

NMBMM : PUBLIC AMENITIES BY-LAW

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FINE SCHEDULE

Offence Code	Section Contravened	Description of offence	Proposed Fine (1)	Approved Fine (2)
102860	5(1) r/w 5(6) r/w 28	Failing to produce ticket or entering a public amenity without having paid the entrance fee	R500	R200
102878	6(1) r/w 6(4) r/w 28	Undertaking activities upon the public amenity where no notice-board has been erected (subject to section 8)	R2000	R750
102886	6(2) r/w 6(4) r/w 28	Moving or altering the contents of defacing or otherwise tampering with a notice-board erected by the municipality	R2000	R750
102967	9(2)(a),(b),(d),(e) r/w 9(4) r/w 28	Undertaking an activity in terms of this subsection without compliance to the conditions imposed in terms of subsection (2) (e)	R2000	R1000
102975	9(3) r/w 28	Failing to display permit to the control official on arrival at the public amenity	R500	R200
102983	11(1) r/w 11(5) r/w 28	Bringing any animal into a public amenity in contravention of a notice-board	R500	R500
102991	11(2) r/w 11(5) r/w 28	Not having direct and physical control over the animal by means of a leash or other device, and bathing, washing or allowing such animal to enter or remain in any pond, fountain or ornamental water	R500	R500
103002	11(3) r/w 11(5) r/w 28	Not having in possession a mechanism/device to pick up/remove excretion deposited in or upon a public amenity by an animal and not removing or picking up the excretion deposited in a public amenity by such animal	R1000	R200
103010	12(1)(a) r/w 12(2) r/w 28	Entering or remaining in a public amenity while drunk or under the influence of drug	R2000	R250
103028	12(1)(b)(i) r/w 12(2) r/w 28	Breaking, damaging, destroying, tampering with, removing, misusing, disfiguring or using anything or failing to observe an instruction by the municipality	R5000	R750

103036	12(1)(b)(ii) r/w 12(2) r/w 28	Throwing or rolling a rock, stone or object in or at a public amenity	R500	R200
103044	12(1)(b)(iii)r/w 12(2) r/w 28	Pulling out, picking, cutting or damaging any flora growing in the amenity, or having such flora in his or her possession (except if authorized to do so under section 8(2)(b))	R1000	R1000
103052	12(1)(b)(iv)r/w 12(2) r/w 28	Walking on a flowerbed	R1000	R200
103060	12(1)(b)(v) r/w 12(2) r/w 28	Walking, standing, sitting or lying on grass in contradiction with a notice	R1000	R200
101759	12(1)(b)(vi)r/w 12(2) r/w 28	Writing, painting, drawing graffiti or a representation on a structure or path	R1000	R500
101767	12(1)(b)(vii)r/w 12(2) r/w 28	Excavating soil, sand or stone or removing organic objects (except if authorized to do so in terms of section 8)	R1000	R1000
101775	12(1)(b)(viii)r/w 12(2) r/w 28	Interfering with water flow, obstructing water, diverting a stream or draining a wetland	R2500	R2500
101783	12(1)(b)(ix) r/w 12(2) r/w 28	Defacing or disfiguring anything provided by the municipality by pasting or affixing, in any way, any bills, papers, place cards, notices or anything else	R2000	R500
101791	12(1)(b)(x)r/w 12(2) r/w 28	Washing, polishing or repairing a vehicle, except emergency repairs	R500	R500
101806	12(1)(b)(xi)r/w 12(2) r/w 28	Making a fire or burning refuse	R5000	R5000
101814	12(1)(b)(xii)r/w 12(2) r/w 28	Littering or dumping any refuse, garden refuse or building materials	R5000	R1000
101822	12(1)(b)(xiii)r/w 12(2) r/w 28	Washing crockery or laundry or hanging out clothes, except at places indicated by notice for that purpose	R300	R300

