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eThekwini Municipality: Repeal By-law 2016

Assented to on 22 June 2016

Commences on 4 August 2016 unless otherwise noted

To repeal certain by-laws in the eThekwini Municipality that are unconstitutional, obsolete or invalid as a result of laws enacted since 1994; and to provide for related matters.

WHEREAS the Municipality has competence in terms of the section 156(2) of the Constitution of the Republic of South Africa to make and administer by-laws for the effective administration of the matters which it has the right to administer;

AND WHEREAS it is necessary for the Municipality to maintain legally sound by-laws within its area of jurisdiction;

NOW THEREFORE the Municipal Council of the eThekwini Metropolitan Municipality, acting in terms of section 156 of the Constitution of the Republic of South Africa, and read with section 11 of the Local Government: Municipal Systems Act, 2000 ([Act No. 32 of 2000](#)), hereby makes the following By-law:

1. Object of the By-law

- (1) The object of this By-law is to repeal by-laws containing provisions that are–
- (a) discriminatory, whether based on race or gender;
 - (b) unconstitutional in that they are in conflict with the Constitution of the Republic of South Africa, specifically the provisions relating to the Bill of Rights;
 - (c) irrelevant to the functioning of the Municipality taking into account the current environment and structure of local government; and
 - (d) a duplication of the by-laws that have been enacted by eThekwini Municipality since 1996.

2. Repeal of by-laws

The by-laws listed under Schedule A are hereby repealed to the extent indicated in the third column of the said Schedule.

3. Short title and commencement

This By-law is called the eThekwini Municipality: Repeal By-law 2016, and takes effect on the date of publication in the Provincial Gazette.

SCHEDULE A

REPEAL OF BY-LAWS

No.	Name of By-law	Publication details	Extent or repeal
1.	Borough of Amanzimtoti: Caravan Park By-Laws	PN NO.179 of 1968	The Whole
2.	Borough of Amanzimtoti : By-laws Relating to the Licensing and Control of Dogs	PN NO. 165 of 1956	The Whole
3.	Borough of Amanzimtoti: Parking Ground By-Laws	PN NO. 112 of 1986	The Whole
4.	Borough of Amanzimtoti: Parking Meter By-Laws	PN NO. 222 of 1971	The Whole
5.	Borough of Amanzimtoti: Pound By- Laws	PN NO. 165 of 1956	Section 4, 7(c), 14, 24, 25, 26, 27 and 30
6.	Borough of Amanzimtoti: Road Traffic By-Laws	PN NO. 551 of 1970	Section 1(f), 4(1), 5, 6(b) & (c), 7, 8(1), 9, 10, 11(1) & (2), 14 to 33, 35(4), 46(3) and 48
7.	Borough of Amanzimtoti: Standard By-Laws	PN NO. 87 of 1953	Section 1 and 9 of Chapter I
8.	Assagay Health Committee: General Regulations	PN NO. 528 of 1973	\Chapter IX, Section 4 & 5 of Chapter X, 1(3) & (5), 2(a) & (b), 3, 4 & 5 of Chapter XI and Chapter XII
9.	Bothas Hill : Health Committee Regulations for the Control of Private Swimming Pools	PN NO. 160 of 1971	The Whole
10.	Bothas Hill: Health Committee General Regulations	PN NO. 109 of 1948	Section 1A of Chapter IX
11.	Cato Ridge: Regulations Relating To Camping Grounds And Caravan Parks In The Areas of Jurisdiction of Health Committees	PN NO. 532 of 1962	The Whole
12.	Cato Ridge: Health Committee General Regulations	PN NO. 397 of 1955	\Chapter VIII: Advertisements, Signs and Sky Signs
13.	Cato Ridge: Health Committee Regulations relating to the Keeping of Dogs	PN NO. 289 of 1989	Section 6
14.	City of Durban: Animal By-Laws	PN NO. 530 of 1984	Section 8(3), 8(4), 9(3), 21, 22, 23, 24, and 28
15.	Durban Corporation Transport By- Laws	PN NO. 112 of 1939	Section 18(b)(i) & (ii) and 19
16.	City of Durban: Parks and Pleasure Grounds By-Laws	PN NO. 136 of 1928	The Whole
17.	City of Durban: Road Traffic By-Laws	PN NO. 614 of 1958	Section 4, 6, 7, 11(3) & (4), 12(12), and 13(8)
18.	City of Durban: By-Laws Relating to Street	PN NO. 2 of	The Whole

