Drakenstein, South Africa

Parks for Caravans and Mobile Homes By-law, 2007

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Drakenstein
South Africa

Parks for Caravans and Mobile Homes By-law, 2007

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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 ammended, has made the By-law set out in the schedule below:

[Some of the provisions of this By-law have no headings.]

Purpose of by-law

• To promote the achievement of a safe and sought-after tourism environment for the benefit of visitors and residents within the area ofjurisdiction of the municipality.

• To provide for procedures, methods and practices to regulate the use and management of parks for caravans and mobile homes.

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:—

"**camp**" or "camping" means to occupy land by standing thereon with a caravan or vehicle or erecting thereon a tent and using such caravan, vehicle or tent for the purpose of habitation and/or sleeping;

"**camper**" means the person who camps and, in relation to a site, to whom a camping permit is issued;

"**camping permit**" means a document issued by the municipality for the purposes contemplated by this by-law or the municipality's official receipt issued against payment of the prescribed charges in respect of the occupation of a site;

"**caravan**" means any vehicle permanently fitted out for use by persons for living and sleeping purposes, whether or not such a vehicle is a trailer;

"**mobile home**" means a factory assembled structure approved by the municipality with the necessary service connections made so as to be movable on site and designed to be used as a permanent dwelling;

"**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;

"**park**" means any land used or intended to be used for the accommodation of caravans or mobile homes;

"**responsible authority**" means the authority or municipality responsible for the execution of environmental health and fire fighting functions within the area ofjurisdiction of Drakenstein Municipality;

"**site**" means the land set aside within a park for the accommodation of a mobile home or a caravan and its towing vehicle, if any.

Application of by-law

2.

This by-law shall be applicable to all parks, whether situated on private or public land.

3.

This by-law shall not be applicable in respect of—

(a) property on which only one or two caravans or mobile homes are accommodated or are intended to be accommodated;

(b) agricultural land where caravans or mobile homes or caravans and mobile homes are permitted for *bona fide* agricultural purposes;

(c) property on which more than two caravans or mobile homes are accommodated, where such caravans or mobile homes are occupied by persons for business reasons, and such sanitary and other arrangements affecting the public health as the responsible authority may consider necessary are provided and the caravans and mobile homes are accommodated only for such period and in such numbers as the responsible authority may consider desirable in view of the nature of the aforesaid arrangements.

Minimum requirements

4.

Every owner of a park shall comply with sections 5 to 25.

5.

Every owner of a park shall have a plan clearly indicating all the sites in the park, a copy of which shall be tiled with the municipality, and each site shall be clearly demarcated on the ground and shall not be less than 112 square metres in extent.

6.

Not more than 50 percent of any site shall be occupied by a caravan or mobile home and such site shall be of such a nature that a caravan or mobile home may be accommodated on any portion thereof.

7.

No person shall occupy a caravan in any park, for a period of more than three months, whether continuous or otherwise, in any period of twelve months.

8.

Notwithstanding section 7, 10 percent of the sites iu a park or such other greater percentage as the municipality, subject to such additional conditions, as the municipality may deem necessary, may approve may be permanently occupied by caravans or mobile homes or caravans and mobile homes.

9.

The number ofpeople occupying any caravan or mobile home shall not exceed the number for which such caravan or mobile home was designed.

10.

Any caravan or mobile home on any site shall not be situated closer than 5 metres from a caravan or mobile home on any other site.

11.

Access shall be provided to every site in such a manner that it will not be necessary to cross another site to obtain such access.

12.

A fireplace or fireplaces may be provided and shall be so situated as not to constitute a fire hazard.

13.

(a) Fire-fighting appliances as required by the responsible authority's by-law relating to fire safety shall be provided at all parks.

(b) The appliances referred to in subsection (a) shall be kept filled with sand and water respectively and any other appliances shall be maintained in good working order.

14.

(1) There shall be provided a water supply which, after passing through the reticulation system—

(a) has a yield of at least 360 litres per site per day; provided that where flush sanitation is provided the yield shall be at least 540 litres per site per day;

(b) exerts a pressure at any standpipe sufficient to supply 10 hires per minute; and

(c) supplies water which is fit for human consumption in terms of national standards.

(2) The water supply and reticulation system shall be approved by the municipality and shall comply with the requirements of subsection (1).

15.

Permanent water standpipes shall be provided in such a manner that no site is situated at a greater distance than 20 metres from the nearest standpipe.

16.

Central facilities for the washing of pots, pans, crockery and cutlery and for the disposal of kitchen and other waste water shall be provided.

17.

(1) Only sanitary conveniences approved by the municipality shall be provided.

(2) All sanitary conveniences shall be kept clean and in good working order.

18.

There shall be provided for each sex in respect of the first six sites a minimum of two sanitary conveniences and two wash-hand basins and thereafter a minimum of one sanitary convenience and one wash-hand basin for every ten sites or portion thereof. The municipality may require, and prescribe specifications for the provision of separate facilities for disabled people.

19.

There shall be provided for each sex in respect of every twelve sites or portion thereof a minimum of one bathroom and one shower cubicle.

20.

(1) No system for the *in situ* disposal of sewerage effluent or kitchen and other waste water shall be constructed unless it is approved by the municipality.

