

**DRAKENSTEIN MUNICIPALITY  
BYLAW RELATING TO EVENTS**

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 Bylaw set out in the schedule below:

**SCHEDULE**

**Objective of the Events Bylaw:**

To provide for the management and regulation of sport and recreational events within the area of jurisdiction of the Drakenstein Municipality, by establishing processes, principles, and certification in relation thereto and effect the implementation of the Safety at Sports and Recreational Events Act 2010 (Act 2 of 2010) (SASREA); and to provide for matters incidental thereto.

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## CHAPTER 1: DEFINITIONS AND APPLICATION

### 1. Definitions

In this bylaw, the English text shall prevail in the event of an inconsistency between the different texts, and unless the context otherwise indicates–

**"authorized official"** means an employee of the municipality responsible for carrying out any duty or function or exercising any power in terms of this bylaw and includes employees delegated to carry out or exercise such duties, functions or powers;

**"city manager"** means the person appointed as municipal manager for the municipality in terms of section 54A of the Local Government: Municipal Systems Act, 2000 (No. 32 of 2000), or his or her delegate;

**"Council"** means the municipal council of Drakenstein municipality;

**"CWDM"** means the Cape Winelands District Municipality established in terms of section 155 of the Constitution of the Republic of South Africa, 1996, and section 12 of the Municipal Structures Act (No. 117 of 1998);

**"ECSA"** means the Engineering Council of South Africa which is a statutory body established in terms section 2 of the Engineering Profession Act (No. 46 of 2000);

**"disaster management"** means a continuous and integrated process of planning and implementation of measures related to disaster prevention, mitigation, preparedness, response and recovery, as referred to in section 1 of the Disaster Management Act (No. 57 of 2002);

**"disaster management contingency plan"** means a proactive strategy to prepare for and respond effectively to potential crises, such as natural disasters, technological failures, or human-caused incidents, and which –

(a) includes the components of risk assessments, preparedness measures, response strategy, recovery and rehabilitation, training and review; and

(b) has the goal to minimize the impact of the disaster, protect lives and assets, and ensure a rapid, coordinated, and effective response;

**"emergency services"** means in relation to the definition of an event under section 3 of this bylaw, all public and private sector medical services, including emergency medical services and health services, the fire and rescue service, the disaster management department, and local authority traffic or bylaw enforcement services;

**“events committee”** considers all applications received for the hosting of events and then make a recommendation on the application for approval or not to the Municipal Manager or his/her duly authorised representative;

**“event organiser”** means a person who applies to hold or arrange an event in terms of section 4 of the Safety at Sports and Recreational Events act (No. 2 of 2010), whether in personal capacity or on behalf of another person, business, body or organisation;

**“event permit officer”** means the official designated in terms of section 6 of this bylaw;

**“event owner”** means the person funding the event or the person who holds the rights to the event who may be a private individual, organization, company, corporation or other business, government department or any other entity.

**“fees”** means the application fees or deposits determined in terms of the municipality’s Tariff Policy;

**“interested person”** any person, organisation or institution that may be affected by, or may play a role in the management or presentation of an event;

**“municipality”** means the municipality of Drakenstein, established in terms of Section 12 of the Municipal Structures Act, 117 of 1998, and includes any political structure, political office bearer, councillor, duly authorized agent or any employee acting in connection with this bylaw by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councillor, agent or employee;

**“National Building Regulations”** means the regulations promulgated under GN R2378 of 12 October 1990, in terms of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);

**“permit”** - means a permit issued by the municipality for the holding of an event;

**“PSIRA”** means the Private Security Industry Regulating Authority, the body established in terms of Section 2 of the Private Security Industry Regulation Act (56 of 2001), to regulate the private security industry;

**“public place”** means —

- (a) any public land, square, public swimming bath, public resort, public recreation site, zoological, botanical or other public garden, park or hiking trail, including any portion thereof and any facility or apparatus therein or thereon, as well as any public open space, public road, road reserve, reserve street, lake, dam, or river;

