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LIMPOPO PROVINSIE
XIFUNDZANKULU XA LIMPOPO
PROFENSE YA LIMPOPO
VUNDU LA LIMPOPO
IPHROVINSI YELIMPOPO

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Vol: 28

POLOKWANE,
9 JULY 2021
9 JULIE 2021

No: 3182

PART 1 OF 2

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GENERAL NOTICES • ALGEMENE KENNISGEWINGS**NOTICE 66 OF 2021****POLOKWANE LOCAL MUNICIPALITY****NOTICE OF A REZONING APPLICATION IN TERMS OF SECTION 61 OF THE POLOKWANE MUNICIPAL PLANNING BY-LAW, 2017****POLOKWANE AMENDMENT SCHEME 297**

I Ngwanamashao Cynthia Mathabatha being the applicant of **Portion 1 of Erf 335 Annadale** hereby give notice in terms of section 95(1)(a) of the Polokwane Municipal Planning By-law, 2017, that I have applied to Polokwane Municipality for the amendment of the applicable Land Use Scheme/or Town planning Scheme, by the rezoning in terms of section 61 and read together with clause 32 for the relaxation of density of the Polokwane Municipal Planning By-law, 2017, of the property as described above. The property is situated at: Railway Street No 30. The rezoning is from "Residential 1" to "Residential 3" for the purpose of erecting rental units for accommodation.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: Manager: City Planning and Property Management, PO Box 111, Polokwane, 0700 within a period of 28 days from the first date of publication.

Particulars of the application will lie for inspection during normal office hours at the applicant address mentioned herein and at the Municipal offices as set out below, for a period of 28 days from 10 June 2021 to 16 July 2021.

Address of Municipal offices: Civic Centre, Corner Landros Mare & Bodenstein Street, Polokwane, PO Box 111, Polokwane, 0700

Address of applicant: 30 Railway Street, Polokwane

Telephone No: **082 318 3793**

Dates on which notice will be published: 10 June 2021.

KENNISGEWING 66 VAN 2021**POLOKWANE PLAASLIKE MUNISIPALITEIT****KENNISGEWING VAN 'N HERSONERINGSAAANSOEK INGEVOLGE ARTIKEL 61 VAN DIE POLOKWANE MUNICIPAL BEPLANNINGSVEROORWEEG, 2017****POLOKWANE WYSIGINGSKEMA 297**

Ek Ngwanamashao Cynthia Mathabatha is die aansoeker van Gedeelte 1 van Erf 335 Annadale gee hiermee ingevolge artikel 95(1)(a) van die Verordening op Polokwane Munisipale Beplanning kennis, 2017, dat ek by Polokwane Munisipaliteit aansoek gedoen het vir die wysiging van die toepaslike Grondgebruikskema/of Stadsbeplanningskema, deur die hersonering ingevolge artikel 61 en saam met klousule 32 gelees vir die verslapping van digtheid van die Polokwane Munisipale Beplanningsverorkesing, 2017, van die eiendom soos hierbo beskryf. Die eiendom is geleë by: Spoorwegstraat Nr 30. Die hersonering is van "Residensieel 1" na "Residensieel 3" met die doel om huureenhede vir akkommodasie op te rig.

Enige beswaar(e) en/of kommentaar(s), met inbegrip van die gronde vir sodanige beswaar(s) en/of kommentaar(s) met volledige kontakbesonderhede, waarsonder die Munisipaliteit nie kan ooreenstem met die persoon of liggaam wat die beswaar(s) en/of kommentaar(s) indien nie, moet binne 'n tydperk van 28 dae vanaf die eerste datum van publikasie skriftelik by of tot die Bestuurder: Stadsbeplanning en Eiendomsbestuur, Posbus 111, Polokwane, 0700, ingedien of skriftelik gemaak word.

Besonderhede van die aansoek lê gedurende gewone kantoorure vir inspeksie by die aansoekeradres hierin genoem en by die Munisipale kantore soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf 10 Junie 2021 tot 16 Julie 2021.

Adres van Munisipale kantore: Burgersentrum, Hoek Landros Mare & Bodensteinstraat, Polokwane, Posbus 111, Polokwane, 0700

Adres van aansoeker: Spoorwegstraat 30, Polokwane

Telefoon Nr: **082 318 3793**

Datums waarop kennisgewing gepubliseer sal word: 10 Junie 2021.

NOTICE 67 OF 2021**AMENDMENT SCHEME 420****NOTICE OF APPLICATION FOR AMENDMENT OF TOWN PLANNING SCHEME IN TERMS OF SECTION 67 OF THE POLOKWANE MUNICIPAL PLANNING BY-LAW, 2017, READ TOGETHER WITH SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (ACT 16 OF 2013) FOR THE REZONING OF THE POLOKWANE/ PERSKEBULT TOWN PLANNING SCHEME 2016 ON ERF 1762 PIETERSBURG EXTENSION 7 FROM "RESIDENTIAL 1" TO "RESIDENTIAL 3"**

I, LebogangMohale of Opulence Development, development being the authorised agent of the owner of the above property, intend applying to the Polokwane Municipality, in terms of Section 67 of the Polokwane Municipal By-law, 2017, read together with Spatial Planning and Land Use Management Act (Act 16 of 2013) for the amendment of the town planning scheme known as the Polokwane/Perskebult Town Planning Scheme, 2016 by the rezoning of Erf 1762 Pietersburg Extension 7 from "Residential 1" to "Residential 3" to allow dwelling units

Plans and particulars of the application will lie for inspection during normal office hours at the office of the Manager: City Planning and Property Management, Polokwane Municipality, Civic Centre, 1st Floor West Wing, from the 02 July 2021, for the period of 28 days from the first date of publication.

Objections and/or comments or representation in respect of the application must be lodged with or made by writing to the Manager: City Planning and Property Management, Polokwane Municipality, P O Box 111, Polokwane, 0700 for a period of 28 days from the date of publication of notice. Address of Mentioned Authorised Agent: **Opulence Development, 6 Villa Santana Main Street, Heather view 0156: Contact: 0840767294 Email: lebogangmohale@ymail.com**

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KENNISGEWING 67 VAN 2021**WYSIGINGSKEMA 420****KENNISGEWING VAN AANSOEK OM WYSIGING VAN STADSBEPLANNINGSKEMA INGEVOLGE AFDELING 67 VAN DIE VERORDENING VAN GEMEENTE POLOKWANE Beplanning, 2017, LEES SAAM MET WET OP RUIMTELIKE BEPLANNING EN GRONDGEBRUIK (WET 16 VAN 2013) VIR DIE HERSONERING VAN DIE POLOKWAN BEPLANNINGSKEMA 2016 OP ERF 1762 PIETERSBURG UITBREIDING 7 VAN "RESIDENSIEEL 1" TOT "RESIDENSIEEL 3"**

Ek, Lebogang Mohale of Opulence Development, synde die ontwikkeling as die gemagtigde agent van die eienaar van bogenoemde eiendom, is van plan om aansoek te doen by die Polokwane Munisipaliteit, ingevolge Artikel 67 van die Polokwane Munisipale Verordening, 2017, saamgelees met Ruimtelike Beplanning en Grond Gebruik die Wet op Bestuurswet (Wet 16 van 2013) vir die wysiging van die stadsbeplanningskema bekend as die Polokwane / Perskebult Stadsbeplanningskema, 2016 deur die hersonering van Erf 1762 Pietersburg Uitbreiding 7 van "Residensieel 1" na "Residensieel 3" om woning toe te laat eenhede

Planne en besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Bestuurder: Stadsbeplanning en Eiendomsbestuur, Polokwane Munisipaliteit, Burgersentrum, Wesvleuel 1ste Vloer, vanaf 02 July 2021 vir 'n tydperk van 28 dae. vanaf die eerste datum van publikasie.

Besware en / of kommentaar of vertoe ten opsigte van die aansoek moet binne 'n tydperk van 28 dae vanaf die datum van publikasie van kennisgewing. Adres van gemelde gemagtigde agent: Opulence Development, Villa Santana Main Street 6, Heather view 0156: Kontak: 0840767294 E-pos: lebogangmohale@ymail.com

2-9

NOTICE 68 OF 2021

AMENDMENT SCHEME 422

NOTICE OF APPLICATION FOR AMENDMENT OF TOWN PLANNING SCHEME IN TERMS OF SECTION 67 OF THE POLOKWANE MUNICIPAL PLANNING BY-LAW, 2017, READ TOGETHER WITH SPATIAL PLANNING AND LAND USE MANAGEMENT ACT (ACT 16 OF 2013) FOR THE REZONING OF THE POLOKWANE/ PERSKEBULT TOWN PLANNING SCHEME 2016 ON ERF 40212 PIETERSBURG EXTENSION 4 FROM "RESIDENTIAL 1" TO "BUSINESS 3" TOGETHER WITH SPECIAL CONSENT TO ALLOW A FILLING STATION.

I, Lebogang Mohale of Opulence Development, development being the authorised agent of the owner of the above property, intend applying to the Polokwane Municipality, in terms of Section 67 of the Polokwane Municipal By-law, 2017, read together with Spatial Planning and Land Use Management Act (Act 16 of 2013) for the amendment of the town planning scheme known as the Polokwane/Perskebult Town Planning Scheme, 2016 by the rezoning of Erf 40212 Pietersburg Extension 4 from "Residential 1" to "Business 3" together with special consent to allow a filling station.

Plans and particulars of the application will lie for inspection during normal office hours at the office of the Manager: City Planning and Property Management, Polokwane Municipality, Civic Centre, 1st Floor West Wing, from the 02 July 2021, for the period of 28 days from the first date of publication.

Objections and/or comments or representation in respect of the application must be lodged with or made by writing to the Manager: City Planning and Property Management, Polokwane Municipality, P O Box 111, Polokwane, 0700 for a period of 28 days from the date of publication of notice. Address of Mentioned Authorised Agent: **Opulence Development, 6 Villa Santana Main Street, Heather view 0156: Contact: 0840767294 Email: lebogangmohale@ymail.com**

2-9

KENNISGEWING 68 VAN 2021

WYSIGINGSKEMA 422

KENNISGEWING VAN AANSOEK OM WYSIGING VAN STADSBEPLANNINGSKEMA INGEVOLGE AFDELING 67 VAN DIE VERORDENING VAN GEMEENTE POLOKWANE, 2017, LEES SAAM MET WET OP PLANNING EN GRONDGEBRUIK (WET 16 VAN 2013) VIR DIE HERSONERING VAN DIE POLOKWANE BEPLANNINGSKEMA 2016 OP ERF 40212 PIETERSBURG UITBREIDING 4 VANAF "WOON 1" TOT "BESIGHEID 3" SAAM MET SPESIALE TOESTEMMING OM 'N VULSTASIE TOE TE LAAT.

Ek, Lebogang Mohale of Opulence Development, as synde die gemagtigde agent van die eienaar van die bogenoemde eiendom, is van plan om aansoek te doen by die Polokwane Munisipaliteit, ingevolge artikel 67 van die Polokwane Municipal Bywet, 2017, saamgelees met Ruimtelike Beplanning en Grond Gebruik die Wet op Bestuurswet (Wet 16 van 2013) vir die wysiging van die stadsbeplanningskema bekend as die Polokwane / Perskebult-stadsbeplanningskema, 2016 deur die hersonering van Erf 40212 Pietersburg-uitbreiding 4 van "Residensieel 1" na "Besigheid 3" tesame met spesiale toestemming om 'n vulstasie toe te laat.

Planne en besonderhede van die aansoek lê ter insae gedurende gewone kantoorure by die kantoor van die Bestuurder: Stadsbeplanning en Eiendomsbestuur, Polokwane Munisipaliteit, Burgersentrum, 1ste Vloer Wesvleuel, vanaf 02 Julie 2021, vir 'n tydperk van 28 dae vanaf die eerste datum van publikasie.

Besware en / of kommentaar of vertoe ten opsigte van die aansoek moet skriftelik by die Bestuurder: Stadsbeplanning en Eiendomsbestuur, Polokwane Munisipaliteit, Posbus 111, Polokwane, 0700, ingedien word vir 'n tydperk van 28 dae vanaf die datum van publikasie van kennisgewing. Adres van gemelde gemagtigde agent: **Opulence Development, Villa Santana Main Street 6, Heather view 0156: Kontak: 0840767294 E-pos: lebogangmohale@ymail.com**

2-9

NOTICE 69 OF 2021

NOTICE OF APPLICATION IN TERMS OF THE SPATIAL PLANNING AND LAND USE MANAGEMENT ACT 16 OF 2013 READ WITH THE BLOUBERG SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2017

Mabhekiso Development Consultants (Pty) Ltd, being the authorised agent of the owner of the property mentioned below, hereby give notice in terms of the Spatial Planning and Land Use Management Act 16 of 2013, read together with Section 98 of the Blouberg Spatial Planning and Land Use Management By-Law, 2017 that we have applied to the Blouberg Local Municipality for the following:

1. Subdivision of the Farm Bronkhorstfontein 42 LR in Terms of Section 71 of the Blouberg Municipality Spatial Planning and Land Use Management By-Law, 2017

Particulars of the application will lie for inspection during normal office hours at the office of the Town Planner, Blouberg Local Municipality, 2nd Building Mogwadi/ Senwabarwana Road, Senwabarwana 0790 for a period of 30 days from first day of publication (9 July 2021). Any person who cannot write may during office hours come to the above-mentioned address where the Town Planner of the Municipality will assist those persons by transcribing their objections, comments or representations.

Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager at the above address or P.O. Box 1593, Senwabarwana 0790 within a period of 30 days from first date of publication by (8 August 2021). A person who submits comments, objections or representations will be notified if a hearing will be held in respect of the application.

Address of Agent: Mabhekiso Development Consultants (Pty) Ltd 16A Bok Street, Polokwane 0699. Tel: 015 291 3832 Cell: 073 204 5076

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KENNISGEWING 69 VAN 2021

KENNISGEWING VAN AANSOEK INGEVOLGE DIE WET OP BESTUUR VAN RUIMTELIKE BEPLANNING EN GRONDGEBRUIK 16 VAN 2013 LEES MET DIE WET OP BLOUBERG RUIMTELIKE BEPLANNING EN GRONDGEBRUIK, 2017

Mabhekiso Development Consultants (Pty) Ltd, synde die gemagtigde agent van die eienaar van die onderstaande eiendom, gee hiermee kennis ingevolge die Wet op Ruimtelike Beplanning en Grondgebruikbestuur 16 van 2013, gelees saam met Artikel 98 van die Blouberg Ruimtelike Beplanning en Verordening op grondgebruikbestuur, 2017, wat ons by die Blouberg Plaaslike Munisipaliteit aangevra het vir die volgende:

1. Onderverdeling van die plaas Bronkhorstfontein 42 LR ingevolge artikel 71 van die Verordening op Ruimtelike Beplanning en Grondgebruikbestuur, Blouberg Munisipaliteit, 2017

Besonderhede van die aansoek le te insae gedurende gewone kantoorure by die kantoor van die Stadsbeplanner, Blouberg Plaaslike Munisipaliteit, 2de Gebou Mogwadi / Senwabarwanaweg, Senwabarwana 0790, vir 'n tydperk van 30 dae vanaf eerste dag van publikasie (9 Julie 2021). Enige persoon wat nie kan skryf nie, kan gedurende kantoorure na die bogenoemde adres kom, waar die stadsbeplanner van die munisipaliteit daardie persone sal help deur hul besware, kommentaar of vertoe te transkribeer.

Besware teen of vertoe ten opsigte van die aansoek moet skriftelik by of tot die Munisipale Bestuurder by bovermelde adres of by P.O. Box 1593, Senwabarwana 0790 binne 'n tydperk van 30 dae vanaf eerste datum van publikasie teen (8 Augustus 2021). 'N Persoon wat kommentaar, besware of vertoe indien, sal in kennis gestel word indien 'n verhoor oor die aansoek gehou sal word.

Adres van agent: Mabhekiso Development Consultants (Edms.) Bpk. Bokstraat 16A, Polokwane 0699. Tel: 015 291 3832 Sel: 073 204 5076

9-16

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 77 OF 2021

FETAKGOMO TUBATSE LOCAL MUNICIPALITY

NOTICE OF APPLICATION FOR THE FORMALISATION OF TOWNSHIPS THROUGH THE PROCESS OF TOWNSHIP ESTABLISHMENT IN TERMS OF SECTION 56(1) OF THE FETAKGOMO TUBATSE LOCAL MUNICIPALITY LAND USE MANAGEMENT BY-LAW, 2018

TUBATSE B EXTENSIONS 1, 2, 3, 4 & 5 TOWNSHIP

The Fetakgomo Tubatse Local Municipality, hereby give notice for the formalisation of the townships through the township establishment process in terms of Section 56 (1) of the Fetakgomo Tubatse Local Municipality Land Use Management By-Law, 2018, read together with the provisions of the Spatial Planning and Land Use Management Act, 2013 (Act No. 16 of 2013) referred to in the Annexure attached hereto.

Any objection(s) and/or comment(s), including the grounds of such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: The Executive Manager: Development Planning Directorate Fetakgomo Tubatse Local Municipality, P.O Box 206 Burgersfort, 1150 or 1 Kastania Street, Burgersfort, 1150 or to phntloana@tubatse.gov.za (Mr. Peter Hlabishi Ntloana) from 02 July 2021 (date of first publication) until the 13th August 2021.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 30 days from the date of first publication.

Further note that, in terms of Section 21 and Section 21(A) of the Municipal Systems Act, 2000 (Act 32 of 2000), any person who wants to object, but cannot write may, during office hours, within a period of 30 days from the 02nd of July 2021 visit the Chief Town Planner of the Municipality to transcribe such comments, representations or objections.

Closing date of any objections and/or comments: 13 August 2021

Dates on which the notice will be published: 02 July 2021 and 09 July 2021

ANNEXURE

Township Name: Tubatse B Extension 01, 02, 03, 04 and 05 Township

Number of Erven in the Proposed Townships, and Zoning:

Zoning	Tubatse B Extensions (1, 2, 3, 4 & 5) Township				
	Tubatse B Extension 01 (Former Tubatse A Ext. 2, 3, 4, 5, 8 and 15 Township)	Tubatse B Extension 02 (Former Tubatse A Extension 06)	Tubatse B Extension 03 (Former Tubatse A Extension 11)	Tubatse B Extension 04 (Former Tubatse A Extension 12)	Tubatse B Extension 05 (Former Tubatse Extension 13)
Residential 1	2894	252	363	494	499
Residential 2	68	3	8	9	29
Business	30	4	13	7	13
Institutional	12			6	
Educational	3		4	3	8
Municipal	10		1		
Public Open Space	4	1	1	2	1
Total No. of Erven	3021	261	390	518	550

Land Description: Tubatse A Extensions 1, 2, 3, 4, 5, 6, 8, 11, 12, 13 & 15 Township (Portion 8, 23, 25, 24, 28, 31, 32, 33 and 37 of the Farm Praktiseer 275 KT)

Location: The proposed townships are situated along the D1450 and D2527 main roads.

Name of Applicant: Nkanivo Development Consultants

Address of the applicant: P.O Box 11948, Silverlakes, 0054; Tell: 0128077445; Email: info@nkanivo.co.za.

2-9

MASEPALA WA SELEGAE WA FETAKGOMO TUBATSE**TSEBIŠO YA GO BEA MAFELO MOLAONG KA TŠHOMIŠO YA HLABOLLO YA TOROPO GO YA KA TEMANA YA 56 (1) YA MASEPALA WA SELEGAE WA FETAKGOMO TUBATSE SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2018****TUBATSE B EXTENSIONS 1, 2, 3, 4 & 5 TOWNSHIP**

Masepala wa se legae wa Fetakgomo Tubatse o fa tsebišo ka go bea ditoropo molaong ka tšhomišo ya hlabollo ya toropo go ya ka temana ya 56 (1) ya Masepala wa selegae wa Fetakgomo Tubatse Spatial Planning and Land Use Management By- Law, 2018, e balwa le molao wa Spatial Planning and Land Use Management 2016, (Act No. 16 of 2013), e ngwadilwe bjalo go Annexure yeo e kgomantshitswego.

Dingongorego le dikakaretso, tihaloso efe goba efe le ditlhalošo tse tseneletšego, mabaka a kgohlano goba ditlhalošo tše di nago le boitsebišo bjo feletšego, di tla ngwalelwa go Molaodi wa bopolane, Masepaleng wa selegae wa Fetakgomo Tubatse, P.O Box 206 Burgersfort, 1150 or 1 Kastania Street, Burgersfort, 1150 or to phntloana@tubatse.gov.za (Mr. Peter Hlabishi Ntloana) go thoma ka di 02 Mosegamane 2021 (letsatsi la pele la kgatiso) go fihla ka di 09 Mosegamanyane 2021.

Dintlha ka botlalo le ditokomane tša kgopelo ye di ka hwetšwa le go lekolwa ka nako ya mošomo dikantong tša Masepala matšatši a 30, go thoma kgatišong ya pele ya tsebišo.

Go ya ka temana ya 2 le 21 (A) ya Municipal System Act. 2000 (Act 32 of 2000), motho wo mongwe le wo mongwe a nyakago go fa dingongorego le go botšiša eupša a sa kgone go ngwala, a ka etela dikantoro tša Chief Town Planner ya Masepala go fana ka dingongorego tšeo ka nakoya mošomo kantong ya Masepala go thoma ka di 02 Mosegamane 2021 tekanong ya matšatši a 30.

Tšatši la mafelelo la dingongorego le ditlalebo: 13 Phato 2021

Matšatši a kgatišo a tsebišo: 02 Mosegamane 2021 le 09 Mosegamane 2021

ANNEXURE

Leina la toropo: Tubatse B Extension 01, 02,03,04 and 05 Township

Dintlha ka botlalo

	Tubatse B Extensions (1, 2, 3, 4 & 5) Township				
Zoning	Tubatse B Extension 01 (Former Tubatse A Ext. 2, 3, 4, 5, 8 and 15 Township)	Tubatse B Extension 02 (Former Tubatse A Extension 06)	Tubatse B Extension 03 (Former Tubatse A Extension 11)	Tubatse B Extension 04 (Former Tubatse A Extension 12)	Tubatse B Extension 05 (Former Tubatse Extension 13)
Residential 1	2894	252	363	494	499
Residential 2	68	3	8	9	29
Business	30	4	13	7	13
Institutional	12			6	
Educational	3		4	3	8
Municipal	10		1		
Public Open Space	4	1	1	2	1
Total No. of Erven	3021	261	390	518	550

Tihaloso ya Naga: Tubatse A Extensions 1, 2, 3, 4, 5, 6, 8, 11, 12, 13 & 15 Township (Portion 8, 23, 25, 24, 28, 31, 32, 33 and 37 of the Farm Praktiseer 275 KT)

Lefelo: Ditoropo di kgauswi le tsela ya D1450 le D2527 main roads

Leina la Mokgopedi: Nkanivo Development Consultants;

Lefelo la mokgopedi: P.O Box 11948, Silverlakes, 0054; Dinomoro: 0128077445; Email: info@nkanivo.co.za.

