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IMPROVED EVENT PERMITTING  
IN THE WESTERN CAPE

# **STANDARD MUNICIPAL EVENT PERMITTING POLICY**

VERSION 3  
7 JULY 2022

PREPARED FOR:  
WESTERN CAPE DEPARTMENT OF ECONOMIC DEVELOPMENT  
AND TOURISM

# **MUNICIPAL EVENT PERMITTING POLICY**

POLICY NUMBER:  
DATE OF APPROVAL:

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**FOREWORD**

To be completed by Municipality.

**EXECUTIVE SUMMARY**

To be completed by Municipality.



## **1 DEFINITIONS**

In this Policy, unless the context otherwise indicates –

**“community”** means the local community of the Municipality;

**“Council”** means the Municipal Council of the Municipality;

**“District Municipality”** means the xxx District Municipality;

**“event”** means a business, charitable, community, conference, cultural, educational, entertainment, exhibition, flash mob, live act, organisational, promotional, recreational, religious or sporting activity or any similar activity that is planned and that involves a gathering of people, and includes –

- an event in a public place or on public or private property; and
- an event hosted at a stadium, venue or along a route or within their respective precincts,

but excludes –

- an event on private property which will not –
- adversely impact a public place or public property;
- require a municipal service;
- involve the erection and utilisation of temporary structures;
- generate air pollution or utilise amplified sound that will be audible to the surrounding community; or
- have any adverse implications for public safety, the environment or the surrounding community;
  - a wedding procession; and
  - a funeral and funeral procession;

**“event risk categorisation”** means the categorisation by a South African Police Service official delegated by the National Police Commissioner, relating to the safety and security associated with an event as defined in section 6 of the Safety at Sports and Recreational Events Act, 2010 (Act 2 of 2010);

**“event permit”** means an event permit issued in accordance with section 9.6.2.4.1;

**“event organiser”** means the designated person or representative of the group, party or legal entity who is responsible for and in charge of, plans, manages, supervises, and conducts the event as contemplated in section 9.6.1;

**“Local Municipality”** means the xxx Local Municipality;

**“Municipal Event Committee”** means the committee contemplated in section 9.2.2;

**“Municipal Event Coordinator”** means the municipal employee contemplated in section 9.2.1;

“**Municipal Manager**” means the person appointed as municipal manager in terms of section 82 of the Local Government: Municipal Structures Act, 1998 (Act 107 of 1998);

“**Municipality**” means the xxx Municipality, established by Provincial Notice 488 of 2000 issued in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act 107 of 1998); and

“**remotely piloted aircraft system**” means an unmanned aircraft which is piloted from a remote pilot station, and includes –

- the associated remote pilot station;
- the required C2 Link; and
- any other component as specified in a type design,

but excludes a –

- i) model aircraft; and
- ii) toy aircraft.

## **2 INTRODUCTION**

The hosting of events has in recent times become an increasingly important feature for municipalities. By focusing on further unlocking the human, natural and other assets that are abundantly present in the Municipality’s jurisdictional area, this Policy aims to assist in increasing, in a sustainable manner, growth, job creation, investments and social inclusivity through effective and efficient event permitting, while at the same time providing policy and legislative certainty, removing red tape and facilitating the ease of doing business.

This Policy is aligned to the constitutional mandate and powers of the Municipality within the framework of developmental local government.

## **3 BACKGROUND**

Prior to the March 2020 advent of the Covid-19 pandemic in South Africa, the hosting of events in the Western Cape had grown exponentially and, curtailed only by the various lockdowns and concomitant limitations on business and recreational activities – necessitated by regulations aimed at curtailing the spread of the Covid-19 virus.

In order to deal with this context, and to resuscitate economic activity growth, the South African government approved the Economic Reconstruction and Recovery Plan in October 2020 dealing with, amongst others, reviving the international tourism sector in South Africa.

In March 2021, the Western Cape Government published the Western Cape Recovery Plan which identified four recovery themes – Covid-19 recovery, jobs, safety and wellbeing. Within this context, specific reference was made to tourism recovery and growth as a key priority area.

In the 2022 Western Cape State of the Province Address, the Premier emphasised the three interconnected "North Stars" of jobs, safety and dignity. As regards job creation, the following two interlinked pathways were identified:

- facilitating private sector investment as the key driver for sustainable employment growth; and
- investing in catalytic job-creating infrastructure that would support private sector needs.

The above background provides the context for the development and adoption of this Policy.

#### **4 PROBLEM STATEMENT**

Faced with the need to further strengthen the events sector as drivers for economic development, job creation, investments and social cohesion, the Municipality has realised the importance of establishing the necessary municipal framework to manage event permitting, whilst simultaneously assisting events organisers to experience the Municipality as a destination of choice for the hosting of events.

Through the implementation of this Policy, the Municipality is able to perform its constitutionally determined role to facilitate and regulate economic development initiatives within its jurisdictional area, which includes local tourism and events.

#### **5 PURPOSE AND AIMS**

The purpose of this Policy is to provide guidance to prospective events organisers and municipal officials on event permit applications and related matters.

The Policy is aimed at enhancing the ease of doing business with the Municipality by –

- providing for the necessary municipal structures and systems to facilitate event permit applications;
- regulating event permit application, consideration, approval and related processes;
- providing policy and legislative certainty with regard to additional permissions, approvals, processes and implementation arrangements that may be required in terms of existing legislation; and
- increasing, in a sustainable manner, growth, job creation, investments and social inclusivity through effective and efficient event permitting.

#### **6 SCOPE AND APPLICATION**

This Policy applies to the area of jurisdiction of the Municipality and is applicable to all instances of events as defined in section 1.

Although care has been taken to be as comprehensive as possible with regard to the specific and transversal legislative framework regulating and impacting on events and related activities

in the Municipality, the Policy does not derogate from any provisions or requirements of national or provincial legislation, nor of any existing municipal policy and by-law effective in the jurisdictional area of the Municipality.

## 7 PRINCIPLES

This Policy is underpinned by the following principles:

- improved service delivery;
- ease of doing business;
- policy and legislative certainty;
- job creation;
- sustainable economic growth; and
- transformation, equity and inclusivity.

In the application of this Policy, the Municipality will ensure full compliance with the above-mentioned principles.

## 8 REGULATORY CONTEXT AND STRATEGIC ALIGNMENT

### 8.1 NATIONAL FRAMEWORK FOR TOURISM AND EVENTS

This section provides a non-exhaustive list of the national tourism policy and legislative framework in order to identify the manner in which events are dealt within the tourism context. This is followed by a list of key national policy, legislative and programme frameworks that focus on events. In conclusion, a brief description is given of the national legislative framework that enables the Municipality to adopt this Policy and enact a municipal by-law relating to events.

The national policy and legislative framework dealing with tourism and events in general is comprised of the:

- Tourism Act, 2013 (Act 3 of 2013);
- National Tourism Sector Strategy 2016 – 2026; and
- Regulations on Norms and Standards for the Safe Operations of the Tourism Sector in the Context of the Coronavirus Covid-19 and Beyond.<sup>1</sup>

There are a number of national Acts which provide for financial and other forms of assistance in respect of events.<sup>2</sup>

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<sup>1</sup> Notice 696 of 2021 in *Government Gazette* 45568 of 3 December 2021.

<sup>2</sup> Department of Communications and Digital Technologies 2020 Draft White Paper on Audio and Audiovisual Content Services Policy Framework, p. 132-133. The Draft White Paper refers to the following five pillars: Pillar 1: Effective marketing; Pillar 2: Facilitate ease of access; Pillar 3: The visitor experience; Pillar 4: Destination management, and Pillar 5: Broad based benefits. In addition, the Draft White Paper refers to the legislation dealing with financial and other forms of assistance, including the:

- Lotteries Act, 1997 (Act 57 of 1997), which, through the National Lottery's Distribution Trust Fund's Distributing Agency for Arts, Culture, Environment and National Heritage, provides funding on a regular basis for successful applications within the broader cultural field, including films and various types of events; and
- Media Development and Diversity Agency Act, 2002 (Act 14 of 2002), which stipulates that the Agency must promote media development and diversity through the provision of support (financial, training, etc.) to, amongst others, community and small commercial media projects.

## 8.2 NATIONAL LEGISLATIVE PROVISIONS ENABLING MUNICIPALITIES TO ADOPT POLICIES AND MAKE BY-LAWS

The Constitution of the Republic of South Africa, 1996, determines that events are key incidences of the functional areas of tourism and economic development:

- both tourism and industrial promotion are functional areas of concurrent national and provincial legislative (and executive) competence;<sup>3</sup>
- provincial cultural matters is a functional area of exclusive provincial legislative (and executive) competence;<sup>4</sup> and
- local tourism is a local government matter, in respect of which both national Parliament and provincial legislatures may enact legislation aimed at ensuring the effective performance by, and the monitoring and support of, municipalities of their local tourism functions.<sup>5</sup>

In terms of the Local Government: Municipal Structures Act, 1998 (Act 107 of 1998), the District Municipality must aim at achieving the integrated, sustainable and equitable social and economic development of its area as a whole by, amongst others, building the capacity of all local municipalities (including the Local Municipality) within its area of jurisdiction.<sup>6</sup>

The Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) determines that the Council has the duty to promote and undertake development.<sup>7</sup> The Council exercises its executive and legislative authority by, amongst others<sup>8</sup> –

- developing and adopting policies;
- promoting and undertaking development;
- implementing applicable national and provincial legislation and its own by-laws;
- imposing and recovering rates, taxes, levies, duties, service fees and surcharges on fees, including setting and implementing tariff, rates and tax and debt collection policies; and
- passing by-laws and taking decisions on any of the matters mentioned above.

In addition, the Municipality's Integrated Development Plan (IDP) must, amongst others, include its development priorities and objectives, local economic development aims, development strategies and operational strategies.<sup>9</sup>

## 8.3 TRANSVERSAL NATIONAL LEGISLATIVE INSTRUMENTS

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<sup>3</sup> Schedule 4 (Part A) of the Constitution.

<sup>4</sup> Schedule 5 (Part A) of the Constitution.

<sup>5</sup> As provided for in Schedule 4 (Part B) read with s 155(7) of the Constitution.