- (b) any public building, structure, hall, room or office including any part thereof and any facility or apparatus therein, which is the property of, or possessed, controlled or leased by the municipality and to which the general public has access, whether on payment of admission fees or not;
- (c) any nature conservation area including —
  - (i) a nature reserve;
  - (ii) a protected natural area;
  - (iii) a nature conservation worthy area; or
  - (iv) a natural open spaces;

**“purpose-built venue”** means a venue zoned, built and suitable for the holding of specific events;

**“SANS”** means the South African National Standards contemplated in section 2 of the Standards Act, 1993, (Act 29 of 1993), and SANS followed by any number means a reference to a SANS code of practise, specification or standard of the corresponding number;

**“SACAA”** means the South African Civil Aviation Authority established in terms of section 71 of the Civil Aviation Act (No. 13 of 2009);

**“SAPS”** means the South African Police Service established in terms of section 5 of the South African Police Service Act (No. 68 of 1995);

**“SASREA Act”** means the Safety at Sports and Recreational Events Act (No. 2 of 2010);

**“structures”** means any structure included in the definition of **“building”** as defined in section 1 of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);

**“venue”** means any area or place, including a purpose-built venue, for the purposes of hosting an event, where seating or standing spectator capacity is provided and within which other permanent or temporary structures may be erected;

**“venue owner”** means any person or juristic person who, directly or indirectly, owns, leases, rents, acquires, or exercises the powers of an owner or occupier of a venue;

**‘VOC’** means a venue operating centre to be established at events as required in terms of section 17 of the Safety at Sports and Recreational Events Act (No. 2 of 2010).

## **2. Application of the bylaw**

(1) This bylaw applies to any event to be held within the area of jurisdiction of the municipality, including events to be held on both private land and public places;

(2) This bylaw does not apply to –

(a) low risk events of fewer than 200 persons where there are no induced hazards, no security risk, no ranked dignitaries, no amplified sound, no temporary structures or any other temporary installations to be used;

(b) the holding of public gatherings and demonstrations as provided for in terms of the Regulation of Gatherings Act, 1993 (Act No. 205 of 1993);

(3) Purpose-built venues are excluded from this bylaw in respect of events normally held in such venues and will be regulated in terms of the National Building Regulations Act and Occupancy Certificates, provided that this exclusion does not apply where the venue is utilized outside of its regulated parameters, where temporary or additional structures or installations are to be erected for an event, or where use deviations in terms of SANS 10366 are applicable;

(4) Outdoor sports events at purpose-built venues, are not excluded from this bylaw and an event organizer must apply to the municipality within the period as indicated in schedule 1 of this bylaw, for consideration and approval of events in terms of section 8;

(5) In the event of a conflict between this bylaw and any other bylaw of the municipality, this bylaw prevails regarding the management and holding of events.

## **3. Definition of an event**

(1) An event means a business, charitable, community, conference, cultural, educational, entertainment, exhibition, flash mob, live act, organizational, promotional, recreational, religious or sporting activity or any similar activity that is planned and that involves a gathering of people, and includes –

(a) an event in a public place or on public, municipal or private property; and

(b) an event hosted at a stadium, venue or along a route or within their respective precincts, but will exclude the following –

(i) an event on private property or any purpose-built building / venue which will not –

(aa) adversely impact a public place or public property;

(bb) require a municipal service (water, electricity, safety and security, law enforcement, etc.);

- (cc) involve the erection and utilization of temporary structures or any other temporary installations;
- (dd) generate air pollution or utilize amplified sound that will be audible to the surrounding community; or
- (ee) have any adverse implications for public safety, the environment or the surrounding community; for example:
- (ff) a wedding procession; and
- (gg) a funeral and funeral procession.

