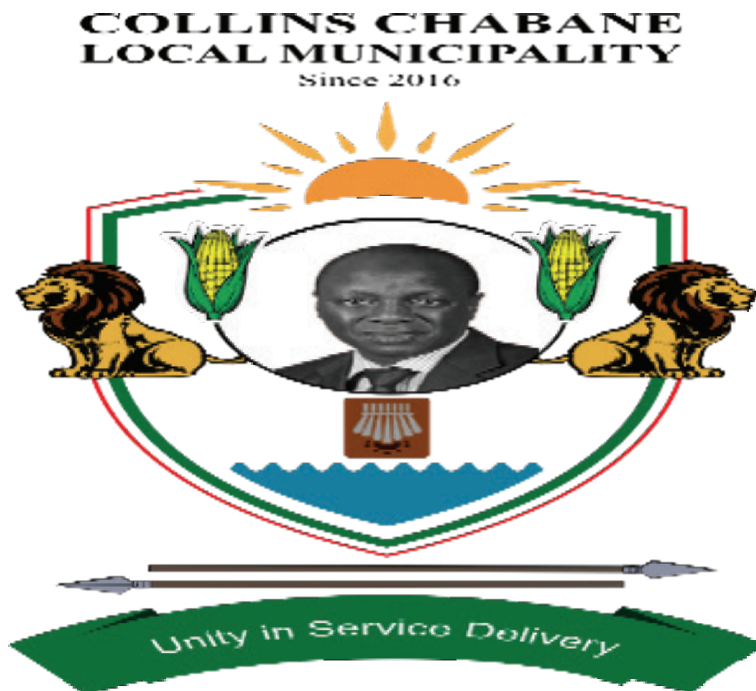


PROVINCIAL NOTICE 53 OF 2019

COLLINS CHABANE LOCAL MUNICIPALITY



STREET TRADING BY-LAW, 2019

COLLINS CHABANE LOCAL MUNICIPALITY

STREET TRADING BY-LAW, 2019

The Municipal Manager of Collins Chabane Local Municipality hereby in terms of section 13(a) of the Local Government: Municipal Systems Act, 32 of 2000, read with section 162(2) of the Constitution, 1996, publishes the Street Trading By-law for Collins Chabane Local Municipality as approved by its Council which will come into operation on the date of promulgation of this notice.

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PART 1: APPLICATION AND DEFINITIONS

1. DEFINITIONS

1) In these by-laws, unless the context otherwise indicates-

“**Act**” means the Businesses Act, 1991 (Act No. 71 of 1991), and includes the regulations promulgated under the Act;

“**approval**” means approval by the Council and “approve” has a corresponding meaning;

“**Council**” means the Collins Chabane Municipal Council and includes any committee or person to which or whom an instruction has been given or any power has been delegated or sub-delegated in terms of, or as contemplated in, section 59 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) or a service provider in respect of any power, function or duty of the Council assigned by it for the purposes of these By-laws to that service provider in terms of Section 81(2) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

“**foodstuff**” means any article or substance, except a drug as defined in the Drugs and Drug Trafficking Act, 1992 [Act No. 140 of 1992], ordinarily eaten or drunk by persons or purporting to be suitable or manufactured or sold for human consumption and includes any part or ingredient of any such article or substance or any substance used or intended or destined to be used as a part or ingredient of any such article or substance.