<sup>6</sup> Section 83(3). The Municipal Structures Act also provides for the division of functions and powers between district and local municipalities (s 84). Within this context, the promotion of local tourism within the area of a district municipality is allocated to the district municipality concerned (s 84(1)(m)). Disputes relating to the exercise of a power or the performance of a function between a district and a local municipality may be resolved by the Provincial Minister concerned (s 86). District and local municipalities are, however, obliged to co-operate with each other (s 88).

<sup>7</sup> Section 4(g).

<sup>8</sup> Section 11(3).

<sup>9</sup> See section 26. An IDP formulated by a district municipality is binding on all local municipalities within its jurisdictional area. Every local and district IDP must also, amongst others, identify matters that require alignment between the district municipality and local municipalities concerned, specify the principles to be applied and co-ordinate the approach to be adopted in respect of such matters (s 27).

In addition to the national policy and legislative framework dealing with tourism, events and the municipal functions outlined above, there are a number of transversal national legislative instruments dealing with a wide range of matters that have an impact on events. These include, but are not limited to, the following categories:

- Labour and employees:
  - Basic Conditions of Employment Act, 1997 (Act 75 of 1997)
  - Broad-Based Black Economic Empowerment, 2003 (Act 53 of 2003)
  - Employment Equity Act, 1998 (Act 55 of 1998)
  - Labour Relations Act, 1995 (Act 66 of 1995)
  - Preferential Procurement Policy Framework Act, 2000 (Act 5 of 2000)
  - Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act 4 of 2000)
- Governance:
  - Intergovernmental Relations Framework Act, 2005 (Act 13 of 2005)
  - Promotion of Access to Information Act, 2000 (Act 2 of 2000)
  - Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
  - Protection of Personal Information Act, 2013 (Act 4 of 2013)
  - Public Finance Management Act, 1999 (Act 1 of 1999)
- Local government:
  - Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)
  - Local Government: Municipal Structures Act, 1998 (Act 117 of 1998)
  - Local Government: Municipal Systems Act, 2000 (Act 32 of 2000)
- Actors, children, animals, marine living creatures and other marine-related matters:
  - Animal Health Act, 2002 (Act 7 of 2002)
  - Animal Identification Act, 2002 (Act 6 of 2002)
  - Animal Protection Act, 1962 (Act 71 of 1962)
  - Code of Good Practice for the Employment of Children in the Performance of Advertising, Artistic and Cultural Activities, 2015
  - National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008)
  - Management of Boat Based Whale Watching and Protection of Turtles Regulations, 2008
  - Marine Living Resources Act, 1998 (Act 18 of 1998)
  - Performing Animals Protection Act, 1935 (Act 24 of 1935)
  - Sectoral Determination 10: Children in the Performance of Advertising, Artistic and Cultural Activities, South Africa, 2004
  - Veterinary and Para-Veterinary Professions Act, 1982 (Act 19 of 1982)
- Health and safety:
  - Disaster Management Act, 2002 (Act 57 of 2002)
  - Fire Brigade Services Act, 1987 (Act 99 of 1987)
  - National Health Act, 2003 (Act 61 of 2003)
  - Occupational Health and Safety Act, 1993 (Act 85 of 1993)
  - Tobacco Products Control Act, 1993 (Act 83 of 1993)

- Traffic management:
- National Road Traffic Act, 1996 (Act 93 of 1996)
  - Environmental protection:
- Atmospheric Pollution Prevention Act, 1965 (Act 45 of 1965)
- Environment Conservation Act, 1989 (Act 73 of 1989)
- Hazardous Substances Act, 1973 (Act 15 of 1973)
- National Environment Management Act, 1998 (Act 107 of 1998)
- National Environment Management: Air Quality Act, 2004 (Act 39 of 2004)
- National Environment Management: Biodiversity Act, 2004 (Act 10 of 2004)
- National Environment Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008)
- National Environment Management: Protected Areas Act, 2003 (Act 57 of 2003)
- National Environment Management: Waste Act, 2008 (Act 59 of 2008)
- National Forests Act, 1998 (Act 84 of 1998)
- National Water Act, 1998 (Act 36 of 1998)
  - Firearms and explosives:
- Explosives Act, 2003 (Act 15 of 2003)
- Firearms Control Act, 2000 (Act 60 of 2000)
- Prohibition or Restriction of Certain Conventional Weapons Act, 2008 (Act 18 of 2008)
  - Heritage management:
- National Heritage Resources Act, 1999 (Act 25 of 1999)
- World Heritage Convention Act, 1999 (Act 49 of 1999)
  - Structures:
- National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977)

#### **8.4 WESTERN CAPE PROVINCIAL FRAMEWORK**

The Constitution of the Western Cape, 1997 (Act 1 of 1998) does not deal explicitly with event permitting, but provision is made for the adoption and implementation of policies to actively promote and maintain the welfare of the people of the Western Cape, including policies aimed at achieving the following, amongst others:<sup>10</sup>

- the promotion of respect for the rights of cultural, religious and linguistic communities in the Western Cape;
- the creation of job opportunities;
- the promotion of a market-oriented economy;
- an environment in which all children are protected against exploitation, neglect, abuse and abandonment;
- the development of rural communities;
- the protection of the environment in the Western Cape, including its unique fauna and flora, for the benefit of present and future generations;

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<sup>10</sup> Section 81.

- the protection and conservation of the natural historical, cultural historical, archaeological and architectural heritage of the Western Cape for the benefit of the present and future generations; and
- the promotional development and enhancement of the youth.

At the provincial institutional level, the Western Cape Department of Economic Development and Tourism (DEDAT) is responsible for the promotion of events in the Western Cape, as well as for being a key driver in the provincial Reduction of Red Tape and the Ease of Doing Business initiatives.

The Cape of Great Events Strategy Summary for 2014 – 2030 represents a 15-year integrated events strategy.<sup>11</sup> The Strategy is focused on the categorisation of events and the identification of approaches on how to deal with such categories.<sup>12</sup> It also focuses on the incubation of new, and the growth of existing, events. Five values underpin the Strategy, namely caring, accountability, competence, responsiveness, and integrity.<sup>13</sup> Four categories of events are identified in the Strategy.<sup>14</sup>

The Strategy identifies 10 key provincial projects, one of which is a provincial events portal - an online interactive tool that allows event organisers to apply for support and learn more about hosting events in the Western Cape.<sup>15</sup> The Strategy states that event support may consist of direct financial contribution, permitting, and in-kind support.<sup>16</sup>

The Strategy furthermore emphasises the need for synchronisation of event efforts by the three spheres of government as well as the important role of municipalities as the “key driving force behind local events support, strategy, funding and services”.<sup>17</sup>

A draft Filming, Racing and Sporting Events on Public Roads Policy was published in July 2020. The draft Policy deals with filming, racing and sporting events, without distinguishing between the three activities. Only filming is defined.<sup>18</sup> The draft Policy envisages that in instances where provincial public roads are affected by filming, racing and sporting events, such will be regulated and will be subject to the prior issuance of a permit in the form of a

<sup>11</sup> Available at <https://www.westerncape.gov.za/events/files/attachments/Integrated%20Events%20Strategy%20for%20Cape%20Town%20and%20the%20Western%20Cape.pdf>.

<sup>12</sup> P. 5.

<sup>13</sup> P. 13.

<sup>14</sup> The four categories of events identified in the Strategy are as follows:

- Jewel events: Annual signature events that are integrally associated with the Western Cape destination brand;
- Incubator (“brewing”) events: Local events of limited scale which build citizens’ sense of community, foster creativity and innovation, highlight unique qualities of the destination, including heritage, environment and/or geography and build a sense of place;
- Bidding events: Once-off business, cultural or sport events, staged only once; and
- Leverage events: Events occurring elsewhere but in which the Western Cape participates, which present an opportunity to promote tourism, trade and investment in the Western Cape (pp. 17-21).

<sup>15</sup> P. 23.

<sup>16</sup> Which comprises, amongst others: “bidding, municipal/public sector services (e.g., traffic and waste management), media-hosting, events-specific marketing support, research assistance, events operations, generic destination marketing support, media sponsorship, equipment, events infrastructure, and Mayor’s/Premier’s letter of support/speech etc.” (Cape of Great Events Strategy Summary for 2014 – 2030, p. 26).

<sup>17</sup> Pp. 25-26.

<sup>18</sup> “[T]he recording of images, moving or still, by any form of digital or analogue technology, or the recording of current affairs or news for immediate releases.”



written approval letter issued by the Provincial Minister responsible for Transport and Public Works.

Wesgro<sup>19</sup> is the official Western Cape tourism, trade and investment promotion agency. Wesgro's mission is, amongst others, to position and market the Western Cape as "a competitive and sustainable tourism destination globally".<sup>20</sup>

## 9 POLICY

### 9.1 MUNICIPAL FUNCTIONS RELATING TO EVENTS

This Policy establishes the Municipality as the authority for the approval of events and as a controlling body for events within its area of jurisdiction.

The main functions of the Municipality relating to events in its jurisdictional area are to:

- establish the necessary structures and systems to fulfil its mandate;
- attract events through marketing and communications initiatives and interventions;
- consider applications and issue permits for events;
- facilitate events by coordinating the responsibilities of all role players;
- ensure access to municipal services during events;
- support events through targeted financial and non-financial means;
- ensure health, safety, environmental and regulatory compliance before, during and after events; and
- bid for events.

### 9.2 MUNICIPAL STRUCTURES AND SYSTEMS

The Municipality must establish and put in place the necessary structures and systems to facilitate the event permitting objectives of this Policy.

#### 9.2.1 Municipal Event Coordinator

The Municipality must appoint or designate a municipal employee with the necessary skills and experience as the Municipal Event Coordinator. The Municipal Event Coordinator is delegated by the Municipal Manager with the overall responsibility for events in the jurisdiction of the Municipality in line with this Policy.

The Municipal Event Coordinator has the following powers, functions and duties:

- facilitate, coordinate and support events in the Municipality;
- act as the central point of contact in the Municipality for event organisers;
- act as liaison and intermediary between event organisers and municipal directorates;

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<sup>19</sup> Established in terms of the Western Cape Tourism, Trade and Investment Promotion Agency Act, 1996 (Act 3 of 1996), and being a Schedule 3C Western Cape provincial public entity in terms of the Public Finance Management Act, 1999 (Act 1 of 1999).

