CITY OF CAPE TOWN

SHORT-TERM LETTING BY-LAW, 2026

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CITY OF CAPE TOWN

To provide for measures for the regulation, registration, monitoring, and enforcement of short-term letting of properties within the jurisdiction of the City of Cape Town so that predominantly commercial tourist accommodation property usage is accurately classified as such for property rates purposes; to define the rights and obligations of property owners, operators, and booking platforms; to determine the use and categorisation of properties; to establish transitional arrangements; and to provide for matters incidental thereto.

PREAMBLE

WHEREAS section 156(1) of the Constitution of the Republic of South Africa, 1996 confers on a municipality the executive authority and right to administer (a) the local government matters listed in Part B of Schedule 4 and Part B of Schedule 5 to the Constitution; and (b) any other matter assigned to it by national or provincial legislation;

WHEREAS the City has legislative and executive competence relating to the management and regulation of municipal property, rates and taxes, and local economic activity within its jurisdiction;

WHEREAS the City has a duty to promote responsible property use, and protect the rights of residents, in a manner consistent with municipal planning;

WHEREAS the City has legislative and executive competence relating to local tourism and the duty, in terms of sections 152 (c) and 153 of the Constitution, to promote social and local economic development within its jurisdiction;

WHEREAS the City seeks to establish a framework for the registration, monitoring, and enforcement of short-term letting, including obligations of property owners, operators, and booking platforms;

NOW THEREFORE BE IT ENACTED by the Municipal Council of the City of Cape Town as follows:—

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Part A

INTRODUCTION

Definitions

1. In this By-law, unless the context indicates otherwise –

"authorised official" means an employee of the City responsible for carrying out any duty or function or exercising any lawful power in terms of this By-law or any other applicable by-law and includes an employee delegated to carry out such duties, functions or exercise such powers;

"booking platform'' means any online marketplace, mobile application or intermediary service that facilitates transactions between owners or operators and guests for accommodation services by listing or advertising properties and collecting or processing payment by or on behalf of the owner or operator. This includes any person or entity acting on behalf of a platform;

"City" means the City of Cape Town, a municipality established by City of Cape Town Establishment Notice No. 479 of 22 September 2000, issued in terms of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998) or any structure or employee of the City acting in terms of delegated authority;

"data" means any information, including text, identifiers, numbers, or metadata, generated, collected, or maintained by a property owner, operator or booking platform;

"letting" means the granting of a right of occupation or use of a property, or part of a property, in return for payment or other consideration;

"listing" means any offer on a booking platform that purports to rent an accommodation unit, dwelling, room or portion of a property for short-term letting;

"**municipal valuer**" means a person designated as a municipal valuer in terms of section 33(1) of the Municipal Property Rates Act, 2004 (Act 6 of 2004);

"operator" means a natural or juristic person who offers, manages, administers, or facilitates the use of a property for short-term letting;

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“owner” in relation to property means the natural or juristic person in whose name the property is registered in the Deeds Office;

“property” means any piece of land registered as a separate entity of land in a deeds registry as an erf, lot, plot, farm, stand or agricultural holding and includes any unit and land contemplated in the Sectional Title Act, 1986 (Act No. 95 of 1986) and includes any building on that piece of land;

“rates” means a property rate charged on a property;

“short-term letting” means the use of a furnished property, or part thereof, for letting by transient guests on a temporary basis for a fee;

“total annual room nights” means the maximum annual capacity of a property for short-term letting.

Objectives

2. (1) The objectives of this By-law are to—

(a) regulate the registration by owners, operators and booking platforms of all short-term letting properties within the jurisdiction of the City to ensure that property that is predominantly used as commercial short-term letting accommodation is accurately classified as such for property rates purposes;

(b) enable the effective monitoring and enforcement of short-term letting in accordance with the City’s by-laws and policies; and

(c) ensure that the roles and responsibilities of owners, operators, booking platforms and the City are clearly defined and understood.

Application

3. (1) This By-law applies to—

(a) all owners or operators of property listed on a booking platform within the jurisdiction of the City;

(b) any owner or operator who manages, markets, offers, or makes available a property or part of a property for short-term letting or temporary accommodation for reward on a booking platform; and

(c) any booking platform that facilitates, enables, advertises, promotes or publishes listings for short-term letting or temporary accommodation,

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in respect of property situated within the jurisdiction of the City.

Part B

REGISTRATION AND RESPONSIBILITIES OF PROPERTY OWNERS, OPERATORS, AND BOOKING PLATFORMS

Registration of properties used for short-term letting

4. (1) A property owner or operator must register all properties used or intended to be used for short-term letting with the City, in a manner determined by the City, which may include through a system made available by a booking platform.

(2) No owner or operator may use, advertise, or list a property for short-term letting unless the property has been registered with the City and the City-issued registration number is displayed on all listings associated with the property.

(3) A booking platform must enable property owners or operators to capture the required registration data for each listing on the booking platform.

(4) The required registration data must include—

(a) the physical address of the property;

(b) the erf number;

(c) the municipal account number as reflected on the municipal account; and

(d) any requested supporting evidence.

(5) A booking platform must share this data with the City upon receipt from the property owner or operator.

(6) The City will verify the registration data supplied by the booking platform against its own records and will issue a unique registration number per property.

(7) The City will issue this registration number to both the booking platform and the property owner.

(8) A booking platform must ensure that the City-issued registration number is clearly displayed on every listing.

(9) A booking platform must keep and maintain accurate records of all registered properties listed on its platform and make such records available to the City.