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	Collections	1963	
19.	City of Durban: By-Laws Relating to Sub-Division of Land and New Streets	PN NO. 36 of 1986	The Whole
20.	City of Durban: Library Tariffs	PN NO. 165 of 1995	The Whole
21.	City of Durban: Tariff of charges in terms of the Refuse Removal By- Laws	MN NO. 40 of 1985	The Whole
22.	City of Durban: Municipal Golf Course: Tariff of Charges	MN NO. 93 of 1981	The Whole
23.	City of Durban: Tariff of Charges in terms of the Road Traffic By-Laws	MN NO. 128 of 1976	The Whole
24.	City of Durban: Tariff of Charges: Sea and Sea-Shore	MN NO. 106 of 1989	The Whole
25.	City of Durban: Tariff of Charges for the use of Pools and Ancillary Facilities	MN NO. 45 of 1989	The Whole
26.	Everton: Health Committee Road Regulations	PN NO. 396 of 1947	Section 2(a)-(e)
27.	Gillitts: Emberton Health Committee Regulations Relating to the Keeping of Dogs	PN NO.353 of 1980	Section 3, 8, and 9
28.	Gillitts: Town Board Standard Bylaws	PN NO. 87 of 1953	The Whole
29.	Hillcrest: Health Committee General Regulations	PN NO. 79 of 1945	Section 1 to 10: Control of Roads and Traffic Nuisance
30.	Township of Hillcrest :By-laws Relating to The Keeping of Animals and Birds	PN NO.476 of 1987	Section 14 and 19(f)
31.	Borough of Isipingo: By-laws Relating to the Licensing and Control of Dogs	PN NO. 165 of 1956	The Whole
32.	Borough of Isipingo Beach: Miscellaneous Charges	PN NO. 104 of 1954	The Whole
33.	Borough of Isipingo: Miscellaneous Charges By-Laws	PN NO. 544 of 1970	The Whole
34.	Isipingo Rail Health Committee: Prevention of Malaria and Eradication of Mosquitoes	PN NO. 368 of 1932	The Whole
35.	Borough of Isipingo: Road Traffic By- Laws	PN NO. 551 of 1970	Section 1(f), 4(1), 5, 6(b) & (c), 7, 8(1), 9, 10, 11(1) & (2), 14 to 33, 35(4), 46(3) and 48
36.	Isipingo: Standard By-Laws	PN NO. 87 of 1953	Section 12 of Chapter I
37.	Borough of Isipingo / Amanzimtoti: By-Laws relating to the Valuation Roll Appeals	PN NO. 174 of 1969	The Whole
38.	Borough of Isipingo: Tariff of Charges for Services Rendered by the Fire Brigade	MN NO. 83 of 1976.]	The Whole
39.	Borough of Kingsburgh: Dog Tax By- Laws	PN NO. 351	The Whole

