



PROVINCE OF THE EASTERN CAPE
IPHONDO LEMPUMA KOLONI
PROVINSIE OOS-KAAP

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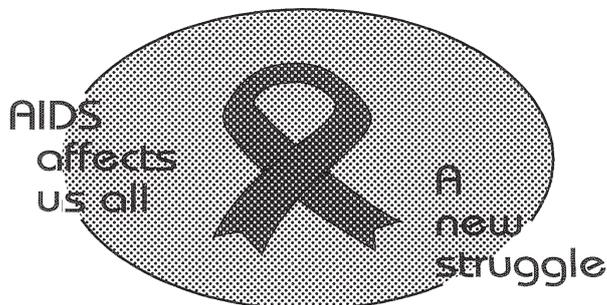
Vol: 29

BISHO/KING WILLIAM'S TOWN

27 June 2022
27 Junie 2022

No: 4764

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DEPARTMENT OF HEALTH

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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 321 OF 2022

BUFFALO CITY METROPOLITAN MUNICIPALITY

(EASTERN CAPE)

**REMOVAL OF RESTRICTIONS IN TERMS OF THE SPATIAL PLANNING AND LAND USE
MANAGEMENT ACT, 2013 (ACT 16 OF 2013)**

ERF 2022 BEACON BAY
BUFFALO CITY METROPOLITAN MUNICIPALITY
DIVISION OF EAST LONDON
PROVINCE OF THE EASTERN CAPE

IN EXTENT 1 887 (ONE THOUSAND EIGHT HUNDRED AND EIGHTY SEVEN) SQUARE
METRES

Under Section 47 of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) and upon instructions by the Local Authority, notice is hereby given that conditions B.5.(a), B.5.(b) and B.5.(e) in Deed of Transfer Number T1956/1983 applicable to Erf 2022 Beacon Bay are hereby removed.

PROVINCIAL NOTICE 322 OF 2022

MATATIELE LOCAL MUNICIPALITY
STREET TRADING BY-LAWS



MATATIELE

LOCAL MUNICIPALITY

MATATIELE MUNICIPALITY STREET TRADING BY-LAW

In terms of and under the provisions of section 156 of the Constitution of the Republic of South Africa, 1996, the Matatiele Municipality, enacts as follows:-

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1. Definitions

(1) In this by-law, unless the context otherwise indicates –

“**Act**” means the Businesses Act, 1991 (Act 71 of 1991), and includes the regulations promulgated under the Act;

“**approval**” means approval by the municipality and “**approve**” has a corresponding meaning;

“**garden**” means a garden to which the public has a right to access;

“**goods**” means any movable property;

“**intersection**” means an intersection as defined in the regulations promulgated in terms of the National Road Traffic Act, 1996 (Act 93 of 1996);

“**litter**” means any object or matter which is discarded by a person;

“**motor vehicle**” means a motor vehicle as defined in section 1 of the National Road Traffic Act, 1996 (Act 93 of 1996);

“**municipality**” means the Municipality of Matatiele, and includes any political structure, political office bearer, councilor, duly authorised agent thereof or any employee acting in connection with this by-law by virtue of a power vested in the municipality and delegated or sub-delegated to such political structure, political office bearer, councilor, agent or employee;

“**municipal manager**” is the person appointed by the municipality in terms of Section 82 of the Municipal Structures Act, 1998 and includes any person:

- (a) acting in such position; and

(b) to whom the municipal manager has delegated any power, function or responsibility in as far as it concerns the execution of those powers, functions or duties.

“**authorised officer**” means a designated officer who is authorized by the municipality to perform and exercise any or all of the functions and powers contemplated in this by-law;

“**park**” means a park to which the public has a right to access;

“**premises**” includes any land, building, structure, part of a building or of a structure, or any vehicle, conveyance, vessel or aircraft;

“**prescribed**” means prescribed by the municipality by resolution;

“**property**”, in relation to a street trader, means goods in which a street trader trades, and includes any article, container, vehicle or structure used or intended to be used in connection with street trading by the street trader;

“**public amenity**” means –

(a) any land, square, camping site, caravan park, beach, swimming pool, public open space, public resort, recreation site, river, dam, nature reserve, zoo-logical, botanical or other garden, or hiking trail, including any portion thereof and any facility or apparatus therein or thereon, which is the property of, or is possessed, controlled or leased by the municipality and to which the general public has access, whether on payment of admission of fees or not, but excluding a public road or street;

(b) a building, structure, hall room or office, including any part thereof or any facility or apparatus therein, which is the property of, or is possessed, controlled or leased by the municipality and to which the general public has access, whether on payment of admission of fees or not; and

(c) a public amenity contemplated in paragraphs (a) and (b) if it is lawfully controlled or managed in terms of an agreement between a person and the municipality;

“**public road**” means a public road as defined in section 1 of the National Road Traffic Act, 1996 (Act 93 of 1996);

“**roadway**” means a roadway as defined in section 1 of the National Road Traffic Act, 1996 (Act 93 of 1996);

“**sell**” includes barter, exchange, hire out, display, expose, offer or prepare for sale, store with a view to sell, or provide a service for reward, and “**sale**” or “**selling**” has a corresponding meaning;

“**sidewalk**” means a sidewalk as defined in section 1 of the National Road Traffic Act, 1996 (Act 93 of 1996);

“**street furniture**” means any furniture installed by the municipality on the street for public use;

“**street trader**” means a person who, as hawker, vendor or pedlar as contemplated in the Businesses Act, 1991 (Act 71 of 1991), carries on the business of the selling of any goods or the supplying of or offering to supply any service for reward in a public road or public amenity;

“**street trading**” means the carrying on of the business as a street trader;

“**verge**” means a verge as defined in section 1 of the National Road Traffic Act, 1996 (Act 93 of 1996), and

any words or expressions to which a meaning has been assigned in the Businesses Act, 1991, (Act 71 of 1991) have a corresponding meaning in this by-law.

(2) A single act of selling or offering or rendering of services in a public road or public amenity constitutes street trading.

(3) A reference to a person carrying on the business of street trader includes the employee of the person.

2. Principles and objectives

The Municipality, acting in terms of section 6A(1)(a)(i) of the Businesses Act, 1991 (Act 71 of 1991), and –

- (a) having regard to the principles set out in the Act and in the Constitution;
- (b) taking into consideration the need of the residents to actively participate in economic activities; and
- (c) taking into consideration the need to maintain a clean and healthy environment, in this by-law provides mechanisms, procedures and rules to manage street trading.

3. Application

This by-law apply to all persons who carry on the business of street trading within the area of jurisdiction of the Matatiele Municipality.

CHAPTER 1: GENERAL PROVISIONS APPLICABLE TO STREET TRADING

4. Restricted and prohibited areas

- (1) The municipality may, in terms of section 6A(2)(a) of the Act and subject to the provisions of paragraphs (b) up to and including (j), declare any place in its area of jurisdiction to be an area in which street trading is restricted or prohibited.
- (2) The municipality must by public notice and by erected sign indicate such areas, and the notice and sign must indicate –
 - (a) the restriction of prohibition against street trading;
 - (b) if street trading is restricted –
 - (i) the boundaries of the area or stand set aside for restricted street trading;
 - (ii) the hours when street trading is restricted or prohibited; and
 - (iii) the goods or services in respect of which street trading is restricted or prohibited; and
 - (c) that the area has been let or otherwise allocated. .
- (3) The municipality may change the areas contemplated in subsection (1) if the needs and circumstances of residents and street traders demand such reconsideration.
- (4) A person who carries on the business of a street trader in contravention of a notice contemplated in subsection (2) commits an offence.

5. Places where street trading is prohibited

- (1) Unless the municipality has so permitted in terms of an agreement or by means of the display of a sign, no person may carry on the business of a street trader in any of the following places:
 - (a) In a garden or a park to which the public has a right of access; or
 - (b) on a verge contiguous to –
 - (i) a building belonging to, or occupied solely by, the State or the municipality;
 - (ii) a church or other place of worship; or

- (iii) a building declared to be a public monument under the National Heritage Resources Act, 1999.
- (2) No person may carry on the business of a street trader in any of the following places:
 - (a) in a place declared by the municipality under section 6A(2)(a) of the Act as a place in which street trading is prohibited;
 - (b) at a place where street trading obstructs the use of the sidewalk by pedestrians or interferes with the ability of persons using the sidewalk to view the goods displayed behind a shop display window or obscures such goods from view.
 - (c) within 5 metres of an intersection as defined in Regulation 322 of National Road Traffic Act, 1996;
 - (d) at a place where street trading obstructs –
 - (i) a fire hydrant;
 - (ii) the entrance to, or exit from, a building;
 - (iii) vehicular traffic;
 - (iv) access to a pedestrian crossing, a parking or loading bay or any other facility for vehicular or pedestrian traffic;
 - (v) access to, or the use, of street furniture or any other facility designed for the use of the general public;
 - (vi) or obscures a road traffic sign that is displayed in terms of the National Road Traffic Act, 1996; or
 - (vii) or obscures a marking, notice or sign displayed or made in terms of this by-law;
 - (e) that half of a public road contiguous to a building which is used for residential purposes, if the owner or person who is in control or any occupier of the building objects thereto; or
 - (f) on a portion of a sidewalk or public amenity in contravention of a notice or sign erected or displayed by the municipality for the purposes of this by-law.
- (3) A person to whom an area or stand has been let or allocated under paragraph (c) of section 6A(3) of the Act must –
 - (a) comply with conditions of the lease of allocation; and
 - (b) be in possession of written proof that municipality has let or allocated the area or stand to him or her.
- (4) A person who contravenes a provision of this section commits an offence.

6. Duties of street trader

- (1) A street trader must –
 - (a) when he or she concludes business for the day, remove his or her property, except any structure permitted by the municipality, to a place which is not part of a public road or public amenity;
 - (b) when requested by an authorised official of the municipality or a by a person who has been authorized to provide municipal services, move his or her property so as to permit the authorised official or other person to carry out

- (c) any work in relation to a public road, public amenity or service; keep the area or stand occupied by him or her in a clean and sanitary condition;
 - (d) ensure that the area is free of litter, and must, when he or she concludes business for the day, dispose of litter generated by his or her business –
 - (i) at the dumping sites of the municipality; or
 - (ii) in receptacles provided by the municipality for the public;
 - (e) on request by an authorised official of the municipality, move his or her property so as to permit the cleansing of the area where he or she is trading;
 - (f) regarding the size and location of the area or stand occupied by him or her, –
 - (i) ensure that the area which he or she uses does not exceed 6 m² in size and not exceed 3 metres in length;
 - (ii) ensure that a space of not less than 1,5 metres is left between the wall of the shop (contiguous to which he or she conducts his or her business) and himself or herself; and
 - (iii) leave a space of not less than 0,5 metre from the kerb of the roadway.
- (2) A person who contravenes a provision of subsection (1) commits an offence.

