



KwAZULU-NATAL PROVINCE
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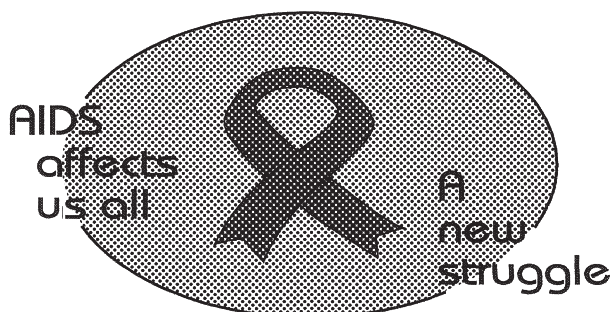
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No. 1474

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DEPARTMENT OF HEALTH

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IMPORTANT

Information

from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.



GPW Business Rules

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5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
8. All re-submissions by customers will be subject to the above cut-off times.
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10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.

DISCLAIMER:

Government Printing Works reserves the right to apply the 25% discount to all Legal and Liquor notices that comply with the business rules for notice submissions for publication in gazettes.

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MUNICIPAL NOTICES • MUNISIPALE KENNISGEWINGS

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MUNICIPAL NOTICES • MUNISIPALE KENNISGEWINGS

MUNICIPAL NOTICE 155 OF 2015

UGU DISTRICT MUNICIPALITY

The Municipal Manager of the Ugu District Municipality hereby, in terms of section 13(a) of the Local Government Municipal Systems Act, 2000 (Act No. 32 of 2000), publishes the Ugu Community Fire Safety Bylaws for Fire and Rescue Services for the Ugu District Municipality as approved and adopted by Council on 26 February 2015 under Resolution No. C42/02/15.

PREAMBLE

In terms of Section 11(3)(m) the Ugu District Municipality, in exercising its legislative and executive authority and in line with its integrated development plan (IDP) has identified the high risk areas of fires in its district and the need to formulate Bylaws relating Fire and Rescue Services for its community in line with both Provincial and National Legislation and to be known as the Ugu Community Fire Safety Bylaws.

PURPOSE AND SCOPE OF THIS BYLAW

The purpose and scope of this Bylaw is to formulate and promulgate an Ugu Fire and Rescue Services Bylaw which shall:

- ensure a safe and secure environment so that communities in both the rural and urban areas, commercial, agricultural and industrial business can live and operate in the understanding that Ugu District Municipality has a fire and rescue service which is effective and meets their requirements and demands.
- ensure that urban and rural communities, commerce, agriculture and industry can operate free of threats to public safety and personal emergencies.
- provide a legal framework that the Ugu District Municipality can enforce within its jurisdiction.
- To integrate and co-ordinate fire and rescue services within the Ugu District Municipality and to focus on:
 - (a) Preventing and or reducing of fires;
 - (b) Investigate the impact of such fires;
 - (c) Respond and rescue in cases of fire
 - (d) Recovery process for such fires
- To provide mechanisms and processes to deal with emergencies created by various different types of fires viz:
 - (a) Bush / veld / cane / fires
 - (b) Recreational fires (braai's etc)
 - (c) Structural fires to buildings
 - (d) Controlled fires
 - (e) Chemical fires
 - (f) Fireworks and pyrotechnics displays and exhibitions
 - (g) Fires in residential areas
 - (h) Fires in commercial, agricultural and industrial areas
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UGU DISTRICT MUNICIPALITY

COMMUNITY FIRE SAFETY BYLAWS FOR FIRE AND RESCUE SERVICES

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CHAPTER 1

APPLICATION AND INTERPRETATION OF BYLAWS

1. Application of Bylaws

These Bylaws apply -

- (a) within the area of jurisdiction of the Council; and
- (b) in addition to any applicable national or provincial law.

2. Definitions and Interpretation

In these Bylaws unless the context otherwise indicates –

"above ground storage tank"	means a tank situated above ground for the storage of flammable substances as contemplated in SANS 0131 and SANS 089 Part 1 and SANS 087 Part 3;
"agricultural holding"	means a portion of land not less than 0.8 hectares in extent used solely or mainly for the purpose of agriculture, horticulture or for breeding or keeping domesticated animals, poultry or bees;
"approved"	means as approved by the Council;
"apparatus"	means any fire rescue response vehicle, staffed and provided with equipment or materials for the purposes of fire fighting, rescue operations, medical response and the clean-up of Hazardous Material, as well as vehicles used to transport Members, supplies, or contracted personnel required for such fire fighting, rescue, medical response or clean-up;
"automatic releasing hold-open device"	means a device used to hold open a fire door and operates on the detection of a fire to close the fire door
"building"	means: <ul style="list-style-type: none"> (a) any structure, whether of a temporary or permanent nature and irrespective of the materials used in construction thereof, erected or used for or in connection with: <ul style="list-style-type: none"> • the accommodation or convenience of human beings or animals • the manufacture, processing, storage or sale of any goods • the rendering of any service • the destruction or treatment of combustible refuse or combustible waste • the cultivation or growing of any plant or crop (b) any wall, swimming pool, reservoir or bridge or any other structure connected therewith (c) any fuel pump or any tank used in connect therewith (d) any facilities or system, or part or portion thereof, within or outside or incidental to a building, for the provision of a water supply, drainage, sewerage, stormwater disposal, electricity supply or other similar service in respect of the building (e) any informal structure, dwelling, shack or mobile home
"bund wall"	means a containment wall surrounding an above ground storage tank, constructed of an impervious material and designed to contain 100% of the contents of the tank;
"certificate of fitness"	means a certificate contemplated in section 45;
"certificate of registration"	means a certificate contemplated in section 64;
"Chief Fire Officer"	means the Chief Fire Officer appointed by the Council in terms section 5 of the Fire Brigade Services Act and includes any person appointed as acting Chief Fire Officer;
"Chief Inspector of Explosives"	means the Chief Inspector of Explosives appointed in terms of section 4(1) of the Explosives Act No. 15 of 2003;
"Civil Aviation Authority"	means the South African Civil Aviation Authority established in terms of section 2 of the South African Civil Aviation Authority Act, 1998 (Act No. 4 of 1998);
"class"	means a class of petroleum product based on the following classification: <ul style="list-style-type: none"> (a) Class O: liquefied petroleum gasses; (b) Class I: liquids subdivided as follows: <ul style="list-style-type: none"> (i) Class IA: liquids which have a closed-cap flash point below 23°C and a boiling point below 35°C; and

	(ii) Class IB: liquids which have a closed-cap flash point below 23°C and a boiling point of 38°C or above;
	(iii) Class IC: liquids which have a closed-cap flash point of 23°C or above but below 38°C;
	(c) Class II: liquids which have a closed-cap flash point of 38°C or above but below 60,5°C;
	(d) Class IIIA: liquids which have a closed-cap flash point of 60.5°C or above but below 93°C; and
	(e) Class IIIB: liquids which have a closed-cap flash point of 93°C or above;
"combustible liquid"	means a liquid which has a close-cap flash point of 38°C or above;
"combustible material"	means combustible refuse, combustible waste or any other material capable of igniting;
"combustible refuse"	means any combustible rubbish, litter or other material that has been discarded;
"combustible waste"	means any combustible waste material which is salvageable, retained or collected for scrap or reprocessing;
"competent person"	means a person who is qualified by virtue of his or her experience and training;
"Council"	means – <ul style="list-style-type: none"> (a) the Ugu District Municipality, exercising its legislative and executive authority through its municipal Council; or (b) its successor in title; or (c) a structure or person exercising a delegated power or carrying out an instruction, where any power in these Bylaws, has been delegated or sub-delegated or an instruction given as contemplated in, section 59 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000); or (d) a service provider fulfilling a responsibility under these Bylaws, assigned to it in terms of section 81(2) of the Local Government: Municipal Systems Act, 2000, or any other law, as the case may be;
"dangerous goods"	means any flammable gas, flammable liquid or flammable solid as contemplated in SANS 0228;
"division separating element"	means a building element or component which separates one area in a building from another and has a fire resistance of not less than that required by the National Building Regulations (T1) read with the SANS 0400;
"dwelling house"	means a single dwelling unit situated on its own site, including any motor vehicle garage and other domestic outbuildings on that site;
"dump"	means to abandon or discard any hazardous substance by depositing, discharging, spilling or releasing it;
"emergency"	means any incident or eventuality which seriously endangers or may endanger or a situation in which there is imminent danger to public safety or a serious harm to property;
"emergency evacuation plan"	means a plan specifically designed to aid in the evacuation of occupants from a building in the event of a fire or other threatening danger and assigns responsibility to various staff, indicates escape routes to be used and provides for general contingencies for a safe and quick evacuation from a building;

"emergency route"	means that part of any escape route which- <ul style="list-style-type: none"> (a) protects the occupiers of any building from fire; and (b) leads to an escape door;
"emergency vehicle"	means any fire, rescue or other vehicle intended for use at fires and other threatening dangers;
"enclosed place"	in respect of domestic animals means any kraal, cage, camp or similar enclosure where domestic animals are kept or exercised
"escape door"	means any door at the end of an emergency route and includes any door providing entrance to, or exit from, a building;
"escape route"	means the entire path of travel, measured from an escape door to the furthest point in any room in a building;
"escape route plan"	means a diagram indicating the floor layout, the occupant's current position and the route of travel to the nearest primary and secondary escape routes in the building, as well as the action to be taken in the event of a fire or other threatening danger;
"explosives"	means explosives as defined in section 1 of the Explosives Act, 1956;
"Explosives Act"	means the Explosives Act, 1956 (Act No. 15 of 2003), and any regulations made under that Act;
"extinguishing stream"	means the amount of water that the Service needs in order to extinguish a fire;
"false alarm"	means: <ul style="list-style-type: none"> (a) an alarm from a fire safety monitoring device that is not caused by heat, smoke or fire, or (b) a request for fire rescue services where no actual danger or possible danger to safety, health and welfare of people, property or the environment exists.
"feeder route"	means that part of an escape route which allows travel in two different directions to the access doors of at least two emergency routes;
"Fire Brigade Services Act"	means the Fire Brigade Services Act, 1987 (Act No. 99 of 1987), and any regulations made under that Act;
"fire damper"	means an automatic damper, including its assembly, which complies with the requirements of SANS 193;
"fire door"	means an automatic or self-closing door or shutter assembly especially constructed to prevent the passage of fire for a specific length of time;
"fire -fighting equipment"	means any portable or mobile fire extinguisher, hose reel or fire hydrant;
"fire hazard"	means any situation, process, material or condition which may cause a fire or explosion or provide a ready fuel supply to increase the spread or intensity of the fire or explosion and which poses a threat to life or property;
"fire installation"	means any water installation which conveys water solely for the purposes of fire-fighting;
"fire investigation"	means the process of determining the cause, origin and circumstances of a fire or emergency.
"fire lanes"	means the road, path or other passageway constructed or designated to allow access for emergency vehicles;
"fire protection system"	means any device or system designed and installed to-

"fire wall"	means a wall that is able to withstand the effects of fire for a specific period of time as contemplated in the National Building Regulations (T1) read with SANS 0400;
"fireworks"	means any explosive device or substance which burns or explodes after ignition, including firecrackers, and which is regulated under the Explosives Act;
"fireworks display"	means the use of fireworks for purposes of a public display;
"flame emitting device"	means candles, torches, baton burners or any other flames produced by a device
"flammable gas"	means a gas which at 20°C and a standard pressure of 101,3 kilopascals – <ul style="list-style-type: none"> (a) is ignitable when in a mixture of 13% or less (by volume) with air; or (b) has a flammable range with air of at least 12%, regardless of the lower flammable limit;
"flammable liquid"	means a liquid or combustible liquid which has a closed-cap flash point of 93°C or below;
"flammable store"	means a store that is used for the storage of flammable liquids.
"flammable substance"	means any flammable liquid, combustible liquid or flammable gas;
"Group I, II, III, V, VI, VIII and IX hazardous substances"	means Group I, II, III, V, VI, VIII and IX hazardous substances, as the case may be, as contemplated in the Hazardous Substances Act;
"hazardous substance"	means any hazardous substance contemplated in the Hazardous Substances Act;
"Hazardous Substances Act"	means the Hazardous Substances Act, 1973 (Act No. 15 of 1973), and any regulations made under that Act;
"Incident"	means any situation to which the district has responded due to the danger or a possible danger to the safety, health and welfare of people, property or the environment;
"liquified petroleum gas"	means a mixture of light hydrocarbons (predominantly propane, propene, butane, butene) that is gaseous under conditions of ambient temperature and pressure and that is maintained in a liquid state by an increase of pressure or lowering of temperature;
"member"	means a member of the Service and includes the Chief Fire Officer;
"municipal manager"	means the municipal manager of the Council appointed in terms of Section 55 of the Municipal Systems Act 35 of 2000 as amended (MSA)
"National Building Regulations and Building Standards Act"	means the regulations promulgated in terms section 17(1) of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977), and: <ul style="list-style-type: none"> (a) "National Building Regulations (A2)" means the provisions regulating the submission of building plans and particulars to the Council; (b) "National Building Regulations (A20)" means the provisions regulating the classification and designation of occupancies; (c) "National Building Regulations (A21)" means the provisions regulating the population of a building; (d) "National Building Regulations (T1)" means the provisions regulating general requirements for fire protection of a building, and

	(e) "National Building Regulations (T2)" means the provisions regulating the offences for non-compliance with the National Building Regulations (T1);
"National Road Traffic Act"	means the National Road Traffic Act, 1996 (Act No. 93 of 1996), and any regulations made under that Act;
"non-combustible"	means a substance or material classified as non-combustible when tested in accordance with SANS 0177: Part 5;
"occupancy separating element"	means a building element or component which separates one occupancy in a building from another and has a fire resistance of not less than that required by the National Building Regulations (T1) read with the SANS 0400;
"Occupational Health and Safety Act (O.H.S.A.)"	means the Occupational Health and Safety Act, 1993 (Act No 85 of 1993);
"occupier"	means any person who occupies or has control over any premises;
"open air fires"	is a fire outside of a building and includes the burning of wood, paper, coal and yard waste
"operator"	means the person responsible for the use of a motor vehicle and who has been registered as the operator of such a vehicle in terms of the National Road Traffic Act;
"owner" in relation to premises	means the registered owner of the premises and includes – <ul style="list-style-type: none"> (a) any person who receives rental or profit from the premises, whether on own account or as agent; (b) a body corporate in respect of any sectional title scheme contemplated under the Sectional Titles Act, 1986 (Act No. 95 of 1986); and (c) an executor or curator of any deceased or insolvent estate; (d) in relation to premises, other than a building, either a natural or juristic person whose identity is determined by operation of law; (e) in relation to a building, either a natural or juristic person in whose name the land on which such building was or is erected or such land, as the case may be, is registered in the deeds office in question; (f) in relation to an installation, either a natural or juristic person in whose name a contract is entered into regarding approval, erection and maintenance of the installation; provided that such a person is not the owner mentioned in (e), and (g) in the event of the Council being unable to determine the identity of a person mentioned in (d), (e) and (f), any person who is entitled to the benefit of the use of such premises, building or installation or who enjoys such benefit;
"person"	means any individual, firm, partnership, association, corporation, trustee, executor, administrator or other legal representative;
"person in charge"	means: <ul style="list-style-type: none"> (a) in relation to premises, either a natural or juristic person who is permanently or temporarily responsible for the management, or utilisation of the premises; (b) in relation to a building, either a natural or juristic person who is permanently or temporarily responsible for the management, maintenance or utilisation of the building;

	(c) in relation to an installation, either a natural or juristic person who is permanently or temporarily responsible for the management or utilisation of the installation; provided that such a person is not the person mentioned in (a), and
	(d) in the event of the Council being unable to determine the identity of a person mentioned in (a), (b) and (c), any person who is in the opinion of the Council deemed to be in charge of such premises, building or installation;
"premises"	means any land, building, construction or structure or part thereof and includes any train, boat, aircraft or other vehicle;
"public gathering"	includes any gathering by members of the public- <ul style="list-style-type: none"> (a) to view any theatrical or operatic performances, orchestral or choral recitals or cinematic-graphic screenings; or (b) to attend, practice or participate in any indoor sports activity, dance, physical activity or other recreational activity;
"service installation"	means any automatic fire-extinguishing installation, fire pump connector, fire pump, emergency power or stand-by generator, fire detection, locating or alarm system, emergency lighting or evacuation communication system, mechanical ventilation system, pressure regulation system, smoke ventilation system, hoist, symbolic safety sign and smoke or fire door assembly;
"site"	means any erf, lot, plot, stand or other piece of land on which a building has been, is being or is to be erected;
"spray"	means to spray, coat, plate or epoxy-coat with any hazardous substance and "spraying" has a corresponding meaning;
spraying permit"	means a permit contemplated in section 117
"spraying room"	means a room contemplated in section 121;
"Standards Act"	means the Standards Act, 1993 (Act 29 of 1993);
"storage vessel"	means a pressure vessel as defined in the Regulations for Pressure Vessels made under the Occupational Health and Safety Act;
"store room"	means a room for storage of flammable substances contemplated in section 77;
"summary abatement"	means to immediately judge a condition to be a fire hazard or other threatening danger to life or property and to order immediate correction of such condition;
"tank"	means a container mounted permanently or temporarily on or embodied in a vehicle and so constructed to be suitable for the containment of flammable liquid or gas cargo;
"underground tank"	means any tank used or intended to be used for the storage of any flammable liquid and which is wholly sunk into and below the surface of the ground;
"use"	in relation to fireworks means discharging, lighting or igniting;
"vegetation"	includes grass, weeds, leaves, shrubs and trees; and
"vehicle"	includes a trailer or semi-trailer which- <ul style="list-style-type: none"> (a) has at least 4 wheels with independent axles and suspension systems; and (b) can be hitched to a truck-tractor or any other motor vehicle contemplated in the National Road Traffic Act.

“veld”	means land which is not being or has not been cultivated and on which indigenous vegetation or other vegetation is or can be utilised as grazing for animals, occurs.
“veldfire”	means any fire on any area of land, whether cultivated or uncultivated, including any building or structure on or adjacent thereto, and in respect of which area of land, the Fire Brigade Services Act 1987 does not apply.
“water installation”	means a water installation as defined in the Council's Water Services Bylaws

And any reference to a SANS Code shall refer to the relevant Code published by the South African Bureau of Standards and issued in terms of the Standards Act.

If any provision in these Bylaws vests or imposes any power, function or duty of the Council in or on an employee of the Council and such power, function or duty has in terms of section 81(2) of the Local Government: Municipal Systems Act, 2000 or any other law been assigned to a service provider, the reference in such provision to such employee must be read as a reference to the service provider or, where applicable, an employee of the service provider authorised by it.

CHAPTER 2

FIRE PREVENTION AND FIRE PROTECTION

Part 1: Fire Prevention

Certain fires prohibited

3. (1) No person may make or allow any other person to make a fire that may endanger any person, animal or property.
- (2) No person may burn or allow any other person to burn any refuse or combustible material—
 - (a) without the prior written permission of the Chief Fire Officer; or
 - (b) unless the refuse or combustible material is burnt in an approved incinerating device.
- (3) Any person who makes a fire or allows any other person to make a fire, must take reasonable steps to ensure that the fire does not endanger any person, animal or property.
- (4) The prohibition in subsection (2) does not apply to any fire made—
 - (a) in an approved and purpose-made stove, fireplace or hearth that forms an integrated part of a building or structure;
 - (b) for the purpose of preparing food on private premises set aside for that purpose; or
 - (c) in any device for preparing food which —
 - (i) is heated by electricity or liquified petroleum gas; and
 - (ii) is so positioned that the fire does not endanger any person, animal or property.

Reporting a fire hazard and other threatening danger

4. An owner or the person in charge of any premises must, upon discovering any evidence of a fire hazard or other threatening danger pertaining to this by-law, immediately notify the Council of such fire hazard or threatening danger.

Access for emergency vehicles

5. 1. When, in the opinion of the Council, premises are not readily accessible from public roads it must be provided with emergency vehicle access which must —
 - (a) be constructed so that it is capable of supporting the mass of the heaviest emergency vehicle required to cater for the risk of the premises; and
 - (b) where the premises have a motorized or electronically operated gate, be equipped in such a manner that access to the premises can be gained without the use of a motor or electronic device.
2. Fire lanes must be provided for all premises which are set back more than 45 metres from a public road or exceed nine metres in height and are set back over 15 metres from a public road.
3. Fire lanes must be at least four metres in width, the position of which must be decided upon after consultation with the Council, and the area from ground level to a clearance height of four metres above the fire lane must remain unobstructed.

4. A cul-de-sac that is more than 90 metres in length, must be provided with a minimum turning circle at the closed end of the road capable of accommodating the largest emergency vehicle which is required to cater for the risk of the premises.
5. The design, marking, use and maintenance of fire lanes not forming part of a public road must comply with the requirements of the Council.
6. It is unlawful for a person to park a vehicle in or otherwise obstruct a fire lane.

