Drakenstein, South Africa

Paarlberg Nature Reserve By-law, 2007

Legislation as at 16 March 2007

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Drakenstein
South Africa

Paarlberg Nature Reserve By-law, 2007

Published in Western Cape Provincial Gazette 6426 on 16 March 2007

Commenced on 16 March 2007

[This is the version of this document from 16 March 2007 and includes any amendments published up to 4 September 2026.]

Drakenstein Municipality, by virtue of the powers vested in it by section 156(2) of the Constitution of the Republic of South Africa as amended, read with section 13 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) as amended, has made the By-Law set out in the schedule below:

Purpose of by-law

• To provide for procedures, methods and practices to regulate the use and management of the Paarl Mountain Nature Reserve.

1. Definitions

In this by-law, words used in the masculine gender include the feminine; the singular includes the plural and *vice versa*; the Afrikaans text shall prevail in the event of an inconsistency between the different texts; and unless the context otherwise indicates:—

"**municipality**" means the Municipality of Drakenstein established in terms of section 12 of the Local Government: Municipal Structures Act. 1998 (Act 117 of 1998), Provincial Notice 488 dated 22 September 2000 and includes any political structure, political office-bearer, councillor, duly authorised agent thereof or any employee thereof acting in connection with this by-law by virtue of a power vested in the municipality and delegated or subdelegated to such political structure, political office-bearer, councillor, agent or employee;

"**reserve**" means the land described in Provincial Notice: Paarlberg Nature Reserve — *Provincial Gazette* No. 786 of 1978.

2. Nature and Environmental Regulations applicable

The provisions of the Nature and Environmental Conservation Regulations promulgated under Provincial Notice 955 dated 29 August 1975 shall apply *mutatis mutandis* in respect of the reserve, and any reference in such regulations to —

(a) a nature reserve; or

(b) the Director or the Department;

shall be construed to be a reference to—

(i) the reserve; or

(ii) the municipality

respectively.

3. Charges

The municipality shall fix the charges payable to it in connection with any amenity, facility, entertainment, exhibition, performance or service established or provided by it in respect of the reserve.

4. Camping and picnicking

(a) No person shall camp or picnic in the reserve except in conformity with the provisions of this by-law and at such site as the municipality may allocate to such person.

(b) Any person who has been allocated a site in terms of this section shall be responsible for the cleanliness thereof.

5. General prohibitions

No person shall in the reserve—

(a) trespass upon any flower bed or lawn;

(b) sell or offer for sale anything without first having obtained the written permission of the municipality;

(c) without good cause refuse or fail on demand to furnish any official with his correct name and address; and

(d) leave any motor vehicle unattended without first having secured the handbrake and locked the doors thereof.

6. Penalty

Any person who contravenes or fails to comply with any provision of this by-law shall be guilty of an offence and liable upon conviction to —

(1) a fine or imprisonment, or either such fine or imprisonment or to both such fine and such imprisonment; and

(2) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued; and

(3) a further amount equal to any costs and expenses found by the court to have been incurred by the municipality as result of such contravention or failure.

7. Repeal of by-laws

The by-laws listed in the schedule hereto are hereby repealed to the extent indicated in the third column thereof. The by-law relating to Paarl Mountain Nature Reserve published per Provincial Notice 786 of 1978 is hereby repealed.

8. Short title and commencement

This by-law shall be known as the By-law Relating to Child Care Facilities and shall come into operation on the date of publication in the *Provincial Gazette*.

Schedule

By-laws of the disestablished municipality of Paarl		
PN No.	**Short title**	**Extent of repeal**
786/1978	Paarlberg Nature Reserve	The whole