

Nelson Mandela Bay Metropolitan Municipality:**NOISE CONTROL BY-LAW****SCHEDULE OF OFFENCES AND CRIMES**

By-law published in extraordinary Provincial Gazette number 2322 dated 24 March 2010

Section contravened	Description of offence	Proposed fine (1)	Approved fine (2)	Offence Code
5 r/w 15	Making/producing/causing a disturbing noise or allowing it to be caused	R 2 500	R1 000	101270
6 (a) r/w 15	Operating/playing or allowing to be operated/played a device producing, reproducing or amplifying sound so as to cause a noise nuisance	R 2 500	R1 000	101288
6 (b) r/w 15	Offering any article for sale or allowing it to be done in any manner which causes a noise nuisance	R 1 000	R1 000	101296
6 (c) r/w 15	Allowing an animal they own or control to cause a noise nuisance	R 500	R 500	101301
6 (d) r/w 15	Building/making/constructing/repairing/re building/ modifying/operating/testing a vehicle, vessel, aircraft or object on or near residential premises, or allowing such actions if it causes a noise nuisance	R 1 500	R1 000	101319
6 (e) r/w 15	Using or discharging an explosive, firearm or similar device that may cause a noise nuisance, or allowing such actions without prior consent in writing of the municipality	R 1 000	R1 000	101327
6 (f) r/w 15	Moving about on or in a recreational vehicle on a piece of land, in water or in airspace above that piece of land or exercising control over a recreational vehicle or allowing such activity to take place if this causes a noise nuisance	R 1 500	R1 000	101335
6 (g) r/w 15	Emitting a sound, or allowing a sound to be emitted, by a device when it is not an emergency, if it causes a noise nuisance	R 1 000	R1 000	101343

6 (h) r/w 15	operating any machinery, saw, sander, drill, grinder, lawnmower, power tool or similar device or allowing it to be operated in a residential area during stipulated hours if it causes a noise nuisance/disturbance	R 2 500	R1 000	101351
6 (i) r/w 15	handling a crate, box, container, building material, rubbish container or any other article, or allowing such actions, if it causes a noise nuisance	R 1 500	R1 000	101369
6 (j) r/w 15	Using a power tool or power equipment for construction work, drilling work or demolition work, or allowing it to be used in or near a residential area during specified hours if it causes a noise nuisance/disturbance	R 2 500	R1 000	101377
7 (1)(a) r/w 15	Establishing a new township without the correct lay-out plans	R 2 500	R2 500	101385
7 (1)(b) r/w 15	Making changes to existing facilities or existing uses of land/buildings or erecting new buildings where amplified sound is used, if these will house or cause activities that will cause a disturbing noise, unless precautionary measures taken	R 2 500	R2 500	101393
7 (1)(c) r/w 15	Building a road/changing an existing road/altering the speed limit on a road, if this causes an increase in noise in or near specific areas	R 2 500	R2 500	101408
7 (1)(d) r/w 15	Installing/replacing or modifying a plant with a total input power exceeding 10 kilowatts on any premises, without notifying the municipality	R 2 500	R2 500	101416
8 (2)(a) r/w 15	Erecting certain buildings in an existing township in a controlled area or area for which a zone sound level has been designated in terms of subsection (1)(b), unless acoustic screening measures have been provided	R 2 000	R2 000	101424
8 (2)(b) r/w 15	Locating certain erven within a controlled area in a new township or an area that has been rezoned	R 2 000	R2 000	101432

9 (1)(a) r/w 15	Driving a vehicle/allowing it to be driven on a public road if the sound level exceeds the sound level specified for a non-exempted vehicle	R 1 500	R1 000	101440
9 (1)(b) r/w 15	Driving a vehicle/allowing it to be driven on a public road if the sound level exceeds the sound level specified for an exempted vehicle	R 1 500	R1 000	101458
10 (1) r/w 15	Operating/playing a device producing/reproducing/amplifying sound or allowing it to be operated or played in a public place if the noise level measured exceeds 95 dBA, unless permission has been obtained from the municipality	R 2 500	R1 000	101466
10 (2) r/w 15	Staging an open-air music festival or similar gathering without the prior written consent of the municipality	R 2 500	R2 500	101474
12 (a) r/w 15	Failing to comply with a written condition, instruction, notice, requirement or demand issued by a municipality in terms of these regulations	R 2 500	R2 500	101482
12 (b) r/w 15	Tampering with, removing, putting out of action, damaging or impairing the functioning of a noise monitoring system, noise limiter, noise measuring instrument, acoustic device, road traffic sign or notice placed in a position by or on behalf of a municipality	R 2 500	R2 500	101490
12 (c)(i) r/w 15	Failing or refusing to grant admission to municipal employee to enter and to inspect a premises	R 2 000	R1 000	101505
12 (c)(ii) r/w 15	Failing or refusing to give information which may lawfully be required of him or her to employee	R 2 000	R1 000	101513
12 (c)(iii) r/w 15	Hindering or obstructing employee in the execution of his or her duties	R 2 000	R1 000	101521
12 (c)(iv) r/w 15	Giving false or misleading information to such employee knowing that it is false or misleading	R 2 000	R1 000	101539

I hereby certify that the admission of guilt fines listed in Column 2 above as submitted by the Nelson Mandela Bay Metropolitan Municipality have been approved by me in terms of Section 57(5)(a) and 341(5) of the Criminal Procedure Act, 51 of 1977, for the Magisterial District/s of

Port Elizabeth and Uitenhage

This determination replaces any previous determination for the said Magisterial District.

[Signature]

Magistrate Port Elizabeth)

MAGISTRATE
PRIVATE BAG X3904
2010 -12- 15
PORT ELIZABETH

Date Stamp

[Signature]

Magistrate (Uitenhage)

LANDDROS
PRIVAATSAK/PRIVATE BAG X3
2010 -12- 15
Date Stamp
UITENHAGE 6230
MAGISTRATE