

# **Park, Jetty, Mole and Beach Regulations**

=====

Updated: June 2008

**MUNICIPALITY**

**OF**

**SWAKOPMUND**

**G/N 185/77**

**O/G 3621**

**DD. 16/5/77**

**(Amended)**

**PARK, JETTY, MOLE AND  
BEACH REGULATIONS**

It is hereby notified that the Administrator has been pleased under section twenty of the Municipal Proclamation, 1920 (Proclamation No. 22 of 1920), as amended by section eighty-two of the Municipal Amendment Proclamation, 199 (Proclamation No. 1 of 1922) to approve of the subjoined regulations, made by the Swakopmund Municipal Council under the provisions of section eighteen of the Municipal Proclamation, 1920.

G/N 185/77  
O/G 3621  
dd. 16/5/77  
(Amended)

**MUNICIPALITY OF SWAKOPMUND.  
PARK, JETTY AND BEACH REGULATIONS.**

1. In these regulations, unless inconsistent with the context,

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

*“Park”* means and includes –

- (a) all gardens and plantations abutting on the Municipal Bathing Establishment on Block 1 of the General Plan of the Town of Swakopmund.
- (b) the gardens in front of the Town hall and of Erf No. 140 of the General Plan of the Town of Swakopmund,
- (c) all cemeteries,
- (d) all gardens and plantations in public, streets and squares which are under the control of the Council and to which the public have access, inclusive of the Arnold Schad-Promenade.

G/N 185/77  
O/G 3621  
dd. 16/5/77  
(Substituted)

*“Jetty”* means the structure better known as the “Brücke” situated at the westernmost point of Brücke Street.

*“Breakwater”* means and includes the lower and upper walls, the footway, the head and the sidearm of the breakwater, generally known as the “Mole”.

G/N 185/77  
O/G 3621  
dd. 16/5/77  
(Substituted)

*“Authorised Official”* means any employee of the council or the Nature Conservation or Tourism Division of the Administration of South West Africa as the case may be, authorised on account of their duties to exercise control of the beach area, bathing area and jetty.

*“High-water mark”* means the highest line on land reached by the sea during spring tide.

*“Low tide mark”* means the lowest line on land as it varies from time to time to which the sea subsides during ebb-tide.

G/N 185/77  
O/G 3621  
dd. 16/5/77  
(Substituted)

*“Beach area”* means the area situated from the northernmost bank of the Swakop River to northernmost beacon of the caravan park known as Myl 4, including the land between the low-tide mark and first proclaimed street or surveyed erf or 100 metres eastwards from the low-tide mark, whichever is the nearest to the low-tide mark.

*“Bathing area”* means the part of the beach area extending from the northern side of the jetty in a northern direction to a point opposite the northernmost corner beacon of Erf 779, between the high-water mark as eastern boundary and the area of sea 400 metres west of the said area between the jetty and Erf 779.

*“Caravan park”* (better known as “Mile 4”) means the area situated north of Swakopmund which is described as Portion 20 ( a portion of Portion 16) (a portion of Portion B) of the farm Swakopmund Town and Townlands 41, and which borders on the beach area.

---

## PARKS

2. No person shall remove the soil from under or about any tree, shrub, fern, flower or other plant, or destroy, damage or remove any tree, shrub, fern, flower or other plant or any soil or other property of the Council in a park.
3. No person shall climb any tree, or write, paint or cut names, letters or marks, or affix bills, on any tree, bench, rock, gate, wall, fence or any other object, the property of Council, in a park.
4. No person shall remove or displace any board, plate tablet or label, or any support, fastening or fitting of any board, plate, tablet or label fixed or set up by the Council or any person having authority to do so in a park or in or on any building or structure or on or about any tree, shrub or plant therein.
5. No person shall climb onto or through or over any fence or wall in or enclosing a park.
6. No person shall throw any stone or other missile or roll stones down any incline or use or discharge any air-gun, catapult or fire-arm in a park.
7. No person shall light a fire in a park or leave therein any bottles, broken glass, china, paper, or any other litter, except in place set apart or receptacles provided therefore by the Council.
8. No person shall foul or pollute, by washing clothes therein or otherwise, any water in any stream, pond, lake or reservoir in a park, or take or destroy any fish in such water.
9. No person shall kill, pursue, worry, ill-treat or take any animal or bird in a park, or wilfully displace, disturb, injure, destroy or take any bird's nest or eggs therein, nor shall any person enter a park with, or use, spread or set therein, any snare, net or other device for taking, injuring or destroying any animal or bird.
10. No person shall take a dog unless on a leash into a park. Any dog not on leash found in a park, may be seized and destroyed by the park keeper or other authorized official of the Council or a member of the police.
11. No person shall sell, offer or expose for sale in a park any article or thing whatsoever without the written permission of the Council.