(10) A booking platform may not display or advertise any property—

(a) that is not registered with the City; or

(b) where the unique registration number is not displayed.

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De-registration

5. (1) In the event of the transfer of the ownership of the property, the City may cancel the property's registration number and inform the booking platform(s). The Municipal Valuer will re-categorise the property in accordance with the MPRA and City's Rates Policy.

(2) An owner or operator must inform the City in writing if they wish to de-register the property used for short-term letting after which the City must cancel the registration number and inform the booking platform(s).

(3) The City may cancel a registration where the registration was obtained based on false or misleading information.

(4) Before cancelling a property's registration under subsection (3), the City must provide notice to the owner of the intention to cancel the registration.

(5) Before cancelling a property's registration under subsection (3), the City may provide notice to the booking platform of the intention to cancel the registration.

(6) The City must provide written notice to the owner when the registration number is cancelled.

(7) The City must provide notice to the booking platform when the registration number is cancelled.

(8) No owner may use a City-issued registration number in any listing once cancelled by the City.

(9) No booking platform may use a City-issued registration number in any listing once cancelled by the City.

(10) A booking platform must remove any advertisement or listing for a property where the registration has been cancelled by the City within 10 working days.

(11) In the event of cancellation or de-registration, an owner or operator must re-register the property with the City in terms of Section 4.

Identification of booking platforms

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6. All booking platforms advertising or intending to advertise within the jurisdiction of the City must identify themselves by providing their contact details and a responsible contact point to the City.

Data sharing and monitoring

7. (1) The City will collect the following data under this By-law—

(a) the physical address of the property used for short-term letting;

(b) the municipal account number as reflected on the municipal account;

(c) the availability data of each listing on a booking platform;

(d) the occupancy data of each listing on a booking platform; and

(e) any other data relevant to the implementation of this By-law.

(2) The City may determine the format and frequency with which data must be shared with the City by booking platforms and registered owners.

(3) Subject to applicable law, the City may collect, process, store, and use information obtained in terms of this By-law for the purpose of—

(a) verifying and enabling registration;

(b) determining property use and categorisation as set out in the City's Rates Policy; and

(c) compiling and analysing data to support regulatory oversight, municipal planning and monitoring compliance of this By-law.

(4) An owner of a property registered in terms of this By-law must, upon request by the City, provide information reasonably required for the purposes contemplated in subsection (3).

(5) Any booking platform must, upon request by the City, provide information reasonably required for the purposes contemplated in subsection (3).

Determination of use and categorisation of property

8. (1) The determination of use and categorisation of property within the City is as outlined in the City's Rates Policy, read with this By-law and the MPRA.

(2) All properties that meet or do not exceed the 50% of total annual room nights threshold may be regarded as residential property, provided it meets the necessary requirements set out in the City's Rates Policy and property rates will be levied accordingly.

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(3) All properties that exceed the 50% of total annual room nights threshold will be regarded as commercial property and property rates will be levied accordingly.

Part C

COMPLIANCE AND ENFORCEMENT

General prohibitions

9. (1) No owner or operator may use a property for short-term letting contrary to this By-law.

(2) No booking platform may advertise or facilitate short-term letting in contravention of this By-law.

Compliance notices

10. (1) An authorised official may issue a compliance notice to a person or booking platform who is contravening the provisions of this By-law.

(2) A compliance notice must state—

(a) the provision of this By-law that is being contravened;

(b) the measures required to remedy the non-compliance; and

(c) the period within which compliance must be achieved.

Offence and penalties

11. (1) Any owner, operator or booking platform, who—

(a) advertises, lists or facilitates the short-term letting of a property not in accordance with this By-law;

(b) fails to display a valid City-issued registration number as required by this By-law;

(c) lists a property on a platform using a City-issued registration number when that registration number has been cancelled; or

(d) fails to comply with any obligation imposed in terms of this By-law,

is guilty of an offence and liable, upon conviction, to a fine or imprisonment of up to six months, or both, as determined by a competent court.

Civil enforcement

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12. The City may, in addition to any criminal proceedings, approach a court of competent jurisdiction for appropriate relief, including an interdict, to prevent or restrain non-compliance with this By-law.

Administrative arrangements

13. The City may contract with booking platforms for the purposes of implementing, monitoring or to give effect to this By-law.

Appeals

14. A person whose rights are affected by a decision taken in terms of a power or duty delegated in terms of this By-law, may appeal against that decision in accordance with section 62 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000). A written notice of the appeal must be submitted to the City, within 21 working days of receiving notification of the decision.

Indemnity

15. The City is not liable for any loss, damage, or injury arising from the use or listing of a property for short-term letting.

Confidentiality and protection of personal information

16. Any personal information obtained or processed in terms of this By-law must be handled lawfully and may only be used for purposes related to the administration, monitoring or enforcement of this By-law.

Transitional Provisions

17. (1) Notwithstanding any other provision of this By-law, the following transitional arrangements apply from the date of promulgation—

(a) Owners, operators and booking platforms are granted a grace period to comply with registration and listing obligations in terms of this By-law. The grace period will be declared via a public notice from the City Manager.

(b) Booking platforms must commence sharing data with the City in accordance with section 7. The commencement date for sharing the data will be declared via a public notice from the City Manager.

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(2) During the transitional periods set out in subsection (1), the City may, at its discretion, provide guidance or issue compliance notices to support owners, operators and booking platforms in achieving full compliance.

Short title

18. This By-law is called the City of Cape Town Short-Term Letting By-law, 2026.

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