

ITEM A446

**POLICY WITH REGARD TO THE ESTABLISHMENT OF
TAVERNS AND SHEBEENS IN THE AREAS CONTROLLED
BY THE BLACK COMMUNITIES DEVELOPMENT ACT 1984
(ACT 4 OF 1984) AND THE TOWNSHIP ESTABLISHMENT
AND LAND USE REGULATIONS, 1986 (DPLUM 40-03)**

13/4/1

RESOLVED (ON 11.12.2003)

That the Emfuleni Local Municipality take cognizance of the contents of this report and approve it as a policy adopted by the Council for the consideration of applications received for the establishment of taverns and/or shebeens within the Municipal area and that the following criteria be accepted:

1. The granting of a consent may not interfere with the amenity of the surrounding area;
2. should an application be submitted on a residential property, the main use of the property shall remain residential;
3. where the property that forms the application is located in close proximity to a school **or a church**, such an application will not be considered. It is proposed that a distance of 500 metres be imposed and that no other applications for taverns within a 500 metre radius be considered;
4. the total coverage of all buildings on the property should not exceed to coverage allowed as per Annexure A of the Township Establishment and Land Use Regulations, 1986;
5. the applicant must be the registered owner of the land and must be residing on the property;
6. the proposed development must aesthetically blend with the environment and advertising should be strictly controlled to the satisfaction of the Council;
7. the area where liquor is to be sold and consumed must be effectively separated from the residential component on the property;
8. a separate access to the proposed tavern or shebeen should be provided;
9. no direct access from the tavern or shebeen shall be allowed to the residential component of the buildings;
10. building plans must be submitted and approved before any construction work may be commenced with;
11. business hours must be fixed. The playing of loud music should be restricted in order to protect the surrounding residents from noise pollution. The playing of music must comply with the Noise Regulation, Nr R5479 of 20 August 1999;
12. smoking of tobacco products on the premises must comply with the Regulations to Smoking of Tobacco Products in Public Places, No R975 of September 2000;
13. the tavern or shebeen must comply with the Regulations Governing General Hygiene Requirements for Food premises and the Transport of Food, Nr R918 of 30 July 1999;

14. the Council may impose any condition it may deem fit, to protect the amenity of the area and the neighbourhood;
15. the Council may refer the application to any party, body or person/s it may deem necessary;
16. the applicant's municipal service account must be paid in full;
17. there must be more than one entrance and exit to the facility for fire escape purposes;
18. business tariffs should be levied and
19. no off-sales should be allowed without a licence.