<sup>20</sup> Wesgro Annual Performance Plan 2021/22, p. 11.

- facilitate communication and coordination between event organisers, municipal directorates and other stakeholders;
- act as chairperson and coordinate the activities of the Municipal Event Committee;
- coordinate the submission, review, consideration, and approval or rejection of event permit applications;
- determine and set permit conditions in consultation with the Municipal Event Committee;
- issue event permits;
- assist event organisers with regard to additional permissions, approvals and processes that may be required;
- coordinate the Municipality's operational requirements with regard to events;
- coordinate and facilitate the execution of events in line with permits;
- ensure compliance with permit conditions, municipal by-laws and relevant provincial and national legislation before, during and after events;
- coordinate responses to non-compliance by event organisers;
- coordinate reporting, monitoring and evaluation of events;
- pursue standardisation of event permitting, planning and monitoring procedures within the Municipality, the District Municipality, the Province and the broader events industry;
- coordinate, develop and manage this Policy and the Event Permitting By-law; and
- perform such other functions as may be provided for in this Policy.

The Municipal Event Coordinator may request the Municipal Manager to provide him or her with dedicated project-specific support in the case of complex events. When considering such requests, the Municipal Manager must take into account the potential economic and reputational benefits of the project for the Municipality. If approved, a multi-disciplinary team comprising relevant staff members may be assigned to the project to assist the Municipal Event Coordinator in the execution of his or her powers, functions and duties.

The Municipality may provide for the permanent appointment or assignment of administrative and operational staff members to support the Municipal Event Coordinator in the execution of his or her powers, functions and duties.

### **9.2.2 Municipal Event Committee**

The Municipality must establish a Municipal Event Committee.

The Municipal Event Committee is chaired by the Municipal Event Coordinator and must include a representative of the following municipal directorates:

- community services;
- community safety;
- planning, building control and economic development;
- infrastructure services; and

- such other municipal directorates as may be determined by the Municipality.

Representatives of the following entities may be invited to attend meetings of the Municipal Event Committee in an advisory capacity as and when needed:

- district disaster management;
- district health services;
- district environmental services;
- district fire services;
- district economic development and tourism;
- South African Police Service;
- Western Cape Traffic Police; and
- such other entities or stakeholders as may be determined by the Municipal Event Coordinator.

The Municipal Event Committee has the following powers, functions and duties:

- consider event permit applications;
- determine legislative requirements for each event;
- determine operational requirements for each event;
- determine conditions relating to permits;
- approve or reject event permit applications;
- support the Municipal Event Coordinator in the coordination, operational aspects, management and monitoring of events;
- assist event organisers with regard to additional permissions, approvals and processes that may be required;
- ensure compliance with permit conditions, municipal by-laws and relevant provincial and national legislation before, during and after events;
- report, monitor and evaluate events;
- respond and take appropriate action, in consultation with the Municipal Event Coordinator, when an event organiser fails to comply with permit conditions, by-laws or other legislation;
- report, monitor and evaluate events in line with this Policy; and
- perform such other functions as may be provided for in this Policy.

The Municipal Event Committee must meet at least monthly to discuss –

- forthcoming events as per the Event Calendar; and
- other matters of importance.

The Municipal Event Coordinator must provide administrative support to such meetings and ensure that proper minutes are kept.

### **9.2.3 Details of Municipal Event Coordinator**

The contact details of the Municipal Event Coordinator must be made available to event organisers and on the Municipality's website. These include the physical office address, email address and telephone number, as well as an emergency after hours telephone number.

#### **9.2.4 Event Application Register**

Event Application Register must be established and maintained by the Municipal Event Coordinator in which all event applications received, and all permits issued, must be recorded.

#### **9.2.5 Event Calendar**

An Events Calendar must be established and maintained by the Municipal Event Coordinator in which all approved events in the jurisdiction of the Municipality must be recorded. The Event Calendar must be published on the Municipality's website.

The Event Calendar will assist –

- potential applicants to determine the availability of dates, locations and venues for events; and
- the Municipality with operational planning, resource allocation and coordination of events, and must be consulted during the planning of municipal events and during the consideration of event permit applications.

#### **9.2.6 Event Location Portfolio**

An Events Location Portfolio must be developed and maintained by the Municipal Event Coordinator in which all event locations in the jurisdiction of the Municipality must be recorded. The Portfolio must be published on the Municipality's website.

The Portfolio will –

- provide event organisers with images, physical locations, access details, facilities, contact details and other relevant information of event locations in the jurisdiction of the Municipality; and
- assist in the marketing of the Municipality as an event location of choice.

The Municipality must engage with relevant stakeholders to expand and improve the portfolio of event locations in the jurisdiction of the Municipality. Public and private stakeholders, including venues, nature reserves and tourism organisations, are encouraged to submit locations and related information for inclusion in the Event Location Portfolio.

The Municipality may cooperate with stakeholders in the event industry to develop voluntary norms and standards to assist in developing event-friendly, accessible and marketable locations and venues in the jurisdiction of the Municipality.

#### **9.2.7 Directory of Local Suppliers, Goods and Services**

A Directory of Local Suppliers, Goods and Services must be developed and maintained by the Municipal Event Coordinator in consultation with the local business chamber to assist event organisers in obtaining goods and services. Event organisers are encouraged to procure from local businesses and utilise local service providers in order to support the local economy. The Directory of Local Suppliers, Goods and Services must be published on the Municipality's website.

### **9.2.8 Event Restrictions Schedule**

A Event Restrictions Schedule must be developed and maintained by the Municipal Event Coordinator. The Schedule must indicate restrictions on access, events in specified areas or at certain times of the year. The Event Restrictions Schedule must be published on the Municipality's website.

### **9.2.9 Non-compliance Register**

A Non-compliance Register must be established and published by the Municipal Event Coordinator. The Non-compliance Register will contain the details of event organisers and other parties involved in events in respect of which compliance notices have been issued. The Non-compliance Register must be consulted when event permit applications is considered.

### **9.2.10 Code of Conduct**

A Code of Conduct for Event Organisers must be developed by the Municipal Event Coordinator in consultation with the Municipal Event Committee and other stakeholders. The purpose of the Code of Conduct is to guide event organisers' conduct in relation to the public, the environment and the Municipality.

## **9.3 MARKETING OF MUNICIPALITY**

The municipal corporate affairs directorate, in consultation with the Municipal Event Coordinator and the local tourism association, is responsible for the marketing of the Municipality as an event friendly destination. In this regard, the directorate must, amongst others –

- utilise efficient and effective marketing and communication initiatives and interventions, including social media, to promote the Municipality's event sector; and
- schedule regular engagements with local and provincial tourism and event-industry role-players to encourage collaboration and coordination of marketing initiatives.

## **9.4 REQUIREMENT FOR EVENT PERMIT**

Event permits are required to conduct events in the jurisdiction of the Municipality.

Subject to the specific exclusions contemplated in the definition of event in section 1, a valid event permit is required in order to conduct –

- an event of 50 persons or more in a public place or on public property; and
- any event in a public space or on public or private property which will –
- adversely impact a public place or public property;
- require a municipal service;
- involve the erection and utilisation of temporary structures;
- generate air pollution or utilise amplified sound that will be audible to the surrounding community; or
- have any adverse implications for public safety, the environment or the surrounding community.

No person may conduct any event as set out above without a valid event permit issued by the Municipality.

Notwithstanding the above, the Municipality may require an event organiser to apply for a event permit where the potential impact or risk attached to such event is, in the opinion of the Municipal Event Coordinator, of such a nature to necessitate it. Events organisers are accordingly encouraged to contact the Municipal Event Coordinator to ascertain whether a permit will be required for a proposed event.

### 9.5 CLASSIFICATION AND GUIDELINE PROCESSING TIMES

The following categories and guideline processing times for event permit applications are applicable in order to enable the Municipality to properly process applications and to facilitate operational planning:

EVENTS		
CATEGORY	DESCRIPTION	GUIDELINE PROCESSING TIME
Micro event	Fewer than 50 persons	2 weeks
Small event	50 – 500 persons	3 weeks
Medium event	501 – 2000 persons	4 weeks
Large event	2001 – 5000 persons	6 weeks
Major event	5001+ persons	8 weeks
Special event	An event that requires special application directives on account of unique or additional factors that need to be considered. Such factors may include extended duration of an event and the need for additional municipal or third party permissions, approvals and/or processes that may be required as contemplated in section 9.7.	As may be determined by the Municipal Event Coordinator

The Municipal Event Coordinator and Municipal Event Committee will endeavour to review, consider and process permit applications as speedily as possible having regard to the guideline processing times above.

Event organisers must, however, be mindful that additional municipal or third party permissions, approvals and/or processes may be required before the approved event may commence. These are set out in more detail in section 9.7. The Municipal Event Coordinator acts as the central point of contact, liaison, intermediary and repository for all additional municipal permissions, approvals and processes that may be required, and will coordinate with the members of the Municipal Event Committee and the relevant municipal directorates to ensure that any applications in this regard are processed timeously. However, in the case of any additional third party permissions, approvals and processes being required for a specific event, the Municipal Event Coordinator can only perform an advisory role. The identification of, and application for, all additional third party permissions, approvals and processes that may be required remain the sole responsibility of the event organiser, who must also take into account the applicable processing times as determined by the third parties concerned.

Event organisers are accordingly encouraged to contact the Municipal Event Coordinator or submit their event applications well in advance of the guideline processing times above in order to ascertain whether any additional permissions, approvals or processes may be required for the proposed event.

## **9.6 PERMIT APPLICATION**

### **9.6.1 Designation of event organiser**

A key individual must be designated as the event organiser by the entity, organisation, body or group applying for the event permit. As the designated event organiser, such individual is responsible for and in charge of, plans, manages, supervises and conducts, and is accountable for the event. An event organiser must be 18 years of age or older, and must possess the necessary capacity, resourcing and events-related experience to organise the proposed event.<sup>21</sup>

### **9.6.2 Application process**

The permit application process consists of the following stages:

- i. submission of application;
- ii. review of application;
- iii. consideration of application; and
- iv. decision on application.