2-9

PROVINCIAL NOTICE 79 OF 2021

NOTICE

BELA-BELA LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND-USE MANAGEMENT BY-LAW, 2020

Notice is hereby given that in terms of Section 92 and 95 (1)(a) and (b) of the above mentioned By-Law read together with the Bela-Bela Land-Use Scheme, 2019 that I, Mmametja Mogaila, the undersigned of the Siphila Sonke Property Holding (Pty) Ltd, has applied to the Bela-Bela Local Municipality for the **Amendment Scheme 128/08** in order to rezone **Erf 8383 Bela-Bela Extension 7 Township** from **Residential 1 to Institutional** for the purpose(s) of constructing a cellular telephone mast on the property.

Plans and/or particulars relating to the application may be inspected during normal office hours at the municipality or can be requested from the applicant. Any person having any objection to the approval of this rezoning, must lodge such objections together with the grounds thereof in writing, to the Manager in the Town Planning Department, Bela-Bela Local Municipality, Private Bag X1609, 0480 no later than **30 days after the 10th August 2021**.

First date of advertisement (Newspaper): **21 May 2021**

Second date of advertisement (Newspaper): **28 May 2021**

Initial Objection expiry date: **21 June 2021**

Extended advertisement to include government gazette: 09 July 2021 to 10 August 2021.

Applicant: Siphila Sonke Property Holding (Pty) Ltd, at 86 Skilpad Road, Monument Park, Pretoria, 0181 Tel: (012) 346 4255, e-mail: mmametja@siphilasonke.co.za

Site Ref: ETSA-L1133 Skirlek

9-16

PROVINSIALE KENNISGEWING 79 VAN 2021

KENNISGEWING

BELA-BELA LOCAL MUNICIPALITY SPATIAL PLANNING AND LAND-USE MANAGEMENT BY-LAW, 2020

Kennis geskied hiermee dat ingevolge Artikel 92 en 95 (1) (a) en (b) van bogenoemde verordening saam met die Bela-Bela Land-Use Scheme, 2019, gelees word dat ek, Mmametja Mogaila, die ondergetekende van die Siphila Sonke Property Holding (Pty) Ltd., het by die Bela-Bela Plaaslike Munisipaliteit aansoek gedoen om die **Wysigingskema 128/08** ten einde **Erf 8383 Bela-Bela Uitbreiding 7 Dorp** van **Residensieel 1 na Institusioneel** te hersoneer vir die doeleindes van die konstruksie van 'n selfoonmas op die eiendom. Planne en/of besonderhede rakende die aansoek kan gedurende gewone kantooreure op die adres van die aansoeker besigtig word of deur die aansoeker versoek word.

Enige persoon wat beswaar teen die goedkeuring van hierdie hersonering het, moet sodanige besware, tesame met die redes daarvoor, skriftelik by die Bestuurder in die Stadsbeplanningsafdeling, Bela-Bela Plaaslike Munisipaliteit, Privaatsak X1609, 0480, indien nie later nie as 30 dae na die eerste dag van advertensie.

Eerste datum van advertensie (Koerant): **21 Mei 2021**

Tweede datum van advertensie (Koerant): **28 Mei 2021**

Aanvanklike Vervaldatum van beswaar: **21 Junie 2021**

Uitgebreide adwerensie om die regeringskoerant in te sluit: 09 Julie 2021 tot 10 Augustus 2021.

Aansoeker: Siphila Sonke Property Holdings (Pty) Ltd, Skilpadweg 86, Monumentpark, Pretoria, 0181. Tel: (012) 346 4255, e-mail: mmametja@siphilasonke.co.za

Webwerfverwysing: ETSA-L1133 Skirlek

9-16

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**LOCAL AUTHORITY NOTICE 114 OF 2021**

**POLOKWANE LOCAL MUNICIPALITY
NOTICE OF AN APPLICATION FOR SUBDIVISION, REZONING & CONSOLIDATION IN TERMS OF
SECTIONS 61 & 67 OF THE POLOKWANE MUNICIPAL PLANNING BY-LAW, 2017
POLOKWANE/PERSKEBULT AMENDMENT SCHEME 206**

I, Jaco Daniël du Plessis, being the authorised agent of the owner of Erven 22952 & 22953 Polokwane Extension 108, hereby give notice in terms of Section 95 of the Polokwane Municipal Planning By-Law, 2017 that I have applied to the Polokwane Municipality in terms of Sections 61 & 67 of the aforementioned By-Law, for the amendment of the Polokwane / Perskebult Town Planning Scheme, 2016, by the subdivision of Erven 22952 & 22953 into two and four portions respectively; the rezoning of one of the subdivided portions of Erf 22952 from "Industrial 1" to "Business 3"; the rezoning of two of the subdivided portions of Erf 22953 from "Industrial 1" to "Existing Public Road" and one of the subdivided portions from "Industrial 1" to "Business 3"; and the consolidation of one portion of Erf 22952 to be zoned "Business 3" with one portion of Erf 22953 to be zoned "Business 3".

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: Manager: City Planning and Property Development, P.O. Box 111, Polokwane, 0700 from 02 July 2021 until 30 July 2021. Oral objections or comments can be made during normal office hours at the office of the Manager: City Planning and Property Development.

Full particulars and plans may be inspected during normal office hours at the Municipal Offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette / Polokwane Observer newspaper. Address of Municipal Offices: Civic Centre, Cnr. Landdros Maré & Bodenstein Street, 2nd Floor, West Wing, Polokwane.

Closing date for any objections and/or comments: Friday 30 July 2021.

Address of Applicant: ProfPlanners & Associates (PTY) LTD., P.O. Box 11306, Bendor Park, 0713, Pevland Building, 3 Neethling Street, Hampton Court, Bendor, Polokwane, 0699. Tel: 015-2974970, cell phone 0828539070, email: jaco@profplanners.co.za

Dates on which notice will be published: 02/07/2021 & 09/07/2021

2-9

**MMASEPALA WA SELEGAE WA POLOKWANE
TSEBIŠO YA KGPELO YA GO RIPAGANYA, PEAKANYO LESWA YA NAGA LE TIIŠETŠO GO YA KA
KAROLO 61 & 67 TŠA MOLAWANA WA DIPEAKANYETŠO TŠA NAGA WA MMASEPALA WA
POLOKWANE, WA SKEME SE SE FETOTŠWEGO SA 206 SA POLOKWANE/PERSKEBULT 2017**

Nna, Jaco Daniël du Plessis, ke lego moemedi wa mong wa Seripa 22952 & 22953 Polokwane Extension 108, ke fana ka tsebišo go ya ka Karolo 95 ya Molawana wa Dipeakanyetšo tša Naga wa Mmasepala wa Polokwane, 2017, gore ke dirile kgopelo Mmasepaleng wa Polokwane go ya ka Karolo 61 & 67 tša Molawana wo o hlalošitšwego, mabapi le phetošo ya Skeme sa Dipeakanyetšo tša Naga sa Polokwane / Perskebult, 2016, ka go ripaganya Seripa 22952 & 22953 gore e be tše pedi gammogo le tše nne tše go ya le ka tatelano ya Diripa tše di hlalošitšwego; peakanyo leswa ya dikarolo tše di ripagantšwego tša Seripa 22952 go fetošwa go tloga go "Intasteri 1" gore e be "Kgwebo 3"; peakanyo leswa ya dikarolo tše pedi tše di ripagantšwego tša Seripa 22953 go tloga go "Intasteri 1" gore e be "Tsela ya Bohle ye e Lego Gona" gammogo le ye nngwe ya dikarolo tše di ripagantšwego go tloga go "Intasteri 1" gore e be "Kgwebo 3"; gape le tiišetšo ya ye nngwe ya dikarolo tša Seripa 22952 gore se fetošwe "Kgwebo 3" le karolo ya Seripa 22953 gore se fetošwe "Kgwebo 3".

Dikganetšo dife goba dife tša kgopelo le/goba ditshwayo, go akaretša mabaka a dikganetšo tše le/goba ditshwayo, tše di nago le dintlha tša boikgokaganyo ka botlalo, tše ka ntle le tšona Mmasepala o ka se kgone go boledišana le motho goba sehlolongwa seo se romelago dikganetšo le/goba ditshwayo, di tla dirwa ka mokgwa wa go ngwalela Molaodi (Manager): City Planning and Property Development, P.O. Box 111, Polokwane, 0700 go tloga ka la 02 Julae 2021 go fihlela ka la 30 Julae 2021. Dikganetšo tša molomo le/goba ditshwayo di ka dirwa ka dinako tša tlwaelo tša go šoma go ofising ya Molaodi: City Planning and Property Development.

Dintlha ka botlalo le dipeakanyetšo di tla lekolwa ka dinako tša tlwaelo tša Ofisi ya Mmasepala bjale ka ge go hlalošitšwe ka fase, nako ya go lekana matšatši a 28 go tloga ka tšatšikgwedi la phatlalatšo ya mathomo ya tsebišo ka go Gazette ya Profense / kuranta ya Polokwane Observer. Aterese ya Diofisi tša Mmasepala: Civic Centre, Cnr. Landdros Maré & Bodenstein Street, 2nd Floor, West Wing, Polokwane.

Tšatšikgwedi la go tswalela la dikganetšo le/goba ditshwayo dife goba dife: Labohlano 30 Julae 2021.

Aterese ya modirakgopelo: ProfPlanners & Associates (PTY) LTD., P.O. Box 11306, Bendor Park, 0713, Pevland Building, 3 Neethling Street, Hampton Court, Bendor, Polokwane, 0699. Mogala: 015-2974970, sellathekeng 0828539070, emeile: jaco@profplanners.co.za

Tšatšikgwedi leo tsebišo e tloga phatlalatšwa: 02/07/2021 & 09/07/2021

2-9

LOCAL AUTHORITY NOTICE 115 OF 2021**POLOKWANE/PERSKEBULT AMENDMENT SCHEMES 430, 431 AND 432.**

I/we Zutari (Pty) Ltd. and/or Sanri Rademeyer and/or Willem Gabriel Davel and/or Mari Romijn, being the applicant/agent of the owner of the properties mentioned herein, hereby give notice in terms of Sections 95(1) of the Polokwane Municipal Planning By-law, 2017, that I/we have applied to the Polokwane Municipality for the amendment of the Polokwane/Perskebult Town Planning Scheme, 2016 by the rezoning in terms of Section 61 and the consolidation in terms of Section 67 of the mentioned By-law (supra) read together with provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013), of the property described herein and amendment schemes as follows: Amendment Scheme 432 in respect of Erf 1527 Pietersburg township situated at 49 Thabo Mbeki Street Polokwane from "Special" for Overnight Accommodation"; and Amendment Scheme 431 in respect of Remaining Extent of Erf 863 Pietersburg township situated at 49A Thabo Mbeki Street, Polokwane from "Residential 1"; and Amendment Scheme 430 in respect of Portion 1 of Erf 836 Pietersburg township situated at 47 Thabo Mbeki Street, Polokwane from "Residential 1", all to be rezoned to "Special" for a Step-down Facility with ancillary and subservient uses subject to further conditions set out in Annexure 158, which inter alia provides for a maximum FAR of 0,65, Coverage of 65% and Height of 3 storeys. The intention is to develop a Step down Facility for the sub-acute health care of the community. The erven will also be consolidated to create an erf with a total area of 7613m². Objection(s) and/or comments, including the grounds for such objection(s) and/or comments with full contact details, without which the municipality cannot correspond with the person or body submitting the objection(s) and/or comments, shall be lodged with, or made in writing to: The Manager City Planning and Property Management, PO Box 111, Polokwane, 0700, from 2 July 2021 until 30 July 2021. Full particulars of the applications and plans may be inspected during normal office hours at the Municipal Offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette. Address of Municipal Offices: Second Floor, West wing, Civic Centre, Polokwane. Closing date for any objections and/or comments: 30 July 2021. Address of applicant: PO Box 3519 Polokwane 0700 or 8 Watermelon Street, Platinum Park, Polokwane. Tel. no. (015) 287 3800. Dates of notices in the Provincial Gazette: 2 July 2021 and 9 July 2021.

2-9

PLAASLIKE OWERHEID KENNISGEWING 115 VAN 2021**POLOKWANE/PERSKEBULT WYSIGINGSKEMAS 430, 431 EN 432.**

Ek/ons Zutari (Edms) Bpk. en/of Sanri Rademeyer en/of Willem Gabriel Davel en/of Mari Romijn, synde die applikant/agent van die eienaar van die eiendom hierin genoem, gee hiermee ingevolge Artikel 95(1) van die Polokwane Munisipale Beplanningsverordeninge, 2017, kennis dat ek/ons by die Polokwane Munisipaliteit aansoek gedoen het om die wysiging van die Polokwane/Perskebult Dorpsbeplanningskema, 2016, deur die hersonering in terme van Artikel 61 en die konsolidasie in terme van Artikel 67 van die en genoemde Verordeninge (supra) saamgelees met bepalings van die Wet op Ruimtelike Beplanning en Grondgebruikbestuur, (Wet 16 van 2013), van die eiendom hiering beskryf en wysigingskemas soos volg: Wysigingskema 432 ten opsigte van Erf 1527 Pietersburg dorp gelee te Thabo Mbekistraat 49 Polokwane vanaf "Spesiaal" vir Oornagakkommodasie; en Wysigingskema 431 ten opsigte van die Restant van Erf 863 Pietersburg dorp gelee te Thabo Mbekistraat 49A; Polokwane vanaf "Residensieel 1"; en Wysigingskema 430 ten opsigte van Gedeelte 1 van Erf 836 Pietersburg dorp gelee te Thabo Mbekistraat 47, Polokwane vanaf "Residensieel 1", almal om gehersoneer te word na "Spesiaal" vir 'n Afstapfasiliteit (middelversorgingsfasiliteit) met aanverwante en ondergeskikte gebruike onderhewig aan verdere voorwaarde uiteengesit in Bylaag 158, wat onder andere 'n VOV van 0,65, Dekking van 65% en 'n Hoogte van 3 verdiepings insluit. Die doel is om 'n Afstapfasiliteit vir 'n sub-akute gesondheidsorgfasiliteit vir die gemeenskap te ontwikkel. Die erwe gaan ook gekonsolideer word ten einde 'n erf met 'n totale oppervlak van 7613m² te skep. Besware en/of kommentaar, ingesluit die gronde vir sulke besware en/of kommentaar met volle kontakdetail waarsonder die Munisipaliteit nie met die persoon of liggaam wat die beswaar gemaak het of kommentaar gelewer het kan korrespondeer nie, moet skriftelik gerig word aan: Die Bestuurder Stadsbeplanning en Eiendomsbestuur, Posbus 111, Polokwane, 0700, vanaf 2 Julie 2021 tot 30 Julie 2021. Volle besonderhede van die aansoek en planne (indien enige) mag gedurende gewone kantoorure by die Munisipale Kantore soos hieronder uiteengesit, vir 'n tydperk van 28 dae vanaf die datum van die eerste kennisgewing in die Provinsiale Koerant, geïnspekteer word. Adres van Munisipale Kantore: Tweede Vloer, Wesvleuel, Burgersentrum, Polokwane. Sluitingsdatum vir enige besware en/of kommentaar: 30 Julie 2021. Adres van die applikant: Posbus 3519 Polokwane 0700 of Watermelonstraat 8, Platinum Park, Polokwane. Tel. nr. (015) 287 3800; Datums van kennisgewings in die Provinsiale Koerant: 2 Julie en 9 Julie 2021.

2-9

LOCAL AUTHORITY NOTICE 116 OF 2021**MODIMOLLE-MOOKGOPHONG LOCAL MUNICIPALITY
NOTICE OF A REZONING APPLICATION IN TERMS OF SECTION 59 OF THE MODIMOLLE-MOOKGOPHONG
MUNICIPAL SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2019**

I, Thomas Pieterse of the firm Natura Professional Planners (Pty) Ltd, being the applicant of the properties, the Remainder of Erf 213 and Erf 1536, both Naboomspruit township hereby give notice in terms of Sections 89 and 90 of the Modimolle-Mookgophong Municipal Spatial Planning and Land Use Management By-law, 2019, that I have applied to the Modimolle-Mookgophong Local Municipality for the amendment of the Mookgophong Land Use Management Scheme, 2010 by rezoning in terms of Section 59 of the Modimolle-Mookgophong Municipal Spatial Planning and Land Use Management By-law, 2019 of the properties as described above.

The Rezoning of the Remainder of Erf 213 and Erf 1536, both Naboomspruit township from "Residential 1", "Business 1" and "Special" to "Business 1". The properties are located between Thabo Mbeki Street and Fourth Street. Sixth Avenue is adjacent to the north of both properties.

The intension of the owner in this matter is to build a Shopping centre and related facilities.

Any objections and/or comments, including the grounds for such objections and/or comments with full contact details, without which the Municipality cannot correspond with the person or body submitting the objections and/or comments, shall be lodged with, or made in writing to: Manager: Town Planning, Modimolle-Mookgophong Local Municipality, Private Bag X1008, Modimolle, 0510 from 2 July 2021 until 30 July 2021. Any person who cannot write may during office hours attend the Office of the Municipal Manager, where an official will assist that person to lodge comments.

Full particulars and plans may be inspected during normal office hours at the Municipal offices as set out below, for a period of at least 28 days from the date of first publication of the notice in the Limpopo Provincial Gazette and Post/Pos local newspaper.

Address of Municipal offices: OR Tambo Square and Harry Gwala Street, Modimolle or Cnr Sixth Street and Nelson Mandela Street, Mookgophong.

Closing date for any objections and/or comments: 30 July 2021

Address of applicant: Verloren Estate, Stand 52, Modimolle, Limpopo / P O Box 3501, Modimolle, 0510.

Telephone No: 0824467338. Email: theo@profplanners.co.za

Dates on which notices will be published: 2 July 2021 & 9 July 2021

2-9

PLAASLIKE OWERHEID KENNISGEWING 116 VAN 2021**MODIMOLLE-MOOKGOPHONG PLAASLIKE BESTUUR
KENNISGEWING VIR HERSONERING IN TERME VAN ARTIKEL 59 VAN DIE
MODIMOLLE-MOOKGOPHONG MUNISIPALE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR
VERORDENING, 2019**

Ek, Thomas Pieterse van the firma Natura Professional Planners (Pty) Ltd, die applikant vir die eiendomme, die Resterende Gedeelte van Erf 213 en Erf 1536, beide Naboomspruit dorp, gee hiermee kennis in terme van Artikels 89 en 90 van die Modimolle-Mookgophong Munisipale Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2019, dat ek aansoek gedoen het by Modimolle-Mookgophong Munisipaliteit vir die wysiging van die Mookgophong Grondgebruikbestuurskema, 2010 deur middel van hersonering van die eiendomme soos hierbo beskryf in terme van Artikel 59 van die Modimolle-Mookgophong Munisipale Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2019.

Die hersonering van die Resterende Gedeelte van Erf 213 en Erf 1536, beide Naboomspruit dorp vanaf "Residensieël 1", "Besigheid 1" en "Spesiaal" na "Besigheid 1". Die erwe is geleë tussen Thabo Mbeki Straat en Vierde Straat. Sesde Laan is aanliggend ten noorde van beide eiendomme geleë.

Die oogmerk van die eienaar is om n Winkelsentrum en verwante gebruike op te rig.

Alle besware en/of kommentare, met insluiting van die redes vir sodanige besware en/of kommentare, moet ingedien word met volledige kontak besonderhede, waarsonder die Munisipaliteit nie met die persoon of instansie kan korrespondeer wat die besware en/of kommentare ingedien het nie. Alle besware en/of kommentare moet ingedien word by, of skriftelik gerig word aan die Bestuurder: Stadsbeplanning, Modimolle-Mookgophong Munisipaliteit, Privaatsak X1008, Modimolle, 0510 vanaf 2 Julie 2021 tot 30 Julie 2021. Enige persoon wat nie kan skryf nie sal tydens kantoor-ure deur 'n amptenaar by die Kantoor van die Munisipale Bestuurder bygestaan word om kommentaar in te dien.

Volledige aansoek besonderhede en planne vir die aansoek kan nagegaan word gedurende normale kantoor ure by die Munisipale kantore soos hieronder uiteengesit, vir n periode van ten minste 28 dae, vanaf datum van eerste publikasie van die kennisgewing in die Limpopo Provinsiale koerant en Pos/Post plaaslike koerant. Adres van die Munisipale kantore: OR Tambo Square en Harry Gwala Straat, Modimolle of h/v Sesde Straat en Nelson Mandela Straat, Mookgophong.

Sluitings datum vir alle besware en/of kommentare: 30 Julie 2021

Adres van applikant: Verloren Estate, Gedeelte 52, Modimolle, Limpopo / Posbus 3501, Modimolle, 0510.

Telefoon nommer: 0824467338, Epos: theo@profplanners.co.za

Datums waarop die kennisgewing gepubliseer word: 2 Julie 2021 & 9 Julie 2021

2-9

LOCAL AUTHORITY NOTICE 118 OF 2021**FETAKGOMO TUBATSE MUNICIPALITY
NOTICE OF APPLICATION FOR THE ESTABLISHMENT OF A TOWNSHIP IN TERMS OF SECTION 93 OF
THE FETAKGOMO TUBATSE LOCAL MUNICIPALITY LAND USE MANAGEMENT BY-LAW, 2018
BURGERSFORT EXTENSION 73**

I, Jaco Daniël du Plessis of ProfPlanners & Associates (PTY) LTD., being the authorised agent of the owner of Portion 15 of the farm Leeuwvallei 297 K.T., hereby give notice in terms of Section 93 of the Fetakgomo Tubatse Local Municipality Land Use Management By-Law, 2018, that I have applied to the Fetakgomo Tubatse Municipality for the establishment of a township in terms of Section 56 of the said By-law, referred to in the Annexure hereto. Particulars and plans relating to the application may be inspected during normal office hours at the Office of the Town Planner (013-2311076/1216), Office G15, Ground Floor, Civic Centre, 1 Kastania Street, Burgersfort, 1150, for a period of 30 days from the date of first publication of the notice in the Provincial Gazette (25 June 2021) and the Steelburger newspaper.

Objections to or representations in respect of the application, including the reasons for such objections or representations, with full contact details, without which the Municipality cannot correspond with the person or body submitting such objections or representations, shall be lodged with or made in writing to the Director: Development Planning, Office of the Town Planner, Office G15, Ground Floor, Civic Centre, 1 Kastania Street, Burgersfort / P.O. Box 206, Burgersfort, 1150 from 25 June 2021 until 26 July 2021. Oral objections or representations can be made during normal office hours at the office of the Office of the Town Planner. Closing date for any objections and/or comments is 26 July 2021.

