

POLICY FOR ADMINISTERING COUNCIL PARKING AREAS

POLICY FOR ADMINISTERING COUNCIL PARKING AREAS

1. PURPOSE

1.1 The policy seeks to provide a framework for managing all parking areas of the municipality by ensuring effective and efficient use, by.

1.1.1 regulating what is permissible when using the parking area of the municipality and public parking area.

1.1.2 providing mutual agreement between all councillors, employees and the municipality.

1.1.3 introducing corrective action measures for employees who fail to obey to the guidelines as stipulated in the policy.

1.1.4 To generate income to maintain the parking areas and structures in a sound condition.

2. DEFINITIONS

In this policy, words used in the masculine gender includes the feminine, the singular includes the plural and visa versa and unless the context otherwise indicates –

2.1 **Controllers** - means an employee appointed by the municipal manager to act on behalf of the responsible employee at the branch offices.

2.2 **Council** – means a municipal council referred to in terms of Section 157 of the Constitution and refers to the council of Eden District Municipality.

2.3 **Designated parking area** – means the parking area reserved for the full-time councillors, municipal manager, executive managers and people with disabilities.

2.4 **Employee** – means any official who has been appointed by the municipality to a position of employment either in a permanent, contract or intern capacity, but excluding a service provider and contractor.

2.5 **Full-time councillor** – means a councillor who has been elected or appointed to an office which has been designated as full-time in terms of Section 18(4) of the Local Government Municipal Structures Act (Act 117 of 1998).

2.6 **Local municipality** – means the municipality responsible for the public parking area.

- 2.7 **Municipality** – means Eden District Municipality as defined by the Local Government Municipal Structures Act (Act 117 of 1998).
- 2.8 **Municipal Manager** – means an employee appointed by council in terms of section 82 of the Local Government Municipal Structures Act (Act 117 of 1998) and who is the head of administration and also the accounting officer of the municipality.
- 2.9 **Parking area of the municipality** – means any area reserved for the parking of private vehicles for councillors and employees during office hours at a specific site.
- 2.10 **Parking bay** - means the area where the private vehicle or official vehicle of the municipality may be parked during office hours.
- 2.11 **Public parking area** – means any area under the jurisdiction of the local municipality and governed in terms of the by-laws of the local municipality
- 2.12 **Tandem parking bay** - means an allocated area where more than one employee parks their private vehicle during office hours.

3. SCOPE

- 3.1 The policy is applicable to full-time councillors and employees of the municipality.

4. LEGAL FRAMEWORK

- 4.1 The municipality will clearly indicate the parking area of the municipality for exclusive use by the full-time councillors, municipal manager, executive managers, people with disabilities and other employees.
- 4.2 Employees must park their private vehicles at the allocated parking bay of the municipality as awarded.
- 4.3 Employees/councillors who received an undercover parking bay may cancel their parking bay but will be penalised by not be placed on the waiting list. In these cases those employees will not be allowed to park their private vehicles on a private parking area. If there are sufficient open parking bays available, the employee must park his vehicle at the open parking bays.
- 4.4 Any cancellation of the allocated parking bay must be done in accordance with the agreement.
- 4.5 When a parking bay becomes available at a specific workplace, the following criteria will be used:

- 4.5.1 Employee must be on the waiting list (includes open area) (preference given to permanent employees)
- 4.5.2 Allocation based on the years of service at Eden DM
- 4.5.3 Where no waiting list exists, available parking will be advertise via e-mail and notice board

- 4.6 By parking the private vehicle at the parking area of the municipality, councillors and employees indemnify the municipality against any claim for loss or damages that might occur during the period the private vehicle was parked at the allocated parking area.

- 4.7 The transgression of the policy by an employee will be dealt with in terms of the disciplinary procedures.

- 4.8 The transgression of the policy by a full-time councillor will be reported to the speaker for action.

5. TIMEFRAMES

- 5.1 The policy becomes effective from the date approval.
- 5.2 The policy will be reviewed every 12 months.
- 5.3 The policy shall remain in force until it is appropriately repealed or replaced with another policy.
- 5.4 The number and allocation of parking bays in the designated parking area may be amended as the need arises.