“**garden**” means a garden to which the public has a right to access;

“**goods**” means any movable property;

“**intersection**” means the area embraced within the prolongation of the lateral boundary lines of two or more public roads, open to vehicular traffic, that join one another at any angle, whether or not one such public road crosses the other;

“**license holder**” means a person who is the holder of a license referred to in Chapter 2;

“**litter**” means any object or matter which is discarded by a person;

“**motor vehicle**” means any self-propelled vehicle and includes _

(a) a trailer; and

(b) a vehicle having pedals and an engine or an electric motor as an integral part thereof or attached thereto and which is designed or adapted to be propelled by means of such pedals, engine or motor, or both such pedals and engine or motor, but does not include -

(i) any vehicle propelled by electrical power derived from storage batteries and which is controlled by a pedestrian; or

(ii) any vehicle with a mass not exceeding 230 kilograms and specially designed and constructed, and not merely adapted, for the use of any person

“**Municipality**” means the Municipality of Collins Chabane or its successor in title as envisaged in section 155(1) of the Constitution, established by Notice No 308 and Notice No 397 of 2000 in

terms of the Local Government: Municipal Structures Act, 1998 (Act 117 of 1998) and for the purposes of this By-law includes an employee or official acting in terms of a delegation issued under section 59 of the Municipal Systems Act;

“Municipal Manager” means the person appointed as the Collins Chabane Local Municipality Municipal Manager in terms of section 54A of the Municipal Systems Act and includes any person acting in that position or to whom authority has been delegated;

“official” means a designated officer who is authorised by the Council to perform and exercise any or all of the functions and powers in these By-laws;

“premises” includes any land, building, structure, part of a building or of a structure, or any vehicle, conveyance, vessel or aircraft;

“prescribed” means prescribed by the Council by resolution;

“property”, in relation to a street trader, means goods in which a street trader trades, and includes any article, container, vehicle or structure used or intended to be used in connection with street trading by the street trader;

“public place” means any open or enclosed place, park, street, road or thoroughfare or other similar area of land shown on a general plan or diagram which is for use by the general public and is owned by or vests in the ownership of a Municipal Council, and includes a public open space and a servitude for any similar purpose in favour of the general public;

“public road” means any road, street or thoroughfare or any other place (whether a thoroughfare or not) which is commonly used by the public or any section thereof or to which the public or any section thereof has a right of access, and includes -

(a) the verge of any such road, street or thoroughfare;

(b) any bridge, ferry or drift traversed by any such road, street or thoroughfare; and

(c) any other work or object forming part of or connected with or belonging to such road, street or thoroughfare;

“roadway” means a portion of a road, street or thoroughfare improved, constructed or intended for vehicular traffic which is between the edges of the roadway;

“sell” includes barter, exchange, hire out, display, expose, offer or prepare for sale, store with a view to sell, or provide a service for reward, and **“sale”** or **“selling”** has a corresponding meaning;

“sidewalk” means a portion of a verge intended for the exclusive use of pedestrians;

“street furniture” means any furniture installed by the Council on the street for public use;

“street trader” means a person who carries on the business of street trading, and includes a person who carries on the business of street vendor, peddler or hawker;

“street trading” means the selling of any goods or the supplying of or offering to supply any service for reward in a public road or public place by a street trader, and includes the taking up of a position or the placing of property or goods;

“**verge**” means portion of a road, street or thoroughfare, including the sidewalk, which is not the roadway or the shoulder.

2. PURPOSE OF THE BY-LAW

Purpose of this By-Law is to provide for the right to engage in street trading; to provide for the granting of street trading permits to trade on municipal property; to restrict and prohibit street trading in certain areas; to regulate the conduct of street traders; to provide for measures to ensure health and safety; to create offences and penalties; to provide for the repeal of laws and savings; and to provide for matters incidental thereto.

3. INTERPRETATION OF THE BY-LAW

- 1) Meaning of words and expressions incorporated in this By-Law - Unless the context otherwise indicates, any words or expressions to which a meaning has been assigned in the Act shall have a corresponding meaning in this By-Law.
- 2) Single act constitutes Informal Trading - For the purpose of this By-Law a single act of selling or offering or rendering of services in a public road or public place shall constitute Informal Trading.
- 3) Reference to legislation includes regulations made thereunder – For the purpose of this By-Law a reference to any legislation shall be a reference to that legislation and the regulations promulgated thereunder.
- 4) Assigning responsibilities of a Council employee to an employee of a service provider, where a service provider has been appointed – If any provision in this By-Law imposes any responsibility of the Council in or on an employee of the Council and such responsibility has, in terms of Section 76(b) of the Municipal Systems Act or any other law, been assigned to a service provider, then the reference in such a provision to such employee must be read as a reference to the service provider or a duly authorized employee of the service provider.

