

ITEM NUMBER: C 19/05/16

*RECOMMENDATION FROM THE EXECUTIVE MAYOR: 17 MAY 2016*

MC 49/05/16 CITY OF CAPE TOWN DRAFT EVENTS AMENDMENT BY-LAW,  
2015

It is **RECOMMENDED** that Council review and amend its resolution C11/05/15 section (b), in that Annexure A to the report on the agenda be replaced with the Draft Events Amendment By-Law, 2015 attached as Annexure A to this report.



REPORT TO COUNCIL

DATE 2016 -05- 17

1. ITEM NUMBER : MC 49/05/16

2. SUBJECT

CITY OF CAPE TOWN DRAFT EVENTS AMENDMENT BY-LAW, 2015

ONDERWERP

DIE STAD KAAPSTAD SE KONSEP-WYSIGINGSVERORDENING OP  
GELEENTHEDE, 2015

ISIHLOKO

UMTHETHO KAMASIPALA WESIXEKO SASEKAPA OLUYILO KA-2015  
OJONGENE NOTSHINTSHO LWEMISITHO

[G4932]

3. STRATEGIC INTENT

- Opportunity City

Objective 1.1: Create an enabling environment to attract investment that generates economic growth and job creation

Programme 1.1(a) Events programme

4. PURPOSE

To seek Council approval for the final version of the draft Events Amendment By-Law, 2015.

5. FOR DECISION BY

This report is for consideration/decision by:

- The Executive Mayor together with the Mayoral Committee
- Council

6. EXECUTIVE SUMMARY

The Amended Events By-Law 2015 was approved by Council on 29 May 2015 [C11/05/15]. Recommendation b) of Councils approval recommended certain amendments to the By-Law.

An earlier version of the Amendment By-law was mistakenly attached to the report to Council.

The attached Annexure is the final Events Amendment By-Law 2015.

This report requests that Council approves the document presented in Annexure A.

## 7. RECOMMENDATIONS

Not delegated: for decision by Council:

It is recommended that:

- a) Council review and amend its resolution C11/05/15 section (b), in that Annexure A be replaced with the Draft Events Amendment By-law, 2015, attached as annexure A to this report.

## AANBEVELINGS

Nie gedelegeer nie: vir besluitneming deur die Raad:

Daar word aanbeveel dat:

- a) Die Raad sy besluit C11/05/15 deel (b) hersien en wysig deur bylae A te vervang met die konsepwysigingsverordening op funksies, 2015, wat as bylae A by hierdie verslag aangeheg is.

## IZINDULULO

Asigunyaziswanga: isiqqibo seseBhunga:

Kundululwe ukuba:

- a) IBhunga maliphengulule kwaye lilungise isiqqibo salo esingu-C11/05/15 secandelo-(b), sokuba kwiso sihlomelo-A, masithathelwe indawo nguMthetho kaMasipala oLungisiweyo ongeMisitho wango-2015, oqhotyoshelwe njengesihlomelo-A kule ngxelo.

## 8. DISCUSSION/CONTENTS

The Amended Events By-Law 2015 was approved by Council on 29 May 2015 [C11/05/15]. Recommendation b) of Councils approval recommended certain amendments to the By-Law.

An earlier version of the Amendment By-law was mistakenly attached to the report to Council.

The earlier version was the version of the document tabled at Portfolio Committee after the conclusion of the public participation. The version attached to this report contains the final version, inclusive of the comments by the Portfolio Committee.

The attached Annexure is the final Events Amendment By-Law 2015.

This report requests that Council approves the document presented in Annexure A.

### 8.1. Constitutional and Policy Implications

The By-Law is developed and guided by the following legislation and regulations:

- The Constitution of the Republic of South Africa :Act 108, 1995, section 156 (1) (a), read with Part B of Schedule 4
- No 2 of 2010: Safety at Sports & Recreation Events Act, 2010
- The Disaster Management Act, 57 of 2002
- Municipal Finance Management Act (MFMA) Act No 56 of 2003
- Occupational Health and Safety Act
- Private Security Industry Regulating Authority
- National Health Act
- National Building Regulations and Standards Act (No 103 of 1977)
- Fire Brigade Service Act
- Schedule 16 of Outdoor Advertising & Signage By-law
- Road Traffic Act, 1996
- Municipal Planning By-law
- Regulation of Gatherings Act, 1993 (Act No. 205 of 1993 as amended).
- The City of Cape Town's Events By-Law
- City of Cape Town System of Delegations
- City of Cape Town Catering Policy
- City of Cape Town Entertainment Policy
- Integrated Development Plan
- City of Cape Town's Smart Events Handbook

### 8.2. Sustainability Implications

Does the activity in this report have any sustainability implications for the City?

