

The Administrator has been pleased, under section 200 of the Local Government Ordinance, 1942 (Ordinance No. 21 of 1942), to approve of the subjoined Bylaws made by the City Council of the City of Pietermaritzburg :

CITY OF PIETERMARITZBURG

MUNICIPAL AERODROME BYLAWS

1. In these Bylaws, unless the context otherwise requires -

"aerodrome" means the Aerodrome at Oribi established and maintained by the Council or its contractors for the landing, taking off, manoeuvring, parking or housing of aircraft and licensed as an aerodrome in terms of Chapter 22 of the Air Navigation Regulations 1963, and includes any other aerodrome which is or may be established or maintained by the Council as an aerodrome and which is licensed as such in terms of the said Air Navigation Regulations;

"aircraft" means any vehicle that can derive support in the atmosphere from the reactions of the air;

"Council" means the City Council of Pietermaritzburg;

"licensee" means the holder of the licence issued in respect of the aerodrome in terms of the Air Navigation Regulations and includes any person appointed or authorised by the licensee to manage, control and supervise the aerodrome on its behalf;

"runway" means a defined rectangular area on the aerodrome constructed or demarcated for the landing or take-off run of aircraft along its length.

Admission of Public

2. (1) Where any notice is displayed prohibiting members of the public from entering any part of the aerodrome, no person shall enter any part of the aerodrome from which members of the public are so excluded except with the permission of the licensee.
- (2) No person other than a person entering or leaving the aerodrome by means of an aircraft landing or taking off from the aerodrome shall enter or leave the aerodrome otherwise than through a gate or entrance provided for that purpose.

Regulation or Prohibition of Vehicular or Other Traffic

3. Every person shall obey and observe any road traffic sign or surface marking erected, placed or demarcated by or on behalf of the Council or the licensee on the aerodrome for the purpose of warning, guiding, regulating, controlling, restricting or prohibiting the parking or driving of vehicles on the aerodrome or any part thereof.

Animals on Aerodrome

4. (1) No person shall cause or permit any animal to graze, feed or stray on the aerodrome. Any animal found straying on any part of the aerodrome is liable to be impounded.
- (2) Any person bringing any animal or receiving an animal on the aerodrome shall ensure that it is at all times under proper control while it remains on the aerodrome.

- (3) No person shall cause any dog belonging to him or in his charge to enter or remain on the aerodrome unless such dog is, and at all times while on the aerodrome, continues to be, on a leash and is effectively restrained from causing annoyance to any other person on the aerodrome.

Acts Prohibited on Aerodrome

5. No person shall on the aerodrome -
 - (a) obstruct or interfere with the proper use of the aerodrome;
 - (b) obstruct any person employed by the licensee or the Council acting in the execution of his duty in relation to the aerodrome;
 - (c) remove any notice board erected by or on behalf of the licensee or the Council or remove or deface any writing or document displayed on such notice board;
 - (d) throw, leave or drop anything capable of causing injury to any person or animal or damage to any property;
 - (e) dump or deposit any waste matter or refuse whatsoever elsewhere than in a receptacle or at a place provided or approved for the purpose by the licensee or set aside for that purpose by notice;
 - (f) commit any nuisance or disorderly or indecent act or be in a state of intoxication or behave in a violent or offensive manner to the offence or annoyance of other persons on the aerodrome or make use of abusive, indecent or offensive language;
 - (g) damage, interfere or tamper, without authority, with any part of the aerodrome or any equipment associated with the operation of the aerodrome; or

- (h) go on to or damage any lawn or flowerbed or remove or pick any soil, grass, tree, shrub or flower without permission of the licensee.