#### **4. Event categorization**

All events are categorized in terms of the following sub-headings:

- (1) Risk – All events must be categorized by SAPS as either low, medium or high. A Section 6(3) application form must be completed and submitted to SAPS to have an event application registered with SAPS and risk categorized;
- (2) Type – All events are of a certain type as defined in the SASREA Act and in terms of section 3 of this bylaw;
- (3) Activities – All events have certain activities associated with the event in addition to sub-section (2);
- (4) Size – The size of events to be hosted within the Drakenstein municipal area, are classified in terms of schedule 1 on page 20 of this bylaw.

### **CHAPTER 2: ROLES AND RESPONSIBILITIES**

#### **5. Delegations**

##### **5.1 Executive Director: Public Safety**

The Executive Director: Public Safety, hereafter referred to as the ED of the municipality, is responsible for the implementation and administration of this bylaw and may delegate any of his or her functions relating to the implementation and administration of this bylaw to the event permit officer or any other employee of the municipality.

##### **5.2 Events Permit Officer**

###### **5.2.1 Designation of event permit officer**

The municipality may designate a competent official as the event permit officer who will have the powers and functions as set out in section 5(5.2.2) of this bylaw.

#### 5.2.2 Decisions on events

(1) The event permit officer must approve or decline an application for an event in terms of this by law.

(2) Once a decision has been taken in terms of subsection (1), the applicant must be informed thereof in writing.

(3) Where an application for an event has been approved, the event permit officer must issue a permit with conditions.

(4) The event permit officer may issue an event organiser with a provisional approval, subject to the event organiser complying with conditions relevant to the specific event.

(5) The event permit officer, may, where necessary, invite the event organiser to make a presentation prior to the approval of an event.

(6) The event permit officer, may decline an application for an event permit where -

- (a) an event application is received at short notice;
- (b) the event clashes with another event;
- (c) the event safety and security measures are deemed insufficient;
- (d) the event is not approved by the South African Police Service;
- (e) the event is non-compliant with applicable legislation;
- (f) an adjacent property owner or owners lodge valid objections against holding of the event; or
- (g) any other factor which, in his or her opinion may negatively impact on the —
  - (i) safe conclusion of an event; or
  - (ii) human or other resources of the municipality;

(7) Where an application for an event has been declined, reasons for the decision must be communicated to the applicant in writing.

(8) The granting of permission does not exclude an event organizer of the obligation to comply with any other applicable legislation.

### 5.2.3 Holding of event

- (1) an event organizer who advertises an event before the municipality has approved the application, does so at own risk.
- (2) an event organizer whose application has been approved in terms of section 8 is responsible for the event and must ensure -
  - (a) that the event complies with this bylaw, the conditions imposed by the municipality and any other applicable legislation;
  - (b) that the event complies with the requirements of SANS 10366 in so far it relates to health and safety at the event;
  - (c) that the conduct of persons attending the event and the activities undertaken or carried out at the event do not have a negative impact on affected communities or persons during the event; and
  - (d) compliance with any notice issued by an authorized official in terms of this bylaw.

## 6. Liability and Indemnity

- (1) The Event Organizer and / or event owner must ensure the necessary permits and insurances are obtained as well as the applicable procedures are followed
- (2) Appropriate indemnity cover, as well as public liability insurance and the evidence thereof, where applicable, must be provided to the Municipality, prior to the event.
- (3) The Event Organizer and / or event owner shall be liable for any damages resulting from the holding of the event.

## CHAPTER 3: APPLICATION PROCESS AND REQUIREMENTS

### 7. Events application process and required documentation

- (1) No person may hold or stage an event without obtaining a permit referred to in section 5(5.2.2)(3).
- (2) A person who wants to hold or stage an event must apply in writing to the office of the event permit officer for permission to do so.