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40.	Borough of Kingsburg: By-Laws relating to the Keeping of Dogs	of 1969 PN NO. 591 of 1978	Section 2(iv), 3 and 4
41.	Borough of Kingsburg: By-Laws Relating to Parking Grounds	PN NO. 122 of 1986	The Whole
42.	Kingsburg: Standard By-Laws	PN NO. 87 of 1953	\Chapter XV: By-Laws relating to the establishments and control of Recreational Facilities and Chapter XVII: Library By-laws
43.	Kloof Local Administration and Health Board Area: General By-Laws	PN NO. 521 of 1938	The Whole
44.	Township of Kloof: By-Laws relating to the Keeping of Animals and Birds	PN NO.595 of 1966	Section 9 and 9A
45.	Borough of Kloof: By-Laws Relating to the Keeping of Dogs	PN NO.442 of 1975	Section 3, 8, and 9
46.	Borough of Kloof: By-Laws Consolidating Various Miscellaneous Matters	PN NO. 279 of 1989	\Chapter B
47.	Borough of Kloof: Motor Vehicle and Road Traffic Regulation By-Laws	PN NO. 547 of 1952	Section 3, 5, 6, 14, 17, 24, 25, 26, 31, 32, 34, 38 and 41
48.	Borough of Kloof: Standard By-Laws	PN NO. 87 of 1953	The Whole
49.	Borough of Kloof: Subdivision of Land By-Laws	PN NO. 607 of 1971	The Whole
50.	Borough of Kloof Tariff of Charges	MN NO. 112 of 1976	The Whole
51.	Borough of Kloof Tariff of Charges	MN NO. 51 of 1980	The Whole
52.	Borough of Kloof Tariff of Charges	MN NO. 280 of 1989	The Whole
53.	Borough of Kloof Tariff of Charges Amendments	MN NO. 98 of 1991	The Whole
54.	Borough of Kloof Tariff of Charges	MN NO. 204 of 1992	The Whole
55.	Borough of Kloof Tariff of Charges	MN NO. 203 of 1994	The Whole
56.	Lovu: South Local Council Tariff of Charges	MN NO. 97 of 1997	The Whole
57.	Lower Illovo Health Committee: Regulations Relating to the Keeping of Animals and Dogs	PN NO. 78 of 1993	Section 7(4) & (5) and 8(3) & (4)
58.	Mount Edgecombe Malaria Committee: Regulations Regarding The Prevention of Malaria and Eradication of Mosquitoes	PN NO. 566 of 1933	The Whole
59.	Township of Mount Edgecombe :Standard By-Laws	PN NO. 87 of 1953	Section 12 of Chapter I, Chapter X, Chapter XV, Chapter XVI, Chapter XVII and Chapter XIX

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60.	Township of New Germany: Dog Licensing By-Laws	PN NO. 343 of 1957	The Whole
61.	New Germany: General By-Laws	PN NO.314 of 1947	The Whole
62.	New Germany Health Committee Motor Vehicle and Road Traffic Regulations	PN NO. 260 of 1951	The Whole
63.	Borough of New Germany: By-Laws Relating to Public Parks, recreation Grounds and Open Spaces	PN NO. 57 of 1971	The Whole
64.	Borough of New Germany: Keeping of Animals and Birds By-Law	PN NO. 395 of 1977	Section 10, 12, 13 and 18
65.	New Germany Health Committee: Motor Vehicle and Road Traffic Regulations	PN NO. 260 of 1951	The Whole
66.	Borough of New Germany: Standard By-Laws	PN NO. 87 of 1953	\Chapter XVII
67.	Borough of New Germany: Tariff of Charges	MN NO. 213 of 1987	The Whole
68.	Borough of New Germany: By-Laws Relating to Public Parks, Recreation Grounds and Open Spaces	PN NO. 57 of 1971	The Whole
69.	Borough of New Germany: Traffic By-Laws	PN NO. 134 of 1984	Section 25(2), 29, 31, 33, 34, 36, 37, 50, 51, 52, 69, 72, 74, 76, 77, and 79
70.	North Local Council: Notice of Charges Relating to the By-laws for Control of Temporary Advertising	MN NO. 26 of 1998	The Whole
71.	North Local Council: Tariff of Charges	MN NO. 70 of 1998	The Whole
72.	Borough of Pinetown: By-Laws Relating to the Keeping, Control and Licensing of Animals	PN NO.672 of 1981	Section 14 of Chapter II, Chapter III and section 30(b) of Chapter VI
73.	Borough of Pinetown: By-Laws Consolidating Various Miscellaneous Matters	PN NO. 401 of 1982	Section 16 , 19 (1)(2) & (3) of Chapter II and Chapter III to Chapter XI
74.	Township of Pinetown: Motor and Traffic By-Laws	PN NO. 16 of 1948	Section 3, 7, 8, 12(g) and 13
75.	Borough of Pinetown: Standard By- Laws	PN NO. 87 of 1953	\Chapter VII: Markets Chapter XIV: By- Laws Relating to Crv@ches-Cum- Nursery schools for White Children and Chapter XVI: By- Laws Relating to Mobile Home Estates
76.	Borough of Pinetown: Tariff of Charges	MN NO. 9 of 1984	The Whole
77.	Borough of Pinetown: Traffic By- Laws	PN NO. 347 of 1982	Section 13(1)(a), 14 of Chapter I, Chapter IV, Chapter IX and Chapter X
78.	Borough of Queensburgh: Camping Grounds and Caravan Parks By- Laws	PN NO.528 of 1972	The Whole

