

CITY OF PIETERMARITZBURG

SWIMMING BATH BYLAWS

The Administrator has in terms of section 270 of the Local Authorities Ordinance, 1974 (Ordinance 25 of 1974), approved the subjoined bylaws made by the City Council of the City of Pietermaritzburg:

SWIMMING BATH BYLAWS

1. In these bylaws -

"bath" means any swimming bath established or operated by the City Council within the City and shall include all buildings, structures, gardens and enclosures used in connection therewith;

"city" means the City and Borough of Pietermaritzburg;

"Director of Parks" means the person appointed to that position by the City Council or his appointed representative;

"professional swimming coach" means any person who, for gain, instructs any other person in the art or practice of swimming; and

"Superintendent" means the officer appointed by the Council as a bath superintendent.

2. These bylaws shall apply to all Baths owned or operated by the City Council.
3. (1) Before admission to a bath every person shall obtain a ticket from the attendant on duty by payment of the prescribed fee or shall present a valid monthly ticket to such attendant and such tickets must be retained for inspection by any authorised official of council. Provided that -

- (a) parties of scholars accompanied by teachers may be admitted without purchasing tickets if the teacher in charge is authorised to incur liability on behalf of the school for the cost of the fees prescribed for admission. Accounts will be rendered to the school concerned in such cases.
- (b) members of the S.A. Defence Force when in uniform, and any person in possession of a bus fare concession ticket granted to him by the Council by reason of his age or the fact that he is in receipt of a pension, shall be admitted free of charge.

Hours of Bathing

- 4. The Director of Parks shall from time to time fix the days and hours the baths shall be open to the public and such days and times may vary from bath to bath.
- 5. No person at any bath shall -
 - (1) enter or use any building or enclosure reserved for members of the opposite sex provided that this bylaw shall not apply to children under six years of age;
 - (2) expectorate or commit a nuisance of any description in the bath;
 - (3) at any time wilfully, or negligently break or injure or improperly interfere with the due and efficient action of any equipment or machinery used in connection with the bath or wilfully or negligently injure any furniture, fittings or conveniences of any bath;
 - (4) by any disorderly and improper conduct disturb any other person, or any officer or servant or person appointed by the Council in the proper execution of his duty;
 - (5) cause or allow any animal under the control of such person to enter the bath;

- (6) use any indecent or offensive language or behave in an indecent or offensive manner;
 - (7) use any soap or other substance or preparation whereby the water in such swimming bath may be rendered turbid or unfit for the proper use of bathers;
 - (8) wilfully foul or pollute the water;
 - (9) write, sketch or draw upon any portion of the bath whatsoever nor in any way disfigure, damage or injure the bath;
 - (10) make wasteful use of water when using a shower bath and shall close the tap after use;
 - (11) dress or undress except in such place as shall have been provided for that purpose;
 - (12) be within a bath in a state of intoxication;
 - (13) pluck any flowers or injure or destroy any plant, tree or shrub growing within a bath;
 - (14) cause any damage to the terraces or cut up or destroy the grass by walking across the same in disregard of any prohibition notice, but shall keep to the paths as laid out;
 - (15) discard cigarette ends, used matches, papers, fruit skins or any refuse or litter except in receptacles provided therefor;
 - (16) if under sixteen enter in the adults' change rooms but shall use those set apart respectively for boys and girls as the case may be, subject to Bylaw 5 (1).
6. No person shall enter or attempt to enter any bath -
- (a) whilst under the influence of liquor or drugs;
 - (b) whilst suffering from any infectious or contagious disease;

- (c) whilst unclean in his person or dress;
 - (d) whilst in possession of glass bottles or similar such breakable containers.
- 6A. No child under the age of 8 years shall be admitted to any bath unless accompanied by a person sixteen years or older.
7. (1) The Superintendent shall have the right to refuse admission to any bath to any person who may be -
- (a) unclean in his person, dress or habits;
 - (b) suffering from an infectious or contagious disease;
 - (c) under the influence of liquor or drugs;
 - (d) likely by his behaviour or conduct to cause a breach of the bylaws or be objectionable or offensive to any other person in or upon or about to enter the baths; or
 - (e) who has been convicted of any offence under these bylaws.
- (2) The Superintendent may require any person at any bath to take a shower bath before entering the main bath.
- (3) The Superintendent may require any person offending against any of the provisions of these bylaws or so misconducting himself as to cause a nuisance or danger or to be obscene or indecent, to leave the bath forthwith and if necessary may himself remove such person or cause such person to be removed from the bath.
8. (1) Every bathing costume worn at the baths shall be of a type which does not indecently expose to view the body of the wearer thereof and for this purpose the Superintendent may disapprove any type of bathing costume which, having regard to the foregoing and the age and sex of the wearer, he may consider to be too scanty, loose, transparent or otherwise inadequate or improper.
- (2) Wherever the Superintendent disapproves any bathing costume as aforesaid he may order the person wearing the same to don further garments or to adjust the said costume or to change into non-bathing apparel and no person when so ordered by the Superintendent shall fail to comply forthwith, with such order.

- (3) No person shall swim or otherwise bathe in the swimming bath at the baths unless he is wearing a proper bathing costume.
 - (4) No person shall, save when within a dressing or change room, cubicle, compartment, closet, shower or similar room, appear in a nude state at the baths.
 - (5) No person shall, whilst swimming, wear any garment other than a light shirt or blouse over a bathing costume.
9. (1) No professional swimming coach shall instruct any non-swimmer in the art or practice of swimming at any bath.
- (2) No person shall instruct any person in the practice of competitive swimming at any bath except on prior application to the superintendent and then only at such places and times as the superintendent may in his discretion allow.
- (3) In addition to complying with the requirements of bylaw 9 (2) no professional swimming coach shall instruct any person in the practice of competitive swimming at any bath unless he has first paid the fees laid down in tariffs.
10. (a) Persons using a bath or any equipment thereat provided by the Council do so at their own risk and neither the Council nor its employees shall be liable for any injury or damage sustained by any person as a result of the use or misuse of such bath or equipment.
- (b) Neither the Council nor its officials shall be liable to any person for any death, injury or damage suffered either as a result of any failure to render first aid or other medical treatment to any person at a bath or during the administration of first aid or other medical treatment to any person at a bath.
11. (a) Persons bringing property into any bath do so at their own risk and neither the Council nor its employees shall be liable for any loss of property which occurs at any bath.

(b) The Council and its employees shall not be liable, except in cases of theft by Council employees, for any loss of or damage to any property handed by any person to employees of the Council for the purpose of being kept whilst such person is at any bath.

12. The Director of Parks may reserve any bath for sports, gala's, competitions or any other purpose, and may close any such bath to the public and hire the same for any period not to exceed one week to clubs, associations or educational bodies at an inclusive fee and where a bath and grounds are so hired may grant power to the hirer to charge for admission thereto during the period of hire. Notices of closure of any bath for the above purpose shall be displayed at the baths for 48 hours prior to the closure.

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.

14. The Public Swimming Bath Bylaws published on 28 February 1957 under Provincial Notice 117 are hereby repealed.