4. PRINCIPLES AND OBJECTIVES

The Council, acting in terms of section 6A(1)(a)(i) of the Businesses Act, 1991 (Act No. 71 of 1991) and-

- 1) having regard to the principles set out in the Act and in the Constitution; and
- 2) taking into consideration the need of the residents to actively participate in economic activities; and
- 3) taking into consideration the need to maintain a clean and healthy environment; and
- 4) striving to ensure that its residents are not exposed to and are protected against harmful food, in these By-laws regulates street trading.

5. APPLICATION

This By-law applies to all persons who carry on the business of the street trading within the area of jurisdiction of the Collins Chabane Local Municipality.

6. LEGISLATIVE FRAMEWORK

These By-laws fall within the legislative framework of the-

- a) Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972);
- b) Health Act, 1977 (Act No. 63 of 1977);
- c) Businesses Act, 1991 (Act No. 71 of 1991);
- d) National Road Traffic Act, 1996 (Act No. 93 of 1996);
- e) Constitution of the Republic of South Africa, 1996 (Act No.108 of 1996);

- f) Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000);
- g) Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000);

PART 2: GENERAL PROVISIONS APPLICABLE TO STREET TRADING

7. FORMS OF INFORMAL TRADING

Informal Trading may include any of the following forms of trading -

- 1) street trading, which comprises of selling goods or supply services for reward in a Public Road;
- 2) selling of Goods in Linear Market;
- 3) sale of Goods or services in a Public Place;
- 4) mobile trading such as from caravans, and light Motor Vehicles;
- 5) Selling of Goods in stalls or kiosks;
- 6) Selling of Goods at Special Events; and
- 7) Other street trading businesses.

8. THE FREEDOM TO ENGAGE IN THE INFORMAL TRADING

Subject to compliance with the provisions of this By-law and any other applicable law, any member of the Community of Collins Chabane Local Municipality may be permitted to engage in Informal Trading.

9. DESIGNATED AREAS

- 1) The Municipality may, by resolution in terms of Section 6A(3)(b) of the Act, set apart and demarcate stands or areas for the purposes of Informal Trading on any Public Road, the ownership or management of which is vested in the municipality, or on any other Property in the occupation and under the control of the municipality.
- 2) Any such stands or areas demarcated for Informal Trading may be extended, reduced or disestablished by resolution of the Council.
- 3) The municipality may, by resolution in terms of section 6A (3) (a) of the Act, lease any Verge or any portion thereof to the owner or occupier of the contiguous land on condition that such owner or occupier shall admit a specified number of Informal Traders in stands or places on such Verge designated by such owner or occupier.

10. LEASE AND ALLOCATION OF STANDS (HAWKERS LICENSE)

- 1) No person, whether as principal, employee or agent may, unless the business is covered by a hawkers/informal traders license issued by the Council, carry on the business of selling any foodstuff in the form of meals or any perishable foodstuff-
 - a) which is conveyed from place to place, whether by vehicle or otherwise;
 - b) on a public road or at any other place accessible to the public; or
 - c) in, or from a movable structure or stationary vehicle,
- 2) A person contemplated in (1) who wishes to obtain a hawker's/ informal trader license must apply on the prescribed application form contained in Schedule 1 and submit the completed form at the office of the Municipal Manager.
- 3) After consideration of an application for a license, the Council may-
 - a) grant the license if any apparatus, equipment, storage space, working surface, structure, vehicle, conveyances or other article or place used for or in connection with the preparation, handling or sale of foodstuffs comply with the requirements of sections 2 to 5 inclusive of the Foodstuffs. Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972)

