

UPDATED CARAVAN PARK BY-LAWS (2004)

The Municipal Council hereby, in terms of Section 13 of the Local Government: Municipal Systems Act 32 of 2000 and Section 84(1)(p) of Local Government : Municipal Structures Act, 117 of 1998 publishes the By-Laws set forth hereinafter, which have been approved by the council in terms of Sections 11 and 12 of the said Act.

These By-Laws are divided into chapters relating to the following matters respectively:

CHAPTER 1 - DEFINITIONS

CHAPTER 2 - ALLOTMENT OF STANDS

CHAPTER 3 - OBLIGATIONS OF A PERMIT HOLDER

CHAPTER 4 - CHARGES PAYABLE

CHAPTER 5 GENERAL PROHIBITIONS

CHAPTER 6 LIMITATION

CHAPTER 7 VACATING OF STAND

CHAPTER 8 PROHIBITED ACTS

CHAPTER 9 GENERAL

CHAPTER 10 SUSPENSION OF A PERMIT

1. Definitions

In this chapter, unless the context otherwise indicates-
“animal” means, without derogating from the generality of the term, birds, dogs, poultry, rodents, cats and reptiles;

“camp manager” means the employee of the Municipality, who exercises control over and is responsible for the daily management and maintenance of the caravan park;

“caravan park” means any portion of public open space allocated by the Municipality for the purposes of camping in a tent or with a caravan;

“fee” means a fee determined by the Municipality in terms of its Tariffs By-Law in respect of any matter provided for in this chapter;

“Municipality” means the Mogale City Local Municipality that is a municipality as defined in the Local Government: Municipal Systems Act 32 of 2000;

“permit holder” means a person to whom a permit has been issued as proof that the prescribed fee has been paid and also includes any member of the household and any visitor to such permit holder or any person who is present on the stand at the request or with the knowledge or permission of the permit holder;

“public facilities” means those portions of and structures in the caravan park designated for use by all the campers;

“stand” means the portion of the caravan park which has been demarcated by the Municipality and on which a caravan or a tent may be pitched.

“tent” means a fully enclosed canvas or nylon waterproof structure as approved by the camp manager. This does not include home made or temporary structures of any sort.

2. Allotment of Stands

- 2.1 No person shall camp or light a fire for the purpose of camping on any portion of the caravan park, except on a stand allocated by the camp manager.
- 2.2 A stand shall be allocated to a permit holder at the discretion of the camp manager.
- 2.3 A stand shall not be used for any purpose other than for camping in a tent or with a caravan.
- 2.4 Entrance to and egress from a stand are restricted to the roads allocated and/or constructed by the Municipality and no person shall drive with a vehicle over any other stand.

3. Obligations of a permit holder

- 3.1 A permit holder shall –
 - 3.1.1 pitch his tent or caravan only on the stand allocated to him as contemplated in section 3 and only in such a manner that the safety of other campers or their vehicles, are not endangered;
 - 3.1.2 carry out all reasonable instructions of the camp manager in respect of the location on which and the manner in which the tent or caravan has to be pitched;
 - 3.1.3 keep the stand and public facilities in a tidy and neat condition and shall not litter on the stand or in the caravan park;
 - 3.1.4 deposit all refuse, litter and garbage in the dustbins supplied by the Municipality;
 - 3.1.5 maintain order on his stand and shall not do or allow anything to be done, which may disturb the peace of the other campers. No loud music is allowed after 21h00;
 - 3.1.6 only use acknowledged and acceptable camp equipment and furniture on the stand;

3.1.7 light a fire other than in the designated areas or kindle a fire with any combustible material other than wood or charcoal.

3.2 A permit holder shall not cause or create or permit it to be caused or created, any nuisance on his stand or in the caravan park, which is injurious to the public health and the decision of the camp manager in this regard shall be final and binding on a permit holder.

4. Charges payable

4.1 Camping fees are payable in advance. Fees must be paid by the fifth day of each month the camper intends to stay.

4.2 No person shall be present in the caravan park or on a stand, unless the prescribed fee, has been paid. Any person who fails to pay any camping fees due to the municipality in time, may be served with an eviction order as issued by a court of Law after a fourteen (14) days notice of such intention was given in writing to the permit holder, notwithstanding the municipality's right to take appropriate legal action to recover outstanding fees.