101830	12(1)(b)(xiv)r/w 12(2) r/w 28	Using or trying to use anything provided by the municipality in an amenity for a purpose other than that for which it is designed or determined by notice	R500	R500
101848	12(1)(b)(xv)r/w 12(2) r/w 28	Throwing away any burning or smouldering object	R5000	R1000
101856	12(1)(b)(xvi)r/w 12(2) r/w 28	Behaving or conducting himself or herself in an improper, indecent or unbecoming manner	R2000	R500
101864	12(1)(b)(xvii)r/w 12(2) r/w 28	Defecating, urinating or undressing, except in such building or on premises intended for that purpose	R1000	R500
101872	12(1)(b)(xviii)r/w 12(2) r/w 28	Lying on a bench or seating place provided by the municipality or using it in such a manner that other users or potential users find it impossible to make use thereof	R500	R500
101880	12(1)(b)(xix) r/w 12(2) r/w 28	Playing or sitting on play-park equipment, except if the person concerned is a child under the age of 13 years	R500	R200
101898	12(1)(b)(xx)r/w 12(2) r/w 28	Swimming, walking or playing in a fishpond, fountain, dam, river, artificial feature or pound; in contravention with a notice prohibiting such action	R500	R200
101903	12(1)(b)(xxi)r/w 12(2) r/w 28	Entering any bath or pool provided by the municipality whilst having an open wound on his or her body	R500	R500
101911	12(1)(b)(xxii)r/w 12(2) r/w 28	Performing any act that may detrimentally affect the health of another person	R500	R500
101929	12(1)(b)(xxiii)r/w 12(2) r/w 28	Entering or using a toilet facility indicated by notice for use by members of the opposite sex	R500	R500
101937	12(1)(b)(xxiv)r/w 12(2) r/w 28	Staying or sleeping overnight other than in terms of section 13	R1000	R1000
101945	12(1)(b)(xxv)r/w 12(2) r/w 28	Hunting, injuring, disturbing, feeding, killing, hurting, following, disturbing, ill-treating or catching an animal, or displacing, disturbing, destroying or removing a bird, nest or egg, or skin or gut an animal, except if authorized to do so under section 8(2)	R1000	R1000
101953	12(1)(b)(xxvi)r/w 12(2) r/w 28	Firing a firearm, airgun or air pistol, except if consent has been obtained in terms of section 7(4);	R2000 & Confiscate	No A.G.
101961	12(1)(b)(xxvii)r/w 12(2) r/w 28	Discharging a bow, fireworks or using a slingshot or catapult	R2000 & Confiscate	No A.G.

101979	12(1)(b)(xxviii)r/ w 12(2) r/w 28	In any way whatsoever prejudicing the safety, convenience or rights of other persons	R2000	R500
101987	12(1)(b)(xxix) r/w 12(2) r/w 28	Obstructing or interfering with any official appointed by the municipality, including a lifeguard, in the proper execution of his or her official duties	R5000	R500
101995	12(1)(b)(xxx)r/w 12(2) r/w 28	Playing or conducting a game in a manner that causes annoyance or endangers public safety	R500	R500
102006	12(1)(b)(xxxi)r/w 12(2) r/w 28	Playing any hardball games or participating in such games on a public amenity, unless permitted by an appropriate sign or with written permission of the municipality	R500	R500
102014	12(1)(b)(xxxii)r/w 12(2) r/w 28	Exposing his or her body or clothed indecently	R300	R300
102022	12(1)(b)(xxxiii)r/ w 12(2) r/w 28	Discarding a burning or smouldering object or throwing it out of a vehicle	R2000	R1000
102030	12(1)(b)(xxxiiii)r/ w 12(2) r/w 28	Driving or parking a motor vehicle on any public amenity without the permission of the municipality	R2000	R500
102048	12(1)(b)(xxxv)r/ w 12(2) r/w 28	Causing undue noise	R500	R500
102056	12(1)(c)(i)r/w 12(2) r/w 28	Entering or leaving a public amenity other than by way of the official entry and exit point	R500	R500
102064	12(1)(c)(ii)r/w 12(2) r/w 28	Entering a public amenity without having paid the entrance fees as contemplated in section 5(1)	R500	R500
102072	12(1)(d) r/w 12(2) r/w 28	Releasing any wild animal, bird or flora into a public amenity	R2000	R1000
102080	12(1)(e)(i) r/w 12(2) r/w 28	Swimming, catching fish or angling in inland water if not authorized to do so in terms of a notice-board erected in terms of section 6(1)	R500	R500
102098	12(1)(e)(ii)r/w 12(2) r/w 28	Washing himself or herself or cleaning anything in inland waters	R300	R300
102103	12(1)(f)r/w 12(2) r/w 28	Using any craft on inland waters at any place other than that which has been indicated on a notice-board erected in terms of section 6(1)	R2000	R1000
102111	13(1)(a) r/w 13(3)	Traveling with vehicle elsewhere than on a road constructed by the municipality	R2000	R2000
102129	13(1)(b) r/w 13(3)	Driving vehicle at a speed in excess of the speed indicated on a notice-board erected by the municipality	R2000	Normal traffic fines to applied

