

Bergrivier, South Africa

Swimming Bath (Municipal Council of Piketberg)

Legislation as at 25 September 1998

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Bergrivier South Africa

Swimming Bath (Municipal Council of Piketberg) By-law, 1998

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The Premier has approved the following by-law framed by the Municipal Council of Piketberg.

1.

In this by-law, unless the context otherwise indicates:—

"bath" means any swimming bath owned by or under the lawful management or control of the council and available for use by the public, and includes all dressing rooms, cubicles, and other facilities used in connection therewith;

"council" means the Municipal Council of Piketberg;

"superintendent" means the employee of the council who is in charge of a bath.

2.

- (1) No person other than the superintendent or other municipal employee or the lessee of the restaurant or an employee of the lessee in the course of his duties, or a municipal councillor acting lawfully on behalf of the council, shall enter a bath, nor shall any person bathe in the swimming bath, diving pool or children's bath contained therein, except on such days and at such times and on such conditions as shall be laid down by the Council from time to time.
- (2) A notice setting forth the days and hours during which a bath shall normally be open to the public, shall be posted by the council in a prominent place at or near the entrance thereto.
- (3) Notwithstanding the fixing by the council of the days and hours of normal opening as provided in this by-law the council may close a bath to the public for a specified time and purpose during the open hours; provided that a notice to that effect is posted at the same place as the notice referred to in subsection (2). When a bath is closed to the public to enable a swimming gala to be held or for the exclusive use of a swimming club, school or other organisation the public may be admitted as spectators or bathers under such conditions and terms of admission as shall be determined by the organisers of such swimming gala, swimming club, school or other organisation with the approval of the council.

3.

No person shall enter a bath during the open hours, unless he shall first have obtained a ticket or coupon of admission, and in respect of such ticket or coupon shall have paid the relative charge.

4.

- (1) The council shall provide at a bath such dressing rooms or cubicles as it may deem necessary in which persons attending for the purposes of bathing shall change from their ordinary clothes into

bathing costumes and vice versa. The council shall also provide such sanitary conveniences and other facilities as it may deem necessary.

- (2) Separate dressing rooms or cubicles, sanitary conveniences and other facilities shall be provided for both sexes and notices shall be erected stating the sex which shall be entitled to use the respective dressing rooms or cubicles, sanitary conveniences or other facilities. No person shall enter any such dressing rooms or cubicles or other accommodation which shall have been appropriated or set apart for the use of the opposite sex.
- (3) The council may provide facilities for the deposit by persons attending the bath or cubicles or packages for safe keeping for the period of such attendance. Any person desiring to deposit any article or package, shall deliver such article or package to the employee of the council authorised to receive such deposit at the place set aside for the purpose of the facilities aforesaid.
- (4) No person shall use any dressing room or cubicle other than which may be indicated to him by the superintendent and no person shall without the consent of the occupier or the superintendent enter or seek to enter any dressing room or cubicle which is already occupied. No person shall occupy or use any dressing room or cubicle for a longer period than that determined by the superintendent, nor shall any person loiter in such dressing room or cubicle or in the doorways or passages leading thereto after the expiration of the period of occupation or use as determined by the superintendent. No person shall forcibly or by other improper means seek admission to any dressing room or cubicle.
- (5) No person having changed in a dressing room or cubicle from his ordinary clothes into a bathing costume, shall leave the dressing room or cubicle in order to bathe, without first having properly and sufficiently washed himself under the showers provided for the purpose. No person shall use any soap or pollute the water in such pool or baths, or expectorate in, or upon any part of such pool or baths or buildings or enclosure.

5.

No person shall bathe at a bath unless decently and adequately clothed in a bathing costume, nor shall any person appear anywhere exposed to public view at a bath, unless either wearing such a bathing costume or otherwise properly and decently dressed. It shall be lawful for the superintendent to call upon any person who in his opinion is contravening the provisions of this by-law immediately to vacate a bath without refunding the charge paid for admission thereto; provided that this shall not absolve any such person from being liable to the penalty provided for a contravention of this by-law.

6.

No person shall at a bath—

- (a) damage or deface any dressing room, cubicle, sanitary convenience, fence or other part of a bath;
- (b) commit any nuisance, or write or scribble on any wall or other part of a bath;
- (c) throw or deposit any filth or refuse except in such receptacles as may be provided for the purpose;
- (d) remove, take away, throw down, damage or destroy any furniture, fitting, towel, costume or other article or thing appertaining to or used at a bath and which is the property of the council;
- (e) by any disorderly, or improper conduct, disturb, injure or molest any other person or obstruct any superintendent in the execution of his duty, and no person shall use any indecent, offensive or profane language or behave in an indecent or offensive manner.

7.

No person who is in a state of intoxication or under the influence of dagga or whom the superintendent on reasonable grounds believes to be in such a state, shall be admitted to a bath. Where such person has been

inadvertently admitted, such a person shall vacate such bath without delay on being ordered to do so by the Superintendent. No intoxicating liquor shall be taken to or be consumed at a bath.

8.

No dogs shall be allowed at a bath.

9.

No person shall at any time enter a bath while knowingly suffering from any contagious or infectious disease or from any abnormal discharge from the eyes, nose, ears or throat, or from a discharging sore.

10.

The council in the absence of proof of negligence on its part or on the part of its employees, shall not be responsible for the loss or theft of clothing or effects of any description left by any person in the dressing rooms or cubicles or elsewhere in a bath and the council shall not be responsible for any injuries sustained or illness contracted or alleged to have been sustained or contracted, as the case may be, by any person at a bath.

11.

- (1) No person shall play water-polo at a bath except at such times and under such conditions as shall be fixed by the council or the superintendent, nor shall any person play any other game likely to cause injury or discomfort to bathers or spectators.
- (2) The use of a surfboard, canoe, boat, punt, raft or other tiling which may cause injury, shall be prohibited at a bath except with the express permission of the superintendent and under such conditions as the superintendent may impose.

12.

No person shall interfere with or molest any animal or bird kept on the premises on which a bath is situated, nor shall any person interfere with plants or pick any flower, slip or cutting.

13.

No person shall gamble at a bath.

14.

The council shall fix the charge for admission to a bath and such charge shall be prominently displayed at the office where the admission charges are payable.

15.

Any person contravening any of the provisions of this by-law and any person whom the superintendent reasonably suspects of having committed any other offence at a bath, shall immediately leave the bath when ordered to do so by the superintendent and, should he fail to do so, shall be guilty of an offence and in addition the superintendent shall have the right summarily to eject such person from the bath.

16.

Any person who contravenes or fails to comply with any provision of this by-law shall be guilty of an offence and liable on conviction to a fine as prescribed by section 189(23) of the Municipal Ordinance, 1974 ([Ordinance 20 of 1974](#)).