- (3) An application to hold or stage an event must be made by the event organizer and submitted -
- (a) by a person who is at least 18 years old, or on behalf of a person who possesses the necessary capacity and resources to do so;
  - (b) on the form as prescribed by the municipality; and
  - (c) within the prescribed time-frames as set out in Schedule 1 of this bylaw;
- (4) An event organizer must ensure that an event venue and / or route is suitable and approved for the hosting of events, and must further ensure the following before applying to host an event:
- (a) the event venue has the required land use rights to host events; and
  - (b) it is permitted to host events on the intended venue, and along routes, whether private or public, on which he / she intends to host an event; and
  - (c) written approval from the venue owner or venue manager to the applicant authorizing the event organizer to host the event.
- (5) Stage 1: pre-application - an event organizer must ensure completion of the following prior to applying for an event -
- (a) confirmation of booking the event venue and / or confirmation that a route, whether private or public was applied for;
  - (b) the completed and submitted section 6 (3) application form to SAPS; or
  - (c) provide any other information and documents as required by the events permit officer during the pre-application stage.
- (6) Stage 2: submission of the application - an application to host an event must be submitted to the events office and must contain the following information and documents, without which the event application will not be considered:
- (a) the fully completed and signed events application form;
  - (b) the confirmation of booking of the venue and / or confirmation of application to use a private and / or public route;
  - (c) the event risk categorization permit as issued by SAPS, or a copy of the Section 6(3) application as submitted to SAPS; or any other information and documents as may be required by the events permit officer during stage 2 of the application.
- (7) An application to host an event could be rejected if any information or documents as required under sub-section 4 above is not provided when applying for an event.
- (8) The date of receipt of an events application will be the date on which all the required information and documentation as indicated under sub-section 3 above are received.

(9) Stage 3: first evaluation - The application must be accompanied by the applicable fees or deposit as determined by the municipality and must include the following information –

- (a) detailed event and / or route layout plan including seating, structures and facilities;
- (b) public liability insurance;
- (c) SAPS risk categorization permit;
- (d) medical plan;
- (e) safety officer appointment letter;
- (f) safety and security plan which must include the following –
  - (i) the number of security personnel and their qualifications; and
  - (ii) valid PSIRA accreditation certificate;
- (g) traffic management plan and parking arrangements;
- (h) waste management plan;
- (i) toilet layout and cleaning schedule which must include –
  - (1) number of toilets for males, females and disable people; and
  - (2) regular replacement of toilet consumables;
- (j) list of vendors;
- (k) land use rights confirmation of the event venue to host events;
- (l) emergency and evacuation plan and procedures;
- (m) venue safety and grading certificate;
- (n) a copy of confirmation and agreement with the venue owner, unless the applicant is the venue owner;
- (o) fire safety and protection plan or measures; or
- (p) any other information and documents as required by the events permit officer during the first evaluation phase.

(10) stage 4: second evaluation – The application must be accompanied by the additional requirements during the second evaluation stage, which are the following

–

- (a) valid liquor license as issued by the Western Cape Liquor Board to allow the sale and consumption of alcohol at the event;
- (b) the use of fireworks and / or pyrotechnics displays at events require the following –
  - (i) written details of the fireworks and / or pyrotechnics displays;
  - (ii) the details of the contractor responsible for the fireworks and / or pyrotechnics displays; and
  - (iii) approval from the Chief of Explosives at SAPS for the use of fireworks and / or pyrotechnics displays at the event;

(c) approvals for the use of drones and other aircraft at the event, which are the following –

- (i) details and registration of the aircraft(s);
- (ii) details and registration of the pilot(s);
- (iii) flight plans and flight times of the aircraft(s);
- (iv) approved landing zones;
- (v) approved refueling areas, where applicable
- (vi) approval from the SACAA; and
- (vii) approval from the municipality.