#### **9.6.2.1 Completion and submission of application**

The first step in the application process is the completion and submission of the Event Permit Application Form together with the prescribed documents. The Municipal Event Coordinator must provide the event organiser with the relevant prescribed forms, formats and/or other requirements for the application.<sup>22</sup>

The event organiser must –

- i. complete the Event Permit Application Form;
- ii. attach the prescribed documents; and
- iii. submit the complete application to the Municipal Event Coordinator.

The Event Application Form must include the following information:

- i. full name, address, contact number and email address of the individual designated as the event organiser; and
- ii. full name, address, contact number and email address of the individual hosting the event (if different from event organiser) or, in the case of an entity, organisation, body

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<sup>21</sup> In the case of an event that requires an event risk categorisation by the South African Police Service in terms of the Safety at Sports and Recreational Events Act, 2010 (Act 2 of 2010), the event organiser must be at least 21 years of age. See section 9.7.2.6 of the Policy.

<sup>22</sup> The prescribed forms, formats and/or other requirements may be amended by the Municipal Event Coordinator from time to time. The latest prescribed forms, formats and/or other requirements must be made available for collection from the Municipal Event Coordinator and on the Municipality's website.

or group, the registered name, registration number and full names, addresses, contact numbers and email addresses of its members, directors or trustees.

The following prescribed documents must be attached to the completed Event Permit Application Form:

- i. Event plan: The event plan is a detailed description of the proposed event consisting of at least the following –
  - textual summary of the proposed event;
  - proposed dates and hours of operation of the event;
  - proposed locations and/or venues to be utilised;
  - full name, address, contact number and email address of the owner of the proposed location/venue;
  - maximum number of proposed attendees, including staff, to be included in or allowed at the event;
  - total number of vehicles, implements or other apparatus that will be utilised during, or are anticipated at, the event;
  - proposed safety and security measures to be implemented; and
  - any other relevant information.
- ii. Completed checklist: The checklist provides further information on the proposed event and must indicate –
  - whether the event organiser –
    - or any party involved in the proposed event has in the past been issued with a compliance notice in terms of the Event Permitting By-law; and
    - intends to apply for municipal financial or non-financial support; and
  - the relevance of any of the following for the proposed event:
    - utilisation of outdoor advertising and other municipal advertising channels;
    - land use planning implications;
    - erection of temporary structures;
    - buildings or permanent structures;
    - provision of municipal services;
    - utilisation of municipal properties, venues or facilities;
    - impact on municipal electricity supply infrastructure and systems;
    - utilisation of municipal dams and other municipal water infrastructure;
    - utilisation of municipal parks, municipal reserves and municipal coastal areas;
    - impact on, or utilisation of, public roads and traffic;
    - utilisation of, or provision of, catering services or food vending services to the public;
    - sale of liquor;
    - generation of excessive noise;
    - utilisation of fireworks, special effects or smoke machines or performance of stunts and other potentially dangerous acts;
    - utilisation of ammunition, explosives, flammable liquids or materials, incendiary devices and fire;
    - utilisation of motorised watercraft;



- utilisation of fixed wing aircraft and helicopters;
- utilisation of remotely piloted aircraft systems (RPAS);
- involvement of animals;
- involvement of children; and
- impact on, or utilisation of, protected areas, environmentally sensitive areas, coastal areas and national and provincial parks and reserves.
- Signed resolution: A resolution by the individual (if different from event organiser), members, directors or trustees authorising the individual designated as the event organiser to act on behalf of such individual, entity, organisation, body or group concerned.
- Signed Code of Conduct: The event organiser must agree to, sign and submit the Code of Conduct as contemplated in section 9.2.10.
- Signed indemnity form: The event organiser must complete, sign and submit an indemnity form in order to indemnify the Municipality against all actions, lawsuits, proceedings, claims, demands, costs and expenses arising out of any approval given or permission granted to such event organiser.
- Proof of payment of the prescribed fees: The event organiser must attach proof of payment of the prescribed application fees as contemplated in section 9.10.1.
- Such additional documents as the Municipality may prescribe.

The complete application must be submitted to the Municipal Event Coordinator by online, by email or in physical format.

### 9.6.2.2 Review of application

Taking into account the information contained in the application, the Municipal Event Coordinator must –

- verify the particulars of the event organiser and other parties against the Non-compliance Register;
- confirm the category of the proposed event in accordance with the classification framework in section 9.5;
- verify the proposed dates against the Event Calendar;
- verify the proposed location/venue against the Event Restrictions Schedule and, in the case of a municipal property, venue or facility, confirm the availability thereof with the municipal directorate concerned;
- verify that the resolution, Code of Conduct and indemnity form have been signed;
- verify that the prescribed fees have been paid;
- review the event plan and completed checklist; and
- in the case of an event, determine if –
  - a public consultation process needs to be conducted as contemplated in section 9.7.1.22; or
  - an event risk categorisation needs to be conducted as contemplated in section 9.7.2.6.

#### **9.6.2.2.1 Direct referral to Municipal Event Committee**

If the Municipal Event Coordinator is satisfied that –

- the event organiser has complied with the permit application requirements;
- no additional information is required; and
- in the case of an event, neither a public consultation process nor an event risk categorisation is required,

he/she must refer the application to the Municipal Event Committee together with his/her recommendation that the application be approved or rejected.

#### **9.6.2.2.2 Additional information and processes required before referral to Municipal Event Committee**

If the Municipal Event Coordinator determines that –

- the proposed date or location/venue is not available;
- the event organiser has not complied with the permit application requirements;
- additional information is required; or
- in the case of an event, a public consultation process or an event risk categorisation is required,

a Feedback on Application Letter must be issued informing the event organiser accordingly.

Before an application will be referred to the Municipal Event Committee for consideration and decision, the event organiser must –

- provide an alternative date or location/venue to the Municipal Event Coordinator;
- comply with all permit application requirements;
- provide the required additional information to the Municipal Event Coordinator; or
- ensure that the required public consultation process or event risk categorisation has been conducted and provide confirmation thereof to the Municipal Event Coordinator,

as the case may be.

Once all the necessary information and confirmations have been received, the Municipal Event Coordinator must refer the application to the Municipal Event Committee together with his/her recommendation that the application be approved or rejected.

#### **9.6.2.3 Consideration of application**

The Municipal Event Committee must consider and assess each application on its own merit in an objective, rational and reasonable manner. The Municipal Event Committee must take the following factors into consideration:

- the Municipality's strategic objectives, by-laws, policies, guidelines and procedures;
- the District Municipality's by-laws, policies, guidelines and procedures;
- provincial and national legislation, regulations and guidelines;
- the recommendation of the Municipal Event Coordinator;

- the classification of the proposed event;
- the event risk categorisation (if applicable);
- the scale and nature of the impact on public safety, the environment and the surrounding community,
- health, safety and security, traffic, noise and other nuisance considerations;
- the availability of sufficient municipal and emergency services;
- the potential contribution to economic development;
- the history of the event organiser or event (if any);
- any public comments received and public sentiment in general;
- any additional municipal permissions, approvals and processes that may be required as contemplated in section 9.7.1;
- any additional third party permissions, approvals and processes that may be required as contemplated in section 9.7.2;
- whether the concerns that the Municipal Event Committee may have, can be satisfactorily addressed; and
- any other relevant factors as it deems necessary.

The Municipal Event Committee may, through the Municipal Event Coordinator, request the event organiser to –

- clarify or amend submitted information; and
- submit such additional information as may be necessary to consider the application.

All members of the Municipal Event Committee must be provided with an opportunity to provide inputs prior to the decision to approve or reject an application to ensure that the requirements of each representative's municipal directorate are taken into account.

#### **9.6.2.4 Decision on application**

The Municipal Event Committee must, after considering the application, decide to approve or reject the application.

##### **9.6.2.4.1 Approval of application, conditions and permitting**

If the Municipal Event Committee decides to approve the application, it –

- may attach such conditions as it deems necessary to minimise potential adverse implications for public safety, the environment and the surrounding community; and
- must make the commencement of such /event conditional to the event organiser obtaining or finalising all the required additional municipal and third party permissions, approvals and processes that may be required for such event.<sup>23</sup>

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<sup>23</sup> Section 9.7 deals with additional municipal and third party permissions, approvals and processes that may be required depending on the nature of the specific event.

Following the determination of any conditions, the Municipal Event Coordinator must –

- issue the permit;
- attach such conditions to the permit as have been determined, if any; and
- forward an electronic version of the permit and attached conditions, if applicable, to the event organiser.

The event organiser must be able to present the permit, either electronically or by means of a printout, for inspection at all times.

The approved application, the permit and the conditions attached to such permit constitute a binding contract between the Municipality and the event organiser and must be complied with at all times.

The approval of an application is subject to the event organiser complying with any conditions attached to the permit. The event may only commence if all the required additional municipal and third party permissions, approvals and processes have been obtained or finalised.

#### **9.6.2.4.2 Rejection of application**

The Municipal Event Committee may reject an application based on objective, rational and reasonable reasons. Such reasons may include the following:

- application not submitted timeously;
- application or additional information not received, not compliant or do not satisfactorily address concerns;
- event organiser or another party involved in the proposed event recorded in the Non-Compliance Register;
- proposed dates conflict with other planned or approved events in the Municipal Event Calendar;
- proposed location/venue restricted in terms of the Event Restrictions Schedule or not available on the proposed dates;
- scale and nature of the impact on public safety, the environment and the surrounding community deemed to be excessively detrimental;
- compelling health, safety and security, traffic, noise or other nuisance concerns;
- unavailability of sufficient municipal services and emergency services to support the proposed event;
- purpose or objectives of the proposed event considered to be for an illegal purpose or harmful to the moral welfare of the community; or
- overwhelming public objection to, or negative sentiment towards, the proposed event.

If the Municipal Event Committee decides to reject an application, the Municipal Event Coordinator must inform the event organiser in writing and provide reasons for the decision.

The event organiser has the right to appeal such a decision as contemplated in section 9.16.

## **9.7 ADDITIONAL PERMISSIONS, APPROVALS AND PROCESSES**

Depending on the nature of the event and as indicated in the conditions attached to an event permit, certain additional permissions, approvals and/or processes may be required before an event may commence.

These additional permissions, approvals and/or processes are required primarily in terms of transversal national and provincial legislative instruments and municipal by-laws and policies that deal with a wide range of matters that have an impact on events. These can be divided into the following two categories:

- additional municipal permissions, approvals and processes (required by municipal directorates); and
- additional third party permissions, approvals and processes (required by parties other than the Municipality).