Cleanliness

Any person carrying on the business of a street trader must

- a. keep the area or site occupied by him for the purpose of such business in a clean and sanitary condition;
- b. keep his property in a clean, sanitary and well maintained condition;
- c. dispose of litter generated by his business in whatever receptacle is provided by the Municipality for the public or at a dumping site of the Municipality;
- d. not dispose of litter in a manhole, storm water drain or other place not intended for the disposal of litter;
- e. ensure that on completion of business for the day the area or site occupied by him for the purpose of trade is free of litter
- f. take such precautions in the course of conducting his business as may be necessary to prevent the spilling of any fat, oil or grease onto a public road or public place or into a storm water drain.
- g. Ensure that no smoke, fumes or other substances, odours or noise emanating from his activities cause pollution of any kind; and
- h. On request by an authorised official of the Municipality move his property as to permit the cleansing of the space of the area where he is trading or the effecting of Municipal services.

7. Prohibited conduct

(1) A street trader –

- (a) may not sleep or overnight at the area where he or she is trading, or at the area where another street trader is trading;
- (b) may not place or stack his or her property in such a manner that it –
 - (i) constitutes a danger to any person or property; or

- (ii) is likely to injure any person or cause damage to any property;
 - (c) may not dispose of litter in a manhole, storm water drain or other place not intended for the disposal of litter;
 - (d) may not release onto a public road or public amenity or into a storm water drain or fat, oil or grease in the course of conducting his or her business;
 - (e) may not allow smoke, fumes, noise, smells, or other substance arising from his or her activities to cause a nuisance or pollution of any kind;
 - (f) may not erect a structure for the purpose of providing shelter;
 - (g) may not place his or her property in a public road or public amenity;
 - (h) who conducts his or her business from a vehicle, may not park the vehicle or trailer in such a manner as to obstruct pedestrian or vehicular traffic and must ensure that he or she complies with the provisions of the National Road Traffic Act, 1996;
 - (i) may not place, on a public road or public amenity, his or her property that cannot be easily removed to a place of safety, which may not be a public road or public amenity, at the end of the day's business;
 - (j) may not display his or her goods or other property on or in a building, without the consent of the owner, lawful occupier or person in control of such building or property;
 - (k) may not attach an object by any means to a building, structure, sidewalk, tree, parking meter, lamp, pole, electricity pole, telephone booth, post box, traffic sign, bench or any other street furniture in or on a public road or public amenity;
 - (l) may not carry on his or her business in such a manner as to –
 - (i) create a nuisance;
 - (ii) damage or deface the surface of a public road or public amenity or public or private property; or
 - (iii) create a traffic hazard;
 - (m) may not make an open fire that poses a health or environment hazard to any person or property or to street furniture;
 - (n) may not, other than in a refuse receptacle approved or supplied by the municipality, accumulate, dump, store or deposit any litter on –
 - (i) any land or premises;
 - (ii) any public road or public amenity or;
 - (iii) any public or private property;
 - (o) may not store his or her property in a manhole, storm water drain, public toilet, bus shelter or in a tree; and
 - (p) may not carry on such business in a place or area in contravention of any prohibition or restriction approved by the municipality in terms of section 6A(2)(a) of the Act.
- (2) A person who contravenes a provision of subsection (1) commits an offence.

8. Removal and impoundment

- (1) An authorised official who reasonably suspects that property is being used or intended to be used in, or in connection with, street trading, whether or not the property is in possession or under the control of any person may, subject to subsection (2), remove and impound the property

which he or she finds at a place where street trading is restricted or prohibited and which constitutes an infringement of any such restriction or prohibition.

(2) An authorised official who acts under subsection (1) must, except in the case of goods that have been left or abandoned, issue to the street trader a receipt for the property so removed and impounded and the receipt must contain the following particulars:

- (a) the address where the impounded property will be kept and the period it will be kept;
- (b) the conditions for the release of the impounded property; and
- (c) that unclaimed property will be sold by public auction.

(3) If any impounded property is attached to immovable property or a structure, and the impounded property is under the apparent control of a person present at that place, an authorised official may order the person to remove the impounded property.

(4) When a person fails to comply with an order to remove the impounded property, an authorised official may take such steps as may be necessary to remove the impounded property.

(6) A person who hinders or obstructs an authorised official in the performance of his or her duties under this section, or who refuses or fails to remove the object when ordered to do so by an authorised official, commits an offence.

9. Disposal of impounded goods

(1) Any perishable goods removed and impounded in terms of section 8(1) may at any time after the impoundment thereof be sold or destroyed by the municipality and in the case of a sale of such goods, the proceeds thereof, less any expenses incurred by the municipality in connection with the removal and impoundment thereof, shall upon presentation of the receipt contemplated by section 8(2)(a), be paid to the person who was the owner thereof when it was impounded. If such owner fails to claim the said proceeds within three months of the date on which it was sold, the proceeds may be forfeited to the municipality.

(2) The owner of any goods other than perishable goods already dealt with by the municipality in terms of subsection (1) who wishes to claim the return thereof must, within a period of one month of the date of the impoundment thereof, apply to the municipality and must present the receipt contemplated in section 8(2)(a), failing which the goods may be sold by the municipality, and in the event of a sale thereof the provisions of subsection (1) relating to the proceeds of a sale likewise apply to the proceeds of the sale.

(3) If the owner of any goods impounded in terms of section 8(a) claims the return of the goods from the municipality and he or she is unable or refuses to refund any expenses incurred by the municipality in connection with the removal and impoundment, the goods may be sold by the municipality and the proceeds of any sale thereof, less any expenses shall be paid to him or her..

(4) In the event of the proceeds of any sale of goods contemplated by this section not being sufficient to defray any expenses incurred by the municipality, the owner thereof shall in terms of section 8(3)(a) remain liable for the difference.

CHAPTER 2: MISCELLANEOUS PROVISIONS

10. Penalty

A person who has committed an offence in terms of this by-law is, on conviction, and subject to penalties prescribed in any other law, liable to a fine or in default of payment, to imprisonment, or to such imprisonment without the option of a fine, or to both such fine and such imprisonment,

and in the case of a successive or continuing offence, to a fine for every day such offence continues, or in default of payment thereof, to imprisonment.

11. Responsible person

When an employee of a person who performs an act which contravenes a provision of this by-law, the employer is deemed to have committed the contravention himself or herself, unless he or she proves that –

- (a) he or she did not permit such act;
- (b) he or she took all reasonable steps to prevent the performance of the act; and
- (c) it was not in the scope of the authority or the course of employment of the employee to perform an act which contravenes this by-law.

12. Appeal

A person whose rights are affected by a decision of the municipality may appeal against that decision by giving written notice of the appeal and the reasons therefore in terms of section 62 of the Local Government: Municipal Systems Act, Act 32 of 2000 to the municipal manager within 21 days of the date of the notification of the decision.

13. Liaison forums in community

- (1) The municipality may establish one or more liaison forums in a community for the purposes of –
 - (a) creating conditions for a local community to participate in the affairs of the municipality; and
 - (c) promoting economic development;
- (2) A liaison forum may consist of –
 - (a) a member of members of an interest group, or an affected person;
 - (b) a member or members of a community in whose immediate area a commonage has been established;
 - (c) a designated authorised official or authorised officials of the municipality; and
 - (d) a councillor.
- (3)
 - (a) The municipality may, when considering an application for an approval, or exemption certificate in terms of this by-law, request the input of a liaison forum.
 - (b) A liaison forum or any person or persons contemplated in subsection (2) may, on own initiative an input to the municipality for consideration.

14. Revocation of by-laws

The provisions of any by-laws previously promulgated by the municipality or by any of the disestablished municipalities now incorporated in the municipality, are hereby repealed as far as they relate to matters provided for in this by-law, and insofar as it has been made applicable to the municipality by the authorization for the execution of powers and functions in terms of section 84(3) of the Local Government: Municipal Structures Act, Act 117 of 1998.

15. Short title and commencement

This by-law may be cited as the Street Trading By-law and commences on the date of publication thereof in the Provincial Gazette.



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MATATIELE LOCAL MUNICIPALITY

BY-LAW RELATING ON WAYLEAVES

The Municipal Council of Matatiele Local Municipality in the Schedule hereto publishes, in terms of section 13 of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000) read with section 162 of the Constitution of the Republic of South Africa Act 1996 (Act 108 of 1996) the By-law on Wayleaves.

CHAPTER 1

PURPOSE, DEFINITIONS AND APPLICABILITY OF BY-LAW

1 Objectives

The objectives of this By-Law are to provide the mechanisms for the control of the use of roads, streets and sidewalks and to manage any work undertaken in such roads, streets and sidewalks so as to provide a safe environment for all people within the municipal area.