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79.	Borough of Queensburgh: By-Laws Relating to the Consolidation and Subdivision of and Earthworks upon Properties and Matters incidental thereto	PN NO.502 of 1984	The Whole
80.	Borough of Queensburgh: General By-Laws	PN NO.297 of 1951	Section 13, 14, 16 of Chapter XII, Chapter XXI, Chapter XXIII, Chapter XXIV and Chapter XXVI
81.	Borough of Queensburgh: By Laws Relating to the Hire of the Town and/or Other Municipal Rooms	PN NO.351 of 1962	The Whole
82.	Borough of Queensburgh: By-Laws Relating to Public Places	PN NO. 236 of 1987	The Whole
83.	Borough of Queensburgh: By Laws Relating to the Keeping of Animals and Birds	PN NO.297 of 1951	Section 12 and 17(6)
84.	Borough of Queensburgh: By-Laws Relating to the Registration and Regulation of Dairies, Cowsheds, Milk Shops and Milk Dealers and Purveyors	PN NO. 35 of 1986	The Whole
85.	Borough of Queensburgh: Standard By-Laws	PN NO. 87 of 1953	The Whole
86.	Borough of Queensburgh: Tariffs of Charges	MN NO. 28 of 1987	The Whole
87.	Saiccor Township Health Committee Regulations	PN NO. 60 of 1957	Chapter VIII: Control of Traffic and Road: Nuisances
88.	Southern Local Council: Tariff of Charges	MN NO. 118 of 1996	The Whole
89.	Township of Tongaat: By Laws Relating to Chalets	PN NO. 54 of 1972	The Whole
90.	Township of Tongaat: By-Laws relating to Keeping and Licensing of Dogs	PN NO. 326 of 1984	Section 6, 7(d)&(e) and Chapter II
91.	Township of Tongaat: Motor Vehicle and Road Traffic Regulations	PN NO. 67 of 1948	Section 3, 6, 7, 15(m) ,17, 23 and 39
92.	Tongaats Fraser, Malaria Committee: Regulations Regarding The Prevention of Malaria and Eradication of Mosquitoes	PN NO. 572 of 1933	The Whole
93.	Township of Tongaat: Regulations for The Payment of Fees by Certain Residents of the Urban Bantu Residential Area	PN NO. 286 of 1970	The Whole
94.	Township of Tongaat: Standard Bylaws	PN NO. 87 of 1953	Section 12 of Chapter I, Section 10 of Chapter VII, Chapter X, Chapter XV, Chapter XVII and Chapter XX
95.	Umbogintwini Health Committee: Regulations Relating to the Keeping of Dogs	PN NO. 36 of 1982	Section 3, 8, and 9

