



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNICIPALITY • UMASIPALA • MUNISIPALITEIT

**BY-LAW RELATING TO THE CONTROL OF
BOUNDARY WALLS AND FENCES**

1. Approved Policies & By-laws

1.1

By-law relating to the control of boundary walls & fences

STELLENBOSCH MUNICIPALITY:

BY-LAW RELATING TO THE CONTROL OF BOUNDARY WALLS AND FENCES

Definitions

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

"Boundary" in relation to a land unit, means a cadastral line separating one land unit from another land unit or the street;

"Boundary wall/fence" means a structure erected on the cadastral boundary of a land unit;

"Council" means the council of the Stellenbosch Municipality or its duly authorized employee;

"Erf / land unit" means a portion of land with its own number on the surveyor-general's general map and the title of which is capable of being registered in the deeds.

"Erect/Erection in relation to a wall or fence" includes causing, allowing or permitting to be erected;

"Ground level" means the natural level of the ground, except where such level has been disturbed, in which case the street level is to be regarded as the ground level;

"Height" means the vertical distance from the bottom or lowest part of any structure to the top.

"Lateral boundary" means every common boundary of an erf with another erf excluding a rear boundary;

"LUPO" means the Land Use Planning Ordinance, Ordinance 15 of 1985.

"Municipality" means the Stellenbosch Municipality (WCO24 area);

"Public open space" means land which is or will be under ownership of Council and which is a park, public garden, square, sport field, children playground, amusement park, place of recreation or any similar amenity, the access to which is not limited.

"Rear boundary" means every common boundary of an erf which is parallel to or is within less than 45° of being parallel to, every street boundary of such erf and which does not link with a street boundary thereof.

"Street boundary" means the cadastral boundary, as surveyed or proclaimed, between an erf and the adjoining public or private street; provided that where a portion of an erf or premises is reserved in terms of the Zoning Scheme or any law for the purpose of a new street or for street-widening, the street boundary is the boundary of such proposed new street or proposed street-widening;

"Structure" in addition to its ordinary meaning includes a system of constructional elements and components of any wall, fence or pillar.

"the Act" means the National Building Regulations and Building Standards Act No. 103

of 1977 and the regulations promulgated in terms of section 17(1) thereof.

"Wall/fences" means any wall/fence, together with any gate or any contrivance forming part or serving the purpose of such a gate, erected as a boundary between any erven within the municipal area, and includes a wall/fence which is not erected on a boundary, such as a garden wall/fence or a free-standing wall/fence on an erf;

"Zone" means the designation of land for a particular zoning in terms of the relevant zoning scheme.

"Zoning" means the category of directives regulating the development of land and setting out the purposes for which land may be used.

"Zoning Scheme Regulations" means a scheme which has been approved by the Council and the relevant provincial authority, for the zoning of land.

Application

2. This by-law shall apply and be valid in the area of jurisdiction of the Municipality, including private residential developments with or without controlled entrances, in as far as the provisions of this by-law are not in conflict with the conditions of rezoning imposed on such a development in terms of LUPO (Land Use Planning Ordinance No. 15 of 1985) or any other applicable legislation prior to promulgation of the said Land Use Planning Ordinance, or any of its legal predecessors.

Control of walls and fences

3. No person shall erect a wall or fence of any nature on any boundary of any premises without the prior approval of the Council in accordance with the provisions contained herein.

Walls

Any person applying for the Council's approval to erect a wall as aforesaid shall submit plans drawn in accordance with the scales stipulated in the Act, clearly indicating the position of the erf, the foundations, the materials to be used in construction and the methods of construction, together with adequate dimensions of the wall proposed.

Fences

No person shall erect a fence, other than a wall as contemplated above, on any boundary of any premises, except a fence comprising of the materials described in sections 9.

Heights of walls and fences

4. The height of walls and fences shall be measured from the level of the pavement and in the absence of a pavement, from the natural level of the ground outside the property immediately adjacent to such wall or fence. If the ground level slopes longitudinally

along the length of the wall, then its height at each end of the slope shall not exceed the permitted height and when the wall/fence is stepped, such stepping shall be in a series of even steps between piers (where necessary) which steps shall not materially deviate from the mean permitted height. The determination of what constitutes material deviation shall be at the discretion of Council provided that such deviation shall not be more than 10% of the permitted height.

5. For **residential zoned** properties the height of any wall or fence (including the entrance structure and columns) shall be regulated as follows;
 - (a) *on a street boundary*: - 2.1m high, on condition that 50% of the height of the wall or fence, including gates on residential zoned properties must consist of open decorative work to create transparency. The solid construction shall not interfere with sight lines of vehicles entering or leaving the property, or passing traffic.
 - (b) *on a boundary other than a street boundary*: - 2.1m high and shall comprise of materials as described in sections 9 below, except where the screening of backyards or swimming pools are concerned, in which case the height may at the discretion of Council be increased to 2.5m.
6. For **agricultural zoned** properties, the height of walls may not exceed 1m and a fence comprising of only wire or steel palisade (painted colors preferred by council – preferably charcoal, black or dark green) may not exceed 2.1m. No brick piers shall be allowed in wire or steel palisade fences and only the entrance gate structure may be of solid brick structures which shall not be higher than 3,5m for a maximum distance of 10m on both sides of the entrance gate.
7. For all other zoned properties the height of any wall or fence may not exceed 3m. Notwithstanding this provision, Council may prescribe a boundary wall of a height of less than 3m if in Council's opinion the erection of such a wall may detract from the amenities of the area, or may in Council's opinion, be undesirable for any reason that Council may provide from time to time.

Piers and columns

8. Where piers or columns of brick, stone, concrete or similar materials are required by the Council to ensure stability, their size and spacing shall be in accordance with the requirements of Council and the National Building Regulations 0400.

Materials of walls and fences

9. Walls and fences situated on erf boundaries shall be constructed of the following materials only—
 - (a) face bricks with face-brick finishing; or

- (b) plastered and painted brickwork or bagged or cement finished brickwork; or
- (c) plastered and painted concrete block work or bagged or cement finished concrete block work; or
- (d) decorative brick blocks; or
- (e) painted precast concrete panels; or
- (f) painted steel palisade; or
- (g) galvanized or plastic-coated wire mesh; or
- (h) wooden fences which shall consist of processed timber only as approved by the building control officer, or
- (i) cast iron work or steel railings.

Additional safety precautions

- 10. Additional safety precautions such as razor wire, electrical fencing/wiring, etc., the height of which shall be included in determining the permitted height, shall not be visible from the street. Electrical fencing shall comply with any municipal guidelines on electrical security fence installations, the Electrical Machinery Regulations, the Occupational Health and Safety Act and any other applicable legislation.

Fair-face-walls

- 11. All walls and fences shall present a fair face to adjacent properties, in accordance with the provisions contained in section 9.

Dilapidated and unsightly walls and fences

- 12. No person shall in Council's opinion allow any wall or fence to fall into a ruinous, dilapidated or dangerous condition. In the event that a wall or fence has fallen in to a dilapidated condition, Council may serve a written notice upon such person requiring him/her to make good, repair, alter, demolish or remove such wall or fence at his/her own expense, within a period specified in such notice, which period shall not be less than 21 days, unless the wall or fence in question is declared by Council to be a danger to safety and or health, in which case Council may instruct the property owner to make good, repair, alter, demolish or remove such wall or fence immediately. Should the owner fail to comply with the requirements thereof within the time specified in the notice, Council may carry out the requirements of such notice and thereafter recover the cost of so doing from such owner.

Relaxation of provisions

13. Council may grant a waiver to any of the provisions of this bylaw if in Council's opinion; the specific site topographical conditions are such that the granting of a waiver will not result in the erection of a wall or fence that will materially detract from the character of the area. In granting such a waiver, Council shall have due regard to the built form that may result if abutting neighbours request similar waivers as well as the impact such waiver may have on traffic safety (both pedestrian and vehicular).

Penalty

14. If any person—
- (1) erects any wall or fence without the prior permission of the Council or otherwise than in accordance with the plans approved by the Council, or
 - (2) erects any wall or fence which does not conform to the provisions contained in this by-law, or
 - (3) contravenes any conditions imposed by Council, such person shall be guilty of an offence as provided for in the Act and shall consequently be dealt with as per the provisions of the Act.

Compliance with other legislation

15. This by-law shall not be construed as authority to depart from any other legal prescriptions or requirements provided for in any other legislation.

Repealed By-laws

16. The provisions of any by-laws previously promulgated by the municipality or by any of the disestablished municipalities now incorporated in the municipality, are hereby repealed as far as they relate to matters provided for in this By-law, and insofar as it has been made applicable to the municipality by the authorization for the execution of powers and functions in terms of section 84(3) of the Local Government: Municipal Structures Act, Act 117 of 1998.

Short title and commencement

17. This By-law is called the Stellenbosch Municipal By-law relating to the control of boundary walls and fences, and commences on the date of publication thereof in the Provincial Gazette.

STELLENBOSCH MUNISIPALITEIT:

VERORDENING TEN OPSIGTE VAN DIE BEHEER VAN GRENSMURE EN HEININGS

Definisies

1. In hierdie verordening, tensy die konteks anders aandui, beteken:

"Grens" ten opsigte van 'n grondeenheid 'n kadastrale lyn wat een grondeenheid van 'n ander grondeenheid of van die straat skei.

"Grensmuur/-heining" 'n struktuur wat op die kadastrale grens van 'n grondeenheid opgerig is.

