

## ARRANGEMENT OF SECTIONS

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IT is hereby notified that the Minister of Local Government and Public Works has, in terms of section 229 of the Urban Councils Act [*Chapter 29:15*], approved the following by-laws made by the Redcliff Municipal Council:—

### *Title*

1. These by-laws may be cited as the Redcliff Municipality Council (Control of Worship in Open Spaces) By-laws, 2022.

### *Application*

2. These by-laws shall apply to the area under the jurisdiction of Redcliff Municipality Council.

### *Interpretation*

3. In these by-laws—
  - “authorised person” means an environmental health practitioner or other person authorised by the council to perform any functions under these by-laws;
  - “council” means the Redcliff Municipality Council;
  - “permit” means permit issued in terms of these by-laws;

## Redcliff (Control of Worship in Open Spaces) By-laws, 2022

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“permit fee” means a fee set out in terms of these by laws;

“public place” means any open space to which the public or any section of the public has access or any area which has been designated for development under a town planning scheme but remains undeveloped and can be used for the purposes approved under these by-laws.

### *Control of open space for worship*

4. Any group of persons wishing to gather in an open space for purposes of worship shall apply to the council for a permit.

### *Permit and permit fees*

5. (1) An application for permit referred to in section 4 shall be accompanied by the prescribed fee.

(2) The council may or may not approve such application taking into account the need to promote public safety, freedom of conscience, security and other public interest considerations.

(3) The application must be submitted to the council prior to the erection of any temporary or permanent structures in the area.

### *Designation of places for public worship*

6. Council shall designate places or areas where persons can gather for purposes of public worship:

Provided that such areas have toilet facilities of a temporary or permanent nature approved by the council, and potable water.

### *Inspection of facilities*

7. The facilities referred to in section 6 shall be inspected and approved by the council.

### *Obstruction of access to an open space*

8. (1) Any police officer or authorised person by the council may direct any person—

(a) who is directly or indirectly obstructing the use of any public space or open space; or

- (b) is a nuisance to any person in the vicinity of any public space to move away from such space as may be reasonable or to cause any such obstruction of or abate such nuisance as the case may be:

Provided that the person concerned shall be afforded adequate opportunity to make his or her representation before he or she is ordered to move away by the police or the authorised person.

(2) Any person or persons worshipping in such public spaces who refuse to comply with any direction given in terms of subsection (1) shall be guilty of an offence and liable to a fine not exceeding level 3.

*Transitional provisions*

9. Any person who has been worshipping in open space prior to the promulgation of these by-laws shall, within three months, take necessary steps to comply with these by-laws.

*Offences and penalties*

10. Any person who contravenes or fails to comply with any provision of these by-laws shall be guilty of an offence and liable to a fine not exceeding level 3.