No  Yes

### 8.3. Legal Implications

Yes, this document proposes amendments to existing Legislation.

**8.4. Staff Implications**

Does your report impact on staff resources, budget, grading, remuneration, allowances, designation, job description, location or your organisational structure?

No

Yes

Discussions with Law Enforcement indicate that additional Law Enforcement Officers will be required to enforce the provisions for the Events Amendment By-law.

Safety and Security department is currently creating a dedicated Film and Events Traffic Unit as this unit is required to contribute to the Safety and Security Planning Committee.

There may be a similar staffing impact on other City Departments which has not yet been expressed.

**8.5. Risk Implications**


Detailed Risk Implications were submitted directly to the Chief Risk Officer in the previous report tabled at Council.

**8.6. Other Services Consulted**

Manager: Policy and Legislative Development,  
Mr. Timothy Zeeman  
021 400 3222

Senior Legal Advisor  
Ms. Alicia Floris  
021 400 3963

**ANNEXURES****Annexure A: Draft Events Amendment By-law 2015****FOR FURTHER DETAILS CONTACT:**

<b>NAME</b>	Teral Cullen
<b>CONTACT NUMBERS</b>	021 - 4170605
<b>E-MAIL ADDRESS</b>	Teral.cullen@capetown.gov.za
<b>DIRECTORATE</b>	Tourism, Events and Economic Development
<b>FILE REF No</b>	1/1/3/64
<b>SIGNATURE : DIRECTOR</b>	

*W Roux*  
\_\_\_\_\_  
ACTING EXECUTIVE DIRECTOR

Comment:

NAME WAYNE LE ROUX

DATE *5/4/16*



*Jnholt*  
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LEGAL COMPLIANCE

REPORT COMPLIANT WITH THE PROVISIONS OF COUNCIL'S DELEGATIONS, POLICIES, BY-LAWS AND ALL LEGISLATION RELATING TO THE MATTER UNDER CONSIDERATION.

NON-COMPLIANT

NAME *Jean-Mari Holt*

TEL *021 400 2753*

DATE *05/04/2016*

Comment:

*JMH*  
Certified as legally compliant:  
Based on the contents of the report.

*[Signature]*  
\_\_\_\_\_  
CRAIG KESSON (STRATEGIC POLICY UNIT)

SUPPORTED FOR ONWARD SUBMISSION TO MAYCO  / COUNCIL :

PC RECOMMENDATION

RECOMMENDATION AS CONTAINED IN ORIGINAL REPORT

ALTERNATIVE RECOMMENDATION (TO BE REFLECTED IN COMMENTS SECTION BELOW)

NOT SUPPORTED

DATE *18/04/16*

COMMENT:

126

*C. Schmidt*

EXECUTIVE DIRECTOR: CORPORATE SERVICES AND COMPLIANCE (ED: CORC)

SUPPORTED FOR ONWARD SUBMISSION TO MAYOR  / MAYCO  / COUNCIL

NOT SUPPORTED

REFERRED BACK

DATE 20/04/2016

COMMENT:

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*[Signature]*

MAYORAL COMMITTEE MEMBER

COMMENT:

NAME GARRETH BLOOR

DATE 26 April 2016

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EXECUTIVE MAYOR

P. deLille .

SUPPORTED FOR ONWARD SUBMISSION TO MAYCO  COUNCIL

PC RECOMMENDATION

RECOMMENDATION AS CONTAINED IN ORIGINAL REPORT

ALTERNATIVE RECOMMENDATION TO BE REFLECTED BELOW

APPROVED I.T.O. DELEGATED AUTHORITY

NOTED

REFUSED

REFERRED BACK

DATE

4 May 2016

COMMENT:

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