### **9.7.1 Additional municipal permissions, approvals and processes that may be required**

This section deals with additional permissions, approvals and processes that may be required by the municipal directorates concerned.

The Municipal Event Coordinator acts as the central point of contact, liaison, intermediary and repository for all additional municipal permissions, approvals and processes that may be required. In this regard, the Municipal Event Coordinator is responsible for –

- providing the event organiser with the necessary application forms, application timeframes and fee schedules;
- receiving the completed application forms and prescribed fees from the event organiser;
- submitting the completed application forms and prescribed fees to the relevant municipal directorates;
- liaising between the relevant municipal directorates and the event organiser;
- obtaining confirmation of any permissions and approvals that have been granted and processes that have been finalised, or refusals, as the case may be; and
- providing such confirmations or refusals, as the case may be, to the event organiser.

The event may only commence after the required additional municipal permissions, approvals and processes, as indicated in the conditions attached to an event permit, have been obtained or finalised.

#### **9.7.1.1 Insurance**

The event organiser may be required to take out appropriate –

- indemnity cover against third party liability claims; and

- specialised risk insurance providing blanket liability or specific cover for stunts, special effects, pyrotechnics or any other activity which may put health and safety at risk.

The cover must be valid for the entire event period.

The event may only commence after the event organiser has submitted a letter of confirmation to the Municipal Event Coordinator.

#### **9.7.1.2 Contingency plan**

The event organiser may be required to submit a contingency plan setting out actions to be taken in response to incidents at the event which might prejudice public safety or disrupt normal operations, including, but not limited to the –

- involvement of safety and security services;
- involvement of municipal services;
- involvement of emergency services and/or emergency care practitioners;
- contact details of such services; and
- contact details of a person whom the public may contact to report any matter relating to the event.

#### **9.7.1.3 Public notice**

The event organiser may, after being granted an event permit, be required to notify affected residents and businesses, or the public in general, of the approved event. Such notification may take the form of a letter drop to affected residents and businesses or a notice published in the local newspaper at least 72 hours prior to the commencement of the event. The letter or notice must include the name and contact details of the event organiser, the location/venue, dates and times, the number of persons, vehicles, implements or other apparatus that will be utilised, details on any roads that may be affected and municipal services that may be impacted, and the contact details of the Municipal Event Coordinator and emergency services. A copy of the letter or notice must be submitted to the Municipal Event Coordinator.

#### **9.7.1.4 Land use planning**

The event organiser may, in certain instances, be required to submit an application to the Municipal Event Coordinator in order to obtain land use planning approval from the municipal planning directorate where the event will take place on land which is not appropriately zoned.

Depending on the nature of land use approval required, the provisions of the Western Cape Land Use Planning Act, 2014 (Act 3 of 2014), and the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), may apply.

The event may only commence after approval has been granted by all the authorities concerned, and must comply with all requirements.

The Municipality will endeavour to align its Spatial Planning By-law with this Policy to further facilitate events in the jurisdictional area of the Municipality.<sup>24</sup>

#### **9.7.1.5 Temporary structures**

The event organiser may be required to submit an application to the Municipal Event Coordinator in order to obtain permission from the municipal building control directorate and municipal community safety directorate for the erection or construction of temporary habitable structures, stages, seating stands, sets, tents, scaffolding and other similar structures.

Depending on the nature of the structure concerned, the provisions of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), and the Occupational Health and Safety Act, 1993 (Act 85 of 1993), may apply.

The erection or construction of a temporary habitable structure, stage, seating stand, set, tent, scaffolding or other similar structure may only commence after permission has been granted by all the authorities concerned, and must comply with all requirements.

#### **9.7.1.6 Buildings or permanent structures**

The event organiser may be required to submit an application to the Municipal Event Coordinator in order to obtain approval from the municipal building control directorate for the construction of buildings or permanent structures.

Depending on the nature of the structure concerned, the provisions of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), may apply.

The construction of a building or permanent structure may only commence after permission has been granted by all the authorities concerned, and must comply with all requirements.

#### **9.7.1.7 Municipal services**

The municipality may provide municipal services to the event. The event organiser must submit an application to the Municipal Event Coordinator indicating which municipal services will be required. The Municipal Event Coordinator must confirm the availability of the relevant municipal services with the relevant municipal directorates, and provisionally book same to ensure that sufficient services are available for the event. The provision and utilisation of municipal services must be in line with the relevant municipal policies and by-laws and against payment of the prescribed fees.

#### **9.7.1.8 Municipal electricity supply infrastructure and systems**

The event organiser must submit an application to the Municipal Event Coordinator in order to obtain permission from the municipal electro-technical directorate for any activity that may impact on the municipal electricity supply infrastructure and systems, including a municipal overhead power line.

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<sup>24</sup> Also see section 9.19.

Event organisers must also take note of the specific –

- implementation arrangements relating to municipal electricity supply systems contemplated in section 9.8.6; and
- requirements relating to Eskom electricity supply infrastructure and systems as contemplated in sections 9.7.2.4 and 9.8.7.

#### **9.7.1.9 Municipal properties, venues or facilities**

The municipality may allow the event organiser to utilise municipal properties, venues or facilities for the event. The event organiser must submit an application to the Municipal Event Coordinator indicating which municipal properties, venues or facilities will be required. The Municipal Event Coordinator must confirm the availability of the relevant municipal properties, venues or facilities with the relevant municipal directorates, and provisionally book same to ensure that such municipal properties, venues or facilities remain available for the event. The utilisation of municipal properties, venues or facilities must be in line with the relevant municipal policies and by-laws and against payment of the prescribed fees.

#### **9.7.1.10 Municipal parks, reserves and coastal areas**

The event organiser must submit an application to the Municipal Event Coordinator in order to obtain permission from the municipal sports and recreation directorate to conduct the event in a municipal park, municipal reserve or municipal coastal areas.

The event organiser may be required to employ the services of an Environmental Control Officer (ECO) to oversee the event to –

- prevent damage to the natural environment;
- protect of indigenous fauna and flora;
- prevent the feeding of, and interference with, wild animals;
- prevent air, soil or water pollution;
- prevent soil erosion;
- minimise wastage of resources and promote recycling;
- ensure that waste is legally and correctly disposed of; and
- provide environmental education to event crews as required.

Event organisers must take note of the specific third party permissions, approvals or processes that may be required if such municipal park, reserve or coastal area is classified as a protected area, environmentally sensitive area or coastal area as contemplated in section 9.7.2.2. If such third party permission, approval or process is mandatory, it must be obtained or finalised by the event organiser and confirmation thereof submitted to the Municipal Event Coordinator as part of the application to be considered by the municipal sports and recreation directorate.

#### **9.7.1.11 Municipal dams and other water infrastructure**

The event organiser must submit an application to the Municipal Event Coordinator in order to obtain permission from the municipal bulk water directorate and municipal infrastructure



directorates for events on, or adjacent to, municipal dams and other municipal water infrastructure.

#### **9.7.1.12 Municipal public roads**

The event organiser may be required to submit an application to the Municipal Event Coordinator in order to obtain approval from the municipal traffic directorate where municipal public roads will be utilised for, or markedly impacted by the event.

Such application must include a traffic plan consisting of a detailed description of the intended activity and the control measures in place, including:

- the nature of the road and its role in the local road hierarchy;
- the date, time and duration of the event;
- the nature and extent of traffic management services required;
- the envisaged impact on normal traffic flow and movement;
- an indication if intermittent traffic stopping, intermittent lane or road closures, or full lane or road closure will be required;
- an indication of any other activities planned for the road at that time;
- an indication of alternative routes available for traffic;
- the impact on affected residents and businesses;
- an indication of traffic signs that will have to be temporarily removed; and
- parking arrangements.

The event organiser must comply with any conditions that may be imposed by the municipal traffic directorate.

#### **9.7.1.13 Excessive noise**

If there is reason to believe that the event may cause a disturbing noise or noise nuisance, the event organiser may be required to submit an application to the Municipal Event Coordinator in order to obtain an excessive noise exemption from the Municipal Event Committee in terms of Regulation 12(1)(b) of the Western Cape Noise Control Regulations, 2013.

An application must include comprehensive reasons for the application. The Municipal Event Coordinator must invite interested and affected parties to submit written representations and provide the event organiser with an opportunity to respond. The Municipal Event Committee must subsequently consider the application and may request the event organiser to provide a noise impact assessment before making a decision. If the Municipal Event Committee is of the opinion that the application has merit, an exemption may be granted subject to such conditions as the Municipal Event Committee may determine.

The event organiser may also be required to notify affected residents and businesses, or the public in general, as contemplated in section 9.7.1.3.

#### **9.7.1.14 Fireworks, special effects, smoke machines, stunts and other potentially dangerous acts**

The event organiser may be required to submit an application to the Municipal Event Coordinator in order to obtain approval from the Municipal Event Committee if the event will involve fireworks, special effects, smoke machines, stunts and other potentially dangerous acts (excluding explosives, flammable liquids or materials, incendiary devices or fire).

The application must contain information on all intended actions and planning thereof with safety measurements, and the details of the certified pyro-technician or smoke machine operator that will be handling such devices, if applicable.

The Municipal Event Committee must consider the application in consultation with the relevant municipal directorates. If permission is granted, the Municipal Event Coordinator must coordinate the approvals and operational requirements of the relevant municipal directorates and inform the Emergency Call Centre accordingly.

The event organiser may also be required to –

- notify affected residents and businesses, or the public in general, as contemplated in section 9.7.1.3; and
- apply for and obtain an excessive noise exemption as contemplated in section 9.7.1.13.

#### **9.7.1.15 Ammunition, explosives, flammable liquids or materials, incendiary devices and fire**

The event organiser must, after obtaining permission from the South African Police Service as contemplated in section 9.7.2.3, submit an application to the Municipal Event Coordinator in order to obtain permission from the municipal community safety directorate for the utilisation of explosives, flammable liquids or materials, incendiary devices or fire as part of the event.

The application must –

- include a copy of the South African Police Service permission; and
- contain information on all intended discharges, a description of the actions and planning thereof with safety measurements, and the details of the certified pyro-technician that will be handling such devices.