"Raad" die raad van Stellenbosch Munisipaliteit of sy behoorlik gemagtigde werknemer.

"Erf/grondeenheid" 'n grondgedeelte met sy eie nommer op die Landmeter-generaal se algemene kaart en waarvan die titel in die aktes geregistreer kan word.

"Bou/Oprig ten opsigte van 'n muur of heining" om te oprigting te laat plaasvind, dit toe te laat of te vergun.

"Grondvlak" die natuurlike vlak van die grond, behalwe waar sodanige vlak versteur is, in welke geval die straatvlak as die grondvlak beskou moet word.

"Hoogte" die vertikale afstand van die onderste of laagste deel van enige struktuur tot bo.

"Laterale grens" elke gemeenskaplike grens van 'n erf met 'n ander erf buiten 'n agterste grens.

"LUPO" die Ordonnansie op Grondgebruikbeplanning, Ordonnansie 15 van 1985.

"Munisipaliteit" die Stellenbosch Munisipaliteit (WCO24-gebied).

"Openbare oop ruimte" grond wat in die Raad se besit is of sal wees en wat 'n park, openbare tuin, plein, sportveld, kinderspeelsterrein, pretpark, ontspanningsplek of enige soortgelyke gerief is waartoe toegang nie beperk is nie.

"Agterste grens" elke gemeenskaplike grens van 'n erf wat parallel of minder as 45° van parallel is, met elke straatgrens van sodanige erf wat nie aaneenskakel met 'n straatgrens daarvan nie.

"Straatgrens" die kadastrale grens soos opgemeet of geproklameer, tussen 'n erf en die aangrensende openbare of private straat; met dien verstande dat waar 'n gedeelte van 'n erf of perseel kragtens die Soneringskema of enige wet gereserveer is vir doeleindes van 'n nuwe straat of straatverwyding, die straatgrens die grens van sodanige voorgestelde nuwe straat of voorgestelde straatverwyding is.

"Struktuur" benewens die gewone betekenis daarvan ook 'n stelsel van konstruksie-elemente en -komponente van enige muur, heining of pilaar.

"die Wet" die Wet Op Nasionale Bouregulasies en Boustandaarde no. 103 van 1977 en

die regulasies gepromulgeer kragtens artikel 17(1) daarvan.

"Muur/heinings" enige muur/heining, tesame met enige hek of enige toestel wat deel van 'n hek vorm of as sodanige hek funksioneer, opgerig as 'n grens tussen enige erwe binne die munisipale gebied, en met inbegrip van 'n muur/heining wat nie op 'n grens opgerig is nie, soos 'n tuinmuur/-heining of 'n vrystaande muur/heining op 'n erf.

"Sone" die toewysing van grond vir 'n bepaalde sonering kragtens die betrokke soneringskema.

"Sonerings" die kategorie van voorskrifte wat grondontwikkeling reguleer en die doeleindes uiteensit waarvoor grond gebruik mag word.

"Soneringskemaregulasies" 'n skema wat deur die Raad en die betrokke provinsiale gesagsliggaam goedgekeur is vir die sonering van grond.

Toepassing

2. Hierdie verordening is van toepassing en geldig in die gebied onder die Munisipaliteit se jurisdiksie, met inbegrip van private woonontwikkelings met of sonder beheerde ingange, in soverre die bepalinge van hierdie verordening nie strydig is met die hersoneringsvoorwaardes wat op sodanige ontwikkeling opgelê is kragtens LUPA (Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985) of enige ander toepaslike wetgewing van voor promulgasie van die gemelde Ordonnansie op Grondgebruikbeplanning, of enige van sy wetlike voorgangers.

Beheer van mure en heinings

3. Geen persoon mag 'n muur of heining van enige aard op enige grens van enige perseel oprig sonder die voorafgoedkeuring van die Raad ingevolge die voorwaardes wat hierin vervat is nie.

Mure

Enige persoon wat aansoek doen om die Raad se goedkeuring om 'n muur op te rig soos hierbo vermeld, moet planne indien wat opgestel is volgens die skale wat in die Wet gestipuleer word en waarin duidelik vervat is die posisie van die erf, die fundamente, die materiaal wat in die konstruksie gebruik sal word en die konstruksiemetodes, tesame met voldoende afmetings van die voorgestelde muur.

Heinings

Geen persoon mag 'n heining, buiten 'n muur soos hierbo beoog word, op enige grens van enige perseel oprig nie, behalwe 'n heining wat bestaan uit die materiaal wat in artikel 9 beskryf word.

Hoogtes van mure en heinings

4. Die hoogte van mure en heinings moet gemeet word van die vlak van die sypaadjie en,

by gebrek aan 'n sypaadjie, van die natuurlike vlak van die grond buite die eiendom wat onmiddellik aan sodanige muur of heining grens. As die grondvlak in die lengte al langs die muur daal, mag die muur se hoogte aan elke punt van sy helling nie die toegelate hoogte oorskry nie en wanneer die muur/heining trapsgewys daal, moet sodanige trappe 'n reeks gelyke trappe tussen steunpilare (waar nodig) vorm, welke trappe nie wesenlik van die gemiddelde toegelate hoogte mag afwyk nie. Die bepaling van wat 'n wesenlike afwyking behels, berus by die goeddunke van die Raad, met dien verstande dat sodanige afwyking nie meer as 10% van die toegelate hoogte mag wees nie.

5. Vir **residensieel gesoneerde** eiendomme word die hoogte van enige muur of heining (met inbegrip van die ingangstruktuur en kolomme) as volg gereguleer:
 - (a) *aan 'n straatgrens:* – 2,1 m hoog, op voorwaarde dat 50% van die hoogte van die muur of heining, met inbegrip van hekke, op residensieel gesoneerde eiendomme moet bestaan uit oop sierwerk om deursigtigheid te bevorder. Die soliede konstruksie mag nie die uitsig van voertuie wat die eiendom binnegaan of verlaat of van verbygaande verkeer belemmer nie.
 - (b) *aan 'n grens wat nie 'n straatgrens is nie:* – 2,1 m hoog en bestaande uit materiaal soos beskryf in artikel 9 hieronder, behalwe waar dit betrekking het op die afskerm van agterplase of swembaddens, in welke geval die hoogte na goeddunke van die Raad tot 2,5 m verhoog mag word.
6. Vir **landbougesoneerde** eiendomme mag die muurhoogte nie 1 m oorskry nie en 'n heining van slegs draad of staalpalissade (geverf in die Raad se voorkeurkleure – verkieslik houtskool, swart of donkergroen) mag nie 2,1 m oorskry nie. Geen steunpilare word in heinings van draad of staalpalissade toegelaat nie en slegs die toegangshekstruktuur mag bestaan uit soliede steenstrukture wat nie hoër as 3,5 m mag wees nie, vir 'n maksimum afstand van 10 m aan albei kante van die toegangshek.
7. Vir alle ander gesoneerde eiendomme mag die hoogte van enige muur of heining nie 3 m oorskry nie. Nieteenstaande hierdie bepaling mag die Raad 'n grensmuur met 'n hoogte van minder as 3 m voorskryf indien die oprigting van sodanige muur na die mening van die Raad aan die geriewe van die gebied afbreuk sal doen, of na die Raad se mening onwenslik is om enige rede wat die Raad van tyd tot tyd mag aanvoer.

Steunpilare en kolomme

8. Waar steunpilare of kolomme van steen, klip, beton of soortgelyke materiaal deur die Raad vereis word om stabiliteit te verseker, moet hulle grootte en spasiëring voldoen aan die vereistes van die Raad en die Nasionale Bouregulasies 0400.

Materiaal van mure en heinings

9. Mure en heinings wat op erfgrense staan, mag slegs van die volgende materiale opgerig

word—

- (a) sierstene met siersteenafwerking; of
- (b) gepleisterde en geverfde baksteenwerk, of baksteenwerk met saksmeer- of sementafwerking; of
- (c) gepleisterde en geverfde betonblokkewerk of betonblokkewerk met saksmeer- of sementafwerking; of
- (d) ornamentele steenblokke; of
- (e) geverfde voorafvervaardigde betonpanele; of
- (f) geverfde staalpalissade; of
- (g) gegalvaniseerde of plastiekbedekte maasdraad; of
- (h) houheinings wat van geprosesseerde hout gemaak moet wees, slegs soos deur die boubeheerbeampte goedgekeur is; of
- (i) gietysterwerk of staalrelings.

Addisionele veiligheidsmaatreëls

10. Addisionele veiligheidsmaatreëls soos lemmetjiesdraad, elektriese heining/bedrading ens., waarvan die hoogte ingesluit moet wees wanneer die toegelate hoogte bepaal word, mag nie van die straat af sigbaar wees nie. Elektriese heinings moet voldoen aan enige munisipale riglyne oor elektriese sekuriteitsheininginstallasies, die Regulasies op Elektriese Masjinerie, die Wet op Beroepsgesondheid en -veiligheid en enige ander toepaslike wetgewing.

Skoonvlakmure

11. Alle mure en heinings moet 'n skoon vlak na aangrensende eiendomme wys, in ooreenstemming met die vereistes vervat in artikel 9.