12. No person shall erect any booth, tent, screen or any other structure or thing in a park, and no person shall camp in a park, without the written permission of the Council.
  13. No person shall wilfully obstruct, disturb, interfere with or annoy any other person in the proper use of any part of a park, or shall wilfully obstruct, hinder or interfere with any park-keeper or other officer of the Council in the execution of his duties.
  14. No person shall behave in a disorderly or indecent manner or use obscene or improper language or be intoxicated or create a disturbance or commit any nuisance whatsoever in a park. Any person contravening this regulation may be removed from a park by any park-keeper or other officer of the Council or any member of the police.
  15. No person shall use or attempt to use, or, except in the course of duty, enter into or attempt to enter into any water closet, or structure containing a urinal, or any other place of convenience provided for the opposite sex in any park.
  16. No person shall use any swing or other playground apparatus in a park in a negligent manner, or by any negligence or misconduct in the use thereof cause any damage thereto or endanger or injure any person, or refuse to vacate any swing or other playground apparatus when required to do so by any park-keeper or other officer of the Council.
  17. No person shall stand, lie upon, or place foot upon any seat in any park, promenade or other place under the control of the Council, or shall place on any such seat anything which would defile it or cause discomfort to the public.
  18. No person shall refuse to give his or her proper name and address when required to do so by any park-keeper or other officer of the Council or any member of the police.
  19. All goats, pigs and poultry found trespassing in a park may be destroyed by any park-keeper or other officer of the Council.
  20. The hours of admission to a park shall be such as may be fixed by the Council from time to time. The Council shall duly notify the public of the hours so fixed by means of notices properly affixed to a notice board at each entrance to a park. No person shall enter or remain in a park except during the hours so fixed by the Council.
-

## PROMENADE JETTY

Amended by  
Gen/Not  
20/89 : O/G  
5670 of  
15/2/89

21. All persons using the jetty do so at their own risk and responsibility. No child under 10 years of age shall go on to such jetty unless accompanied by an adult, and it shall remain in the charge of and at the responsibility of such adult.

Substituted by  
Gen/Notice  
20/1989 O/G  
5670 dd.  
15/2/89

22. (a) No person shall angle from the jetty or bring any angling equipment onto such jetty.
- (b) For the purposes of paragraph (a) "angling equipment" shall mean any object of which the nature or purpose is to angle with.
- (c) No person shall create any nuisance on the jetty.
- (d) For the purposes of paragraph (c) "nuisance" shall mean any act or omission which is obnoxious, harmful or dangerous, r which interferes with the normal comfort, convenience or enjoyment of the public making use of the jetty.

G/N 135/73  
O/G 15/8/73  
(Amended)

23. (a) No person shall wilfully remove, displace or damage any notice board or any other structure or erection, or any support, fastening or fitting of any notice board, structure or erection, set up or erected by or under the authority of the Council on the jetty.

G/N 135/73  
O/G 15/8/73  
(Substituted)

- (b) No person shall swim, or dive for the purpose of catching rock lobster within a circumference of 50 metres from the jetty.

G/N 285/76  
O/G 15/10/76  
(Substituted)

- (c) No person shall angle from the beach between the jetty and the mole or linger with a vehicle there or drive it within that area.

G/N 243 of  
15/12/87  
O/G 5474

- (d) Only perambulators and by push-carts are allowed on the jetty. No dogs or other animals may be brought onto the jetty.

---

## MOLE

24. No person shall fish from any part of the mole or from the landing stage abutting on the lower wall of the mole or from any other point within the "sea-bathing area" as defined in the regulations published under Government Notice No. 22 dated the 6<sup>th</sup> day of March, 1923.

The regulations under the heading "Fishing" published under Government Notice No. 96 of the 1<sup>st</sup> day of September 1923, are hereby repealed.

---

## BEACH

G/N 185/77  
O/G 16/5/77  
(Substituted)

25. No person shall angle within the area extending from the northern side of the jetty in a northern direction up to a point situated opposite the northernmost corner beacon of Vineta-North.

G/N 337/96  
O/G 1444  
15/11/96

26. No person, except persons in execution of their official duties or persons expressly authorised thereto by the Council, shall enter the bathing area or beach area with a horse or with any self-propelled boat or self-propelled vehicle, or drive or ride the same in those areas, unless the official streets and parking areas provided by the Council within the vicinity of the beach area are being used for other purposes than the parking of vehicles.

27. No person entering the beach area, shall do so exclusively at his own risk and the Council shall in no way whatsoever be responsible for any damage or loss or injury sustained.

28. Excluding the caravan park, no person may without the Council's permission, erect any hut, tent, shelter or any other structure within the municipal area or occupy a caravan or camp in any way whatsoever within the municipal area.

29. Any person entering the beach area whether to bath or otherwise, shall at all time be properly dressed so as to prevent indecent exposure of the body and no person may at any time employ unseemly or indecent oral or written language or behave in an indecent or offensive way within the beach area.

30. No person may at any time without the Council's permission within the beach area ride a surf board or partake in the fun game known as surfing or cause any inconvenience to bathers or spectators or infringe the privacy of any person.

31. No person may leave or permit to be left or to be deposited any wood, material, glass, bottles, metal, refuse, bait, fish or garbage of any nature whatsoever within the beach area.

32. No person except an authorised official may save for the purpose of saving drowning persons, in any way tamper with the lifelines or other apparatus provided within the beach area.

33. (a) All lawful orders given by the authorized official shall be complied with.
- (b) No dogs are allowed on the beach area extending from the southern boundary of the mole to the northern beacon of Erf 779 Swakopmund, including the area between the museum and the swimming pool.
- (c) Without derogating from the provisions of paragraph (b), owners of, or other persons in charge of, dogs shall be responsible to collect and remove their dogs' faeces immediately after excretion thereof from streets, sidewalks or open places in the built-up areas or from beach areas to the satisfaction of the Health Inspectorate and dispose of such faeces directly into the municipal sewerage system or other means acceptable to the Health Department.
- (d) Any person who fails to comply with the provisions of paragraph (c) shall be guilty of an offence.
- 

### **PENALTIES**

34. Any person who contravenes any of the abovementioned regulations or neglects to carry out any lawful instruction of the authorised official or any other person lawfully appointed to supervise, or obstructs him in the fulfilment of his duty, shall be guilty of an offence and shall upon conviction be liable to a fine not exceeding three hundred rand and, in default of payment, to imprisonment for a period not exceeding three months.
-