Address of applicant: ProfPlanners & Associates, P.O. Box 11306, BENDOR PARK, 0713; Pevland Building, 03 Neethling Street, Hampton Court, Bendor, POLOKWANE, 0699; Tel No: 015 - 2974970; email: jaco@profplanners.co.za

Dates on which notice will be published: 25 June & 2 July 2021

ANNEXURE

Name of township: Burgersfort Extension 73

Full name of applicant: ProfPlanners & Associates (PTY) LTD. (2017/075841/07)

Number of erven, proposed zoning and development control measures: The township will consist of two "Business 1" zoned erven. Erf 1 will have a maximum coverage of 40%, a floor area ratio of 0.46, a 0m building line restriction on Protea Street and a total of 192 parking spaces. Erf 2 will be 6m² in size with a coverage of 100% and 0m building line restriction on the side and street boundaries. Erf 2 will be notarially tied with the proposed Burgersfort Extension 72 located on the adjacent Portion 14 of the farm Leeuwvallei 297 K.T. The further control measures are in accordance to the provisions of the Greater Tubatse Land Use Scheme, 2006.

The intention of the applicant in this matter is to establish a township for the existing retail development (Khadima Shopping Centre) on the application property.

Locality and description of property: The proposed township will be established on Portion 15 of the farm Leeuwvallei 297 K.T., located adjacent and to the north of Protea Street and the Burgersfort taxi rank and located adjacent and to the east of Portion 14 of the farm Leeuwvallei 297 K.T. (Boxer Supermarket, Sasol Filling Station, etc.).

Ref: SFT/TE/001

(2021/06/25 & 2021/07/02)

**FETAKGOMO TUBATSE MUNICIPALITY
TSEBIŠO YA KGOPELO YA GO HLOMA LEKHEIŠENE GO YA KA KAROLO 93 YA MOLAWANA WA TAOLO
YA TŠHOMIŠO YA NAGA WA FETAKGOMO TUBATSE LOCAL MUNICIPALITY, 2018
BURGERSFORT EXTENSION 73**

Nna, Jaco Daniël du Plessis wa ProfPlanners & Associates (PTY) LTD., ke lego moemedi wa mong wa Seripa 15 sa polase ya Leeuwvallei 297 K.T., ke fana ka tsebišo go ya ka Karolo 93 ya Molawana wa Taolo ya Tšhomišo ya Naga wa Mmasepala wa Selegae wa Fetakgomo Tubatse, 2018, gore ke dirile kgopelo Mmasepaleng wa Fetakgomo Tubatse ya go hloma lekheišene go ya ka Karolo 56 ya Molawana wo o hlalošitšwego, wo o lego Lemetletšong le le filwego.

Dintlha le dipeakanyo tša go amana le kgopelo di ka lekolwa ka dinako tše di tlwaelegilego tša go šoma go Office of the Town Planner (013-2311076/1216), Office G15, Ground Floor, Civic Centre, 1 Kastania Street, Burgersfort, 1150, tekanyo ya matšatši a 30 ka morago ga phatlalatšo ya mathomo ya tsebišo kgatišong ya Gazette ya Profense (25 June 2021) le kuranta ya Steelburger.

Dikganetšo tša kgopelo goba boemedi bja go dira kgopelo, go akaretša mabaka a dikganetšo tše goba boemedi, tše di nago le dintlha tša boikgokaganyo ka botlalo, tše ka ntle le tšona Mmasepala o ka se kgone go boledišana le motho goba sehlolongwa seo se romelago dikganetšo goba boemedi, di tla dirwa ka mokgwa wa go ngwalela Molaodiphethiši, elego Director: Development Planning, Office of the Town Planner, Office G15, Ground Floor, Civic Centre, 1 Kastania Street, Burgersfort / P.O. Box 206, Burgersfort, 1150 go tloga ka 25 June 2021 go fihlela 26 Julae 2021. Dikganetšo tša molomo goba boemedi di ka dirwa ka dinako tša tlwaelo tša go šoma go Office of the Town Planner. Tšatšikgwedi la go tswalela la dikganetšo le/goba ditshwayo dife goba dife ke 26 Julae 2021.

Aterese ya modirakgopelo: ProfPlanners & Associates, P.O. Box 11306, BENDOR PARK, 0713; Pevland Building, 03 Neethling Street, Hampton Court, Bendor, POLOKWANE, 0699; Nomoro ya Mogala: 015 - 2974970; emeile: jaco@profplanners.co.za

Tšatšikgwedi leo tsebišo e tlogo phatlalatšwa: 25 June + 2 Julae 2021

LEMETLETŠO

Leina la lekheišene: Burgersfort Extension 73

Leina la modirakgopelo ka botlalo: ProfPlanners & Associates (PTY) LTD. (2017/075841/07)

Palo ya diripa tša naga, tšhišinyo ya go ripaganya naga le magato a taolo ya tlhabollo: Lekheišene le tlo ba le diripa tše pedi tša naga "Kgwebo 1". Seripa 1 se tla akaretša bogolo bja go lekana 40%, bogolo bja lebatlo la moago ge bo lekanyetšwa le bogolo bja naga bja go lekana 0.46, magomo a moago a go lekana 0m go iša go Protea Street le palomoka ya dikgoba tše 192 tša boemo bja difatanaga. Seripa 2 se tlo tšea bogolo bja go lekana 6m² bjo bo akaretšago sekgoba sa go lekana 100% le magomo a moago a go lekana 0m go iša lehlakoreng le mafelelong a mmila. Seripa 2 se tlo tlemaganywa semolao le Burgersfort Extension 72 ye e šišintšwego yeo e hwetšagalago Seripeng sa kgauswi sa 14 polaseng ya Leeuwvallei 297 K.T. Magato a mangwe a taolo a gata ka mošito o tee le melawana ya Greater Tubatse Land Use Scheme, 2006.

Maikemišetšo a modirakgopelo morerong wo ke go hloma lekheišene mabapi le tlhabollo ya lefelo la tša mabenkele le le lego gona (Khadima Shopping Centre) lefelong leo kgopelo e direlwago lona.

Lefelo le tlhalošo ya naga: Lekheišene le le šišinywago le tlo hlantšwa Seripeng sa 15 sa polase ya Leeuwvallei 297 K.T., seo se hwetšagalago kgauswi ebile se lego leboa la Protea Street gammogo le renkeng ya diteksi tša Burgersfort yeo e hwetšagalago kgauswi ebile e lego bohlabela bja Seripa sa 14 sa polase ya Leeuwvallei 297 K.T. (Boxer Supermarket, Sasol Filling Station, bjalo bjalo).

Ref: SFT/TE/001

(2021/06/25 & 2021/07/02)

LOCAL AUTHORITY NOTICE 119 OF 2021

1

MOPANI DISTRICT MUNICIPALITY

EMERGENCY SERVICES BY-LAWS

MOPANI DISTRICT MUNICIPALITY EMERGENCY SERVICES BY-LAWS

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EMERGENCY SERVICE BY-LAWS

The MDM hereby promulgates the Emergency Services by-laws set out below for its area of jurisdiction in terms of section 12 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000), together with section 15 of the Local Government: Municipal Structures Act, 1998(Act 117 of 1998).

Last amended 2019

PART 1 DEFINITIONS

1. In these by-laws, unless the context indicates otherwise-

“access door” means any door that provides access to an emergency route;

“activity” means any work that needs to be performed to test, to service, to renew and/or to replace an extinguisher, hose reel, fire installation and/or service installation;

“animal” means any animal that is kept for domestic or agricultural purposes within the area of the controlling authority;

“area” means any residential area or any area within the boundaries of the Municipality;

“building” includes-

- (a) any structure, whether temporary or permanent, irrespective of the materials used in its erection, erected or used for or in connection with –
 - i. the accommodation or convenience of human beings and animals;
 - ii. the manufacture, processing, storage, display or sale of any goods;
 - iii. the provision of any service;
 - iv. the destruction or treatment of refuse or other waste materials; and
 - v. the cultivation of any plant or crop;
- (b) any wall, swimming-bath, swimming-pool, reservoir or bridge, or any other structure connected with it;
- (c) any fuel pump or any tank used in connection with it;
- (d) any part of a building, including a building as defined in paragraph (a), (b) or (c); and
- (e) any facility or system, or part or portion of it, within or outside but incidental to a building, used for the provision of a water supply, drainage, sewerage, storm-water discharge, electricity supply or other similar service in respect of the building;

"building regulations" means the National Building Regulations made in terms of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), as amended;

"Building Control Officer" means the person appointed or deemed to be appointed as a building control officer by a local authority in terms of section 5 of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);

"Certificate of compliance" means a certificate contemplated in section 22 of these by-laws, which certificate has been issued by the Service in terms of fire related requirements to authorise a person to occupy designated premises (which are a public building) accordingly;

"Certificate of registration" means a certificate issued by the Service in terms of section 29 of these by-laws which authorises a person to occupy registered premises, or to use the premises for spray-painting activities or for the storage, handling or use of dangerous goods, by having complied to all fire related requirements.

"Chief Fire Officer" means the person appointed by the controlling authority in terms of section 5(1) of the Fire Brigade Services Act, 1987 (Act 99 of 1987), and includes any member who exercises any power or performs any duty delegated by the Chief Fire Officer to the member under section 19 of the Act, and also includes an Acting Chief Fire Officer appointed in terms of section 5(3) of the Act, and "Manager: Fire Services" has a corresponding meaning.

"code of practice" means the code of practice as defined in section 1 of the Standards Act, 1993 (Act 29 of 1993) as amended;

"controlling authority" means the local authority in control of the Service as defined in the Fire Brigade Services Act, 1987, as amended;

"control room" means a room on any premises which is specifically designed, build and equipped to coordinate and control an emergency situation in or on the premises in question;

Council" means-

the Mopani District Municipality established by Provincial Notice No. 307 of 2000, dated 1 October 2000, as amended, exercising its legislative and executive authority through its municipal council; its successor in title; a structure or person exercising a delegated power or carrying out an instruction, where any power in these by-laws has been delegated or sub-delegated, or an instruction given, as contemplated in section 59 of the Local Government : Municipal Systems Act, 2000 (Act 32 of 2000), as amended; or a service provider fulfilling a responsibility under these by-laws, 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.

"designated premises" means any premises designated by the Service with a view to an emergency evacuation plan as contemplated in section 19 of these by-laws;

"device" means any vehicle, mechanical or electrical implement, electrical motor, machine, instrument, apparatus or other implement of which the whole or any part is used or is capable of being used for, in or in connection with the manufacture, treatment, provision, delivery, supply, packaging, labelling, storage, conveyance, loading and unloading, handing, preparation, serving or administering of any grouped

dangerous good, and includes any delivery pump, filling device, spray-painting device and mechanical hoist;

“discharge” means the ignition or activation of any fireworks whatsoever;

“distance to be covered” means the distance that a person would in normal circumstances have to cover to exit a room, measured from the furthest point in the room;

“dump”, in the relation to a grouped dangerous good, means to deposit, discharge, spill or release that substance (whether or not the substance in question is enclosed in a container), or to have in or permit it to be deposited, discharged, spilled or released, or to deposit, discharge, spill or release it in such a way or place, or under such circumstances or for such a period, or to have it or permit it to be so deposited, discharged, spilled or substance, and **“dumping”**, **“spilling”**, and **“spill into”** have a corresponding meaning;

“emergency” means an incident or eventuality that poses or may pose a serious threat to any person, environment or property, and “emergency situation” has a corresponding meaning;

“emergency evacuation plan” means a written procedure and a set of detailed plans as contemplated in Annexure III to these by-laws;

“emergency route” means that part of an escape route which provides the occupiers of any building with protection from the fire and which leads to an escape door;

“escape route” means any door at the end of an emergency route, and including any door leading from the inside to the outside of a building;

“explosive(s)” means ‘explosive(s)’ as defined in the Explosives Act, 2003 (Act No 15 of 2005), as amended.

“extinguishing stream” means the amount of water that the Service needs to extinguish a fire;

“facility” means any storage tank, whether above ground or below ground, or any transportable or refillable container that can be used for the keeping of dangerous goods, and include the fuel tank of a motor vehicle, aircraft, vessel, ship or boat;

“feeder route” means that part of an escape route, which allows travel in two different directions to access of at least two emergency routes;

“fire area” means that area of jurisdiction of the controlling authority in which provision is made for fire protection as defined in SANS 090;

“fire-fighting equipment” means any portable fire extinguisher, mobile fire extinguisher, hose reel or fire hydrant;

“fire grading” means, with regard to materials, components and elements used in the construction and finishing of buildings, those materials, components and elements which have been tested and classified in accordance with SANS 0177, Parts 2 to 5, as amended;

“fire incident” means a fire on any premises in the area;

“fire installation” means any water installation, which conveys water solely for fire fighting;

“fire risk category” means fire area being divided into sub-areas, which fall into one of the following fire-risk categories:

Category A: Central business districts and extensive commercial and industrial areas normally found in cities and large towns (areas where the risk to life and property are likely to be high due to fire occurrence and spread).

Category B: Limited central business districts, smaller commercial or industrial areas normally associated with small towns and decentralised areas of cities and large towns (areas where the risk to life and property is likely to be moderate due to fire occurrence and spread)

Category C: Residential areas of conventional construction.

Category D: Rural risks of limited buildings and remote from urban areas.

Category E: Special risks. Individual risks requiring a pre-determined attendance over and above the predominant risk category in an area. Includes large shopping/entertainment centres, informal settlements, harbours, hospitals, prisons, large airport buildings, high-rise buildings and petrochemical plants.

NOTE: High-rise buildings, as defined in SANS 10400, are an integral part of central business districts and would therefore be included in Category A. Buildings with major fire safety deficiencies may, however, be classed as special risks.

“fireworks” means ‘fireworks’ as defined in the Explosives Act, 2003, as amended ;

“grouped dangerous goods” means a group of dangerous goods as contemplated in section 1 of the Dangerous goods Act, 1973 (Act 15 of 1973) as amended;

“dangerous good” means any substance, mixture of substances, product or material that has been declared to be a Group I, II, III, IV, V, VI, VII, VIII or IX dangerous good in terms of section 2(1) of the Hazardous Substances Act, 1973 (Act 15 of 1973, as amended);

“inspector” means a member appointed as an inspector in terms of section 4(2) Explosives Act, 2003 (Act 15 of 2003), as amended, to control fireworks in so far as the storage, use and sale of fireworks are concerned.

“member” means a member of the Service as contemplated in section 6 and 6A(5) of the Fire Brigade Services Act, 1987 as amended;

“Municipality” means the duly constituted Mopani District Municipality;

National Building Regulations” means the regulations published by Government Notice R2378 of 12 October 1990 in *Government Gazette* 12780, as amended;

“normative reference list” means the list of SANS specifications or codes of practice, which are contained in Annexure 5 to these by-laws;

“occupancy” in relation to any public building, means the assembly of people in or on any premises or the participation of people in any activity in or on any premises contemplated in the definition of **“public building”**;

“occupier” means any person who actually occupies or has control over any premises, irrespective of the title under which he/she occupies or has control over the premises;

“owner” in relation to land or premises, means the registered owner of the land or premises, and includes any person who receives the rental or profit from the land or premises from any tenant or occupier, whether for his/her own account or as an agent for a person who is entitled to the rental or profit or who has an interest therein, and, in relation to a sectional title scheme in terms of the Sectional Titles Act, 1986, (Act 95 of 1986) as amended, for the purposes of section 18 of the Fire Brigade Services Act, 1987, the body corporate as contemplated in the Sectional Titles Act 1986 as amended and in the case of a deceased or insolvent estate, the executor or the curator respectively;

“power insulating switch” means a bipolar switch that can be activated with an L-type key of which one end is fitted with a bayonet-type socket switch;

“premises” means land, a building or other construction or structure, or any part of it, and includes-

- (a) a train, boat, ship, aircraft or other vehicle, excluding, where applicable, the fuel tank of any such vehicle; and
- (b) any building or room in which explosives are stored, kept or handled for the purpose of sale: Provided that if a building is divided into more than one room, each room used for the storing, keeping or handling of explosives is considered to be separate premises;

“public building” means any building where people gather to view theatrical and operatic performances, orchestral and choral recitals, and cinematographic screenings, or to attend or participate in indoor sports activities, including any place where people dance or practise or perform any physical activity;

“public place” means a public place as defined in section 63 of the Local Government Ordinance, 1939 (Ordinance 17 of 1939) as amended;

“rational design” as defined in SANS 10400;

“registered premises” means premises in respect of which the Service has issued a certificate or permit for spray-painting activities and the storage, handling and use of dangerous goods, as well as a certificate or permit to occupy premises;

“retail dealer” means a person or concern that, for the purposes of dealing in explosives, supplies such explosives to any other person for use by that person and not for resale;

“room” means any room or other partitioning in a building;

“SABS” means the South African Bureau of Standards as amended;

“SANS” means the South African National Standards as amended;

“service” means the Fire Service established by the controlling authority as contemplated in section 1 of the Fire Brigade Services Act, 1987 as amended;

“service installation” means any automatic extinguishing installation, fire pump connector, fire pump, emergency power and/or standby generator, fire detection system, fire locating system, fire alarm system, emergency lighting system, emergency evacuation communication system, mechanical ventilation system, pressure regulating system, smoke ventilation system, hoist and symbolic safety signs, and includes smoke and fire door assemblies;

“spill into” (See the definition of “dump”);

“spray permit” means a permit issued by the Service in terms of section 55(1)(a) of these by-laws;

“spraying room” means any room, building or structure that is designed, build, equipped or erected solely for spraying or coating vehicles, parts of vehicles, or any other objects with Group III dangerous goods and/or combinations of Group III dangerous goods, or with any other substance, to form a decorative and/or corrosion resistant layer, or for any purpose incidental thereto, and **“spraying booth”** and **“submersion tank”**, as well as any related process involving electrolysis, have a corresponding meaning.

“storeroom” means a room, which is constructed, equipped and maintained as contemplated in Chapter 7 of these by-laws;

“storey” means that part of a building which is situated between the top of any floor and the top of the floor above it or, if there is no floor above it, that portion between such floor and the ceiling above it (any mezzanine floor, open work floor, catwalk or gallery is regarded as part of the storey in which it is situated): Provided that, in relation to a building-

- (a) the ground storey will be regarded as the storey in which there is an entrance to the building from the level of the adjoining ground or, if there is more than one such storey, the lower or lowest of these storeys;
- (b) a basement will be regarded as any part of the building, which is below the level of the ground storey;
- (c) an upper storey will be regarded as any storey of the building which is above the level of the ground storey; and
- (d) the height, expressed in storeys, will be regarded as that number of storeys which includes all storeys other than a basement.

“temporary structure” means any structure that is apparently temporary in nature.

“vehicle” includes a semi-trailer or trailer which has at least four wheels with independent axles and suspension systems and can be hitched to a truck-tractor, a tank truck or any other motor vehicle as contemplated in the National Road Traffic Act, 1996 (Act 93 of 1996) as amended, as the case may be;

“wheel blocks” means wedge-shaped blocks, manufactured from material which, when scraped against the surface of any other object or material, does not produce sparks or generate static electricity; and

“wholesale dealer” means a person or concern that, for the purposes of trade, supplies explosives to any other dealer for resale.

PART 2 ADMINISTRATIVE PROVISIONS

2. Organisation of the service.

(1) The controlling authority may, subject to section 3(3) of the Fire Brigade Services Act, 1987, as amended, establish and maintain a Service within its area, which includes the appointment of personnel and the acquisition of vehicles, machinery, equipment, devices and accessories that may be necessary to operate the Service efficiently, and the Service is intended to be used for-

- (a) preventing the outbreak or spread of a fire;
- (b) fighting or extinguishing fire;
- (c) the protection of life or property against a fire or other threatening danger;
- (d) the rescue of life or property from a fire or other threatening danger;
- (e) subject to the provisions of the Health Act 2003, Act 16 of 2003, as amended, the provision of an ambulance service as an integral part of the Service; or
- (f) the performance of any other function connected with any of the matters referred to in subsection (1)(a) to (e).

(2)

(a) The Chief Fire Officer will head or be in charge of the Service.

(b) In the absence of the Chief Fire Officer or for any reason unable to perform his/her duties of office, the controlling authority will appoint a member as Acting Chief Fire Officer to perform the duties and functions of the Chief Fire Officer.

(3) The controlling authority may, in terms of an agreement as contemplated in section 12 of the Fire Brigade Services Act, 1987, employ its Service within or outside its area of jurisdiction, or within or outside the Province of Limpopo, against payment of the tariffs determined in Annexure 1 to these by-laws, or against payment in terms of or on the conditions contained in the agreement concerned.

3. Driving service vehicles.

- (1) Any member may, with the written authority of the Chief Fire Officer, drive a Service vehicle if he/she has the applicable licence for the vehicle in question as required by the National Road Traffic Act, 1996.
- (2) A member who is duly authorised to do so, as contemplated in subsection (1), must drive a Service vehicle in accordance with the National Road Traffic Act, 1996 (Act 93 of 1996), and any regulations made under the Act.
- (3) Any member who fails to comply with the provisions of this section is guilty of an offence.

4. Procedures and duties during an emergency.

- (1) The Chief Fire Officer or a member who is in charge of an emergency situation must, in respect of every emergency situation in which he/she is in charge, ensure that-
 - (a) adequate manpower and the appropriate apparatus and equipments are made available and are used without delay;
 - (b) the emergency situation is assessed on arrival at the premises in question and that additional equipment and/or assistance that he/she may deem necessary is sent for without delay, where applicable, as agreed upon in and subject to the agreement as referred to in section 2(3) of these by-laws, and
 - (c) all pertinent information, including information about places and times and relevant particulars, is recorded during the emergency situation or as soon as possible after the emergency situation, and that the recorded information is preserved in accordance with the provisions of the National Archives of South Africa Act, 1996 (Act 43 of 1996), and any regulations made under the Act.
- (2) All persons and/or bodies, including any State department as contemplated in section 17 of the Fire Brigade Services Act, 1987, the South African Police Service and the Department of Justice, who wish to inspect any information referred to in subsection (1)(c) must send a written application to the Chief Fire Officer, accompanied by the fees prescribed in Annexure I to these by-laws, together with an appropriate substantiation as to why the information is required.
- (3) Any press release concerning emergency situations or any matter connected with an emergency situation must be in accordance with the policy guidelines determined by the controlling authority.

