

Drakenstein, South Africa

## Paarlberg Nature Reserve

Legislation as at 16 March 2007

FRBR URI: /akn/za-wc023/act/by-law/2007/paarlberg-nature-reserve/eng@2007-03-16

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PDF created on 19 April 2024 at 08:21.

*Collection last checked for updates: 12 April 2024.*

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## Paarlberg Nature Reserve

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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 12 April 2024.]*

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