

Bergvriev, South Africa

Shop Trolleys (Municipal Council of Piketberg) By-law, 1998

Legislation as at 25 September 1998

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Shop Trolleys (Municipal Council of Piketberg) By-law, 1998
Contents

Section 1. 1
Section 2. 1
Section 3. 1
Section 4. 2
Section 5. 2

Bergrivier South Africa

Shop Trolleys (Municipal Council of Piketberg) By-law, 1998

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Commenced on 1 October 1998

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and includes any amendments published up to 7 March 2025.]*

1.

In this By-law, unless the context otherwise indicates:-

“council” means the Municipal Council of Piketberg;

“officer” means:-

- (a) any law enforcement officer, and
- (b) any other employee of the council authorised by the council to enforce the provisions of this By-law;

“owner” includes any person authorised in writing by the owner to act on his behalf;

“prescribed” means prescribed by the council from time to time;

“public place” has the meaning assigned thereto in Section 2 of the Municipal Ordinance, 1974 ([Ordinance 20 of 1974](#));

“public street” has the meaning assigned thereto in Section 2 of the Municipal Ordinance, 1974 ([Ordinance 20 of 1974](#));

“Ordinance” means the Municipal Ordinance, 1974 ([Ordinance 20 of 1974](#)); and

“trolley” means a device designed or adapted principally to travel on wheels and normally used by customers for conveying merchandise in and from a shop.

2.

An officer may seize any trolley (together with anything contained therein) which is found by him in a public street or public place and which is not under the immediate control of a person or is unattended.

3.

- (1) The owner of a trolley seized in terms of Section 2 may within thirty days of the date of such seizure recover it from the council upon payment of the prescribed fee.
- (2) Any person who seeks to recover a trolley which does not bear the name of or a distinguishing mark identifying the owner thereof shall furnish the council with an identity acceptable to it and shall, in addition to the fee payable in terms of subsection (1), pay the prescribed fee for the preparation of such indemnity.
- (3) The council may sell in any manner in which it is authorised by law to dispose of movable property any trolley (together with anything contained therein) seized in terms of Section 2 which is not recovered in accordance with the provisions of subsections (1) and (2).
- (4) The council shall be entitled to the proceeds of a sale contemplated by subsection (3) and no person shall have the right to claim such proceeds or any part thereof.

4.

The exercise by the council or any officer of the powers conferred by this by-law shall not render the council or such officer liable in respect of the loss or theft of or damage to any trolley or anything contained therein.

5.

The provisions of this by-law shall come into operation on the first day of the month following promulgation thereof.