Division and occupancy separating elements

6. An owner or person in charge of a building may not alter a division or occupancy separating element in anyway that would render it less effective or to allow flame, heat or combustion products from penetrating into the adjacent compartment or structure.

Fire doors and assemblies

7. (1) Subject to the provisions of SANS 1253, a fire door and assembly must be maintained in such a manner that in the event of a fire it retains its integrity, insulation and stability for the time period required for that particular class of door.
- (2) A fire door may be kept open, only when it is equipped with an automatic releasing hold-open device approved by the Council.
- (3) A fire door and assembly may not be rendered less effective through:-
 - (a) altering the integrity, insulation or stability of a particular class of door;
 - (b) disconnecting the self-closing mechanism;
 - (c) wedging, blocking or obstructing the door so that it cannot close;
 - (d) painting the fusible link actuating mechanism of a door;
 - (e) disconnecting or rendering less effective an electric or electronic release mechanism, or
 - (f) any other action that renders a fire door or assembly less effective.

Escape Routes

8. (1) No part of a fire escape route shall be obstructed or rendered less effective in any way.
- (2) A locking device, which is fitted to an access or escape door in an escape route, must be of a type approved by the Council.
- (3) Where required by the Council, an escape route must be clearly indicated with signage, which complies with SANS 1186, indicating the direction of travel in the event of fire or any other emergency.

Combustible waste and refuse

9. (1) The owner or person in charge of the premises or a portion thereof must not allow combustible waste or refuse to accumulate in any area or in any manner so as to create a fire hazard or other threatening danger.
- (2) Combustible waste and refuse must be properly stored or disposed of to prevent a fire hazard or other danger.

Combustible or flammable substances and sweeping compounds

10. (1) Only water-based solutions, detergents, floor sweeping compounds and grease absorbents must be used for cleaning purposes.
- (2) The use of sawdust or similar combustible materials to soak up spilled combustible or flammable substances is prohibited.

Accumulations in chimneys, flues and ducts

11. The owner or person in charge of the premises or a portion thereof must not allow soot or any other combustible substance to accumulate in a chimney, flue or duct of the premises in such quantities or in such a manner as to constitute a fire hazard or other threatening danger.

Sources of ignition

12. (1) Smoking, the carrying of matches, the use of heating, flame-emitting devices or spark-producing equipment is prohibited in areas containing combustible or flammable substances.
- (2) Hot ashes, cinders or smouldering coals must be placed in a non-combustible container and the container must be placed on a non-combustible surface or stand.

- (3) An adequate distance, as deemed appropriate by the Council, must be ensured and maintained between combustible substances and heating or lighting equipment or other sources of ignition.
- (4) Portable heaters must be secured so that they cannot be overturned and the Council may prohibit the use of portable heaters in respect of occupancies or situations where such use or operation would present a fire hazard or other threatening danger.

Smoking

13. (1) If conditions exist where smoking creates a fire hazard on the premises, smoking is prohibited and "No Smoking" signs must be displayed as directed by the Council and the signs must comply with SANS 1186: Part 1.
- (2) No person may remove a "No Smoking" sign.
 - (3) No person may light or smoke a cigar, cigarette, pipe, tobacco or other substance or ignite or otherwise set fire to other material, nor hold, possess, throw or deposit any lighted or smouldering substance in any place where expressly prohibited.
 - (4) A person may not throw, put down or drop a burning match, burning cigarette, or other burning material or any material capable of spontaneous combustion or self-ignition in a public road or public place.

Electrical fittings, equipment and appliances

14. No person may cause or permit –
- (1) an electrical supply outlet to be overloaded; or
 - (2) an electrical appliance or extension lead to be used in a manner which is likely to create a fire hazard or other threatening danger.
 - (3) An illegal electrical connection to any building.

Combustible material

15. (1) A person may not store, transport, use or display or cause or permit to be stored, transported, used or displayed, whether inside or outside any premises, any combustible material or a flammable substance in quantities or in a position or in a manner likely to cause or create a fire hazard or other threatening danger.
- (2) The owner or person in charge of any premises may not permit vegetation to grow or accumulate thereon, or other combustible material to accumulate thereon, in a manner likely to cause a fire hazard or other threatening danger.

Storage and accumulation of combustible material prohibited without a valid permit

16. (1) No person may store any combustible material or allow it to be stored, at any place or in any manner that may pose a fire hazard to any person, animal or property.
- (2) No person may allow the accumulation of dust at any place in quantities sufficient to pose a fire hazard to any person, animal or property.
- (3) No person may use or allow to be used any sawdust or similar combustible material to soak up any flammable liquid.
- (4) No person may allow soot or any other combustible material to accumulate in any chimney, flue or duct in such quantities or in any manner that may pose a fire hazard to any person or property.
- (5) No person may allow any vegetation to become overgrown at any place under that person's control that may pose a fire hazard to any person, animal or property.
- (6) If a fire hazard contemplated in subsection (5) arises, the owner or occupier of the property concerned must without delay eliminate the hazard or cause the hazard to be eliminated by –
- (a) cutting any grass, leaves or weeds associated with the fire hazard to a maximum height of 150 millimetres;
 - (b) pruning, chopping down or sawing any shrub or tree; and
 - (c) removing any resulting combustible residue from the property.

Flame-emitting devices

17. (a) No person may use or cause or allow the use of any flame-emitting device, including but not limited to any candle, lantern or torch, in any manner that may pose a fire hazard to any person or property.
- (b) Notwithstanding the provisions of 17(a) above A person may light a fire or use a flame-emitting device for the purpose of preparing food or for any other domestic purpose in a manner which will not cause a fire hazard or other threatening danger or where such a fire is not precluded by any other legislation.

Open air fires

18. (1) No person shall start or permit an open air fire within the district unless that person has obtained a permit in the form approved by the council of the district.
- (2) Notwithstanding the provisions of 18(1) above a permit shall not be required for an open fire where:
- (a) the open fire is used for cooking on a grill or a braai, or
 - (b) contained within a fire pit or outdoor fire place as set out in clause

Fire pits and outdoor fireplaces

19. (1) Fire pits and outdoor fireplaces shall meet the following requirements:
- (a) the fire be contained in a non-combustible receptacle constructed of concrete, clay, brick or sheet metal with a minimum 18 gauge thickness;
 - (b) the receptacle is covered with a heavy gauge metal screen with openings not exceeding 13 millimeters; and
 - (c) the size of the fire box of any receptacle does not exceed 75cm in any dimension
- (2) The fuel used in the Fire Pits and Outdoor Fireplaces shall be only charcoal, cut seasoned wood, or manufactured fire logs.
- (3) No person shall cause, allow or permit the burning of the following materials in a Fire Pit or Outdoor Fireplace:
- (a) waste, including rubbish, slimes, manure, treated or painted lumber, livestock or animal carcasses, tailings, garbage, garden refuse, or scrap;
 - (b) any material classified by authority having jurisdiction as hazardous material or dangerous good; or
 - (c) any material that generates black smoke or an offensive odour when burned including but not limited to, insulation from electrical wiring, rubber tires, asphalt shingles, hydrocarbons, plastics and lumber treated with wood preservatives.
- (4) All Fire Pits or Outdoor Fireplace shall be located a minimum of 3 meters from any combustible material, building, porch, deck, similar amenity space and property line.
- (5) All Fire Pits or Outdoor Fireplaces shall not be used on combustible decks or on apartment balconies.
- (6) All Fire Pits or Outdoor Fireplaces shall be situated on a non-combustible surface.
- (7) All Fire Pits and Outdoor Fireplaces shall be supervised by an adult so as to prevent the spread of fire.
- (8) If smoke from a Fire Pit or Outdoor Fireplace causes an unreasonable interference with the use and enjoyment of another person's property, the fire shall be extinguished immediately.
- (9) Fire Pits or Outdoor Fireplaces shall not be used in windy conditions conducive to creating a fire spread.
- (10) Fire Pits or Outdoor Fireplace shall be clear of overhangs such as tree branches, utility lines and structures.
- (11) Any person that uses a Fire Pit or Outdoor Fireplace shall ensure that a means of extinguishing the fire is readily accessible at all times while the fire is burning.
- (12) Where requested by the Fire Chief, a Fire inspector or a peace officer, a person shall extinguish a fire in a Fire Pit or Outdoor Fireplace.
- (13) Notwithstanding any provisions of this Bylaw, the Fire Chief may declare a complete ban of any burning of any kind in the district.
- (14) No person shall ignite or allow any kind of fire when a complete ban on burning has been declared by the Fire Chief.

Veldfire prevention through fire-breaks

20. (1) Every owner or occupier of an agricultural holding or farm on whose land a veldfire may start or burn must clear and maintain a safety fire-break along every boundary of the agricultural holding or farm that—
- (a) is at least 5 metres wide (when measured parallel from the boundary concerned); and
 - (b) contains no vegetation or combustible residue.

- (2) If an obstruction occurs within the boundaries of a safety fire-break, the owner or occupier concerned must clear and maintain a 5 metre-wide safety fire-break around that obstruction.
- (3) No person may clear or maintain a safety fire-break by burning without the prior written permission of the Chief Fire Officer.
- (4) Any person who intends to clear or maintain a safety fire-break by burning must–
 - (a) apply in writing to the Chief Fire Officer for permission, stipulating the property concerned and the proposed date and time of the burning; and
 - (b) unless the burning is to be performed by a person or body accredited for this purpose by the Council, request the Service to provide assistance at the burning against payment of the prescribed fee.
- (5) Any owner who has reason to believe that a fire on his or her land or the land on an adjoining owner, may endanger life, property or the environment, must immediately:
 - (a) notify the chief fire officer
 - (b) the owners of adjoining land
 - (c) do everything in his power to stop the spread of the fire

Shack fire prevention

21. Any person who occupies a shack shall:
- (1) Exercise extreme caution when using a paraffin stove
 - (2) not cook near a window with curtains
 - (3) make sure that the stove / candles are secured adequately ensuring that it does not fall over
 - (4) not sleep with candles and or paraffin lanterns still burning
 - (5) not discard cigarette butts in the shack
 - (6) not make any illegal or faulty electrical connections from the shack to any point of electricity supply
 - (7) ensure that a bucket filled with water is within easy access in order to extinguish any fire
 - (8) ensure that a bucket filled with sand is within easy access in order to extinguish any fire
 - (9) build dwellings at a safety distance of no less than 3 meters apart in accordance with Section 50 to prevent fires from spreading
 - (10) keep roads and access to dwellings clear at all times
 - (11) not prevent, disrupt or interfere with the services of the fire crew when they are fighting fires

Part 2: Fire Protection**Design and construction of buildings**

22. (1) Subject to the provisions of subsection (3), every owner of a building, excluding a dwelling house, must ensure that it is designed and constructed in a manner that –
- (a) provides for –
 - (i) the effective drainage of any water that may result from fire-extinguishing activities; and
 - (ii) the discharge of that water directly into a storm water drain;
 - (b) prevents any water that may result from fire-extinguishing activities from draining–
 - (i) down any stairway or lift shaft;
 - (ii) down any electrical shaft or telecommunications service shaft;
 - (iii) down any shaft that is connected to a basement level; or
 - (iv) along any approach to a building or any vehicle access ramp leading to or from a building;
 - (c) if any water resulting from fire-extinguishing activities should spill into a basement, that water is discharged directly into a storm water drain; and

- (d) complies with the requirements of SANS 0400 (Parts A, K, M, O, T, V and W) insofar as it relates to fire protection.
- (2) Subject to the provisions of subsection (3), every owner of a building equipped with a transformer room must ensure that—
 - (a) the transformer room is situated on the ground level;
 - (b) access to the transformer room is from outside the building; and
 - (c) there is adequate and ready access to the transformer room for fire-fighting and maintenance activities.
- (3) Subsections (1) and (2) do not apply in respect of any building which exists at the commencement of these Bylaws.

Design and construction of dumping sites

- 23. (1) Every person who designs or constructs any dumping site, must ensure that it is designed and constructed in accordance with the instructions of—
 - (a) the Department of Water Affairs and Forestry; and
 - (b) the Council.

Design and construction of other structures, sites and informal settlements

- 24. (1) Every person who designs, constructs or erects any of the following structures, must ensure that they comply with a rational design as contemplated by the National Building Regulations and Building Standards Act -
 - (a) any grain silo;
 - (b) any atrium;
 - (c) any air traffic control tower;
 - (d) any tower for telecommunications or other uses;
 - (e) any thatched structure which is larger than 20 square metres and situated within 4.5 metres of any boundary line of the property concerned;
 - (f) any tent or other temporary structure for holding a public gathering; and
 - (g) any open-plan commercial or industrial premises with a covering distance that exceeds 45 metres measured from any point in the premises to any escape or exit door.
- (2) Every person who designs or constructs any aircraft hanger or helicopter pad, must ensure that it—
 - (a) complies with a rational design as contemplated by the National Building Regulations and Building Standards Act;
 - (b) provides for the effective drainage of any liquid from the floor of the hanger or helicopter pad or any approach to the aircraft hanger or helicopter pad;
 - (c) provides for the effective channelling of any liquid from the floor of the hanger or helicopter pad to a drainage area connected to a separator well;
 - (d) prevents the spread of any liquid from the floor of the hanger or helicopter pad; and
 - (e) is equipped with effective earthing devices for the discharge of static electricity.
- (3) In the event of establishment of any informal settlement area the following minimum requirements shall apply:
 - (a) a safety distance of 3 meters between structures shall be maintained
 - (b) the settlement must be divided into blocks of not more than 20 structures per block with a minimum distance of 6 meters between blocks

Design and construction of hospitals

- 25. Every person who design, construct or erects a hospital must ensure that it is designed and constructed in accordance with the Fire Detection and alarm systems for hospitals known as SANS322:2005

Requirements for sprinkler systems

- 26. (1) If a sprinkler system is required in any building in accordance with SANS 0400, SANS 087 (Part III) or SANS 089 (Part I) or if the Council so requires, the owner of the building must ensure that the building

is equipped with a sprinkler system.

- (2) Every person who designs, constructs or installs a sprinkler system must ensure that it is designed, constructed and installed -
- (a) in accordance with SANS 0287; and
 - (b) in compliance with the requirements of SANS 0400 (Parts A, K, M, O, T, V and W) insofar as it relates to fire protection.

Requirements for extractor fan systems

27. (1) Every person who designs, constructs or installs an extractor fan system, any related ducts or any similar chimney system and every owner of a building in which such a system is installed must ensure that-
- (a) it is designed, constructed and installed in a manner that provides for clearly demarcated, adequate and easy access for inspection, maintenance and repairs; and
 - (b) the conduit and outlet of any such system is installed in a manner that does not result in a fire hazard to any person or property.
- (2) Every owner of a building in which an extractor fan system, any related ducts or any similar chimney system has been installed, must ensure that every filter, damper, screen or conduit forming an integral part of the system is regularly inspected, cleaned and maintained to ensure that fatty residues or any other combustible residues do not accumulate.

Requirements for emergency exits

28. (1) Every owner of a building must ensure that any escape door in that building-
- (a) is fitted with hinges that open in the direction of escape; and
 - (b) is equipped with a fail-safe locking device or devices that do not require a key in order to exit.
- (2) Every owner of a building must ensure that any door in a feeder route-
- (a) is a double swing-type door;
 - (b) is not equipped with any locking mechanism.
- (3) Notwithstanding the provisions of subsection (2), if it is necessary that a door, in a feeder route be locked for security reasons, the owner of the building must provide an alternative means of escape approved by the Chief Fire Officer.
- (4) No person may obstruct or allow the obstruction of any escape route from any premises that may prevent or hinder the escape of any person or animal from the premises in an emergency.

Requirements for fire detection and alarm systems for building

- 29 Every person who plan, designs, installs, commissions and maintains fire detections and fire alarms systems in and around buildings, other than dwelling must comply with Standards set out in SANS 10139 : 2007

Design, identification and access for fire-fighting and rescue purposes

- 30 (1) Subject to the requirements of any town planning scheme or the conditions of establishment of any township, every person who plans, designs or constructs a building, excluding a dwelling house, must ensure that the premises on which the building is situated, are planned, designed and constructed so that-
- (a) at least one elevation of the building fronts onto a street;
 - (b) if the premises do not front onto a street, an access road is provided with dimensions and carrying capacity approved in writing by the Chief Fire Officer;
 - (c) there is a climate-proof and weather-proof parking surface for parking and operating fire brigade machines and equipment in an emergency -
 - (i) of dimensions at least 10 metres wide;
 - (ii) that runs the full length of the side elevation of the building that borders the surface; and
 - (iii) with a carrying capacity of at least 70 metric tons; and
 - (d) any entrance arch to the premises provides an opening with dimensions at least 4 metres wide x 4.2 metres high, unless there is an alternative and easy access route to the premises of at least the same dimensions.

- (2) For purposes of easy identification by any member of the Service in an emergency, every owner or occupier of premises must ensure that the correct street number of the premises–
 - (a) is displayed clearly on the street boundary of the premises in numbers at least 75 millimetres high; and
 - (b) is visible from the street; and
 - (c) is maintained in a legible condition at all times.
- (3) For the purposes of causing identification by any member of the service in an emergency in a rural area, every owner or occupier of premises which does not have the identifying features as set out in 29(2) above must:
 - (a) have a red emergency flag which:
 - (i) is displayed by the owner or occupier clearly on the street boundary of the premises
 - (ii) it is visible from the street
 - (iii) be identifiable by a popular landmark eg, name of school, shop, police station, tribal chief etc.

Barricading of vacant buildings

- 31 Every owner or person in charge of a building or portion of a building that is vacant must, at his or her own cost and to the satisfaction of the Chief Fire Officer
- (a) remove all combustible waste and refuse from the building; and
 - (b) block, barricade or otherwise secure all windows, doors and other openings in the building in a manner that will prevent the creation of any fire hazard caused by entering of the building by any unauthorised person.

Part 3: Fire Fighting Equipment and Emergency Evacuation Plans and Fire Chiefs Powers

Installation and maintenance of fire-fighting equipment

- 32 (1) Every owner of a building must ensure that–
- (a) Fire extinguishers must be provided and installed on premises as required by the National Building Regulations (T1) and (T2).
 - (b) all fire-fighting equipment and service installations on the premises are installed in a manner and condition ready for use in an emergency;
 - (c) all portable and mobile fire-extinguishers and all hose reels on the premises are serviced and maintained in accordance with the OHS regulations and safety regulations SANS 0105 and SANS 1475; Part 1, SANS1571, SANS 1573 and SANS 0105 : Part 1
 - (d) all fire-fighting equipment and service installations on the premises are–
 - (i) maintained in a good working condition by a competent person;
 - (ii) inspected and serviced in accordance with manufacturer specifications; and
 - (iii) are inspected by an appropriately registered and competent person at least once every 12 months; and
 - (d) a comprehensive service record of all fire-fighting equipment and service installations on the premises is maintained and furnished to the Chief Fire Officer every 12 months.
2. Every person who fills, recharge, reconditions, modify, inspects, services, repairs or test any fire-fighting equipment or service installation must–
- (a) be a holder of a permit issued in terms of SANS or a certificate of competence issued by the South African Qualifications Certification Committee.
 - (b) on completing the inspection, service or repairs, as the case may be –
 - (i) certify in writing that the equipment or installation concerned is fully functional; and
 - (ii) furnish that certificate to the owner of the premises; or
 - (c) if the equipment or installation cannot readily be repaired to a functional state, notify the Chief Fire Officer of this fact in writing without delay.

3. Except for purposes of inspection, service, repair or fire-fighting, no person may remove or interfere with any fire-fighting equipment or service installation at any premises.
4. No person may alter, damage, misuse or render ineffective any fire-fighting equipment or service installation at any premises.

Fire extinguishers

- 33 (1) Fire extinguishers must be provided and installed on premises as required by the National Building Regulations (T1) and (T2)
- (2) Fire extinguishers must be maintained in accordance with the requirements of the Occupational Health and Safety Regulations, SANS 1475: Part 1, SANS 1571, SANS 1573 and SANS 0105: Part 1
- (3) The owner or person in charge of the premises may not allow a fire extinguisher to be filled, recharged, reconditioned, modified, repaired, inspected or tested by a person not in possession of a permit or certificate mentioned in subsection 31(2).
- (4) Where a fire extinguisher has been filled, recharged, reconditioned, modified, repaired, inspected or tested by a person not in possession of a permit mentioned in subsection 31(2), the Council must instruct the owner or person in charge of such premises to have the work carried out by a person who is in possession of such a permit or certificate.
- (5) When, in the opinion of the Council, a fire extinguisher is unsafe or ineffective either by reason of deterioration, design or construction, the Council must instruct the owner or the person in charge of the premises to have the appliance inspected and tested in terms of SANS 1475: Part 1 and SANS 1571.
- (6) A fire extinguisher may not be removed from the premises for filling, recharging, reconditioning, modification, repair, inspection or testing unless the appliance is replaced temporarily with a similar appliance in good working condition.
- (7) A fire extinguisher may not be installed, dismantled, recharged, disconnected, serviced, modified, repaired or tested in an area where such action would create a danger or hazard.
- (8) Every owner on whose land a veldfire may start or burn or from whose land it may spread must:
 - (a) have such equipment, protective clothing and trained personnel for extinguishing fires;
 - (b) ensure that in his absence responsible persons are present on or near his or her land.