2 Definitions

In this By-Law any word or expression to which a meaning has been assigned in the By-Law shall have the meaning so assigned to it and, unless the context otherwise indicates:

“compliance officer” means a person who is authorised to implement and enforce the provisions of this

By-law by virtue of his or her –

- (a) declaration as a peace officer as contemplated in section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977);
- (b) appointment as a police officer as contemplated in the South African Police Service Act, 1995 (Act 68 of 1995);
- (c) a traffic officer appointed in terms of section 3 of the Road Traffic Act, No. 29 of 1989 or section 3A of the National Road Traffic Act No. 93 of 1996 as the case may be;

(d) appointment as a law enforcement officer or traffic officer by the Municipality and declaration as peace officer as contemplated in section 334 of the Criminal Procedure Act, 1977 (Act 51 of 1977);

(e) appointment by the Municipality as a compliance officer or an inspector; or

(f) an employee, agent, representative or service provider of the Municipality who are specifically authorised by the Municipality in this regard;

“backfilling” means the replacement of the structural layers in a trench or excavation and includes the base, subbase, selected subgrade, but excludes the surfacing;

“fee” means any fee, charge or deposit determined for purposes of this By-law, by the Municipality in terms of the Matatiele Local Municipality: Tariff By-law, 2021;

“footway” for the purpose of determining a lane rental for a footway, means that part of the verge that is normally used by pedestrians or the whole constructed width of a constructed footway;

“form” means a form approved by the Municipality for the purposes of this By-law;

“lane rental” means rental in respect of a demarcated traffic lane, area in a road reserve or a footway which is payable to the Municipality by a service agency whose work in the road reserve results in time delay costs being incurred by the users of the road reserve and includes any section within the road reserve or work which affects the footway;

“municipal area” means are of jurisdiction of the Municipality;

“municipal road” means a road for which the Municipality is responsible;

“Municipality” means the Matatiele Local Municipality and includes the Council, any executive councillor, or committee established by the Municipality, or any employee thereof, or duly authorised agent thereof acting in connection with this By-Law by virtue of a power vested in the Municipality and delegated to such employee or agent;

“protected road” means a road which has been classified by the Municipality as such and across which no digging of trenches is permitted;

"public road" means a square, road, sidewalk, island in a road, subway, avenue, bridge, public passageway and any thoroughfare shown on the general plan of a township or in respect of which the public has acquired a prescriptive or other right of way and which is vested in the Municipality and for the purpose of this By-law includes the road reserve;

“reinstatement” means replacing the bituminous surfacing or paving blocks in the case of roads, or the paving blocks, paving slabs, bituminous surfacing or grass in the case of footways and verges;

“road reserve” means the full width of a public road, and includes the verge and the roadway;

“service” means any system for supplying a public need that a service agency has on the road reserve;

“service agency” means any municipal department, other organ of state, public agency or company that has a service in the road reserve;

“wayleave” means a formal approval to carry out work in the road reserve of a municipal road; and

“work in the road reserve” means -

- (a) the installation or maintenance of underground or overhead services by means of digging a trench or tunneling;
- (b) the erection of signboard or structure;

- (c) shaping and landscaping; and
- (d) any other work that may affect a motorist, cyclist, pedestrian, the road, footway, kerbing, traffic sign, traffic signal, street lighting, an underground or overhead service or any other structure or service that is contained within the road reserve of a municipal road.

3 Applicability of By-Law

- (1) This By-law applies to every person who carries out work in a road reserve of a municipal Road and includes an internal municipal department, an organ of state other than the Municipality, a service agency and a contractor.
- (2) This By-law does not apply to work in a road reserve of a national or provincial road within the municipal area:
- (3) In the event of any conflict with any other by-law which directly or indirectly, within the jurisdiction of the municipality, regulates wayleaves, roads and streets, the provisions of this By-Law shall prevail to the extent of the inconsistency.

CHAPTER 2

UNDERTAKING WORK IN ROAD RESERVE

4 Application for approval to undertake work in road reserve

- (1) No person or services agency may undertake any work in the road reserve unless that person or services agency obtains a written wayleave from the Municipality prior to the undertaking of such work.
- (2) A person or services agency who wishes to undertake work in the road reserve shall submit an application for a wayleave on the applicable form to the Municipality.
- (3) The application form for a wayleave referred to in subsection 2 must be accompanied by:
 - (a) two copies of the design drawing referred to in subsection (4) showing details of the

- proposed work;
- (b) a traffic control plan showing how vehicular and pedestrian traffic will be accommodated during the execution of the work in the road reserve;
 - (c) photographs clearly showing the area of the proposed work;
 - (d) conditions that are imposed by all service agencies relating to work in the vicinity of its service;
 - (e) proof that an environmental impact assessment as required in the National Environmental Management Act, 1998 (Act 107 of 1998) was undertaken, if applicable
 - (f) proof that the requirements of a water use licence application have been met;
 - (g) payment of the required deposit, submission of proof of financial guarantees or an official order of an amount of estimated reinstatement costs plus 30 percent; and
 - (h) the applicable fee.
- (4) The design drawing referred to in subsection (3) that must accompany an application form must contain the following:
- (a) a clear depiction of the proposed work;
 - (b) where any service is to be installed, the depth of every service below the level of the surface of the road to a minimum of 800mm;
 - (c) distance of the service from the road reserve boundary;
 - (d) position and extent of all structures, traffic signals, trees and street furniture;
 - (e) position and extent of all underground structures including manholes, chambers and junction boxes;
 - (f) the location of all other services in the road reserve.

(5) Granting of wayleave

- (1) The Municipality may, after receipt of the application, grant the wayleave on such conditions as it may deem necessary which conditions may include –
- (a) a description of the work to be done;
 - (b) the timeframe within which work must be done;
 - (c) location of the work to be done;
 - (d) specific working conditions required in terms of the Occupational Health and Safety Act, 1993 (Act 85 of 1993);
 - (e) methods of work execution in protected roads;

(f) specific conditions required by service agencies; and

(g) reinstatement requirements and costs.

(2) Only the work determined in the wayleave granted by the Municipality in terms of subsection (1) may be undertaken by the holder of the wayleave.

(3) Work in the road reserve may only be undertaken at the location determined in the wayleave.

(6) Exemption from obtaining wayleave

(1) A wayleave application is not required for the following work -

(a) the erection of a structure that requires an approved building plan in terms of the National Building Regulations and Standards Act and the Matatiele By-law on Building Control;

(b) the erection of an advertising sign and structure that require approval in terms of the Matatiele By-law on the Control of Outdoor Advertising;

(c) road works, such as the construction of a new road, road widening or access to a development which are undertaken by developers;

(d) A connection to municipal services, such as water, sewers, electricity and storm water drainage from a development;

(e) erection of hoardings in the road reserve;

(f) the installation or construction of a bollard, wall, garden, kerbing or paving on a sidewalk by a property owner or occupier;

(g) a road closure;

(h) a traffic calming device.

(2) An exemption in terms of this section does not absolve the person responsible for undertaking the work referred to in subsection (1) from obtaining approval in terms of any other applicable By-law of the Municipality, if so required.

7 Period of validity of wayleave

- (1) The work approved in the wayleave must commence within 90 days of date of issue of the wayleave.
- (2) If the work does not commence within the period referred to in subsection (1), the wayleave shall lapse and submission of a new application to the Municipality is required.

CHAPTER 3

RENTAL, INDEMNITY AND COSTS

8 Lane rental

- (1) Before commencement of the work, the Municipality and the service agency shall agree on the duration of the work to be undertaken
- (2) Lane rental that is equal to 50 percent of the time delay costs shall be paid by the services agency for the period contemplated in subsection (1).
- (3) If the work is not completed within the period contemplated in subsection (1) the lane rental that is equal to 100 percent of time delay costs shall be paid by the services agency.
- (4) If work on the road reserve is undertaken after normal working hours, lane rental that is equal to 30 percent of the time delay costs shall be paid by the services agency, provided that work may only be undertaken during the period contemplated in the Matatiele By-law on Nuisance Control.
- (5) For the purposes of this section, normal working hours are the hours between 07:00 and 17:00 on Monday to Friday and between 06:00 to 13:00 on Saturday.

- (6) The department that is responsible for providing and maintaining the road network within the municipal area is exempt from payment of lane rental when any construction, resurfacing, maintenance, improvement or rehabilitation work is being done on the road itself.
- (7) Lane rental for a footway shall be paid if the footway is completely closed so that pedestrians are required to use a traffic lane or is partially obstructed in such a way that it causes a delay for pedestrians.
- (8) If a traffic lane is not available for vehicular traffic as a result of the footway that is completely closed the lane rental charged in terms of subsections (2), (3) and (4) shall be paid by the services agency.
- (9) If a footway is partially obstructed the lane rental referred to in subsection (2) shall be paid by the Services Agency.

9 Indemnity associated with work undertaken in road reserve

The holder of a wayleave granted by the Municipality is responsible for all costs associated with the work undertaken in the road reserve, including any damage to any other service, the cost of relocation of any other service, backfilling and reinstatement, test and any claim that may result from the work so undertaken and shall indemnify the Municipality from such costs.

10 Permanent reinstatement cost

- (1) If the conditions of approval require that the Municipality undertakes the permanent reinstatement of the road reserve, the cost for such permanent reinstatement shall be paid to the Municipality by the applicant for the wayleave.
- (2) If the Municipality undertakes the permanent reinstatement of the road reserve, the costs of that reinstatement shall be calculated at the actual cost plus 30 percent.

CHAPTER 4**CATEGORIES OF ROADS****11 Categories of roads**

- (1) The Municipality shall, in its approved and adopted Municipal Infrastructure and Wayleaves Policy, classify all of its municipal roads into categories for purposes of determining the specifications for backfilling and reinstatement of a particular road.
- (2) The Municipality may, as one category of road, classify any municipal road as a protected road, and the provisions of section 12 applies to any road so classified.

12 Protected road

- (1) Any road that has been newly constructed, overlaid or resurfaced is, due to the working of this section, a protected road for a period of seven years from the date that the work is completed.
- (2) A protected road may only be crossed using a trenchless method and if a trenchless method cannot be used, special permission to excavate must be obtained from the Municipality.

CHAPTER 5**DUTIES OF HOLDER OF WAYLEAVE****13 Traffic signs and barricading**

- (1) The holder of a wayleave shall ensure that any law regarding traffic, safety, traffic signs and barricading is complied with.
- (2) The holder of a wayleave shall take all necessary measures and provide all necessary facilities to ensure a safe and easy passage for traffic and pedestrians through areas in which work is in progress, or is uncompleted.
- (3) Any traffic sign and barricading must be done in accordance with the requirements of the South African Roads and Traffic Signs Manual.
- (4) The holder of a wayleave may contact the municipal department responsible for traffic to ensure that all requirements have been met for the particular location where the work is being done.
- (5) The holder of a wayleave shall ensure that all work sites are properly barricaded and signed irrespective of the duration of the work.