The Municipal Event Committee must consider the application in consultation with the relevant municipal directorates. If the Municipal Event Committee approves the application, the Municipal Event Coordinator must coordinate the approvals and operational requirements of the relevant municipal directorates and inform the Emergency Call Centre accordingly.

The event organiser may also be required to –

- notify affected residents and businesses, or the public in general, as contemplated in section 9.7.1.3; and
- apply for and obtain an excessive noise exemption as contemplated in section 9.7.1.13.

#### **9.7.1.16 Fixed wing aircraft and helicopters**

The event organiser must, after obtaining permission from the South African Civil Aviation Authority (CAA) as contemplated in section 9.7.2.5, submit an application to the Municipal Event Coordinator in order to obtain permission from the municipal community safety directorate for the use of aircraft in a municipal urban area as part of the event.

The application must –

- include a copy of the CAA permission; and
- contain information on all proposed landing zones and safety measurements, taking into account that a minimum open radius of 100 metres is required between the landing zone and the nearest structure.

The Municipal Event Committee must consider the application in consultation with the municipal community safety directorate. If permission is granted, the Municipal Event Coordinator must coordinate the operational requirements of the relevant municipal directorates and inform the Emergency Call Centre accordingly.

The event organiser may also be required to –

- notify affected residents and businesses, or the public in general, as contemplated in section 9.7.1.3; and
- arrange for the operator of the aircraft to sign an indemnity form.

#### **9.7.1.17 Remotely piloted aircraft systems**

Where a remotely piloted aircraft system (RPAS) will be utilised as part of the event, the event organiser must –

- inform the Municipal Event Coordinator; and
- submit a copy of a valid –
- remotely piloted aircraft letter of approval (RLA); and
- RPAS operator's certificate (ROC) or air services licence.

#### **9.7.1.18 Motorised watercraft**

The event organiser must submit an application to the Municipal Event Coordinator for the use of motorised watercraft at sea or on a lagoons, estuary, dam, lake or other inland water mass during the event. The application must include a copy of a valid –

- permit for motorised watercraft; and
- skipper licence issued by the South African Maritime Safety Authority (SAMSA).

The Municipal Event Committee must consider the application and make a decision.

Event organisers must also take note of the specific requirements relating to –

- municipal dams and other municipal water infrastructure as contemplated in section 9.7.1.11; and

- protected areas, environmentally sensitive areas, coastal areas and national, provincial and municipal parks and reserves, as contemplated in sections 9.7.2.2 and 9.7.1.10.

#### **9.7.1.19 Children**

Where a child under 15 years of age will be employed to perform advertising, artistic or cultural activities as part of the event, the event organiser must –

- inform the Municipal Event Coordinator; and
- submit proof of the permit of the employer of such child as contemplated in Sectoral Determination 10 issued in terms of the Basic Conditions of Employment Act, 1997 (Act 75 of 1997).

#### **9.7.1.20 Animals**

Where a domestic, performing or wild animal will be employed, exhibited or trained, or utilised for safeguarding purposes, as part of the event, the event organiser must –

- inform the Municipal Event Coordinator; and
- submit proof of the license of the person in charge of such animal.

The event organiser may be required to arrange for a registered animal welfare inspector to oversee the handling of such animals.

Where an animal forms part of the event, the provisions of the –

- Performing Animals Protection Act, 1935 (Act 24 of 1935);
- Societies for the Prevention of Cruelty to Animals Act, 1993 (Act 169 of 1993);
- Animals Protection Act, 1962 (Act 71 of 1962); and
- Nature Conservation Ordinance, 1974 (Ordinance 19 of 1974),

may apply.

Event organisers must also take note of the specific requirements relating to events in protected areas, environmentally sensitive areas, coastal areas and national, provincial and municipal parks and reserves, as contemplated in sections 9.7.2.2 and 9.7.1.10.

#### **9.7.1.21 Outdoor advertising and other municipal advertising channels**

The event organiser must submit an application to the Municipal Event Coordinator in order to obtain permission from the relevant municipal directorates to –

- place posters and to erect outdoor billboards and flag poles as provided for in the Municipality's Outdoor Advertising By-law. The event organiser must also ensure that any outdoor advertising activity complies with the provisions of said By-law; and
- utilise municipal advertising channels.

#### **9.7.1.22 Public consultation (only applicable to events)**

The need for public consultation is only applicable to certain events

Where the potential impact or risk attached to an event is, in the opinion of the Municipal Event Coordinator, of such a nature to necessitate it, the event organiser may be required to conduct a public consultation process.

The Municipal Event Coordinator must determine the form of public consultation required, which may be a meeting with the ward councillor or ward committee, a letter drop to affected residents and businesses, or a notice published in the local newspaper.

A letter or notice must include the name and contact details of the event organiser, the proposed location/venue, proposed dates and times, the number of persons, vehicles, implements or other apparatus that will be utilised, details on any roads that may be affected and municipal services that may be impacted, and the contact details of the Event Coordinator.

All comments must be submitted electronically or in writing to the Municipal Event Coordinator.

The event organiser must provide a copy of the meeting minutes, letter or notice to the Municipal Event Coordinator.

Although public support or concurrence is not a requirement for the granting of a permit, the Municipal Event Committee must consider all comments received.

#### **9.7.1.23 Catering (only applicable to events)**

This section is only applicable to catering and food vending services provided to the public at events.

Any person or entity intending to provide catering or food vending services to the public at an event, must be in possession of a valid licence and certificate of acceptability issued by the Municipality.

The event organiser must –

- inform the Municipal Event Coordinator if public catering or food vending services will be utilised during the event; and
- submit proof of the licence and certificate of acceptability issued by the Municipality.

If the proposed caterer or food vendor is not in possession of a valid licence and Certificate of Acceptability, the event organiser must submit an application to the Municipal Event Coordinator in order to obtain a licence and a certificate of acceptability from the relevant municipal directorate before such food services may be rendered.

#### **9.7.1.24 Sale of liquor (only applicable to events)**

This section is only applicable to the sale and micro-manufacturing of liquor at events.

Any person or entity intending to sell liquor to the public or micro-manufacture liquor at an event, must be in possession of a valid and applicable liquor license issued by the Western Cape Liquor Authority.

The event organiser must –

- inform the Municipal Event Coordinator if the event will involve the micro-manufacturing or sale of liquor to the public; and
- submit proof of the licence to the Municipal Event Coordinator.

The provisions of the Western Cape Liquor Act, 2008 (Act 4 of 2008), apply.

### **9.7.2 Additional third party permissions, approvals and processes that may be required**

This section deals with additional permissions, approvals and processes that may be required by third parties (other than the Municipality).

The Municipal Event Coordinator must, based on the information contained in the application, and after consultation with the Municipal Event Committee, advise the event organiser on any additional third party permissions, approvals and processes that may be required for a specific event. However, the identification of, and application for, all additional third party permissions, approvals and processes that may be required remain the sole responsibility of the event organiser, who must also take into account the applicable processing times as determined by the third parties concerned.

The event organiser is responsible for –

- obtaining the necessary application forms;
- acquainting himself/herself with the application timeframes;
- submitting the completed application forms and prescribed fees to the relevant third parties;
- liaising with the relevant third parties;
- obtaining confirmation of any permissions and approvals that have been granted and processes that have been finalised, or refusals, as the case may be; and
- submitting a copy of such confirmations, or refusals, as the case may be, to the Municipal Event Coordinator.

The Municipal Event Coordinator must assist the event organiser with any inputs that may be required from the Municipality.

The event may only commence after the required additional third party permissions, approvals and processes, as indicated in the conditions attached to an event permit or otherwise required in terms of national or provincial legislation, have been obtained or finalised.

#### **9.7.2.1 National and provincial public roads**

The event organiser must apply for and obtain permission from the Western Cape Traffic Police where national or provincial public roads will be utilised for, or impacted by the event.

The event organiser must –

- provide confirmation of such permission to the Municipal Event Coordinator; and
- comply with any conditions that may be imposed by the Western Cape Traffic Police.

### **9.7.2.2 Protected areas, environmentally sensitive areas, coastal areas and national and provincial parks and reserves**

Depending on the area in which the event will be conducted and the potential impact of the event, the provisions of the –

- National Environmental Management Act, 1998 (Act 107 of 1998);
- National Environmental Management: Protected Areas Act, 2003 (Act 57 of 2003);
- National Environmental Management: Integrated Coastal Management Act, 2008 (Act 24 of 2008);
- Environmental Impact Assessment Regulations, 2014;
- Guidelines on the Implementation of Regulations pertaining to the Control of Vehicles in the Coastal Zone, 2004;
- Marine Living Resources Act, 1998 (Act 18 of 1998);
- National Forests Act, 1998 (Act 84 of 1998); and
- Nature Conservation Ordinance, 1974 (Ordinance 19 of 1974),

may apply when conducting events in protected areas, environmentally sensitive areas, coastal areas, and national and provincial parks and reserves.

The event organiser must contact the relevant authorities well in advance to enquire if any additional permissions, approvals or processes are required for events in such a protected area, environmentally sensitive area or coastal area.

When an event is to be conducted in a national or provincial park or reserve, the event organiser must also obtain permission from South African National Parks or CapeNature, as the case may be.

If the event is to be conducted in a municipal park, reserve or coastal area which is classified as a protected area, environmentally sensitive area or coastal area in terms of any of the legislative instruments referred to above, the event organiser must –

- provide confirmation of any permission obtained to the Municipal Event Coordinator; and
- comply with any conditions that may be imposed by the authorities concerned.

### **9.7.2.3 Ammunition, explosives, flammable liquids or materials, incendiary devices and fire**

The event organiser must apply for and obtain permission from the South African Police Service for the utilisation of explosives, flammable liquids or materials, incendiary devices or fire as part of the event, as contemplated in the Explosives Act, 1956 (Act 26 of 1956).

The event organiser must –

- provide confirmation of such permission to the Municipal Event Coordinator; and
- comply with any conditions that may be imposed by the South African Police Service.

#### **9.7.2.4 Eskom electricity supply infrastructure and systems**

Eskom has specific requirements for any activity near, or which may impact on, its electricity supply infrastructure and systems, including an Eskom overhead power line. The event organiser must contact the local Eskom office well in advance for any enquiries, requests or permissions relating to any activity that may impact on Eskom electricity supply infrastructure or systems.