- and regulations made under section 34 to 27 inclusive of the Health Act, 1977 (Act No. 63 of 1977);
- b) issue the license subject to any condition therein specified in terms of which the license holder must, in connection with the business premises or any such apparatus, equipment, storage, space, working surface, structure, vehicle, conveyance, article or place comply, or within a specified period comply, with a specific requirement relating to town planning or the safety or health of the public of a law or regulations contemplated in subsection (3)(a) which apply to those premises.
- 4) Subject to section 2(10) of the Act, the Council may refuse to issue a license if-
- a) any apparatus, equipment, storage space, working surface structure, vehicle, conveyance or any other article or place used for or in connection with the preparation, handling or sale of foodstuffs, does not comply with a requirement of a law or regulations contemplated in subsection (3)(a) relating to the health of the public;
- b) any foodstuff sold by the license holder does not comply with a requirement of a law or regulations contemplated in subsection (3)(a) a law relating to the health of the public; or
- c) a license of which the applicant was the holder, was at any time during the preceding 12 months, withdrawn due to noncompliance with a requirement under subsection (3).
- 5) "Section 2(10) of the Act provides as follows: "when a licensing authority decides to refuse an application for a license, or to grant such an application subject to a condition contemplated in subsection 6(a), or to issue a license subject to a condition, or to amend or impose a condition under subsection (8), or to withdraw or suspend a license, it shall as soon as practicable-
- a) notify the applicant or license holder concerned in writing of its decision;
- b) furnish the applicant or license holder concerned in writing with the reasons for its decision;
- c) inform the applicant of license holder concerned in writing of his right on appeal under section 3."
- 6) In respect of the allocation, as well as the lease of a stand a token shall be issued to an Informal trader as proof of an Informal Trader's rights to occupy the stand for the purpose of conducting Informal Trading;
- 7) The Council may at any time, after giving the license holder a reasonable opportunity to be heard -
- a) withdraw or suspend license on the ground that-
- I. any apparatus, equipment, storage space, working surface, structure, vehicle, conveyance or any other article or place used for or in connection with the preparation, handling or sale of foodstuffs, does not comply with a requirement of a law or regulations contemplated in subsection (3)(a) relating to the health of the public;
- II. any foodstuff sold by the license holder does not comply with a requirement of a law or regulations contemplated in subsection (3)(a) relating to the health of the public;
- III. the person did not comply with a condition imposed by the Council in terms of subsection (3)(b).
- b) if it considers it necessary on the ground of changed circumstances in relation to a business or the premises, by way of endorsement on the license amend a condition or impose a condition, and-
- I. may for these purposes require a license holder in writing to produce his or her license; and
- II. must act in terms of section (2)10 of the Act.
- 8) A person who contravenes subsection (1) or a condition contemplated in this section or who fails to comply with requirement contemplated in this section, commits an offence.

11. ENVIRONMENTAL HEALTH AND SAFETY

1) A hawker/ Informal Trader must -

- (a) keep the area or site occupied by him or her for the purposes of conducting Informal Trading in a clean and sanitary condition;
- (b) dispose of litter generated by his or her business in whatever refuse receptacle is provided by the municipality for the public or at a dumping site of the municipality;
- (c) not dispose of Litter in a manhole, storm water drainage system or other place not intended for the disposal of Litter;
- (d) ensure that on completion of business for the day, the area or site occupied by him or her for the purposes of conducting Informal Trading is free of Litter;
- (e) take such precautions in the course of conducting his or her business as may be necessary to prevent the spilling onto a Public Road, or Public Place, or into a storm water drainage, of any fat, oil or grease;
- (f) ensure that no smoke, fumes or other substance, odours, or noise, emanating from his or her activities associated with Informal Trading, causes pollution of any kind;
- (g) on request by an Authorised Official, move his or her property so as to permit the cleansing of the space or the area or site where he or she is conducting Informal Trading, or the effecting of Municipal Services.

