

**Karoi (Clamping and Tow-away) By-laws, 2017**

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

*Title*

1. These by-laws may be cited as the Karoi (Clamping and Tow-away) By-laws, 2017.

*Application*

2. These by-laws shall apply to the area under the jurisdiction of the Karoi Town Council.

*Interpretation*

3. In these by-laws—

“authorised person” means any person employed or delegated by council to carry out any function in terms of these by-laws;

“central business district” means the area bounded by Sharp, St. Jubilee Lane, Harare–Chirundu Road, River Road, Hinde Lane, Chikangwe Road, Chiedza Link Road, Chiedza Industrial Road and Harare–Chirundu Road;

“council” means the Karoi Town Council;

“council controlled area” means any area within the jurisdiction of the Town Council of Karoi;

“motor vehicle” means a motor vehicle as defined in the Road Traffic Act [*Chapter 13:11*];

“owner” means any person in whose name a motor vehicle is registered, including any person duly authorised by the registered owner to have possession and control of the motor vehicle and to whom documentary proof of ownership has been vested;

“public parking area” means any area designated as a parking area in terms of the Karoi (Traffic) By-laws, 1996, and any other traffic by-laws which council may from time to time make.

“secure compound” means any area designated by council for the purpose of safe keeping of vehicles removed under these by-laws;

“wheel clamp” means a device used to immobilise a motor vehicle parked or stationary in contravention of these by-laws.

*Wheel clamping and towing-away*

4. (1) Any authorised person may, if he or she has reason to believe that a violation of traffic by-laws referred to in the First Schedule has been committed, immobilise or cause such motor vehicle to be immobilised by way of a wheel-clamp:

Provided that no motor vehicle shall be clamped without a traffic ticket having been issued first.

(2) An authorised person may remove or cause to be removed any motor vehicle immobilised in terms of these by-laws, to a secure compound.

(3) Risk in any motor vehicle removed to a secured compound in terms of these by-laws shall remain with the owner.

(4) A motor vehicle removed to a secured compound shall be released upon payment by the owner of such motor vehicle of—

- (a) the prescribed fine; and
- (b) wheel-clamping, tow-away and storage charges specified in Second Schedule.

*Unclaimed vehicles*

5. (1) Council shall publish in any newspaper circulating within the council area a list of vehicles immobilised and advise the owners to claim the vehicles within a period of thirty days.

(2) Council may sell by auction any vehicle that remains unclaimed thirty days after a notice has been published.

(3) Council shall deduct the charges specified in the Second Schedule from the proceeds of the sale of the motor vehicle and any balance shall be paid to the owner upon written request within thirty days from the date that such request is submitted.

(4) Council shall operate a special account into which money realised from the sale of unclaimed vehicles shall be deposited.

(5) Any money not claimed within one year after the sale of the motor vehicle shall be forfeited to the Council.

*Designation*

6. Council shall publish in any newspaper circulating within the council controlled area—

- (a) any place designated as a secure compound; and
- (b) the names of any persons appointed as authorised persons.

7. Payment in terms of these by-laws shall be made to council's Town Treasurer or to any authorised person.

*Offences*

8. Any person who—

- (a) unlawfully attempts to obstruct, obstructs or causes to be obstructed, any authorised person in the exercise of his or her duties under these by-laws; or
- (b) unlawfully attempts to remove, removes or causes to be removed a wheel clamp; or
- (c) unlawfully attempts to remove, removes or causes to be removed a motor vehicle from a secure compound;

shall be guilty of an offence and liable to a fine not exceeding level three or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

FIRST SCHEDULE (*Section 4*)

PART I

KAROI (TRAFFIC) BY-LAWS, 1996

<i>Item</i>	<i>Section of by-law</i>	<i>Description of offence</i>
1.	3(b)	Park motor vehicle outside parking place, not in traffic lane.
2.	3(c)	Park motor vehicle on undefined parking place, causing obstruction to traffic.
3.	3(c)	Park motor vehicle on undefined parking place except at the extreme left on the road.
4.	3(e)	Park vehicle in parking place in such a manner as to cause danger.
5.	3(e)	Park over parking line of parking place.
6.	3(d)	Wash any vehicle on road or parking place.
7.	4(d)	Park vehicle upon a road or parking place for the purpose of sale, repair, garaging or cleaning.
8.	4(f)	Park vehicle (other than a motor cycle or omnibus or taxi) upon a parking place designated for motor cycles, omnibuses or taxis.

# Karoi (Clamping and Tow-away) By-laws, 2017

<i>Item</i>	<i>Section of by-law</i>	<i>Description of offence</i>
9.	4(g)	Park taxis or omnibuses in any section of the road other than parking place designated for taxis or omnibuses or tax.
10.	4(g)	Park motor cycle in any section of the road not designated for motor cycles.
11.	4(1)(a)	Park in or obstruct entrance or exit of a service lane.
12.	4(1)(b)	Park in or obstruct entrance or exit of a drive way.
13.	5	Park vehicle on a sidewalk or traffic island.
14.	3(h)	Park any vehicle other than an omnibus, within five metres of any sign bearing the word "BUS STOP".
15.	6(b)	Stop or stand any vehicle within five metres of an intersection.
16.	4(b)	Park or stop vehicle other than goods vehicle in off-loading bay.
17.	6(a)	Stand any vehicle in a service lane when actually engaged in a picking up or setting down goods for a period of time that exceeds thirty minutes.

## SECOND SCHEDULE (Sections 4, 5)

### PART I

#### WHEEL CLAMPING CHARGES

<i>Item</i>	<i>Area</i>	<i>Charge</i> US
1.	Anywhere in the council controlled area.....	\$20,00

### PART II

#### TOW AWAY CHARGES

<i>Item</i>	<i>Area</i>	<i>Charge</i> US
1.	Central Business District .....	\$30,00
2.	Outside Central Business (per kilometre).....	\$10,00

### PART III

#### STORAGE CHARGES

<i>Item</i>	<i>Vehicle size</i>	<i>Charge</i> US
1.	Heavy vehicles (per day) .....	\$20,00
2.	Light vehicles (per day).....	\$10,00