(d) certification of all temporary structures with conditions by a registered person as defined in section 1 of the Engineering Profession Act (No. 46 of 2000) and who is registered with ECSA under the categories of registration in terms of section 18 of this act;

(e) certification of all temporary electrical installations by an electrician who is registered with the Department of Labour;

(f) public roads permit or approval to use public roads as issued by the relevant Transport Administration and Licensing Department, other relevant authority, or the municipality;

(g) a traffic deployment plan by either or both the Provincial Traffic Service and the municipality's Traffic Service is required for events being hosted on public roads;

(h) a copy of an agreement with a sub-contractor where such sub-contractor will be involved at the event;

(i) disaster management contingency plan; or

(j) any other information and documents as required by the events permit officer during the second evaluation phase.

(11) Stage 5: third evaluation – the applicant must provide additional required information and documents for specific conditions applicable to the event during the third evaluation stage, which are the following –

(a) an event with total attendees, including staff, of more than 1000 people, requires approval of the submitted medical plan as prescribed by the Regulations Relating to Emergency Care at Mass Gathering Events promulgated under the National Health Act, 2003 (Act 61 of 2003) per GN R566 dated 15 June 2017;

(b) an event categorized as high risk requires the following –

(i) the establishment of a VOC as decided by the authorized SAPS member;

(ii) high risk safety and grading certificates;

- (iii) and all applicable and required safety procedures and protocols to be put in place;
- (c) an event categorized as medium risk by SAPS, requires the establishment of a VOC of which the VOC commander will be an authorized SAPS member;
- (d) an event which has vendors requires the following –
  - (i) the list of vendors;
  - (ii) the food certificates of acceptability per vendor or one such certificate for the event as decided upon and issued by the Cape Winelands District Municipality Health Department,;
  - (iii) Liquefied Petroleum Gas (LPG) certification by an accredited service provider where required; and
  - (iv) firefighting equipment as required;
- (e) an event with load noise, such as a musical concerts, etc. may require a noise exemption permit as issued by the municipality;
- (f) an event with high traffic volumes requires a traffic deployment plan as issued by the municipality; and
- (g) a VOC with additional requirements may be established by the appointed authorized member of SAPS, for events with very important attendees such as the State President, Deputy State President, Ministers, etc; or
- (h) any other information and documents as required by the events permit officer during the third evaluation phase.

(12) Stage 6: Provisional approval – a provisional approval letter for the event must be issued by the municipality with conditions, based on the requirements and details indicated in sub-sections (9), (10) and (11).

(13) Stage 7: Final inspection – The final inspection stage will be initiated once all required information and documentation for an event application, have been submitted and which will include the following –

- (a) a pre-inspection at the event venue when required;
- (b) a final inspection on the day of the event at a pre-determined time, prior to the start of the event, and accompanied by the event organizer and where required the event safety officer;
- (c) the submission of all required certificates;
- (d) the exclusion of any vendor, structure, electrical installation or any other activity which is deemed to be non-compliant;
- (e) compliance with any requirements of an authorized official during the final inspection; or

(f) compliance with any requirements of the event permit officer during the final inspection stage of the event.

(14) Stage 8: Final approval – the final approval letter is compiled and issued to the event organizer with conditions on completion of the following –

(a) everything is found in order during the final inspections;

(b) all required certificates have been received by the authorized officials and

(c) any requirement by the event permit officer during the final approval stage are complied with.

(15) A provisional letter of approval issued in subsection (12), may not be acted upon to start with the hosting of an event, until the final approval letter is issued by the event permit officer.

(16) The municipality reserves the right to withdraw final approval of an event permit if any documents remain outstanding during sub-sections 12 and 13.

(17) The following additional information and documentation are required when submitting an event application –

(a) the proposed venue erf number, property description or route;

(b) the services to be rendered by the municipality if applicable;

(c) the proposed noise control plans for the event, dust control, including volume levels of music, power of the music system and power insulation inside the building where applicable;

(d) arrangements with the Cape Winelands District Municipality regarding food safety control and ablution facilities at the event;

(e) spectator and access control measures;

(f) written approval of adjacent owners where necessary;

(g) location and details of the VOC where required; or

(h) any other information as may be requested by the municipality.

