks

- 2. (1) The Municipality may on municipal land establishes, maintain and administer caravan parks.
- (2) Any caravan park situated on municipal land, administered by the Municipality when this By-law comes into operation, shall, for all purposes, be deemed to have been established in accordance with subsection (1).
- (3) The Municipality shall divide a caravan park into sites and provide the necessary ablution and other facilities that may be needed by visitors.

Appointment of caretaker and other officers

- 3. (1) The Municipality shall appoint a caretaker and such other officers as may be necessary for the administration of each caravan park.
- (2) The caretaker appointed for a caravan park in term of subsection (1), shall be responsible for -
 - (a) collecting the charges for the use of the caravan park and its facilities as determined by the Municipality;
 - (b) the upkeep of the ablution and other facilities of the caravan park;
 - (c) making reservations for visitors who wish to make bookings in advance;
 - (d) the allocation of sites to visitors; and
 - (e) any other matter connected with the day-to-day administration of the caravan park.

Charges

- 4. The charges for the use of the caravan park shall be determined by the Municipality. Such charges shall be payable to the caretaker in advance, and a receipt therefore shall be issued by him or her.

Permission to stay longer than 30 days

- 5. Any person desiring to stay at the caravan park for a period of more than 30 days shall apply in writing to the Municipality for permission to do so.

Rules to be observed by users of caravan parks

6. (1) No person shall -
- (i) park a caravan or pitch a tent in a caravan park, except on a site allocated to him or her by the caretaker;
 - (ii) damage or climb over or through any wire fences or any other fences within or enclosing the caravan park;
 - (iii) kindle a fire in a caravan park, except in the grates provided for the purpose;
 - (iv) create any disturbance, nuisance, impediment or hindrance, which may be offensive to any other person within the caravan park;
 - (v) keep any pet or other animal in a caravan park, except a dog and then only on condition that it is kept on a leash at all times;
 - (vi) wash or hang out to dry any article of clothing elsewhere in the caravan park than in the area provided therefore;
 - (vii) dispose of refuse elsewhere in a caravan park than in the refuse bins provided for such purpose;
 - (viii) damage, destroy or deface any natural object or remove from the caravan park any flora, fauna, nest, object of historical, archaeological or scientific interest or any property therein belonging to the Municipality.
- (2) Any person who contravenes or fails to comply with the provisions of subsection (1) -
- (a) may be directed by the caretaker to leave the caravan park forthwith; and
 - (b) may be prohibited by the Municipality from entering and using the facilities of the caravan park for a specified period of time or, in a case of severe or continuous contravention, permanently.

Short title

7. This By-law shall be called the Caravan Parks By-law, 2012.

DAWID KRUIPER MUNICIPALITY

CARAVAN PARKS AMENDMENT BY-LAW, 2017

GENERAL EXPLANATORY NOTE

- [] Words in bold type and square brackets indicate omissions from existing enactments.
 _____ Words underlined with a solid line indicate insertions in existing enactments.

To provide for the amendment of the Caravan Parks By-Law, 2012; to provide for the substitution of the name "//Khara Hais", wherever it appears; to provide for the insertion of a preamble; and to provide for matters connected therewith.

BE IT ENACTED by the Council of the [//Khara Hais] Dawid Kruiper Municipality, as follows: -

Insertion of a preamble of the Dawid Kruiper Municipality: Caravan Parks By-law, 2012:

1. The Dawid Kruiper Municipality: Caravan Parks By-Law, 2012 (hereinafter referred to as the principal By-Law), is hereby amended by the insertion of the following preamble:

"WHEREAS Section 156(1) of the Constitution of the Republic of South Africa, 1996 confers on municipalities the executive authority and right to administer Local Government matters set out in Part B of Schedule 4 and Part B of Schedule 5 to the Constitution;

WHEREAS section 156(2) of the Constitution empowers municipalities to make and administer laws for the effective administration of matters that it has the right to administer;

WHEREAS in terms of section 12 of the Local Government: Municipal Structures Act, 1998, The Dawid Kruiper Municipality has been established, subsequent to the disestablishment of the Mier and //Khara Hais Municipalities;

WHEREAS the disestablished Mier and //Khara Hais Municipalities had their former areas of jurisdiction merged under the jurisdiction of the Dawid Kruiper Municipality;

WHEREAS the Dawid Kruiper Municipality intends to regulate and control caravan parks in a responsible and sustainable manner;

AND NOW THEREFORE BE IT ENACTED by the Council of the Dawid Kruiper Municipality as follows:"

Amendment of section 1 of the Dawid Kruiper Municipality: Caravan Parks By-Law, 2012.

2. Section 1 of the principal By-Law is hereby amended:
 (a) by the substitution for the definition of "Municipality" of the following definition:
 ""Municipality" means the [//Khara Hais] Dawid Kruiper M[m]unicipality";

Amendment of section 7 of the Dawid Kruiper Municipality: Caravan Parks By-Law, 2012:

3. The following section is hereby substituted for section 7 of the principal By-Law:
 "7. This By-Law is called Dawid Kruiper Municipality: Caravan Parks Amendment By-Law, [2012] 2017".