12. SIGNS INDICATING RESTRICTED AND PROHIBITED AREAS

- 1) The Council may, in terms of section 6A(2)(a) of the Act and subject to the provisions of paragraphs (b) up to and including (j), by resolution declare any place in its area of jurisdiction to be an area in which street trading is restricted or prohibited.
- 2) The Council must be erected a sign in the area indicate such area, and the sign must indicate-
 - a) the restriction of the prohibition against street trading; and
 - b) if the street trading is restricted -
 - I. the boundaries of the area or stand set aside for street trading;
 - II. trading;
 - III. the hours when street trading is restricted or prohibited;
 - IV. the goods or services in respect of which street trading is restricted or prohibited; and
 - c) that the area has been let or otherwise allocated, and the sign shall serve as sufficient notice to a street trader that street trading is restricted or prohibited in the area concerned.
- 3) The Council may, from time to time, amend the sign.
- 4) A person who carries on the business as street trader in contravention of the notice contemplated in subsection (2) commits an offence.

13. PLACES WHERE STREET TRADING IS PROHIBITED

- 1) No person may, unless the Council has so permitted-
 - a) in terms of an agreement; or
 - b) by means of the display of a sign, carry on the business of a street trader in any of the following places:
 - I. in a garden or a park to which the public has a right of access;
 - II. on a verge contiguous to-
 - (i) a building belonging to, or occupied solely by, the State or the Council;
 - (ii) a church or other place of worship;
 - (iii) a building declared to be a public monument under the National Heritage Resources Act, 1999 (Act No. 25 of 1999).
- 2) No person may carry on the business of a street trader in any of the following places:

- a) In an area declared by the Council in terms of section 6A(2)(a) of the Act as an area in which street trading is prohibited;
 - b) at a place where it obstructs the use of the side walk by pedestrians or interferes with the ability of persons using the side walk to view the goods displayed behind a shop display window or obscure such goods from view.
 - c) Within 5 meters of an intersection as defined in Regulation 322 of National Road Traffic Act, 1996 (Act No. 93 of 1996);
 - d) at the place where it obstructs -
 - I. a fire hydrant;
 - II. the entrance to or exist from the building;
 - III. vehicular traffic;
 - IV. access to pedestrian crossings, parking or loading bays or other facilities for vehicular or pedestrian traffic;
 - V. access to or the use of the street furniture and other facilities designed for the use of the general public;
 - VI. or obscures a road traffic sign that is displayed in terms of the National Road Traffic Act, 1996;
 - VII. or obscures a marking, notice or sign displayed or made in terms of these By-laws;
 - e) on a public road contiguous to a building which is used for residential purposes, if the owner or person who is in control or any occupier of the building objects thereto;
 - f) on a portion of sidewalk or public place in contravention of a notice or sign erected or displayed by the Council for the purposes of these By-laws;
- 3) A person to whom an area or stand has been leased or allocated in terms of paragraphs 6A(3)(b) and (c) of the Act must -
- a) comply with conditions of the lease of allocation; and
 - b) be in possession of written proof that Council has leased or allocated the area or stand to him or her, and such a person may not carry on the business of street trader in the area or stand if he or she does not comply with paragraphs (a) and (b).
- 4) A person who contravenes one or more of the provisions of this section commits an offence.