5. Instructions by members of Service

- (1) In addition to any powers under section 8 of the Fire Brigade Services Act, a member may give any reasonable instruction to any person in order to secure compliance with these By-laws or to ensure the safety of any human being, animal 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 immediate evacuation of any premises;
 - (b) to close any premises until such time as any contravention of these By-laws has been rectified;
 - (c) to cease any activity;
 - (d) to remove any immediate threat to the safety of any human being, animal or property;
 - (e) take specified steps to comply with these By-laws, either immediately or within a specified period; and
 - (f) if it is not reasonable for steps referred to in (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 steps to be taken and a time-table for the taking of these steps in order to ensure compliance with these By-laws.

6. Pretending to be a member.

- (1) No person, except a member, may wear any official clothing, uniform, badge or insignia of the Service which creates or may create the impression that he/she is a member.
- (2) No person may falsely present himself/herself as a member or pretend to be a member.
- (3) Any person who so pretends to be or presents himself/herself as a member must, irrespective of whether he/she has been requested to do so, identify himself/herself by producing the relevant certificate of appointment and/or mark of appointment, or by furnishing proof of identity within a reasonable period.
- (4) Any person who contravenes or fails to comply with this section is guilty of an offence.

7. Certificates to identify members of the service.

- (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 By-laws 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 in connection with the carrying out of his or her duties as a member of the service.

8. Powers of members and designated officers

- (1) Every member, including the Chief Fire Officer, has all the powers provided for in the Fire Brigade Services Act, 1987 as amended.
- (2) A designated officer as contemplated in 6(4) may-
 - (a) seize any certificate of compliance, certificate of registration or spraying permit provided for in these by-laws if the conditions of or endorsements in the document are not being complied with, or if the member has reasonable grounds to suspect that unauthorised changes have been made to the document ;
 - (b) institute the relevant prosecution in connection with subsection (2)(a) or have the prosecution instituted, as the case may be; and
 - (c) seize anything (hereinafter called "object") on any premises that is connected with a spraying permit, certificate of registration or certificate of compliance, but must provide reasonable proof of a contravention of any condition of or endorsement in such permit or certificate and must remove the object or have the object removed to a place of safe custody: Provided that the seizure does not

exempt any person from any other relevant provisions of these by-laws: Provided further that the seizure is, subject to section 20 of the Fire Brigade Services Act as amended, 1987, made in accordance with the following conditions:

- (i) The Chief Fire Officer or the delegated member must grant prior approval in writing for the seizure.
 - (ii) Official proof of seizure must be issued to the person from whom the object has been seized, together with a description of the object.
 - (iii) After an order issued in terms of the Fire Brigade Service Act, 1987 as amended, or these by-laws has been complied with in full or after a prosecution in terms of section 21 of the Fire Brigade Services Act, 1987 as amended, has been instituted and finalised, as the case may be, any object seized must be returned to the person from whose possession it was taken;
- (3) Any member may seal off any building or premises by temporarily closing a street, passage or place which he/she deems necessary for public safety or for effectively fighting a fire or dealing with any other emergency that may give rise to a fire, explosion or other threat to life or limb, and the member may remove, using no more force than is reasonably necessary, any person who refuses to leave the street, passage or place after having been requested by the member to do so.
- (4) (a) Designated officers must be-
- (i) suitably trained and certified as peace officers and be appointed as such in terms of Government Notice R159 of 2 February 1979, as amended;
 - (b) All designated officers have the power –
 - (i) in terms of the provisions of section 56, read with section 57, of the Criminal Procedure Act, 1977 (Act 51 of 1977) as amended, to issue summons involving a spot fine;
 - (ii) in terms of provisions of section 341 of the Criminal Procedure Act, 1977 as amended, to issue spot fines for certain minor offences;
 - (iii) in terms of the provisions of section 44 of the Criminal Procedure Act, 1977 as amended, to issue a warrant of arrest;
 - (iv) in terms of the provisions of section 41 of the Criminal Procedure Act, 1977 as amended, to ask certain persons for their names and addresses and to arrest persons without a warrant if duly authorised to do so; and
 - (v) in terms of provisions of section 54 of the Criminal Procedure Act as amended, 1977, to serve summons in order to secure the attendance of the accused in a magistrate's court.

9. Making service equipment and manpower available.

- (1) With approval of the Chief Fire Officer, the Service may, at the request of any body or person and at the tariffs determined in Annexure I to these by-laws, use any equipment and/or manpower at its disposal to provide any special service in connection with the aims of the Service.

- (2) The said equipment and/or manpower may be withdrawn summarily if the equipment and/or manpower are required elsewhere for or in connection with an emergency situation.

PART 3 FIRE PROTECTION AND FIRE-FIGHTING

10. Storage and accumulation of combustible materials and refuse.

- (1) No person may store any combustible materials of whatever nature, or have them stored or permit them to be stored in such a manner and in such a position as to likely pose a fire hazard to any human being, animal, building or premises.
- (2) No person may allow grass, weeds, reeds, shrubs, trees or any like vegetation to become overgrown on premises to such an extent that it may pose a fire hazard or a probable fire hazard to any adjacent premises and/or any other person's property.
- (3) No person may allow the accumulation of dust at any place in quantities sufficient to pose a fire hazard to any human being, animal or property.
- (4) No person may use or allow to be used any saw dust or similar combustible material to soak up in any flammable liquid.
- (5) No person may allow soot or any other combustible material to accumulate in any chimney, flue or duct in such quantities or in such a manner that it will pose a fire hazard to any human being or property.
- (6) Any person who fails to comply with the provisions of this section is guilty of an offence.

11. Making fires

- (1) No person may, subject to provisions of the National Veld and Forest Fire Act (Act 101 of 1998), as amended and the National Environmental Management Act (Act 107 of 1998), as amended, within the area, make an open, uncontrollable or unattended fire or permit a fire to be made in such a place and/or in such a manner as to pose a real or potentially real threat to any human being, animal, building, premises or other property: Provided that this prohibition is not applicable to-
- (a) a fire in an approved, purpose-made stove, fireplace or hearth, which is an integral part of a structure;
- (b) a fire for preparing food on private premises or premises set aside for that purpose; and
- (c) a device for preparing food, which device is heated by means of electricity or liquid petroleum gas and is positioned in such a way that the device poses no threat to life or property on any premises.
- (2) No person may, without the written authority of the Service, burn any refuse, wood, straw or other combustible materials within the area, or have them burnt or permit them to be burnt within the area, unless the refuse, wood, straw or other

combustible materials are burnt inside an approved purpose-made incinerator or incinerating device, subject to the provisions of subsection (1).

- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

12. Firebreaks

- (1) The owner or occupier of premises in the area may not permit the premises to be or become overgrown with grass, weeds, reeds, shrubs and trees to the extent that the grass, weeds, shrubs, and trees may pose a real or potentially real fire hazard to any adjoining premises or other premises or property.

- (2) The owner or occupier of-

- (a) an erf, site or premises situated within a proclaimed township in the area must remove the fire hazard or ensure that the fire hazard is removed by –

- (i) cutting to a maximum height of 150 mm above ground level any grass, reeds and/or weeds which may reasonably be connected with the fire hazard;
- (ii) cutting around any shrubs and/or trees, which may be standing in the area being cut;
- (iii) pruning, chopping down or sawing off such shrubs and/or trees, as the case may be; and
- (iv) removing all chopped and/or sawn off residue from the erf or premises or ensuring that the residue is removed to an approved refuse disposal site; and

- (b) an agricultural holding or farm situated in the area must reduce the potential fire hazard by physically clearing a safety fire belt, at least 5m wide (measured parallel from each boundary line which borders the premises to the inside of the premises) so that no vegetation or residue whatsoever remains on this belt, and the owner or occupier must at all times maintain the belt or ensure that the belt is maintained in such condition: Provided that where obstructions occur within the 5m belt, a 5m belt is also maintained around those obstructions.

- (3) Notwithstanding the above, the provisions of the National Veld and Forest Fire Act, 1998 (Act 101 of 1998), apply *mutatis mutandis* to the application of this section.

- (4) Any person who fails to comply with the provisions of this section is guilty of an offence.

13. Inspection of properties and instructions to occupiers.

- (1) Any officer contemplated in section 6(4) of these by-laws may, in executing all powers delegated in terms of relevant and applicable legislation, enter any premises at any reasonable time to conduct inspections to determine whether there is any fire, dangerous goods or other hazard on the premises.
- (2) An officer contemplated in subsection (1) may, arising from a condition referred to in subsection (1), serve on the occupier of the premises or any other premises a written instruction and fire protection directives and requirements that are necessary to rectify the condition on or in the premises in order to reduce the fire

risk and/or to protect life and property, which instruction must determine a deadline for compliance with the directives and requirements.

- (3) (a) Whenever a condition exists or is found in or on any premises, whether or not structural in nature, or anything else exists that may increase the fire risk or pose a threat to life or property, and the condition or anything else cannot be rectified immediately, or if costs need to be incurred to rectify it, the owner of the premises must, after receiving the rectification directives referred to in subsection (2), inform the Chief Fire Officer forthwith in writing about the measures which the owner intends taking to rectify the condition and must submit a programme with a deadline to the Service for approval

(b) The Chief Fire Officer may approve the proposed measure and deadline with or without amendments and may give instructions for compliance with the measures.

- (4) Any person who fails to comply with a written instruction referred to in this section is guilty of an offence and the enforcement provisions in terms of section 18 of the Fire Brigade Act (Act 99 of 1987) as amended may be implemented.

14. Accessibility of fire-fighting equipment mitigating agents.

- (1) Fire-fighting equipment, mitigating agents and the appropriate service installations must be installed so as to readily accessible at all times.
- (2) Any person who, in whatever way, causes or permits fire-fighting equipment, mitigating agents and the appropriate service installations not to be readily accessible is guilty of an offence.

15. Fire protection requirements for premises

- (1) In addition to any other provisions contained in these by-laws, the Building Regulations, published under Government Notice R2484 of 26 October 1990, as amended, which are contained in Code of Practice SANS 10400 and called "The Application of the National Building Regulations", and any additional building regulations published for application in the area, for the purpose of the enforcement of these by-laws in relation to fire protection requirements, applicable *mutatis mutandis* to premises in the area.
- (2) If any superfluous water unavoidably spills into or is collected in a basement for whatever reason during fire extinguishing activities, adequate means must be provided to convey the water spilled or collected to a storm water drain.
- (3) No high- and/or low-voltage transformer room(s) in any building may be situated on any level other than the ground level: Provided that –
- (a) the access to the transformer room(s) is situated on the building; and
- (b) provision is made for adequate access to the transformer room(s) for fire-fighting activities and/or maintenance.
- (4) Whenever an approved sprinkler system is required in accordance with the provisions of SANS 0400; SANS 10087, Part 3; and SANS 10089, Part 1, the

sprinkler system must be planned, designed and installed in accordance with the guidelines of SANS 0287 for automatic sprinkler installations and in consultation with the Service.

- (5) Any person who fails to comply with the any of the provisions of subsection (2), (3) and (4) or any provisions contained in Part A, Part K, Part M, Part O, Part T, Part V and Part W of SANS 0400, as amended, where the provisions relate to fire protection matters, is guilty of an offence and the enforcement provisions in terms of section 18 of the Fire Brigade Act (Act 99 of 1987) as amended may be implemented.

16. Access for fire-fighting and rescue purposes.

- (1) All premises in the area must be planned, designed and constructed so as to ensure that-
- (a) The requirements of the Guidelines for the provision of Engineering Services and Amenities (Red Book) shall apply and;
- (b) If a building does not front onto a street, an access road shall be provided, the dimensions and carrying capacity of which must be suitable for the fire engines used by the Service (dimensions obtained from statistics of the Service's fire engines), with specific reference to the length, width and tonnage of the fire engines: Provided that the dimensions must be of a size that can allow the largest fire engine that is likely to be used on the premises in question to pass through with ease; and
- (c) Whenever any entrance arch spans a driveway to a group housing, cluster housing or townhouse complex or is constructed over an access to a shopping centre or office complex, the dimensions of the opening of the arch must be at least 3,5m wide and 4,2m high and there must be nothing causing an obstruction of the opening: Provided that if the dimensions of the entrance arch are less, another access or service gate to the premises must be provided, which access or gate is capable of being opened to 3,5m.
- (d) The appropriate street number of every built-up premises within the area must be displayed clearly on the street boundary of the premises in question. This number must be 75mm high and must be visible from the street.
- (e) The owner or occupier of any premises must maintain the street number to ensure that it is legible at all times.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence.

17. Upkeep maintenance of fire-fighting equipment and mitigating agents

- (1) The owner of any premises must ensure that –
- (a) all fire-fighting equipment, mitigating agents or other appropriate service installations that have been provided or installed on or in connection with the premises are maintained in a good working condition by a competent person and/or firm approved by the SANS 101475 and registered in terms of SANS 101475;

- (b) portable mobile fire extinguishers and hose reels are serviced and maintained in accordance with the provisions of SANS 0105 and SANS 101475;
 - (c) fire installations and any other relevant service installations are inspected and serviced in accordance with the specifications of the manufacturers of the installations; and
 - (d) installations are inspected by a registered person at least every twelve calendar months.
- (2) Any person who checks, services, renews, replaces or works on any fixed service installation must-
- (a) on completing the work, certify that the service installation is fully functional and
 - (b) notify the Service immediately in writing if he/she finds that the service installation cannot, for what ever reason, be readily repaired to its functional state.
- (3) The owner or occupant responsible of any premises must keep a comprehensive service record of all fire fighting equipment and any other appropriate service installation on his/her premises and submit the record to the Service upon request by the designated officer.
- (4) Any person who fails to comply with the provisions of this section is guilty of an offence.

18. Extractor fan systems

- (1) Extractor fan systems and related ducts or similar chimney systems must be designed and installed in such a manner as to grant adequate access (that is clearly marked) for trouble-free inspection and maintenance of and repairs to the relevant mechanisms.
- (2) Every filter, damper, screen or conduit that forms an integral part of a system referred to in subsection (1) must be regularly cleaned, maintained and checked to ensure that fatty residues or any other combustible residues do not accumulate.
- (3) The conduit and outlet of any system referred to in subsection (1) must be installed so as not to pose a fire hazard or probable fire hazard to any premises or property.
- (4) Any person who fails to comply with the provisions of this section is guilty of an offence.

19. Rational designs

- (1) The construction, design and/or erection of –
 - (a) hangars;
 - (b) helipads;

- (c) grain silos;
 - (d) atriums;
 - (e) air traffic control towers;
 - (f) any other structure or building identified at the discretion of the Chief Fire Officer, in the area must comply with an acceptable design according to Regulation T1 (2) (a) or (b), submitted to and approved by the Chief Fire Officer, which [moots] meets all the applicable requirements of Regulation T1(1) of the National Building Regulations.
- (2) Subject to the provisions of subsection (1), provision must also be made, in the case of hangars or helipads, for-
- (a) the drainage of any liquid from the floor of the hangar or helipad and/or approach to the hangar;
 - (b) the channelling of any liquid to a drainage area, which is effectively connected to a separator well;
 - (c) the prevention of any liquid from spreading from the floor of the hangar or helipad to any rooms, adjacent buildings or to the outside of the hangar; and
 - (d) earthing devices for discharging static electricity.
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

20. Disposal sites

- (1) The design, layout and construction of any disposal site of whatever nature must be done in conjunction with the instructions and requirements of the Department of Water Affairs and Sanitation and the Department of Environmental Affairs and Department of Health, and those of the Service.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence.

21. Emergency evacuation plans

- (1) The owner or occupier of designated premises must-
- (a) within 30 days after the premises have been designated by the Service, prepare a comprehensive emergency evacuation plan for the premises, in triplicate, and must have it ready for inspection and approval by the Service, this plan must be in accordance with the guidelines prescribed in Annexure III to these by-laws;
 - (b) constitute an internal emergency committee from among the internal staff and occupiers to assist with the planning and organisation of a

fire protection programme and this programme must include regular, scheduled fire evacuation drills on the premises;

(c) ensure that –

(i) the emergency evacuation plan is revised and updated whenever the floor layout changes or whenever the Service requires revision or updating, but in any case at least every twelve months;

(ii) updated records of revised emergency evacuation plans, fire protection programmes, evacuation drills and related documents are kept and maintained at all times; and

(i) the emergency evacuation plan and relevant documents are at all times available in a control room for inspection by the Service; and

(d) identify a predetermined place of safety outside, but in the vicinity of the designated premises, where occupiers may gather during an emergency situation for the purpose of compiling a list of survivors.

(e) An EEP (Emergency Evacuation Plan) box, as described in Annexure IV shall be installed in a prominent position at the main entrance of the premises.

(2) The Service may from time to time-

(a) provide directives for updating and/or amending an emergency evacuation plan;

(b) instruct the owner or occupier of designated premises in writing to implement such fire protection programmes that, in the opinion of the Chief Fire Officer, are necessary to ensure the safety of the occupiers of the designated premises; and

(c) require the owner or occupier of designated premises to furnish the Service with a certified copy of any emergency evacuation plan and/or relevant documents on such day and at such time and place as the Service may determine.

(3) The Chief Fire Officer may by written notice designate any premises as premises requiring an emergency evacuation plan.

(4) Any person who fails to comply with the provisions of this section is guilty of an offence.

22. Certificate of compliance for all public buildings

(1) The owner of any public building, or of any temporary structure which is erected or intended for holding public gatherings, must apply in writing to the Service for the issuing of a certificate of compliance for every type of gathering or for the proceedings envisaged in the premises or structure, and must pay the fees, as determined in Annexure I to these by-laws, when submitting the application form (the design guidelines appear in Annexure II to these by-laws).

(2) No certificate of compliance will be issued for public buildings unless the relevant provisions of these by-laws have been complied with.

- (3) A certificate of compliance issued to the owner of a public building will be endorsed with the following information, where applicable:
- (a) The trade name and street address of each occupier
 - (b) The type of activity of each occupier.
 - (c) The name of the persons on the executive
 - (d) The permissible number of people in proportion to the usable floor area
 - (e) The number of emergency exits and their widths and all related equipment regarding fire protection.
 - (f) A cancellation clause in the event of any applicable provision of these by-laws being contravened.
 - (g) An obligation on the part of the holder of the certificate to-
 - (i) display the certificate prominently on the premises at all times; and
 - (ii) maintain the certificate in a legible condition at all times
 - (h) A date, year and serial number
 - (i) The date of expiry of the certificate.
- (4) Subject to the provisions of section 23 of these by-laws, a certificate of compliance is not required for a public building, which has been legally erected on commencement of these by-laws.
- (5) If the trade name of a public building changes, the holder of the certificate of compliance must ensure that the change is brought to the attention of the Service immediately and in writing.
- (6) No certificate of compliance will be issued or renewed, as the case may be, unless and until the controlling authority-
- (a) is in possession of a set plans referred to in section 21 of these by-laws and approved by the Service; and
 - (b) has received the prescribed application form defined in Annexure II to these by-laws, which form has been completed in full and correctly.
- (7) The holder of a certificate of compliance must ensure that he/she is at all times in possession of a valid certificate of compliance.
- (8) (a). Any expansion or removal of or change in anything relating to or in connection with premises for which a certificate of compliance has been issued will result *ipso facto* in the cancellation of the certificate of compliance, including any other authorisation granted in terms of these by-laws.
- (b). The provisions of this subsection are not applicable to any action, which results in temporary removal of something for the purpose of effecting repairs or replacements in respect of the premises.
- (9)(a). The owner or the occupant must submit, on or before the first working day of the month in which the permit expires, together with the prescribed fees determined in Annexure I to these by-laws, an application for the renewal of the certificate of compliance to the Service on the prescribed form: Provided that if

the Service for some reason requires plan of the premises in question for the purposes of the renewal application, the plans must accompany the application.

(b) The Service may send a reminder in respect of the renewal.

(c) Where a building is utilized and accordingly classified as A-type occupancy, in terms of the National Building Regulations, the Chief Fire Officer may issue such certificate for a period of not exceeding one calendar year. All other erf, stands or premises shall be issued with validity not exceeding five years.

(10) Where so required by the Chief Fire Officer the attendance of the Service shall be provided for.

(11) Any person who fails to comply with the provisions of this section or who alters or attempts to alter certificate of compliance, or knowingly allows the certificate to be altered, is guilty of an offence.

Part 4

WATER SUPPLY FOR FIRE-FIGHTING PURPOSES

23. Township development water supply requirements

(1) Every person who develops or redevelops a township must design and develop that township with a sufficient water supply for purposes of firefighting 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 fire-fighting purposes as contemplated in these By-laws;

(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 from the water supply source to the distribution reservoirs and double pumps are installed for delivery of the water supply.

(3) Subsection 2(c) is deemed satisfied, if-

(a) 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) the 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 26 the water reticulation system is adapted without delay so as to comply with the requirements of this section.

(5) If an owner rebuilds, alters, extends or changes the floor layout of an existing building that has been legally erected and used, or if ownership or control of the premises changes, no existing certificate of compliance, certificate of registration

or spraying permit, as prescribed in Annexure II to these By-laws, will be renewed, unless and until all the appropriate provisions of these By-laws regarding an original application have been complied with.

(6) No additions or alterations may be made to any existing registered premises unless and until –

(f) the owner of the premises has submitted to the Building Control Officer and the Chief Fire Officer a plan of the existing premises and of the proposed work, as required in terms of Regulation A2 of the National Building Regulations; and

(g) the Building Control Officer and the Chief Fire Officer have approved the plan.

(7) Any person who fails to comply with the provisions of this section is guilty of an offence.

24. Township development fire-extinguishing requirements

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

25. Township development fire hydrant requirements.

(1) Every person who develops or redevelops a township must ensure that the 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 (2litres per minute)	Minimum distance between fire hydrants
High risk	1980	120
Moderate risk	1150	180
Low risk	900	240

(2) Every person who develops a township must ensure that the positions of fire-hydrants are plotted accurately on a plan that is furnished to the Municipality for operational fire-fighting purposes.

26. Fire risk categories

(1) For purposes of sections 24 and 25, 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 the 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 are generally detached from each other and do not exceed 3 storeys; and

(bb) the Municipality 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 fire is slight or insignificant.

27. Connection to water reticulation system

(1) No person may obtain a water connection to the water reticulation system of the Municipality unless the fire protection plans for the premises to be connected have been approved by the Municipality.

(2) The Service must inspect fire hydrants at the intervals as provided for in SANS 10090, and a flow and pressure test must be conducted on the stream to determine whether the stream complies with the said code of practice.

(3) The Service must properly plot the position of all fire hydrants for operational use. In the case of township development in the fire hydrant spacing must be in accordance with SANS 10090 (Community Protection against Fire) as well as SANS 1200 specifications. The Red Book-Guidelines for the provisions of Engineering Services and Amenities shall also be applicable. All the fire hydrants must be mark_in accordance with the NFPA 291 standards. The hydrant serviceability including condition, access and operation must be maintained.

(4) If any risk area is developed or redeveloped in such a manner that risk area falls into the high-risk category, the water reticulation must be adapted accordingly without delay, by the developer.