Testing and maintenance of fire protection systems

- 34 (1) A fire protection system must be tested and maintained on a regular basis and the owner or person in charge of the premises must keep a detailed record of the test and maintenance of the system.
- (2) A person may not test a fire protection system before notifying the occupants of the premises concerned of the starting and completion times of the test, and where applicable, the parties who monitor the fire protection system.
- (3) A fire protection system designed for detecting, fighting, controlling and extinguishing a fire must be maintained in accordance with the National Building Regulations (T2).
- (4) A fire protection system may not be installed, dismantled, recharged, disconnected, serviced, modified, repaired or tested in any area where such action would create a danger or hazard.
- (5) The owner or person in charge of the premises must immediately notify the Council when the fire protection system, or a component thereof, is rendered inoperable or taken out of service and must notify the Council as soon as the system is restored.
- (6) The owner or person in charge of the premises must take all steps deemed necessary by the Council to provide alternate equipment to maintain the level of safety within the premises.

Fire-fighting equipment

- 35 (1) Any person who holds a certificate of registration or other authorisation contemplated in these Bylaws must ensure that the premises to which the authorisation applies, are equipped with –
 - (a) portable fire extinguishers –
 - (i) as specified in SANS 1567 (carbon dioxide-type), SANS 810 (dry chemical-type), SANS 1573 (foam-type) and SANS 1571 (transportable-type);
 - (ii) in such numbers as is appropriate in each section of the premises in accordance with the SANS codes applicable to the flammable substance and risk concerned;
 - (b) if applicable, hose reels as specified in SANS 453 (hose reels), that are connected to a water supply –
 - (i) as contemplated in SANS 0400 (Part W); and

- (ii) that enables each hose reel to maintain a minimum flow of 0,5 litres per second at a minimum work pressure of 300 kPa;
 - (c) if applicable, fire hydrants –
 - (i) with couplings as specified in SANS 1128 (Part II) (fire-fighting equipment- couplings); and
 - (ii) in a ratio of at 1 to every 1000 square metres or part thereof. and
 - (d) if applicable, in relation to any above-ground facility, a sprinkler system or delute system that –
 - (i) is approved by the Chief Fire Officer; and
 - (ii) with the exception of temporary storage facilities, is installed in a position indicated in the building plans for the premises.
- (2) Notwithstanding the provisions of subsection (1), if the Chief Fire Officer believes that there is any exceptional hazard or risk in respect of the premises concerned, he or she may –
- (a) specify the type of fire extinguisher to be installed;
 - (b) require that a greater number of fire extinguishers be installed; and
 - (c) require that a fire detection or warning system be installed.
- (3) The holder of any certificate of registration or other authorisation contemplated in these Bylaws must ensure that all fire-fighting equipment contemplated in subsection (1) –
- (a) is inspected, maintained and serviced to the satisfaction of the Chief Fire Officer –
 - (i) by a competent, registered and appropriately qualified tradesman in accordance with the provisions of SANS 1015 and SANS 1475;
 - (ii) at least every 12 months;
 - (b) if installed outside the premises, is adequately protected from the weather; and
 - (c) is positioned prominently or where this is not possible, the position of the fire-fighting equipment is clearly indicated by a symbolic safety sign–
 - (i) in accordance with the specifications of SANS 1186; and
 - (ii) to the satisfaction of the Chief Fire Officer.

Interference with fire protection systems and fire extinguishers

36. No person shall tamper or interfere with a fire extinguisher or fire protection system, except as may be necessary during emergencies, maintenance, drills or prescribed testing.

Powers of the chief fire officer

- 37 (1) Without restricting any other power, duty or function granted by this bylaw or any other legislation the chief fire officer may:
- (a) carry out inspections to determine compliance with this bylaw
 - (b) take any steps or carry out any actions required to remedy a contravention of this bylaw;
 - (c) take any steps or carry out any actions required to remedy a contravention of this bylaw;
 - (d) establish forms for the purposes of this bylaw;
 - (e) issue permits with such terms and conditions as are deemed appropriate;
 - (f) establish the criteria to be met for a permit pursuant to this bylaw
 - (g) delegate in terms of Section 19 of the Fire Brigades Act any powers, duties or functions under this bylaw to an employee of the Council;
 - (h) delegate any power granted to him under this bylaw, excluding the power obtained in this section.
 - (i) Grant authority that a duty so assigned to him may be performed by such a member
- (2) A power so delegated and a duty so authorised shall be exercised or performed subject to the directions of the chief fire officer who may at any time withdraw such delegation or authority.

- (3) A delegation under subsection (2) above does not prevent the chief fire officer from exercising the power in question himself

Emergency powers of the chief fire officer

38 Without restricting any other power, duty or function granted by this bylaw or any other legislation the chief fire officer may in an emergency, take whatever actions or measures are necessary to eliminate or mitigate the emergency including:

- (a) causing a building or structure to be demolished or removed;
- (b) entering a property or building with any required persons and equipment;
- (c) prohibiting the entry of unauthorised persons to any prescribed area or to within a certain distance of the location of any emergency;
- (d) requesting members of a police service to provide assistance in enforcing any of these powers;
- (e) providing an oral or written order requiring a person to provide labour, services, equipment or materials to assist in eliminating or mitigating the emergency.

Order to comply by Chief Fire Officer

- 39 (1) If the chief fire officer believes, on reasonable grounds, that a person is contravening any provision of this bylaw, he may by written order, require any person responsible for the contravention to remedy it.
- (2) The Chief Fire Officer order may:
- (a) direct a person to stop doing something, or to change the way in which the person is doing it;
 - (b) direct a person to take any action or measures necessary to remedy the contravention of the bylaw and if necessary to prevent a re-occurrence of the contravention;
 - (c) state a time within which the person must comply with the directions;
 - (d) state that if the person does not comply with the directions within a specified time, the Council will take the action or measure.
- (3) A person named in and served with an order issued pursuant to this section shall comply with any action or measure required to be taken within the time specified.
- (4) An order issued pursuant to section 38 may be served:
- (a) in the case of an individual:
 - (i) by delivering it personally to the individual;
 - (ii) by leaving it for the individual at their apparent place of residence with someone who appears to be at least 18 years of age, or
 - (iii) by registered mail addressed to the individual at their apparent place of residence or at any address for the individual on the council records
 - (b) in the case of a corporation or trust:
 - (i) by delivering personally to any director or officer or trustee of the corporation or trust;
 - (ii) by delivering it personally to a person apparently in charge of an office of the corporation or trust at an address held out by the corporation or trust to be its address; or
 - (iii) by main addressed to the registered office of the corporation or trust.

Attendance during function in place used for entertainment

40. (1) When the Council is of the opinion that a representatives of the fire brigade service are required to be in attendance during a function in a place used for entertainment or public assembly, the Council may provide, in the interest of public safety and subject to the exigencies of the service, one or more members, a vehicle or equipment of a service to be in attendance on the premises for the duration of the function or part thereof.
- (2) Where the entertainment or public assembly is taking place on Council property, the costs of the attendance of the representatives of the fire brigade service shall be recoverable from the organizers

Chief Fire Officer may designate premises for emergency evacuation plans

- 41 (1) The Chief Fire Officer may by written notice designate any premises as a premises requiring an

emergency evacuation plan.

- (2) The notice contemplated in subsection (1), must be served on the premises concerned and addressed to the owner or occupier.

Duties of owner or occupier of designated premises

42. (1) The owner, or with the approval of the Chief Fire Officer, the occupier, of any premises designated in terms of section 40 shall -
- (a) prepare a comprehensive emergency evacuation plan for the premises in accordance with the guideline contained in Schedule 1 and submit it to the Chief Fire Officer in triplicate within 30 days of service of the designation notice;
 - (b) establish a fire protection committee comprised of occupiers of the premises or in the case of a rural area, or committee of volunteers to assist the owner or occupier to organise a fire protection programme and regular and scheduled fire evacuation drills;
 - (c) ensure that the emergency evacuation plan is reviewed-
 - (i) at least every 12 months;
 - (ii) whenever the floor layout of the premises is changed; and whenever the Chief Fire Officer requires revision of the plan;
 - (d) ensure that an up-to-date emergency evacuation plan, any fire protection programmes, evacuation drills and any related documents are kept, maintained and all times available in a control room on the premises for inspection by any member of the Service; and
 - (e) identify a place of safety off the designated premises, but in the immediate vicinity of the premises, where persons who reside or work on the premises may gather during an emergency for the purpose of compiling a list of survivors.
- (2) The Chief Fire Officer may in respect of premises designated in terms of section 40 -
- (a) require the review of any emergency evacuation plan by the owner or occupier and may provide directions in this regard;
 - (b) instruct the owner or occupier to implement a fire protection program that the Chief Fire Officer believes is necessary to ensure the safety of persons and property on the premises; and
 - (c) require the owner or occupier to provide the Chief Fire Officer with a certified copy of the emergency evacuation plan and any associated documents at a specified time and place.

Displaying of escape route plans

43. The escape route plan must be displayed in a conspicuous position in any room designed for sleeping purposes.

Formulation of an emergency evacuation plan

44. (1) The owner or person in charge of a school, hospital, residential institution, hotel, guest house, hostel or other similar occupancy which has a population in excess of 25 persons (including staff), must formulate an emergency evacuation plan detailing the appropriate action to be taken by the staff or the occupants in the event of a fire or other threatening danger.
- (2) The Council may order the owner or person in charge of the premises, other than those contemplated in subsection (1), to formulate an emergency evacuation plan detailing the appropriate action to be taken by the staff or the occupants in the event of a fire or other threatening danger.
- (3) The plan mentioned in subsections (1) and (2) must be revised if an aspect thereof is no longer applicable or if the building for which the plan was designed has changed.
- (4) The emergency evacuation plan must be tested in its entirety at a maximum of six-monthly intervals or when the plan has been revised and a record of the testing must be kept in a register.
- (5) The register mentioned in subsection (4) must contain the following information:
- (a) the date and time of the test;
 - (b) the number of participants;
 - (c) the outcome of the test and any corrective actions required, and
 - (d) the name and signature of the person supervising the test.
- (6) The register, together with the emergency evacuation plan, must be available on the premises for

inspection by the Council.

- (7) The Council may evaluate the formulation and implementation of the emergency evacuation plan and may officially communicate any recommendations or remedial actions to improve or rectify faults in the plan.

Part 4: Certificates of Fitness for Certain Buildings

Prohibition of public gatherings in certain circumstances

- 45 (1) No person may hold a public gathering or allow a public gathering to be held in any building or temporary structure unless a certificate of fitness has been issued by the Chief Fire Officer in respect of that building or temporary structure, unless a certificate of fitness previously issued in terms of this subsection, has not yet expired.
- (2) Subsection (1) does not apply in respect of a building or temporary structure which existed at the commencement of these Bylaws, unless after that date—
- (a) the building or temporary structure is rebuilt, altered, extended or its floor layout is changed; or
- (b) ownership or control of the building or structure changes.

Application for certificate of fitness

- 46 (1) Every owner of a building or temporary structure intended for the holding of a public gathering must -
- (a) complete and submit to the Chief Fire Officer an application form for a certificate of fitness in the form and manner determined by the Council; and
- (b) pay the prescribed fee.
- (2) An application contemplated in subsection (1) must be submitted at least 30 days before any intended public gathering.

Requirements for certificate of fitness

- 47 The Chief Fire Officer may not issue a certificate of fitness in respect of a building or temporary structure -
- (a) unless the Council is in possession of an up-to-date set of building plans for the premises;
- (b) unless the building or temporary structure complies with the requirements of these Bylaws; and
- (c) for a period of validity exceeding 12 months.

Form and content of certificate of fitness

- 48 A certificate of fitness must be in the form determined by the Council and must at least record the following information, where applicable:
- (a) (i) The trade name and street address of each occupier of the building or temporary structure;
- (ii) In the case of a rural area the trade name and some identifiable marker eg name of trading store or chief or induna
- (b) a description of the type of activity carried on by each occupier of the building or structure;
- (c) the full names and addresses of the persons who serve on the governing or similar body of each occupier;
- (d) the maximum permissible number of people who may be admitted to the useable floor area of the building or structure;
- (e) the number of emergency exits and their dimensions; and
- (f) the dates of issue and expiry of the certificate and its serial number.

Duties of holder of certificate of fitness

- 49 The holder of a certificate of fitness must -
- a. comply with the provisions of the certificate of fitness;
- b. at all times -
- i. display the certificate prominently on the premises; and
- ii. maintain the certificate in a legible condition;
- c. immediately notify the Chief Fire Officer in writing of any change to the trade name, activity or governing or similar body of any occupier of the building or structure; and

- d. submit any application for renewal of the certificate of fitness at least 30 days before its expiry in the form and manner determined by the Council together with the prescribed fee.

Cancellation of certificate of fitness

- 50 (1) The Chief Fire Officer may cancel any certificate of fitness in respect of a building or temporary structure if he or she has reason to believe that -
- (a) the owner or occupier concerned contravenes or fails to comply with any provision of these Bylaws ; or
 - (b) the building or structure contravenes or does not comply with the requirements of these Bylaws
- (2) Subject to subsection (3), before the Chief Fire Officer cancels a certificate of fitness as contemplated in subsection (1), he or she must -
- (a) give the owner or occupier concerned written notice of the intention to cancel the certificate of fitness and the reasons for such cancellation;
 - (b) give the owner or occupier concerned a period of at least 20 days to make written representations regarding the matter; and
 - (c) consider any representations received.
- (3) If the Chief Fire Officer has reason to believe that the failure to cancel a certificate of fitness within the period contemplated in subsection (2)(b), may endanger any person or property, he or she may cancel a certificate of fitness without prior notice to the owner or occupier concerned.
- (4) If the Chief Fire Officer cancels a certificate of fitness in terms of subsection (3), he or she must -
- (a) furnish the owner or occupier of the building or temporary structure concerned with written notice of the cancellation;
 - (b) provide the owner or occupier a period of at least 20 days to make written representations regarding the cancellation; and
 - (c) consider any representations received.
- (5) The Chief Fire Officer may, after considering the representations contemplated in subsection (4), reverse the decision to cancel the certificate of fitness.

Part 5: Water supply for fire-fighting purposes

Township and informal settlement water supply requirements

- 51 (1) Every person who develops or redevelops a township must design and develop that township with a sufficient water supply for purposes of fire-fighting by members of the Service.
- (2) Every person who develops or redevelops a township must ensure that -
- (a) the storage capacity and rate of replenishment of the reservoirs supplying water to the township are sufficient for the fire-fighting purposes contemplated in these Bylaws ;
 - (b) the water supply from these reservoirs is reticulated in a manner that ensures that the water supply to any area in the township can be provided from at least two directions; and
 - (c) double supply mains are installed from the water supply source to the distribution reservoirs and double pumps are installed for the delivery of the water supply.
- (3) Subsection (2)(c) is deemed to be satisfied, if -
- (a) the water is supplied to the township from more than one reservoir;
 - (b) each reservoir receives water from a separate supply main and pump; and
 - (c) reservoirs are connected to each other.
- (4) Every person who develops or redevelops a township must ensure that -
- (a) the water distribution system is designed and equipped with control valves positioned so that it is not necessary to close off any branch or any portion of the distribution system for more than 150 metres in any high risk area or for more than 300 metres in any moderate or low risk area in the event that the system, excluding any of the branches, is damaged or requires repair; and
 - (b) if the redevelopment of any township alters the fire risk category of any area in the township as contemplated in section 53, the water reticulation system is adapted without delay so as to comply with the requirements of sections 51 and 52.

- (5) Every municipality within which an informal settlement is established shall be obliged to provide a sufficient and adequate water supply for the purpose of fire fighting by member of the service.

Township development fire-extinguishing stream requirements

- 52 Every person who develops or redevelops a township must ensure that the water supply provides a fire-extinguishing stream that is immediately available to members of the Service in an emergency, of the following volume and duration:

Fire risk category	Minimum volume of extinguishing stream (litres per minute)	Minimum duration of extinguishing stream (hours)
High risk	11 500	6
Moderate risk	5 750	4
Low risk	2 300	2

Township development fire hydrant requirements

- 53 (1) Every person who develops or redevelops a township must ensure that fire hydrants are plotted on a plan and installed in accordance with the following minimum delivery volumes and distance frequencies:

Fire risk category	Minimum fire hydrant delivery volume measured at peak consumption (litres per minute)	Minimum distance between fire hydrants (metres)
High risk	1980	120
Moderate risk	1 150	180
Low risk	900	240

- (2) Every person who develops or redevelops a township must ensure that the position of fire hydrants are plotted accurately on a plan that is furnished to the Chief Fire Officer for operational fire-fighting purposes.

Fire risk categories

- 54 (1) For purposes of sections 51 and 52, the following areas of a township must be regarded –
- (a) as high risk –
 - (i) any factory area, high density shopping area, warehouse or commercial building;
 - (ii) any plantation, timber yard or wooden building;
 - (iii) any building higher than 3 storeys;
 - (iv) any building in which hazardous substances are used, handled or stored or in which hazardous processes are conducted; and
 - (v) any other area that has a high fire risk or high fire spread risk;
 - (b) as moderate risk -
 - (i) any area in which –
 - (aa) factories, commercial buildings or residential buildings generally detached from each other and do not exceed 3 storeys; and
 - (bb) the Chief Fire Officer has not declared the materials processed or stored in these buildings as highly dangerous;
 - (ii) any area where the fire risk and spread risk of fire is moderate; and
 - (iii) any other area that is not a high or low risk area; and
 - (c) as low risk -
 - (i) any area that is mainly residential or semi-rural;
 - (ii) any area that has predominantly detached, duet, cluster or town house developments; and

- (iii) any area where the fire risk or risk of spread of fire is slight or insignificant.

Connections to water reticulation system

- 55 (1) No person may obtain a water connection to the water reticulation system of the Council unless the fire protection plans for the premises to be connected have been approved by the Chief Fire Officer.
- (2) Every person or owner of premises who requires a water connection to the water reticulation system of the Council must –
- (a) if the premises to be connected are protected by a sprinkler installation, ensure that –
- (i) the connection is calculated and designed for each sprinkler installation in accordance with a rational design as contemplated in the National Building Regulations and Building Standards Act, and
- (ii) the size, delivery pressure and flow of the water connection is calculated in advance by the responsible engineer;
- (b) if the Chief Fire Officer requires a larger water connection for purposes of fire-fighting, provide the larger water connection;
- (c) ensure that the size, work pressure and delivery flow, except in the case of a water connection to a sprinkler installation, is calculated and designed in accordance with SANS 0400 (Part W); and
- (d) ensure that the water installation upon completion complies with the provisions of SANS-1:1994

CHAPTER 3

CONTROL OF FIREWORKS

Use of fireworks prohibited in certain circumstances

- 56 (1) Unless so authorised in terms of section 55, no person may use fireworks
- (a) within 500 metres of any explosives factory, explosives storage place, petrol depot or petrol station;
- (b) inside any building;
- (c) on any agricultural holding;
- (d) at any public place; or
- (e) at any school, old age home or hospital.
- (2) No person may light or ignite fireworks in any place where animals are present.
- (3) Unless so authorised in terms of section 55, no person may light or ignite fireworks on any day or at any time except –
- (a) New Years Eve from 23h00 to 01h00;
- (b) New Years Day from 19h00 to 22h00;
- (c) Hindu New Year from 19h00 to 22h00;
- (d) Lag b'omer (Jewish holiday) from 19h00 to 22h00;
- (e) Chinese New Year from 19h00 to 22h00;
- (f) Human Rights Day from 19h00 to 22h00;
- (g) Freedom Day from 19h00 to 22h00;
- (h) Guy Fawkes Day from 19h00 to 22h00;
- (i) Diwali from 19h00 to 22h00;
- (j) Christmas Eve from 19h00 to 22h00; and
- (k) Day of Goodwill from 19h00 to 22h00.
- (4) No person may allow any minor whether under his or her control to use, light or ignite fireworks in contravention of subsection (1), (2) or (3).

