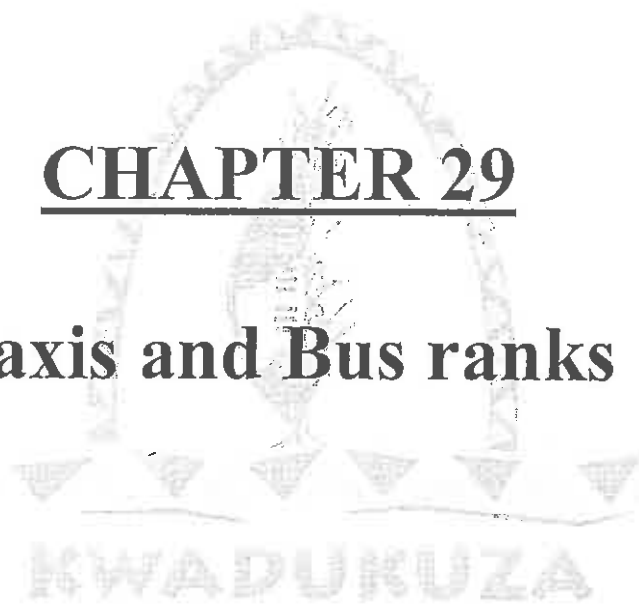


Final Draft for consideration by Council



CHAPTER 29

Taxis and Bus ranks





KWADUKUZA MUNICIPALITY

BYLAWS RELATING TO TAXIS AND BUS RANKS

The Kwadukuza Municipality acting in terms of section 156(2) of the Constitution of the Republic of South Africa Act 1996; (Act 108 of 1996) read with section 13 of the Local Government: Municipal Systems Act (Act 32 of 2000) hereby publishes the bylaws as set forth hereafter as bylaws made by the Municipality which bylaws will come into effect on the first day of the month following the date of publication hereof.

1. Definitions

In these bylaws unless inconsistent with the context:

“Act” means the Road Traffic Act 1998 (Act 29 of 1998);

“Bus” means a motor vehicle designed or adapted to carry more than sixteen passengers;

“Municipality” means the Kwadukuza Municipal Council and includes the Mayor, Political Office Bearers, Political Structures, Municipal Manager and any Official who has delegated powers in terms of Section 59 of the Local Government Municipal Systems Act (Act 32 of 2000);

“Municipal Manager” means the person appointed in terms of Section 82 of the Local Government Municipal Structures Act 1998, (Act 117 of 1998);

“Permit” means a written authorisation issued in terms of these bylaws to any taxi or bus operator;

“Taxi” means a vehicle registered for the hire for reward by individual persons or plying for hire on any public road;

“Rank” means any area of land within the area of jurisdiction of the Municipality set aside for the specific use of the short term parking of taxis and buses to keep them available for hire by passengers.

2. No person shall tout or solicit passengers for use of a taxi or bus on any public road or property to which the public has access except in places set aside by the Municipality as a rank.
3. (a) The Municipality may manage and control any rank itself or it may at its sole discretion allow a private association of taxi or bus owners to manage and control such rank.



- (b) Should the Municipality decide to allow an association as referred to in paragraph 3(a) hereof to manage and control any rank, the regulations published in terms of these bylaws shall apply *mutatis mutandis* to such rank in addition to any further condition the Municipality may wish to impose.
4. No person shall park any taxi or bus on any rank unless such person shall have obtained a permit, authorising such parking, from the Municipality after having paid the fee prescribed by the Municipality in its tariff of charges.
 5. The disc signifying the granting of authority contemplated in paragraph 4 hereof shall be displayed at all times on a conspicuous place on the front windscreen of the taxi or bus clearly displaying the authorisation sequence number and the vehicle registration number on the disc.
 6. Any permit issued in terms of these bylaws is not transferable.
 7. A lost permit issued in terms of these bylaws may be renewed upon payment of the fee prescribed in the Municipality tariff of charges.
 8. Every permit issued in terms of these bylaws is renewable annually and shall expire on the 31st December of the year in which it was issued and application for renewal shall be made before 30 November, of the same year, duly accompanied by the fee prescribed in the Municipality tariff of charges.
 9. No person shall wash or repair any taxi or bus in any area designated for the parking of taxis or buses except to effect emergency repairs to enable such bus or taxi to be removed to a proper place of repair.
 10. The municipality may impose such conditions as it may deem fit when it issued permits contemplated in these bylaws including:
 - (a) specifying the number of taxis and for buses which may use any rank or portion thereof; and
 - (b) conditions which it may deem reasonable to ensure a fair allocation of the available space in any rank between various operators to avoid congestion of vehicles and passengers or interference with the proper movement of traffic at or near the rank concerned.
 11. No person shall tout, imposture or solicit for any passengers for a taxi or bus by loitering or calling out, sounding any warning device or in any manner whatsoever.



12. Offences and Penalties

Any person who contravenes any provision of these bylaws or who fails to comply with the requirements thereof shall be guilty of an offence and upon conviction shall be liable to the fines determined by a Chief Magistrate of the Magistrate's Court with jurisdiction in the area in which the offence has been committed or imprisonment as determined by a competent court.

13. Repeal of bylaws

All Municipal Bylaws, and amendments thereto, relating to Taxis and Bus ranks made by the local authorities of Nkwazi/Zinkwazi Beach Transitional Local Council, KwaDukuza/ Stanger Transitional Local Council and Dolphin Coast Transitional Local Council, disestablished in terms of Provincial Notice No. 345 of 2000 in terms of section 12 of the Local Government: Municipal Structures Act, 1998: Establishment of Municipalities 9DC 29, KZ 291, KZ 292, KZ 293, KZ 294) as published on 19 September 2000, are hereby repealed.