14. PROHIBITED CONDUCT

- 1) A street trader -
 - a) may not sleep overnight at the area where he or she is trading, or at the area where another street trader is trading;
 - b) may not place or stack his or her property in such a manner that it-
 - I. constitutes a danger to any person or property; or
 - II. is likely to injure any person or cause damage to any property;
 - c) may not dispose of litter in a manhole, storm water drainage or other place not intended for the disposal of litter;
 - d) may not lease onto a public road or public place or into a storm water drain of fat, oil or grease in the course of conducting his or her business;
 - e) may not allow smoke, fumes, noise, smells, or other substance arising from his or her activities to cause a nuisance or pollution of any kind;
 - f) may not erect a structure for the purposes of providing shelter;
 - g) may not place his or her property on a public road or public place;
 - h) who conducts his or her business from a vehicle, may not park the vehicle or trader in such a manner so as to obstruct pedestrian or vehicular traffic and must ensure that he or she complies with the provisions of the National Road Traffic Act, 1996 (Act No. 93 of 1996);
 - i) may not use an area which exceeds 6m squared, with a maximum length 3 meters;

- j) may not place, on a public road or public place, his or her property that cannot be easily removed to a place of safety, which may not be a public road or public place, at the end of the day's business;
 - k) may not display his or other property on or in a building, without the consent of the owner, lawful occupier or person in control of such building or property;
 - l) may not attach an object by any means to a building, structure, sidewalk, tree, parking meter, lamp, pole, electricity pole, telephone booth, post box, traffic sign, bench or any other street furniture in or a public road or public place;
 - m) may not carry on his or her business in such a manner as to -
 - I. create a nuisance;
 - II. damage or deface the surface of a public road or public place or public or private property; or
 - III. create a traffic or health hazard;
 - n) may not make an open fire that poses a health or environment hazard to any person or property or to street furniture;
 - o) may not, other than in a refuse receptacle approved or supplied by the Council, accumulate, dump, store or deposit (or cause or permit this to be done) any litter on-10 -
 - I. any land or premises; or
 - II. any public road or public place or;
 - III. any public or private property
 - p) may not store his or her property in a manhole, storm water drain, public toilet, and bus shelter or in a tree;
 - q) may not carry on such business in a place or area in contravention of any prohibition or restriction approved by the Council in terms of section 6A(2)(a) of the Act.
- 2) A person who contravenes one or more of the provisions of subsection (1) commits an offence.

15. RESTRICTED CONDUCT

- 1) An Informal Trader -
 - (a) may not sleep overnight at the place where he or she carries an Informal Trading;
 - (b) may not erect any structure for the purpose of providing shelter, other than a device approved by the Council;
 - (c) may not place his or her Property on a Public Road or Public Place, with the exception of his or her Motor Vehicle or trailer from which Informal Trading is conducted, provided that such Motor Vehicle, stalls or trailer does not obstruct pedestrian or Vehicular Traffic movement and complies with the provisions of the Traffic Act;
 - (d) must ensure that his or her Property or area of activity; -
 - (e) does not cover an area of a Public Road or a Public Place which is greater than 6 M² (with a maximum length of 3 M) in extent, unless otherwise approved by the Council; and,
 - (f) in respect of any Sidewalk, leaves an unobstructed space for pedestrian traffic, being not less than 1.5 (one and a half) meters wide when measured from any contiguous building to the Property or area of activity and not less than 0.5 (one half) meter(s) wide when measured from the Kerb Line to the Property or area of activity;
 - (g) may not trade on a Sidewalk where the width of such Sidewalk is less than 3M;
 - (h) may not place or stack his or her Property in such a manner that it constitutes a danger to any person or property, or is likely to injure any person or cause damage to any property;
 - (i) may not display his or her Goods or other Property on or in a building, without the consent of the owner, lawful occupier, or person in control of such building or property;

- (j) must, on request by an Authorised Official or supplier of telecommunication or electricity or other Municipal Services, move his or her Property so as to permit the carrying out of any work in relation to a Public Road, Public Place or any such service;
- (k) may not carry on such business in such a manner as to -
 - (a) create a nuisance;
 - (b) damage or deface the surface of any Public Road or Public Place, or any public or private property; or
 - (c) create a traffic or health hazard, or health risk, or both;
- (l) may not make an open fire on a Public Road or Public Place;
- (m) may not obstruct access to a pedestrian crossing, a parking or loading bay or other facility for vehicular or pedestrian traffic;