14 Road closure and restriction

- (1) The granting of a wayleave does not give the holder of a wayleave the authority to close the applicable road completely to traffic.
- (2) The Municipality may, in exceptional circumstances grant approval for the closure of a road or portion of road to traffic, subject to the provisions of any law.
- (3) The holder of a wayleave shall, two weeks prior to a road being closed, apply to the Municipality for approval of a road closure.
- (4) The Municipality may approve such a road closure for a specific period and the approval is only valid for the duration of that period and if the work is not completed in the period approved by the Municipality, the holder of the wayleave shall apply to the Municipality for another road closure.
- (5) Work on any road determined by the Municipality in its approved and adopted Municipal Infrastructure and Wayleaves Policy, shall be restricted to outside the following periods, namely from 6:30 to 09:00 and 15:30 to 18:00.

15 Excavation

- (1) The holder of a wayleave shall ensure that –
 - (a) the area which is excavated is kept to a minimum;
 - (b) the width of the trench is uniform in length and in depth;
 - (c) the top of the trench is cut with a saw to ensure smooth, uniform edges;
 - (d) a safe passage is provided for pedestrians at all times;
 - (e) adequate preventative measures are taken to ensure that no water flows into any open trench;
 - (f) any service indicated on the design drawings or on site by a representative from any service agency is located accurately and opened by hand digging;
 - (g) no mechanical equipment is used to excavate the area before every known service have been found and marked;
 - (h) when a service is found, it is marked and protected or supported as required by the service agency;
 - (i) no foreign material enters any drain and that no silting occurs either from pumping operations or as a result of rain.

- (2) The minimum depth that any service may be placed under a road is 800mm measured from the level of the surfacing of the road to the top of the service.
- (3) The minimum depth at any other place in the road reserve is 800 mm measured from the level of the surfacing of the road and not from natural ground level.
- (4) Any services not subject to being laid at a specific grade such as water pipes and cables, shall not be placed at a depth in excess of the 800 mm.
- (5) All excavated material and equipment shall be placed and demarcated in such a way as to cause the minimum disruption to vehicles and pedestrians.
- (6) If the holder of the wayleave cannot locate a service when excavating, the relevant service agency must be contacted for instructions.
- (7) If any service needs to be moved, instructions from the service agency shall be followed by the holder of the wayleave.
- (8) If any silting or other contamination referred to in subsection (1)(i) does occur, the holder of the wayleave shall clean the drain or request the Municipality to do it at the cost of the holder of the wayleave.
- (9) Any water that is present in a trench must be pumped out before backfilling.
- (10) Water must be pumped into the storm water system and not into a sewer manhole.
- (11) Any material that has become wet must be removed from the bottom of the trench before backfilling.
- (12) If any street furniture has to be removed, arrangement must be made with the Municipality for removal, storage and re-erection thereof.

(13) If an excavation is made through the entrance to a property, the holder of the wayleave shall –

(a) ensure that access is maintained by using steel plates, planks or other temporary bridges of sufficient strength and properly secured against movement;

(b) inform any occupier of such a property how his or her access will be affected.

16 Trenchless method

(1) The holder of a wayleave may use a trenchless method for excavation of any road category contemplated in section 11 but shall use it for any road classified as protected in terms of section 12.

(2) The depth to the top of any tunnel that is drilled for the installation of a new service, shall be at least 800 mm measured from the level of the surfacing of the road.

17 Emergency Work

(1) The services agency who needs to undertake emergency work, shall inform the Municipality thereof in writing within 48 hours from commencing such work.

(2) If the services agency concerned is not informed within the period referred to in subsection (1), the work will be reinstated by the Municipality and the cost thereof shall be for the account of the services agency concerned calculated as contemplated in section 10.

(3) For the purposes of this section, emergency work is defined as any work which is required to prevent or end a dangerous situation, to prevent or end an unplanned interruption in the supply of a service or to avoid any substantial losses.

CHAPTER 6

BACKFILLING AND REINSTATEMENT

18 General

(1) The Municipality shall determine the specifications for backfilling and reinstatement in its

approved and adopted Municipal Infrastructure and Wayleaves Policy and the holder of a wayleave shall ensure that backfilling is done in every case where work is undertaken on a public road in accordance with the applicable specifications referred to the Municipal Infrastructure and Wayleaves Policy.

(2) Permanent reinstatement may be done by the Municipality or the holder of a wayleave if the Municipality grants the holder of that wayleave permission to do so.

(3) Permanent backfilling and reinstatement done by the holder of the wayleave, is subject to a guarantee period of one year based on the performance specifications determined in the Municipal Infrastructure and Wayleaves Policy.

(4) If the Municipality undertakes the permanent reinstatement, the holder of the wayleave shall undertake the temporary reinstatement as referred to in section 24 of this By-law

(5) The Municipality shall remove the temporary reinstatement and test the backfilling.

(6) If the backfilling does not comply with the applicable specifications, the Municipality shall
replace it at the cost of the holder of the wayleave and such costs are over and above the reinstatement costs referred to in section 10

(7) The holder of the wayleave shall undertake temporary reinstatement if he, she or it abandons the site for a period not exceeding two weeks with the view of returning to complete the work and the wayleave holder shall maintain the temporary reinstatement.

19 Preparation of bottom of trench and backfilling around service

(1) The trench bottom and backfilling around the service shall be prepared and compacted according to the requirements of the service agency concerned.

- (2) If any service with a diameter of more than 300 mm is installed, the subgrade material used for the reinstatement shall be soilcrete (in-situ material mixed with eight percent cement), placed with poker vibrators, up to a level of 300 mm above the top of the service.

20 Backfilling of roads

- (1) The minimum requirement is that the structural layers of the backfilled trench (which is the base, subbase, selected subgrade and subgrade) down to a depth of 800 mm below the level of the surfacing of the road, shall have at least the same shear strength as those of the adjacent undisturbed structural layers.

- (2) The holder may use any one of the methods contemplated in Schedule 1 to this By-law to ensure adequate shear strengths in trench backfill.

- (3) Quality control of the backfilled structural layers can be done by measuring the shear strengths of the adjacent structural layers as well as that of the backfilled layers.

- (4) The shear strength can be measured with a dynamic cone penetrometer (DCP) or a rapid compaction control device (RCCD).

- (5) Although the shear strengths of the backfilled layers will be measured against the undisturbed structural layers, an indication of probable acceptance on most roads can be obtained from the typical DCP and RCCD Penetration diagram shown in Figure 2 in Schedule 2.

21 Backfilling of footways

- (1) Any footway, where there is no possibility of vehicles crossing the footway, shall be backfilled using the excavated material, placed in the trench in 150 mm layers and compacted to 90 percent Mod AASHTO density (maximum DCP penetration of 19 mm/blow) for all layers below the base and 93 percent Mod AASHTO density (maximum DCP penetration of 14 mm/blow) for the base.

- (2) Any footway where there is a possibility of light motor vehicles crossing the footway, typically where there is mountable kerbing, must be backfilled using Method A or Method B referred to in Schedule 1 according to the standards for local streets specified in Figure 1 in the Schedule.
- (3) Where any heavy motor vehicles make use of a footway, such as a loading zone in an industrial area, the footway must be backfilled using Method A or Method B referred to in Schedule 1 according to the standards for arterials, collectors and industrial roads specified in Figure 1 in the Schedule.
- (4) Any excavation in an unconstructed verge must be backfilled in such a way that the verge is in the same condition after backfilling as it was before excavation and all excess material must be removed and not spread over the verge.
- (5) Topsoil must be removed and stored separately and replaced as the final layer.

22 Permanent reinstatement of roads

- (1) The same method of reinstatement shall be used independent of the method of backfilling of the structural layers.
- (2) The permanent reinstatement of the surfacing must consist of 100 mm hot-mix asphalt.
- (3) The lower 70 mm must be “blackbase” (26, 5 mm nominal stone size, continuously graded) and the top 30 mm fine (4, 75 mm nominal stone size, continuously graded).
- (4) Cold mix may only be used for temporary reinstatement.
- (5) Both these surfacing layers must be compacted to 95 percent Marshall density.
- (6) The reinstated surfacing must be at least 100 mm wider than the trench on both sides to accommodate any edge break where saw cutting was not possible.

(7) The material used for the reinstatement of the surfacing must comply with the relevant requirements of section 4200: Asphalt Base and Surfacing of the Committee of Land and Transport Officials or its successor in title, Standard Specification for Road and Bridge Works.

(8) In the case of any road surfaced with interlocking paving blocks, the general procedure would be to re-use the material removed during the excavation of the trench and if new material has to be used, it must be of the same type and size as the existing material and must comply with the requirements of SABS 1058-1985.

23 Permanent reinstatement of footways

(1) The general procedure for the reinstatement of footways is to re-use all the material removed during the excavation of the trench.

(2) If new material has to be used, it must comply with the following requirements:

(a) A precast concrete kerb and channel must comply with the requirements of section 2300: Concrete Kerbing, Concrete Channelling, Open Concrete Chutes and Concrete Linings for Open Drains of the COLTO Standard Specification for Road and Bridge Works and all cast in-situ concrete must be Class 25/19L;

(b) a concrete paving block must comply with the requirements of SABS 1058- 1985;

(c) a cast in-situ concrete block must comply with the relevant requirements of section 6400: Concrete for Structures of the COLTO Standard Specification for Roads and Bridge Work and all cast in-situ concrete must be Class 25/19;

(d) a precast concrete paving slab must comply with the requirements of SABS 541-1971

(3) Any constructed footway must be reinstated with the same surfacing materials that existed originally and material may be re-used if undamaged, or else replaced with similar material.

- (4) If a private driveway and footway with non-standard materials are to be excavated, the owner of the property concerned must be informed in advance and in writing of the intended work and the holder of the wayleave shall supply the materials that are to be used for the reinstatement.
- (5) If any unconstructed verge has an established lawn, this must be removed, stored and replaced in sods in such a way that the lawn is in the same condition after reinstatement as it was before excavation and if the sods dry out or become damaged in any way, it must be replaced with similar sods.
- (6) If an unconstructed verge has been planted with garden vegetation other than lawn, the owner of the adjacent property must be consulted before excavation, to obtain instructions on what to do with the plants that are affected and every effort must be made to preserve all plants.

24 Temporary reinstatements by holder of wayleave

- (1) If the permanent reinstatement is to be done by the Municipality, the holder of the wayleave shall do temporary reinstatement with a suitable material that is compacted to an adequate density to ensure that it will carry the traffic for a period of at least 21 days without deforming or potholing.
- (2) The temporary reinstatement must be maintained by the holder of the wayleave in a serviceable condition for a period of 21 days from the date on which the completion certificate has been issued by the Municipality.
- (3) After the 21 days period the maintenance shall be taken over by the Municipality.
- (4) Cold mix asphalt may be used for temporary reinstatement.