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96.	Borough of Umhlanga: Dog Licensing By-Laws	PN NO. 130 of 1975	The Whole
97.	Borough of Umhlanga: Keeping of Animals and Birds By-law	PN NO. 740 of 1975	Section 16(5) & (6)
98.	Township of Umhlanga Rocks: Licensing By-Laws	PN NO. 508 of 1964	The Whole
99.	Borough of Umhlanga: Lost Property By-Laws	PN NO. 638 of 1973	The Whole
100.	Borough of Umhlanga: Public Places By-Law	PN NO. 384 of 1973	The Whole
101.	Borough of Umhlanga: By-Laws Relating to the Specification for the Construction of New Roads and Storm water Drainage Serving New Subdivisions of Land	PN NO. 384 of 1973	The Whole
102.	Umhlanga Rocks: Standard By-Laws	PN NO. 87 of 1953	Section 4,5, 6(b) & (c) , 7,14, 15, 16, 18, 30, 31 of Chapter XIII, Chapter XV and Chapter XVII
103.	Borough of Umhlanga Tariff of Charges: Sewerage Scheme Capital Contributions	MN NO. 151 of 1978	The Whole
104.	Borough of Umhlanga :Town Planning Rezoning Tariff of Charges	MN NO. 2 of 1976	The Whole
105.	Borough of Umhlanga: By-Laws relating to the Tariff Charges	PN NO.614 of 1973	The Whole
106.	Township of Umkomaas: By-Laws Relating to Chalets	PN NO. 595 of 1972	The Whole
107.	Township of Umkomaas: By-Laws Relating to the Licensing of Animals	PN NO. 5 of 1954	The Whole
108.	Township of Umkomaas: Standard By-Laws	PN NO. 87 of 1953	Section 12 of Chapter I
109.	Township of Umkomaas: Road Traffic By-Laws	PN NO. 240 of 1969	Section 4, 5(b) &(c), 8, 15, 16, 19, and 26
110.	Township of Umkomaas: Tariff By-Laws(Sewerage and Drainage)	PN NO. 526 of 1971	The Whole
111.	Umkomanzi /Umkomaas Transitional Local Council: Tariff of Charges	MN NO. 52 of 1999	The Whole
112.	Umkomanzi /Umkomaas Transitional Local Council: Regulations Governing Vehicles on The Seashore	MN NO. 96 of 1999	The Whole
113.	Borough of Verulam: By Laws Relating to The Control and Licensing of Dogs	PN NO. 439 of 1982	Section 9,10, 11, and 13
114.	Township of Verulam: Dog Tax By- Laws	PN NO. 473 of 1942	The Whole
115.	Township of Verulam: General By- Laws	PN NO. 287 of 1963	\Chapter XIII: Refuse Removal By-Laws, Chapter XXIII: Storage Of Mineral Oil, Spirit

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			And Inflammable Liquid, Petrol Storage Tanks And Pumps, Lubricating Oil And Air Pumps; and Chapter XXXI
116.	Township of Verulam: Standard By- Laws	PN NO. 87 of 1953	Section 4, 5, 6(b) & (c), 7, 14, 15, 16, 18, 30, 31, 33 of Chapter XIII and Chapter XVII
117.	Borough of Verulam: Tariffs: Library	MN NO. 80 of 1979	The Whole
118.	Borough of Verulam: Tariff of Charges Amendments	MN NO. 211 of 1989	The Whole
119.	Crestholme-Waterfall Health Committee: Public Places	PN NO. 18 of 1963	The Whole
120.	Widenham Health Committee: General Regulations	PN NO.382 of 1958	\Chapter VIIIA: Advertisements, Signs and Sky Signs
121.	Widenham Health Committee: Regulations Relating to the Keeping of Dogs	PN NO.638 of 1984	Section 5
122.	Widenham Health Committee: Tariff Regulations	PN NO. 221 of 1991	The Whole
123.	Urban Bantu Council No.79 of 1961: City of Durban	PN NO.630 of 1967	The Whole
124.	Borough of Westville: By-Laws Relating to the Keeping and Licensing of Dogs	MN NO. 180 of 1994	Section 9 &10 of PART A and PART B
125.	Borough of Westville: Standard By- Laws	PN NO. 87 of 1953	\Chapter XVII: Library By-Laws
126.	Borough of Westville: Tariffs of Charges	MN NO. 148 of 1977	The Whole
127.	Borough of Westville: Tariffs of Charges	MN NO. 76 of 1982	The Whole
128.	Borough of Westville: General By- Laws: Tariff Services	PN NO. 30 of 1957	The Whole
129.	Western Council: Kloof Entity: Tariff of Charges	MN NO. 76 of 1995	The Whole
130.	Western Transitional Metropolitan Substructure Council: Administrative Entity of Hillcrest, Sewerage Tariff	MN NO. 38 of 1996	The Whole
131.	Yellow Wood Park Health Committee: Regulations Relating to the Keeping of Animals and Birds	PN NO. 337 of 1980	Section 8(4) & (5) and 9(3)