General Control of Aircraft and Pilots

- ~~6.~~ (1) It shall be a condition of use of the aerodrome by any aircraft that the owners and pilots thereof shall be jointly or severally responsible for any damage resulting to the aerodrome or any building, installation, structure, appliance or other property therein from -
 - (a) the failure of a pilot or of any member of the crew of the aircraft to comply with these bylaws or the Air Navigation Regulations; or
 - (b) the commission by any such person of any act of negligence.
- ~~8.~~ (2) The licensee shall be entitled to move any aircraft, vehicle or article or to do any other thing necessary to enforce compliance with these bylaws and the Air Navigation Regulations, and neither the licensee nor the Council shall be held liable for the consequences of any action properly taken by him in pursuance of this section.
- (3) No aircraft shall be parked except in a space set aside for such parking by the licensee.
- (4) The person concerned in or responsible for the parking of an aircraft shall ensure that the aircraft is firmly secured to the ground when left unattended or during weather likely to cause the aircraft to move.
- (5) Neither the Council nor its servants shall be liable for any theft from or damage to an aircraft occurring while it is at the aerodrome and particularly not for any damage occurring to such aircraft while being moved in or out of hangars, parked or moved from one position to another on the aerodrome.

- (6) No aircraft shall be left unattended within the landing area.
- (7) No engine of an aircraft shall be started unless there is a pilot or a competent engineer in the cockpit, or in any hangar unless permitted by the licensee.
- (8) No engine of an aircraft shall be run while the aircraft is in a stationary position and is in such a position that the resulting airstream blows into or against any building, aircraft or person, and no engine of an aircraft shall be run while the aircraft is in a stationary position unless effective and properly constructed chocks are placed in front of its wheels, whether or not they are fitted with brakes.
- (9) No chock, drum, loading step, trestle or other equipment or - object capable of causing an obstruction shall be left on the landing field except when its presence there is actually and immediately necessary.
- (10) Save in an emergency no application for the use of night landing facilities shall be granted unless received by the licensee or his authorised representative during office hours.
- (11) The licensee may stop an aircraft, pilot or passenger from leaving the aerodrome on instructions from -
 - (a) the Department of Transport (Civil Aviation);
 - (b) the Department of Immigration;
 - (c) the Department of Customs and Excise;
 - (d) the Department of Defence; or
 - (e) the South African Police.

- (12) The Council may under and by virtue of its powers under section 8 of Ordinance No. 14 of 1936, and the Local Authorities Ordinance, No. 25 of 1974, lease to approved persons, land and/or buildings within the parking areas of the aerodrome and for the purpose of establishing aircraft maintenance workshops, hangar facilities for the housing of aircraft, fuelling sites, office accommodation, open parking areas and for other purposes relating to aerodromes. The provisions of this sub-by-law shall not apply to any parking area reserved for the State for its purposes.
- (13) Operators of aircraft shall obey all signs and surface markings erected or placed by or on behalf of the licensee or the Council for the purpose of regulating, controlling or restricting the movement, parking or fuelling of aircraft on the aerodrome.
- (14) No aircraft shall be parked or left unattended anywhere on the runway or in such a position as to endanger aircraft landing or taking off from the runway.
- (15) No person shall, save in an emergency, use a portion of the aerodrome other than the runway for the landing or taking off of an aircraft.
- (16) No person shall, without the permission of the licensee, cause or permit any aircraft to be parked or berthed on the aerodrome, except in an area which is demarcated by signs or surface markings as being set aside for that purpose. An aircraft parked in an authorized parking area and unattended shall be properly moored or otherwise secured by the operator of that aircraft.
- (17) The operator or other person in lawful charge of any aircraft or vehicle which is parked in contravention of these bylaws or which is abandoned or left unattended in a position which interferes with the use of the aerodrome by other aircraft or vehicles aircraft or vehicle to another place indicated by the licensee or from the aerodrome, and if such person fails or refuses or is not present to comply forthwith with such direction, the licensee or a police official may have such

aircraft or vehicle moved to such other place or from the aerodrome, and any such action by the licensee or a police official shall not exempt such person from a prosecution in respect of such refusal or failure.