Bouvallige en onooglike mure en heinings

12. Geen persoon mag na die Raad se mening toelaat dat enige muur of heining in 'n vervalte, bouvallige of gevaarlike toestand verval nie. Indien 'n muur of heining in 'n bouvallige toestand verval het, mag die Raad sodanige persoon 'n skriftelike kennisgewing gee waardeur hy/sy verplig word om sodanige muur of heining op sy/haar koste goed te maak, te herstel, te wysig, te sloop of te verwyder, binne 'n tydperk wat in sodanige kennisgewing gespesifiseer word, welke tydperk nie minder as 21 dae mag wees nie, tensy die betrokke muur of heining deur die Raad as 'n veiligheids- of gesondheidsrisiko beskou word, in welke geval die Raad die eienaar van die eiendom

mag gelas om sodanige muur of heining onmiddellik goed te maak, te herstel, te wysig, te sloop of te verwyder. Indien die eienaar in gebreke bly om aan hierdie vereistes te voldoen binne die tydperk wat in die kennisgewing bepaal word, mag die Raad die vereistes van sodanige kennisgewing uitvoer en daarna die koste van sodanige uitvoering van sodanige eienaar verhaal.

Verslapping van vereistes

13. Die Raad mag 'n kwytskelding van enige van die bepalinge van hierdie verordening toestaan indien, na die Raad se mening, die spesifieke topografiese terreintoestande sodanig is dat die toestaan van 'n kwytskelding nie sal lei tot die oprigting van 'n muur of heining wat die karakter van die omgewing wesenlik sal benadeel nie. Wanneer sodanige kwytskelding toegestaan word, doen die Raad dit met behoorlike inagneming van die bouvorm wat kan ontstaan indien aangrensende bure soortgelyke kwytskeldings versoek, sowel as die uitwerking wat sodanige kwytskelding mag hê op verkeersveiligheid (beide voetgangers en voertuie).

Boete

14. Indien enige persoon—
- (1) enige muur of heining oprig sonder die vooraftoestemming van die Raad of andersins as volgens die planne wat deur die Raad goedgekeur is; of
 - (2) enige muur of heining oprig wat nie voldoen aan die bepalinge vervat in hierdie verordening nie; of
 - (3) enige voorwaardes oortree wat deur die Raad opgelê is, is sodanige persoon skuldig aan 'n misdryf soos daarvoor in die Wet voorsiening gemaak is, en sal met hom/haar gehandel word ingevolge die bepalinge van die Wet.

Nakoming van ander wetgewing

15. Hierdie verordening mag nie vertolk word as 'n vergunning om af te wyk van enige ander wetlike voorskrifte of vereistes waarvoor in enige ander wetgewing voorsiening gemaak word nie.

Herroepte verordeninge

16. Die bepalinge van enige verordeninge voorheen gepromulgeer deur die munisipaliteit of deur enige van die ontbinde munisipaliteite wat nou by die munisipaliteit ingelyf is, word hierdeur herroep in soverre hulle betrekking het op aangeleenthede waarvoor in hierdie verordening voorsiening gemaak is, en in soverre dit op die munisipaliteit van toepassing gemaak is deur die magtiging vir die uitvoering van magte en funksies ingevolge artikel 84(3) van die Wet op Plaaslike Regering: Munisipale Strukture, Wet 117 van 1998.

Kort titel en inwerkingtreding

17. Hierdie Verordening staan bekend as die Stellenbosch Munisipaliteit se Verordening ten opsigte van die beheer oor grensmure en -heinings, en tree in werking op die datum waarop dit in die Provinsiale Koerant verskyn.

UMASIPALA WASESTELLENBOSCH:

IMITHETHO YEDOLOPHU ELAWULA IMIDA YEENDONGA NEENGCINGO

Ingcaciso

1. Ngokwa lomthetho wedolophu:

“Umda” ngokubhekiselele kumhlaba, uxela umgca ochaza imida ehlulahlula imihlaba okanye izitalato;

“Udonga/ucingo olungumda” luxela ulakhiwo olumiswe ekupheleni komda womhlaba;

“IBhunga” lixela ibhunga likaMasipala waseStellenbosch okanye umqeshwa walo ogunyaziswe ngokufanelekileyo;

“Isiza/umhlaba” sixela isahlulo somhlaba nenombolo yaso ekwimephu yoluntu kanocanda kunye nesiqinisekiso sebango lomhlaba esikwaziyo ukubhaliswa kumaxwebhu okubhaliswa kwemihlaba;

“UKwakha/ukwakhiwa ngokubhekiselele kudonga okanye ucingo” kuquka ukwenza okanye ukuvumela ukuba kwakhiwe;

“Umgangatho osezantsi” uxela umgangatho wendalo womhlaba, ngaphandleni kokuba umgangatho lowo wakhiwe, ngoko ke umgangatho wesitalato uya kuthatyathwa njengo mgangatho osezantsi.

“Ubude” buxela obuthe nkqo ukusuka emazantsi endawo yesakhiwo nasiphi na ukuya kuma phezulu.

“Umda osemacaleni” uxela wonke umda ozibonakalelayo wesiza nesinye isiza owohlula umda ongasemva,

“LUPO” uthetha i-Land Use Planning Ordinance, Ordinance 15 we-1985.

“Masipala” uxela uMasipala waseStellenbosch (indawo i-WCO24);

“Indawo kawonke-wonke ephangaleleyo” ixela umhlaba ophantsi okanye oza kuba phantsi kweBhunga nokwa yipaki, igadi kawonke-wonke, esikwereni, ibala lemidlalo, ibala lokudlala labantwana, indawo yokuzonwabisa okanye nayiphi na indawo yobumnandi, ivuleleke kumntu wonke.

“Umda ongasemva” ubhekisa kumda wonke obonakalayo okwisiza onxusene okanye ongaphantsi kwenqanam lama-45 (degrees) okunxusana, ubhekisa nakweyiphi imida yezitalato yeso siza engadibaniyo kumda wesitalato.

“Umda wesitalato” uxela iinkcukacha zomda, ecandiweyo okanye yapapashwa, phakathi kwesiza kunye nesitalato esoyamene nesikawonke-wonke okanye sabucala, ngaphandleni kokuba inxalenye yesiza okanye umhlaba ubekwe ngokomthetho wokuYila uKwahlula ngeMimandla okanye nawuphi na umthetho ngenjongo zesitalato esitsha okanye ukwandisa isitalato, umda wesitalato ngumda weso sitalato sitsha sicetywayo okanye ukwandiswa okucetywayo kwesitalato;

“Ulwakhiwo” ukwaleka kwintsingiselo eqhelekileyo, kuquka izinto zokwakha naluphi na udonga, ucingo okanye intsika.

“uMthetho” ubhekisa kuMthetho kaZwelonke wokuLawula uKwakha noMgangatho woKwakha we-103 we 1977 kunye nemigaqo ebhengezwe ngokwecandelo le-17(1)

“Udonga/iingcingo” ubhekisa kulo naluphi na udonga/ucingo, kunye naliphi na isango okanye nasiphi na isixhobo, ubuchule obenza isango okanye obusetyeziswa lolo sango, yakhiwe njengomda phakathi kwaso nasiphi na isiza kwindawo kamasipala, kwaye iquka udonga/ucingo, olungakhiwanga kumda, olufana nodonga okanye ucingo lwegadi okanye udonga/ucingo oluzimeleyo kwisiza.

“Ummandla” uthetha uyilo lomhlaba ukuze ucandwe ngokwemigaqo efanelekileyo yokucanda.

“Ukucanda” uxela amaqanaba emimiselo alawula uphuhliso lomhlaba lukwanika nenjongo umhlaba unokuthi usetyenziselwe yona.

“IQumrhu eliLawula ukuCanda” lixela iqumrhu eliphunyezwe liBhunga kunye nogunyaziso olufanelekileyo lephondo, ukucanda umhlaba.

Ukusetyenziswa

2. Lo mthetho wedolophu uya kuba semthethweni kwaye usetyenziswe kummandla kaMasipala, kuquka nophuhliso kwiindawo zokuhlala zabucala ezinamasango alawulwayo okanye avulelekileyo, ngokuqinisekisa ukuba amatyala alo mthetho wedolophu awakhabani nemigaqo yokucanda kolo phuhliso ngokomthetho we LUPO-(Land Use Planning Ordinance Ye-15 ye-1985) okanye naluphi na uwiso-mthetho phambi kokubhengezwa kwalo mthetho uyi-Land Use Planning Ordinance, okanye nayiphi na imithetho eyandulelayo.

Ukulawulwa kweendonga neengcingo

3. Akukho mntu omakakhe udonga okanye abiye ngocingo lwalo naluphi na uhlobo emdeni nakowuphi na umhlaba ngaphandle kwemvume yeBhunga ngokwamatyala aqulathwe kulo.

lindonga

Nawuphi na umntu owenza isicelo sokuphunyezwa kokwakha udonga kwiBhunga, njengoko besekukhankanyiwe ngaphambili, kufuneka angenise izicwangciso okanye iplani ezotywe ngokwemimiselo echazwe kulo Mthetho, echaza mhlophe nokuma kwesiza, isiseko, uhlobo lwempahla zokwakha kunye nendlela ekuza kwakhiwa ngayo, kuquka nemilinganiselo yodonga olucetywayo.

lingcingo

Akukho mntu omakabiye ngocingo, ngaphandleni kodonga, obeselukhe

Iwakhankanywa ngentla, nakowuphi na umda womhlaba, ngaphandle kocingo olwenziwe ngohlobo oluchazwe kwicandelo le-9.