6. ROLES AND RESPONSIBILITIES

6.1 Department Corporate/Strategic Services:

- 6.1.1 The Department Corporate/Strategic Services through the responsible employee for the policy shall be the implementing authority of the policy and shall facilitate its annual revision.
- 6.1.2 The responsible employee for the policy provides the controllers at the branch offices of the municipality with a copy of the latest policy and any other applicable information needed to manage the implementation of the policy.
- 6.1.3 The responsible employee for the policy provides the Executive Manager of the Department Corporate/Strategic Services with a daily list of employees who do not complying with the policy for further investigation. Proof required as evidence includes the name of the employee or councillor who transgresses, the registration number of the vehicle and the date and time of transgression.

- 6.1.4 The responsible employee for the policy evaluates the need for extra parking to be allocated and informs the executive manager for discussion at management level.
- 6.1.5 The responsible employee for the policy informs the employee responsible for maintenance of damages and or repairs needed on the parking bays.
- 6.1.6 Main office:
 - 6.1.6.1 The responsible employee for the policy shall inform the employees via e-mail when a parking bay (steel structure, cloth structure or open area) at main office becomes available and provides the necessary documentation.
 - 6.1.6.2 The responsible employee for the policy verifies the information provided by the employee on his application form before awarding a parking bay.
 - 6.1.6.3 The responsible employee for the policy shall provide each employee with a sticker indicating the area of parking allocated, e.g.:
 - 6.1.6.3.1 steel structure - blue sticker,
 - 6.1.6.3.2 shade structure - green sticker
 - 6.1.6.3.3 open areas - white sticker

6.2 *Controllers*

- 6.2.1 The controllers manage the implementation of the policy at their respective offices.
- 6.2.2. The controllers inform the employees at the specific offices when a parking bay becomes available and provides the necessary documentation.
- 6.2.3 The controllers shall in consultation with the responsible employee allocate the vacant parking bay.
- 6.2.4 The controllers provide the responsible employee for the policy a daily list of employees/councillors not complying with the policy for further investigation with the necessary proof of evidence (e.g name list with registration number and date and time of occurrence)
- 6.2.5 The controllers inform the responsible employee for the policy of any need for extra parking.
- 6.2.6 The controllers inform the responsible employee for the policy of damages and or repairs needed on the parking bays.

6.3 *Employees:*

6.3.1 All employees are expected to familiarize themselves with the provisions of this policy and to comply with the provisions.

6.3.2 Employees who want to park their private vehicle at a parking bay of the municipality must apply when a parking bay becomes available by completing the attached application form.

6.3.3 All successful applicants must:

6.3.3.1 sign an agreement with the municipality

6.3.3.2 display the colour coded sticker on the front window of their private vehicle.

6.4 *Local Labour Forum and Council:*

6.4.1 The local labour forum serves as consultative body and recommends the policy and any amendments to council for approval.

6.5 *Department Financial Services:*

6.5.1 The Department Financial Services shall consult the Local Labour Forum on the amount payable for parking bays.

6.5.2 The Department Financial Services is responsible for the deduction of the amount payable as rent for the allocated parking area from the salary of the employee.

6.5.3 The Department Financial Services is responsible for communicating the rent payable in respect for parking bays, to all employees at least two months before the start of the new financial year.

6.6 Municipal Manager

6.6.1 The Municipal Manager or his appointee is responsible for signing all agreements.

6.6.2 The Municipal Manager or his appointee appoints the controllers at each branch office of the municipality to administer the allocation of the parking bays.

7. ALLOCATION CRITERIA

The following criteria are applicable to the allocation of parking areas of the municipality:

7.1 Criteria for the allocation of parking areas at Main building, 54 York Street, George

7.1.1 Designated_parking bays:

7.1.1.1 Parking bays numbers 1 to 11 will be reserved for the private vehicles of fulltime Councillors, the Municipal Manager and official vehicle of the Executive Mayor, based on the position they fulfill within council:

Parking bay number 1	Speaker
Parking bay number 2	Municipal Manager
Parking bay number 3 & 4	Executive Mayor (official & private vehicle)
Parking bay number 5	Deputy Executive Mayor
Parking bay number 6 to 11	Portfolio Councillors

7.1.1.2 Parking bays numbers 12 and 13 will be reserved for employees with disabilities. Employees with disabilities had to provide a medical certificate as proof of disability and receives automatic allocation.