Removal of Damaged or Disabled Aircraft

7. (1) The operator of any damaged or disabled aircraft shall, if directed to do so by the licensee, move such aircraft or any part thereof or any cargo or thing carried therein to another place on the aerodrome indicated by the licensee or from the aerodrome.
- (2) If the operator of a damaged or disabled aircraft refuses or fails or is not present to comply forthwith with any direction given by the licensee in terms of sub-section (1), the licensee may take all steps necessary to ensure that such direction is complied with as expeditiously and safely as possible and may recover from the operator of that aircraft the cost incurred in ensuring compliance with such direction and any such action by the licensee shall not exempt such operator from prosecution in respect of such refusal or failure.

Supply of Fuel to Aircraft

8. (1) No person shall on the aerodrome supply fuel to any aircraft except at a place and in a manner approved by the licensee.
- (2) The licensee may make any approval granted by him in terms of sub-section (1) subject to compliance with such conditions as he may consider necessary to impose in order to safeguard persons or property on the aerodrome and he may from time to time vary or add to any condition so imposed or withdraw his approval.

Persons or Cargo Carried in Aircraft Arriving from outside the Republic

9. No person shall be disembarked or cargo unloaded from aircraft arriving on the aerodrome from any point outside the Republic of South Africa unless permission for such disembarkation or unloading has been granted by the Customs, Civil Aviation, South African Police, Immigration or Health Authorities, or, if necessary, by all these authorities.

Boarding or Tampering with Aircraft

10. Except with the permission of the person in lawful charge of an aircraft no person shall on the aerodrome :
- (a) board such aircraft; or
 - (b) tamper or interfere in any way whatsoever with such aircraft or anything used in connection therewith.

Safety Measures Against Fire

- 10A. (1) No person shall on the aerodrome -
- (a) smoke in or bring an open flame into any place where such act is prohibited by a notice displayed on the direction or with the permission of the licensee;
 - (b) by any act or omission cause or render likely an outbreak of fire;
 - (c) tamper or interfere with any fire hose, reel, hydrant or any other item of equipment provided solely for fire-fighting purposes;

- (d) keep, store, discard or discharge any flammable liquid, gas, signal flares or other like material except in the receptacle in any aircraft appropriate for the purpose or in a place on the aerodrome specifically approved by the licensee for the purpose; or
 - (e) store or stack any material or equipment in a manner which in the opinion of the licensee constitutes or will constitute a fire hazard.
- (2) All persons using or employed at the aerodrome shall make themselves acquainted with and comply with the fire orders issued by the licensee from time to time.

Landing, Hangarage and Parking

11. (1) The charges for landing, hangarage and parking on the aerodrome shall be as set out in Schedule A and, with the exception of landing charges, shall be payable in advance.
- (2) Subject to the provisions of the Local Authorities Ordinance 25 of 1974, the Council may enter into leases of its hangars at rentals not exceeding the charges set out in Schedule A.
- (3) The use of any hangar accommodation shall be entirely at the hirer's own risk.
- (4) The Council may terminate the hire of any hangar forthwith and without notice upon failure by the hirer to pay the fees prescribed herein or the rental agreed upon or upon breach by him of any of the terms of these bylaws or any condition of his lease.
- (5) Should the aerodrome be taken over by the Department of Defence in any military emergency, all hangar tenancies shall immediately become subject to 24 hours notice of termination.

- 11A. A fee as set out in Schedule A shall be payable by all passengers departing from the aerodrome on scheduled commercial flights.

Trading

12. No person shall engage in the sale of refreshments or in the sale or hire of any other commodity or in the rendering for reward or otherwise of any service within the boundary of the aerodrome without having obtained a written permit to do so given by the Council under the hand of the Town Clerk.

Offences and Penalties

13. (1) Any person who contravenes any provision of these bylaws shall be guilty of an offence.
- (2) Any person convicted of any offence under these bylaws shall be liable to a fine not exceeding five hundred rand in the case of a first conviction or, in the case of a second or subsequent conviction for the same offence, to a fine not exceeding one thousand rand, or, in default of payment of any fine imposed in either case, to imprisonment for a period not exceeding three months; provided that in the case of a continuing offence, a fine not exceeding fifty rand for each day upon which the contravention continued may be imposed, but no such fine shall in any one prosecution or within any one month exceed one thousand rand.