Fireworks displays prohibited unless authorised

- 57 No person may present a fireworks display unless -
- (a) authorised to do so by the Council as contemplated in section 58;
 - (b) authorised to do so by the Civil Aviation Authority and the Chief Inspector of Explosives;
 - (c) Under the supervision of a Special Effects Pyrotechnician, Pyrotechnician or a Theatrical use.
 - (d) the display is at all times under that person's supervision and control; the Service and a suitably qualified explosives expert from the South African Police Services are at all times in attendance at the display;
 - (e) that person has ensured that -
 - (i) an area with a radius of at least 50 metres is clearly demarcated for the launching of fireworks at the display; and
 - (ii) measures are in place to prevent any person who is not involved in the presentation of the display from entering this launching area; and
 - (iii) he is in possession of a fireworks display permit or pyrotechnicians display permit, whichever is applicable.
 - (f) a pyrotechnist is at all times present and responsible for the use of fireworks at the display.

Application to present fireworks display

- 58 (1) Any person who wishes to present a fireworks display must apply to the Chief Fire Officer for authorisation by completing and submitting an application in the form and manner determined by the Council together with the prescribed fee and the following documentation:
- (a) Proof of permission for the fireworks display from the Civil Aviation Authority;
 - (b) proof that an application for the fireworks display has been submitted to the Chief Inspector of Explosives;
 - (c) a letter of consent from the owner or person responsible for the property on which the fireworks display is proposed to be presented; and
 - (d) a sketch plan of the proposed venue for the fireworks display, including the demarcated area for the launching of the fireworks.
- (2) The application, prescribed fee and accompanying documentation must be submitted to the Chief Fire Officer at least 14 days before the date of the proposed fireworks display.

Authority to present fireworks display

- 59 (1) If the Council decides to approve an application to present a fireworks display, it must provide the applicant with written confirmation of its decision and any conditions that it may impose to safeguard persons and property.
- (2) The Council may require that the fireworks display be presented only on suitable premises designated by the Council and under the supervision and control of an official designated by the Council.

Dealing or sale in fireworks

- 60 (1) No person may deal in or sell fireworks unless -
- (a) that person holds the required fireworks licence in terms of the Explosives Act; and
 - (b) has the written authority of the Chief Fire Officer.
 - (c) that person is in possession of a permit to deal in or sell fireworks
- (2) Persons dealing in fireworks shall not display such fireworks unless:
- (a) the fireworks are displayed in a display case, package or other suitable receptacle that is not accessible to the public
 - (b) the display case, package or other suitable receptacle in which the fireworks are displayed is not in close proximity to flammable material and not in a location where the fireworks will be exposed to the rays of the sun or excess heat
 - (c) the fireworks are displayed in lots not exceeding 25 kilograms each gross weight

- (d) the fireworks are dispensed from the display case, package or other suitable receptacle only by the seller or the sellers employees
- (3) Any person who wishes to obtain the written authority of the Chief Fire Officer to deal in fireworks as contemplated in subsection (1)(b), must -
 - (a) complete an application in the form and manner determined by the Council; and
 - (b) submit it to the Chief Fire Officer together with the prescribed fee at least 30 days before the authority is required by the applicant.
- (4) The Chief Fire Officer may cancel any written authority to deal in fireworks if the holder of the authority contravenes or fails to comply with any provision of these Bylaws or any other applicable law.

CHAPTER 4

EXPLOSIVES

Manufacturing of explosives

- 61 (a) Subject to subsection 60(d) no person may manufacture, either wholly or in part, any authorised explosives in or any premises other than explosives manufacturing site.
- (b) (i) No person may manufacture any unauthorised explosive unless they are manufactured for the purpose of research or development and in such quantities and under such conditions as the chief inspector permits in writing.
- (ii) No authorised explosive manufactured in terms of paragraph (b)(i) may be sold.
- (c) Unless it is done on a licensed explosive manufacturing site, no person may-
 - (i) divide any explosives into their components, otherwise break down any explosives or remove any identification mark from any explosives
 - (ii) make any unserviceable explosives fit for use; or
 - (iii) remake or rework any explosives
- (d) The chief inspector in terms of the Explosive Act may grant written permission, subject to applicable regulations and any conditions imposed by him or her in writing, to any person applying therefor in writing, to manufacture explosives-
 - (i) on any premises where explosives are manufactured for testing
 - (ii) on any premises where such explosives as may be prescribed are prepared for immediate use;
 - (iii) at any tertiary educational institution for the purposes of training or instruction; or
 - (iv) in any laboratory or testing facility registered with the chief inspector

Prohibition on use of explosives without permit

- 62 (a) No person may use any explosives unless he or she is:
 - (i) in possession of a permit authorising such use, issued by an inspector in the prescribed manner; or
 - (ii) under the immediate and constant supervision of a person who is in possession of such a permit.
- (b) (i) The Minister may by regulation or by notice in the Gazette exempt any person or any group of persons from obtaining a permit contemplated in subsection 60 (1) if the exemption relates to the use of fireworks in celebration of a specific religious, cultural or traditional event.
- (ii) The Minister may limit the fireworks which may be used to any specific class and must specify the period for which the exemption is valid.
- (c) No permit may be issued under this section unless the applicant is a suitable person.

Possession of limitation of explosives

- 63 Any person who gives out or pretends that an imitation of an explosive is in fact an explosive is guilty of an offence.

Importation and exportation of explosives

- 64 No person may import explosives into or export authorised explosives from the Republic or cause any explosives to be imported into or authorised explosives to be exported from the Republic, unless-
- (a) he or she is in possession of a permit issued by or under the authority of the chief inspector; and
 - (b) in the case of exportation, he or she is in possession of such an end-user certificate as may be prescribed.

CHAPTER 5**CERTIFICATE OF REGISTRATION FOR USE, HANDLING AND STORAGE OF****FLAMMABLE SUBSTANCES****Use, handling and storage of flammable substances prohibited in certain circumstances**

- 65
- (1) Subject to the provisions of subsection (3), no person may use, handle or store any flammable substance or allow such substance to be used, handled or stored on any premises unless that person is the holder of a certificate of registration issued by the Chief Fire Officer in respect of the flammable substance and the premises concerned.
 - (2) A certificate of registration contemplated in subsection (1) is not required if the flammable substance concerned is of any class and does not exceed the quantity stipulated in Schedule 2.
 - (3) No person may use, handle or store any flammable substance in respect of which no certificate of registration is required or allow such substance to be used, handled or stored on any premises, unless the flammable substance -
 - (a) is used, handled or stored in a manner that ensures that -
 - (i) no flammable substance nor any flammable substance fumes come into contact with any source of ignition that may cause the flammable substance or fumes to ignite;
 - (ii) in the event of a fire or other emergency, the escape of any person or animal is not hindered or obstructed in any way; or
 - (b) is used, handled or stored -
 - (i) in a naturally ventilated room that prevents the accumulation of fumes or gas;
 - (ii) in a suitable place outdoors that ensures the safe disposal of fumes or gas; or
 - (c) the flammable substance is stored in strong, gas-tight and labelled containers.

Application for certificate of registration for flammable substances

- 66
- (1) The owner or person in charge of the premises, who requires a flammable substance certificate must submit an application to the Council.
 - (2) The Council must refuse to issue the flammable substance certificate if the premises do not comply with the requirements of the National Building Regulations (T1) as well as additional requirements set out in this by-law, and where the Council is of the opinion that the non-compliance of the premises can be remedied, the Council must instruct the owner or person in charge of the premises in writing to take all reasonable steps to render the premises safe prior to usage of the premises and the issuing of the certificate.
 - (3) A flammable substance certificate must be renewed annually, on or before the date as indicated on the flammable substance certificate, and whenever the quantity or class of the flammable substance requires to be changed.
 - (4) Premises must be used in accordance with any conditions specified in the flammable substances certificate and when in the opinion of the Council, a flammable substance is stored or utilised for any process in a manner which is hazardous to life or property, or an installation is unauthorised, an order may be issued for the removal of the flammable substance or installation from the premises.
 - (5) A supplier may not supply flammable substances to the owner or person in charge of the premises, unless the owner or person in charge of the premises is in possession of a valid flammable substance certificate issued by the Council.
 - (6) A flammable substance certificate is valid only:
 - (a) for the installation for which it was issued;
 - (b) for the state of the premises at the time of issue, and
 - (c) for the quantities stated on the certificate.

- (7) The flammable substance certificate must be available on the premises for inspection at all times.

Issue of certificate of registration

- 67 (1) If the Chief Fire Officer issues a certificate of registration to any person, that Officer must endorse on the certificate -
- (a) the class and quantity of the flammable substance for which the premises have been registered;
 - (b) the number of storage tanks or storage facilities on the premises and their capacities;
 - (c) the number of flammable substance storerooms on the premises and their capacities;
 - (d) the number of liquified petroleum gas installations, types of installations and the combined capacity of all cylinders that may be stored on the premises;
 - (e) the number of storage facilities for any other flammable substance and the volume of each such facility;
 - (f) the period of validity and expiry date of the certificate; and
 - (g) the physical address of the premises and the name and postal address of the occupant.
- (2) A certificate of registration -
- (a) is not transferable between premises;
 - (b) may not be issued by the Chief Fire Officer for a period exceeding 12 months;
 - (c) may be transferred to the new owner of the premises in respect of which it was issued, only if an application for such transfer is approved by the Chief Fire Officer in writing.
- (3) A certificate of registration is valid only for -
- (a) the installation for which it was issued;
 - (b) the state of the premises at the time of issue; and
 - (c) for the quantities of flammable substance stated on the certificate.

Availability of certificate of registration at premises

- 68 The holder of a certificate of registration must ensure that the certificate is available on the premises concerned at all times for inspection by any member of the Service.

Amendment to certificate of registration

- 69 The Chief Fire Officer may amend any certificate of registration on application by the holder.

Cancellation of certificate of registration

- 70 The provisions of section 49, read with the necessary changes, apply to any cancellation by the Chief Fire Officer of a certificate of registration.

Renewal of certificate of registration

- 71 Any application for the renewal of a certificate of registration must be submitted to the Chief Fire Officer at least 30 days prior to the expiry date of the certificate.

No authorisation required for certain motor vehicle fuel tanks

- 72 No certificate of registration contemplated in section 34 or any other authorisation contemplated in these Bylaws is required in respect of flammable liquids in a fuel tank -
- a. of any motor vehicle; and
 - b. of any stationery engine if the volume of the fuel tank does not exceed 1 000 litres.

Record of certificates of registration

- 73 The Chief Fire Officer must keep updated records of all premises in respect of which a certificate of registration has been issued, amended or renewed,

CHAPTER 6**GENERAL PROVISIONS REGARDING THE USE, HANDLING AND STORAGE OF
FLAMMABLE SUBSTANCES****General prohibitions regarding use, handling and storage of flammable substances**

- 74 (1) No person who uses, handles or stores a flammable substance or allows them to be used, handled or stored on any premises may –
- (a) do anything or allow anything to be done that may result in or cause a fire or explosion;
 - (b) do anything or allow anything to be done that may obstruct the escape to safety of any person or animal during an emergency
- (2) No person may –
- (a) dump or spill or allow the dumping or spilling of any flammable substance into any borehole, sewer, drain system or surface water;
 - (b) discard or allow the discarding of any flammable substance from any premises in any way other than by a competent person who is properly equipped and authorised to do in terms of these Bylaws ;
 - (c) make or bring any fire or device capable of producing an open flame or allow any other person to do so, within 5 metres of any place where a flammable substance is stored;
 - (d) use or allow to be used any device in connection with a flammable substance in any basement level of a building, other than a gas welding or cutting device, used for the sole purpose of maintenance of the building;
 - (e) while any person, except the driver or any other person responsible for a bus contemplated in the National Road Traffic Act, is in or on the bus–
 - (i) fill or allow the filling of its fuel tank; or
 - (ii) transport or allow the transport of any flammable substance on the bus, except in its fuel tank; and
 - (f) deliver or supply or allow to be delivered or supplied, any flammable substance to any premises unless the owner or person in charge of the premises is in possession of a valid certificate of registration.

Use, handling and storage of liquefied petroleum gas

- 75 (1) No person may use, handle or store liquefied petroleum gas in any quantity exceeding that stipulated in Schedule 2 unless –
- (a) the person is in possession of a certificate of registration contemplated in section 35; and
 - (b) the use, handling and storage of the liquefied petroleum gas complies with the requirements of SANS 087, Parts 1, 3, 7 and 10.
- (2) Liquid petroleum gas may only be used, handled or stored within property boundaries and in compliance with safety distances stipulated in SANS 087, Parts 1, 3, 7 and 10.
- (3) Any storage of liquid petroleum gas cylinders at any service station for retail purposes must comply with SANS 087, Part 7.
- (4) No liquid petroleum gas cylinder may be used, handled or stored at any public exhibition or demonstration without the prior written permission of the Chief Fire Officer.
- (5) An application for permission contemplated in subsection (4) must be made in writing at least 14 days before the event concerned .
- (6) The Chief Fire Officer may impose any reasonable condition on the use, handling and storage of liquid petroleum gas cylinders at a public exhibition or demonstration, including but not limited to, the number of cylinders, the manner of storage, safety distances and other safety requirements.
- (7) Any person using, handling or storing any liquid petroleum gas cylinder at any public exhibition or demonstration must comply with any condition imposed in terms of subsection (6).

Display of symbolic warning signs required

- 76 (1) The owner of any premises where any flammable or explosive substance is used, handled or stored must, in the affected area of the premises, display symbolic signs –
- (a) prohibiting smoking and open flames;

- (b) of a size and number determined by the Chief Fire Officer; and
 - (c) prominently in places where the signs can be clearly observed.
- (2) No person may disregard or allow to be disregarded any prohibition on a symbolic sign displayed in terms of subsection (1).

Duty to report fires, accidents and dumping

- 77 If any fire, accident or dumping involving a flammable substance has caused damage to any person, animal, property or the environment on any premises, the owner or occupier of the premises must immediately report it to the Chief Fire Officer.

CHAPTER 7

STORAGE OF FLAMMABLE SUBSTANCES

Storage of flammable substances prohibited in certain circumstances

- 78 (1) Prior to the construction of a new installation or the alteration of an existing installation, whether temporary or permanent, for the storage of a flammable substance, the owner or person in charge of the installation must submit a building plan to the Council, in accordance with the National Building Regulations, and a copy of the approved plan must be available at the site where the installation is being constructed.
- (2) Prior to the commissioning of an above ground or underground storage tank installation, liquid petroleum gas installation or associated pipework, the owner or person in charge of the installation must ensure that it is pressure-tested in accordance with the provisions of the National Building Regulations (T1), SANS 0131: Parts 1 and 2, SANS 089: Part 3 and SANS 087: Parts 1,3 and 7 (whichever is applicable) in the presence of the Council.
- (3) Notwithstanding subsection (2), the Council may require an existing above ground or underground storage tank installation, liquid petroleum gas installation or associated pipework, to be pressure-tested in accordance with the provisions of the National Building Regulations (T1).
- (4) The Council must be notified at least 48 hours prior to the pressure test.
- (5) The owner or person in charge of the premises may not store or use:
- (a) a flammable gas in excess of 19 kilogram, or
 - (b) a flammable liquid of a danger group (i), (ii), (iii) or (iv) in excess of 200 litres, unless he or she has obtained a flammable substance certificate from the Council.
- (6) No person may store or allow the storage of any flammable substance in any storeroom unless –
- (a) that person has a certificate of registration contemplated in section 64; and
 - (b) the storeroom complies with the requirements of these Bylaws and any other applicable law.

Symbolic safety signs must be displayed

- 79 The holder of a certificate of registration for a storeroom to be used for any flammable substance must ensure that-
- (a) symbolic safety signs prohibiting open flames and smoking are displayed in the storeroom –
 - i. of a number determined by the Chief Fire Officer;
 - ii. of dimensions at least 290 millimetres by 200 millimetres; and
 - iii. manufactured in accordance with SANS 1186;
 - (b) the groups of flammable substances and their corresponding quantities which may be stored in the storeroom are indicated on the outside of every door to the storeroom in red letters at least 75 millimetres high, against a white background.

Construction of flammable substance storerooms

- 80 Every storeroom must be designed and constructed according to the following criteria:
- (a) The storeroom floor must consist of concrete;
 - (b) the storeroom walls must consist of material that has a fire resistance of at least 120 minutes;
 - (c) the storeroom roof must consist of –
 - i. reinforced concrete with a fire resistance of at least 120 minutes; or

- ii. any other non-combustible material, if the storeroom -
 - (aa) boundary of the premises; or
 - (bb) adjoins a higher wall with no opening within 10 metres is not situated within 5 metres of any adjacent building or above and 5 metres on either side of the storeroom.

Requirements for storeroom doors

- 81 (1) Every storeroom must be equipped with a fire rated fire door that -
- (a) is manufactured and installed in accordance with SANS 1253;
 - (b) opens to the outside;
 - (c) is equipped with a lock or locks approved by the Chief Fire Officer; and
 - (d) is at all times capable of being opened from the inside of the storeroom without the use of a key.
- (2) A storeroom must be equipped with two or more fire doors if the distance to be covered from any part in that storeroom to a door is 4 metres or more, in which case, the fire doors must be installed as far from each other as is practicable in the circumstances.
- (3) Fire doors contemplated in subsections (1) and (2) must if installed on -
- (a) external walls, be "B" class fire doors; and
 - (b) internal walls in communication within a building, be "D" class fire doors.

Requirements for storeroom windows

- 82 (1) Every storeroom window frame must -
- (a) consist of steel;
 - (b) have window panels of dimensions not exceeding 450 millimetres x 450 millimetres; and
 - (c) be fitted with wire glass of a thickness not less than 8 millimetres.
- (2) No storeroom window must be capable of being opened.
- (3) Every storeroom window must be fitted to the external wall of a building.

Requirements for storeroom catch pits

- 83 (1) Every storeroom must be designed and constructed so that its floor is recessed below the level of the door sill to form a catch pit -
- a. with a holding capacity at least equal to the total volume of hazardous substances capable of being stored in the storeroom, plus 10 percent; and
 - b. if required by the Chief Fire Officer -
 - i. covered at door sill level by a strong, stable, non-combustible and oxidation free floor grill; and
 - ii. equipped, at its lowest level, with a non-corrosive drainage valve for cleaning purposes and product recovery.
- (2) The floor grill contemplated in subsection (i) must contain a suitably positioned access hatch for cleaning purposes.

Ventilation of storerooms

- 84 (1) Every storeroom must be designed and constructed to ensure -
- (a) the effective ventilation of flammable substance fumes;
 - (b) that fumes released from the storeroom into the open air will not come into contact with any source of ignition.
- (2) If the storeroom is designed and constructed for natural ventilation, the owner or person in charge of the storeroom must ventilate the storeroom at a minimum cycle of 30 air changes per hour by installing non-combustible airbricks -
- (a) that are not less than 140 millimetres by 250 millimetres in extent, with non-corrosive gauze wire with a minimum opening diameter of 0.5 millimetres;
 - (b) that are provided in at least 3 external walls of the storeroom; and

- (c) that are positioned 100 millimetres above the level of the sill and 100 millimetres below the level of the roof and not more than 450 millimetres apart.
- (3) If the storeroom is designed and constructed for mechanical ventilation, the owner or person in charge of the storeroom must equip it with a mechanical ventilation system –
 - (a) designed and installed for this purpose;
 - (b) with a flow rate of 0,5 meters / second across the store;
 - (c) with vanes that consist of a static-free material;
 - (d) that discharges through a vertical metal duct into the open air –
 - (i) not situated within 5 metres of any opening of a building or erf boundary; and
 - (ii) terminating at least 1 metre above roof height or at least 3.6 meters above ground level, whichever is the greater;
 - (e) equipped with ventilators that are firmly attached to the inside of the walls of the storeroom and, in the case of bottom ventilators, as close as possible to the level of the sill;
 - (f) with all ventilation or air duct openings in the external wall opposite the mechanical ventilator installed 100 millimetres above the level of the sill to ensure effective cross-ventilation; and
 - (g) equipped with ducting material that –
 - (i) is as short as possible in the circumstances and does not have sharp bends; and
 - (ii) is fitted with a fire damper of at least 120 minutes fire resistance at any point where the ducting exits the storeroom, if ducting material is installed external to the storeroom in communication with the remainder of the building.

Electrical equipment in storerooms

- 85 (1) The owner or person in charge of any storeroom must ensure that -
- (a) all electrical apparatus, fittings or switch gear used or installed in the storeroom are used or installed as contemplated in SANS 0108;
 - (b) no switch gear, distribution box, fuse or other electrical equipment, except electrical equipment as contemplated in SANS 0108, is situated–
 - (i) inside the storeroom; or
 - (ii) in any position where it may come into contact with any flammable substance fumes leaving the storeroom;
 - (c) any metal part, electrical fittings and device used in or in connection with the storeroom are earthed effectively to each other and to the ground;
 - (d) any mechanical ventilation system switch is situated outside the storeroom;
 - (e) any mechanical ventilation system is on at all times, except when the system is being repaired or replaced, in which case the system must be repaired or replaced without delay; and
 - (f) all electrical apparatus and fittings, except the mechanical ventilation system, are switched off when the storeroom is unattended.
- (2) Any electrical installation in a storeroom may be installed and certified only by an electrician who is qualified and competent by virtue of his or her training and experience.
- (3) The owner or person in charge of a storeroom must submit the certificate contemplated in subsection (2) to the Chief Fire Officer for record purposes immediately after installation contemplated in that subsection.

