

City of Johannesburg Metropolitan Municipality

PUBLIC ROAD AND MISCELLANEOUS BY-LAWS

**(PUBLISHED IN PROVINCIAL GAZETTE EXTRAORDINARY NO 179 DATED
21 MAY 2004 UNDER NOTICE NUMBER 832)**

CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY

PUBLIC ROAD AND MISCELLANEOUS BY-LAWS

The Municipal Manager of the City of Johannesburg Metropolitan Municipality hereby, in terms of Section 13(a) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000), publishes the Public Road and Miscellaneous By-laws for the City of Johannesburg Metropolitan Municipality, as approved by its Council and as concurred with by the Premier: Gauteng Province in terms of section 80A of the National Road Traffic Act, 1996 (Act 89 of 1996), as set out hereunder.

CITY OF JOHANNESBURG METROPOLITAN MUNICIPALITY

Obstruction on public roads

- 1) No person may deposit or cause to be deposited or leave or cause to be left any sand, stone, earth, bricks, timber, lime, cement or other building or excavated material of whatever nature on any portion of any public road, sidewalk or footway unless it is deposited within an enclosure in respect of which the prior written permission of the Council has been obtained.

Planting on sidewalks

- 2) No person may plant or cause to be planted, any tree, shrub or other plant on any public road or any sidewalk, footway or road reserve forming part thereof, which obstructs or interferes with pedestrian traffic on such sidewalk, footway or road reserve or allow any such tree, shrub or plant to remain on that sidewalk, footway or road reserve.

Permission to hoard in footway

- 3) (1) Any person who intends erecting, removing, altering, repairing or painting any part of a building or structure or carrying out any excavation, on part of any land which is within 2 metres of a public road, must before commencing any such work, enclose or cause to be enclosed a space in front of such part of the building, structure or land by means of a hoarding, fence or other enclosure or an enclosure specified in a permit issued in terms of subsection (3).

(2) If the enclosure contemplated in subsection (1), occupies or projects over any portion of a public road, the person concerned must apply for a written permit to the Council and if the person making the application is not the owner of the building or land on which the work is to be done, the owner must countersign the application.

(3) The Council may determine what portion of the public road is necessary for the purpose of carrying out any operations contemplated in subsection (1), and in every case where it determines that portion of a public road may be used for such purpose, grant a permit in writing specifying the portion which may be occupied for such purpose and the conditions under which such permit is granted.

(4) The Council reserves the right to withhold the issue of a permit required in terms of subsection (2), until all prescribed fees have been paid and the acceptance of any such permit by the applicant without objection, is taken to indicate that all kerbs, gutters and other works in the portion of the public road concerned were in good order and condition on the date of issue of such permit.

(5) Every permit granted by the Council for the erection of a hoarding, fence, scaffolding or an enclosure or a planked shed, must specify the area and precise position of that part of the public road where the enclosure, overhanging or covering is permitted and the period for which the permit is granted.