#### **9.7.2.5 Fixed wing aircraft and helicopters**

The event organiser must apply for and obtain written permission from the South African Civil Aviation Authority (CAA) for the use of aircraft in an urban area as part of the event.

The event organiser must –

- provide confirmation of such permission to the Municipal Event Coordinator; and
- comply with any conditions that may be imposed by the CAA.

#### **9.7.2.6 Event risk categorisation by the South African Police Service (only applicable to events)**

An event risk categorisation must be conducted for certain events only.

Where the proposed event is to be conducted –

- in a stadium with a safe seated or standing spectator capacity of 2000 persons or more as certified by the Municipality;
- in a venue with a seating or standing spectator capacity of 2000 persons or more;
- in the form of a race or a procession along a route; or
- within a precinct of a stadium, venue or route as referred to above,

the provisions of the Safety at Sports and Recreational Events Act, 2010 (Act 2 of 2010) apply.

The event organiser, who must be 21 years or older as prescribed by the Act, must apply to the South African Police Service for an event risk categorisation for the proposed event.

Where an event has been categorised as high-risk, the event organiser must, at least 60 days before the planned event, apply for a high-risk event safety certificate from the South African Police Service. If granted, the event organiser must ensure that all terms and conditions as may be specified in the certificate are complied with.

Where an event has been categorised as medium-risk or high-risk, an authorised police official must establish an event safety and security planning committee for the event. An official of the municipal disaster management directorate must form part of such committee.



Where an event has been categorised as low-risk, the event organiser must ensure that a safety officer is appointed, a written safety plan is prepared and implemented, and the local police station is informed of the event details.

The submission and processing times are determined by the Act.

The event organiser must –

- provide confirmation of the event risk categorisation to the Municipal Event Coordinator; and
- comply with any conditions that may be imposed by the South African Police Service.

## **9.8 IMPLEMENTATION ARRANGEMENTS**

The following implementation arrangements are applicable in the preparation for, during, and after the event.

### **9.8.1 Marketing**

The event organiser may commence marketing as soon as the event permit application has been submitted, taking into account that an application is only deemed to be approved once an event permit has been issued.

### **9.8.2 Weather**

A permit is valid for the specified dates and times only. However, where the event is entirely or substantially dependent on the weather or other factors, the Municipal Event Coordinator may, on written request by the event organiser and on good cause shown, consider granting limited flexibility in this regard. Such flexibility is, however, subject to the provisions of any other additional municipal and/or third party permissions, approvals and processes that may have already been obtained or finalised.

### **9.8.3 Signboards**

Event company signboards with the name of the event company and pointing in the direction of the location/venue may be placed on street poles one day before the commencement of the event. No placement is allowed on traffic lights, regulatory, command or prohibition poles. Signboards must be removed within one day of the conclusion of the event, failing which the Municipality will remove same at the event organiser's expense.

### **9.8.4 Municipal public roads and traffic**

When conducting an event on a municipal public road, off duty traffic officer/s must be present against payment of the prescribed fees. Intermittent traffic stopping is permitted for maximum intervals of 3 minutes, unless otherwise agreed upon, and is to be supervised by a traffic officer. The area is to be cordoned off in a manner that does not impede the free flow of traffic and/or pedestrians.

### **9.8.5 Storm water systems**

The event organiser is responsible for the safe usage of the municipal storm water system during the event. The storm water system may not be blocked off without prior permission, damaged in any way, or used during periods of rain. Any assistance rendered by specialist storm water contractors during the event will be for the event organiser's account, and all such arrangements must be made directly with the contractors concerned.

### **9.8.6 Municipal electricity supply infrastructure and systems**

The following activities involving the municipal electricity supply infrastructure and systems are strictly prohibited:

- any excavation in the vicinity of a mini-substation or ring main unit; and
- digging, hammering or implanting of a stake, tent peg or similar rod near a mini-substation, ring main unit or electricity kiosk.

The following activities are prohibited without the prior written permission from the municipal directorate concerned:

- digging, hammering or implanting of a stake, tent peg or similar rod longer than 150 mm outside of a designated area (e.g. a camping site);
- any excavation;
- any activity near, or which may impact, a municipal overhead power line;
- any activity near, or which may impact, a municipal low voltage line (including an aerial bundled conductor) or municipal high voltage line; and
- any activity near, or which may impact, a municipal electricity kiosk.

In general, no power may be switched off for purposes of an event. If exceptional circumstances exist, a request must be submitted at least five days prior to the planned activity.

Permission for any activity that may impact on the municipal electricity supply must be requested from the municipal directorate concerned at least 48 hours prior to the planned activity. Each request must be considered and assessed on its own merits taking into account the municipal directorate's workload, and there is no guarantee that a request will be accommodated.

If permission for any request is granted, the event organiser must appoint an appropriately qualified person to undertake the activity, which qualification is subject to the approval of the municipal directorate concerned.

The event organiser will be held liable for any resultant damage to the municipal electricity supply infrastructure and systems.

### **9.8.7 Eskom electricity supply infrastructure and systems**

The local Eskom office should be contacted for any enquiries, requests or permissions relating to any activity that may impact on Eskom electricity supply infrastructure and systems, including an Eskom overhead power line.

### **9.8.8 Generators, lighting and cabling**

The event organiser must ensure that generators, lighting and cabling is positioned or placed in such a manner that noise emissions, light pollution, exhaust fumes or cabling do not disturb, cause a nuisance or become a health or safety hazard to the public. Permission must be obtained to run cables across public walkways and private properties.

### **9.8.9 Ammunition, explosives, flammable liquids or materials, incendiary devices, fire, fireworks, special effects, smoke machines, stunts and other potentially dangerous acts**

The event organiser must ensure that a certified safety officer is present at all times. The Municipal Event Coordinator or police station commander may determine that municipal law enforcement, disaster management or police officials must also be deployed to the event.

Only non-toxic and non-pollutant smoke machines may be utilised during the event.

### **9.8.10 Fixed wing aircraft and helicopters**

A minimum open radius of 100 metres is required between the landing zone and the nearest structure. All civil aviation regulations and conditions imposed by the CAA and Municipality must be complied with.

### **9.8.11 Remotely piloted aircraft systems**

Remotely piloted aircraft systems (RPAS) may only be operated as contemplated in Part 101 of the Civil Aviation Regulations, 2011.

### **9.8.12 Motorised watercraft**

When conducting an event at sea, a mooring distance of no less than 100 meters offshore must be maintained, unless specific approval otherwise has been granted. Launching may only take place at approved or prearranged launch sites, e.g. those of South African National Parks, CapeNature or the Municipality. Permission to launch, moor and access a watercraft must be prearranged with the relevant entity concerned. The event organiser may be required to arrange for lifeguards to be present as contemplated in section 9.8.14.

### **9.8.13 First aid kit and medical rescue equipment**

The event organiser must ensure that –

- an approved first aid kit is available at the location/venue at all times; and
- where any stunts will be performed or pyrotechnics utilised, the appropriate and approved medical rescue equipment is available at the location/venue at all times.

### **9.8.14 Emergency care practitioners and lifeguards**

The event organiser may be required to employ the services of one or more appropriately qualified and registered –

- emergency care practitioners to be on standby if the Municipal Event Committee is of the opinion that there are increased health and safety risks attached to the event; and
- lifeguards to be on standby if the event will take place on, over or adjacent to a water source.

#### **9.8.15 Dismantling, clearing and cleaning of event locations or venues**

The event organiser is responsible for dismantling all structures, clearing all objects and cleaning all locations and venues utilised during the event.

Dismantling, clearing and cleaning must be conducted with the minimum amount of noise and disruption to residents, businesses and the public.

All waste and litter must be removed and disposed of in the required manner in line with the municipal waste by-law. The Municipal Event Coordinator must provide the event organiser with the locations of relevant municipal waste drop-off points.

The event organiser must ensure that the location/venue and its surroundings are returned to the condition it was in prior to the event.

Once the dismantling, clearing and cleaning has been completed, the event organiser must perform an inspection of the cleanliness and environmental impact of the event and inform the Municipal Event Coordinator accordingly. If the event was conducted on municipal or public property, the event organiser must also perform an inspection to determine if any structural or other damage was caused by, during or after the event and inform the Municipal Event Coordinator accordingly.

The event organiser will be held liable for any resultant costs associated with –

- failure to fully and thoroughly dismantle, clear and clean the location/venue and its surroundings; and
- any structural or other damage to a municipal or public location/venue and its surroundings.

#### **9.8.16 Hazardous and medical waste**

The event organiser must ensure that any hazardous and medical waste generated at the location/venue is handled, stored and disposed of in accordance with the relevant municipal by-law and other applicable legislation.

#### **9.8.17 Minimising disruptions to residents and businesses**

The event organiser must ensure that disruptions to residents, local businesses and the public are minimised in the preparation for and during the event, as well as during the dismantling, clearing and cleaning operations. Pedestrian and vehicle access to residential and business premises must be maintained.

#### **9.8.18 Compensation for inconvenience and disruptions**

There is no obligation on the event organiser to compensate residents and businesses for inconvenience or disruptions. The event organiser may, however, voluntarily offer to provide compensation to affected residents or business.

#### **9.8.19 Procurement of local goods and services**

The municipality encourages event organisers to procure from local businesses and utilise local service providers in order to support the local economy. The Municipal Event Coordinator must provide a copy of the Directory of Local Suppliers, Goods and Services to the event organiser.

#### **9.8.20 Community involvement**

Provision may be made for voluntary involvement of residents or the local community during the event.

#### **9.8.21 Ticketing (only applicable to events)**

The event organiser may commence ticketing for the event as soon as an event permit has been issued as contemplated in section 9.6.2.4.1. Ticket distribution may be –

- conducted privately; or
- facilitated by the municipal community services directorate on request by the event organiser and against payment of the prescribed fees.

#### **9.8.22 Ticket purchases by Municipality (only applicable to events)**

The Municipality may receive or purchase event tickets –

- for distribution to vulnerable groups;
- to utilise same for purposes of development projects and charitable causes; and
- for Mayoral Committee members, Portfolio Committee members and municipal staff members where such attendance will be beneficial for the Municipality.