25 Performance specifications

- (1) The performance of any trench permanently reinstated by the holder of the wayleave shall be monitored for 12 months, during which period the holder of the wayleave shall be held responsible for any remedial work that may be required.

- (2) The tests that were used for quality control (density or shear strength) will be used to determine whether or not the work was done according to specifications.
- (3) The Municipality may do additional tests, at the expense of the holder of the wayleave, if the quality control tests are not considered to be adequate.
- (4) Remedial work are required if any of the following defects exists:
- (a) Depressions;
 - (b) humps (crowning);
 - (c) edge depression at the interface; or
 - (d) cracking.
- (5) Any depression or hump will be measured with a straight edge across the reinstatement and will require remedial work if the following limits are exceeded over 100 mm or more of the length of the trench:
- Reinstatement Height of Deformation or Hump as measured with Width straight edge
(mm)
- (6) Remedial work be required if a depression results in standing water wider than 500 mm or exceeding one square metre, two hours after rain has stopped.
- (7) Any edge depression exceeding 10 mm over 100 mm or more of the length of the trench will require remedial work.
- (8) Any open crack wider than 3 mm and longer than 100 mm will require remedial work.

CHAPTER 7

COMPLETION NOTICE AND CERTIFICATE OF COMPLETION

26 Completion notice and certificate of completion

- (1) Within 24 hours after completion of the work concerned the holder of the wayleave shall submit a completion notice to the Municipality.

- (2) The Municipality shall arrange a site meeting with the holder of the wayleave to do an inspection and to issue a certificate of completion if all requirements have been met.
- (3) The 12-month guarantee period for permanent reinstatement by the holder of the wayleave, or the 21-day maintenance period for temporary reinstatement by the holder of the wayleave, commences on the day after the date of issue of the certificate of completion.
- (4) Completion of the work means that all work has been completed and that all material, equipment and rubble have been removed and the site is completely cleared and cleaned and that either the permanent or temporary reinstatement as applicable, has been done by the holder of the wayleave.
- (5) If work involves more than one street link, a completion notice shall be submitted by the holder of the wayleave after completion of each link.

CHAPTER 8

ENFORCEMENT AND OFFENCES

27 Appointment of compliance officer

- (1) The Municipality may appoint or designate a person or employee to serve as a compliance officer for purposes of compliance and enforcement monitoring of this By-law.
- (2) A compliance officer shall take all lawful, necessary and practicable measures to enforce the provisions of this By-law.
- (3) The Municipality shall issue each compliance officer with a written appointment stating that he or she has been appointed for purposes of this By-law or with an identification card that contains the municipal logo, department and name of the officer.

28 Administrative enforcement

- (1) The holder of a wayleave granted by the Municipality shall keep a copy of that wayleave at the location where the work is undertaken and if, when requested to do so by a compliance officer, the holder cannot produce the wayleave, the compliance officer may instruct that the work cease forthwith until such time as the wayleave is shown to that compliance officer.
- (2) If a person or services agency is not in possession of a wayleave granted by the Municipality a compliance officer may instruct that person or services agency or his, her or its agent to cease forthwith until such time as the Municipality grants a wayleave.
- (3) The Municipality may withdraw a wayleave of a holder and seize and impound the equipment used to carry out any work that is in contravention on this By-law.

29 Offences and penalties

- (1) Any person shall be guilty of an offence if such person –
 - (a) omits, or neglects to do, or permits or suffers to remain undone, anything which according to the true intent and meaning of this By-law ought to be done at the time and in the manner provided herein;
 - (b) knowingly permits or allows any condition of things to exist or continue to exist contrary to this By-law;
 - (c) does not cease any action which that person is required to cease under this By-law;
 - (d) fails or refuses, neglects to comply or continuously fails, refuses or neglects to comply even after notices of breach or lawful institutions have been issued in terms of this Bylaw;
 - (e) fails to comply with any notice, direction, condition contained in any approval granted by the Municipality; or
 - (f) fails to comply with a decision taken or condition imposed by the Municipality in terms

of this By-law.

(g) wilfully and with intent provides false or misleading information in connection with an application contemplated in this By-law;

(h) unlawfully prevents a compliance officer entry to his or her premises or causes or permits any other person to prevent entry;

(i) obstructs or hinders a compliance officer in the performance of his or her duties or causes or permits any other person to so obstruct or hinder the compliance officer;

(j) refuses or fails to provide to a compliance officer such information as is required to allow a compliance officer to perform a function in terms of this By-law;

(k) furnishes false or misleading information to an official of the Municipality when called upon to furnish information;

(l) impersonates a compliance officer;

(m) contravenes or fails to comply with any provision of this By-law; or

(n) supplies particulars, information or answers in an application or on knowing it to be false, incorrect or misleading.

(2) Any person convicted of an offence in terms of this By-law, shall be liable upon conviction to a fine or imprisonment or to both such fine and imprisonment.

(3) A person convicted of an offence under this By-law who, after conviction, continues with the conduct in respect of which he or she was so convicted, is guilty of a continuing offence and upon conviction is liable to a fine or to imprisonment, or to both such fine and imprisonment, in respect of each day on which he or she so continues with that conduct.

30 Prosecution of corporate body and partnership

A partner in a partnership, a member of the board, executive committee or other managing body or a corporate body is personally guilty of an offence contemplated in terms of this By-law if such offence was committed by:

- (a) a corporate body established in terms of any law; or
- (b) a partnership; and such person failed to take reasonable steps to prevent the offence.

CHAPTER 9

GENERAL MATTERS

31 Appeals

Any person may appeal against any decision taken under this By-Law by giving written notice of the appeal in accordance with the provisions of section 62 of the Municipal Systems Act, 2000, as amended.

32 Short title and commencement

This By-law shall be known as the Matatiele local Municipality: Wayleaves By-law, 2021 and shall come into operation on the date of publication thereof in the Provincial Gazette.

SCHEDULE 1

METHODS FOR BACKFILLING

Method A. Re-using excavated material

During excavation of the trench, the material from the top 400 mm of the excavation (or in the case of arterials, collectors and industrial roads, the top 550 mm) must be stockpiled separately from the rest of the material being excavated. This material must then be improved through chemical stabilisation with cement and used for the base and subbase layers during backfilling, and in the case of arterials, collectors and industrial roads also for the selected subgrade layers. The requirements for this method is given in Figure 1.

If the material is not stockpiled separately during excavation, the road authority will require that material with the required properties be imported. Material which was originally stabilised cannot be re-used and must be discarded.

Method B. Importing material

Import a G5 gravel material and stabilise with 60 kg of cement per m³ of material. Water must be uniformly mixed into the material. The material must then be placed in the trench in 75 to 100 mm layers and compacted to the required Mod. AASHTO densities as specifies in Figure 1. The final layer must be finished to a level of 100 mm below the level of the surrounding sound surface of the road.

Method C. Low strength concrete:

Specially designed concrete mix (SDCM) for Trench Backfilling

All Road Trenches / Openings:

Place 300 mm SDCM concrete of minimum 2.5 Mpa crushing strength (28 days) and manufactured to an approved manufacturer's specification. The SDCM concrete mix is to be placed 50 mm below the level of the surrounding sound surface of the road. The rest of the trench is backfilled with selected approved material compacted to 90 percent of MOD AASHTO density.

Footway Trenches / Openings:

Place 150 mm SDCM concrete of minimum 2.5 Mpa crushing strength (28 days) and manufactured to an approved manufacturer's specification. The SDCM concrete mix is to be placed 30 mm below the level of the surrounding sound surface of the road. The rest of the trench is backfilled with selected approved material compacted to 90 percent of MOD AASHTO density.

NUISANCE BY-LAWS

BE IT ENACTED by Matatiele Local Municipality, as follows:

SECTION 1

Definitions

In these By-laws, unless the context otherwise indicates:

"Council" means the Council of Matatiele Local Municipality or its successors in law, and includes the Council of that Municipality and its Executive Committee and any Committee or person or other body acting by virtue of any power delegated to it in terms of legislation;

"Authorised Official" means any person authorized as such by the Council for purposes of these by-laws to perform and exercise any or all of the functions specified therein, and any person in the service of the Council who has been appointed in the capacity of Peace Officer in terms of the Criminal Procedure Act, Act 1977 (Act No 51 of 1977);

"Chief Fire Officer" means the chief fire officer appointed by the Council in terms of Section 5 of the Fire Brigade Services Act, 1987 and includes any person appointed to act as Chief Fire Officer;

"Municipal Engineer" means the person appointed as Municipal Engineer by the Council or any other person lawfully acting in that capacity.

"General Manager Corporate services" means the person appointed as **General Manager Corporate Services**

by the Council or any other person lawfully acting in that capacity;

"Environment" means the surroundings within which humans exist and that are made up of:

(a) the land, water and atmosphere of the earth;

(b) micro organisms, plant and animal life;

(c) any part or combination of (a) and (b) and the interrelationships among and between them; and

(d) the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being;

"Fireworks" means any explosive device or substance that burns or explodes after ignition, including firecrackers, and which are regulated under the Explosives Act, 1956 or its regulations;

"Municipal property" means any structure or thing owned or managed by or on behalf of the Council and includes buildings, land, lapas, kiosk, benches, picnic table, playground equipment, fountains, statues, monuments, fences, poles, notices, signs including any corporeal and incorporeal property.

"**Nuisance**" means any condition or conduct which is injurious or offensive to any person or which is dangerous to or compromises the health or safety of any person, or which causes an annoyance or disturbance to any person or to the environment or which causes harm or damage to the environment, or which may potentially harm or damage the environment.

"**Person**" means natural person or a juristic person and includes an organ of the state;

"**Public Health**" means the mental and physical well-being of people in the area of jurisdiction of the Council;

"**Public indecency**" means an act of not conforming to the generally accepted standards of behaviour or propriety

"**Public Place**" includes any square, park, any area or centre, whether incorporating a community hall or not, at which group activities of a sporting, cultural or recreational nature can be pursued, garden, enclosed or open space within the area of jurisdiction vested in the Council and includes any open or closed space vested in the Council to which the public has a right to access; public road, lane, foot pavement, overhead bridge, footpath, sidewalk and any other Municipality property;

"**Use of Fireworks**" means discharging lighting or igniting.