Ubude beendonga neengcingo

4. Ubude beendonga neengcingo kufuneka bubalwe ukusuka kumgangatho wendlela yokuhamba, ukuba ayikho, uqale kumgangatho womhlaba ngaphandle kwesakhiwo, owoyamene nodonga olo okanye ucingo. Ukuba umgangatho ukekelela kubude bedonga, umphakamo kwicala ngalinye lethambeka kufuneka ungagqithisi kumphakamo ovumelekileyo kwaye xa udonga/ucingo lunyusiwe, oko kunyuswa kufuneka kube kumanqanaba alinganayo phakathi kweentsinka(xa kuyimfuneko) manqanaba lawo ekufuneka engaphambukanga nakancinci kummiselo womphakamo ovumelekileyo. Ukuvunyelwa-kolwakiwo ekuthiwa luphambukile kufuneka luxhomekeke kwiBhunga ngaphandleni kokuba ukuphambuka oko akukho ngaphezulu kwe-10 ekhulwini lomphakamo ovumelekileyo.
5. Ukuphakama kwazo naziphi na iindonga okanye iingcingo (kuquka isango elakhiweyo kunye neentsika) ezakhiwo **zemimandla yokuhlala** kufuneka kulawulwe ngolu hlobo lulandelayo;
 - (a) kumda wesitalato: - 2.1m ubude, ngaphandleni kokuba ama-50 ekhulwini obude bedonga okanye ucingo, kuquka amasango kwimihlaba ekwimimandla yokuhlala, ahonjisiwe ukwenzela ukuba kubonakale ngaphakathi. Udonga olwakhiweyo kufuneka lungazifihli iimoto ezingena okanye eziphuma kwisakhiwo, okanye iimoto ezigqitha esitalatweni.
 - (b) kumda ngaphandleni kowesitalato: - 2.1m ubude kwaye izinto owenziwe ngazo kufuneka ibe zizinto ezichazwe kwicandelo le-9 elingezantsi, ngaphandleni kokuba kuyakrotywa ngasemva okanye kumadama okuqubha, kulo meko ke ukuphakama ngokuvunyelwa liBhunga, kunganyuselwa kwi-2.5m.
6. **Imimandla yezakhiwo zolimo**, ukuphakama kweendonga akunakugqitha i-1m kwaye ubiyelo locingo okanye lweepali zentsimbi (ipeyintwe ngemibala ekhethwe libhunga– ngokukodwa u-charcoal, mnyama okanye uluhlaza) alunakugqitha kwi-2.1m. Akukho ntsika zezitena eziza kuvunyelwa kubiyelo locingo okanye lweepali zentsimbi kwaye iza kuba lisango lokungena kuphela eliza kuba neentsika ezomeleleyo ezingazukugqitha kwii-3,5m ukuphakama kumgama ongange-10m kumacala omabini esango lokungena.
7. Ukuphakama kodonga lokubiya okanye umbiyelo awunakugqitha ii-3m kweminye immimandla yezakhiwo. Nangona kukho olu lungiselelo, ibhunga lisenokuseka udonga lomda olunokuphakama okungaphantsi kwee-3m ukuba kuthe kanti ngokwembono yeBhunga ukwenziwa kodonga olunjalo kuza kunciphisa

ubungezelo lwale ndawo, okanye ngokwembono yeBhunga kusenokungabukeki ngokwaso nasiphi na isizathu esinokubekwa liBhunga kwityeli netyeli.

liblorho ekuhanjwa kuzo neentsika

8. Apho kukho khona imfuneko yeebhlorho ekuhanjwa kuzo neentsika ezenziwe ngezitena, amatye, ikhonkrithi okanye izinto ezibufana nezo ezifunwa liBhunga ukuqinisekisa uzinzo, ubungakanani nokuqelelana kwazo kuza kuhambelana nemiqathango yeBhunga kunye neMimiselo yeSizwe yoKwakha [National Building Regulations] 0400.

Izixhobo zokwakha iindonga nemibiyelo

9. Iindonga nemibiyelo ekwimida yeziza iza kwenziwa kuphela ngezi zixhobo zilandelayo—
 - (a) izitena zokuhombisa ezinemiqukumbelo yezitena zokuhombisa; okanye
 - (b) umsebenzi wezitena ezityabekiweyo zapeyintwa okanye izitena ezinemiqukumbelo yesamente; okanye
 - (c) iibloko zekonkrithi ezityabekiweyo zapeyintwa okanye ezishiywe nje okanye iibloko zekonkrithi eziqukunjelwe ngesamente; okanye
 - (d) iibloko zezitena ezihonjisiweyo; okanye
 - (e) liphaneli zekonkrithi ezixonxiweyo; okanye
 - (f) ubiyelo olwenziwe ngeepali zentsimbi ezipeyintiweyo; okanye
 - (g) ucingo olugqunywe ngesinyithi ngombane webhetri okanye olugqunywe ngeplastikhi; okanye
 - (h) imibiyelo yeplanga eyenziwe ngeplanga elicokisiweyo ngendlela ephasiswe ngumhloli wokwakha, okanye
 - (i) intsimbi yembiza okanye izikrokro zentsimbi.

Amanyathelo okhuseleko olongezelelekileyo

10. Amanyathelo okhuseleko olongezelelekileyo afana nocingo oluhlabayo, ucingo lombane, njl-njl., olunokuphakama okuza kuquka ukuqikelela ukuphakama okuvunyiweyo, olungazi kubonakala esitalatweni. Ucingo lombane lona luza kuhambelana nemigaqo kamasipala yokufakelwa kocingo lokhuseleko olunombane, i-Electrical Machinery Regulations, i-Occupational Health kunye ne-Safety Act kunye nayo nayiphi na imithetho echaphazelekayo.

Iindonga ezibuvuleka

11. Zonke iindonga nemibiyelo iza kwenziwa ibe nokubonakala kwizakhiwo ezijongene nazo, ngokwamalungiselelo aqulathwe kwiCandelo 9.

Iindonga nemibiyelo edilikayo okanye engabukelekiyo

12. Ngokwembono yeBhunga akukho mntu uza kuvumela ukuba udonga okanye ucingo lube kwimeko yentshabalalo, yokudilika okanye enobungozi. Kwimeko apho ucingo luthi lube luyadilika, iBhunga lisenokukhupha isaziso esibhaliweyo esicela umntu lowo uchaphazelekayo ukuba alungise, atshintshe, atshabalalise okanye alususe udonga olunjalo okanye ucingo ngeendleko zakhe, ngexesha elimisiweyo kwisaziso eso, xesha elo elingayi kuba ngaphezu kweentsuka ezingama-21, ngaphandle kokuba udonga okanye ucingo olo kuthethwa ngalo luchazwe iBhunga njengolunobungozi kukhuseleko kunye okanye nakwimpilo, apho ke iBhunga lisenokuyalela umnini-ndawo ukuba alungise, atshintshe, atshabalalise okanye alususe udonga okanye ucingo olunjalo ngoko nangoko. Ukuba umnini-ndawo uye wohluleka ukuyithobela le miqathango ngexesha elimisiweyo kwisaziso, iBhunga lisenokuyiphumeza imiqathango yeso saziso lize emva koko bafumane kumnini-ndawo iindleko zeemali abazichithileyo.

Ukunyenysiswa kwamalungiselelo

13. IBhunga lisenokurhoxisa nawaphi na kula malungiselelo omthetho wedolophu ngokokubona kweBhunga; iimeko ezikhethekileyo zenkcazo-mphandle wesiza zime ngohlobo apha ekungenakwenzeka ukuba kunikezelwe ngorhoxiso oluza kukhokelela ekwakhiweni kodonga nobiyelo okanye ucingo oluza kunciphisa imbonakalo yendawo leyo. Ngokunikezela ngorhoxiso olunjalo, iBhunga liza kuba nokuthathela ingqalelo kulwakhiwo oluza kukhokelela ekwayameni kwizicelo zabamelwane ezingorhoxiso olufanayo ngokunjalo nefuthe urhoxiso olunjalo oluza kuba nalo kukhuseleko lwezendlela (kubahambi ngeenyawo nakwiinqwelo).

Isohlwayo

14. Ukuba nawuphi na umntu—
- (1) wenze naluphi na udonga okanye ubiyelo ngaphandle kokufumana imvume kwiBhunga okanye iqumrhu elinjalo ngokoyilo oluphunyezwe iBhunga, okanye
 - (2) wenze naluphi na udonga okanye ubiyelo olungahambisani namalungiselelo aqulathwe kumthetho wedolophu, okanye
 - (3) waphula nayiphi na imiqathango ebekwe iBhunga, loo mntu uza kuba netyala lokona njengoko kuchaziwe kuMthetho kwaye uza kuba

nokohlwaywa ngokwamalungiselelo achazwe kuMthetho lowo.

Ukuhambisana neminye imithetho

15. Lo mthetho wedolophu uchazwa njengolawulo okuza kuqalwa kulo ukusukela kweminye imimiselo yomthetho okanye iimfuneko ezibalulweyo kumthetho lowo.

Imithetho yedolophu erhoxisiweyo

16. Amalungiselelo ayo nayiphi imithetho yedolophu ebibhengeziwe ngaphambili ngumasipala okanye nangabaphi oomasipala ababhangisiweyo esele iqukwe kumasipala okhoyo, iya rhoxiswa ngokunje ngokwemiba ephathelele kumalungiselelo alo Mthetho wedolophu, kwaye nanjengoko yenziwe yasebenza kumasipala lugunyaziso lokunikezelwa kolawulo nemisebenzi ngokwecandelo 84(3) lwe-Local Government: Municipal Structures Act, uMthetho 117 yowe-1998.

Isihloko esifutshane nokuqaliswa

17. Lo mthetho wedolophu ubizwa ngokuba yiStellenbosch Municipal By-law ophathelele kulawulo lommandla weendonga nemibiyelo, kwaye uqalisa ukusebenza ngomhla wokushicilelwa kwiGazethi yePhondo.



