

WHITE RIVER MUNICIPALITY: PARKING METER BY-LAWS

The Administrator hereby, in terms of section 101 of the Local Government Ordinance, 1939, read with section 166 of the Road Traffic Ordinance, 1966, publishes the by-laws set forth hereinafter, which have been approved by him in terms of section 99 of the first mentioned Ordinance.

1. For the purpose of these by-laws unless the context otherwise indicates: -

“Council” means the Village Council of White River or any officer or employee of that Council to whom the Council has delegated any of its powers by virtue of these by-laws in terms of section 58 of the Local Government (Administration and Elections) Ordinance, 1960; **“demarcated parking place”** means a demarcated parking place in conjunction wherewith a parking meter has been installed as contemplated in section 106 of the Road Traffic Ordinance, 1966;

“parking meter” means a device for automatically registering and visibly recording the passage of time in accordance with the insertion of a coin therein, or in accordance with the insertion of a coin therein, followed by it being put into operation in terms of section 3, and shall include any post or fixture to which it is attached;

“parking period” means that period of time of parking in a demarcated parking place which is determined by the insertion into a parking meter of the appropriate coin and where applicable, the putting into operation of the parking meter in terms of section 3;

“traffic officer” means a traffic officer appointed in terms of section 3(1)(c) of the Road Traffic Ordinance, 1966;

“vehicle” means a vehicle as defined in the Road Traffic Ordinance, 1966, but does not include a pedal cycle;

and any other word or expression has the meaning assigned thereto in the Road Traffic Ordinance, 1966.

2. (1) It shall be unlawful to park any vehicle in any demarcated parking place without at the same time making a payment in the manner prescribed in these by-laws: Provided that the obligation to make such payment shall apply only between such hours as the Council may by resolution determine and as shall be indicated by legend on the parking meter, but in any event not from 1 p.m. on Saturdays, to 8 a.m. on Mondays.

- (2) Each parking meter shall: -

- (a) clearly indicate the parking period as also the coin (hereinafter referred to as the prescribed coin) to be deposited therein for the specified period of parking;
- (b) be fitted with an easily visible device (hereinafter referred to as an indicator) which shall clearly indicate the balance remaining of any parking period or that the parking period has expired, or that the parking meter has not been set in operation, as the case may be.

2. No person shall park any vehicle, or cause any vehicle to be parked, in any demarcated parking place unless at the same time where shall be inserted by him or on his behalf in the parking meter allocated to that space the prescribed coin, and if it is a parking meter which is not put into operation by the insertion of a coin only unless such parking meter is thereafter put into operation by turning the handle attached thereto fully towards the right until it automatically registers and visibly records the

passage of time: Provided that it shall be lawful without such payment to park in a vacant demarcated parking place for such part and such part only of any parking period as the parking meter may indicate to be unexpired: Provided further that where a person has ascertained that the parking meter in any demarcated parking place is not operating or is not operating properly, he shall be entitled to leave a vehicle in that place without inserting the prescribed coin in the parking meter.

4. It shall be unlawful, either with or without the insertion of a fresh coin in the parking meter and where applicable the insertion of a fresh coin in the parking meter and putting it into operation again in terms of section 3, to leave any vehicle in a demarcated parking place after the expiry of a parking period as indicated by the parking; meter, or to return the vehicle to that space within fifteen minutes of that expiry, or after that expiry to obstruct the use of that space by any other vehicle.
5. The insertion of the prescribed coin in the parking meter and, where applicable, the putting into operation thereof in terms of section 3 shall entitle the person inserting it to park a vehicle in the appropriate demarcated parking place for a period corresponding with the payment so made: Provided that notwithstanding the making of a payment as aforesaid, nothing in this section shall entitle any person to contravene any road traffic sign prohibiting the parking of vehicles between specified hours.
6. The period during which a vehicle may be parked in any demarcated parking place and the coin to be inserted in respect of that period in the parking meter allocated to such place shall be such as the Council may from time to time by resolution prescribe in terms of section 106 of the Road Traffic Ordinance, 1966.
7. It shall be unlawful: -
 - (a) to park any vehicle, not being a vehicle as defined in section 1, in a demarcated parking place;
 - (b) to insert or attempt to insert into a parking meter any coin other than a coin of South African currency of a denomination as indicated by legend on the parking meter;
 - (c) to insert or attempt into a parking meter any false or counterfeit coin or any foreign object;
 - (d) to damage or deface, soil or obliterate or otherwise render less visible the face or dial of a parking meter or to write or draw thereon, or to affix any handbill, poster placard or other article, whether or not of an advertising nature, to a parking meter;
 - (e) in any whatsoever to cause or attempt to cause a parking meter to record the passage of time otherwise than by the insertion of the coin referred to in paragraph (b);
 - (f) to jerk, knock, shake or in any way interfere with a parking meter which is not working properly or at all, in order to make it do so, or for any other purpose;
 - (g) to deface, soil, obliterate or otherwise render less visible or interfere with any mark painted on the roadway, or any legend, sign, or notice affixed or erected for the purposes of these by-laws;
 - (h) to remove or attempt to remove the mechanism or any part of a parking meter from the post or other structure to which it is attached.
8. (1) No driver or other person in charge of a vehicle shall park such vehicle or cause it to be parked; -