"**Waste**" means any matter, material, by product or residue of any process or activity, that has been discarded, accumulated or stored for the purpose of discarding, re-use, reclamation or recycling and includes vehicles or machinery or parts thereof; scrap metal, building rubble, garden refuse, refuse debris and any garbage. Waste products may be liquid or solid and may include products that contain a gaseous component and may originate from domestic, commercial or industrial activities.

SECTION 2. Purpose of these By-laws

To provide for a safe and a healthy environment for the community residing in the municipal area and other matters connected therewith.

To provide for and promote an environment conducive to the upholding of sound and socially acceptable moral standards and values.

SECTION 3. Use of public place

(3) A person may not, without lawful cause, discharge any firearm, air gun, sling, catapult, bow and arrow, crossbow or any other similar weapon within the area of jurisdiction of the Municipality

(4) A person may not expose or exhibit, except for sale in a shop window, any article or thing offensive to decency.

(5) A person may not hang any item of clothing, household linen or laundry over any boundary wall or fence or out of any window or from any balcony or part of building so as to be visible from a street or public place.

(6) A person may not bathe or wash himself or herself or any animal or laundry in any stream, pool or water through to which the general public has access or at any public

fountain or public water feature or any other place not designated for such purpose.

(7) A person may not appear in any public place in a state of intoxication.

(8) A person may not write, print or draw any obscene words or figures in a public place or use indecent or foul language in any public place within the hearing of any person therein.

(9) A person may not loiter in any public place for the purpose of prostitution, or solicit of importune any other person for such purpose.

(10) A person may not keep or manage or assist in the keeping or management of a brothel or knowingly permit any premises within the area of jurisdiction of the Council or any portion thereof, or any room therein, to be used as a brothel or for the purposes of prostitution, or be a party to continued use thereof for such purposes.

(11) A person may not hold any auction or sale in any public place in or from any doorway, window or other opening of any premises abutting on any public place without the written consent of the **General Manager** Corporate services and then only subject to such conditions as may be imposed in such consent.

(12) A person may not sit or lie in or upon any public place or stand, walk, loiter or public place or to jostle or otherwise annoy the public.

(13) A person may not leave any animal belonging to him or her unattended in any public place or permit such animal to obstruct the traffic in any street or create a nuisance or danger in any public place.

(14) A person may not urinate in public view.

(15) A person may not erect or place any structure, be it temporary or permanent, in or on any street, public footpath, verge or public place for the purpose of sale or storage.

SECTION 4. Use of streets and public footpaths

(1) A person may not deposit or throw any object upon any street or public footpath which might in any way endanger the safety of any person.

(2) A person may not allow any goods, whether it be his own property or under his control, to be or to remain in or on any public place, street or public footpath so as to cause obstruction or inconvenience to the passage of any person for a longer time than may

reasonably be necessary for loading and unloading, and in no case after being instructed by the Police or an Authorized Official requiring him or her to remove same.

(3) Unless a permit has been issued by the Council for trading purposes, a person may not, for trading or for any other purposes, place any goods, wares or articles on any public footpath or street, or place any goods, wares or articles on any stand, veranda post, stairs or ceiling projecting over any public footpath or street. For the purposes of this subsection the words "public footpath or street" shall include that area adjacent to a commercial or industrial lot which is outside the commercial or industrial building and to which the public has free access regardless whether or not the area is the property of the Council of private property.

(4) A person may not place any flower pot or box or other heavy object in any window or upon any window sill in any building abutting on any street, footpath or public place unless proper precautions have been taken to prevent such flower pot, box or object from being blown or falling into or onto such street, footpath or public place.

(5) A person may not roll any hoop or wheel or fly any kite or throw stones or ride a bicycle or use any roller skates or similar device or play any game whatsoever in or upon any congregate or otherwise act in such manner as to obstruct free movement along any street or public footpath or public place in such a manner as to create a danger or nuisance to any person or animal or damage to any property.

(6) A person may not empty any vessel or throw any matter, liquid or solid, or any lighted cigar, cigarette or match, or empty any pipe from any window of any premises abutting on any street or from any veranda or balcony erected over any public place.

(7) No queue formed up outside any place of business or entertainment shall be in such a manner so as to inconvenience the general public or extend across any public footpath or street. Persons standing in such queue shall yield and give free passage to persons desiring access to or egress from any premises. No queue shall in any circumstances extend on to or across any street, and no persons joining such queue shall take any position other than at the end thereof.

(8) A person may not make or dig, or cause to be made or dug, any hole, pit, trench or excavation of any kind or for any purpose in or close to any public place without the written consent of the Municipal Engineer. Any excavation so made or dug shall be

fenced off and shall have its position indicated during hours of darkness by red lights or any other similar device which is acceptable to the Municipal Engineer and which device shall be kept burning from sunset to sunrise.

(9) A person may not place or deposit any waste in any public place or place not intended for such purpose, unless such waste is placed in approved receptacles or facilities intended for such purpose.

SECTION 5. Nuisance relating to public health

(1) A person may not keep or deposit or allow on any premises owned or occupied by him or her, or of which he or she is in charge, any matter or thing, solid or liquid, which is, or is likely to, become offensive or dangerous or injurious to the public health.

(2) A person may not carry or convey, or cause or permit to be carried or conveyed, across or in any public place, any matter or thing, liquid or solid, which is or is likely to become offensive or dangerous or injurious to public health, unless such matter or thing is carried or conveyed in a closed vehicle or receptacle closed and covered with a lid or other material approved by an Authorized Official.

(3) A person may not keep any dead body or corpse in any room, building or other structure or in any premises other than a mortuary or other similar place designated for that purpose.

(4) A person may not permit the carcass of any animal to remain on his premises for a longer period than is necessary to arrange for the removal of such carcass.

(5) A person may not place or permit to be placed, any carcass or any decomposable or offensive material or object which is his property or under his control, on his premises or elsewhere and to remain thereon so as to cause any nuisance.

(6) A person may not cause or permit any stream, drain, gutter, watercourse, sink, bar, tank, water closet, urinal, compost heap or swimming bath on any land or premises owned or occupied by him or of which he is in control to be or become so foul or in such a state or to be so situated or constructed so as to be offensive or to be dangerous or injurious to public health.

- (7) A person may not cause or permit any foul or polluted water or any foul liquid or matter to run or flow from any premises occupied by him, into any street or onto any land so as to be offensive or dangerous or injurious to public health.
- (8) A person may not commit or cause or permit to be committed, any act causing or contributing to the pollution of water.
- (9) A person may not deposit human excrement or urine in any place not designated for such purpose.
- (10) A person may not foul or misuse any public convenience or any convenience provided in any public building or place of public entertainment.
- (11) Every person who is the owner or occupier or in charge of any premises or vacant land shall take all possible precautions to prevent conditions favouring the multiplications and prevalence of, and shall take steps for the eradication of rodents, mosquitoes, flies, fleas, bugs, cockroaches or other vermin or pests on such premises or vacant land and shall, when so required by an Authorized Official, comply with any requirements relating to the prevention or eradication of any such vermin or pest within a time specified in such notice.
- (12) A person may not burn any rubbish or refuse on any premises or do anything to cause any offensive smells or excessive smoke, or by burning or any other action cause ash, excessive smoke or any other dirty or offensive dust or matter.
- (13) A person, being the owner or occupier or in control of any premises or vacant land, whether such premises or land are fenced or not, may not deposit or store thereon and within the public view, any disused vehicle(s), machinery or parts thereof, building material, effuse or similar objects unless he has obtained written consent of the Council.
- (14) Any consent given in terms of subsection 13 may be amended or cancelled by the Council at any time by giving written notice to that effect.
- (15) Any person, being the occupier or owner of any premises or vacant land upon whom a notice in terms of subsection 14 has been served, shall within the time specified in such notice, remove or cause to be removed, any object contemplated in subsection 13 from the public view.

SECTION 6. Discharge of fireworks

(1) A person may not discharge, or cause or permit to be discharged, any fireworks in or from any enclosed place where domesticated animals are present or in or from any public place without prior written permission from the Inspector of Explosives (as defined in the Explosives Act, Act 26 of 1956), and the Chief Fire Officer.

(2) A person may not discharge, or cause or permit to be discharged, any fireworks in or from any private dwelling, private land or any other private property without prior written permission from the Chief Fire Officer. The application for the said permission must, when submitted to the Chief Fire Officer, include the written consent of adjoining neighbours.

SECTION 7. Use of premises for entertainment, recreation or social activities and functions

(1) A person using any premises or permitting any premises to be used for entertainment, recreation or social activities or functions, whether public or private, and any person who participates in or who attends any such activities, may not conduct himself or herself in an unseemly or obnoxious manner or cause a nuisance or annoyance to any person.

(2) An Authorized Official who is of the opinion that a person is committing a breach of subsection (1) may direct that person to cease any such act or may take such other steps as he or she deems necessary to reduce, remove or minimize the unseemly or obnoxious conduct, nuisance or annoyance.

SECTION 8. General

(1) A person may not produce or permit to be produced, any excessively bright or intermittent light, thereby creating a nuisance or annoyance to any person.

(2) A person may not cause or permit to be caused a nuisance or annoyance to any person by doing repair work or panel beating to any vehicle or part thereof on a premises designated for residential purposes or a public place, provided that this subsection does not apply to emergency repairs necessary to remove any vehicle after a breakdown.

(3) A person may not permit any rank weeds or grass or undergrowth or bush to grow upon

any premises or vacant land owned or occupied by him. The Council may serve a notice on such a person requiring him or her within the time specified in such notice to destroy, cut down or remove such rank weeds, grass, undergrowth or bush.

(4) Should any person breach any provision of these bylaws and continue in default after receiving a written notice issued by any Authorized Official requiring him or her to abate such nuisance within a time to be specified in such notice, an Authorized Official may enter upon the premises on which such nuisance exists and take such steps as may be necessary to abate such nuisance at the cost of the person so offending, who shall also be liable to a prosecution for a contravention of these Bylaws.

(5) An Authorized Official may enter upon any premises at any time to investigate whether any breach of these bylaws has been committed.