16. REMOVAL AND IMPOUNDMENT

- 1) An official-
 - a) if he or she reasonably suspects that property is being used or intended to be used in or in connection with street trading, and
 - b) whether or not the property is in possession or under the control of any person, may-
 - I. remove and impound the property which he or she finds at a place where street trading is restricted or prohibition; and
 - II. impound the property.
- 2) An official who acts in terms of subsection (1) must, except in the case of goods that have been left or abandoned, issue to the street trader a receipt for the property so removed and impounded and the receipt must contain the following particulars:
 - a) The address where the impounded property will be kept and the period thereof;
 - b) the conditions for the release of the impounded property; and
 - c) that unclaimed property will be sold by public auction.
- 3) If any impounded property is attached to immovable property or a structure, and the impounded property is under the apparent control of a person present at that place, an official may order the person to remove the impounded property.
- 4) when a person fails to comply with an order to remove the impounded property, an authorized official may take such steps as may be necessary to remove the impounded property.
- 5) council is not liable for any loss of or damage to any property removed and impounded in terms of these By-laws.
- 6) A person who hinders or obstructs an official in the performance of his or her duties under this section, or who refuses or fails to remove the object when ordered to do so by an official, commits an offence.

17. LIABILITY OF PERSON CARRYING ON INFORMAL TRADING

- 1) When an employee or agent of an Informal Trader contravenes a provision of this By-Law, the Informal Trader shall be deemed to have committed such contravention unless such Informal Trader satisfies the court that he or she took reasonable steps to prevent such contravention.
- 2) The fact that the Informal Trader issued instructions to the employee or agent, prohibiting such contravention, shall not in itself constitute sufficient proof of such reasonable steps.

18. OFFENCES AND PENALTIES

- 1) Any person who-
 - a) contravenes or fails to comply with any provision of this By-law;

- b) Refuses or fails to comply with any notice served on him or her in terms of or for the purposes of this By-law;
 - c) Refuses or fails to comply with the terms or conditions of any approval issued in terms of this By-law;
 - d) obstructs, hinders or interferes with an authorised official or other official of the Council acting under power delegated to him or her, in the exercise of any power or the performance of any duty under this By-law;
 - e) fails or refuses to furnish to an authorised official or other official of the Council acting under power delegated to him or her, with any documentation or information required for the purposes of this By-law or furnishes a false or misleading document or false or misleading information;
 - f) fails or refuses to comply with any instruction given in terms of or for the purposes of this By-law; or
 - g) pretends to be an authorised official or other official of the Municipality acting under power delegated to him or her, shall be guilty of an offence and –
 - I. upon conviction, be liable to a fine or imprisonment not exceeding 20 years or to both a fine and such imprisonment and the fine shall be calculated according to the ratio determined for such imprisonment in terms of the Adjustment of Fines Act; and
 - II. a person convicted of an offence under this By-law who, after conviction, continues with the action in respect of which he or she was so convicted, is guilty of a continuing offence and liable to a fine, or upon conviction, to imprisonment for a period not exceeding three months or to both such fine and imprisonment, in respect of each day on which he or she so continues or has continued with that act or omission.
- 2) Nothing in subsection (1) above shall be construed to prevent the Municipality from imposing, in addition to the civil and criminal options available, a rates penalty as per the Municipality's approved Rates Policy against an owner of a property who is in contravention of any provision of this By-law.

19. ADOPTION AND IMPLEMENTATION OF THE INFORMAL TRADE POLICY

The Council has to adopt and implement an Informal Trading Policy consistent with this By-Law, the Act and the Constitution.

20. REPEAL

By-laws on street trading previously made by the Thulamela and Makhado Municipal Councils or their constituent Predecessors in respect of any portion of the area of the Collins Chabane Municipality, are hereby repealed in so far as they are inconsistent with the provisions of these By-laws.