(18) Depending on the type and size of the event, the event permit officer may waive some of the information requirements listed in sub-sections 9, 10, 11 and 17.

## **8. Criteria and conditions**

(1) The event permit officer must consider an application in terms of section 7 against

the following criteria, where applicable-

- (a) the type and size of the event;
- (b) the impact of the event in respect of municipal services, including amplified sound, air quality, traffic, parking, local amenities, public places, health, logistical aspects, as well as marketing, economic, social and environmental objectives;
- (c) whether the proposed use of the land complies with the applicable zoning scheme and any conditions there under;
- (d) the safety and security risk management of the event in respect of the event plan, logistics, location, site design and other activities taking place near or at the venue and other threats to the event and the safety of event attendees and staff;
- (e) the event complies with all applicable legislation; or
- (f) any other criteria that the municipality may determine.

(2) The event permit officer may impose reasonable conditions in respect of the permit to protect the health and safety of the public, and any staff member working at an event, which conditions may include, but are not limited to-

- (a) location, event routes and hours during which the event may be held;
- (b) sanitation, ablution and availability of potable water;
- (c) security and crowd management;
- (d) parking and traffic;
- (e) emergency and medical services;
- (f) cleaning of the premises and the surrounding area, and waste disposal;
- (g) insurance;
- (h) lighting including emergency lighting;
- (i) fire services and fire safety measures;
- (j) compliance with the National Building Regulations;
- (k) erection and removal of structures;
- (l) noise levels and air quality;
- (m) attendees and staff total at events;
- (n) event ticketing and access control measures;
- (o) erection, use and removal of electrical installations;
- (p) use of any types of aircraft such as drones, helicopters, etc.;
- (q) use of fireworks and pyrotechnics displays;
- (r) pedestrian and running activities;
- (s) water or aquatic activities;
- (t) sale and consumption of alcohol;
- (u) disaster management contingency, emergency and evacuation planning;
- and
- (v) food safety control.

## CHAPTER 4: COMPLIANCE AND ENFORCEMENT

### 9. Compliance notice

(1) If an event organizer has contravened a provision of this bylaw or of any other applicable law, or a condition of a permit issued, or where circumstances have arisen that have the potential of leading to a contravention of any such provision or condition, an authorized official may issue a compliance notice to the event organizer.

(2) A notice in terms of subsection (1) must be served on the event organizer or his or her representative and must state—

- (a) the provision of this bylaw or any other law, or the condition of the permission issued, that has been contravened or would have been contravened if the circumstances that have arisen were allowed to continue;
- (b) the measures that must be taken to rectify the contravention;
- (c) the time period for compliance with the notice; and
- (d) the event organizer's right to make representations with regard to the alleged non-compliance;

(3) If an event organizer fails to comply with a notice served in terms of subsection (1), the ED may take any steps necessary to rectify the contravention or the circumstances that have arisen, at the cost of the event organizer.

### 10. Inspection and right of access

(1) The event permit officer or an authorized official may, before, during or after the holding of an event, conduct inspections of the venue to determine compliance with this bylaw.

(2) The event permit officer or authorized official has the right of access to any venue where an event is held, is to be held or has been held for the purposes of-

- (a) ascertaining whether any provision of this bylaw has been contravened; or
- (b) enforcing compliance with this bylaw.

### 11. Suspension and revocation of permit

(1) The event permit officer may-

(a) if an event organizer fails to comply with a compliance notice issued in terms section 9 of this bylaw, by notice in writing to the event organizer or his or her representative—

(i) suspend the permit to hold the event until the event organizer has complied with the compliance notice; or

(ii) revoke the permit and take any necessary steps relating to the revocation and recover the costs from the event organizer.

(b) if action has been taken in terms of subsection (a), withhold any deposit paid by the event organizer as security for the payment of costs.

(c) in the event of emergency or where life or property is endangered, the event permit officer may - without notice revoke a permit issued or stop the event.