- (a) in a demarcated place across any painted line marking the confines of the parking place or in such a position that the said vehicle shall not be entirely within the area demarcated;
 - (b) in a demarcated parking place which is already occupied by another vehicle.
- (2) The driver or other person in charge of a vehicle shall: -
 - (a) if the demarcated parking place is parallel to the kerb or sidewalk of the public road, park such vehicle in such demarcated parking place in such a way that it shall be headed in the general direction of the movement of traffic on the side of the road on which the vehicle is parked and so that the left hand wheels of the vehicle are substantially parallel to and within eighteen inches of the left hand kerb: Provided that where in a one-way street such demarcated parking place is situated on the right hand side of the road the above provision shall, in respect of the parking of a vehicle in such demarcated parking place, apply to the right hand wheels and the right hand kerb respectively;
 - (b) if the demarcated parking place is at an angle to the kerb or sidewalk of a public road, park such vehicle in such demarcated parking place in such manner that it is headed substantially in the general direction of the movement of traffic on the side of the road on which such vehicle is parked.
- 9. Where by reason of the length of any vehicle such vehicle cannot be parked wholly within a demarcated parking place, it shall be lawful to park such vehicle by encroaching upon a demarcated parking place, and if such be the case, any person so parking shall immediately thereafter insert the prescribed coin in the parking meters of both the said places and where applicable, put such parking meters into operation in terms of section 3.
- 10. The Council may whenever it deems it necessary or expedient to do so in the interests of the movement of control of traffic, place or erect a road traffic sign or signs indicating that there shall be no parking at any demarcated parking place or places, and it shall be unlawful for any person to park or cause or permit to be parked a vehicle in such demarcated parking place or places during the hours in which parking thereat is in accordance with the indications on such sign prohibited.
- 11. (1) It shall be unlawful for any person to cause, allow, permit or suffer any vehicle of which he is the driver or which is under his control to be parked in any demarcated parking place, except as permitted by the provisions of these by-laws.
 - (2) Where any vehicle is found to have been parked in contravention of these by-laws, it shall be deemed to have been caused, allowed, permitted or suffered to have been so parked by the person in whose name such vehicle is registered in terms of the Road Traffic Ordinance, 1966, or any similar Ordinance of the Republic of South Africa or South West Africa, unless and until he shall have proved the contrary.
- 12. Notwithstanding anything to the contrary in these by-laws contained, the driver or other person in charge of the following vehicles may park in a demarcated parking place without payment of the fees prescribed herein: -
 - (a) A vehicle used as an ambulance and being at the time required for urgent ambulance service;

- (b) a vehicle used by a fire brigade for attendance at fires and being at the time used by the brigade in carrying out its duties of preventing or suppressing fires;
 - (c) a vehicle used by a police or traffic officer and being at the time used in connection with execution of his duties.
- 13. The passage of time as recorded by a parking meter shall for the purposes of these by-laws and in any proceedings arising out of the enforcement thereof, be deemed to be correct unless and until the contrary be proved, and the burden of so proving to the contrary shall be on the person alleging that the parking meter has recorded inaccurately.
- 14. Notwithstanding the provisions of section 7(d), the Council may, subject to the provisions of section 79(18) of the Local Government Ordinance, 1939, enter into an agreement with an approved person or persons permitting such person or persons to advertise on the Council's parking meters on such terms and conditions as the Council may approve: Provided that no parking meter shall by such advertising be defaced, soiled, obliterated or rendered inoperative or unfit in any way for the purposes of these by-laws.
- 15. Any person contravening any provision of these by-laws, shall be guilty of an offence and be liable on conviction to a fine not exceeding R100 (one hundred rand) or in default of payment, to imprisonment for a period not exceeding six months.