(6) A person may not cause or permit to be caused a nuisance or annoyance to any person by making excessive noise

SECTION 9 Offences against decency and morality

(1) No person shall, in any public place commit any indecent or immoral gesture or act or wilfully and obscenely expose his/her person.

(2) No person shall wilfully and intentionally appear in any public place without being decently clothed.

(3) No person shall be or appear in any public in any public place in a state of intoxication.

(4) No person shall write, print or draw any obscene or indecent words or figures in any public place or upon, door, window or other part of premises in or within side of any public place, no use any foul, obscene or indecent language in any public place within the hearing of any person therein.

(5) No person shall use any auto mobile or carriage to commit any act viewed as an act of public

SECTION 10. Offences and penalties

(1) Any person who:

(a) contravenes or fails to comply with a provision of these bylaws or a direction issued by the Council in terms of these bylaws, or a condition imposed under these bylaws;

(b) obstructs or hinders any person in the execution of any power or the performance of any duty or function in terms of any provision of these bylaws furnishes false, incorrect or misleading information when applying for permission from Council in

terms of a provision of these bylaws.

(C) is found guilty of contravening any of the by-laws contained herein will be liable to a fine including admission of guilt fine not exceeding an amount of R 10 000.00 or for imprisonment not exceeding a period of one year (1) year.

Appeal

A person whose rights are affected by a decision of the municipality may appeal against that decision by giving written notice of the appeal and the reasons therefore in terms of section 62 of the Local Government: Municipal Systems Act, Act 32 of 2000 to the municipal manager within 21 days of the date of the notification of the decision.

SECTION 11. Short title and commencement

PROVINCIAL NOTICE 323 OF 2023



2022-2027 INTERGRATED DEVELOPMENT PLAN AND 2022/2025 ANNUAL BUDGET WITH TARRIF STRUCTURE

Notice is hereby given, in terms of Section 21 A and 25(4) of the Local government Municipal Systems Act, that Ngqushwa Local Municipality has approved the 2022-2027 Integrated Development and 2022-2025 Budget with tariffs in a Council meeting held on the 27 May 2022. The following is the Council approved tariffs structure 2022/23:

	2021/2022		2022/2023	
	TARIFFS	INCREASE	TARIFFS VAT EXCL	TARIFFS VAT INCL
		1%		
1 RATES				
<u>Annual rates of cent in the rand will be levied on all valued properties as follows</u>				
1.1 Commercial, Industrial, Wind/Solar Farms, Mining and Special Properties	R0.0219		R0.0221	R0.0221
1.2 Residential / Vacant land	R0.0109		R0.0110	R0.0110
1.3 Municipal (NB. Municipal Buildings, Public Open Space & Municipal Public Service (exempted) Infrastructure must be totally exempt from rates)	R0.0000		R0.0000	R0.0000
<u>Farming</u>				
1.4 Agricultural land	R0.0028		R0.0028	R0.0028
1.5 PIS (Public Infrastructure Services)	R0.0028		R0.0028	R0.0028
1.6 Farms (Small Holdings)	R0.0109		R0.0110	R0.0110
1.7 Properties Owned By An Organ Of State And Used For Public Service Purpose	R0.0407		R0.0366	R0.0366
2 REFUSE REMOVAL SERVICE	2021/2022		2022/2023	
2.1 Refuse removal: Households/month	R104		R105	R120
<u>Business</u>				
2.2 Commercial Business (Supermarkets, wholesale etc)	R872		R881	R1,013
2.3 General Medium Business (Hardware, Retail Shops etc.)	R632		R638	R734
2.4 General Small Business (Shops)	R289		R292	R335
2.5 Refuse removal: Businesses/month	R126		R127	R146
<u>Flats/Property to rent</u>				
2.6 Refuse Removal:per room	R0		R0	R0
<u>Institutions</u>				
2.7 Category 1: Nompumelelo Hospital	R8,879		R8,968	R10,313
2.8 Category 2: Schools, Clinics, Police Station and other Government entities	R381		R385	R443
<u>Holiday/Short-term accomodation</u>				
2.9 Mpekweni Beach Resort	R9,264		R9,357	R10,760
2.10 Fish River Sun	R9,506		R9,601	R11,041
2.11 B & B and Flats	R322		R325	R373
<u>Disposal at Santa refuse site</u>				
2.1 Garden refuse per month	R169		R171	R196
2.1 Building rubble per month	R458		R462	R532
2.1 Private residents/ Business 0-1 ton per load	R104		R105	R120
3 CEMETERY FEES	2021/2022		2022/2023	
Person resident in the town at the time of death				
3.1 Adult per site	R396		R400	R460
3.2 Child per site	R128		R130	R149
3.3 Digging of grave by the municipality For purposes of this publication "adult" means a person who at the time of death has reach the age of 12 years	R686		R693	R797
4 HALL HIRE	2021/2022		2022/2023	
4.1 Hamburg Hall Hire p/day	R1,011		R1,021	R1,174
4.2 Hamburg Hall Hire - Refundable deposit	R343		R346	R398
4.3 Ncumisa Kondlo Indoor Sport Centre p/day	R3,048		R3,079	R3,541
4.4 Ncumisa Kondlo Indoor Sport Centre - Refundable deposit	R1,087		R1,097	R1,262

5	POUND FEES	2021/2022	2022/2023		
	<u>Transport fee for all animals</u>				
5.1	Delivery to the pound one or more to the pound, per km	R12	R12	R2	R13
5.2	Herd by private person, per km	R8	R8	R1	R9
	<u>Subsistence Fee (per Head, per Day)</u>				
5.3	Horses, Donkey, Cow, Pigs, Sheep and Goats	R21	R21	R3	R24
	<u>Pound Fees (Per Herd)</u>				
5.4	Horses, Donkey, Cow, Pigs, Sheep and Goats	R45	R45	R7	R52
5.5	Sheep and Goats	R24	R25	R4	R28
6	BUILDING PLAN APPLICATION FEES	2021/2022	2022/2023		
6.1	Dwelling	R4,938	R4,987	R748	R5,735
6.2	Outbuilding	R4,273	R4,316	R647	R4,963
6.3	Flat, Townhouse and Hotels	R5,408	R5,462	R819	R6,281
6.4	Shops	R5,407	R5,461	R819	R6,280
6.5	Offices	R5,407	R5,461	R819	R6,280
6.6	Carports	R2,150	R2,172	R326	R2,497
6.7	Pools	R320	R323	R48	R372
6.8	Patios, Pergolas and Sun Decks	R2,150	R2,172	R326	R2,497
6.9	Basement Parking	R4,344	R4,387	658.116	R5,046
	<u>Factories and warehouses:</u>				
6.10	First 5000m2	R3,936	R3,974	R596	R4,571
6.11	Over 5000m2	R3,474	R3,509	R526	R4,035
6.12	Drainage only plans	R1,179	R1,191	R179	R1,370
6.13	Street Deposit	R217	R219	R33	R252
6.14	Minimum Building Plan Fee	R1,278	R1,291	R194	R1,485
6.15	Minor Works	R272	R275	R41	R316
	<u>Energy and Telecommunications Development</u>				
6.16	Wind and Solar Farm Facilities	R13,500	R13,635	R2,045	R15,680
6.17	Application for Telecommunication Towers	R12,257	R12,380	R1,857	R14,237
7	TOWN PLANNING FEES	2021/2022	2022/2023		
	Category 1				
	<u>Land Use Application Type</u>				
	<u>Rezoning Application</u>				
7.1	Erven 0 – 2500 m2	R3,528	R3,563	R534	R4,098
7.2	Erven 2501 – 5000 m2	R5,660	R5,717	R857	R6,574
7.3	Erven 5001 – 10 000 m2	R10,232	R10,334	R1,550	R11,885
7.4	Erven 1 ha – 5 ha	R13,277	R13,410	R2,012	R15,422
7.5	Erven over 5 ha	R18,425	R18,609	R2,791	R21,401
	<u>Subdivision application</u>				
7.6	Basic Fees	R2,748	R2,775	R416	R3,191
7.7	Charge per subdivision (remainder considered a subdivision)	R151	R153	R23	R176
7.8	Subdivisions into more than 80 erven (Township Establishment)	R13,786	R13,924	R2,089	R16,013
7.9	Extension of time	R453	R458	R69	R527
	<u>Amendment of an application</u>				
7.10	If already approved by the municipality				
7.11	If not yet approved by the municipality				
		2021/2022	2022/2023		
	<u>Phasing/cancellation of approved layout</u>				
7.12	Basic fee	R1,736	1,754	R263	R2,017
	<u>Removal, amendment, suspension of a restrictive or obsolete condition, servitude or reservation against the title of land</u>				
7.13	Basic fee	R2,438	2,463	R369	R2,832
	<u>Amendment or cancellation of a general plan of a township</u>				
7.14	Basic fee	R1,913	1,932	R290	R2,222
	<u>Permanent closure of public place or public road/street</u>				
7.15	Charge per closure	R579	585	R88	R672
	<u>Development on communal land</u>				
7.16	Basic fee	R5,550	5,605	R841	R6,446