(5) Any building developer who requires water supply on to the water reticulation system of the controlling authority must submit a complete set of approved fire protection plans for the premises to the Services, as contemplated in Regulation A9 of the National Building Regulations, to determine the water connection of the

Service, for submission to the Water Supply Division of the controlling authority:
Provided that-

- (a) if the premises are protected by a sprinkler installation, the water supply requirements must be calculated and designed for each sprinkler installation in accordance with appropriate design criteria, and the size, delivery pressure and flow of the water supply requirement must be calculated in advance by the engineer responsible;
- (b) if the Service requires a larger water supply for the premises to ensure that fire-fighting equipment functions in accordance with the appropriate design requirements as set out in Part W of SANS 10400, the owner of the premises must provide the required water supply; and
- (c) the size, work pressure and deliver flow of any water supply, excluding a water supply as contemplated in subsection (5)(a), must be calculated and designed according to the provisions of Part W of SANS 10400 and SANS 10252, Part 1.

Part 5 DANGEROUS GOODS

28. Application for approval of plans

- (1) Subject to the provisions of the National Building Regulations and Building Standards Act, 1977 and the provisions of the Major Hazard Installation Regulations, every owner of premises on which there is a building in respect of which a floor layout change, addition, alteration, upgrading and/or renovation is envisaged, or the owner of premises on which bulk, above-ground and underground installations and any other structures are to be erected for the use, storage or handling of dangerous goods or erected in connection with such use, storage or handling, must submit plans in triplicate to the controlling authority on the prescribed form obtainable from the office of the Building Control Officer.
- (2) The prescribed fees payable to the Service for the approval of plans are determined in Annexure I to these by-laws, but exclude the fees charged by the Building Control Officer for the approval of plans.
- (3) The Service will not accept any plan (except for a plan regarded by the Building Control Officer to be that of "minor building work") unless the official certification of submission of the Building Control Officer appears on it.
- (4) No construction work may be started on any premises unless the building contractor is in possession of the relevant plans that have been officially certified as approved by the Fire Safety Section of the Service. For the duration of construction work on the premises the plans in question must be available for inspection by the Service.
- (5) The provisions of section 23 of the National Building Regulations and Building Standards Act, 1977, are applicable to the approval of plans as regulated in this section.

- (6) An MSDS (Material Safety Data Sheet) box, as described in Annexure IV shall be installed in a prominent place at the main entrance of the premises.
- (7) Any owner of premises who fails to comply with the provisions of this section or any person who on behalf of the owner is involved in any activity contemplated in this section and fails to comply with the provisions of this section is guilty of an offence.

29. Issuing of certificates of registration

- (1) No person may on any premises use, handle or store quantities of dangerous goods in excess of the quantities referred to below or permit them to be used, handled or stored, unless and until the person is in possession of a certificate of registration as provided for in Annexure II to these by-laws and issued in respect of the specific quantities and appropriate devices on approved premises: Provided that if only one of the groupings referred to below is present on the premises and the applicable maximum permissible quantity is not exceeded, the provisions of this section are not applicable.

Group I: Explosives

Fireworks	No exemption
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Group II: Gases

2.1. Flammable gases	Total cylinder capacity may not exceed 14kg
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2.2. Non-flammable gases	Total cylinder capacity may not exceed 14kg
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2.3. Toxic gases	No exemption
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Group III: Flammable liquids

3.1. With flash points 18°C	Total quantity may not exceed 40ℓ
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3.2. With flash points > 18°C but 23°C	Total quantity may not exceed 40ℓ
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3.3. With flash points > 23°C but 61°C	Total quantity may not exceed 200ℓ
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3.4. With flash points > 61°C but 100°C	Total quantity may not exceed 200ℓ
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Group IV: Flammable solids

4.1. Flammable solids	Total quantity may not
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		exceed 250kg
	4.2. Pyrophoric substances	No exemption
	4.3. Water-reactive substances	No exemption
Group V:	Oxidising agents and organic peroxides	
	5.1. Oxidising agents	Total quantity may not exceed 200kg
	5.2. Group I organic peroxides in packets	No exemption
	5.3. Group II organic peroxides in packets	Total quantity may not exceed 200kg
Group VI:	Toxic/infective substances	
	6.1. Group I toxic substances in packets	Total quantity may not exceed 5kg
	6.2. Group II toxic substances in packets	Total quantity may not exceed 50kg
	6.3. Group III toxic substances in packets	Total quantity may not exceed 500kg
	6.4. Infective substances	No exemption
Group VII:	Radioactive materials	No exemption
Group VIII:	Corrosive/caustic substances	
	8.1. Group I acids in packets	Total quantity may not exceed 50kg
	8.2. Group II acids in packets	Total quantity may not exceed 200kg
	8.3. Group III acids in packets	Total quantity may not exceed 1000kg
	8.4. Group I alkaline substances in packets	Total quantity may not exceed 50kg

8.5. Group II alkaline substances in packets	Total quantity may not exceed 200kg
8.6. Group III alkaline substances in packets	Total quantity may not exceed 1000kg
Group IX: Miscellaneous substances	
9.1. Liquids	Total quantity may not exceed 210kg
9.2. Solids	Total quantity may not exceed 210kg

- (2) No person may, on any unregistered premises, store, use or handle any of the dangerous goods referred to in subsection (1), or have them stored, used or handled, or permit them to be stored, used or handled in such place or in such manner as to ensure that-
- (a) no dangerous goods or fumes of the substances come into contact or are likely to come into contact with any fire, flame, naked light or other source of ignition that may cause the dangerous good or fumes to catch fire; and
 - (b) the escape of human beings or animals is not hindered or obstructed in the event of a fire or an emergency situation.
- (3) No person may, on any unregistered premises, use or handle dangerous goods, or have them used or handled or permit them to be used or handled on the premises, except in a suitable place out of doors ensure to that any fumes can escape freely, or in a properly and naturally ventilated room to ensure that any fumes or gas does not collect in the room but is effectively disposed of.
- (4) No certificate of registration will be issued in the respect of premises for the use, handling or storage of dangerous goods, unless all the applicable provisions of these by-laws have been complied with and a written application for registration, on the prescribed form, as described in Annexure II to these by-laws, has been submitted to the Service, together with the fees prescribed in Annexure I to these by-laws.
- (5) When a certificate of registration is issued, the certificate must be endorsed with the following conditions, namely that the certificate-
- (a) must at all times be displayed in a weatherproof container in a conspicuous place on the premises designated by a member of the Service.
 - (b) Must be maintained in a legible condition at all times.
 - (c) Must reflect the groups and the quantities of dangerous goods for which the premises have been registered.

- (d) Must reflect the number of above-ground and/or underground storage tanks or storage facilities, and the capacity of each such storage tank or storage facility;
 - (e) Must reflect the number of storerooms and the total capacity of each storeroom;
 - (f) Must reflect the number of gas installations, the type of gas installation and the total volume and/or delivery capacity of each installation;
 - (g) Must specify the number of storage facilities for other dangerous goods and reflect the volumes intended for each facility;
 - (h) Must reflect a serial number;
 - (i) Must indicate whether the issue of such certificate is permanent or temporary;
 - (j) Must reflect the period of validity and the expiry date of the certificate: Provided that the period of validity will be only twelve calendar months, calculated from the date of issue, and written application for renewal of the certificate reaches the Service at least one calendar month prior to the expiry date;
 - (k) Is not transferable from premises to premises;
 - (l) Must, subject to the provisions of section 23 of these by-laws, be transferable from owner to owner and/or from control to control on the same premises: Provided that-
 - (i) application for such transfer is made to the service on the prescribed form; and
 - (ii) if the trade name of the premises changes, the holder of the spraying permit and/or certificate of registration must ensure that the change is immediately brought to the attention of the Service.
 - (m) will not be issued unless the Service is in possession of a set of approved plans as required by section 21 of these by-laws; and
 - (n) will not be issued or renewed unless the prescribed application form has been completed in full and has been submitted.
- (6)(a). Any person who has a legal certificate of registration in his/her possession may apply in writing on the prescribed form to have the total quantity of dangerous goods, flammable liquids and number of underground tanks, storerooms, gas installations and other storage areas amended, according to need, and the form must be accompanied by the prescribed fee.
- (b) The Service will approve an application only if the proposed amendments comply with the provisions of these by-laws.
- (c) If the application is approved, the applicant must submit his/her certificate of registration to the Service for amendment.

(7) The Service may send a holder of a certificate of registration a reminder for renewal of registration. A holder of a certificate who has not received a reminder is not indemnified from possible prosecution.

(8) The holder of a certificate of registration must ensure that he/she is at all times in possession of a valid certificate of registration.

(9) Any person who fails to comply with the provisions of this section or who alters a certificate of registration or who attempts to alter the certificate or permits the certificate to be altered is guilty of an offence.

30. Supply of dangerous goods

(1) No person may -

(a) supply more dangerous goods than the quantities referred to in section 29(1) of these by-laws to any unregistered premises, or have them supplied or permit them to be supplied.

(b) deliver or supply more dangerous goods than the quantity specified in the applicable certificate of registration or dangerous goods of a group other than that specified in such certificate of registration to any premises or person, or have them delivered or supplied or permit them to be delivered or supplied.

(2) No person may handle any container containing a dangerous good in a manner that will damage or may damage that container, or permit the container to be damaged.

(3) Any person who fails to comply with the provisions of this section is guilty of an offence.

31. Exemptions

(1) Notwithstanding anything to the contrary in these By-laws-

(a) flammable liquids are not deemed to be stored, handled or transported whenever the liquids are, for normal use, in the fuel tank of a motor vehicle;

(b) flammable liquids are not deemed to be stored, handled or transported if the liquids are in the fuel tank of a stationary engine: Provided that the volume of the fuel tank does not exceed 1 100l and the fuel tank is surrounded by a liquid-proof retaining wall:

Provided further that the fuel tank must be capable of containing the maximum proposed quantity of liquid, plus 10% of the volume of the tank.

(2) Any person who fails to comply with the provisions of this section is guilty of an offence.

32. Renewal of spraying permits and/or certificates of registration

(1) Any holder of a certificate of registration or spraying permit must, at least one month prior to the expiry date of the certificate or permit, submit an application

for renewal of the certificate or permit to the Service on the prescribed form, which form must be accompanied by the fees prescribed in Annexure I to these by-laws: Provided that the Service may require further, additional and/or amended plans of the premises in question for the purposes of renewal.

- (2) The period of validity will be only twelve calendar months, calculated from the date of issue of the original certificate.
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

33. Temporary storage of dangerous goods

- (1) The Service may grant a temporary certificate of registration for a period of not more than three months to any person who, for *bona fide* reasons, requires more dangerous goods on the premises than the quantities in section 29(1) of these by-laws: Provided that –
 - (a) if the dangerous goods are required for, or in connection with, excavations, construction work and road construction, the quantity must be limited to 9000ℓ;
 - (b) an application is submitted on the prescribed form, accompanied by the fees prescribed in Annexure I to these by-laws, together with the plans required by section 28 of these by-laws; and
 - (c) the duration of the temporary storage is at the discretion of the Chief Fire Officer.
- (2) Any person whose application for a temporary storage tank is approved must ensure that it complies with the applicable South African National Standard:

Provided that the storage tank must be capable of containing the maximum proposed quantity of liquid, plus 10% of the volume of the tank-

- (a) provision is made for the run-off of any possible rain water from the retaining walls or retaining embankments;
 - (b) the storage tank is not erected within 5m of any erf boundary, building, excavation, road, open flames and/or driveway;
 - (c) no source of ignition or potential ignition is brought within 5m of the storage tank;
 - (d) symbolic signs prohibiting smoking and open flames, at least 200mm x 300mm in size, are affixed to all sides of the temporary installation; and
 - (e) a minimum of two 9kg dry chemical powder type fire extinguishers are installed within 10m of the temporary installation.
 - (f) HAZMAT signs must be provided on the tanks.
- (3) Any person who fails to comply with the provision of this section is guilty of an offence.

34. Delivery of dangerous goods

(1) Any person delivering dangerous goods to any supplier or user –

(a) may not, while delivering, let any delivery hose lie on or across a pavement, public road or other premises, or go through or over a building or have it lying there;

(b) must ensure that, while delivering, a 9kg dry chemical fire extinguisher is ready at all times;

(c) must ensure that, during the transferral of dangerous goods, the delivery vehicle is physically earthed with the storage facility to which the dangerous goods are being transferred;

(d) must ensure that, while delivering, the delivery vehicle is in such a position that it can be removed quickly and easily in the event of an emergency situation without exacerbating the situation;

(e) must ensure that no dangerous good is transferred from a delivery vehicle to a facility that is leaking or broken and

(f) Where delivery is done with a road tanker, as defined by the Road Traffic Act provision shall be made as to ensure that the delivery vehicle does not require to reverse in any situation.

(2) The owner of any device connected with or used for a delivery of a dangerous good must ensure that the device is designed for the specific purpose and is in a safe and good working condition.

(3) The person in charge of any delivery process of a dangerous good must take reasonable precautionary measures to ensure that no dangerous good is spilled during delivery on any surface when the substance is transferred from a delivery vehicle to a storage facility.

(3) No person may transfer any dangerous goods to a motor vehicle, aircraft, vessel, ship or boat while the power source thereof is in operation or permit the substance to be transferred.

(4) No person may transfer a dangerous goods to an aircraft unless and until the aircraft has been earthed with the transferral device by means of an earth cable.

(5) Any person who fails to comply with the provisions of this section is guilty of an offence.

35. Prohibition of certain actions

(1) Any person who stores, uses or handles dangerous goods on premises or has them stored, used or handled or permits them to be stored, used or handled on the premises may not –

(a) perform any act or action, or have any act or action performed that may reasonably result in or cause a fire or an explosion; and

- (b) perform any act or action, or have any act or action performed or permit any act or action to be performed that may reasonably obstruct the escape to safety of any human being or animal during an emergency situation.
- (2) No person may dump any dangerous good into any borehole, pit, and sewer, drain system or surface water, or permit any dangerous good to be dumped in or spilled into any borehole, pit, sewer, drain system or surface water.
- (3) No person may dump any dangerous good in any manner other than by having the substances removed or permitting the substances to be removed by an organization that is fully equipped to do so.
- (4) No person may light, bring or use, within 5m of any area where, to his/her knowledge, dangerous goods are stored, used or handled, any fire or anything else that produces or is capable of producing an open flame or permit the fire to be lit, brought or used within 5m of such area.
- (5) No person may use any device in connection with dangerous goods in any basement level in a building, excluding a gas welding device and/or gas cutting device for the sole purpose of welding and/or cutting in connection with the maintenance of that building, or have the device used or permit the device to be used in any basement level.
- (6) No person may, while there is another person in or on a bus (except for the driver of the bus, or any other person in charge of the bus), fill the fuel tank of that bus, or have it filled or permit it to be filled, or transport any dangerous good in or on such bus, except in the fuel tank, or have it transported or permit it to be transported.
- (7) Any person who fails to comply with the provisions of this section is guilty of an offence.

36. “No smoking and no naked flames”

- (1) The owner of a building must, in areas where flammable and/or explosive dangerous good are used, stored and handled, display symbolic signs prohibiting smoking and open flames, as the case may be. These signs must conform to SANS 1186 and of the appropriate size as specified by the Service and must be displayed prominently in appropriate places.
- (2) Any owner who fails to comply with the provisions of subsection (1) is guilty of an offence.
- (3) Any person who disregards the prohibition in subsection (1) or permits the prohibition to be disregarded is guilty of an offence.

37. Fire-fighting equipment and mitigating agents

- (1) Notwithstanding anything to the contrary in these by-laws, a person to whom the certificate of registration in terms of section 29 of these by-laws and/or spraying permit in terms of section 55(1) of these by-laws has been issued must ensure that all premises to which such certificate of registration and/or spraying permit applies are equipped with-

- (a) portable fire extinguishers, as specified in SANS 1567 (carbon dioxide type), SANS 810 (dry chemical type), SANS 1573 (foam type) and SANS 1571 (transportable type), of a minimum capacity of 9kg or 9ℓ, as the case may be, in a ration of one fire extinguisher to every 100m² or part of it: Provided that the Service is of the opinion that exceptional hazards or risks necessitate a larger number of fire extinguishers, the Service may require that more fire extinguishers, in a consequential smaller ratio than the ratio stated above, be installed;
 - (b) hose reels, as specified in SANS 543 (hose reels), connected to a water supply as reflected in Part W of SANS 100400, enabling each hose reel to maintain a flow of 0,5ℓ per second at a work pressure of 300kPa;
 - (c) fire hydrants, with couplings as specified in SANS 1128, Part II (Fire fighting equipment Couplings), in a ration of at least one to every 1000m² or part of it; and
 - (d) approved sprinkler systems in accordance with SANS 10087, SANS 10089, and SANS10131.
- (8) Fire-fighting equipment must be inspected and maintained by a registered person in accordance with the provisions of SANS 0105 and SANS 1475 at least once every twelve months to the satisfaction of the service.
- (9) If fire-fighting equipment is not positioned prominently, the position of the equipment must be indicated by symbolic safety signs in accordance with the specifications of SANS 1186 and to the satisfaction of the Service.
- (10) Any person who fails to comply with the provisions of this section is guilty of an offence.

38. Reporting of fires, accidents and dumping

- (1) The occupier of any premises must immediately report any fire, accident or dumping involving dangerous good on the premises that has caused or may cause damage to property, the ecology of the environment or injury to human beings or animals to the Service.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence.

39. Sampling

- (1) Whenever a member inspects any premises and suspects that a substance on the premises is hazardous, the member may have a sample taken, by a suitably authorized person or company, of any substances for analysis: Provided that –
- (a) a sample so taken must be taken in the presence of the owner or occupier or any other third party;

- (b) any sample must be divided into two equal parts and be sealed in similar suitable containers with the following information on the containers:
 - (i) The address and the location of the premises
 - (ii) The trade name of the premises or concern
 - (iii) The name and signature of the persons who are present, as contemplated in subsection (1)(a)
 - (iv) The date on which and time at which the sample was taken
 - (v) A description of the exact location on the premises where the sample was taken; and
- (c) Any sample so taken must, at the expense of the owner of the premises, be taken immediately to an accredited institution as determined by the service for an analysis and a report: Provided further that the results of the analysis may, subject to the rules of the law of evidence, be used as evidence in any potential legal steps that the Service may consider and/or deem necessary, as the case may be. The taking of the sample shall be also be for the cost of the owner.

40. Storage tanks and devices that have become obsolete

- (1) The owner or user of any storage tank and/or related device that has become obsolete must, in accordance with the provisions of section 42 of these by-laws, have the tank or device removed, in order to render the tank safe.
- (2) Any person who fails with the provisions of this section is guilty of an offence.

41. Access to storage tanks for repairs and maintenance

- (1) No person may enter or permit any other person to enter any storage tank which contained Group III dangerous good, unless that person is wearing an effective self supporting breathing apparatus or until such tank has been de-aerated and made free of gas and fumes, as provided for in SANS 089, Part I, as amended.
- (2) No person may enter any storage tank which contained Group III dangerous good unless that person is attached to a rescue rope controlled by a responsible person who is at all times taking appropriate measures to ensure the safety and welfare of all persons involved.
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

42. Installation, erection, removal and demolition

- (1) In addition to any other applicable legislation, any person who intends to erect, install, remove, demolish, extend or change any delivery pump, storage tank, storeroom, spraying room, gas installation, storage facility, fire protection arrangement and floor layout in respect of premises or anything connected with the premises, or have any of the above erected, installed, removed, demolished, extended or changed, must notify the Service of his/her intention at least three working days prior to the commencement date and estimated

completion date, and this notification must be made on the form described in Annexure II to these by-law.

- (2) Any failure to act as contemplated in subsection (1) will *ipso facto* cancel the certificate of registration and/or spraying permit, as the case may be, in so far as such failure is connected with the matter, as well as any other authorisation, including an exemption granted in terms of these by-laws: Provided that the provisions of this section are not applicable whenever-
 - (a) anything is removed temporarily for carrying out repairs or in connection therewith;
 - (b) any above-ground or underground equipment and/or parts of the equipment are replaced ;and
 - (c) any above-ground or underground storage tanks are replaced with tanks of the same capacity.
- (3)
 - (a) No structure, installation or building may, after completion of the action referred to in subsection (1), be erected again on the premises in question, unless application for the approval of plans, as contemplated in section 28 of these by-laws, is made again.
 - (b) After completion of the structure, building or installation, application must be made again for a certificate of compliance, spraying permit and/or certificate of registration in accordance with the provisions of **PART 5, DANGEROUS GOODS**, of these by-laws.
- (4) Any person who fails to comply with the provisions of this section is guilty of an offence.

43. Group I dangerous goods

- (1) All Group I dangerous goods (explosives) must be handled, used, stored and transported in accordance with the provisions of SANS 0228, 0229, 0232, of the Explosives Act, 1956, and the Hazardous Substances Act, 1973, and any regulations made under these Acts, as the case may be,
- (2) The legislation rest with the SAPS (specifically the Chief Inspector of Explosives).
 - a) The Local Municipality does not issue any licence, but must submit a recommendation to the Chief Inspector of Explosives, where it is endorse by the Chief Fire Officer indicating that there are no outstanding requirements.
 - b) The owner/occupant must comply with Section 22 of these by-laws and such certificate is valued for a period of not exceeding one calendar year.
- (3) Fireworks display must be approved by the Chief Fire Officer and;
 - (a) subjected to the requirements as approved.
 - (b) a application must be done at the Fire Service.

- (c) the application form must be accompanied by the proof of payment fees prescribed in Annexure I to these By-Laws and
 - (d) the application must be submitted for processing to the office of the Fire Service at least fourteen (14) days (excluding Saturday, Sunday and Public Holiday) prior to the display.
- (4) Any person who fails to comply with the provisions of this section is guilty of an offence.

44. Group II dangerous goods

Portable Containers

- (1) All portable metal containers and related devices for Group II dangerous goods must be manufactured, marked, maintained, filled and stored in accordance with the provisions of SANS 019, SANS 0228, SANS 0229 and SANS 0238, as the case may be.
- (2) All portable containers for liquid petroleum gas must be stored, filled and/or installed in accordance with the provisions of SANS 0228, SANS 0229, SANS 0238, SANS 019 and SANS 087, Parts I to VIII, as the case may be.
- (3) All portable containers for Group II dangerous goods must at all times be transported, stored and/or installed in a vertical position.

Bulk Containers

- (4) All bulk containers for Group II dangerous goods must be designed, manufactured, maintained and installed in terms of the provisions on the Occupational Health and Safety Act, 1993 (Act 85 of 1993), and any regulations made thereunder; SANS 019, SANS 087, Part III; and the provisions of the National Building Regulations and Building Standards Act, 1977, and any regulations made under the Act, as the case may be.