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STELLENBOSCH MUNICIPALITY
BY-LAW RELATING TO THE CONTROL OF BOUNDARY WALLS AND FENCES

Definitions

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

“**Boundary**” in relation to a land unit, means a cadastral line separating one land unit from another land unit or the street;

“**Boundary wall/fence**” means a structure erected on the cadastral boundary of a land unit;

“**Council**” means the council of the Stellenbosch Municipality or its duly authorized employee;

“**Erf/land unit**” means a portion of land with its own number on the surveyor-general’s general map and the title of which is capable of being registered in the deeds.

“**Erect/Erection in relation to a wall or fence**” includes causing, allowing or permitting to be erected;

“**Ground level**” means the natural level of the ground, except where such level has been disturbed, in which case the street level is to be regarded as the ground level;

“**Height**” means the vertical distance from the bottom or lowest part of any structure to the top.

“**Lateral boundary**” means every common boundary of an erf with another erf excluding a rear boundary;

“**LUPO**” means the Land Use Planning Ordinance, Ordinance 15 of 1985.

“**Municipality**” means the Stellenbosch Municipality (WCO24 area);

“**Public open space**” means land which is or will be under ownership of Council and which is a park, public garden, square, sport field, children playground, amusement park, place of recreation or any similar amenity, the access to which is not limited.

“**Rear boundary**” means every common boundary of an erf which is parallel to or is within less than 45° of being parallel to, every street boundary of such erf and which does not link with a street boundary thereof.

“**Street boundary**” means the cadastral boundary, as surveyed or proclaimed, between an erf and the adjoining public or private street; provided that where a portion of an erf or premises is reserved in terms of the Zoning Scheme or any law for the purpose of a new street or for street-widening, the street boundary is the boundary of such proposed new street or proposed street-widening;

“**Structure**” in addition to its ordinary meaning includes a system of constructional elements and components of any wall, fence or pillar.

“**the Act**” means the National Building Regulations and Building Standards Act No. 103 of 1977 and the regulations promulgated in terms of section 17(1) thereof.

“**Wall/fences**” means any wall/fence, together with any gate or any contrivance forming part or serving the purpose of such a gate, erected as a boundary between any erven within the municipal area, and includes a wall/fence which is not erected on a boundary, such as a garden wall/fence or a free-standing wall/fence on an erf;

"Zone" means the designation of land for a particular zoning in terms of the relevant zoning scheme.

"Zoning" means the category of directives regulating the development of land and setting out the purposes for which land may be used.

"Zoning Scheme Regulations" means a scheme which has been approved by the Council and the relevant provincial authority, for the zoning of land.

Application

2. This by-law shall apply and be valid in the area of jurisdiction of the Municipality, including private residential developments with or without controlled entrances, in as far as the provisions of this by-law are not in conflict with the conditions of rezoning imposed on such a development in terms of LUPO (Land Use Planning Ordinance No. 15 of 1985) or any other applicable legislation prior to promulgation of the said Land Use Planning Ordinance, or any of its legal predecessors.

Control of walls and fences

3. No person shall erect a wall or fence of any nature on any boundary of any premises without the prior approval of the Council in accordance with the provisions contained herein.

Walls

Any person applying for the Council's approval to erect a wall as aforesaid shall submit plans drawn in accordance with the scales stipulated in the Act, clearly indicating the position of the erf, the foundations, the materials to be used in construction and the methods of construction, together with adequate dimensions of the wall proposed.

Fences

No person shall erect a fence, other than a wall as contemplated above, on any boundary of any premises, except a fence comprising of the materials described in sections 9.

Heights of walls and fences

4. The height of walls and fences shall be measured from the level of the pavement and in the absence of a pavement, from the natural level of the ground outside the property immediately adjacent to such wall or fence. If the ground level slopes longitudinally along the length of the wall, then its height at each end of the slope shall not exceed the permitted height and when the wall/fence is stepped, such stepping shall be in a series of even steps between piers (where necessary) which steps shall not materially deviate from the mean permitted height. The determination of what constitutes material deviation shall be at the discretion of Council provided that such deviation shall not be more than 10% of the permitted height.
5. For residential zoned properties the height of any wall or fence (including the entrance structure and columns) shall be regulated as follows:
 - (a) on a street boundary: 2.1m high, on condition that 50% of the height of the wall or fence, including gates on residential zoned properties must consist of open decorative work to create transparency. The solid construction shall not interfere with sight lines of vehicles entering or leaving the property, or passing traffic;
 - (b) on a boundary other than a street boundary: 2.1m high and shall comprise of materials as described in sections 9 below, except where the screening of backyards or swimming pools are concerned, in which case the height may at the discretion of Council increased to 2.5m.
6. For agricultural zoned properties, the height of walls may not exceed 1m and a fence comprising of only wire or steel palisade (painted colors preferred by council-preferably charcoal, black or dark green) may not exceed 2.1m. No brick piers shall be allowed in wire or steel palisade fences and only the entrance gate structure may be of solid brick structures which shall not be higher than 3.5m for a maximum distance of 10m on both sides of the entrance gate.
7. For all other zoned properties the height of any wall or fence may not exceed 3m. Notwithstanding this provision, Council may prescribe a boundary wall of a height of less than 3m if in Council's opinion the erection of such a wall may detract from the amenities of the area, or may in Council's opinion, be undesirable for any reason that Council may provide from time to time.

Piers and columns

8. Where piers or columns of brick, stone, concrete or similar materials are required by the Council to ensure stability, their size and spacing shall be in accordance with the requirements of Council and the National Building Regulations 0400.

Materials of walls and fences

9. Walls and fences situated on erf boundaries shall be constructed of the following materials only—
 - (a) face bricks with face-brick finishing; or
 - (b) plastered and painted brickwork or bagged or cement finished brickwork; or
 - (c) plastered and painted concrete block work or bagged or cement finished concrete block work; or
 - (d) decorative brick blocks; or
 - (e) painted precast concrete panels; or
 - (f) painted steel palisade; or
 - (g) galvanized or plastic-coated wire mesh; or
 - (h) wooden fences which shall consist of processed timber only as approved by the building control officer, or
 - (i) cast iron work or steel railings.

Additional safety precautions

10. Additional safety precautions such as razor wire, electrical fencing/wiring, etc., the height of which shall be included in determining the permitted height, shall not be visible from the street. Electrical fencing shall comply with any municipal guidelines on electrical security fence installations, the Electrical Machinery Regulations, the Occupational Health and Safety Act and any other applicable legislation.

Fair-face-walls

11. All walls and fences shall present a fair face to adjacent properties, in accordance with the provisions contained in section 9.

Dilapidated and unsightly walls and fences

12. No person shall in Council's opinion allow any wall or fence to fall into a ruinous, dilapidated or dangerous condition. In the event that a wall or fence has fallen in to a dilapidated condition, Council may serve a written notice upon such person requiring him/her to make good, repair, alter, demolish or remove such wall or fence at his/her own expense, within a period specified in such notice, which period shall not be less than 21 days, unless the wall or fence in question is declared by Council to be a danger to safety and or health, in which case Council may instruct the property owner to make good, repair, alter, demolish or remove such wall or fence immediately. Should the owner fail to comply with the requirements thereof within the time specified in the notice, Council may carry out the requirements of such notice and thereafter recover the cost of so doing from such owner.

Relaxation of provisions

13. Council may grant a waiver to any of the provisions of this by-law if in Council's opinion the specific site topographical conditions are such that the granting of a waiver will not result in the erection of a wall or fence that will materially detract from the character of the area. In granting such a waiver, Council shall have due regard to the built form that may result if abutting neighbours request similar waivers as well as the impact such waiver may have on traffic safety (both pedestrian and vehicular).

Penalty

14. If any person—
- (1) erects any wall or fence without the prior permission of the Council or otherwise than in accordance with the plans approved by the Council, or
 - (2) erects any wall or fence which does not conform to the provisions contained in this by-law, or
 - (3) contravenes any conditions imposed by Council, such person shall be guilty of an offence as provided for in the Act and shall consequently be dealt with as per the provisions of the Act.

Compliance with other legislation

15. This by-law shall not be construed as authority to depart from any other legal prescriptions or requirements provided for in any other legislation.

Repealed By-laws

16. The provisions of any by-laws previously promulgated by the municipality or by any of the disestablished municipalities now incorporated in the municipality, are hereby repealed as far as they relate to matters provided for in this By-law, and insofar as it has been made applicable to the municipality by the authorization for the execution of powers and functions in terms of section 84(3) of the Local Government: Municipal Structures Act, Act 117 of 1998.

Short title and commencement

17. This By-law is called the Stellenbosch Municipal By-law relating to the control of boundary walls and fences, and commences on the date of publication thereof in the Provincial Gazette.

30 October 2009

20604

STELLENBOSCH MUNISIPALITEIT

VERORDENING TEN OPSIGTE VAN DIE BEHEER VAN GRENSMURE EN HEININGS

Definisies

1. In hierdie verordening, tensy die konteks anders aandui, beteken:
- “Grens” ten opsigte van 'n grondeenheid 'n kadastrale lyn wat een grondeenheid van 'n ander grondeenheid of van die straat skei.
- “Grensmuur/-heining” 'n struktuur wat op die kadastrale grens van 'n grondeenheid opgerig is.
- “Raad” die raad van Stellenbosch Munisipaliteit of sy behoorlik gemagtigde werknemer.
- “Erf/grondeenheid” 'n grondgedeelte met sy eie nommer op die Landmeter-generaal se algemene kaart en waarvan die titel in die aktes geregistreer kan word.
- “Bou/Oprig ten opsigte van 'n muur of heining” om te oprigting te laat plaasvind, dit toe te laat of te vergun.

