

FINES LIST: UNLAWFUL OCCUPATION OF LAND BY-LAW

SECTION	DESCRIPTION OF TRANSGRESSION	AG 1 st OFFENSE	AG 2 ND OFFENSE
5.	Obligations of private land owners in responding to unlawful land occupation		
5(4)(a) read with 9	Failed to take the necessary security measures on land which the Municipality has identified as a hotspot for unlawful occupation within 48 (forty eight) hours of being informed to do so by the Municipality.	NO AG	NO AG
6	Prohibited conduct		
6(1)(a) read with 9	Occupied land unlawfully.	NO AG	NO AG
6(1)(b) read with 9	Instigated or organised the unlawful occupation of land.	R5000	R10000
6(1)(c) read with 9	Permitted another to occupy or trespass on land with the intention to reside thereon unlawfully.	R5000	R10000
6(1)((c) read with 9	Assisted another, directly or indirectly to occupy land unlawfully;	R5000	R10000
6(1)(d) read with 9	Marked or demarcated with the intention to occupy the land unlawfully.	R2000	R4000
6(1)(d) read with 9	Cleared land, with the intention of occupying it, by removing vegetation or by any other means.	R2000	R4000

6(1)(e) read with 9	Removed or damaged a sign erected in a managed settlement	R1000	R2000
6(1)(f) read with 9	Removed or damaged a sign erected on land that is not owned by the Municipality.	R1000	R2000
6(1)(g) read with 9	Removed or damaged survey pegs installed by the Municipality.	R1000	R2000
6(1)(h) read with 9	Removed any fence, sign or marking placed by the Municipality or owner on such land.	R1000	R2000
6(1)(i) read with 9	Demarcated any land with the purpose of allocating it to unlawful occupiers	R2000	R4000
6(1)(j) read with 9	Solicited payment for arranging or organising for a person to occupy land without the consent of the owner of the land.	R5000	R10000
6(1)(k) read with 9	Sold or purported to sell land or structures on land that is or is intended to be occupied.	R5000	R10000
6(1)(l) read with 9	Leased or purported to lease land or structures on land that is or is intended to be occupied.	R5000	R10000
6(1)(m) read with 9	Transported persons, building materials and personal possession for the purpose of unlawful occupation.	R5000	R10000
6(1)(n) read with 9	Erected or occupied a structure on land without the consent of the owner.	NO AG	NO AG
6(1)(o) read with 9	Refused to disclose his or her details when asked by an authorised official of the municipality, if that person is occupying land unlawfully	R1000	R2000
6(1)(p) read with 9	Interfered or obstructed an authorised official in preventing the erection or dismantling of a structure or the removal of the building materials and personal possessions of an unlawful occupier of land.	R5000	R10000

The George Municipality Unlawful Occupation of Land By-law was approved by Council on _____ and promulgated on 2 June 2023. In order to give effect to the provisions within the by-law the above admission of guilt fine list is recommended for approval by the Chief Magistrate.

The fine amounts provide sufficient deterrent value in relation to the seriousness of the offence and in some cases will escalate in amount due to the continued transgressions should there be any. The escalation will only be applicable when the perpetrator is found guilty or pays an admission of guilt fine in respect of the preceding offence.

Where transgressions are considered serious or where an admission of guilt will not assist in resolving the matter, there is no admission of guilt and the matter must be considered by a competent court for the granting of appropriate relief.

This determination replaces any previous determinations applicable to the George Magisterial District(s).

APPROVED WITH EFFECT FROM: 15th NOVEMBER, 2023.

SENIOR
CHIEF MAGISTRATE
DATE: 28/09/2023

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