(2) Any system referred to in subsection (1) shall be maintained in good working order and in such a manner that it does not constitute a nuisance.

21.

The municipality may prescribe such additional requirements for water, sewerage and storm water services as it may deem necessary in respect of sites which are occupied on a permanent basis.

22.

(1) There shall be provided for laundering an area of not less than 100 square metres provided with—

(a) one permanent water stand-pipe;

(b) one water trough or other contrivance in which clothing and linen may be washed, and

(c) one table or board for ironing.

(2) The area referred to in subsection (1) shall be screened in such a manner that articles hanging out to dry shall not be visible from outside the said area.

23.

(1) Portable fly-proof refuse bins to the satisfaction of the municipality shall be provided and shall be so situated that no site is situated at a greater distance than 20 metres from the nearest refuse bin.

(2) The refuse bins shall be kept in a good state of repair and shall be emptied, cleaned and disinfected daily.

General

24.

No person shall in a park—

(1) camp on a site without a valid camping permit;

(2) wash or hang out to dry any article elsewhere than in the area referred to in section 24;

(3) dispose of refuse elsewhere than in the refuse bins provided in terms of section 25;

(4) disturb, deface, damage, destroy or remove any movable or immovable property belonging to the municipality including information and direction signs, trees, bushes or vegetation;

(5) injure, kill, capture or disturb any animal or bird or damage, disturb or destroy the nest or eggs of any bird;

(6) proceed to or from any camping site except along the recognised roads;

(7) ride or drive a vehicle in a manner which may in the opinion of the superintendent endanger the safety of any person, vehicle or property;

(8) park a vehicle on a site on which another person camps or in any road in such a manner as to cause an obstruction to another camper or traffic, and the caretaker may whenever her considers it desirable in the interest of campers and/or the public, instruct any person to park his vehicle elsewhere or to remove it from the park;

(9) do any repairs to any vehicle;

(10) hawk, sell, expose for sale or process any articles or goods or foodstuffs or other commodity;

(11) write, draw, affix or exhibit any profane, obscene or abusive word, matter, representation or character upon any premises or property;

(12) commit any act or use any language which is profane, obscene or abusive;

(13) do anything which may cause injury to persons or damage or destruction to property;

(14) behave in a disorderly or riotous manner;

(15) urinate or defecate except in a sanitary convenience;

(16) appear in a nude state or improperly dressed outside a dressing room, closet or in public;

(17) use or enter any sanitary convenience or change room provided for the opposite sex;

(18) deposit bottles, broken glass or rubbish except in the receptacles provided by the municipality for the purpose;

(19) cause a nuisance;

(20) make, provide or reproduce any music in a manner which interferes with the comfort, convenience and peace of campers or the general public;

(21) make any fire except in the places assigned for the purpose or in mobile barbeque equipment;

(22) discharge a firearm, air rifle or air pistol;

(23) use a catapult;

(24) discharge any fireworks;

(25) loiter unless he is a member of a camper's group or a camper's guest;

(26) climb over or creep through any gate or fence;

(27) solicit alms or gamble;

(28) pollute any waters;

(29) (a) except with the permission of the caretaker and in a manner approved by the caretaker make any electrical connection to his site or any other place within the park;

(b) be permitted more than one electrical connection to his site and only one supply conductor shall be permitted per site;

(c) use an electrical connection to his site for purposes other than a camper's *bona fide* camping needs;

(30) obstruct any employee of the municipality in the lawful execution of his duties;

(31) refuse, upon being requested by the caretaker or other authorised employee of the municipality in the lawful execution of his duty—

(a) to produce any camping permit issued by the municipality in connection with a site, or

(b) to furnish his name and address;

(32) without the consent of the caretaker—

(a) enter any area or building not open to the public;

(b) present or hold any public entertainment;

(c) collect any money or hold collections;

(d) distribute any pamphlet, book, handbill or any printed or written matter;

(e) organise or address any gathering;

(f) erect on a site any tent or structure other than a fabric awning attached to the side of a caravan.

25.

(1) The municipality may from time to time cause every park to be inspected for the purpose of ascertaining whether this by-law is being complied with.

(2) Every person sent to inspect a park in terms of subsection (1) shall be granted admission to the park.

(3) The municipality shall provide each person sent in terms of subsection (1) to inspect parks with a written authority which such person shall produce if required to do so.

26. Penalties

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 such imprisonment or both such fine and such imprisonment;

(2) in the case of a continuing offence, an additional fine or an additional period of imprisonment of 10 days or either such additional fine or such additional imprisonment or 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.

27. Repeal of by-laws

The by-laws listed in the schedule hereto are hereby repealed to the extent indicated in the third column thereof.

28. Short title and commencement

This by-law shall be known as the By-law relating to Parks for Caravans and Mobile Homes and shall come into operation on the date of publication thereof in the *Provincial Gazette*.

Schedule

By-laws of the disestablished municipality of Paarl		
PN. No.	**Short title**	**Extent of repeal**
747/1964	Caravan Parks	The whole
787/1972	Caravan Parks	The whole
By-laws of the disestablished municipality of Tulbagh (made applicable to Gouda)		
888/1974	Caravan Parks	The whole