“**Grondvlak**” die natuurlike vlak van die grond, behalwe waar sodanige vlak versteur is, in welke geval die straatvlak as die grondvlak beskou moet word.

“**Hoogte**” die vertikale afstand van die onderste of laagste deel van enige struktuur tot bo.

“**Laterale grens**” elke gemeenskaplike grens van ’n erf met ’n ander erf buiten ’n agterste grens.

“**LUPO**” die Ordonnansie op Grondgebruikbeplanning, Ordonnansie 15 van 1985.

“**Munisipaliteit**” die Stellenbosch Munisipaliteit (WCO24-gebied).

“**Openbare oop ruimte**” grond wat in die Raad se besit is of sal wees en wat ’n park, openbare tuin, plein, sportveld, kinderspeelplein, pretpark, ontspanningsplek of enige soortgelyke gerief is waartoe toegang nie beperk is nie.

“**Agterste grens**” elke gemeenskaplike grens van ’n erf wat parallel of minder as 45° van parallel is, met elke straatgrens van sodanige erf wat nie aaneenskakel met ’n straatgrens daarvan nie.

“**Straatgrens**” die kadastrale grens soos opgemeet of geproklameer, tussen ’n erf en die aangrensende openbare of private straat; met dien verstande dat waar ’n gedeelte van ’n erf of perseel kragtens die Soneringskema of enige wet gereserveer is vir doeleindes van ’n nuwe straat of straatverwyding, die straatgrens die grens van sodanige voorgestelde nuwe straat of voorgestelde straatverwyding is.

“**Struktuur**” benewens die gewone betekenis daarvan ook ’n stelsel van konstruksie-elemente en -komponente van enige muur, heining of pilaar.

“**die Wet**” die Wet Op Nasionale Bouregulasies en Boustandaarde no. 103 van 1977 en die regulasies gepromulgeer kragtens artikel 17(1) daarvan.

“**Muur/heinings**” enige muur/heining, tesame met enige hek of enige toestel wat deel van ’n hek vorm of as sodanige hek funksioneer, opgerig as ’n grens tussen enige erwe binne die munisipale gebied, en met inbegrip van ’n muur/heining wat nie op ’n grens opgerig is nie, soos ’n tuinmuur/heining of ’n vrystaaude muur/heining op ’n erf.

“**Sone**” die toewysing van grond vir ’n bepaalde sonering kragtens die betrokke soneringskema.

“**Sonering**” die kategorie van voorskrifte wat grondontwikkeling reguleer en die doeleindes uiteensit waarvoor grond gebruik mag word.

“**Soneringskemaregulasies**” ’n skema wat deur die Raad en die betrokke provinsiale gesagsliggaam goedgekeur is vir die sonering van grond.

Toepassing

- Hierdie verordening is van toepassing en geldig in die gebied onder die Munisipaliteit se jurisdiksie, met inbegrip van private woonontwikkelings met of sonder beheerde ingange, in soverre die bepalinge van hierdie verordening nie strydig is met die hersoneringsvoorwaardes wat op sodanige ontwikkeling opgelê is kragtens LUPO (Ordonnansie op Grondgebruikbeplanning, no. 15 van 1985) of enige ander toepaslike wetgewing van voor promulgasie van die gemelde Ordonnansie op Grondgebruikbeplanning, of enige van sy wetlike voorgangers.

Beheer van mure en heinings

- Geen persoon mag ’n muur of heining van enige aard op enige grens van enige perseel oprig sonder die voorafgoedkeuring van die Raad ingevolge die voorwaardes wat hierin vervat is nie.

Mure

Enige persoon wat aansoek doen om die Raad se goedkeuring om ’n muur op te rig soos hierbo vermeld, moet planne indien wat opgestel is volgens die skale wat in die Wet gestipuleer word en waarin duidelik vervat is die posisie van die erf, die fundamente, die materiaal wat in die konstruksie gebruik sal word en die konstruksiemetodes, tesame met voldoende afmetings van die voorgestelde muur.

Heinings

Geen persoon mag ’n heining, buiten ’n muur soos hierbo beoog word, op enige grens van enige perseel oprig nie, behalwe ’n heining wat bestaan uit die materiaal wat in artikel 9 beskryf word.

Hoogtes van mure en heinings

- Die hoogte van mure en heinings moet gemeet word van die vlak van die sypaadjie en, by gebrek aan ’n sypaadjie, van die natuurlike vlak van die grond buite die eiendom wat onmiddellik aan sodanige muur of heining grens. As die grondvlak in die lengte al langs die muur daal, mag die muur se hoogte aan elke punt van sy helling nie die toegelate hoogte oorskry nie en wanneer die muur/heining trapsgewys daal, moet sodanige trappe ’n reeks gelyke trappe tussen steunpilare (waar nodig) vorm, welke trappe nie wesenlik van die gemiddelde toegelate hoogte mag afwyk nie. Die bepaling van wat ’n wesenlike afwyking behels, berus by die goeiddunke van die Raad, met dien verstande dat sodanige afwyking nie meer as 10% van die toegelate hoogte mag wees nie.
- Vir residensiële gesoneerde eiendomme word die hoogte van enige muur of heining (met inbegrip van die ingangstruktuur en kolomme) as volg gereguleer:
 - aan ’n straatgrens: 2.1m hoog, op voorwaarde dat 50% van die hoogte van die muur of heining, met inbegrip van hekke, op residensiële gesoneerde eiendomme moet bestaan uit oop sierwerk om deursigtigheid te bevorder. Die soliede konstruksie mag nie die uitsig van voertuie wat die eiendom binnegaan of verlaat of van verbygaande verkeer belemmer nie.
 - aan ’n grens wat nie ’n straatgrens is nie: 2.1m hoog en bestaande uit materiaal soos beskryf in artikel 9 hieronder, behalwe waar dit betrekking het op die afskerm van agterplase of swembaddens, in welke geval die hoogte na goeiddunke van die Raad tot 2.5m verhoog mag word.
- Vir landbougesoneerde eiendomme mag die muurhoogte nie 1m oorskry nie en ’n heining van slegs draad of staalpalissade (geverf in die Raad se voorkeurkleure—verkieslik houtskool, swart of donkergroen) mag nie 2.1m oorskry nie. Geen steenpilare word in heinings van draad of staalpalissade toegelaat nie en slegs die toegangshekstruktuur mag bestaan uit soliede steenstrukture wat nie hoër as 3.5m mag wees nie, vir ’n maksimum afstand van 10m aan albei kante van die toegangshek.
- Vir alle ander gesoneerde eiendomme mag die hoogte van enige muur of heining nie 3m oorskry nie. Nieteenstaande hierdie bepaling mag die Raad ’n grensmuur met ’n hoogte van minder as 3m voorskryf indien die oprigting van sodanige muur na die mening van die Raad aan die

geriewe van die gebied afbreuk sal doen, of na die Raad se mening onwenslik is om enige rede wat die Raad van tyd tot tyd mag aanvoer.

Steunpilare en kolomme

8. Waar steunpilare of kolomme van steen, klip, beton of soortgelyke materiaal deur die Raad vereis word om stabiliteit te verseker, moet hulle grootte en spasiering voldoen aan die vereistes van die Raad en die Nasionale Bouregulasies 0400.

Materiaal van mure en heinings

9. Mure en heinings wat op erfgrense staan, mag slegs van die volgende materiale opgerig word—
- sierstene met siersteenafwerking; of
 - gepleisterde en geverfde baksteenwerk, of baksteenwerk met saksmeer- of sementafwerking; of
 - gepleisterde en geverfde betonblokkewerk of betonblokkewerk met saksmeer- of sementafwerking; of
 - ornamentele steenblokke; of
 - geverfde voorafvervaardigde betonpanele; of
 - geverfde staalpalissade; of
 - gegalvaniseerde of plastiekbedekte maasdraad; of
 - houtheinings wat van geprosesseerde hout gemaak moet wees, slegs soos deur die boubeheerbeampte goedgekeur is; of
 - gietysterwerk of staalreelings.

Addisionele veiligheidsmaatreëls

10. Addisionele veiligheidsmaatreëls soos lemmetjiesdraad, elektriese heining/bedrading ens., waarvan die hoogte ingesluit moet wees wanneer die toegelate hoogte bepaal word, mag nie van die straat af sigbaar wees nie. Elektriese heinings moet voldoen aan enige munisipale riglyne oor elektriese sekuriteitsheininginstallasies, die Regulasies op Elektriese Masjinerie, die Wet op Beroepsgesondheid en -veiligheid en enige ander toepaslike wetgewing.

Skoonvlakmure

11. Alle mure en heinings moet 'n skoon vlak na aangrensende eiendomme wys, in ooreenstemming met die vereistes vervat in artikel 9.