Manifold Installations

- (5)(a) No Group II dangerous good may, for any reason whatsoever, be used, stored, handled or installed indoors in any manifold installation or otherwise on any premises.
- (b) The provisions of this section are not applicable to the storage, handling or installation of a portable liquid petroleum gas container of a maximum water capacity of 45ℓ inside a detached private dwelling-house (H4 occupancy classification in terms of Regulation A20 of the National Building Regulations), on condition that the container is used solely for *bona fide* residential purposes: Provided that liquid petroleum gas will only be permitted indoors on condition that the prospective user has sufficient natural ventilation in the room that may be caused by a leakage or potential leakage of the gas and/or by a negligent action in respect of the use of the gas will be so neutralised as not to be within the recognised explosive limits for the gas in accordance with SANS 10087 codes-

- (i) Any person who furnishes proof, as contemplated in subsection (5)(b), must be an approved professional engineer or other registered competent person and, in terms of Regulations A19 of the National Building Regulations, be appointed by the owner or occupier of the building in question.
 - (ii) Scientifically based detailed calculations and tests must be the basis of such proof.
- (6)(a) No person may, without the permission of the Chief Fire Officer, use, handle, display or apply any hydrogen-filled portable containers, hydrogen devices and/or hydrogen balloons indoors, for whatever purpose.
- (b) In enforcing this subsection, the concept of "hydrogen gas" includes any gas compound containing hydrogen gas, unless the non-flammable nature and/or non-explosiveness of the gas compound can be certified scientifically.
- (c) The provisions of section 44(5) (b) of these by-laws are applicable *mutatis mutandis* to this subsection.
- (7) Whenever any person uses acetylene welding devices and/or cutting devices indoors, the devices must be used strictly in accordance with the requirement of SANS 0238: Provided that the Chief Fire Officer may prescribe fire protection requirements concerning the installation, storage and use of the devices.
- (8) The installation within the area of underground pipelines for any Group II dangerous good, and branches or manifolds of pipelines, as the case may be, is *mutatis mutandis* subject to the provisions of sections 23, 28, 29, 30, 32, 34 and 36 of these by-laws.

Underground pipelines

(9) Any underground pipeline for a Group II dangerous good must comply with the following requirements:

- (a) The owner of the pipeline must provide fire hydrants, of which the required delivery of each individual fire hydrant must be at least 1600ℓ per minute at a work pressure of 300 kPa, and these fire hydrants must be parallel to the pipeline at every pump station within the area. The owner must maintain the fire hydrants in a good working condition at all times.
- (b) The owner of the pipeline must provide sufficient cathodic protection for the pipeline and maintain the cathodic protection in a good working condition at all times.
- (c) The pipeline must be marked with markers approved by the Chief Fire Officer and must be maintained in a functional condition at all times by the owner of the pipeline.
- (d) The installation and extension of the pipeline and/or branches to consumer's premises, and the maintenance of the pipeline within the area, must *in toto* be done according to a recognised standard approved by the Chief Fire Officer.

- (e) No construction work above or below the ground may be done within 16m of the pipeline reserve, unless the construction company is in possession of written authorisation to do so, which authorisation has been issued by the controlling authority and the owner of the pipeline.

(10) Any person who fails to comply with the provisions of this section is guilty of an offence.

45. Group III dangerous goods

Tank Manufactures

(1) No person may install, use or utilise or attempt to install, use or utilise any storage tank for the underground storage of Group III dangerous goods, unless the tank has been manufactured in accordance with the provisions of SANS 1535.

(2) Any person who installs, uses or utilises or attempts to install, use or utilise any underground storage tank which does not comply with the requirements of SANS 1535, is guilty of an offence.

46. Installation of storage tanks

(1) Any storage tank for Group III dangerous goods must be installed in accordance with the provisions of SANS 0400; SANS 089, Parts I, II and III; SANS 0131, Parts I, II and III; SANS 0108 and SANS 086, as the case may be: Provided that –

(a) all storage tanks installed indoors must be installed in accordance with the provisions of SANS 0131, Parts I, II and III, as the case may be;

(b) all pumps and filling devices installed indoors must be in purpose-built, registered premises;

(c) temporary installations must be approved and for not more than six months,

(d) no aboveground tanks classification as Class ii and iii in SANS 100131 Part I will be allowed in urban areas, excepted if it is a bulk depot in accordance SANS10089 Part I;

(e) no aboveground tank classification Class ii will be allowed in rural area unless it been approved by the existing zoning of the land use in terms of the Town planning scheme for resale purposes;

(f) a maximum of three BTF will be allowed, as contemplated in subsection (1) e;

(g) additional safety distances for aboveground tanks classification class iii according SANS 100131 for diesel in rural area (farms) will be 15 meter from any boundary fencing, building, open flames and any other inflammable liquid stores;

(h) all installations, as contemplated in subsection (1)(a) and (g), as the case may be, are subject *mutatis mutandis* to the provisions of section 23 and section 24 of these by-laws, as the case may be; and

- (2) The installation within the area of underground pipelines for any Group III dangerous good, and branches or manifolds of pipelines, as the case may be, is *mutatis mutandis* subject to the provisions of sections 23, 28, 29, 30, 32, 34 and 36.
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

Note: No aboveground tank for diesel in rural area is subject for resale purposes because then it is a filling station and it must then be designed according SANS 10089-part iii.

PART 6

CONSTRUCTION OF VEHICLES, AS WELL AS TRANSPORTATION AND TRANSPORT PERMITS

47. Service transport for flammable substances

- (1) The owner of any vehicle used for transporting flammable substances in the area must, have a valid transport permit in terms of the SANS Standards 1398, 1518, 10228, 10299, 10230, 10231, 10232 and 10233 for transporting flammable substances: Provided that-
 - (a) each vehicle for which such a permit has been issued must comply with the provisions of section 47 of these by-laws;
 - (b) the application form, provided for in Annexure II to these By-laws and obtainable from the Service, must be completed correctly and in full;
 - (c) the application form must be accompanied by the fees prescribed in Annexure I to these by laws; and
 - (d) the application must be submitted for processing to the registration office of the Service at least five days (excluding Saturdays, Sundays and public holidays) prior to the proposed test date.
- (2) The transport permit must-
 - (a) indicate the date of issue and the date of expiry;
 - (b) be valid for a period of twelve months from the date of issue;
 - (c) indicate the name, in block letters, of the issuing officer and bear the officer's signature;
 - (d) indicate a year-linked serial number;
 - (e) indicate the group and quantity of dangerous goods to be transported;

- (f) indicate the registration number of the vehicle in question;
- (3) The Service may send a reminder for renewal of the transport permit to the owner of the vehicle(s). A transport permit holder who has not received a reminder is not indemnified from possible prosecution.
- (4) Any person who fails to comply with the provisions of this section, or who alters or attempts to alter a transport permit or who permits it to be altered, is guilty of an offence.

48. Design, construction, maintenance and repair of other vehicles

The design, construction, maintenance or repairs of any vehicle for the transportation of dangerous goods, except a road tanker must be such 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 safe 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;
 - (iii) strong durable straps-
 - (iv) (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;
 - (v) electrical wiring that complies with SABS 314;
 - (vi) at least two (2) static-free wheel blocks;
 - (vii) 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
 - (viii) a spark-proof and static-free that is designed, constructed and equipped to protect any dangerous goods consignment from shock or ignition while in transit.

49. General prohibitions regarding transport of dangerous goods

(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

(c) If not exempted, the vehicle is equipped with at least two 9 kilogram dry chemical fire extinguishers-

(i) designed and manufactured in accordance with SABS 810 and maintained in accordance with SABS 0105 and SABS 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.

50. Supply of dangerous goods prohibited in certain circumstances

(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 to any premises that are not registered.

(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 of those premises.

(3) No person may handle or allow to be handled and container containing dangerous goods in a manner that will 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 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 an 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 provisions of SABS 0263 and other applicable prescripts.

(e) any device connected with, or used for, the delivery of dangerous goods-

(i) is designed for its purpose; and

(i) 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.

51. Records of transport permits

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

52. Cancellation of transport permit

(1) The Municipality may cancel a transport permit if it has reason believe that-

(a) the owner or driver concerned contravenes or fails to comply with any provision of these By-laws; or

(b) the vehicle contravenes or does not comply with the requirements of these By-laws.

(2) Subject to the provisions of subsection (3), before the Municipality cancels a transport permit contemplated in subsection (1), it must-

(a) give the owner or driver concerned written notice of the intention to cancel the permit and the reasons for cancellation;

(b) give the owner or driver concerned a period of at least twenty (20) days to make written representations regarding the matter; and

(c) consider any representations received.

(3) If the Municipality has reason to believe that the failure to cancel the transport permit within the period contemplated in subsection (2)(b), may endanger any person or property, it may cancel the transport permit, it may cancel a transport permit without prior notice to the owner or driver concerned.

(4) If the Municipality cancels a transport permit in terms of subsection (3), he or she must-

(a) furnish the owner or driver of the vehicle concerned with a written notice of cancellation;

(b) provide the owner or driver a period of at least twenty (20) days to make a written representation regarding the cancellation; and

(c) consider any representations received.

(5) The Municipality may, after considering the representations contemplated in subsection (4), reverse the decision to cancel the certificate.

PART 7

STOREROOM FOR DANGEROUS GOODS

53. Requirements for storerooms capacity

- (1) The certificate of registration issued for any storeroom for dangerous goods as contemplated in section 29 of these by-laws must indicate the group and the largest quantity of dangerous goods which may be kept in the storeroom.

Danger notices in storeroom

- (2) No person may use any storeroom or permit any storeroom to be used for Group III dangerous goods, unless –
 - (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 290mm x 290mm in extent, and
 - (iii) manufactured in accordance with the provisions of SANS 1186.

Display of certificate of registration

- (3) The certificate of registration for storeroom, with the contents of the certificate clearly visible, must be kept and maintained in a legible condition in a weatherproof container on the outside of a door normally used as the entrance to the storeroom.

Construction of flammable liquid storerooms (excluding storerooms in recognised bulk depots and bulk installations)

- (4) The construction of any storeroom must be in accordance with requirements of the General Safety Regulations of the Occupational Health and Safety Act and the following requirements:
 - (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) is not situated within 5 metres of any adjacent building or boundary of the premises; or
 - (bb) adjoins a higher wall with no opening within 10 metres above and 5 metres on either side of the storeroom.

Doors

- (5) Any storeroom must be equipped with Class B-Type fire doors manufactured and installed in accordance with SANS 1253: Provided that –
- (a) the said doors must open to the outside and have a lock or locks as approved by the Chief Fire Officer;
 - (b) whenever the distance to be covered from any storeroom is 4m or more, the storeroom must have at least two Class B type fire doors, which doors must be installed as far from each other as is practicable;
 - (c) if it is built according (4) (c) (ii) (aa) and (bb) the door can be of non-combustible material; and
 - (d) any door providing access to a storeroom must at times be capable of being opened easily from the inside without the use of a key.

Windows

- (6) All window frames must be manufactured of steel and must-
- (a) be fitted with wire glass with a minimum thickness of 8mm; and
 - (b) have window panels with a maximum size of 450mm x 450mm :
Provided that no window must be capable of being opened.

Catch pit

- (7) Any storeroom must be designed and constructed so that the floor of the storeroom is recessed below the level of the door sill to form a catch pit: Provided that –
- (a) the catch pit formed by such recessed floor or sill must have a capacity capable of accommodating the total quantity of dangerous goods able to be stored in the storeroom, plus 10%, with a maximum height of 450mm;
 - (b) if required by the Chief Fire Officer the catch pit must be covered at door sill level with strong, stable, non-combustible and oxidation-free grill, which grill must serve as a floor on which corrosion-free shelves and/or the contents of the storeroom must be placed and an access hatch for cleaning purposes must be placed in a suitable position on the grill floor; and
 - (c) the catch pit must, at its lowest level, have a non-corrosive drainage valve for cleaning purposes and for product recovery.

Ventilation

- (8) Any storeroom must be so designed and constructed to ensure that the collection of fumes of flammable liquids is effectively ventilated, whether

naturally or mechanically, in all parts of the storeroom. The fumes must be released into the open air at a place or places where fumes are not likely to come into contact with any source of ignition, which may ignite such fumes.

Natural ventilation

- (9) The owner or person in charge of any storeroom must effectively ventilate the storeroom at a minimum cycle of 30 total air changes per hour by installing non-combustible airbricks, at least 140mm x 215mm in extent, with non-corrosive gauze wire of which the nominal opening diameter must be at least 0,5mm: Provided that the airbricks are-
- (a) provided in at least three external walls; and
 - (b) positioned 100mm above the level of the sill and 100mm below the roof and more than 450mm apart.

Mechanical ventilation

- (10) Whenever natural ventilation as contemplated in subsection (9) cannot be effected and the depth of the sill level exceeds 300mm, the owner or the person in charge of a storeroom must equip the storeroom with a mechanical inlet and outlet ventilation system designed and installed for this purpose: Provided that –
- (a) the capacity of the system must be able to change the cubic air content in the storeroom at least 30 times an hours;
 - (b) the vanes of the system must be manufactured from static-free material;
 - (c) the fumes must be released into the open air and the outlets must not be within 5m of any opening of a building or erf boundary.
 - (d) all ventilators must be attached firmly to the inside of the walls;
 - (e) the bottom ventilators must be affixed as close as possible to the level of the sill; and
 - (f) all ventilation openings and/or air duct openings must be installed in the opposite wall, 100mm above the level of the sill to ensure cross-ventilation in conjunction with the said mechanical ventilator.

Electrical equipment

- (11) The owner or person in charge of a storeroom must ensure that –
- (a) all electrical apparatus, fittings and switchgear used or installed in any storeroom are protected and installed in accordance with the equipment of the

appropriate classification for the particular area in terms of the provisions of SANS 10108;

- (b) all switchgear, distribution boxes, fuses and any other electrical equipment not in compliance with the provisions contained in SANS 10108 must be situated outside that storeroom and positioned so as not to come into contact or possibly come into contact with fumes escaping from the storeroom;
- (c) all metal parts and electrical fitting and any device in or in connection with a storeroom are earthed effectively with each other and the storeroom;
- (d) switches actuating any mechanical ventilation system are situated outside the store room;
- (e) any mechanical ventilation system is on at all times during occupation, except whenever the system is switched off for repairs and/or replacement purposes: Provided that if the mechanical ventilation system breaks down, the system must be repaired without delay, and if the system breaks down irreparably, the system must be replaced without delay; and
- (f) whenever any storeroom is not staffed, all electrical apparatus and fittings, with the exception of the mechanical system, are switched off.

Electrical installations installed by qualified electricians

- (12) All electrical installations must be installed and certified by a suitably qualified electrician: Provided that the certificate must be submitted to the Service for record purposes immediately after installation.

Storerooms constructed from other, non-combustible materials

- (13) Notwithstanding the provisions of this section, a storeroom may be constructed from other, non-combustible materials: Provided that-
 - (a) the storeroom is not constructed within 3m of any other building and/or the boundary premises;
 - (b) the storeroom is surrounded with liquid-proof retaining walls or embankments that are capable of accommodating the quantity of dangerous goods able to be stored in the storeroom, plus 10%, and-
 - (j) the floor of / or space within these retaining walls or embankments is also liquid-proof to prevent ecological contamination; and
 - (ii) where the storage is effected outside a flammable liquid storeroom, this is allowed when the storage is not within 15m of any ignition source.

Unauthorised access

- (14) No person may enter or, have any other person enter or permit any other person to enter any storeroom without the express permission of the occupier or any other responsible person who is in charge of such storeroom.

Abuse of a storeroom

- (15) No person may-

- (a) use any storeroom, or have the storeroom used or permit the storeroom to be used for any purpose other than for the storage, use or handling of dangerous goods in the storeroom;
 - (b) employ any other person in any storeroom or permit the person to work in the storeroom unless all the doors of the storeroom are wide open and/or the mechanical ventilation system is on; and
 - (c) place any obstruction or hindrance, or have any hindrance or obstruction placed or permit any hindrance or obstruction to be placed in the passages or in front of any door(s) of any storeroom.
- (16) Any person who uses a storeroom or permits a storeroom to be used and does not comply with the provisions of this section is guilty of an offence.

54. Keeping and handling dangerous goods in storeroom

- (1) Any storeroom referred to in section 56 of these by-laws may be used for keeping any grouped dangerous good, with the exception of Group I dangerous goods (explosives), as defined in section 2(1) of the Dangerous Goods Act, 1973: Provided that all chemically reactive dangerous goods must be separated from each other by means of compartmental liquid-proof fire partition walls to the satisfaction of the Service, which fire partition walls must extend the bottom of the catch pit to 1m above the highest stack of each group inside the storeroom.
- (2) Notwithstanding the provisions of section 56 of these by-laws, any grouped dangerous good contemplated in this section, with the exception of Group I dangerous goods (explosives), may also be stored, and kept in terms of SANS 10263: Provided that any storeroom will be subject *mutatis mutandis* to the provisions of sections 23, 27 and 28 of these by-laws, as the case may be.
- (3) Any person who fails to comply with the provisions of this section is guilty of an offence.

PART 8

SPRAY-PAINTING MATTERS AND SPRAYING PERMITS

55. Registration of spray-painting rooms

- (1)(a). No person may spray, coat, plate or epoxy-coat any vehicle, or parts of a vehicle, or any other articles, objects or buildings, or part thereof, or permit them to be sprayed, coated, plated or epoxy-coated, whether indoors or outdoors, with a Group III dangerous good or with liquid compounds of a Group III dangerous good, or with any dangerous good, unless such person is in possession of a spraying permit in accordance with the requirements of Annexure II to these by-laws.

Prohibition of certain actions

- (2) No person may use or handle dangerous goods, or permit dangerous goods to be used or handled, on unregistered premises, unless a member is satisfied that the dangerous goods will be used or handled in a place and in a manner that will ensure that-
- (a) no dangerous good or fumes come or are able to come into contact with any fire, flame or naked light, or any other source of ignition which is likely to set the dangerous good or fumes alight; and
 - (b) the escape of human beings or animals is not hampered or hindered in the event of a fire or an emergency situation.

Display and conditions of spraying permit

- (3) A spraying permit is issued on the following conditions:
- (a) The spraying permit must at all times be displayed prominently in a weatherproof container on the premises in a place designated by a member.
 - (b) The spraying permit must be legible at all times
 - (c) The number of spraying rooms and/or spraying booths must be indicated on the spraying permit.
 - (d) A serial number must be indicated on the spraying permit
 - (e) The spraying permit must reflect the period of validity and the date of expiry: Provided that the period of validity will, be from the date of issue for a period of twelve months.
 - (f) The spraying permit is not transferable from premises to premises.
 - (g) In the case of reconstructing, the spraying permit is, subject to the provisions of section 23 of these by-laws, transferable from control to control or from owner to owner on the same premises: Provided that –
 - (i). application must be made for transfer to the Service on the prescribed form; and
 - (ii). if the trade name of the premises changes, the holder of the spraying permit must ensure that the change is immediately brought to the attention of the Service,
 - (h) The Chief Fire Officer must be in possession of a set of approved plans as referred to in section 28 of these by-laws.
 - (i) The spraying permit will not be issued or renewed unless the prescribed application form has been completed in full and has been submitted to the Chief Fire Officer.
 - (j) (i). Any person who is legally in possession of a spraying permit must apply to the Chief Fire Officer in writing on the prescribed form if

that person wishes to amend the number of spraying rooms and/or spraying booths, according to need.

(ii). The fees prescribed in Annexure I to these by-laws must accompany an application. The Chief Fire Officer will grant the spraying permit only if the proposed amendments comply with the relevant provisions of these by-laws.

(iii). Whenever the Chief Fire Officer approves such an application, the person concerned must hand the spraying permit to the Chief Fire Officer to be amended.

- (4) The Chief Fire Officer may send a reminder for the renewal of registration to the owner or occupier of registered premises. An owner or occupier who has not received a reminder is not indemnified from possible prosecution.
- (5) The holder of a spraying permit or certificate of registration must ensure that he/she is always in possession of a valid spraying permit and/or certificate of registration.
- (6) Any person who fails to comply with the provisions of this section, or who alters a spraying permit or attempts to alter a spraying permit or permits a spraying permit to be altered is guilty of an offence.

56. Construction and design of spray-painting rooms

(1) The construction of a spraying room and/or spraying booth must be in accordance with the following requirements:

- (a). the floor must be of concrete
- (b). the walls must be of brick and/or concrete
- (c). the roof must be of reinforced concrete.
- (d). the doors must be Class B type fire doors as contemplated in SANS 1253
- (e). the window frames must be of steel and have window panels that cannot be opened, which panels must be a maximum size of 450mm x 450mm and fitted with wire glass with a minimum thickness of 8mm.

(2) The provisions of subsection (1) are not applicable to the erection of a spraying room and/or spraying booth if, in terms of the design thereof, the room or booth complies with the following requirements:

- (a) The framework of the entire structure, including the door assemblies, must have a sturdy steel profile with a minimum wall thickness of 2,5mm.
- (b) The framework, including any doors, must be clad on both sides with sheet metal with a minimum thickness of 1,3mm.
- (c) If the sheet metal is joined, the joints of the sheet metal so joined, including any door assembly forming an integral part of the whole, must be fume-, flame- and liquid-proof.

- (d) The floor must be of concrete or metal
- (e) The window must be of steel with window panels that cannot be opened, which panels must be a maximum size of 450mm x 450mm and fitted with wire glass with a minimum thickness of 8mm.
- (f) All materials used must have a fire integrity grading of at least 60 minutes.

(3) The unit formed through the combination of components referred to in subsection (1) and (2), including any services constituting an integral part of the unit or required in the unit, must be constructed, installed and finished so that all surfaces are smooth to prevent any furring which may hamper the ventilation, washing and cleaning processes.

- (4) A prefabricated unit is suitable only if such a unit is evaluated by the SANS or CSIR (Council for Scientific and Industrial Research) and is found to be suitable for the particular intended purpose.

Location of and access to a spraying room

(5)(a) A spraying room must have at least two hinged doors for the purposes of escaping, which doors must –

- (i). open to the outside;
 - (ii). be at least 800mm x 2000mm in extent;
 - (iii). be positioned on opposite sides, provided that, whenever there is any object in the spraying room for processing, the distance to be covered to any of the doors may not exceed 4m; and
 - (iv). be fitted with locking mechanisms that can be opened easily from the inside without the use of a key.
- (b). Any spraying room must be located so that it is at all times separated from other activities and/or areas by means of an escape opening of at least 1200mm wide, which escape opening must at all times be kept free of any obstruction, refuse or combustible materials.
- (c). If any activity and/or process which is operated adjacent to a spraying room may pose a probable fire danger to the spraying room, the said escape opening of 1200mm must be identified by fire partition walls with a fire resistance of at least 60 minutes, and the height of these walls must be at least 300mm higher than the roof of the spraying room.
- (d). Any spraying room contemplated in subsection (2) may be erected indoors and outdoors against firewalls: Provided that not more than two sides of the spraying room may border the firewalls.