Foam inlets required for certain storerooms

- 86 The owner or person in charge of a storeroom that is used or intended to be used for storing more than 5000 litres of flammable substance must ensure -
- (a) that the storeroom is provided with a foam inlet consisting of a 65 mm male instantaneous coupling and mild steel pipe work leading to the inside thereof; and
 - (b) that the foam inlet is identified by a sign in block letters at least 100 millimetres high, displaying the words "foam inlet".

Shelving in storerooms

- 87 The owner or person in charge of a storeroom must ensure that any racking of shelving erected or installed in the storeroom is of non-combustible material.

Unauthorised use and entry of storerooms prohibited

- 88 No person may –
- (a) without the authority of the owner or person in charge, enter or allow any other person to enter any storeroom;
 - (b) use any storeroom or allow it to be used for any purpose other than for the use, handling or storage of flammable substances;
 - (c) allow any person to work in a storeroom unless all the doors of the storeroom are wide open or the mechanical ventilation system is switched on; or
 - (d) place or allow to be placed any obstruction or hindrance in a passage of any storeroom or in front of any storeroom door.

Mixing and decanting rooms

- 89 The owner or person in charge of any premises where quantities of flammable liquids exceeding those stipulated in Schedule 3 are decanted or mixed, must ensure that any room where decanting or mixing takes place complies with all requirements of this Chapter applicable to storerooms.

Temporary above ground storage of flammable substances

- 90 (1) Any person who wishes to store any flammable substance on premises on a temporary basis, must apply to the Chief Fire Officer for a temporary certificate of registration.
- (2) A temporary certificate of registration may be issued by the Chief Fire Officer
- (a) written application together with a plan must be forwarded to the fire chief at least 14 days prior to the erection of the tank and prior written permission must be obtained from the Council for the erection of the tank.
 - (b) for a period not exceeding 12 months;
 - (c) if the flammable substance concerned is required -
 - (i) in respect of excavation work, construction work or road construction if the volume of the flammable substance does not exceed 9 000 litres with a flash point below 40 degrees centegrade;
 - (ii) in respect of small fleet maintenance or research purposes, if the volume of the flammable substance does not exceed 4 400 litres; and
 - (iii) the application complies with the requirements of SANS 0131 and this Chapter.
- (3) Every holder of a temporary certificate of registration contemplated in subsection (1) must ensure that –
- (a) a storage tank for the flammable substance is not erected within 3.5 metres of any erf boundary, building, excavation, road, driveway or any other flammable substances or combustible material;
 - (b) adequate provision is made for rainwater run-off from retaining walls or embankments;
 - (c) no source of ignition or potential source of ignition exists within 5 metres of a storage tank;
 - (d) a symbolic sign of dimensions at least 300 millimetres by 300 millimetres prohibiting smoking and open flames is displayed on every side of a temporary storage tank; and
 - (e) at least two 9 kilogram dry chemical fire extinguishers are installed and kept in good working condition, within 10 metres of a temporary storage tank.

Hand tools must be intrinsically safe

- 91 The owner or person in charge of any flammable substance storeroom must ensure that any hand tool used in the storeroom is intrinsically safe.

Permanent or temporary above ground storage tanks for flammable liquids

- 92 (1) A temporary above ground storage tank other than that at a bulk storage depot is permitted, at the discretion of the Council, on the merit of the situation, provided that the following requirements are complied with:
- (a) if it has a capacity not exceeding 9 000 litres and is not used for the storage of flammable substances with a flash point below 40 degrees centigrade;
 - (b) to be on the premises for a period not exceeding six months;

- (c) the entire installation must comply with SABS 0131: Part 1 or SABS 0131: Part 2 whichever is applicable, and
 - (d) written application together with a plan must be forwarded to the fire chief at least 14 days prior to the erection of the tank and prior written permission must be obtained from the Council for the erection of the tank.
- (2) In addition to any other requirement of this Chapter, the owner or person in charge of an above ground storage tank for flammable liquids must ensure –
- If a larger capacity above ground storage tank is required or the tank is to be a permanent installation
- (a) an acceptable rational design based on a relevant national or international code or standard must be submitted to the Council for approval in terms of the National Building Regulations (T1).
 - (b) the design requirements and construction of a permanent tank must be in accordance with relevant national or international recognised codes
 - (c) the rated capacity of a permanent or temporary tank must provide sufficient ullage to permit expansion of the product contained therein by reason of the rise in temperature during storage
 - (d) that the tank is erected or installed –
 - (i) in accordance with SANS 0131 and SANS 089, Part 1;
 - (ii) at least 3.5 metres from any erf boundary, building, excavation, road, driveway or any other flammable substance, combustible substance or combustible material;
 - (e) a permanent or temporary tank must be located on firm level ground and the ground must be of adequate strength to support the mass of the tank and contents
 - (f) a permanent or temporary tank must have a bund wall
 - (g) Adequate precautions must be taken to prevent spillage during the filling of a tank
 - (h) Sufficient fire extinguishers, as determined by the Council, must be provided in weatherproof boxes in close proximity to a tank
 - (i) Symbolic safety signs depicting "No Smoking", "No Naked Lights" and "Danger" must be provided adjacent to a tank, and the signs must comply with SANS 1186: Part 1
 - (j) that the flammable liquid stored in the tank must be clearly identified by means of Hazchem placards contemplated in SANS 0232, Part 1.
 - (k) An electrical or an internal combustion-driven pump must be equipped and so positioned as to eliminate the danger of the flammable liquid being ignited
 - (l) The electrical installation associated with the above ground storage tank must comply with SANS 0108 and SANS 089: Part
- (3) Any electrical installation associated with the storage tank must comply with SANS 0108 and SANS 089, Part 2.

Underground storage tanks for flammable liquids

- 93 The owner or person in charge of any premises used or intended to be used for the underground storage of any flammable liquid must ensure that any underground storage tank, pump, dispenser and pipe work is erected or installed in accordance with National Building Regulations (T1) read in conjunction with SANS 0400, SANS 089, Part 3 and SANS 0131.

Bulk storage depot for flammable substances

- 94 The handling, storage and distribution of flammable substances at bulk depots must be in accordance with the National Building Regulations (T1), read in conjunction with SANS 089: Part 1.

Small installations for liquefied petroleum gas

- 95 Liquefied petroleum gas installations involving gas storage containers of individual water capacity not exceeding 500 litres and a combined water capacity not exceeding 3 000 litres per installation must be installed and handled in accordance with SANS 087: Part 1.

Liquid petroleum gas installation in mobile units and small non-permanent buildings

- 96 A liquid petroleum gas installation in mobile units and small non-permanent buildings shall be in accordance with SANS 087: Part 2.

The fuelling of forklift trucks and other LP gas operated vehicles

- 97 The fuelling of forklift trucks and other LP gas operated vehicles shall be in accordance with SANS 087: Part 8.

The storage and filling of refillable liquid petroleum gas containers

- 98 Storage and filling sites used for refillable liquid petroleum gas containers of capacity not exceeding 9kg must be in accordance with SANS 087: Part 7.

Bulk storage vessel for liquid petroleum gas

- 99 The layout, design and operation of installations for the storage of a bulk liquid petroleum vessel and allied facilities must be in accordance with the National Building Regulations (T1), read in conjunction with SANS 087: Part 3.

Installing, erecting, removing and demolishing prohibited without prior notice

- 100 (1) No person may, in respect of registered premises, erect, install, remove, demolish, extend or change any delivery pump, storage tank, storeroom, spraying room, gas installation, storage facility, fire protection arrangement or floor layout unless that person has given the Chief Fire Officer at least three working days prior written notice of the intention to do so, in the form and manner determined by the Council.
- (2) The notice in term of subsection (1) must include the intended commencement date and estimated completion date of the proposed work.
- (3) The provisions of subsection (1) do not apply to –
- (a) the temporary removal of equipment for purposes of carrying out necessary repairs;
 - (b) the necessary replacement of equipment or their parts; and
 - (c) the replacement of any storage tank with a tank of the same capacity.

Repair and maintenance of access to storage tanks

- 101 No person may enter or allow any other person to enter any storage tank that has at any time contained a flammable substance –
- (a) until such tank has been de-aerated and made free of gas and fumes as contemplated in SANS 089 (Part I); or
 - (b) unless that person –
 - (i) is wearing an effective self-supporting breathing apparatus; and
 - (ii) is attached to a rescue rope under the control of a competent and responsible person.

Termination of storage and use of flammable substances

- 102 (1) If an aboveground or underground tank installation, liquid petroleum gas installation or associated pipe work is no longer required for the storage or use of a flammable substance, the owner or person in charge of the premises on which the installation is located, must –
- (a) notify the Chief Fire Officer in writing within seven days of such storage or use ceasing;
 - (b) ensure that the flammable substance is removed from the installation and the premises are rendered safe within 30 days of the cessation;
 - (c) unless the Chief Fire Officer directs otherwise, remove the installation including any associated pipe work from the premises within 180 days of the cessation; and
 - (d) to the satisfaction of the Council, restore any public foot path or roadway that has been disturbed by the removal of the installation within a period of 7 days of completing such removal.
- (2) Notwithstanding the provisions of subsection (1) if the removal of any underground tank installation for the storage of a flammable substance will detrimentally affect the stability of the premises concerned, the owner or person in charge of the installation may, with the prior written permission of the Chief Fire Officer, fill the underground tank with liquid cement slurry.

Reporting accidents

- 103 If an accident occurs which involves a flammable substance and results in a fire, an explosion, spillage or loss of a flammable substance, as well as personal injury or death, the owner or person in charge of the premises must immediately notify the Council.

Flammable stores

- 104 (1) The construction of a flammable store must be in accordance with the National Building Regulations (T1) read in conjunction with SANS 0400.
- (2) The floor must be of concrete construction or other impermeable material and must be recessed below the door level or incorporate a sill.
- (3) The recess or sill must be of such a depth or height that in the case of spillage it will be capable of containing the quantity of flammable liquid, as indicated on the flammable substance certificate and an additional 10% of the quantity mentioned on the certificate.
- (4) Notwithstanding the National Building Regulations (T1) read in conjunction with SANS 0400:
- (a) the roof assembly of a flammable store must be constructed of a concrete slab capable of providing a two-hour fire resistance when it forms part of another building;
 - (b) the ventilation of a flammable store must be achieved by the use of bricks located in the external walls at the ratio of one air brick nominally above the sill level and one air brick located in the top third of the wall per 5 m² of wall area or part thereof, so that vapour cannot accumulate inside the store;
 - (c) the air bricks must be covered both internally and externally with closely-woven, non-corrodible wire gauze of at least 1 100 meshes per metre, and
 - (d) the wire gauze must be held in position by metal straps, a metal frame or cement.
- (5) When required by the Council, the flammable store must be ventilated by a mechanical ventilation system approved by the Council and must comply with the following requirements:
- (a) the ventilation system is to be intrinsically safe, provide 30 air changes per hour and must operate continuously;
 - (b) the fan extraction point must be nominally above sill level and must discharge through a vertical metal duct terminating at least 1 metre above roof height or at least 3,6 metres above ground level, whichever is the greater;
 - (c) ducting material that is external to the store, but communicates with the remainder of the building, must be fitted with a fire damper of two-hour fire resistance at the point of exit from a flammable store, and
 - (d) the ducting must be as short as possible and must not have sharp bends.
- (6) Notwithstanding the National Building Regulations (T1) read in conjunction with SANS 0400, a flammable store door must be constructed of material with a fire resistance of two hours, provided that all relevant safety distances are complied with, and the door must open outwards.
- (7) When required by the Council, a flammable store door must be a D-class fire door, which complies with SANS 1253.
- (8) Notwithstanding the National Building Regulations (T1) read in conjunction with SANS 0400, artificial lighting in the flammable store must be by electric light having vapour-proof fittings wired through seamless steel conduit and the switches operating the lights must be located outside the store.
- (9) No other electrical apparatus may be installed in the flammable store.
- (10) A flammable store must be provided with a foam inlet consisting of a 65 millimetre male instantaneous coupling and mild steel pipework leading to the inside thereof and the foam inlet must be identified by means of a sign displaying the words "Foam Inlet" in 100 millimetre block letters.
- (11) Racking or shelving erected in the flammable store must be of non-combustible material.
- (12) The flammable store must be identified by the words, "Flammable Store-Bewaarplek vir Vlambare Vloeistowwe-Isitoro Indawo Yokugcina Izixhobo Ezithatha Lula Umlilo", and the permissible quantity allowed within the flammable store, indicated in 100 millimetre block letters on both the inside and outside of all doors communicating directly with the store.
- (13) The owner or person in charge of a flammable store must ensure that the flammable store doors are kept locked when the store is not in use.
- (14) A person shall not enter a flammable store or cause or permit it to be entered without the permission of the owner or person in charge of the premises.
- (15) Sufficient fire extinguishers, as determined by the Council, must be mounted on the external wall of the flammable store in a conspicuous and easily accessible position.
- (16) Any hand tool used in the flammable store must be intrinsically safe.

- (17) A person may not use or permit a flammable store to be used for any purpose other than that indicated on the flammable substance certificate, unless the store is not in use as a flammable store and the Council has been notified in terms of the following procedure:
- (a) within seven days of the cessation, notify the Council in writing thereof;
 - (b) within 30 days of the cessation, remove the flammable substance from the flammable store and render it safe, and
 - (c) within 30 days of the cessation, remove all signage.
- (18) Subject to the provisions in this section, the Council may call for additional requirements to improve the fire safety of a flammable store.

Container handling and storage

- 105 (1) Every flammable substance container must -
- (a) be kept closed when not in use;
 - (b) be declared gas- or vapour-free by a competent person before any modification or repairs are undertaken;
 - (c) be manufactured and maintained in such condition as to be reasonably safe from damage and to prevent leakage of any flammable substance or vapour from the container.
- (2) Every flammable liquid container must be labelled and marked with words and details indicating the flammable liquid contained in the container as well as any hazard associated with the flammable liquid.
- (3) No person may extract flammable liquid from a container of a capacity exceeding 200 litres, unless the container is fitted with an adequately sealed pump or tap.
- (4) Any empty flammable liquid container must be stored in a storeroom.
- (5) Notwithstanding the provisions of subsection (4) the Chief Fire Officer may permit the storage of any empty flammable liquid container in the open air if no storeroom is available and if he or she is satisfied that -
- (a) the storage area is in a position and of sufficient size that a fire hazard or other threatening danger will not be caused;
 - (b) the storage area is well ventilated and enclosed by a wire mesh fence;
 - (c) the fence supports are of steel or reinforced concrete;
 - (d) the storage area has an outward opening gate that is kept locked when not in use;
 - (e) when the floor area exceeds 10 m² an additional escape gate is installed and fitted with a sliding bolt or other similar locking device that can be opened from the inside without the use of a key; and
 - (f) the storage area is free of vegetation and has a non-combustible, firm and level base.
- (6) When the quantity of flammable and combustible liquids to be stored is more than 100 litres of class I and/or more than 210 litres of class II and class III A combined, such flammable and combustible liquids must be stored in a store room.

Liquid petroleum gas containers

- 106 (1) A liquid petroleum gas container must be manufactured, maintained and tested in accordance with SANS 087: Part 1 and SANS 019.
- (2) A liquid petroleum gas container must be used and stored in such a manner as to prevent damage or leakage of liquid or vapour therefrom.
- (3) A liquid petroleum gas container of a capacity not exceeding nine kilogram must be filled and stored in accordance with SANS 087: Part 7.

CHAPTER 8**TRANSPORT, SUPPLY AND DELIVERY OF DANGEROUS GOODS****Transport of dangerous goods prohibited without permits**

- 107 The owner of any vehicle used for transporting dangerous goods, must -
- (a) be in possession of a valid transport permit issued by the Chief Fire Officer in accordance with the National Road Traffic Act; and
 - (b) ensure that the transport permit is available in the vehicle for inspection at all times.

Application for transport permits

- 108 An application for a transport permit must be completed and submitted to the Chief Fire Officer in the form and manner determined by the Council together with the prescribed fee.

Requirements of transport permits

- 109 A transport permit -
- a. may not be issued by the Chief Fire Officer for a period longer than 12 months; and
 - b. must –
 - i. indicate the date of issue and expiry;
 - ii. identify the issuing officer and bear that officer's signature;
 - iii. contain a serial number;
 - iv. indicate the group and quantity of dangerous goods that may be transported under the permit; and
 - v. contain a description of the vehicle concerned, including its registration number.

Cancellation of transport permit

- 110 The provisions of section 49, read with the necessary changes, apply to any cancellation of a transport permit by the Chief Fire Officer.

Exemption from transport permits

- 111 A transport permit contemplated in section 106 is not required for the transportation of dangerous goods of the type and not exceeding the quantities stipulated in Schedule 3.

Design, construction, maintenance and repair of road tankers

- 112 Every person who designs, constructs, maintains or repairs any road tanker for the transportation of dangerous goods must -
- (a) comply with the provisions of SANS 0189, SANS 1398, SANS 0233, SANS 087, Part 6 SANS 089, Part 1, SANS 0230 and SANS 1518, as the case may be; and
 - (b) ensure that the road tanker is labelled in a manner that complies with the provisions of SANS 0232 and any applicable law.

Design, construction, maintenance and repair of other vehicles

- 113 Every person who designs, constructs, maintains or repairs any vehicle for the transportation of dangerous goods, except a road tanker, must ensure that the vehicle –
- (a) is designed and constructed –
 - i. to safely transport the quantity and type of dangerous goods for which the vehicle is intended to be used; and
 - ii. with at least two independent axle systems, each with its own suspension system, excluding any trailer forming part of an articulated vehicle;
 - (b) is equipped with –
 - (i) a safety edge or safety railing -
 - (aa) at least 1 metre high when measured from the surface of the body of the vehicle; and
 - (bb) capable of securing dangerous goods containers;
 - (ii) strong and durable straps -
 - (aa) capable of fastening dangerous goods containers securely to the body of the vehicle;
 - (bb) that are anchored firmly to the bodywork of the vehicle; and
 - (cc) that are fitted with a reversible cog winch mechanism that can be locked;
 - (iii) electrical wiring that complies with SANS 314;
 - (iv) at least 2 static-free wheel blocks;
 - (v) a power insulating switch, excluding the ignition switch, situated in close proximity to the vehicle battery and in a position readily accessible in any emergency; and

- (vi) a spark-proof and static-free tank that is designed, constructed and equipped to protect any dangerous goods consignment from shock or ignition while in transit.

General prohibitions regarding transport of dangerous goods

- 114 (1) No person may use or allow to be used, any vehicle to transport dangerous goods, unless –
- (a) the vehicle has a valid roadworthy certificate;
 - (b) if not exempt in terms of section 110, the vehicle is equipped with at least two 9 kilogram dry chemical fire extinguishers –
 - (i) designed and manufactured in accordance with SANS 810 and maintained in accordance with SANS 0105 and SANS 1475; and
 - (ii) positioned and installed so that there is at least one fire extinguisher on each side of the vehicle that can be reached quickly and easily in the event of a fire.
- (2) No person may use or allow to be used any vehicle to transport dangerous goods unless the vehicle cabin, body, cargo space, cargo tank, fuel tank, chassis and engine are effectively and permanently earthed with each other.

Supply of dangerous goods prohibited in certain circumstances

- 115 (1) No person may deliver or supply or allow to be delivered or supplied any dangerous goods of a type and in a quantity exceeding that specified in Schedule 2 to any premises that are not registered as contemplated in section 64.
- (2) No person may deliver or supply or allow to be delivered or supplied any dangerous goods to any premises in contravention of any conditions of the certificate of registration applicable to those premises.
- (3) No person may handle or allow to be handled any container containing dangerous goods in a manner that may damage that container.
- (4) Every person who delivers dangerous goods must ensure that –
- (a) a 9 kilogram dry chemical fire-extinguisher is available at all times during the delivery;
 - (b) during any transfer of the dangerous goods, the delivery vehicle is physically earthed to the storage facility to which the dangerous goods are being transferred;
 - (c) while delivering –
 - (i) the delivery vehicle is placed in such a position that it can be moved easily and quickly in the event of an emergency;
 - (ii) the delivery vehicle is not parked on or across a pavement or a road;
 - (iii) no delivery hose lies on or across a pavement, road or other premises;
 - (d) no dangerous goods are transferred to a storage facility that does not comply with the requirements of Chapter 7 and the provisions of SANS 0263;
 - (e) any device connected with, or used for, the delivery of the dangerous goods –
 - (i) is designed for its purpose; and
 - (ii) is maintained in safe and good working condition; and
 - (f) no dangerous goods are spilled during delivery.
- (5) No person may transfer or allow to be transferred any dangerous goods to any motor vehicle, aircraft, vessel, ship or boat while its power source is in operation.
- (6) No person may transfer any dangerous goods to any aircraft unless the aircraft is earthed to the transferral device by means of an earth cable.