Bouvallige en onooglike mure en heinings

12. Geen persoon mag na die Raad se mening toelaat dat enige muur of heining in 'n vervalde, bouvallige of gevaarlike toestand verval nie. Indien 'n muur of heining in 'n bouvallige toestand verval het, mag die Raad sodanige persoon 'n skriftelike kennisgewing gee waardeur hy/sy verplig word om sodanige muur of heining op sy/haar koste goed te maak, te herstel, te wysig, te sloop of te verwyder, binne 'n tydperk wat in sodanige kennisgewing gespesifiseer word, welke tydperk nie minder as 21 dae mag wees nie, tensy die betrokke muur of heining deur die Raad as 'n veiligheids- of gesondheidsrisiko beskou word, in welke geval die Raad die eienaar van die eiendom mag gelas om sodanige muur of heining onmiddellik goed te maak, te herstel, te wysig, te sloop of te verwyder. Indien die eienaar in gebreke bly om aan hierdie vereistes te voldoen binne die tydperk wat in die kennisgewing bepaal word, mag die Raad die vereistes van sodanige kennisgewing uitvoer en daarna die koste van sodanige uitvoering van sodanige eienaar verhaal.

Verlapping van vereistes

13. Die Raad mag 'n kwytskelding van enige van die bepalinge van hierdie verordening toestaan indien, na die Raad se mening, die spesifieke topografiese terreintoestande sodanig is dat die toestaan van 'n kwytskelding nie sal lei tot die oprigting van 'n muur of heining wat die karakter van die omgewing wesenlik sal benadeel nie. Wanneer sodanige kwytskelding toegestaan word, doen die Raad dit met behoorlike inagneming van die bouvorm wat kan ontstaan indien aangrensende bure soortgelyke kwytskeldings versoek, sowel as die uitwerking wat sodanige kwytskelding mag hê op verkeersveiligheid (beide voetgangers en voertuie).

Boete

14. Indien enige persoon—
- enige muur of heining oprig sonder die vooraftoestemming van die Raad of andersins as volgens die planne wat deur die Raad goedgekeur is; of
 - enige muur of heining oprig wat nie voldoen aan die bepalinge vervat in hierdie verordening nie; of
 - enige voorwaardes oortree wat deur die Raad opgelê is, is sodanige persoon skuldig aan 'n misdryf soos daarvoor in die Wet voorsiening gemaak is, en sal met hom/haar handel word ingevolge die bepalinge van die Wet.

Nakoming van ander wetgewing

15. Hierdie verordening mag nie vertolk word as 'n vergunning om af te wyk van enige ander wetlike voorskrifte of vereistes waarvoor in enige ander wetgewing voorsiening gemaak word nie.

Herroepde verordeninge

16. Die bepalinge van enige verordeninge voorheen gepromulgeer deur die munisipaliteit of deur enige van die ontbinde munisipaliteite wat nou by die munisipaliteit ingelyf is, word hierdeur herroep in soverre hulle betrekking het op aangeleenthede waarvoor in hierdie verordening voorsiening gemaak is, en in soverre dit op die munisipaliteit van toepassing gemaak is deur die magtiging vir die uitvoering van magte en funksies ingevolge artikel 84(3) van die Wet op Plaaslike Regering: Munisipale Strukture, Wet 117 van 1998.

Kort titel en inwerkingtreding

17. Hierdie Verordening staan bekend as die Stellenbosch Munisipaliteit se Verordening ten opsigte van die beheer oor grensmure en -heininge, en tree in werking op die datum waarop dit in die Provinsiale Koerant verskyn.

30 Oktober 2009

20604

UMASIPALA WASESTELLENBOSCH**IMITHETHO YEDOLOPHU ELAWULA IMIDA YEENDONGA NEENGCINGO****Ingcaciso**

1. Ngokwa lomthetho wedolophu:

“Umda” ngokubhekiselele kumhlaba, uxela umgca ochaza imida ehlulahlula imihlaba okanye izitalato;

“Udonga/ucingo olungumda” luxela ulakhiwo olumiswe ekupheleni komda womhlaba;

“IBhunga” lixela ibhunga likaMasipala waseStellenbosch okanye umqeshwa walo ogunyaziswe ngokufanelekileyo;

“Isiza/umhlaba” sixela isahlulo somhlaba nenombolo yaso ekwimephu yoluntu kanocanda kunye nesiqinisekiso sebango lomhlaba esikwaziyo ukubhaliswa kumaxwebhu okubhaliswa kwemihlaba;

“UKwakha/ukwakhiwa ngokubhekiselele kudonga okanye ucingo” kuquka ukwenza okanye ukuvumela ukuba kwakhiwe;

“Umgangatho osezantsi” uxela umgangatho wendalo womhlaba, ngaphandleni kokuba umgangatho lowo wakhiwe, ngoko ke umgangatho wesitalato uya kuthatyathwa njengo mgangatho osezantsi.

“Ubude” buxela obuthe nkoqo ukusuka emazantsi endawo yesakhiwo nasiphi na ukuya kuma phezulu.

“Umda osemaceleni” uxela wonke umda ozibonakalayo wesiza nesinye isiza owohlula umda ongasemva,

“LUPO” uthetha i-Land Use Planning Ordinance, Ordinance 15 we-1985;

“Masipala” uxela uMasipala waseStellenbosch (indawo i-WCO24);

“Indawo kawonke-wonke ephangaleleyo” ixela umhlaba ophantsi okanye oza kuba phantsi kweBhunga nokwa yipaki, igadi kawonke-wonke, esikwereni, ibala lemidlalo, ibala lokudlala labantwana, indawo yokuzonwabisa okanye nayiphi na indawo yobumandi, ivuleleke kumntu wonke.

“Umda ongasemva” ubhekisa kumda wonke obonakalayo okwisiza onxusene okanye ongaphantsi kwenqanani lama-45 (degrees) okunxusana, ubhekisa nakweyiphi imida yezitalato yeso siza engadibaniyo kumda wesitalato.

“Umda wesitalato” uxela iinkcukacha zomda, ecandiweyo okanye yapapashwa, phakathi kwesiza kunye nesitalato esoyamene nesikawonke-wonke okanye sabucala, ngaphandleni kokuba inxalenye yesiza okanye umhlaba ubekwe ngokomthetho wokuYila uKwahlula ngeMimandla okanye nawuphi na umthetho ngenjongo zesitalato esitsha okanye ukwandisa isitalato, umda wesitalato ngumda weso sitalato sitsha sicetywayo okanye ukwandiswa okucetywayo kwesitalato;

“Ulwakhiwo” ukwaleka kwintsingiselo eqhelekileyo, kuquka izinto zokwakha naluphi na udonga, ucingo okanye intsika.

“uMthetho” ubhekisa kuMthetho kaZwelonke wokuLawula uKwakha noMgangatho woKwakha we-103 we 1977 kunye nemigaqo ebhengezwe ngokwecandelo le-17(1)

“Udonga/lingcingo” ubhekisa kulo naluphi na udonga/ucingo, kunye naluphi na isango okanye nasiphi na isixhobo, ubuchule obenza isango okanye obusetyenziswa lolo sango, yakhiwe njengomda phakathi kwaso nasiphi na isiza kwindawo kamasipala, kwaye iquka udonga/ucingo, olungakhiwanga kumda, olufana nodonga okanye ucingo lwegadi okanye udonga/ucingo oluzimeleyo kwisiza.

“Ummandla” uthetha uyilo lomhlaba ukuze ucaudwe ngokwemigaqo efanelekileyo yokucanda.

“Ukucanda” uxela amanganaba emimiselo alawula uphuhliso lomhlaba lukwanika nenjongo umhlaba unokuthi usetyenziselwe yona.

“IQumrhu eliLawula ukuCanda” lixela iqumrhu eliphunyezwe liBhunga kunye nogunyaziso olufanelekileyo lephondo, ukucanda umhlaba.

Ukusetyenziswa

2. Lo mthetho wedolophu uya kuba semthethweni kwaye usetyenziswe kummandla kaMasipala, kuquka nophuhliso kwiindawo zokuhlala zabucala ezinamasango alawulwayo okanye avulekileyo, ngokuqinisekisa ukuba amagatya alo mthetho wedolophu awakhabani nemigaqo yokucanda kolo phuhliso ngokomthetho we LUPO-(Land Use Planning Ordinance Ye-15 ye-1985) okanye naluphi na uwisio-mthetho phambi kokubhengezwa kwalo mthetho uyi-Land Use Planning Ordinance, okanye nayiphi na imithetho eyandulelayo.

Ukulawulwa kweendonga neengcingo

3. Akukho mntu omakakhe udonga okanye abiye ngocingo lwalo naluphi na uhlobo emdeni nakowuphi na umhlaba ngaphandle kwemvume yeBhunga ngokwamagatya aqulathwe kulo.

Iindonga

Nawuphi na umntu owenza isicelo sokuphunyezwa kokwakha udonga kwiBhunga, njengoko besekuhankanyiwe ngaphambili, kufuneka angenise izicwangciso okanye iplani ezotywe ngokwemimiselo echazwe kulo Mthetho, echaza mhlophe nokuma kwesiza, isiseko, uhlobo lwempahla zokwakha kunye nendlela ekuza kwakhiwa ngayo, kuquka nemilinganiselo yodonga olucetywayo.

Iingcingo

Akukho mntu omakabiye ngocingo, ngaphandleni kodonga, obeselukhe lwahankanyiwa ngentla, nakowuphi na umda womhlaba, ngaphandle kocingo olwenziwe ngohlobo oluchazwe kwicandelo le-9.