7.1.1.3 Parking bays numbers 24 and 25 will be reserved for officials who are appointed as head of departments (automatic allocation).

7.1.2 Steel/wood structure:

7.1.2.1 Parking bays numbers 14 to 23 and parking bays numbers 26 to 35 will allocated as follows:

7.1.2.1.1 Employee must apply for the steel/wood structure parking bay to be placed on an allocation list

7.1.2.1.2 Allocation based of years of service as calculated in months

7.1.2.1.3 First come, first serve basis

7.1.2.1.4 Absence of a waiting list, advertised per e-mail when they become available.

7.1.2.1.5 New employee informed at the induction process

7.1.2.1.6 Allocation of the steel/wood structure parkings bays will be done first.

7.1.2.2 The monthly rent will be R30, subject to annual revision.

7.1.3 Cloth structure:

7.1.3.1 Parking bays 36 to 86 will allocated as follows:

7.1.3.1.1 Employee must apply for the cloth structure parking bay to be placed on an allocation list

7.1.3.1.2 Allocation based of years of service as calculated in months

7.1.3.1.3 First come, first serve basis

7.1.3.1.4 Absence of a waiting list, advertised per e-mail when they become available.

7.1.3.1.5 New employee informed at the induction process

7.1.3.2 The monthly rent will be R20, subject to annual revision.

7.1.4 Open bays (free):

7.1.4.1 Open bays will be reserved for officials who did not receive a formal parking bay under the steel/wood structure or shade structure or who does not want to rent a parking bay.

7.1.4.2 Employees who park their private vehicles at the open parking bays are exempted from rent payment.

7.1.4.3 No formal criteria for awarding of the parking bays and awarded on first come, first serve bases.

7.2 Criteria for the allocation of parking areas at other offices

7.2.1 Mission Street:

7.2.1.1 Designated parking bays (Roads and Community Services) will be reserved for Executive Managers and people with disabilities (automatic allocation).

7.2.1.2 The same principle applies with the allocation of the parking bays as stipulated above.

7.2.1.3 The monthly rent will be R30, subject to annual revision.

7.2.2 Mossel Bay, Riversdale and Oudtshoorn:

7.2.2.1 Designated parking bays (Roads and Community Services) will be reserved for Executive Managers and people with disabilities (automatic allocation).

7.2.2.2 The same principle applies with the allocation of the parking bays as stipulated above.

7.2.2.3 The monthly rent will be R20 for cloth structures and R30 for wood/steele structures subject to annual revision.

APPROVED: DC 744/12/14

APPLICATION FOR PARKING BAY

To be completed by the applicant:

Number:

PERSONAL INFORMATION

SURNAME			
INITIALS		EMPLOYEE NUMBER	
DEPARTMENT			
SECTION		TEL EXT NUMBER	

APPLICATION

Indicate your choice of preference for a specific parking bay.

Key to be used: *1st choice indicate with a number 1*
 2nd choice indicate with a number 2
 3rd choice indicate with a number 3

Steel/wood structure (Proposed fee is R30/MONTH)		Cloth structure (Proposed fee is R20/MONTH)		Open space (FREE)	
---	--	--	--	----------------------	--

If a parking bay is not selected, provide reason for indication:

Indicate the period of use of the parking bay with a X in the appropriate block and provide the registration number of the private vehicle:*

0 day per week	1 to 2 days per week	3 to 4 days per week	5 days per week	During weekends
Vehicle registration number				

RETURN INFORMATION

*Return the completed page to FRANCOIS GOOSEN by not later than
 2014*

OFFICIAL USE

ALLOCATION CRITERIA

Appointment date at Eden District Municipality (include former SCRC & KKRC) as provided by HR			
Signed		Date	