Records of transport permits

- 116 The Chief Fire Officer must keep updated records of all vehicles in respect of which a transport permit has been issued, amended or renewed.

CHAPTER 9**SPRAY PAINTING****Spraying prohibited without spraying permit**

- 117 (1) No person may spray, coat, plate or epoxy-coat any vehicle, article, object or building or part thereof or allow them to be sprayed, coated, plated or epoxy-coated with any flammable substance unless -
- (a) that person is in possession of a spraying permit contemplated in section 117;
 - (b) the spraying, coating, plating or epoxy-coating as the case may be is conducted in a spraying room approved by the Chief Fire Officer on premises registered for that purpose.

Application for spraying permit

- 118 Any person who wishes to obtain a spraying permit must -
- (a) complete and submit to the Chief Fire Officer an application form for such permit in the form and manner determined by the Council; and
 - (b) pay the prescribed fee.

Cancellation of spraying permit

- 119 The provisions of section 49, read with the necessary changes, apply to the cancellation by the Chief Fire Officer of any spraying permit.

Duties of owner, occupier or person in charge of spraying room

- 120 Every owner, occupier and person in charge of a spraying room must ensure that
- (a) the spraying room complies with the requirements of this Chapter; and
 - (b) every other person on the premises complies with the provisions of this Chapter.

Design and construction of spraying rooms and booths

- 121 (1) A spray room, booth or area designated for the application of a flammable liquid must be constructed and equipped in such a manner as to comply with the General Safety Regulations promulgated in terms of the Occupational Health and Safety Act.
- (2) Every spraying room must be designed and constructed according to the following criteria:
- (a) every window frame must consist of steel with window panels –
 - (i) that cannot be opened;
 - (ii) that do not exceed 450 millimetres x 450 millimetres in size; and
 - (iii) that are fitted with wire glass with a thickness not less than 8 millimetres;
 - (b) if based on a brick and concrete construction -
 - (i) the floor must consist of concrete;
 - (ii) the walls must consist of brick or concrete;
 - (iii) the roof must consist of reinforced concrete; and
 - (iv) every door must consist of a Class B-type fire doors as contemplated in SANS 1253; and
 - (c) if based on a metal structure –
 - (i) the framework of the structure, including door assemblies must consist of a sturdy steel profile with a minimum wall thickness of 1 millimetres;
 - (ii) the framework of the entire structure, including any door, must be clad on both sides with sheet metal with a minimum thickness of 1.3 millimetres;
 - (iii) the framework of the entire structure must be fume-proof, flame-proof and liquid-proof;
 - (iv) the floor must consist of concrete or metal;
 - (v) all material used must have a fire integrity grading of at least 60 minutes; and

- (vi) the structure must be constructed, installed and finished so that all surfaces are smooth in order to prevent any furring which may hamper ventilation, washing or cleaning of the spraying room.

Water floors for spraying rooms

- 122 Every spraying room which is designed and constructed with a sunken water floor must be designed and constructed so that -
- (a) the water is covered at the level of the sill by a sturdy, stable, non-combustible and corrosion-free floor grill capable of bearing the weight of every person and object in the spraying room; and
 - (b) the water in the sunken water floor is circulated through an effective non-combustible and cleanable filtering system by a closed circuit pump circulation system consisting of non-corrosive metal pipes of suitable diameter and wall thickness.

Electrical equipment in spraying rooms

- 123 (1) Any electrical apparatus, light, fitting and switch gear installed or used in a spraying room must be installed and used in accordance with SANS 0108.
- (2) Any switch gear, distribution box, fuse and other electrical equipment, except equipment as contemplated in SANS 0108 must -
- (a) be located outside the spraying room; and
 - (b) be positioned so as not to come into contact with fumes from the spraying room.
- (3) Any switch for the mechanical ventilation system of a spraying room must be situated outside the spraying room.
- (4) Any metal part and electrical fitting and any other device used in, or in connection with, the spraying room, must be earthed effectively with each other and the ground.
- (5) Every electrical installation in a spraying room may be installed only by a suitably qualified electrician who must -
- (a) certify in writing that the installation complies with all applicable legal requirements; and
 - (b) furnish the certificate to the owner or person responsible for the premises concerned.
- (6) The owner or person responsible for the premises on which the spraying room is located must submit the certificate contemplated in subsection (5) to the Chief Fire Officer without delay.

Location of spraying rooms

- 124 (1) The owner, occupier and person in charge of a spraying room must ensure that there is an escape opening between the spraying room and any other activity, process or area on the premises concerned
- (a) of at least 1200 millimetres wide; and
 - (b) that must at all times be kept free of any obstruction, refuse or combustible material.
- (2) If any other activity or process which may pose a fire hazard is conducted adjacent to a spraying room on any premises, the escape opening contemplated in subsection (1), must be clearly identified by a fire partition wall -
- (a) of a height at least 300 millimetres higher than the roof of the spraying room; and
 - (b) with a fire resistance of at least 60 minutes.
- (3) No more than two sides of a spraying room contemplated in section 120(1)(c), may border a fire partition wall.

Access to spraying rooms

- 125 In addition to any door for the access of motor vehicles or other objects to any spraying room, every spraying room must have at least two hinged doors for escape purposes that -
- (a) open to the outside of the spraying room;
 - (b) have dimensions of at least 800 millimetres wide x 2000 millimetres high;
 - (c) are positioned on opposite sides of the spraying room so that the distance to be covered to any door when any object is in the spraying room for spraying does not exceed 4 metres; and
 - (d) are fitted with a locking mechanism that is at all times capable of being opened from the inside of the spraying room without the use of a key.

Ventilation of spraying rooms

- 126 Every spraying room must be equipped with a mechanical inlet and outlet ventilation system designed and installed -
- (a) so that ventilation of at least 0.5 metres per second is provided across the spraying room;
 - (b) with vanes consisting of static-free material;
 - (c) so that it releases fumes into the open air from outlets that are not located within 5 metres of any opening of a building or erf boundary;
 - (d) with ventilators that are attached firmly to the inside walls of the spraying room with bottom ventilators affixed as close as possible to the level of the sill;
 - (e) with ventilation and air duct openings installed in opposite walls, doors or the roof so as to ensure effective cross-ventilation; and
 - (f) with ducting material that is fitted with a fire damper and covering of at least 120 minutes fire resistance where the ducting material exists the spraying room, if ducting material is installed external to the spraying room in communication with the remainder of the building concerned.

Fire dampers, protectors and alarms in spraying rooms

- 127 (1) A fire damper manufactured and installed in accordance with SANS 193, must be affixed in front of any air purification filter or part of such filter on the inside of any spraying room.
- (2) The fire damper must -
- (a) be capable of closing automatically by means of a suitably located sensor that is activated by a rise of more than 10°C in the predetermined working temperature inside the spraying room;
 - (b) be installed so that it will remain in position even if the air duct distorts during a fire; and
 - (c) be equipped with an overriding fusible link.
- (3) The ventilation system must be equipped with a sensor that -
- (a) is capable of turning off the ventilation system and any heating device used in connection with the spraying room, in the event of a fire or a rise of more than 10°C in the predetermined working temperature inside the spraying room; and
 - (b) activates a visual and audible alarm inside and outside the spraying room in an event contemplated in paragraph (a).

Design and positioning of ventilation outlets for spraying rooms

- 128 Every outlet opening from a spraying room must be designed and positioned to release fumes from the spraying room into the open air at least -
- (a) 1 metre above any roof on the premises;
 - (b) 4 metres above the ground level; and
 - (c) 5 metres from any opening of a building situated on or adjacent to the spraying room.

Display of signs on spraying rooms

- 129 (1) A symbolic sign prohibiting open flames and smoking must be affixed to the inside and the outside of every door of a spraying room.
- (2) Any symbolic sign contemplated in subsection (1), must be -
- (a) manufactured and installed in accordance with SANS 1186; and
 - (b) of dimensions at least 290 millimetres by 290 millimetres.

Manifold installations in spraying rooms

- 130 Every manifold installation of a Group II hazardous substance that forms an integral part of the heating system of any spraying room must -
- a. comply with SANS 087 (Part 1); and
 - b. the requirements of these Bylaws .

General prohibitions regarding spraying rooms

- 131 No person may -

- (a) use any spraying room or allow any spraying room to be used unless signs prohibiting open flames and smoking are affixed to the spraying room in compliance with section 128;
- (b) enter a spraying room or allow any other person to enter a spraying room without the authority of the owner, occupier or person in control of the spraying room;
- (c) use any spraying room or allow any spraying room to be used for any purpose other than spray painting or related activities;
- (d) enter any spraying room or allow any other person to enter a spraying room unless the mechanical ventilation system is operating; or
- (e) place any obstruction of hindrance or allow any obstruction or hindrance to be placed in any escape opening or in front of any door of a spraying room.

Fire extinguishing equipment in spraying rooms

- 132 (1) Every spraying room must be equipped with -
- (a) at least one 9 kilogram dry chemical fire extinguisher installed on the inside of the spraying room; and
 - (b) at least one 9 kilogram dry chemical fire extinguisher installed on the outside of the spraying room.
- (2) Fire extinguishers contemplated in subsection (1) must be installed in positions approved by a member of the Service.
- (3) Every spraying room must be protected by at least one fire hose reel as specified in SANS 543 -
- (a) that is connected to a water supply as contemplated in SANS 0400 (Part W); and
 - (b) that enables the hose reel to maintain a flow of at least 0.5 litres per second at a work pressure of at least 300 kPa.

CHAPTER 10**FIRE BRIGADE SERVICES****Establishment and maintenance of Service**

- 133 (1) The Council has established a Fire Brigade Service as contemplated in section 3 of the Fire Brigade Services Act.
- (2) The Council must maintain the Service, which includes -
- (a) appointing a Chief Fire Officer and the necessary members of the Service;
 - (b) ensuring that they are properly trained; and
 - (c) acquiring and maintaining the necessary vehicles, machinery, equipment, devices and accessories to ensure that the Service is effective and able to fulfil its objects.

Objects of Service

- 134 The objects of the Service are -
- (a) to prevent the outbreak and spread of fire;
 - (b) to fight and extinguish any fire that endangers any person or property;
 - (c) to protect any person and property against any fire hazard or other danger contemplated in these Bylaws ; and
 - (d) to rescue any person and property from any fire or other danger contemplated in these Bylaws .

Services to other persons

- 135 (1) The Service may, provide any service related to its objects to any other person against payment of the prescribed fee.
- (2) Any service contemplated in subsection (1), may be terminated without notice if the services, equipment or personnel involved in providing that service are required to deal with an emergency.

Instructions by members of Service

- 136 (1) In addition to any powers under section 8 of the Fire Brigade Services Act, a member may give any instruction to any person in order to secure compliance with these Bylaws or to ensure the safety of any person or property.

- (2) An instruction may be given orally or in writing and if the instruction is given orally, the member must confirm it in writing and give it to the person concerned at the earliest opportunity.
- (3) An instruction contemplated in subsection (1) may include, but is not limited to an instruction -
 - (a) for the immediate evacuation of any premises;
 - (b) to close any premises until such time as any contravention of these Bylaws has been rectified;
 - (c) to cease any activity;
 - (d) to remove any immediate threat to the safety of any person or property;
 - (e) to take specified steps to comply with these Bylaws, either immediately or within a specified period; and
 - (f) if it is not reasonable for steps referred to in paragraph (e), to be taken immediately, for the owner or occupier of the premises concerned to provide the Chief Fire Officer with a written description of the steps to be taken and a time-table for the taking of these steps in order to ensure compliance with these Bylaws.

Pretending to be member of Service prohibited

- 137 (1) No person may pretend to be a member.
- (2) No person who is not a member may wear any official clothing, uniform, badge or insignia of the Service.

Certificates to identify members of Service

- 138 (1) The Chief Fire Officer must provide each member with a certificate identifying that person as a member.
- (2) A member, while performing any function or exercising any power under these Bylaws must –
 - (a) keep the certificate provided in terms of subsection (1), on his or her person; and
 - (b) produce it for inspection on request by any person.

Cost of analysis samples

- 139 (1) Any costs incurred by the Council in connection with the analysis of any sample taken from any premises for the purposes of these Bylaws, and a report on such analysis by an institution accredited by the Chief Fire Officer for that purpose may be recovered from the owner or occupier of that premises if the owner or occupier of the premises is not in compliance with these Bylaws regarding the substance concerned.

CHAPTER 11

ENFORCEMENT PROVISIONS

Enforcement provisions

- 140 Any authorized official of the Council may –
 - (1) enter any premises at any reasonable time to inspect the premises for compliance with this by-law;
 - (2) summarily abate any condition on any premises which is in violation of any provision of this by-law and which presents an immediate fire hazard or other threatening danger and to this end may-
 - (a) call for the immediate evacuation of the premises;
 - (b) order the closure of the premises until such time as the violation has been rectified;
 - (c) order the cessation of any activity, and
 - (d) order the removal of the immediate threat.

Authority to investigate

- 141 The Council has the authority to investigate the cause, origin and circumstances of any fire or other threatening danger.

Failure to comply with provisions

- 142 (1) When the Council finds that there is non-compliance with the provisions of this by-law a written notice must be issued and include the following:

- (a) confirmation of the findings;
 - (b) provisions of this by-law that are being contravened;
 - (c) the remedial action required, and
 - (d) set forth a time for compliance.
- (2) Nothing in this by-law prevents the Council or any authorized official from taking immediate action to take immediate corrective action in respect of any fire or other threatening danger found on any premises and to recover any costs incurred from the owner.

Interference with duties

- 143 No person shall interfere with or in any manner hinder a person authorised by the Council to investigate or extinguish fires while such authorised person is in the performance and execution of their duties.

Interference with equipment

- 144 No person shall obstruct or interfere with the operation or use of any fire hydrant, emergency use water inlet or outlet connection on a building, fire alarm control panel, manual alarm station or any fire detection device or equipment.

Fire hydrants

- 145 No person shall open, cause or permit to be opened a fire hydrant to obtain or discharge water unless authorised to do so by the council

Fire hoses

- 146 No person shall move a fire hose or cause or permit a vehicle to be driven over a fire hose at the scene of a fire unless authorised to do so by the officer in charge of the site.

Assistance orders

- 147 A person who receives an oral or written order from a person authorised by the council to extinguish fires requiring the person to provide labour, services, equipment or materials to assist in extinguishing a fire shall comply with the order.

False alarms

- 148 No person shall make, cause or permit to be made a false alarm of a fire.

Unauthorised keys

- 149 No person shall use or have in their possession or control any key for a vehicle used to respond to or extinguish fires, or for a fire alarm or elevator control key box unless authorised by the council

Impersonation

- 150 No person shall use or have in their possession or control identification, insignia, equipment or a uniform used in relation to the fire rescue services provided by the council unless permitted by the council.
- No person shall represent themselves as a fire fighter or a person providing certain fire rescue services unless permitted by the council

Bylaws bind State

- 151 These Bylaws bind the State and any person in the service of the State.

Offences and penalties

- 152 Any person who –
- (a) contravenes or fails to comply with any provision of these Bylaws ;
 - (b) fails to comply with any notice issued or displayed in terms of these Bylaws ;
 - (c) fails to comply with any lawful instruction given in terms of these Bylaws ; or
 - (d) obstructs or hinders, or improperly influences or attempts to do so, any authorised representative or employee of the Council in the execution of his or her duties or performance of his or her powers or functions under these Bylaws;

is guilty of an offence and liable on conviction to a fine not exceeding R15.000.00 or imprisonment for a period not exceeding 6 months as regulated from time to time in terms of the Adjustment of Fines Act 101 of 1991.

Continuing offence

- 153 In the case of an offence that is of a continuing nature, a contravention constitutes a separate offence in respect of each day, or part of a day, on which it continues and a person guilty of such an offence is liable to a fine in an amount no less than that established by this bylaw for each such day

Vicarious liability

- 154 For the purposes of this bylaw, an act or omission by an employee or agent of a person is deemed also to be an act or omission of the person if the act or omission occurred in the course of the employee's employment with the person, or in the course of the agent's exercising the powers or performing the duties on behalf of the person under their agency relationship.

Corporation and partnerships

- 155 When a corporation commits an offence under this bylaw, every principal, director, manager, employee or agent of the corporation who authorised the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence whether or not the corporation has been prosecuted for the offence.

If a partner in a partnership is guilty of an offence under this bylaw, each partner in that partnership who authorised the act or omission that constitutes the offence or assented to or acquiesced or participated in the act or omission that constitutes the offence is guilty of the offence.

CHAPTER 12**MISCELLANEOUS****Reports**

- 156 The owner of any property damaged by fire shall report all particulars of the fire forthwith to the council

Handling of animals during emergencies

- 157 (1) The owner, occupier or person in charge of any zoological garden, feedlot, stable, research institution, veterinary practice or any place of veterinary science study, must ensure the professional handling of any animal on the premises concerned during an emergency.
- (2) Notwithstanding the provisions of subsection (1), the Chief Fire Officer may, in respect of any premises, authorise a suitably qualified person to handle or put down any animal during an emergency.
- (3) The Council may recover any costs incurred in relation to the professional handling or putting down of any animal during an emergency from the owner or occupier of the premises concerned.

Exemption from provisions of these Bylaws

- 158 (1) Any person may make application to the Council in writing, for an exemption from any provision of these Bylaws, specifying the reasons for exemption in such application.
- (2) The Council may grant an exemption –
- (a) in general or in particular;
 - (b) for any period; and
 - (c) subject to any condition that will provide the same overall fire prevention and protection that would result from the full application of these Bylaws.
- (3) If an exemption is granted in terms of subsection (2), the Council must issue a certificate of exemption to the person concerned, specifying the scope and period of the exemption and any condition imposed.
- (4) The Council may amend or withdraw a certificate of exemption at any time.
- (5) The holder of a certificate of exemption must ensure that the certificate is available on the premises concerned at all times for inspection by any member.

Approval, authorisation or permission under these Bylaws

- 159 Any person who requires any approval, authorisation or permission contemplated in these Bylaws, in respect of which no application procedure is provided, must apply for that approval, authorisation or permission –
- a. by completing and submitting an application in the form and manner determined by the Council; and
 - b. by paying the prescribed fee.

Cancellation of approval, authorisation or permission

- 160 The provisions of section 24, read with the necessary changes, apply to any approval, authorisation or permission contemplated in section 104.

Inspection fees

- 161 The council may charge fees in accordance with schedule 7 to any person requesting or requiring an inspection described in the schedule

Permit fees

- 162 The council may charge fees in accordance with schedule 7 to any person requesting or requiring a permit described in the schedule

Fire rescue fees

- 163 The council may charge fees in accordance with schedule 7 to any person requesting or requiring a service described in the schedule

Administration fees

- 164 The council may charge fees in accordance with schedule 7 to any person requesting or requiring a service described in the schedule

Permits

- 165 A person to whom a permit has been issued pursuant to this bylaw, and any person carrying out an activity otherwise regulated, restricted or prohibited by this bylaw pursuant to such permit, shall comply with any terms or conditions forming part of the permit.

A person shall not make any false or misleading statement or provide any false or misleading information to obtain a permit pursuant to this bylaw

If any term or condition of a permit issued pursuant to this bylaw is contravened or if a false or misleading statement or false or misleading information was provided to obtain the permit, municipal manager may immediately cancel the permit

Fines

- 166 The Council may charge fines in accordance with schedule 8.

Proof of permit

- 167 The onus proving a permit has been issued in relation to any activity otherwise regulated, restricted or prohibited by this bylaw is on the person alleging the existence of such a permit on a balance of probabilities.

Certified copy of record

- 168 A copy of the record of the council, certified by the municipal manager as a true copy of the original, shall be admitted in evidence as prima facie proof of the facts stated in the record without proof of the appointment or signature of the person signing it.

Repeal of Bylaws

- 169 The Bylaws listed in Schedule 5 are hereby repealed.

Short title

- 170 These Bylaws are called the Community Fire Safety Bylaws 2014.

SCHEDULE 1**GUIDELINE FOR EMERGENCY EVACUATION PLANS****Content of emergency evacuation plans**

1. Every emergency evacuation plan contemplated in section 17 must contain at least the information under the headings below.

- (1) Emergency telephone numbers

A list of all relevant emergency telephone numbers.