Ubude beendonga neengcingo

4. Ubude beendonga neengcingo kufuneka bubalwe ukusuka kumgangatho wendlela yokuhamba, ukuba ayikho, uqale kumgangatho womhlaba ngaphandle kwesakhiwo, owoyamene nodonga olo okanye ucingo. Ukuba umgangatho ukekelela kubude bedonga, umphakamo kwicala ngalinye lethabeka kufuneka ungagqithisi kumphakamo ovumelekileyo kwaye xa udonga/ucingo lunyusiwe, oko kunyuswa kufuneka kube kumanqanaba alinganayo phakathi kweentsinka(xa kuyimfuneko) manqanaba lawo ekufuneka ngaphambukanga nakancinci kummiselo womphakamo ovumelekileyo. Ukuvunyelwa kolwakhiwo ekuthiwa luphambukile kufuneka luxhomekeke kwiBhunga ngaphandleni kokuba ukuphambuka oko akukho ngaphezulu kwe-10 ekhulwini lomphakamo ovumelekileyo.
5. Ukuphakama kwazo naziphi na iindonga okanye iingcingo (kuquka isango elakhiweyo kunye neentsika) ezakhiwo zemimandla yokuhlala kufuneka kulawulwe ngolu hlobo lulandelayo:
 - (a) kumda wesitalato: 2.1m ubude, ngaphandleni kokuba ama-50 ekhulwini obude bedonga okanye ucingo, kuquka amasango kwimihlaba ekwimimandla yokuhlala, ahonjisiwe ukwenzela ukuba kubonakale ngaphakathi. Udonga olwakhiweyo kufuneka lungazifihli iimoto ezingena okanye eziphuma kwisakhiwo, okanye iimoto ezigqitha esitalatweni.
 - (b) kumda ngaphandleni kowesitalato: 2.1m ubude kwaye izinto owenziwe ngazo kufuneka ibe zizinto ezichazwe kwicandelo le-9 elingezantsi, ngaphandleni kokuba kuyakrotywa ngasemva okanye kumadama okuqubha, kulo meko ke ukuphakama ngokuvunyelwa liBhunga, kunga nyuselwa kwi-2.5m.
6. Imimandla yezakhiwo zolimo, ukuphakama kweendonga akunakugqitha i-1m kwaye ubiyelo locingo okanye lweepali zentsimbi (ipeyintwe ngemibala ekhethwe libhunga ngokukodwa u-charcoal, mnyama okanye uluhlaza) alunakugqitha kwi-2.1m. Akukho ntsika zezitena eziza kuvunyelwa kubiyelo locingo okanye lweepali zentsimbi kwaye iza kuba lisango lokungena kuphela eliza kuba neentsika ezomeleleyo ezingazukugqitha kwi-3.5m ukuphakama kungama ongange-10m kumacala omabini esango lokungena.
7. Ukuphakama kodonga lokubiya okanye umbiyelo awunakugqitha ii-3m kweminye immimandla yezakhiwo. Nangona kukho olu lungiselelo, ibhunga lisenokuseka udonga lomda olunokuphakama okungaphantsi kwee-3m ukuba kuthi kanti ngokwembono yeBhunga ukwenziwa kodonga olunjalo kuza kunciphisa ubungezelo lwalc ndawo, okanye ngokwembono yeBhunga kusenokungabukeki ngokwaso nasiphi na isizathu esinokubekwa liBhunga kwityeli netyeli.

Iiblorho ekuhanjwa kuzo neentsika

8. Apho kukho khona imfuneko yeebhorho ekuhanjwa kuzo neentsika ezenziwe ngezitena, amatye, ikhonkrithi okanye izinto ezibufana nezoz ezifunwa liBhunga ukuqinisekisa uzinzo, ubungakanani nokuqelelana kwazo kuza kuhambelana nemiqathango yeBhunga kunye neMimiselo yeSizwe yoKwakha [National Building Regulations] 0400.

Izixhobo zokwakha iindonga nemibiyelo

9. Iindonga nemibiyelo ekwimida yeziza iza kwenziwa kuphela ngezi zixhobo zilandelayo—
 - (a) izitena zokuhombisa ezinemiqukumbelo yezitena zokuhombisa; okanye
 - (b) umsebenzi wezitena ezityabekiweyo zapeyintwa okanye izitena ezinemiqukumbelo yesamente; okanye
 - (c) iibloko zekonkrithi ezityabekiweyo zapeyintwa okanye ezishiywe nje okanye iibloko zekonkrithi eziqukunjelwe ngesamente; okanye
 - (d) iibloko zezitena ezihonjisiweyo; okanye
 - (e) iiphaneli zekonkrithi ezixonxiweyo; okanye
 - (f) ubiyelo olwenziwe ngeepali zentsimbi eziipeyintiweyo; okanye
 - (g) ucingo olugqunywe ngesinyithi ngombane webhetri okanye olugqunywe ngeplastiki; okanye
 - (h) imibiyelo yeplanga eyenziwe ngeplanga elicokisiweyo ngendlela epasiswe ngumhloli wokwakha, okanye
 - (i) intsimbi yembiza okanye izikrokro zentsimbi.

Amanyathelo okhuseleko olongezelelekileyo

10. Amanyathelo okhuseleko olongezelelekileyo afana nocingo oluhlabayo, ucingo lombane, njl-njl., olunokuphakama okuza kuquka ukuqikelela ukuphakama okuvunyiweyo, olungazi kubonakala esitalatweni. Ucingo lombane lona luza kuhambelana nemigaqo kamasipala yokufakelwa kocingo lokhuseleko olunombane, i-Electrical Machinery Regulations, i-Occupational Health kunye ne-Safety Act kunye nayo nayiphi na imithetho echaphazelekayo.

Iindonga ezibuvuleka

11. Zonke iindonga nemibiyelo iza kwenziwa ibe nokubonakala kwizakhiwo ezijongene nazo, ngokwamalungiselelo aqulathwe kwiCandelo 9.

Iindonga nemibiyelo edilikayo okanye engabukelekiyo

12. Ngokwembono yeBhunga akukho mtu uza kuvumela ukuba udonga okanye ucingo lube kwimeko yentshabalalo, yokudilika okanye enobungozi. Kwimeko apho ucingo luthi lube luyadilika, iBhunga lisenokukhupha isaziso esibhaliweyo esicela umntu lowo uchaphazelekayo ukuba alungise, atshintshe, atshabalalise okanye alususe udonga olunjalo okanye ucingo ngeendleko zakhe. ngexesha elimisiweyo kwisaziso eso, xesha elo elingayi kuba ngaphezu kweentsuka ezingama-21, ngaphandle kokuba udonga okanye ucingo olo kuthethwa ngalo luchazwe liBhunga njengolunobungozi kukhuseleko kunye okanye nakwimpilo, apho ke iBhunga lisenokuyalela umnini-ndawo ukuba alungise, atshintshe, atshabalalise okanye alususe udonga okanye ucingo olunjalo ngoko nangoko. Ukuba umnini-ndawo uye wohluleka ukuyithobela le miqathango ngexesha elimisiweyo kwisaziso, iBhunga lisenokuyiphumeza imiqathango yeso saziso lize enva koko bafumane kumnini-ndawo iindleko zeemali abazichithileyo.

Ukunyenyiswa kwamalungiselelo

13. IBhunga lisenokurhoxisa nawaphi na kula malungiselelo omthetho wedolophu ngokokubona kweBhunga; iimeko ezikhethekileyo zenkcazo-mphandle wesiza zime ngohlobo apha ekungenakwenzeka ukuba kunikezelwe ngorhoxiso oluza kukhokelela ekwakhiweni kodonga nobiyelo okanye ucingo oluza kunciphisa imbonakalo yendawo leyo. Ngokunikezela ngorhoxiso olunjalo, iBhunga liza kuba nokuthathela ingqalelo kulwakhiwo oluza kukhokelela ekwayameni kwizicelo zabamelwane ezingorhoxiso olufanayo ngokunjalo nefuthe urhoxiso olunjalo oluza kuba nalo kukhuseleko lwezendlela (kubhambi ngeenyawo nakwiinqwelo).

Isohlwayo

14. Ukuba nawuphi na umntu—
- (1) wenze naluphi na udonga okanye ubiyelo ngaphandle kokufumana imvume kwiBhunga okanye iqumru elinjalo ngokoyilo oluphunyezwe liBhunga, okanye
 - (2) wenze naluphi na udonga okanye ubiyelo olungahambisani namalungiselelo aqulathwe kumthetho wedolophu, okanye
 - (3) waphula nayiphi na imiqathango ebekwe liBhunga, loo mtu uza kuba uetyala lokona njengoko kuchaziwe kuMthetho kwaye uza kuba nokohlwaywa ngokwamalungiselelo achazwe kuMthetho lowo.

Ukubambisana neminye imithetho

15. Lo mthetho wedolophu uchazwa njengolawulo okuza kuqalwa kulo ukusukela kweminye imimiselo yomthetho okanye iimfuneko ezibalulweyo kumthetho lowo.

Imithetho yedolophu erhoxisiweyo

16. Amalungiselelo ayo nayiphi imithetho yedolophu ebibhengeziwe ngaphambili ngumasipala okanye nangabaphi oomasipala ababhangisiweyo esele iqukwe kumasipala okhoyo, iya rhoxiswa ngokunje ngokwemiba ephathelele kumalungiselelo alo Mthetho wedolophu, kwaye nanjengoko yenziwe yasebenza kumasipala lugunyaziso lokunikezelwa kolawulo nemisebenzi ngokwecandelo 84(3) lwe-Local Government: Municipal Structures Act, uMthetho 117 yowe-1998.

Isihloko esifutshane nokuqaliswa

17. Lo mthetho wedolophu ubizwa ngokuba yiStellenbosch Municipal By-law ophathelele kulawulo lommandla weendonga nemibiyelo, kwaye uqalisa ukusebenza ngomhla wokushicilelwa kwiGazethi yePhondo.