102137	13(1)(c) r/w 13(3)	Driving such vehicle in contravention of any condition imposed in terms of Government Notice 1399	R2000	R2000
102145	14(1) r/w 14(8)	Camping on any land belonging to or which is under the control of the municipality, except on a camping site within the boundaries of a camping area	R1000	R1000
102153	14(2) r/w 14(8)	Camping in a camping area, whether continuous or otherwise, for a period exceeding three months in any period of twelve months without the written consent of the municipality	R1000	R1000
102161	14(4) r/w 14(8)	Not complying with camping permit conditions	R1000	R1000
102179	14(6)and(7) r/w 14(8)	Contravention of conditions imposed by the municipality	R1000	R1000
102187	15(2)and(3) r/w 15(4)	Contravening or failing to comply with, conditions imposed by the municipality	R2000	R1000
102195	16(1) r/w 16(17)	Operating any power-driven boat, or a sailing boat or any other boat with certain specifications, on a river, dam or estuary unless such boat has been registered with the municipality and has displayed thereon the identification number allotted by the municipality	R1000	No A.G.
102200	16(3) r/w 16(17)	Transferring the registration of a boat without the written consent of the municipality	R1000	R1000
102218	16(13) r/w 16(17)	Not having the identification number issued permanently affixed in figures of a size and colour determined by municipality so that the number is clearly visible from each side of the boat.	R1000	R1000
102226	16(14) r/w 16(17)	Taking a boat through a river mouth past its narrowest point and out to sea without being registered	R2000	R2000
102234	16(15) r/w 16(17)	Not having the registration documents available for inspection	R1000	R1000
102242	17(1) r/w 17(4)	Boats not securely anchored or moored in an area approved by the municipality so as not to endanger other boats	R500	R500
102250	18(1) r/w 18(6)	Not adhering to general safety rule of "keep right" while under way	R500	R500
102268	18(2) r/w 18(6)	Power-driven boats not steering clear of and giving right of way to sailing boats and boats propelled by oars or paddles	R500	R500
102276	18(3)(a)-(d) r/w 18(6)	Two sailing boats approaching each other do not follow prescribed procedures to avoid risk of collision	R500	R500

102284	18(4) r/w 18(6)	The operator of a boat not altering course to star-board (right)	R500	R500
102292	18(5) r/w 18(6)	The operator of a boat not overtaking another boat on the port (left) side and not keeping his boat out of the way of the overtaken boat	R500	R500
102307	19(1) r/w 19(18)	Allowing any person under the age of 16 years to control or operate a boat	R2000	R1000
102315	19(2) r/w 19(18)	Not ensuring that person is competent to handle the boat efficiently	R2000	R1000
102323	19(3) r/w 19(8)	Operating boat if vision both ahead and astern is obscured either by passengers or any other object	R500	R500
102331	19(4) r/w 19(8)	Using boat in a negligent or reckless manner or causing injury or damage or endangering any person or property	R2000	R2000
102349	19(5) r/w 19(8)	Taking commercially registered boats or boats used for commercial purposes or boats exceeding six metres in overall length upstream of any particular point as determined by the municipality in such written permission	1 ST R5000 2 ND NAG	1 ST R5000 2 ND NAG
102357	19(6) r/w 19(8)	Operating on the river any vessel or craft with a combined capacity exceeding 200 horsepower without prior written permission by municipality	1 ST R5000 2 ND NAG	1 ST R5000 2 ND NAG
102365	19(7) r/w 19(8)	Power-driven boat travelling faster than a "no-wake speed" when it passes closer than ten metres from any other moving or stationary boat, jetty, slipway or person	R1000	R1000
102373	19(8) r/w 19(8)	Not ensuring that the number of persons on board the boat does not exceed the maximum number stipulated by the municipality when registering the boat	R1000 PER PERSON	R1000
102381	19(9) r/w 19(8)	Disturbing or endangering the safety of another boat with its wake	R1000	R1000
102399	19(10)(a) r/w 19(8)	Not complying with operating conditions after sunset and before sunrise	R2000	R1000
102810	19(10)b r/w 19(8)	Not complying with anchoring conditions after sunset and before sunrise	R2000	R1000
102404	19(11) r/w 19(8)	Operating a boat on a river, dam or estuary without it having a suitable container for refuse, as well as oars, paddles, etc and a suitable anchor with a sufficient anchor line	R500	R500