Water floors

(6)(a) A spraying room may have a sunken water-filled floor covered at the level of the sill by a sturdy, stable, non-combustible and corrosion-free grill that is capable of bearing the weight of the heaviest object in the spraying room.

(b) The water in the sunken floor must be circulated through an effective non-combustible and cleanable filtering system by means of a closed-circuit pump circulation system of non-corrosive metal pipes with a suitable diameter and wall thickness.

Electrical equipment

(7) All electrical apparatus, lights, fittings and switchgear used or installed in any spraying room must be protected and installed in accordance with the provisions for equipment of the appropriate type for the particular area in terms of SANS 10108.

(8) All switchgear, distribution boxes, fuses and any other electrical equipment not in compliance with the provisions contained in SANS 10108 must be situated outside the spraying room and positioned so as not to come into contact or possibly come into contact with fumes escaping from the spraying room.

(9) Switches actuating any mechanical ventilation system must be situated outside the spraying room.

(10) All metal parts and electrical fittings and any device in or in connection with a spraying room must be earthed effectively with each other and the ground.

(11) An accredited person must install and certify all electrical installations: Provided that a copy of the certificate must be submitted to the Chief Fire Officer for record purposes immediately after installation.

Mechanical ventilation

(12)(a) Any spraying room must be equipped with a mechanical inlet and outlet ventilation system designed and installed for this purpose: Provided that -

(i) the capacity of the system must be able to change the cubic air content in the spraying room at least 30 times an hour or at a flow rate of 0,5m/s;

(ii) the vanes of the system must be manufactured from static-free materials;

(iii) the fumes must be released into the open air and the outlets must not be within 4.5m of any of a building or erf boundary;

(iv) all ventilators must be attached firmly to the inside of the walls;

(v) the bottom ventilators must be affixed as close as possible to the level of the floor; and

(vi) all ventilation openings and/or air duct openings must be installed in the opposite wall, door(s) or roof to ensure cross-ventilation in conjunction with the said mechanical ventilation system.

(vii) Every spray room shall have at least one of its doors fitted with an un-openable strengthened, shatterproof glass inspection window no larger than 450mm x 450mm.

Fire dampers, fire detectors and fire alarms

- (b) A fire damper must be affixed in front of any air purification filter, or any part of a filter forming an integral part of ventilation system, on the inside of the spraying room, which fire damper must be manufactured and installed in accordance with the provisions of SANS 193: Provided that the fire damper must-
- (i). close automatically by means of a sensor that is suitably located and actuated by a rise of more than 10°C in the predetermined working temperature;
 - (ii). be so installed that the damper will remain in position even if the air duct distorts during a fire; and
 - (iii). be provided with any overriding fusible link.
- (c) The sensor contemplated in subsection (12)(b)(i) must also-
- (i). be 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 whenever there is a rise of more than 10°C in the predetermined working temperature inside the spraying room; and
 - (ii). activate a visual and audible alarm inside and outside the spraying room.

Positioning of ventilation outlets

- (13) All outlet openings must be designed and positioned so as to release all fumes into the open air at a place at least 1m above a roof or 3.6m above the ground level and at least 4.5m from any opening of a building.
- (14) The ventilation system must function whenever any activities related to spray-painting take place in the spraying room.

Display of signs prohibiting open flames and smoking

- (15) No person may use any spraying room or permit any spraying room to be used, unless and until symbolic signs prohibiting open flames and smoking, at least 290mm x 290mm in extent, manufactured and installed in accordance with the provisions of SANS 1186, are affixed to the inside and outside of all doors of the spraying room.

Maintenance of spraying rooms

- (16) All spraying rooms must be maintained at all times in accordance with the provisions of this section and the manufacturer's specifications. Proof of such maintenance must be provided upon request from a member.

Unauthorised access

- (17) No person may enter a spraying room or permit any other person to enter a spraying room without the express permission of the owner and/or occupier or any other responsible person in charge of the spraying room.

Abuse of spraying room

- (18) No person may –

- (f) use any spraying room or permit any spraying room to be used for any purpose other than for practising or exercising activities related to spray-painting in the spraying room;
- (g) employ any other person in a spraying room or permit any other person to work in the spraying room unless the mechanical ventilation system is on; and
- (h) place any obstruction or hindrance, or have any hindrance or obstruction placed or permit any hindrances or obstruction to be placed in the escape openings or in front of any doors of the spraying room.

Provision of fire-fighting equipment

- (19)

- (g) Any spraying room must have a 9kg dry chemical fire extinguisher on the outside and a 9kg dry chemical fire extinguisher on the outside of the spraying room, which extinguisher must be installed in positions determined by the Chief Fire Officer.
- (h) All spraying rooms must be protected by a fire hose reel referred to in section 37(1)(b) of these by-laws.

Drying kiln/heating devices

- (20) Whenever any manifold installation of a Group II dangerous good forms an integral part of the heating of a spraying room, the manifold installation must be in accordance with the provisions of SANS 087, Part I, and the relevant provisions of these by-laws will apply *mutatis mutandis* in the application of this section.
- (21) Any person who fails to comply with the provisions of this section is guilty of an offence.

PART 8 CONTROL OF FIREWORKS

57. Use of fireworks prohibited in certain circumstances

- (1) Unless so authorised in terms of section 50 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 the animal are present.
- (3) Unless so authorised in terms of section 50, no person may light or ignite fireworks on any day or at any time except:
- (a) New Year's Eve from 23h00 to 01h00;
 - (b) New Year's Eve from 19h00 to 22h00;
 - (c) Human Rights Day from 19h00 to 22h00;
 - (e) Freedom Day from 19h00 to 22h00;
 - (f) Christmas Eve from 19h00 to 01h00
- (4) No person may allow any minor under his or her control to use, light or ignite fireworks in contravention of subsections (1), (2) or (3).

58. Fireworks displays prohibited unless authorised.

No person may present a fireworks display unless-

- (a) Authorised to do so by the Municipality as contemplated in section 50(2).
- (b) Authorised to do so by the Civil Aviation Authority and the Chief Inspector of Explosives;
- (c) The display is at all times under that person's supervision and control;
- (d) 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
- (f) A pyrotechnic is at all times present and responsible for the use of fireworks at the display.

59. Application to present fireworks display

(1) Any person who wishes to present a fireworks display must apply to the Chief Fire Officer by completing and submitting an application in the prescribed form and manner determined by the Municipality 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 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 fourteen (14) days before the date of the fireworks display.

60. Authority to present the fireworks display

(1) If the Municipality 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, animals and property.

(2) The Municipality may require that the fireworks display be presented only on suitable premises designated by the Municipality.

61. Dealing in fireworks

(1) No person may deal in 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.

(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 Municipality; and
- (b) submit it to the Chief Fire Officer together with the prescribed fee at least thirty (30) days before the authority is required by the applicant.

(3) The Chief Fire Officer may cancel any authority to deal in fireworks if the holder of the authority contravenes or fails to comply with any provision of these By-laws or any other applicable law.

PART 9**ANIMALS****62. Handling animals during emergencies**

- (1) Provision must be made for the professional handling of animals during an emergency on any premises, but particularly at zoological gardens, feedlots, stable, research institution, veterinary practices and/or places of veterinary science study: Provided that the Service may-
- (a) authorise a suitable qualified person to handle and/or put down the animals during an emergency situation, as the case may be; and
 - (b) recover all costs involved in the matter from owner or the institution responsible for the care of the animals.
- (2) Any person who fails to comply with the provisions of this section is guilty of an offence.

PART 10**PENALTIES****63. Penalties for contraventions**

Any person who contravenes or fails to comply with any provisions of these by-laws, including any condition or requirement for a certificate of registration or spraying permit, or any instruction by a member of the Service, is guilty of an offence and on conviction liable to a fine not exceeding R200 000.00 or in default of payment, liable to imprisonment for a period not exceeding six months.

PART 11**GENERAL****64. Operation of these by-laws in relation to other laws**

The provisions of these by-laws are in addition to and not a substitution for any other law which is not in conflict or inconsistent with these by-laws.

65. Cost of analysis samples

Any costs incurred by the Council in connection with the analysis of any sample taken from any premises for the purposes of these By-laws, 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 By-laws regarding the substance concerned.

66. Volunteers

The Municipality may engage volunteers to assist it in rendering emergency services in accordance with the provisions of the Disaster Management Act, 2002 (Act 57 of 2002), as amended.

67. Short Title

(1) These by-laws are called the Emergency Service By-laws. Their provisions come into operation on a date fixed by proclamation in the *Government Gazette*.

(2) These By-laws shall come into operation after publication in the *Provincial Gazette*.

PART 11**ANNEXURES****ANNEXURE I****TARIFFS****FEES PAYABLE TO THE SERVICE IN TERMS OF SECTION 10 AND 7 OF THE FIRE BRIGADE SERVICES ACT, 1987 (ACT 99 OF 1987), FOR PROVIDING EMERGENCY SERVICES**

1. controlling authority may, subject to any condition contemplated in section 11(2)(a) of Act 99 of 1987), determine the fees payable by a person on whose behalf the service of the controlling authority is applied –

- (a) for the attendance of the service;
- (b) for the use of the service and equipment; or
- (c) for any material consumed.

- 2. A person on whose behalf, in the opinion of the Chief Fire Officer concerned, a service of a controlling authority has been employed, may in writing be assessed by that Chief Fire Officer for the payment of the fees referred to in subsection (1) or any portion thereof.
- 3. The prescribed fees payable to the Service as determined in to these by-laws.
- 4. Any person who feels aggrieved by an assessment contemplated in subsection (2) may within 14 days after receipt of that assessment object in writing against that assessment as such or the amount thereof to the controlling authority concerned.
- 5. As soon as an objection contemplated in subsection (3) is received that Chief Fire Officer of the controlling authority concerned shall without delay obtain written comment thereon from the Chief Fire Officer and submit it together with the objection to the controlling authority, which may confirm, alter or revoke the assessment.
- 6. A certificate signed by a Chief Fire Officer and in which it is certified that the assessment specified therein was made under subsection (2), shall on production thereof in a court of law be *prima facie* proof of the amount payable by the person mentioned therein.

TRAINING INSTITUTIONS

(1) The Minister may after consultation with the Training Board establish by section 2 of the local Government Training Act, 1985 (Act No. 41 of 1985), and the Board which has consulted with the service or other institution concerned –

- (a). on such conditions as he or she may determine by notice in the Gazette declare such a service or other institution as a training institution at which the proficiency training, or any part thereof, required for or connected with the prescribed qualifications of a Chief Fire Officer or a member of a service may be obtained; and

(b) take such steps or cause such steps to be taken as he may deem necessary or expedient for the proper control, management and development of, or for the extension of the training facilities at, such training institution.

(2) Whenever a member of a service with the approval of his employer attends a course at such training institution, that employer shall pay to the training institution the costs of such attendance according to a tariff determined by the training institution concerned.

1. FEES FOR EMERGENCY SERVICES

1. All fees shall be as determined in terms of Section 80B of the Local Government Ordinance 1939, read with Section 7 of the Rationalisation of Local Government Affairs Act, Act 10 of 1998 and section 74 and 75 of the Local Government Municipal System Act, 32 of 2000 and as published in the *Government Gazette*.

2. GENERAL DIRECTIVES FOR THE PAYMENT OF THE FEES

- (1) All certificates of registration, certificates of compliance 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 forms are available from the Service and must be completed in full and, where applicable, be duly signed.
- (4) If, for whatever reason, the Service rejects an application for any certificate of registration, certificate of compliance or any permit, the applicant must, within 14 days (excluding weekends and public holidays) after notification of the 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) 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.

3. EXEMPTION FROM PAYMENTS OF CHARGES

No charges shall be payable where-

- (3) a false alarm has been given in good faith;
- (4) the services were required as a result of civil commotion, riot or natural disaster;
- (5) the services were rendered in the interest of public safety;

- (6) the Chief Fire officer is of the opinion that the services were of purely humanitarian nature or were rendered solely for saving life

ANNEXURE II

OFFICIAL DOCUMENTS

A. GENERAL

The Service must design and draw up all official documents in connection with these by-laws in accordance with the prevailing policy, and the documents must comply with the specific needs and requirements of the Service and the controlling authority, but must not detract from the directives and provisions of these by-laws.

B. STANDARD ADMINISTRATIVE INFORMATION IN DOCUMENTS

The following must be indicated in all documents:

1. The logo of the Service and/or controlling authority.
2. The full name of the premises in question
3. The name of the suburb in question
4. The street address of the premises in question, in full
5. The postal address of the premises in question, in full, including the postcode (on all application forms).
6. Full particulars of the occupier of the premises or the firm on the premises
7. The telephone and fax numbers of the business in question (on all application forms).
8. The signature of the issuing officer.
9. The date on which the document was issued.
10. The expiry date of the document
11. The type of document, such as :
 - (1) "Application for a bulk depot certificate of registration" or "Bulk depot certificate of registration"
 - (2) "Application for a certificate of compliance"
 - (3) "Application for a certificate of registration/spraying permit" or "Certificate of registration/spraying permit"
 - (4) "Application for a transport permit" or "Transport permit"
 - (5) "Application for approval of plans" or "Application for inspection for the issuing of a certificate of occupancy"

(12) Any other relevant information, such as:

- (1) the groups and subgroups of dangerous goods for which registration is required.
- (2) the required quantity of each group of dangerous good
- (3) the manner in which the substances are to be stored, for example-
 - (a) in an underground storage tank;
 - (b) in an above-ground storage
 - (c) in a dangerous good store; or
 - (d) in a manifold installation
- (4) An indication of all spray-painting rooms and submersion tanks, as the case may be.
- (5). A serial number (on all permits and certificates).
- (6). A receipt number (on all permits and certificates)
- (7). The official stamp of the Service.

C. OFFICIAL DOCUMENTS IN CONNECTION WITH THESE BY-LAWS

1. APPLICATION FORMS

- (1) The purpose for which application forms are to be used must appear at the top of all application forms.
- (2) a All application forms must have all the administrative information as contained in paragraph

B (STANDARD ADMINISTRATIVE INFORMATION IN DOCUMENTS).

- (b). On all application forms, space must be left in which the correct application fees, as contained in Annexure I to these by-laws, can be indicated prominently in red figures.
- (c). A warning must appear below the space for the application fee to the effect that the applicant is granted only 14 working days (weekends and public holidays excluded) to make any corrections that may be indicated on the checklist, without any additional cost, but that if the said period of 14 days is exceeded, the prescribed fee must be paid again before any permit or certificate will be issued.
- (3) A suitable checklist must form part of each application form and must be drawn up chronologically in accordance with the appropriate requirements contained in these by-laws and/or relevant SANS codes of practice and/or specifications, as the case may be.
- (4) At the top of each checklist-

- (a) it must be stated that the checklist is for office use only;
 - (b) space must be set aside for the date, time and place of the appointment for an inspection; and
 - (c) space must be set aside for particulars of the contact person who will represent the applicant during the inspection.
- (5) At the end of each checklist, space must be set aside for -
- (a) the signature of the member of the Service who completed the checklist;
 - (b) the date on which the checklist was completed; and
 - (c) an indication of whether or not the application is successful
- (6) Provision must also be made on each application form for -
- (j) full particulars of the registration officer who received the application fee;
 - (ii) the method of payment, for example cash, postal or cheque; and
 - (iii) an official receipt number.

2. PERMIT AND CERTIFICATES

- (1) The purpose for which permits and certificates are to be used, as contemplated in paragraph **A.1 (DESCRIPTION OF SERVICE)** in Annexure I to these by-laws must appear at the top of all permits and certificates.
- (2) All permits and certificates must have all the applicable administrative information as contained in paragraph **B (STANDARD ADMINISTRATIVE INFORMATION IN DOCUMENTS)**

3. TRANSPORT PERMIT

In addition to the contents in terms of the administrative provisions contained in paragraph **B (STANDARD ADMINISTRATIVE INFORMATION IN DOCUMENTS)**, a round disc with the following information must form part of the official documentation of the Service in the case of transport permits:

- (1) The registration number of the vehicle in question
- (2) The chassis number of the vehicle in question
- (3) The type of vehicle, for example a semi-trailer, trailer, flat-deck truck or tanker
- (4) The gross vehicle mass of the vehicle in question
- (5) The tare of the vehicle in question
- (6) The type of load to be transported, for example a single load or a multiple load, and the quantity to be transported in litres or kilograms, as the case may be.

- (7) The group of dangerous good(s) to be transported, for example Group I, II or III, or a combination of them, as the case may be
- (8) Where applicable, the make of the vehicle
- (9) The date of issue of the permit
- (10) The date of expiry of the permit
- (11) The signature of the issuing officer
- (12) A serial number
- (13) A watermark

ANNEXURE III

EMERGENCY EVACUATION PLANS

A. GENERAL

- 1. Any emergency evacuation plan must contain at least the following information under the headings listed below. All emergency evacuation plans must be updated at least once a year or, alternatively, whenever the key staff member referred to in the plan leaves the employ of the employer.
- 2. All emergency evacuation plans must be drilled at least annually, and all the staff members must participate. The employer must also ensure that all the disciplines involved are notified in writing of an emergency evacuation plan drill at least 21 calendar days prior to the proposed date of the drill.
- 3. All staff members of an employer must be aware of the emergency evacuation plan of the employer. Whenever an emergency evacuation plan is updated, the designated person responsible must collect and destroy all old plans that the emergency management members have in their possession to eliminate confusion as to the validity and accuracy of the emergency evacuation plan.

B. IMPLEMENTATION OF EMERGENCY EVACUATION PLANS

- 1. The emergency evacuation plan must be drawn up so that any sensitive information that may appear in the document can easily be removed to make it available to specific persons in the emergency management team.

DEALING WITH AND FURNISHING INFORMATION CONTAINED IN THE EMERGENCY EVACUATION PLAN

(1) THE EMERGENCY EVACUATION PLAN IN ITS ENTIRETY

- (a) The entire emergency evacuation plan must be made available to every member of the emergency management team.
- (b) A number of copies must be kept in a safe in the control room.

(2) EMERGENCY TELEPHONE NUMBERS AND BOMB THREAT QUESTIONNAIRE

Emergency telephone numbers must be on hand at all telephones on the premises and the bomb threat questionnaire must be on hand at all designated telephones on the premises.

(3) DUTIES AND RESPONSIBLE OF EMERGENCY PERSONNEL

All staff members involved must be informed in writing of their particular duties and responsibilities in this regard.

(4) ACTION PLANS AND EMERGENCY ACTIONS

Action plans must be available to all staff members to ensure that every staff member knows exactly what to do in an emergency.

(5) PLANS OF THE LAYOUT OF PREMISES AND ESCAPE ROUTES

Plans of the layout of the premises and escape routes must be put up permanently at all exits and strategic points on the premises.

TRAINING OF STAFF MEMBERS

Designated staff members must be trained in the following:

- (1) First aid and/or fire fighting
- (2) Emergency aid
- (3) Emergency evacuation procedures
- (4) Emergency management techniques

(Drills of the emergency evacuation plan are an excellent training programme and offer the opportunity for the improvement of the plan)

C. THE CONTENT OF AN EMERGENCY EVACUATION PLAN

Any emergency evacuation plan must contain the following:

- (1) Emergency telephone numbers
- (2) The following general information:
 - (a) The address of the premises in question
 - (b) The nature of the activities on the premises
 - (c) The number of staff members present on the premises at any time
 - (d) An indication of whether or not there is a control room on the premises
 - (e) An indication of whether or not there is an alarm system on the premises
 - (f) Particulars of contact persons
- (3) An area study with the following information:
 - (a) History of incidents on the premises in question
 - (b) Important features/landmarks with regard to the location of the premises
 - (c) Key information of adjacent premises

- (4) Particulars regarding socio-economic or other threats and the potential impact of these threats on premises
- (5) Particulars of the following equipment available on the premises:
 - (a) Equipment in the control room
 - (b) Fire-fighting and first-aid equipment throughout the premises
 - (c) Any other equipment
- (6) The following information on manpower:
 - (a) Emergency management
 - (b) Fire teams
 - (c) First-aid teams
- (7) The duties and responsibilities of members of the emergency team
- (8) Action plans and emergency procedures
- (9) Plans of the buildings and topographical maps of the premises.
- (10) An emergency plan register with the following information:
 - (a) Updated register of emergency evacuation plan
 - (b) Drill register of emergency evacuation plan.
- (11) A bomb threat questionnaire

ANNEXURE IV

NORMATIVE REFERENCE LIST

Where reference is made in these by-laws to an SANS number, the reference relates to a document bearing the number and title indicated in the following table:

1	2	3	4
SANS NO	TITLE	GOVERNMENT NOTICE NO	DATE
	National Fire Services Act (99 of 1987)		
	National Veld and Forest Fire Act (101 of 1998)		
	National Building Regulations & Standards Act (103 of 1977)		
	Occupation Health and Safety Act (85 of 1993)		
10-0193	Fire-dampers		
10-1543	Fire hose reels (with hose)		
1186	Symbolic safety signs		

1253	Fire door assemblies		
10087-1	Handling, storage and distribution of liquefied petroleum gas in domestic, commercial, and industrial installations – Liquefied petroleum gas installation involving gas storage containers of individual water capacity not exceeding 500 L and a combined water capacity not exceeding 3000 L per installation		
10087-3	Handling, storage and distribution of liquefied petroleum gas in domestic, commercial, and industrial installations – Liquefied petroleum gas installations involving storage vessels of individual water capacity exceeding 500 L		
10087-4	Handling, storage and distribution of liquefied petroleum gas in domestic, commercial, and industrial installations – Transporting of LPG in bulk by road		
10087-6	Handling, storage and distribution of liquefied petroleum gas in domestic, commercial, and industrial installations – The application of liquefied petroleum and compressed natural gasses as engine fuels for internal combustion engines.		
10087-7	Handling, storage and distribution of liquefied petroleum gas in domestic, commercial, and industrial installations – Storage and filling sites for refillable liquefied petroleum gas LPG containers of capacity not exceeding 9 kg.		
10087-8	Handling, storage and distribution of liquefied petroleum gas in domestic, commercial, and industrial installations – The fuelling of fork lift trucks and other LP gas operated vehicles		
10087-10	Handling, storage and distribution of liquefied petroleum gas in domestic, commercial, and industrial installations – Mobile filling stations for refillable liquefied petroleum gas LPG containers of capacity not exceeding 9 kg.		
10089-1	The petroleum industry –Storage and distribution of petroleum products in above ground bulk installations		
10089-02	The petroleum industry: Electrical installations in the distribution and marketing sector		
10089-03	The petroleum industry: The installation of underground storage tanks, pumps/dispensers and pipe work at services station and consumer installations		
10228	The identification and classification of dangerous		

	goods for transport.		
10229	Packaging of dangerous goods for road and rail transport in South Africa		
10230	Transport of dangerous goods- Inspection requirements for road vehicles		
10231	Transportation of dangerous goods- Operational requirements for road vehicles		
10232-1	Transport of dangerous goods- Emergency information system-Part 1: Emergency information system for road transportation.		
10232-2	Transport of dangerous goods- Emergency information system-Part 2: Emergency information system for rail transportation.		
10232-3	Transport of dangerous goods- Emergency information system-Part 3: Emergency response guides		
10233	Transport of dangerous goods- Intermediate bulk containers.		
10263	The warehousing of dangerous goods- Enclosed storage areas and covered and uncovered outdoor storage yards		
10265	The classification and labelling of dangerous substances and preparation for sale and handling		
10304-1	The classification of pesticides and stock remedies for sale and handling in South Africa-Part 1: The classification of pesticides		
10304-2	The classification of pesticides and stock remedies for sale and handling in South Africa-Part 2: The classification of stock remedies		
10406	Transport of dangerous goods –the reprocessing of previously certified packing		
10105	The classification, use and routine maintenance of portable fire extinguishers		
10131	Above-ground storage tanks for petroleum products		
10400	The application for the National Building Regulations		
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1518-3	Transport of dangerous goods- Design requirements for road vehicles and portable tanks. Design requirements for portable tanks		
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MOPANI DISTRICT MUNICIPALITY

WATER SERVICES BY-LAWS

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MOPANI DISTRICT MUNICIPALITY

WATER SERVICES BY-LAWS

(ADOPTED BY RESOLUTION OF THE MUNICIPAL COUNCIL OF MOPANI DISTRICT)

Mopani District Municipality ("the municipality") hereby publishes the Water Services By-laws set out below. They have been promulgated by the municipality in terms of section 156 of the Constitution of the Republic of South Africa, 1996 and in accordance with section 13(a) of the Local Government: Municipal Systems Act, 2000 (Act No 32 of 2000).