## **CHAPTER 5: GENERAL PROVISIONS**

### **12. Agreements and partnerships**

(1) The ED may, subject to any other law, enter into an agreement or partnership with an event organizer for the holding and management of an event, provided that such agreement shall not exempt the event organizer from compliance with this bylaw.

### **13. Appointment of authorized official**

(1) The municipality may appoint any competent employee as an authorized official to perform any duty or function to ensure compliance with this bylaw.

(2) Such official must be issued with an appointment certificate which must be produced on demand.

### **14. Powers and functions of authorized official**

(1) An authorized official may be accompanied during an inspection by a police official or any other person reasonably required to assist in conducting the inspection.

(2) The authorized official or police official may-

(a) require a person who appears to be in charge of the venue or premises to produce a safety certificate, record, book or other document, including documentation in electronic format relating to compliance with this bylaw;

- (b) examine any document referred to in sub paragraph (a) and where necessary make a copy of any such document;
- (c) direct any person who appears to be in control of such premises to take steps within a reasonable period to ensure compliance with the bylaw; and
- (d) if he or she is a Peace Officer, in accordance with the Criminal Procedures Act, 1977, search a person for and seize anything-
  - (i) which is used in, or is on reasonable grounds believed to be used in a contravention or failure to comply with any provision of this bylaw;
  - (ii) which may afford evidence of such contravention or failure; or
  - (iii) which is intended to be used or on reasonable grounds believed to be intended to be used in such contravention or failure.

## **15. Offences and Penalties**

- (1) A person is guilty of an offence if he or she-
  - (a) organizes or holds an event or continues an event after revocation or stopping the event in contravention of section 11 of this bylaw;
  - (b) fails to comply with any of the conditions imposed in terms of section 7(4) of this bylaw;
  - (c) contravenes sections 7 and 8 of this bylaw;
  - (d) fails to comply with a notice issued in terms of section 9;
  - (e) fails to comply with a request or directive of an authorized official, or hinders, interferes with or obstructs an authorized official, a private security service provider, a member of the event safety and security planning committee, an access control officer, a peace officer or a member of the emergency or essential services in the carrying out of their duties;
  - (f) undertakes construction of any kind or makes alterations at a venue without approval in terms of the National Building Regulations;
  - (g) damages or destroys any movable or immovable property inside a stadium or venue or along a route or its respective precincts;
  - (h) engages in indecent, violent or intimidating behaviour inside a stadium or venue including using obscene language; or
  - (i) furnishes false information relating to an application in terms of this bylaw;
  
- (2) A person found guilty of an offence in terms of this bylaw, is liable to-
  - (a) a fine or imprisonment, or either such fine or imprisonment or to both such fine and such imprisonment; and
  - (b) 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,  
(c) 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.

## **16. Appeal**

(1) A event organizer may appeal to the city manager against a decision where his or her application to hold an event has been declined.

(2) Any member of the public who feels aggrieved by a decision of the municipality to grant permission for an event may lodge an appeal in writing to the city manager setting out the reasons for such appeal.

(3) The City Manager may delegate any official of the Municipality to consider and decide on appeals.

## **17. Short title and commencement**

This bylaw shall be known as the Bylaw relating to Events and shall come into operation on the date of publication thereof in the Provincial Gazette.

**SCHEDULE 1**

**CATEGORIES AND TIMEFRAMES APPLICABLE TO EVENTS**

| <b>Category</b>  | <b>Number of attendees</b> | <b>Minimum time before an event to submit an events application</b> |
|------------------|----------------------------|---------------------------------------------------------------------|
| Small            | <1 000                     | 60 working days                                                     |
| Medium           | >1 000 up to 5 000         | 90 working days                                                     |
| Large            | >5000 up to 10 000         | 180 working days                                                    |
| Very large       | >10 000                    | 180 working days                                                    |
| High Risk Events | Any number of attendees    | 180 working days                                                    |