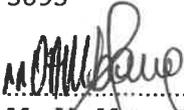
<u>Category 2</u>					
Land Use Application Type					
Rezoning Application					
7.17	Erven 0 – 2500 m2	R2,438	2,463	R369	R2,832
7.18	Erven 2501 – 5000 m2	R4,570	4,616	R692	R5,308
7.19	Erven 5001 – 10 000 m2	R9,142	9,234	R1,385	R10,619
7.20	Erven 1 ha – 5 ha	R12,630	12,756	R1,913	R14,670
7.21	Erven over 5 ha	R18,425	18,609	R2,791	R21,401
		2021/2022		2022/2023	
<u>Subdivision application</u>					
7.22	Basic Fees	R20,925	21,134	R3,170	R24,305
7.23	Charge per subdivision (remainder considered a subdivision)	R151	153	R23	R176
7.24	Subdivisions into more than 80 erven (Township Establishment)	R13,786	13,924	R2,089	R16,013
7.25	Extension of time	R453	458	R69	R527
<u>Amendment of an application</u>					
7.26	If already approved by the municipality				
7.27	If not yet approved by the municipality				
<u>Phasing/cancellation of approved layout</u>					
7.28	Basic fee	R1,736	1,754	R263	R2,017
<u>Removal, amendment, suspension of a restrictive or obsolete condition, servitude or reservation against the title of land</u>					
7.29	Basic fee	R2,438	2,463	R369	R2,832
<u>Amendment or cancellation of a general plan of a township</u>					
7.30	Basic fee	R1,913	1,932	R290	R2,222
<u>Permanent closure of public place or public road/street</u>					
7.31	Charge per closure	R579	585	R88	R672
<u>Special Consent Use</u>					
7.32	Basic fee	R2,438	2,463	R369	R2,832
<u>Application for departure from building lines and Spaza Shop application fees:</u>					
7.33	Erven smaller than 500 m2	R303	306	R46	R352
7.34	Erven 500 – 750m2	R587	593	R89	R682
7.35	Erven larger than 750 m2	R1,175	1,187	R178	R1,365
<u>Departures other than building lines and spaza shops</u>					
7.36	Erven smaller than 500 m2	R587	593	R89	R682
7.37	Erven 500 – 750m2	R1,175	1,187	R178	R1,365
7.38	Erven larger than 750 m2	R2,093	2,114	R317	R2,431
<u>Consolidation of erven not (non-exempted)</u>					
7.39	Basic Fee	R2,289	2,312	R347	R2,658
<u>Miscellaneous Fees</u>					
7.40	Public hearing and inspection	R3,794	3,832	R575	R4,407
7.41	Reason for decision of municipal planning tribunal, land development officer or appeal authority	R1,928	1,947	R292	R2,239
7.42	Re-issuing of any notice of approval of any application	R280	283	R42	R325
7.43	Deed search and copy of the title deed	R178	179	R27	R206
7.44	Way leave application (application to determine where the Council's services are located or a specific area located or a specific area where new services are to be installed)	R2,735	2,762	R414	R3,176
7.45	Any other application not provided for elsewhere in this schedule of fees	R3,794	3,832	R575	R4,407
7.46	Zoning Certificate	R82	83	R12	R95
7.47	Spatial Development Framework Documents	R144	145	R22	R167
7.48	Town Planning Scheme – Document	R1,443	1,457	R219	R1,676
7.49	Advertising on boards (rate per square meter)	R81	82	R12	R94
8 Business Licencing Tariffs					
		2021/2022		2022/2023	
8.1	Sales or supply of meals or perishable foodstuff (emerging township business- tu	R0	R173.91	R26.09	R200.00
8.2	Cellphone Shops	R0	R343.47	R51.52	R394.99
8.3	Clothing Shops	R0	R499.77	R74.97	R574.74
8.4	Funeral Parlour	R0	R499.77	R74.97	R574.74
8.5	Abattoir/ Butchery	R0	R2,201.89	R330.28	R2,532.17
8.6	Cosmetics Shops	R0	R501.03	R75.15	R576.18
8.7	Pharmacy	R0	R501.03	R75.15	R576.18
8.8	Fabrics	R0	R501.03	R75.15	R576.18
8.9	Gymnasium	R0	R343.34	R51.50	R394.84
8.1	Provision of entertainment/ Night clubs and taverns	R0	R3,917.70	R587.66	R4,505.36
8.11	Accommodation Establishments	R0	R498.74	R74.81	R573.55

8.12 Supermarkets	R0	R3,917.70	R587.66	R4,505.36
8.13 Saloons	R0	R501.03	R75.15	R576.18
8.14 Liquor Stores	R0	R915.10	R137.27	R1,052.37
8.15 Furniture Stores	R0	R915.10	R137.27	R1,052.37
8.16 Filling Station	R0	R3,917.70	R587.66	R4,505.36
8.17 Hardware Store	R0	R3,917.70	R587.66	R4,505.36
8.18 Car and Tractor dealership	R0	R3,917.70	R587.66	R4,505.36
8.19 Internet Café	R0	R501.03	R75.15	R576.18
8.2 TV Repairs	R0	R343.34	R51.50	R394.84
8.21 Fruit and Vegetables Shop	R0	R343.34	R51.50	R394.84
8.22 Panel Beaters and Motor Spares	R0	R576.19	R86.43	R662.62
8.23 Driving Schools	R0	R248.39	R37.26	R285.65
8.24 Banks	R0	R915.10	R137.27	R1,052.37
8.25 Herbal Shops	R0	R343.34	R51.50	R394.84
8.26 Agricultural Supplies	R0	R468.84	R70.33	R539.17
8.27 Hawker Stand	R0	R47.20	R7.08	R54.28
8.28 Issuing of a Duplicate Licence	R0	R152.72	R22.91	R175.63
8.29 Warehouse	R0	R5,124.55	R768.68	R5,893.23
8.3 Brick making/industrial:	R0	R4,232.88	R634.93	R4,867.81
8.31 Special permit	R0	R80.39	R12.06	R92.45
8.32 Business Services Offices	R0	R145.92	R21.89	R167.81
8.33 Tshisanyama	R0	R667.06	R100.06	R767.12
8.34 Laundry and Dry Cleaners	R0	R378.48	R56.77	R435.25
8.35 Penalty for formal business trading without a license	R0	R2,173.91	R326.09	R2,500.00
8.36 Penalty for Informal business trading without a permit	R0	R130.43	R19.56	R149.99
8.37 Business found selling expired goods first offender	R0	R5,217.39	R782.61	R6,000.00
8.38 Business Licence holder found trading expired goods: Second offender	R0	R8,695.65	R1,304.35	R10,000.00
8.39 Business Licence holder found trading expired goods: Third offender	R0	R10,434.78	R1,565.22	R12,000.00
8.4 Clothing stand	R0	R391.78	R58.77	R450.55
9 GENERAL TARIFFS	2021/2022		2022/2023	
9.1 Clearance certificate	R109	110	R17	R127
9.2 Valuation certificate	R109	110	R17	R127
9.3 Tender document fees from R 30 000-R 200 000(printed hard copy)	R218	220	R33	R253
9.4 Tender document fees from R 201 000 - R 2 000 000(printed hard copy)	R381	385	R58	R443
9.5 Tender document fees from R 2 000 000 - 5 000 000(printed hard copy)	R545	550	R83	R633
9.6 Above R 5 000 000 - (printed hard copy)	R1,090	1,101	R165	R1,266

The documents: Integrated Development Plan and Budget are available at the following address
ERF 313 Main Road Peddie 5640 or at **Library (Main Offices)**
ERF 272-277 Hamburg 5640 or at **Library (St Charles Sojola High School)**

Documents can also be downloaded from Ngqushwa Local Municipality website:
www.ngqushwamun.gov.za

For more information please contact Ms X. Maswana and Ms N. Doloni on this number 040 673 3095



Mr N. Mgengo
Municipal Manager

Closing times for **ORDINARY WEEKLY** **2022** EASTERN CAPE PROVINCIAL GAZETTE

The closing time is **15:00 sharp** on the following days:

- **24 December 2021**, Friday for the issue of Monday **03 January 2022**
- **03 January**, Monday for the issue of Monday **10 January 2022**
- **10 January**, Monday for the issue of Monday **17 January 2022**
- **17 January**, Monday for the issue of Monday **24 January 2022**
- **24 January**, Monday for the issue of Monday **31 January 2022**
- **31 January**, Monday for the issue of Monday **07 February 2022**
- **07 February**, Monday for the issue of Monday **14 February 2022**
- **14 February**, Monday for the issue of Monday **21 February 2022**
- **21 February**, Monday for the issue of Monday **28 February 2022**
- **28 February**, Monday for the issue of Monday **07 March 2022**
- **07 March**, Monday for the issue of Monday **14 March 2022**
- **14 March**, Monday for the issue of Monday **21 March 2022**
- **18 March**, Friday for the issue of Monday **28 March 2022**
- **28 March**, Monday for the issue of Monday **04 April 2022**
- **04 April**, Monday for the issue of Monday **11 April 2022**
- **08 April**, Friday for the issue of Monday **18 April 2022**
- **14 April**, Thursday for the issue of Monday **25 April 2022**
- **22 April**, Friday for the issue of Monday **02 May 2022**
- **29 April**, Friday for the issue of Monday **09 May 2022**
- **09 May**, Monday for the issue of Monday **16 May 2022**
- **16 May**, Monday for the issue of Monday **23 May 2022**
- **23 May**, Monday for the issue of Monday **30 May 2022**
- **30 May**, Monday for the issue of Monday **06 June 2022**
- **06 June**, Monday for the issue of Monday **13 June 2022**
- **13 June**, Monday for the issue of Monday **20 June 2022**
- **20 June**, Monday for the issue of Monday **27 June 2022**
- **27 June**, Monday for the issue of Monday **04 July 2022**
- **04 July**, Monday for the issue of Monday **11 July 2022**
- **11 July**, Monday for the issue of Monday **18 July 2022**
- **18 July**, Monday for the issue of Monday **25 July 2022**
- **25 July**, Monday for the issue of Monday **01 August 2022**
- **01 August**, Monday for the issue of Monday **08 August 2022**
- **05 August**, Friday for the issue of Monday **15 August 2022**
- **15 August**, Monday for the issue of Monday **22 August 2022**
- **22 August**, Monday for the issue of Monday **29 August 2022**
- **29 August**, Monday for the issue of Monday **05 September 2022**
- **05 September**, Monday for the issue of Monday **12 September 2022**
- **12 September**, Monday for the issue of Monday **19 September 2022**
- **19 September**, Monday for the issue of Monday **26 September 2022**
- **26 September**, Monday for the issue of Monday **03 October 2022**
- **03 October**, Monday for the issue of Monday **10 October 2022**
- **10 October**, Monday for the issue of Monday **17 October 2022**
- **17 October**, Monday for the issue of Monday **24 October 2022**
- **24 October**, Monday for the issue of Monday **31 October 2022**
- **31 October**, Monday for the issue of Monday **07 November 2022**
- **07 November**, Monday for the issue of Monday **14 November 2022**
- **14 November**, Monday for the issue of Monday **21 November 2022**
- **21 November**, Monday for the issue of Monday **28 November 2022**
- **28 November**, Monday for the issue of Monday **05 December 2022**
- **05 December**, Monday for the issue of Monday **12 December 2022**
- **09 December**, Friday for the issue of Monday **19 December 2022**
- **19 December**, Monday for the issue of Monday **26 December 2022**

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