

BY-LAW

To provide for the establishment of municipal swimming pools in the EMTHANJENI municipality; and for matters connected therewith.

BE IT ENACTED by the Emthanjeni municipality, as follows:-

Definitions

1. In this By-law, unless the context otherwise indicates –

“**Municipality**” means the Emthanjeni municipality;

“**municipal land**” means land situated inside the area of jurisdiction of the Municipality, of which the Municipality is the owner, or of which the control, to the entire exclusion of the owner, is vested in the Municipality;

“**municipal swimming pool**” means a swimming pool established or deemed to be established under section 2;

“**rules**” means rules made in terms of section 5(1); and

“**superintendent**” means the officer appointed by the Municipality in terms of section 3(1).

Establishment of municipal swimming pools

2. (1) The Municipality may, on municipal land, establish, maintain and administer municipal swimming pools.
- (2) Any swimming pool situated on municipal land already administered by the Municipality when this By-law comes into operation, shall for all purposes, be deemed to have been established in accordance with subsection (1).
- (3) The Municipality shall provide dressing rooms, toilets and other facilities for visitors at a municipal swimming pool.

Appointment of superintendent

3. (1) The Municipality shall, for each municipal swimming pool, appoint a superintendent.

- (2) The superintendent appointed in terms of subsection (1), shall be responsible –
- (a) for the proper and hygienic upkeep of the swimming pool and its facilities;
 - (b) for the introduction and upkeep of adequate safety measures at the swimming pool;
 - (c) for collecting the fees to be paid by a visitor to the swimming pool;
 - (d) to ensure that the rules are adhered to; and
 - (e) to deal with the day-to-day administration of the swimming pool and with matters incidental thereto.

Fees

4. The Municipality may levy fees to be paid by a visitor to a municipal swimming pool.

Rules to be observed by visitors to municipal swimming pools

5. (1) The Municipality may make rules to be observed by a visitor to a municipal swimming pool.
- (2) Rules made in terms of subsection (1), may provide for matters regarding the safety and general conduct of visitors to a municipal swimming pool.
- (3) A copy of the rules applicable at a municipal swimming pool must be displayed in bold lettering on a sign board posted both at the entrance and on the inside of the municipal swimming pool.
- (4) Any visitor to a municipal swimming pool who contravenes or fails to comply with a rule to be observed at that swimming pool –
- (a) may be directed by the superintendent to leave the swimming pool forthwith;
 - (b) may be prohibited by the Municipality from entering the swimming pool for a specified period of time or, in case of severe or continuous contravention, permanently.

Repeal of laws and savings

6. (1) The following laws are hereby repealed:

...

...

(2) Any permission obtained, right granted, condition imposed, activity permitted or anything done under a repealed law, shall be deemed to have been obtained, granted, imposed, permitted or done under the corresponding provision (if any) of this By-law, as the case may be.

Short title

7. This By-law shall be called the Swimming Pool By-law, 2008