- (2) General information

- (a) the physical address of the premises;
- (b) a description of the activities on the premises;
- (c) the number of persons present on the premises at any time;
- (d) an indication of any control room on the premises;

- (e) an indication of any alarm system on the premises; and
- (f) the particulars and contact details of every responsible person in the event of an emergency;
- (3) Area study

An area study addressing the following:

 - (a) a history of emergency incidents on the premises;
 - (b) any important and relevant features or landmarks regarding the premises; and
 - (c) any information regarding adjacent premises that may be relevant to evacuation in an emergency.
- (4) Socio-economic or other threats

Any socio-economic or other threats and their potential impact on the premises.
- (5) Details of available equipment

Particulars and details regarding the position of the following equipment:

 - (a) Equipment in the control room;
 - (b) fire fighting and first aid equipment on the premises; and
 - (c) any other equipment which may be relevant in an emergency.
- (6) The emergency team

Particulars and details regarding the identity of members of the emergency team, including -

 - (a) its management;
 - (b) the continuity officers;
 - (c) the fire teams; and
 - (d) the first aid teams.
- (7) Duties of emergency team members

The duties and responsibilities of members of the emergency team.
- (8) Action plans and emergency procedures

Details of the specific action plans and emergency procedures applicable to the premises.
- (9) Building plans and maps

The building plans of the premises and any relevant topographical map must be included in the evacuation plan.
- (10) Emergency plan register The plan must include –
 - (a) an updated register of the emergency evacuation plan;
 - (b) an updated drill register for the emergency evacuation plan; and
 - (c) a bomb threat questionnaire.

Review of emergency evacuation plans

- 2. (1) An emergency evacuation plan must be reviewed and updated by the owner or occupier of the premises concerned at least once each year and whenever a member of the management of the emergency team ceases to work at the premises.
- (2) Whenever an emergency evacuation plan is reviewed and updated, the owner or occupier of the premises concerned must ensure that all old plans on the premises or in the possession of the management of the emergency team are collected and destroyed in order to eliminate any confusion regarding the validity and accuracy of the evacuation plan.

Emergency evacuation drills

- 3. (1) An emergency evacuation plan should be drilled at least twice each year and involve the participation of all persons who work or reside in the building concerned.
- (2) The owner or person in charge of a building should give all persons who are to be involved in an emergency evacuation drill at least 21 days' notice of the drill.

Emergency evacuation awareness

4. Every person who works or resides on premises should be aware of the emergency evacuation plan for that premises.

Training of persons

5. Every person who resides or works on premises with an emergency evacuation plan should be suitably trained in -
- (a) first aid or fire fighting;
 - (b) emergency aid;
 - (c) emergency evacuation procedures; and
 - (d) emergency management techniques.

SCHEDULE 2**EXEMPTION FROM CERTIFICATE OF REGISTRATION**

A certificate of registration is in terms of section 35(2) not required if the flammable substances concerned are of a type and do not exceed the quantity stipulated below.

GASES		
Class O	Liquefied petroleum gas	<p>Flat- Total cylinder capacity may not exceed 9 kg per flat</p> <p>Houses or commercial premises- Total maximum of 19 kg inside and total maximum of 100 kg on premises</p> <p>Industrial premises- Maximum of 19 kg per 600 m³ of building space with a total maximum of 100 kg</p>
FLAMMABLE	LIQUIDS AND COMBUSTIBLE	LIQUIDS
Class I	Liquids that have a closed-cap flash point of below 38°C	Total maximum of 40 litres
Class II	Liquids that have a closed-cap flash point of 38°C or above, but below 60.5°C	Total quantity of Class II and Class IIIA together may not exceed the maximum quantity of 210 litres
Class IIIA	Liquids that have a close-cap flash point of 60.5°C or above but below 93°C	

SCHEDULE 3**EXEMPTION FROM TRANSPORT PERMIT**

A transport permit is in terms of section 73 not required for the transport of dangerous goods of the type and not exceeding the quantity stipulated below.

GROUP	DESCRIPTION	QUANTITY
II	GASES	
	Flammable gases	Total cylinder capacity may not exceed 50 kilograms
	Non-flammable gases	Total cylinder capacity may not exceed 333 kilograms
III	FLAMMABLE LIQUIDS	
	With flash points ≤ 18°C	Total quantity may not exceed 100 litres

	With flash points > 18°C but ≤ 23°C	Total quantity may not exceed 420 litres
	With flash points > 23°C but ≤ 61°C	Total quantity may not exceed 1 100 litres
	With flash points > 61°C but ≤ 100°C	Total quantity may not exceed 1 100 litres
IV	FLAMMABLE SOLIDS	
	Flammable solids	Total quantity may not exceed 250 kg
V	OXIDISING AGENTS AND ORGANIC PEROXIDES	
	Oxidising agents	Total quantity may not exceed 200 kilograms
	Group II organic peroxides in Packets	Total quantity may not exceed 200 kilograms
VI	TOXIC / INFECTIVE SUBSTANCES	
	Group I toxic substances in Packets	Total quantity may not exceed 5 kilograms
	Group II toxic substances in Packets	Total quantity may not exceed 50 kilograms
	Group III toxic substances in Packets	Total quantity may not exceed 500 kilograms
VIII	CORROSIVE / CAUSTIC SUBSTANCES	
	Group I acids in packets	Total quantity may not exceed 50 kilograms
	Group II acids in packets	Total quantity may not exceed 200 kilograms
	Group III acids in packets	Total quantity may not exceed 1000 kilograms
	Group I alkaline substances in packets	Total quantity may not exceed 50 kilograms
	Group II alkaline substances in packets	Total quantity may not exceed 200 kilograms
	Group III alkaline substances in packets	Total quantity may not exceed 1000 kilograms
IX	MISCELLANEOUS SUBSTANCES	
	Liquids	Total quantity may not exceed 210 litres
	Solids	Total quantity may not exceed 210 kilograms

SCHEDULE 4**SANS CODES OF PRACTICE AND SPECIFICATIONS**

SANS Code	Title
SANS 019	Portable metal containers for compressed gas - basic design, manufacture, use and maintenance.
SANS 087 : Part 1	The handling, storage and distribution of liquefied petroleum gas in domestic, commercial and industrial installations, Part 1: Liquefied petroleum gas installations involving gas storage containers of individual water capacity not exceeding 500l and a combined water capacity not exceeding 3000l per installation.
SANS 087 : Part 3	The handling, storage and distribution of liquefied petroleum gas in domestic, commercial and industrial installations, Part 3: Liquefied petroleum gas installations involving storage vessels

	of individual water capacity exceeding 5000l.
SANS 087 : Part 4	The handling, storage and distribution of liquefied petroleum gas in domestic, commercial and industrial installations, Part 4: Transportation of liquefied petroleum gas in bulk by road.
SANS 087 : Part 7	The handling, storage and distribution of liquefied petroleum gas in domestic, commercial and industrial installations, Part 7: Storage and filling sites for refillable liquefied petroleum gas (LPG) containers of capacity not exceeding 9 kg.
SANS 089 : Part 1	The petroleum industry, Part 1: Storage and distribution of petroleum products in above ground bulk installations.
SANS 089 : Part 2	The petroleum industry, Part 2: Electrical installations in the distribution and marketing sector.
SANS 0105 : Part 1	The classification, use and control of fire fighting equipment, Part 1: Portable fire extinguishers.
SANS 0108	The classification of hazardous locations and the selection of apparatus for use in such locations.
SANS 0131	The handling and storage of liquid fuel, Part 2: Large consumer premises.
SANS 0142	The wiring of premises.
SANS 0177 : Part 5	The testing of materials, components and elements used in buildings: Non-combustibility at 750°C of building materials.
SANS 193	Fire dampers.
SANS 0228	The identification and classification of dangerous substances and goods.
SANS 0230	Transportation of dangerous goods: Inspection requirements of road vehicles.
SANS 0232 : Part 1	Transportation of dangerous goods - Emergency information systems, Part 1: Emergency information systems for road
SANS Code	Title
	transportation.
SANS 0263	The warehousing of dangerous goods, enclosed storage and covered and uncovered outdoor storage yards.
SANS 0400	The application of the National Building Regulations.
SANS 1186 : Part 1	Symbolic safety signs, Part 1: Standard signs and general requirements.
SANS 1253	Fire doors and fire shutters.
SANS 1398	Road tank vehicles for flammable liquids.
SANS 1475 : Part 1	The production of reconditioned fire fighting equipment, Part 1: Portable rechargeable fire extinguishers.
SANS 1518	Transportation of dangerous goods - Design requirements for road tankers.
SANS 1571	Transportable rechargeable fire extinguishers.
SANS 1573	Portable rechargeable fire extinguishers - Foam type extinguishers.

SCHEDULE 5

REPEALED BYLAWS

1. Hibiscus Coast Municipality Fire Brigade Bylaw No. 66/2004
2. Umdoni Fire Brigade Bylaw MN79B dated 22 November 2007

SCHEDULE 6**UGU DISTRICT MUNICIPALITY****FORMS AND PRECEDENTS****FORM 1**

For office use only:

No:

Date and time of test:

To the Chief Fire Officer, Ugu District Council

APPLICATION FOR CERTIFICATE OF COMPETENCE

Full name of applicant (in block letters)

Postal address

Age

Length of residence in Ugu

Name of employer

Period of service with present employer

Address of employer

Brief details of experience in the use and construction of fire extinguishing appliances

.....

.....

.....
Signature of Applicant**SCHEDULE 6****FORM 2****CERTIFICATE OF COMPETENCE**

This is to certify that the person named hereunder passed a test carried out by me the
 in regard to his knowledge in the construction, use and purpose of fire
 fighting equipment, and having satisfied the requirements of this Department is entitled to this Certificate of Competence.

1. Person

2. Postal address

3. Signature of holder

Date of issue

Certificate No.

.....
Signature of examining officer**(Note: This certificate is not transferrable)**

SCHEDULE 6

FORM 3

APPLICATION FOR CERTIFICATE OF REGISTRATION (PREMISES)

Date: 20.....

Application for a Certificate of Registration for premises under the Community Fire Safety Bylaws for Fire and Rescue Services relating to use, handling and storage of flammable substances.

This form must be completed and forwarded to the Chief Fire Officer and accompanied by a plan of the premises, in terms of the Bylaw.

Full name of applicant, if a company, the name of company and its secretary
(write in block letters)

Name of applicant

Trading as

Name of secretary/manager/director

State the address of the premises to be registered and the name of the owner thereof:

Name of owner

Subdivision Lot

Street No. Block

Street

Postal address

State class of business

.....

Give a full description of existing and proposed buildings

.....

.....

If this application is for additional storage, state the number of extra litres

.....

How many flammable liquid tanks are there on the premises?

.....

State total storage capacity of flammable liquid tanks on the premises (in litres).

Litres

State the type and number and date of issue of any mineral oil and/or trading licence issued for these premises. If no licence has been granted, please state date of application therefor.

.....

How many flammable liquids stores are there on the premises?

Number of stores

State capacity of stores in litres.

Capacity Litres

State total quantity in litres proposed to be kept on the premises

Class 0
 Class I
 Class II
 Class III
 How many flammable liquid pumps are there on the premises?

State:

- (a) The number of liquefied petroleum gas installations?
- (b) The types of installations
- (c) Combined capacity of all cylinders

that may be stored on premises

The number of storage facilities for any other flammable substances

Certificate shall be valid from

and shall expire on

How many fire extinguishers are there on the premises? State the capacity and make of each.

Maker's name

Number on premises

Capacity of each

Signature of applicant

Capacity of signatory

Phone (H).....(W).....(CELL).....

Physical address

Postal address

SCHEDULE 6

FORM 4

APPLICATION FOR CERTIFICATE OF REGISTRATION (VEHICLES)

Date: 20.....

Application for a Certificate of Registration for a vehicle under the Community Fire Safety Bylaws for Fire and Rescue Services relating to transport, supply and delivery of dangerous goods.

This form must be completed and forwarded to the Chief Fire Officer.

Full name of applicant, if a company, the name of company and its secretary
(write in block letters)

Name of applicant

Trading as

Name of secretary/manager/director

State the address of the premises to be registered and the name of the owner thereof:

Name of owner

Subdivision Lot

Street No. Block

Street

Postal address

Details of the vehicle for which a Certificate of Registration is required.

Type or class of vehicle
(trolley/wagon/van/lorry/tanker/etc)

Registration No.

Tare

Load

Make

Number of containers or tanks

Capacity of containers or tanks

Year of manufacture

Engine No

Chassis No

Quantity of liquid of flammable substance to be conveyed.

Class 0 litres

Class I litres

Class II litres

Class III litres

Manner in which it is proposed to convey the liquid

.....

Number of containers or tanks

.....

Capacity of containers or tanks

.....

Signature of applicant

Capacity of signatory

SCHEDULE 6

FORM 5

APPLICATION FOR TRANSFER OF CERTIFICATE OF REGISTRATION (PREMISES)

I hereby apply for the Certificate of Registration No.

issued no (date)

in respect of the premises situate at

used as

or in respect of the vehicle with the registration no

Make

Type

To be transferred to:

Name

Address

The reason for this application to transfer the Certificate of Registration from one person or firm to another person or firm is because

.....

.....

.....

Date

Signature of applicant

Capacity of signatory

Phone (H).....(W).....(CELL).....

Physical address

Postal address

SCHEDULE 6

FORM 6

APPLICATION FOR PERMIT FOR DISPLAY OF FIREWORKS AND PYROTECHNIC DEVICES

This form must be completed and forwarded to the Chief Fire Officer and accompanied by a plan of the premises, in terms of the Bylaw.

Full name of applicant, if a company, the name of company and its secretary
(write in block letters)

Name of applicant

Trading as

Name of secretary/manager/director

State the address of the premises to be registered and the name of the owner thereof:

Name of owner

Subdivision Lot

Street No. Block

Street

Postal address

State class of business

.....

Give a full description of existing and proposed buildings

.....

.....

Date for fireworks / pyrotechnic exhibition or display

.....

Full physical address of such fireworks / pyrotechnic exhibition or display

.....

Name of person in control or supervision of such fireworks / pyrotechnic exhibition or display

.....
 Name and address of special effects pyrotechnician / pyrotechnician or theatrical user

Has owner of premises where fireworks / pyrotechnic exhibition or display consented to such exhibit? (Proof of such consent to be attached)

A sketch plan of the proposed venue for the fireworks display including the demarcated area for launching fireworks is to be attached.

Date

Signature of applicant

Capacity of signatory

Phone (H).....(W).....(CELL).....

Physical address

Postal address

SCHEDULE 6

FORM 7

APPLICATION FOR CERTIFICATE OF REGISTRATION

FOR SPRAYING PERMIT

This form must be completed and forwarded to the Chief Fire Officer and accompanied by a plan of the premises, in terms of the Bylaw.

Full name of applicant, if a company, the name of company and its secretary
 (write in block letters)

Name of applicant

Trading as

Name of secretary/manager/director

State the address of the premises to be registered and the name of the owner thereof:

Name of owner

Subdivision Lot

Street No. Block

Street

Postal address

State class of business

Give a full description of existing and proposed buildings

Does the spraying room comply with Section 120(2)(a) or Section 120(2)(b) or Section 120(2)(c) of the Bylaw.

Does the spraying room comply with Sections 121, 122, 123, 124, 125, 126, 127, 128, 129, 130 & 131 of the Bylaw.

.....
 Date
 Signature of applicant
 Capacity of signatory
 Phone (H).....(W).....(CELL).....
 Physical address
 Postal address

SCHEDULE 6**FORM 8****APPLICATION FOR AUTHORITY TO DEAL IN OR SELL FIREWORKS**

This form must be completed and forwarded to the Chief Fire Officer and accompanied by a plan of the premises, in terms of the Bylaw.

Full name of applicant, if a company, the name of company and its secretary
 (write in block letters)

Name of applicant

Trading as

Name of secretary/manager/director

State the address of the premises to be registered and the name of the owner thereof:

Name of owner

Subdivision Lot

Street No. Block

Street

Postal address

State class of business

Give a full description of existing and proposed buildings

Physical address where fireworks shall be stored

Has the owner consented to storage of such fireworks. (Copy of owners consent)

Name of person in control of premises where fireworks to be stored?

Is the applicant in possession of a fireworks licence in terms of the Explosive Act (Copy of licence to be attached)

Date

Signature of applicant

Capacity of signatory

Phone (H).....(W).....(CELL).....

Physical address

Postal address

SCHEDULE 6**FORM 9****CERTIFICATE OF REGISTRATION FOR PERMIT (PREMISES)**

This is to certify that the premises situated at

.....

occupied by

and used as a

have been duly registered by the Chief Fire Officer under the Community Fire Safety Bylaws for Fire and Rescue Services.

The maximum quantity of flammable liquids and substances kept or handled at this address shall not exceed –

Flammable liquids

Class 0 litres

Class I litres

Class II litres

Class III litres

Flammable substances

(specify types) kgs

This certificate is issued subject to the following conditions:

.....

.....

.....

This certificate shall expire on

.....
Chief Fire Officer

Date:

This Certificate of Registration must be displayed in a conspicuous position on the Registered Premises.

SCHEDULE 6**FORM 10****CERTIFICATE OF REGISTRATION FOR PERMIT (PREMISES)**

This is to certify that the vehicle, particulars of which are given below, has been examined and found to comply with the prescribed structural requirements as contained in the Community Fire Safety Bylaws for Fire and Rescue Services, for the conveyance of

1 of Class 0 / Class I / Class II / Class III * flammable liquids in tanks / containers each of a capacity

litres within the limits of the municipal area and subject to all Bylaws for the time being in force.

Registration No.

Make

Type of vehicle

Owner's name

Address

This Certificate of Registration is not a warranty of fitness of the vehicle herein described and any owner, driver or other person interested should satisfy himself as to the construction and condition of the said vehicle.

.....
Chief Fire Officer

Date:

This Certificate of Registration must be displayed in a conspicuous position on the vehicle.

* Delete whichever is not applicable

SCHEDULE 6**FORM 11****SPRAYING PERMIT**

Date

Permit No.

This is to certify that the premises situated at

.....

and occupied by

and used as a

has complied with the requirements for a spraying permit.

This permit is valid from to

Between the hours of and

IMPORTANT

THE PERMIT HOLDER INDEMNIFIED UGU DISTRICT MUNICIPALITY, THEIR AGENTS, SERVANTS AND EMPLOYEES HARMLESS FROM LIABILITY, SUITS OR ACTIONS FOR DAMAGES, COSTS, OR OTHER RELIEF BASED ON ACTUAL OR ALLEGED PROPERTY DAMAGE OR INJURY TO OR DEATH OF ANY PERSON ALLEGEDLY OR ACTUALLY CAUSED BY THE USE OF SPRAYING FOR WHICH THIS PERMIT IS VALID. THIS PERMIT MAY BE CANCELLED OR THE PERMIT HOLDER MAY BE ORDERED TO CEASE THE DISCHARGING, FIRING, OR SETTING OFF OF SPRAYING WHEN IN THE OPINION OF THE COUNCIL OR SOUTH AFRICAN POLICE SERVICE. IT IS CONSIDERED NECESSARY FOR REASONS OF SAFETY OR CONDITIONS EXISTS THAT CONTRAVENE UGU COMMUNITY FIRE SAFETY BYLAWS FOR FIRE AND RESCUE SERVICES. THE PERMIT HOLDER MAY BE REQUIRED TO PAY THE COST TO THE UGU COUNCIL FOR FIRE FIGHTING SERVICES THAT WERE, IN THE OPINION OF THE FIRE DEPARTMENT, REQUIRED DUE TO NEGLIGENCE OR DISREGARD FOR THE REQUIREMENTS OF THIS PERMIT THAT ARE CONTAINED IN THIS BYLAW. THE PERMIT HOLDER IS RESPONSIBLE FOR ENSURING COMPLIANCE WITH THE REQUIREMENTS UGU COMMUNITY FIRE SAFETY BYLAWS FOR FIRE AND RESCUE SERVICES. INCLUDING AMENDMENTS AS THEY MAY OCCUR FROM TIME TO TIME.

I am at least 18 years old and am aware of the conditions for issuance of this permit under the ugu Community Fire Safety Bylaws for Fire and Rescue Services, which are printed on the back of this permit.

Authorisation:

.....

.....

Chief Fire Officer

Signature of permit holder

Consent of property owner

Full name.....

Date

.....

Signature of property owner

SCHEDULE 6

FORM 12

FIREWORKS DISPLAY PERMIT

Date	
------	--

Permit No.	
------------	--

Pursuant to Ugu Community Fire Safety Bylaw hereby permit

Name of certified firework supervisor

Firework supervisor certificate no.

Postal address

Phone (H).....(W).....(CELL).....

To supervise and perform a fireworks display for:

Name of sponsoring person, group, association

Signature of signing officer (if applicable)

Postal address

Phone (H).....(W).....(CELL).....