The purchasing of event tickets by the Municipality is subject to budget availability and budgetary approval and must be conducted in line with the municipal Supply Chain Management Policy and related processes. The ranking municipal official attending the event must provide written post-event feedback to the Municipal Event Coordinator.

#### **9.8.23 Catering (only applicable to events)**

This section is only applicable to catering and food vending services provided to the public at events.

To ensure the health and safety of the public, all catering and food vending services must comply with the health and safety requirements as provided for in the municipal health and safety by-law.

### **9.9 ENSURING COMPLIANCE**

### **9.9.1 Right of inspection, entry and monitoring**

The Municipal Event Coordinator, a member of the Municipal Event Committee and any other municipal official authorised to do so may inspect, enter and monitor the event to ensure compliance with the permit conditions, the Code of Conduct and the Municipality's by-laws.

### **9.9.2 Dispute management**

Disputes must be managed informally between the Municipal Event Coordinator and the event organiser, failing which a compliance notice may be issued.

### **9.9.3 Compliance notice and permit suspension**

The Municipal Event Coordinator and any municipal official authorised to do so may serve a compliance notice on the event organiser instructing him/her to comply with the permit conditions, the Code of Conduct and the Municipality's by-laws. The compliance notice must contain reasons, remedial actions to be taken, timeframes for compliance and the potential consequences of continued non-compliance. The event permit may be suspended pending full compliance with such notice.

### **9.9.4 Revocation of permit and shutting down of event**

In the case of continued non-compliance, the Municipal Event Coordinator may revoke the event permit by notice to the event organiser. As soon as a permit is revoked, the event organiser must cease all activities and shut down such event, failing which the municipal protection services may take the necessary action. The event organiser may be held liable for any resultant costs associated with revoking the permit and shutting down the event, and additional applicable punitive measures may be implemented.

An event permit may also be revoked and/or the event shut down in the event of an emergency.

### **9.9.5 Recording of particulars in Non-compliance Register**

When a compliance notice has been issued or a permit has been revoked, the particulars of the event organiser and other contravening parties, as well as the nature and details of the transgression, must be recorded in the Non-compliance Register. The event organiser and other contravening parties must be informed in writing of such inclusion by the Municipal Event Coordinator. The affected individual or other party may –

- appeal their inclusion in the Non-compliance Register in accordance with section 9.16; and
- after a period of three years and on good cause shown, request the Municipal Event Committee in writing to consider their removal from the Register.

## **9.10 FEES AND TARIFFS**

### **9.10.1 Application fees**

The Municipality may provide for –

- a fixed event permit application fee;
- different application fees based on the event categories contemplated in section 9.5;

- application amendment fees;
- the non-imposition of any application fees; and
- the scrapping of application fees in certain circumstances.

Any application fee is payable on application. In the event of an application being rejected, any application fees paid must be refunded to the event organiser.

### **9.10.2 Municipal services and municipal properties, venues and facilities**

The approved municipal fees and tariffs will be levied for the provision of any municipal service and for the utilisation of any municipal properties, venues and facilities.

### **9.10.3 Deposits**

The Municipality may require the event organiser to pay a deposit –

- to cover the provision of municipal services;
- for the utilisation of municipal properties, venues and facilities;
- to cover contingencies; and
- to recover any damages that may arise.

A deposit is payable on receipt of the event permit by the event organiser. Any remainder must be refunded to, and any shortfall is payable by the event organiser after conclusion of the event.

### **9.10.4 Fees and tariffs subject to change**

Fees and tariffs are subject to change. The latest fee and tariff schedule must be made available for collection from the Municipal Event Coordinator and on the Municipality's website.

## **9.11 FINANCIAL AND NON-FINANCIAL SUPPORT FOR EVENTS**

The Municipality may, on application and on a case-by-case basis, decide to provide support to an event. Priority or strategic support areas may be identified, with such support targeting specific types of events.

Municipal support may be of a financial or non-financial nature, or a combination of both. In the event of municipal financial support, different financial funding models and financial/legal funding facilitation methods may be provided for, including the allocation of municipal conditional grants.

Municipal non-financial support may include –

- letters of support;
- appearance or representation by municipal officials;
- logistics assistance; and
- free or reduced rate for, amongst others -
- use of municipal advertising channels;
- use of municipal properties, venues or facilities;
- provision of fire and rescue services;
- provision of safety and security services;

- provision of municipal traffic services;
- provision of solid waste removal services;
- utilisation of electricity at facilities;
- utilisation of municipal water at facilities; and
- provision of municipal sanitation services.

Third party (public sector) financial support may emanate from other organs of state, i.e. national government departments, provincial government departments, the District Municipality, and national, provincial and municipal public entities. This type of support will generally be in the form of ring-fenced conditional grants. In such cases the financial and other legislation applicable to the grantor (including the Public Finance Management Act, 1999 (Act 1 of 1999)) and the financial and other legislation applicable to the Municipality (including the Local Government: Municipal Finance Management Act, 2003 (Act 56 of 2003)) must be complied with. In respect of financial support channelled through the Municipality, municipal supervision and reporting must be done in accordance with prescribed National Treasury prescripts.

Third party (public sector) non-financial support may include support in terms of the Expanded Public Works Programme (EPWP) or the use of infrastructure which may emanate from other organs of state. Such support will generally be subject to such conditions that may be imposed by the grantor.

The Municipality may develop guidelines to effectively manage municipal financial and non-financial support to events.

### **9.12 BIDDING AND HOSTING BY MUNICIPALITY**

The Municipality may bid, or co-bid with other municipalities or the Western Cape Government, to host major national or international events, provided that such events must be aligned to the Municipality's strategic objectives.

The Municipality may, from time to time, host events to give effect to its local economic and community development mandates, and to promote the Municipality's tourism potential, strategic assets and facilities. Municipal events generally include –

- community cultural events;
- community sports events;
- economic development events;
- service delivery events;
- business events;
- media launches; and
- hospitality at municipal or third party events.

The hosting of any /event and the procurement of any goods and services in support of such /event by the Municipality are subject to budget availability and budgetary approval, and must be conducted in line with the municipal Supply Chain Management Policy and related processes.



The Municipality may develop guidelines to effectively manage municipal event bidding and hosting.

### **9.13 RELATIONSHIP BETWEEN MUNICIPALITY AND OTHER STAKEHOLDERS**

Effective cooperation and coordination between the Municipality and other stakeholders involved in event planning, permitting and implementation are essential to ensure the effective and efficient implementation of the Policy.

The Municipal Event Coordinator and the members of the Municipal Event Committee must endeavour to foster a friendly relationship, facilitate cooperation and ensure coordination between all municipal directorates concerned. Fostering friendly relations and cooperating with an even broader range of stakeholders are, however, equally important. These stakeholders include –

- residents;
- local businesses;
- the local tourism association;
- neighbouring local municipalities;
- the District Municipality;
- provincial tourism and marketing organisations and associations (including Wesgro);
- the Western Cape Department of Economic Development and Tourism (DEDAT);
- the Western Cape Traffic Police;
- the South African Police Service; and
- the broader public.

Communication and coordination between the Municipal Event Coordinator, Municipal Event Committee and the above stakeholders must be conducted through existing municipal and intergovernmental structures as far as possible.

### **9.14 MONITORING, EVALUATION AND REVIEW**

The Municipal Event Committee must monitor and evaluate the implementation of the Policy. Monitoring and evaluation must take into consideration several matters, with specific focus on what is working and what is not as far as the implementation of the Policy is concerned. The members of the Municipal Event Committee, in their capacity as representatives of the municipal directorates concerned, must report and advise of any blockages experienced in policy implementation.

The Municipal Event Committee may also –

- develop and provide a standard questionnaire to be completed by event organisers to provide feedback and make recommendations to the Municipality; and
- conduct research or cause research to be conducted on events, including the impact of events on the Municipality and its area of jurisdiction.

The Policy must be monitored and evaluated in terms of outputs, outcomes and impacts.

The outputs include:

- number of applications for events received by the Municipality;
- number of applications for events considered and decided on within the guideline processing times;
- number of event applications approved and permits issued;
- number of events conducted in municipal area;
- number and nature of compliance notices issued;
- number of events cancelled by Municipality due to non-compliance; and
- number of events supported by the Municipality.

The outcomes include:

- effective, efficient and streamlined event application and permitting process;
- favourable perception of the Municipality as an event-friendly municipality; and
- increase in local tourism attributable to events in the municipal area.

The impacts include an increased contribution by events to local economic and socio-economic development in the municipal area.

In the short term, the Policy must be reviewed on an annual basis. The review process must be informed by –

- the monitoring, evaluation and research as contemplated above;
- lessons learnt in the implementation of the Policy; and
- any policy or legislative changes that may impact on event permitting in the Municipality.

Any proposed amendments to the Policy must be submitted to Council for consideration and approval.

### **9.15 OFFENCES AND PENALTIES**

Any person who –

- conducts an event without a valid event permit;
- contravenes a provision of the Event By-law; or
- contravenes a provision of any other municipal By-law,

is guilty of an offence and may, on conviction, be liable to the payment of a fine or imprisonment, or both a fine and imprisonment.

Transgressions in terms of any national or provincial legislation must be handled by the relevant authority concerned.

### **9.16 APPEALS**

A event organiser or a party involved in the event who is aggrieved by a decision taken in terms of this Policy, may appeal such a decision as contemplated in section 62 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000).

#### **9.17 LIABILITY**

The Municipality is not liable for any damages or compensation arising from any event conducted by a third party in the area of jurisdiction of the Municipality.

#### **9.18 REGULATION OF EVENTS**

The Event Permitting By-law provides for the regulation of matters pertaining to event permitting within the jurisdiction of the Municipality.

#### **9.19 IMPACT ON EXISTING BY-LAWS, PROCESSES AND PROCEDURES**

The Municipality must align its existing by-laws, processes and procedures to ensure the full and effective implementation of this Policy and the realisation of the purpose and aims of this Policy.

This may include amending the Spatial Planning By-law to facilitate /events in the jurisdictional area of the Municipality, by providing for events as secondary land use activities in additional land use zones.

#### **9.20 STANDARD FORMS AND LISTS**

The Municipality may develop such prescribed or standard forms and other documents as may be needed to contribute to effective, efficient and streamlined event permitting processes.