102412	19(12) r/w 19(8)	Not ensuring that children under five years of age and anyone on the boat who cannot swim wear a suitable buoyancy aid while boating	R2000	R1000
102420	19(13) r/w 19(8)	Engines not suitably silenced	N/A	No A.G.
102438	19(14) r/w 19(8)	Operating a boat and providing living accommodation on a river, dam or estuary without the prior written permission of the municipality	R5000	R2000
102446	19(15) r/w 19(8)	Holding a regatta without a permit	R1000	R1000
102454	19(16) r/w 19(8)	Leaving or entering river mouth without the occupants of the boat wearing suitable life jackets bearing the mark of the SANS	R2000 PER PERSON	R2000
102462	19(17) r/w 19(8)	Operating a boat in a "no-wake zone" at a speed which exceeds a "no-wake speed"	N/A	No A.G.
102470	20(1) r/w 20(11)	Using or operating a personal watercraft, jet-ski, wet-bike or any water craft propelled by means of a water-jet without such craft been registered with the municipality and has displayed thereon, in the manner provided by this by-law, the identification number allocated by the municipality	R1000	R500
102488	20(2) r/w 20(11)	Operating a personal watercraft or any other jet-propelled craft in an area other than the section that has been demarcated for such activity	R2000	R2000
102496	20(3) r/w 20(11)	Operating a personal watercraft or any other jet-propelled craft in the river mouth other than for the express purpose of gaining access to and from the sea	R2000	R2000
102501	20(4) r/w 20(11)	Allowing any person under the age of 16 years to operate personal watercraft, without the person being in possession of a valid special racing license or under the personal supervision of an adult who is the owner of such personal watercraft	R5000	R1000
102519	20(5) r/w 20(11)	Operating a personal watercraft, without wearing a suitable life jacket, helmet and kill switch, which is attached to the operator	R1000 PER ITEM	R1000
102527	20(6) r/w 20(11)	Operating or allowing any other person to operate watercraft in a reckless, negligent or inconsiderate manner	R2000	R500
102535	20(7) r/w 20(11)	The number of passengers exceed the safe-capacity-load-of the particular vessel	R1000 Per Person	R500

102543	20(8) r/w 20(11)	Re-fuelling any craft on the water	R1000	R1000
102551	20(9) r/w 20(11)	Operating a watercraft or any other jet-propelled craft on any mud banks, salt marshes or other ecologically sensitive areas	R1000	R1000
102569	20(10) r/w 20(11)	Operating a jet propelled craft or any other jet-propelled craft in water shallower than 50 centimetres, except at designated launching sites	R1000	R1000
102577	21(1) r/w 21(5)	Camping, picnicking or lighting a fire below a high-water mark	R1000	R500
102585	21(2) r/w 21(5)	Disturbing or attempting to disturb any bird or the nest thereof or removing eggs from nests, or disturbing or attempting to disturb any animal or plant	R1000	R500
102593	21(3) r/w 21(5)	Willfully or negligently polluting or fouling a water body with fuel, oil, garbage, offal, bilge, sewerage, refuse or rubble of any kind whatsoever	R2000	R2000
102608	22(1) r/w 22(12)	Skiing after sunset or before sunrise	R2000	R2000
102616	22(2) r/w 22(12)	Boat towing a skier passing closer than ten metres from any other stationary or moving boat, a jetty or slipway, except when dropping a skier	R1000	R500
102624	22(3) r/w 22(12)	Following closer than 100 metres in the wake of another boat towing a water skier	R1000	R1000
102632	22(4) r/w 22(12)	Using a metal cable or steel wire to tow a skier behind a boat	R1000	R1000
102640	22(5) r/w 22(12)	Purposely drop or kick out a water ski, when not totally safe to do so and it not constituting a danger to any other boat or person	R1000	R500
102658	22(6) r/w 22(12)	The skipper not ensuring that a red flag of 300 mm x 300 mm is held up in the boat which was towing the skier and kept up until the skier boards the boat or resumes skiing	R500	R500
102666	22(7) r/w 22(12)	Pulling a ski rope behind a boat when it is not being used for skiing activities	R500	R500
102674	22(8) r/w 22(12)	The towing boat is not kept to the right and not following a circuit in an anti-clockwise direction and in a position halfway between the shore and the midpoint of the river	R500	R500
102682	22(9) r/w 22(12)	The skipper of the boat allows any person to water-ski from the boat without them wearing suitable personal buoyancy	R1000	R1000

ANNEXURE

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 Sections 57(5)(a) and 341(5) of the Criminal Procedure Act, 1977 (Act 51 of 1977), for the Magisterial District of Uitenhage. This determination replaces any previous determination replaces any previous determination for the said Magisterial District.



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J.H. MEYER
SENIOR MAGISTRATE
UITENHAGE