This permit is valid from to

Between the hours of and

IMPORTANT

THE PERMIT HOLDER INDEMNIFIED UGU DISTRICT MUNICIPALITY, THEIR AGENTS, SERVANTS AND EMPLOYEES HARMLESS FROM LIABILITY, SUITS OR ACTIONS FOR DAMAGES, COSTS, OR OTHER RELIEF BASED ON ACTUAL OR ALLEGED PROPERTY DAMAGE OR INJURY TO OR DEATH OF ANY PERSON ALLEGEDLY OR ACTUALLY CAUSED BY THE USE OF THE FIREWORKS FOR WHICH THIS PERMIT IS VALID. THIS PERMIT MAY BE CANCELLED OR THE PERMIT HOLDER MAY BE ORDERED TO CEASE THE DISCHARGING, FIRING, OR SETTING OFF OF FIREWORKS WHEN IN THE OPINION OF THE COUNCIL OR SOUTH AFRICAN POLICE SERVICE. IT IS CONSIDERED NECESSARY FOR REASONS OF SAFETY OR CONDITIONS EXISTS THAT CONTRAVENE UGU COMMUNITY FIRE SAFETY BYLAWS FOR FIRE AND RESCUE SERVICES.

THE PERMIT HOLDER MAY BE REQUIRED TO PAY THE COST TO THE UGU COUNCIL FOR FIRE FIGHTING SERVICES THAT WERE, IN THE OPINION OF THE FIRE DEPARTMENT, REQUIRED DUE TO NEGLIGENCE OR DISREGARD FOR THE REQUIREMENTS OF THIS PERMIT THAT ARE CONTAINED IN THIS BYLAW.

THE PERMIT HOLDER IS RESPONSIBLE FOR ENSURING COMPLIANCE WITH THE REQUIREMENTS UGU COMMUNITY FIRE SAFETY BYLAWS FOR FIRE AND RESCUE SERVICES. INCLUDING AMENDMENTS AS THEY MAY OCCUR FROM TIME TO TIME.

I am at least 18 years old and am aware of the conditions for issuance of this permit under the ugu Community Fire Safety Bylaws for Fire and Rescue Services, which are printed on the back of this permit.

Authorisation:

.....

.....

Chief Fire Officer

Signature of permit holder

Consent of property owner

Full name.....

Date

.....

Signature of property owner

SCHEDULE 6

FORM 13

PYROTECHNICS DISPLAY PERMIT

Date	
------	--

Permit No.	
------------	--

Pursuant to Ugu Community Fire Safety Bylaw hereby permit

Name of certified Special Effects Pyrotechnician

Special Effects Pyrotechnician certificate no.

Postal address

Phone (H).....(W).....(CELL).....

To supervise and perform a pyrotechnics display for:

Name of sponsoring person, group, association
 Signature of signing officer (if applicable)
 Postal address
 Phone (H).....(W).....(CELL).....

This permit is valid from to
 Between the hours ofand

IMPORTANT

THE PERMIT HOLDER INDEMNIFIED UGU DISTRICT MUNICIPALITY, THEIR AGENTS, SERVANTS AND EMPLOYEES HARMLESS FROM LIABILITY, SUITS OR ACTIONS FOR DAMAGES, COSTS, OR OTHER RELIEF BASED ON ACTUAL OR ALLEGED PROPERTY DAMAGE OR INJURY TO OR DEATH OF ANY PERSON ALLEGEDLY OR ACTUALLY CAUSED BY THE USE OF THE PYROTECHNIC SPECIAL EFFECTS FOR WHICH THIS PERMIT IS VALID.

THIS PERMIT MAY BE CANCELLED OR THE PERMIT HOLDER MAY BE ORDERED TO CEASE THE DISCHARGING, FIRING, OR SETTING OFF OF PYROTECHNIC SPECIAL EFFECTS WHEN IN THE OPINION OF THE COUNCIL OR SOUTH AFRICAN POLICE SERVICE. IT IS CONSIDERED NECESSARY FOR REASONS OF SAFETY OR CONDITIONS EXISTS THAT CONTRAVENE UGU COMMUNITY FIRE SAFETY BYLAWS FOR FIRE AND RESCUE SERVICES.

THE PERMIT HOLDER MAY BE REQUIRED TO PAY THE COST TO THE UGU COUNCIL FOR FIRE FIGHTING SERVICES THAT WERE, IN THE OPINION OF THE FIRE DEPARTMENT, REQUIRED DUE TO NEGLIGENCE OR DISREGARD FOR THE REQUIREMENTS OF THIS PERMIT THAT ARE CONTAINED IN THIS BYLAW.

THE PERMIT HOLDER IS RESPONSIBLE FOR ENSURING COMPLIANCE WITH THE REQUIREMENTS UGU COMMUNITY FIRE SAFETY BYLAWS FOR FIRE AND RESCUE SERVICES. INCLUDING AMENDMENTS AS THEY MAY OCCUR FROM TIME TO TIME.

I am at least 18 years old and am aware of the conditions for issuance of this permit under the ugu Community Fire Safety Bylaws for Fire and Rescue Services, which are printed on the back of this permit.

Authorisation:

 Fire marshal

.....
 Chief Fire Officer Signature of permit holder

Consent of property owner

Full name.....

Date

.....

Signature of property owner

SCHEDULE 6**FORM 14****PERMIT TO DEAL IN OR SELL FIREWORKS**

Date

Permit No.

This is to certify that

is authorised to deal in or sell fireworks from

.....

Postal address

Phone (H).....(W).....(CELL).....

This permit is valid from to

Between the hours ofand

IMPORTANT

THE PERMIT HOLDER INDEMNIFIED UGU DISTRICT MUNICIPALITY, THEIR AGENTS, SERVANTS AND EMPLOYEES HARMLESS FROM LIABILITY, SUITS OR ACTIONS FOR DAMAGES, COSTS, OR OTHER RELIEF BASED ON ACTUAL OR ALLEGED PROPERTY DAMAGE OR INJURY TO OR DEATH OF ANY PERSON ALLEGEDLY OR ACTUALLY CAUSED BY THE USE OF THE FIREWORKS FOR WHICH THIS PERMIT IS VALID.

THIS PERMIT MAY BE CANCELLED OR THE PERMIT HOLDER MAY BE ORDERED TO CEASE THE DISCHARGING, FIRING, OR SETTING OFF OF FIREWORKS WHEN IN THE OPINION OF THE COUNCIL OR SOUTH AFRICAN POLICE SERVICE. IT IS CONSIDERED NECESSARY FOR REASONS OF SAFETY OR CONDITIONS EXISTS THAT CONTRAVENE UGU COMMUNITY FIRE SAFETY BYLAWS FOR FIRE AND RESCUE SERVICES.

THE PERMIT HOLDER MAY BE REQUIRED TO PAY THE COST TO THE UGU COUNCIL FOR FIRE FIGHTING SERVICES THAT WERE, IN THE OPINION OF THE FIRE DEPARTMENT, REQUIRED DUE TO NEGLIGENCE OR DISREGARD FOR THE REQUIREMENTS OF THIS PERMIT THAT ARE CONTAINED IN THIS BYLAW. THE PERMIT HOLDER IS RESPONSIBLE FOR ENSURING COMPLIANCE WITH THE REQUIREMENTS UGU COMMUNITY FIRE SAFETY BYLAWS FOR FIRE AND RESCUE SERVICES. INCLUDING AMENDMENTS AS THEY MAY OCCUR FROM TIME TO TIME.

I am at least 18 years old and am aware of the conditions for issuance of this permit under the ugu Community Fire Safety Bylaws for Fire and Rescue Services, which are printed on the back of this permit.

Authorisation:

.....

Chief Fire Officer

Signature of permit holder

Consent of property owner

Full name.....

Date

.....

Signature of property owner

SCHEDULE 7

TARIFFS

FEES PAYABLE TO THE SERVICE IN TERMS OF SECTION 10 OF THE FIRE BRIGADE SERVICES ACT 1987 (ACT 99 OF 1987) FOR PROVIDING EMERGENCY SERVICES

A. FEES FOR HAZARDOUS SUBSTANCES AND FIRE PROTECTION SERVICES

NO.	DESCRIPTION OF SERVICE	TARIFF (payable annually)
1	Registration of bulk depots	R1500.00
2	Issuing of a certificate of registration for the storage, handling and use of any hazardous substance contemplated in Section 24 of these Bylaws	R350.00
3	Issuing of permits	R350.00
4	Issuing of a certificate of fitness for a public building	R350.00
5	Approval of plans in respect of hazardous substances	R250.00
6	(a) Inspection of a building for the issuing of a certificate of occupancy and any other fire inspection service	R150.00
	(b) Second and subsequent fire inspection services	R150.00
7	Inspection of motor vehicles transporting dangerous goods	R250.00

B. FEES FOR FIRE INSPECTIONS SERVICES

NO.	DESCRIPTION OF SERVICE	TARIFF (payable annually)
1	Inspection related to the installation or removal of flammable / combustible fuel tank	R350.00
2	Fire rescue standby service required as a condition of the issuance of the permit or where the Fire Chief has determined that there is sufficient risk to the safety of people or property to merit on scene Fire Rescue Services	R350.00
3	Plans examining and letter of compliance related to the installation or removal of flammable / combustible fuel tank	R350.00
4	Occupancy load approval	R250.00
5	Occupancy load certificate replacement fee	R250.00

6	Occupancy load calculation	R250.00
7	New application for permit inspection	R350.00
8	Second re-inspection of quality management plan occupancy or building	R250.00
9	Requested inspection	R350.00
10	Special event floor plan review and inspection: During the hours of 08h00 – 17h20, Monday to Friday. A maximum 2 hour will apply when outside the hours of 08h00 – 17h20, Monday to Friday	R200.00
11	Special event food outlet inspection: During the hours of 08h00 to 17h20 Monday to Friday, a minimum 2 hour fee will apply when outside the hours of 08h00 to 17h20, Monday to Friday.	R200.00
12	Major development plan review	R350.00
13	File search / summary report. Search of files related to the history of a particular site or address. For the first hour of research, each address (maximum charge for four (4) addresses per building or building complex)	R350.00
14	Inspection of premises for storage of flammable substance, spray paint and fireworks	R350.00
15	Inspection of motor vehicles to transport dangerous goods	R350.00
16	Issuing of permits	R250.00

C. **FEES FOR FIRE RESCUE**

NO.	DESCRIPTION OF SERVICE	TARIFF (payable annually)
1	Hazardous Material Incident Hazardous Material Response that is not a Basic Motor Vehicle Incident Response	
	(i) If the response is handled and completed by one single pumper apparatus	R350.00
	(ii) Major Hazardous Material Response	R950.00
2	Fire Rescue response to false alarms	
	(i) For the first response related to malfunctioning Fire Safety Installations or other safety monitoring devices, at the same premises responded to during each calendar year	No charge
	(ii) Second (2 nd) response to a false alarm	R150.00
	(iii) Third (3 rd) response to a false alarm	R350.00
	(iv) Fourth (4 th) and each subsequent response to a false alarm	R500.00
3	Fire Rescue Response to Commercial false alarms	
	(i) For the first response related to malfunctioning Fire Safety Installations or other safety monitoring devices, at the same premises responded to during each calendar year	No charge
	(ii) Second (2 nd) response to a false alarm	R350.00
	(iii) Third (3 rd) response to a false alarm	R500.00
	(iv) Fourth (4 th) and each subsequent response to a false alarm	R750.00
4	Security alarms routed to Fire Rescue Services	
	(i) Residential	R750.00
	(ii) Commercial	R1500.00
5	Call out costs - pumpers, pump tankers, 4x4 mobile pumps, rescue trucks, aerial trucks, jet boats, ambulance bus, air monitoring truck : per	R350.00

	apparatus per half hour or portion thereof	
6	Call out costs – fire trucks/cars, salvage truck, hose tender, fan truck, water cannon, mobile command, bus, medical support units, and any other unspecified apparatus ; per apparatus per half hour or portion thereof	R150.00
7	Hazardous Material Apparatus	
	(i) per apparatus, for the first thirty minutes or portion thereof, plus expenses and a 15% handling charge for all material and supplies	R750.00
	(ii) per apparatus, for each subsequent thirty minutes or portion thereof, plus expenses, and a 15% handling charge for all materials and supplies	R350.00
8	Cost related to overtime : per members per half hour or portion thereof	R50.00
9	Costs related to dispatch, monitoring and response management : per members per half hour or portion thereof	R50.00
10	Costs related to fire inspection : per members per half hour or portion thereof	R150.00
11	Costs related to the fire investigation : per members per half hour or portion thereof	R150.00
12	Costs incurred by Fire Rescue Services	R500.00

D. GENERAL DIRECTIVE FOR THE PAYMENT OF THE ABOVE FEES

1. All certificates of registration, certificates of fitness and/or spraying permits will be valid for twelve calendar months. A written application for the renewal of the certificate or permit must reach the service at least one calendar month prior to the expiry thereof.
2. When application is made for registration, the appropriate application form, correctly completed in full, must be accompanied by the prescribed fees.
3. All the appropriate application forms are available from the service and must be completed in full and, where applicable, be duly signed.
4. If, for whatever reason, the fire chief rejects an application for any certificate of registration, certificate of fitness or any permit, the applicant must, within 14 days (excluding weekends and public holidays) of the date of rejection, take corrective steps to ensure that the document in question is issued at no additional cost, failing which the applicant must pay the prescribed fees again.
5. (a) The tariff for premises what are liable to registration in respect of paragraph 1, 2 or 3 or a combination of them, will be a single fee of R350.00, irrespective of the combination of items : Provided that such combination applies to one premises and is under the same control.
- (b) If there are different divisions and/or affiliates within a business and/or company situated on the same premises but each division and/or affiliate is managed separately each division and/or affiliate is liable to registration separately.

E. RENTAL PAYABLE FOR MAKING SERVICE EQUIPMENT AVAILABLE

NO.	DESCRIPTION OF SERVICE	TARIFF
1	USE OF VEHICLES	
	1.1. call out tariff – type of vehicle	
	(a) light	R50.00
	(b) medium	R100.00
	(c) heavy	R150.00
	(d) rescue	R100.00
	(e) special	R200.00
	1.2. tariff per vehicle per hour or portion of an hour – type of vehicle	
	(a) light	R150.00
	(b) medium	R300.00
	(c) heavy	R400.00
	(d) rescue	R300.00
	(e) special	R400.00
	(The time is calculated from arrival up to departure)	

F. USE OF CREW MEMBERS

Tariff per member per hour or portion of an hour R100.00 (The time is calculated from arrival to departure).

G. USE OF MATERIALS

The tariff that is levied is that of materials used, at costs, plus an administrative levy of 10% of the cost of such materials : provided that if any materials for which the controlling authority has prescribed a tariff are used, such tariff will apply.

H. USE OF THE SERVICE OUTSIDE THE JURISDICTION OF THE COUNCIL

The tariffs set out in this annexure, plus a surcharge of 50% will be levied if the service is used outside the area of jurisdiction.

I. REBATE

If the service is used for a building that is used exclusively for residential purposes, the Chief Fire Officer may, at his/her sole discretion, limit the total amount payable in respect of paragraphs 1 and 2 about to a maximum of R2000.00.

J. EXEMPTIONS

The fees payable in terms of paragraphs 1 to 5 above are not applicable to property of the council, unless the property is leased. The fees are also not applicable to grass fires, veld fires and refuse fires on empty even within the area of the council.

K. ADJUSTMENT IN FEES PAYABLE TO THE SERVICE AS CONTEMPLATED IN CLAUSES A AND B OF THIS ANNEXURE

The service must ensure that all fees referred to in clause A and B of this annexure are adjusted to keep trend with inflation according to the consumer price index.

L. ADMINISTRATION FEES

NO.	DESCRIPTION OF SERVICE	TARIFF
1	Request for the administrative service of a member (including witness interviews)	
	(a) per member, per hour or portion thereof plus expenses (2 hour minimum charge)	R300.00
	(b) plus : thereafter per member per thirty minutes or portion thereof	R50.00
	(c) plus : actual expenses incurred	
2	Reports	
	(a) Requested copies of Fire Rescue run reports, hazardous material reports, fire investigation reports related to a specific incident, including letters of summary and all services associated with providing the requested information:	
	(i) per report, up to two hours research and preparation	R300.00
	(ii) plus : thereafter, per thirty minutes or portion thereof	R50.00
	(b) Duplication of photographs:	
	(i) hard copy photograph	
	(A) up to 5 photographs	R50.00
	(B) each additional photograph	R10.00
	(ii) digital photograph	
	(A) up to 20 digital photographs	R100.00
	(B) each additional digital photograph	R10.00

SCHEDULE 8
FINES

NO.	DESCRIPTION OF OFFENCES	FINES
1	Fails to maintain a clear and unobstructed exit or means of egress as required by the Bylaws	R500.00
2	Fails to maintain a fire exit door as required by the Bylaws	R500.00
3	Fails to ensure exterior passageways and exterior exit stairs serving occupied buildings are maintained clear of obstructions as required by the Bylaws	R500.00
4	Fails to maintain, service or test fire equipment as required by the Bylaws	R500.00
5	Fails to maintain, service or test an automatic sprinkler system as required by the Bylaws	R500.00
6	Fails to maintain, service or test special extinguishing system as required by the Bylaws	R500.00
7	Fails to maintain, service or test fire alarm systems and components as required by the Bylaws	R500.00
8	Fails to maintain, service or test a standpipe system as required by the Bylaws	R500.00
9	Permits combustible materials to accumulate in or around buildings or locations that create an undue fire hazard as required by the Bylaws	R1000.00
10	Blocks or wedges open a closure in a fire separation as required by the Bylaws	R500.00
11	Fails to maintain fire separation as required by the Bylaws	R500.00
12	Obscures or obstructs a fire hydrant as required by the Bylaws	R500.00
13	Obscures or obstructs a fire department connection as required by the Bylaws	R500.00
14	Fails to maintain a clear and unobstructed fire lane as required by the Bylaws	R500.00
15	Fails to maintain exit signs as required by the Bylaws	R200.00
16	Fails to maintain emergency lighting as required by the Bylaws	R200.00
17	Fails to post an occupant load sign as required by the Bylaws	R200.00
18	Contravenes any provisions regarding the sale of fireworks as required by this Bylaws	R1000.00
19	Contravenes any of the provisions regarding the discharge of fireworks or pyrotechnics as required by this Bylaw	R1.000.00
20	Fails to obtain an indoor fireworks or pyrotechnics display permit as required by this Bylaw	R1.000.00
21	Fails to obtain a high hazard fireworks display permit as required by this Bylaw	R1.000.00
22	Contravenes any of the provisions relating to smoke alarms as required by this Bylaw	R200.00
23	Contravenes any of the provisions regarding open air fires as required by this Bylaw	R200.00
24	Contravenes any of the provisions relating to fire pits and outdoor fireplaces as required by this Bylaw	R200.00
25	Contravenes any other provisions to this Bylaw not covered by the offences and fines as set out above	R200.00


IMPORTANT Information from Government Printing Works

Dear Valued Customers,

Government Printing Works has implemented rules for completing and submitting the electronic Adobe Forms when you, the customer, submits your notice request.

Please take note of these guidelines when completing your form.

GPW Business Rules

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1. No hand written notices will be accepted for processing, this includes Adobe forms which have been completed by hand.
 2. Notices can only be submitted in Adobe electronic form format to the email submission address submit.egazette@gpw.gov.za. This means that any notice submissions not on an Adobe electronic form that are submitted to this mailbox will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
 3. Notices brought into GPW by "walk-in" customers on electronic media can only be submitted in Adobe electronic form format. This means that any notice submissions not on an Adobe electronic form that are submitted by the customer on electronic media will be **rejected**. National or Provincial gazette notices, where the Z95 or Z95Prov must be an Adobe form but the notice content (body) will be an attachment.
 4. All customers who walk in to GPW that wish to submit a notice that is not on an electronic Adobe form will be routed to the Contact Centre where the customer will be taken through the completion of the form by a GPW representative. Where a customer walks into GPW with a stack of hard copy notices delivered by a messenger on behalf of a newspaper the messenger must be referred back to the sender as the submission does not adhere to the submission rules.
 5. All notice submissions that do not comply with point 2 will be charged full price for the notice submission.
 6. The current cut-off of all Gazette's remains unchanged for all channels. (Refer to the GPW website for submission deadlines – www.gpwonline.co.za)
 7. Incorrectly completed forms and notices submitted in the wrong format will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email info.egazette@gpw.gov.za)
 8. All re-submissions by customers will be subject to the above cut-off times.
 9. All submissions and re-submissions that miss the cut-off will be rejected to the customer to be submitted with a new publication date.
 10. Information on forms will be taken as the primary source of the notice to be published. Any instructions that are on the email body or covering letter that contradicts the notice form content will be ignored.

You are therefore advised that effective from **Monday, 18 May 2015** should you not comply with our new rules of engagement, all notice requests will be rejected by our new system.

Furthermore, the fax number **012- 748 6030** will also be **discontinued** from this date and customers will only be able to submit notice requests through the email address submit.egazette@gpw.gov.za.