ALLOCATED

<i>Type of structure allocated:</i>			
Steel/wood or Cloth or Open parking bay			
Number allocated at specific structure		Total number of parking bays per structure	
Signature		Date awarded	

WAITING LIST

Number on list	
----------------	--

MEMORANDUM OF AGREEMENT

Entered into by and between

EDEN DISTRICT MUNICIPALITY

**Herein represented by _____ in his capacity
as Municipal Manager (herein after referred to as "the employer")**

AND

Herein after referred to as "the employee"

**WHEREAS the Employer owns parking space at
_____ (Address);**

**AND WHEREAS the Employee would like to rent such parking bay
and use of that specific property by the Employee for the parking
of his/her private vehicle;**

**AND WHEREAS the Employee admits that the allocation and/or
rental of the parking bay is not part of any conditions of service
and the Employee cannot claim any rights in this regard.**

**AND WHEREAS the use of available property for the purpose of
parking private vehicles is subject to the conditions contained in
this agreement.**

Now, therefore the parties agree as follows:

1. This Agreement is only applicable for the parking of private vehicles on allocated parking bays of the District Municipality.
2. Parking bays will only be allocated when it becomes vacant and available and is only allocated to Employees employed at Eden District Municipality.

3. The Employee must apply to park his/her private vehicle on the allocated parking area of the Employer.
4. The approval is subjected to the CRITERIA as contained in the policy and no correspondence will be entered into in this regard.
5. The acceptance of the allocated parking bay and use thereof by the Employee act as indemnity against the Employer for any claim by the Employee for any loss or damages that might occur during the period the allocated parking space is used.
6. The Employee may not park his private vehicle in any public parking area(s) at the Office of the Employer where the employee is working, unless prior approval is obtained from the Municipal Manager.
7. The Employee may not transfer his/her allocated parking space to another Employee or any other person.
8. The Employee may not sublet (with or without any compensation) his allocated parking space to another Employee or any other person.
9. The Employee can authorise another Employee to park at his allocated parking bay on an ad hoc basis with the consent of the Employer. The claims that might occur during this period will for the costs of the Employee who parked there and the Employer will not accept any responsibility therefore.
10. The amount payable as rent for the allocated parking space will be determined by the Department Financial Services in consultation with the Local Labour Forum and may be revised annually.
11. The Employee may not switch allocated parking bays
12. The allocated parking bays may only be used for the parking of the vehicle of the Employee during weekdays; otherwise prior consent must be obtained.
13. The Employee can terminate this Agreement in writing before the 25th of each month.
14. The Employer will terminate the approval automatically on the last day of the month in which the Employee resigns / transfers to another working station outside the premises / is in breach of any of the specific conditions in this agreement.
15. The Employee has to vacate the parking space not later than the last date of the month in which notice of termination was given by the Employer or Employee.
16. An Employee will be held liable for the rental of the parking bay unless terminated in writing as indicated above.

17. The signing of this Agreement by both parties serves as automatic allocation of the allocated parking space and acceptance of the stipulations as pertained in this Policy and Agreement.
18. The Employee hereby has given permission to the Employer to deduct the rent amount from the salary of the Employee on a monthly basis.
19. That any other requirements / conditions that the District Municipality might add during the course of this Agreement will be done in writing and serves as Addendum to this Agreement.
20. The Parties choose as their *domicilium citandi et executandi* the following addresses for all purposes arising out of or in connection with this Agreement at which addresses all processes and notices arising out of or in connection with this Agreement or its breach may validly be served upon or delivered to the Parties.
21. This serves as the full Agreement between the parties and any changes to the Agreement must be done in writing and signed by both parties

EDEN: 54 York Street, GEORGE, 6530

EMPLOYEE:(Name)
 (Personnel Number)
 (Post level)
 (Department)

SIGNED AT ON THIS DAY OF

Authorised signature

_____ in his capacity as Municipal Manager

As witnesses:

1. **2.**

SIGNED AT ON THIS DAY OF

As witnesses:

- 1.** **2.**

Authorised signature

Employee