21. SHORT TITLE

This By-law is referred to as the Collins Chabane Local Municipality Street Trading By-law and will come into operation on date of promulgation of the By-law in the Provincial Gazette.

SCHEDULE 1: (SECTION 11(2))
APPLICATION: HAWKERS'S LICENCE FOR STREET TRADING

A person who wants to obtain a hawker's license to hawk, sell or pedal meals or Foodstuffs and any other goods as a street trader, must supply the following information:

NAME:

IDENTITY NUMBER:

ADDRESS:
.....
.....
.....
.....

CONTACT NUMBERS (e.g. telephone):

AREA/S IN WHICH YOU WANT TO TRADE:
.....
.....
.....

ADDRESS WHERE YOU ARE GOING TO TRADE
.....
.....
.....
.....

IF YOU WISH TO TRADE IN FRONT OF ANY SHOP, PROVIDE THE DETAILS OF THE SHOP OWNER/ MANAGER
.....

DESCRIBE THE GOODS THAT YOU WANT TO TRADE IN:
.....
.....
.....

DESCRIBE ALL EQUIPMENT THAT YOU ARE GOING TO USE:

.....
.....
.....

DESCRIBE THE SHELTER FROM WHICH YOU ARE GOING TO TRADE:

.....
.....
.....

NB: APPLICANT TO FURNISH:

1. CERTIFIED COPY OF ID/ OR PASSPORT AND WORK/BUSINESS PERMIT IN CASE OF NON-SA CITIZEN
2. TWO ID/PASSPORT SIZE PHOTOS
3. COPY OF MUNICIPAL ACCOUNT FOR PROOF OF RESIDENCE (IF RENTING, AN AFFIDAVIT BY LAND LORD)
4. PROOF OF BANK ACCOUNT (3 MONTHS BANK STATEMENT)
5. PROOF OF REGISTRATION WITH SOUTH AFRICAN REVENUE SERVICE
6. IF TRADING IN FRONT OF A SHOP, PROVIDE A LETTER/ AGREEMENT FROM THE OWNER/ MANAGER OF THE SHOP
7. FOREIGN NATIONALS: A VALID WORK/BUSINESS PERMIT ISSUED BY SA DEPARTMENT OF HOME AFFAIRS
8. RETURN FORM TO COLLINS CHABANE LOCAL MUNICIPALITY OFFICES: MALAMULELE/VUWANI
9. NO STRUCTURE SHOULD BE ERECTED ON SIDEWALKS AND NO OBSTRUCTION TO PEDESTRIANS SHALL BE ALLOWED
10. OPTIONAL: PROVIDE LETTER FROM ASSOCIATION CONFIRMING YOUR MEMBERSHIP



SCHEDULE 2

HAWKERS LICENSE COLLINS CHABANE LOCAL MUNICIPALITY

ID/PASSPORT PHOTO			
NAME OF BUSINESS			
NAME OF APPLICANT			
ID/PASSPORT No.			
APPLICANT'S RESIDENTIAL ADDRESS			
APPLICANT CONTACT NUMBER			
STREET NAME			
TOWN			
CODE			
TYPE OF LICENCE APPLIED FOR	HAWKER PERMIT VALID FOR ONE YEAR		
NATURE OF BUSINESS	STREET TRADING		
GOODS/SERVICES OFFERED			
Signature of Applicant: _____		Date: _____	
FOR OFFICE USE ONLY (Mark the Applicable Fee)			
Local Resident	R172.50		Normal Permit
Non-Resident	R575.00		
Local Resident	R172.50		Seasonal Permit
Non-Resident	R575.00		
Local Resident	R172.50		Pensions
Non-Resident	R575.00		
RECEIPT NUMBER			
SERIAL No			
DATE RECEIVED			
DATE CAPTURED			
FILE NUMBER			
STREET NAME			
OFFICIAL: _____			
Signature: _____			
ON APPROVAL			
Signature of Licensing Officer: _____			
Date: _____			