4.3 The Municipality may restrict a defaulting camper's access to electricity for as long as payment is outstanding.

4.4 Should a reservation of a stand be cancelled prior to occupation or should a permit be withdrawn, the permit holder shall not be entitled to the refunding of any fee or a portion thereof.

4.5 The reservation of a stand is not transferable.

5. General Prohibitions

5.1 No person shall litter in or around the caravan park.

5.2 No unauthorized person shall linger in the caravan park after the person has been requested by the camp manager to leave the caravan park, failing which the camp manager shall have the right to evict such unauthorized person.

5.3 No cycling shall be permitted in the caravan park to ensure the safety of both camp users and cyclists.

5.4 No permit holder shall perform or allow any mechanical, electrical or any construction work for any purpose, whether for business or private reasons shall be permitted in the caravan park.

5.5 No item other than camping equipment and a vehicle shall be left or stacked outside the tent and caravan. These items shall include but not be limited to furniture, poles, fences, ropes, containers, netting, building material, metal sheets, machinery, planks, bottles, wires etc.

6. Limitation

6.1 No permit holder shall occupy a stand for any continuous period of 90 (ninety) days in total during any 12 (twelve) months provided that such period maybe extended, subject to the following conditions:

6.1.1 the permit holder has to make written application in advance with a statement of reasons for the request;

6.1.2 The Municipality may, at its discretion, approve or reject the application without stating reasons for the decision.

6.2 A maximum of six persons, one tent or one caravan with or without a side tent and one vehicle are allowed per stand. Should the maximum be exceeded, the permit holder shall advise the camp manager in advance so as to make alternative arrangements with and to the satisfaction of the camp manager. Additional charges shall be applicable where approval is given for additional tents, vehicles or persons per stand.

7. Vacating of stand

7.1 On expiry of the permit, the permit holder shall vacate the stand voluntarily and leave the caravan park after settling his account with the municipality, failing which the municipality shall obtain an eviction order as issued by a court of Law.

7.2 On vacating the stand, the permit holder shall leave the stand in a clean and tidy condition and shall fill up all the holes, which have been dug in the ground.

8. Prohibited acts

8.1 The washing of clothes, preparing of food or cleaning of utensils, fruit or vegetables, fish, meat or anything similar to that, shall not be allowed in public, except within those areas allocated for that purpose.

8.2 No person shall trade in the caravan park, unless the written permission of the Municipality has been obtained.

8.3 No selling or exhibiting of goods for sale is allowed on the Municipality's property or in the immediate vicinity of the caravan park, unless the written permission of the Municipality has been obtained.

8.4 No person shall –
8.4.1 damage any tree, shrub or plant or fiddle unnecessarily with the flora in the caravan park;
8.4.2 intentionally damage any property of the Municipality in the caravan park.

8.5 No structure, except a tent or caravan, shall be erected on a stand.

8.6 No animal shall be brought into or kept on a stand or in the caravan park.

8.7 The shooting or catching of birds or animals in the caravan park or the immediate vicinity thereof, is strictly prohibited.

8.8 No fire-arm is allowed within the caravan park, unless:
8.8.1 it is for the personal protection of the camper; and
8.8.2 the camp manager is satisfied that the permit holder has provided for a place either in the caravan or his vehicle where the fire-arm may be kept safely in compliance with the Arms and Ammunition Act;

- 8.9 No person shall drive a self powered vehicle in a caravan park:
- 8.9.1 in excess of 10 km per hour; and
 - 8.9.2 except on the designated roads and access paths.

9. General

Any person who enters a caravan park does so at his own risk and the Municipality shall not be held responsible or liable for any injury sustained, death of any person or loss of or damage to his property whilst visiting a caravan park and using any of the facilities provided at such caravan park save for instances where the Municipality has acted negligently in performing its duty of care to such person.

10. Suspension of permit

Should a permit holder contravene any provision of these by-laws, the Municipality has the right, to suspend his permit and the permit holder shall vacate the stand immediately and leave the caravan park, failing which the municipality shall serve the camper with an eviction order as issued by a court of Law.