(Last amended in 2019)

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CHAPTER 1

DEFINITIONS

1. Definitions

For the purpose of these by-laws, any word or expressions to which a meaning has been assigned in the Water Services Act, 1997 (Act No 108 of 1997), the Local Government: Municipal System Act, 2000 (Act No 32 of 2000) or the National Building Regulations made in terms of the National Building Regulations and Building Standards Act, 1977 (Act No 103 of 1977) shall bear the same meaning in these by-laws and unless the context indicates otherwise and a word in any gender shall be read as referring also, to the other two genders-

"accommodation unit" in relation to any premises, means a building or section of a building occupied or used or intended for occupation or any purpose;

"account" means an account rendered for municipal services provided;

"Act" means the Water Services Act, 1997 (Act No 108 of 1997), as amended from time to time;

"agreement" means the contractual relationship between the municipality and a customer, whether written or deemed as provided for in the municipality's By-laws relating to credit control and debt collection;

"approved" means approved by the municipality or its authorized representative in writing;

"area of supply" means any area within or partly within the area of jurisdiction of the municipality to which a water service is provided;

(a) any person authorised by the municipality to perform any act, function or duty in terms of, or to exercise any power under, these By-laws;

(b) any person to whom the municipality has delegated performance of certain rights, duties and obligations in respect of water supply services; or

(b) any person appointed by the municipality in a written contract as a service provider for the provision of water services to customers on its behalf, to the extent authorised in such contract;

"average consumption" means the average consumption of a customer of a municipal service during a specific period, and is calculated by dividing the total measured consumption of that municipal service by that customer over the preceding three months by three;

"best practicable environmental option" means the option that provides the most benefit or causes the least damage to the environment as a whole, at a cost acceptable to society, in the long term as well as in the short term.

"borehole" means a hole sunk into the earth for the purpose of locating, abstracting or using subterranean water and includes a spring;

"Building Regulations" means the National Building Regulations made in terms of the National Building Regulations and Building Standards, 1977 (Act No 103 of 1977) as amended;

"charges" means the rate, charge, tariff, flat rate or subsidy determined by the municipal council;

"cleaning eye" means any access opening to the interior of a discharge pipe or trap provided for the purposes of internal cleaning;

"combined installation" means a water installation used for fire-fighting, domestic, commercial or industrial purposes;

"commercial customer" means any customer other than domestic consumer and indigent customers, including, without limitation, business, industrial, government and institutional customers;

"connecting point" means the point at which the drainage installation joins the connecting sewer;

"connecting sewer" means a pipe owned by the municipality and installed by it for the purpose of conveying sewage from a drainage installation on a premises to a sewer beyond the boundary of those premises or within a servitude area or within an area covered by a way-leave or by agreement.

"connection" means the point at which a customer gains access to water services;

"connection pipe" means a pipe, the ownership of which is vested in the municipality and installed by it for the purpose of conveying water from a main to a water installation,

and includes a "communication pipe" referred to in SANS 0252 Part 1.

"conservancy tank" means a covered tank used for the reception and temporary retention of sewage and which requires emptying at intervals;

"customer" means a person with whom the municipality has concluded an agreement for the provision of a municipal service as provided for in the municipality's by-laws relating to credit control and debt collection;

"determined" means determined by the municipality or by any person who makes a determination in terms of these laws;

"domestic consumer" means a customer using water for: domestic purposes;

"domestic purposes" in relation to the supply of water means supplied for drinking, ablution and culinary purposes to premises used predominantly for residential purposes;

"drain" means that portion of the drainage installation that conveys sewage within any premises;

"drainage installation" means a system situated on any premises and vested in the owner thereof and which is used for or intended to be used for or in connection with the reception, storage, treatment or conveyance of sewage on that premises to the connecting point and includes drains, fittings, appliances, septic tanks, conservancy tanks, pit latrines and private pumping installations forming part of or ancillary to such systems;

"drainage work" includes any drain, sanitary fitting, water supplying apparatus, waste or other pipe or any work connected with the discharge of liquid or solid matter into any drain or sewer or otherwise connected with the drainage of any premises;

"dwelling unit" means an interconnected suite of rooms, including a kitchen or scullery, designed for occupation by a single family, irrespective of whether the dwelling unit is a single building or forms part of a building containing two or more dwelling units;

"effluent" means any liquid whether or not containing matter in solution or suspension;

"engineer" means the engineer of the municipality, or any other person authorised to act on his behalf;

"emergency" means any situation that poses a risk or potential risk to life, health, the

environment or property, or declared an emergency under any law;

"environmental cost" means the cost of all measures necessary to restore the environment to its condition prior to an incident resulting in damage;

"estimated consumption" means the consumption that a customer, whose consumption is not measured during a specific period, is deemed to have consumed, that is estimated by taking into account factors that are considered relevant by the municipality and which may include the consumption of water services by the totality of the users of a service within the area where the service is rendered by the municipality, at the appropriate level of services, for a specific time;

"fire installation" means a potable water installation that conveys water for fire-fighting purposes only;

"french drain" means a soil soak pit for the disposal of sewage and effluent from a septic tank;

"high strength sewage" means industrial sewage with a strength or quality greater than standard domestic effluent in respect of which a specific charge as calculated in accordance with Schedule C may be charged;

"household" means a family unit, as determined by the municipality as constituting a traditional household by taking into account the number of persons comprising a household, the relationship between the members of household, the age of the persons who are members of it and any other factors that the municipality considers to be relevant;

"illegal connection" means a connection to any system, by means of which water services that are not approved or authorized are provided.

"industrial purposes" in relation to the supply of water means water supplied to any premises which constitutes a factory as defined in the General Administrative Regulations, published in terms of the Occupational Health and Safety Act, 1993 (Act No 85 of 1993);

"installation work" means any work done in respect of a water installation, including construction, rehabilitation., improvement and maintenance;

"interest" means interests as may be prescribed by the Minister of justice in terms of section 1 of the Prescribed Rate of Interest Act, 1975 (Act No 55 of 1975);

"manhole" means any access chamber to the interior of the sewer provided for the purpose of maintenance and internal cleaning;

"main" means a pipe, other than a connection pipe, of which the ownership vests in the municipality and which is used by it for the purpose of conveying water to a customer;

"measuring device" means any method, procedure, process, device, apparatus or installation that enables the quantity of water services provided to be quantified and includes any method, procedure or process whereby the quantity is estimated or assumed;

"meter" means a water meter as defined by the regulations published in terms of the Legal Metrology Act 9 of 2014 or, in the case of water meters of size greater than 100 mm, a device that measures the quantity of water passing through it, including a pre-paid water meter;

"municipality" means-

(a) the Mopani District Municipality, a district municipality established in terms of section 12 of the Structures Act as amended, exercising its legislative and executive authority through its municipal council and its successors-in-title; or

(b) subject to the provisions of any other law and only if expressly or impliedly required or permitted by these by-laws the municipal manager in respect of the performance of any function, or the exercise of any duty, obligation, or right in terms of these by-laws or any other law; or

(c) an authorised agent or official of Mopani District Municipality.

"municipal council" means a municipal council as referred to in section 157(1) of the Constitution of the Republic of South Africa, 1996;

"municipal manager" means the person appointed by the municipal council as the Municipal Manager of the municipality in terms of section 82 of the Local Government Municipal Structures Act, 1998 (Act No 117 of 1998) and includes any person to whom the Municipal Manager has delegated a power, function or duty but only in respect of that delegated power, function or duty;

"municipal services" means, for purposes of these by-laws, services provided by a municipality, including refuse removal, water supply, sanitation, electricity services and rates or anyone of the above;

"occupier" means a person who occupies any premises or part thereof;

"on-site sanitation services" means any sanitation services other than water borne sewerage disposal through a sewerage disposal system;

"owner" means-

- (a) the person in whose name the ownership of the premises is registered from time to time or his agent;
- (b) where the registered owner of the premises is insolvent or dead, or for any reason lacks legal capacity, or is under any form of legal disability, that has the effect of preventing him from being able to perform a legal act on his own behalf, the person in whom the administration and control of such premises is vested as curator, trustee, executor, administrator, judicial manager, liquidator or other legal representative;
- (c) where the municipality is unable to determine the identity of the owner, a person who has a legal right in or the benefit of the use of, any premises, building, or any part of a building, situated on them;
- (d) where a lease has been entered into for a period of 30 (thirty) years or longer, or for the natural life of the lessee or any other person mentioned in the lease, or is renewable from time to time at the will of the lessee indefinitely or for a period or periods which, together with the first period of the lease, amounts to 30 years, the lessee or any other person to whom he has ceded his right, title and interest under the lease, or any gratuitous successor to the lessee;
- (e) in relation to:-
 - i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act No 95 of 1986), the developer or the body corporate in respect of the common property, or
 - (ii) a section as defined in the Sectional Titles Act, 1986 (Act No 95 of 1986), the person in whose name such section is registered under a sectional title deed and includes the lawfully appointed agent of such a person; or
 - (iii) a person occupying land under a register held by a tribal authority or in accordance with a sworn affidavit made by a tribal authority;

"person" means any person, whether natural or juristic and includes, but is not limited to, any local government body or like authority, a company or close corporation incorporated under any law, body of persons whether incorporated or not, a statutory body, public utility body, voluntary association or trust;

"plumber" means a person who has passed a qualifying Trade Test in Plumbing or has been issued with a certificate of proficiency in terms of the Manpower Training Act, 1981 (Act No 56 of 1981), as amended or such other qualification as may be required under national legislation;

"pollution" means the introduction of any substance into the water supply system, a water installation or a water resource that may make the water harmful to health or environment or impair its quality for the use for which it is normally intended;

"premises" means any piece of land, the external surface boundaries of which are delineated on:-

- (a) a general plan or diagram registered in terms of the Land Survey Act, 1927 (Act No 9 of 1927), or in terms of the Deeds Registries Act, 1937 (Act No 47 of 1937);
- (b) a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act No 95 of 1986); or
- (c) a register held by a tribal authority or in accordance with a sworn affidavit made by a tribal authority;

"professional engineer" means a person registered in terms of the Engineering Profession Act, 2000 (Act No 46 of 2000) as a professional engineer;

"public notice" means publication in the media including one or more of the following-

- (a) publication of a notice, in the official languages determined by the municipal council-
 - (i) in any local newspaper or newspapers circulating in the area of supply of the municipality;
 - (ii) in the newspaper or newspapers circulating in the area of supply of the municipality determined by the municipal council as a newspaper of record; or
 - (iii) on the official website of the municipality;
 - (iv) by means of radio broadcasts covering the area of supply of the municipality;
- (b) displaying a notice in or at any premises, office, library or pay-point of either the municipality, or of its authorised agent, to which the public has reasonable access; and
- (c) communication with customers through public meetings and ward committee meetings;

"SANS" means the South African National Standards;

"sanitation services" has the same meaning assigned to it in terms of the Act and includes for purposes of these by-laws the disposal of industrial effluent;

"sanitation system" means the structures, pipes, valves, pumps, meters or other appurtenances used in the conveyance through the sewer reticulation system and treatment at the sewage treatment plant under the control of the municipality and which may be used by it in connection with the disposal of sewage;

"septic tank" means a water tight tank designed to receive sewage and to effect the adequate decomposition of organic matter in sewage by bacterial action;

"service pipe" means a pipe which is part of a water installation provided and installed on any premises by the owner or occupier and which is connected or to be connected to a connection pipe to serve the water installation on the premises;

"shared consumption" means the consumption by a customer of a municipal service during a specific period, that is calculated by dividing the total metered consumption of that municipal service in the supply zone where the customer's premises are situated for the same period by the number of customers within the supply zone, during that period;

"sewage" means waste water, industrial effluent, standard domestic effluent and other liquid waste, either separately or in combination, but shall not include storm water;

"sewer" means any pipe or conduit which is the property of or is vested in the municipality and which may be used for the conveyance sewage from the connecting sewer and shall not include a drain as defined;

"standpipe" means a connection through which water supply services are supplied to more than one person;

"standard domestic effluent" means the domestic effluent with prescribed strength characteristics as determined by the municipality in respect of chemical oxygen demand and settleable solids as being appropriate to sewage discharges from domestic premises within the jurisdiction of the municipality, but shall not include industrial effluent;

"stormwater" means water resulting from natural precipitation or accumulation and includes rainwater, subsoil water or spring water;

"terminal water fitting" means water fitting at an outlet of a water installation that controls the discharges of water from a water installation;

"trade premises" means premises upon which industrial effluent is produced;

"trap" means a pipe fitting or portion of a sanitary appliance designed to retain water seal which is not in terms of an agreement with, or approved by, the municipality;

"unauthorised service" means the receipt, use or consumption of any municipal services which is not in terms of an agreement with, or approved by, the municipality;

"water fitting" means a component of a water installation, other than a pipe, through which water passes or in which it is stored;

"water installation" means the pipes and water fittings which are situated on any premises and ownership thereof vests in the owner thereof and used or intended to be used in connection with the use of water on such premises, and includes a pipe and water fitting situated outside the boundary of the premises, which either connects to the connection pipe relating to such premises or is otherwise laid with the permission of the municipality;

"water services" means water supply services and sanitation services;

"water services intermediaries" has the same meaning as that assigned to it in terms of the Act;

"water supply services" has the same meaning assigned to it in terms of the Act and includes for purposes of these by-laws water for industrial purposes and fire extinguishing services;

"water supply system" means the structures, aqueducts, pipes, valves, pumps, meters or other apparatus relating thereto of which the ownership vests in the municipality and which are used or intended to be used by it in connection with the supply of water, and includes any part of the system; and

"working day" means a day other than a Saturday, Sunday or public holiday.

CHAPTER 2

APPLICATION, PAYMENT AND TERMINATION

Part I

Application

2. Application for water services.

(1) No person shall be provided with access to water services unless application

has been made to, and approved by, the municipality on the form prescribed in terms of the municipality's by-laws relating to credit control and debt collection.

(2) Water services rendered to a customer by the municipality are subject to the Municipality's by-laws relating to credit control and debt collection, these by-laws and the conditions contained in the relevant agreement.

(3) The municipality must on application for the provision of water services by an applicant provide that applicant with an application form which complies with these by-laws which also sets out the different user sectors available and the tariffs and/or charges associated with each category of services.

(4) An applicant must elect the available user sector and the level of services to be determined by the municipality.

(5) An applicant may at any time apply to alter the user sector or level of services elected in terms of the agreement entered into, provided that such services are available and that any costs and expenditure associated with altering the level of services will be payable by the consumer.

(6) An application for the use of water services to be by the municipality constitutes an agreement between the Municipality and the applicant, and takes effect on the date of notification of the applicant of approval of the application.

(7) A customer shall be liable for all prescribed fees and/ or tariffs in respect of water services rendered to him or her until the agreement has been terminated in terms with these by-laws.

(8) An application form must contain at least the following minimum information-

(a) a statement by the applicant that he or she is aware of the contents of the form;

(b) acceptance by the applicant of the provisions of these by-laws, and acceptance of liability for the cost of water services rendered until the agreement is terminated

(c) the name of the applicant and his or her identity number

(d) the source of income of the applicant.

(e) address or stand number of the premises to or on which the water services are to be rendered or the communal water services operates;

(f) the address to which accounts must be sent;

(g) the purpose for which the water is to be used; and

(h) the turnaround duration on which the provision of water services will commence.

(9) Water services rendered to a customer are subject to the provisions of these by-laws and the conditions contained in the relevant agreement.

(10) The applicant must be informed if the Municipality refuses an application for the provision of water services, or is unable to render such water services on the date requested for such provision of water services to commence, or is unable to render the water services, and the Municipality must furnish the applicant with reasons therefor and, if applicable, the date when the Municipality will be able to provide such water services.

3. Special agreements for water services.

(1) The Municipality may enter into a special agreement for the provision of water services with an applicant-

- (a) inside the area of jurisdiction, if the service applied for necessitates the imposition of conditions not contained in the prescribed or in these by-laws; and
 - (b) outside the area of jurisdiction of the Municipality, if such application has been approved by the Municipality having jurisdiction in the area in which the premises to be supplied are situated.
- (2) The special agreement is subject to these by-laws and other applicable legislation.

4. Change in purpose for which water services are used

Where the purpose for, or extent to which, any municipal service is changed, the customer must promptly advise the municipality of the change and enter into a new agreement with the municipality.

Part 2: Charges

5. Prescribed charges for water services

(1). All applicable charges payable in respect of water services, including but not restricted to the payment of connection charges, fixed charges or any additional charges or interest will be set by the municipal council in accordance with:-

- (a) its Rates and Tariff policy;
- (b) any by-laws in respect thereof; and
- (c) any regulations in terms of national or provincial legislation; but

differences between categories of customers, users of services, types and levels of services, quantities of services, infrastructural requirements and geographic areas, may justify the imposition of differential charges;

6. Availability charges for water services

The municipal council may, in addition to the charges determined for water services that have been actually provided, levy a monthly fixed charge, an annual fixed charge or only one fixed charge where water services are available, whether or not such services are consumed.

Part 3 Payment

7. Payment for water services

(1) The owner, occupier and customer shall be jointly and severally liable and responsible for payment of all water services charges and water services consumed by a customer, in accordance with the municipality's by-laws relating

to credit control and debt collection.

(2) Water services provided by the Municipality to a customer shall be paid for by the customer at the prescribed tariff or charge set in accordance with sections (4) and (5), for the particular category of user sector and the water services provided.

(3) A customer shall be responsible for payment of all water services provided to the customer from the date of an agreement until the date of termination thereof.

(4) The Municipality may estimate the quantity of water services provided in respect of a period or periods within the interval between successive measurements and may render an account to a customer for the services so estimated.

(5) If a customer uses water supply services for a category of use other than that for which it is provided by the Municipality in terms of an agreement and as a consequence is charged at a rate lower than the rate which should have been charged, the Municipality may make an adjustment of the amount charged in accordance with the rate which should have been charged and recover from the customer the tariffs and charges payable in accordance with such amendment.

(6) If amendments to the prescribed or charges for water services provided become operative on a date between measurements for the purpose of rendering an account in respect of the tariffs or charges-

(a) it shall be deemed that the same quantity of water was provided in each period of twenty-four hours during the interval between the measurements; and

(b) any fixed charge shall be calculated on a pro rata basis in accordance with the charge that applied immediately before such amendment and such amended charge.

(7) A customer must pay an account at an approved agent of the Municipality. A customer shall remain liable for the payment of an account not paid to the Municipality or approved agent or representative.

(8) The Municipality must inform a customer as to the identity of the approved agent(s) for payment of accounts.

7A. Payment in respect of prepayment meters.

When a customer is supplied with water through a prepayment meter:

(a) no refund of the amount tendered for the purchase of water credit shall be given at the point at the point of sale after the initiation of the process by which the prepaid meter is produced;

(b) when a customer vacates any premises where a prepaid meter is installed, no refund for the credit remaining in the meter shall be made to the consumer; and

(c) the Municipality shall not be liable for the reinstatement of credit in a prepaid meter lost due to tampering with, or the incorrect use or abuse of, a prepayment meter and/or token.

7B Payment of deposit

- (1) Every applicant must on application for provision of water services and before such water services will be provided by the Municipality deposit a sum of money as determined annually in the schedule of tariffs, with the proviso that the sum of money deposited by the applicant in terms of this subsection can be reviewed and, in accordance with such review an authorized agent or representative may-
 - (a) require that an additional amount to be deposited by the applicant; or
 - (b) refund to the applicant such amount as may be held by the Municipality in excess of the reviewed deposit.
- (2) Payment of a deposit is not required in the case of a prepayment measuring device being used by the Municipality
- (3) The Municipality may require a consumer to whom services are provided and who was previously required to pay a deposit, for whatever reason, to pay a deposit on request, within a specified period.
- (4) Subject to sub-section (5), an amount deposited with the Municipality in terms of sub-sections (1) and (2) shall not be regarded as being payment or part payment of an account due for water services rendered.
- (5) If, upon the termination of the agreement for the provision of water services, an amount remains due to the Municipality in respect of water services rendered to the customer, the Municipality may apply the deposit in payment or part payment of the outstanding amount and refund any balance to the customer.
- (6) No interest shall be payable by the Municipality on the amount of a deposit held by it in terms of this section
- (7) Subject to the Municipality's Credit Control and Debt Collection Bylaws and the Tariff By-laws, the council may on its own accord or at the request of a customer, reduce the amount of deposit if it is satisfied that-
 - (a) a reduction is justified in light of the current supply of water to the customer; or
 - (b) there was a change in the circumstances pertaining to the assessment of the original amount of the deposit.

Part 4

Accounts

8. Accounts

- (1) Monthly accounts will be rendered to the customers for the amount due and payable, at the address last recorded by the Municipality.
- (2) Failure by the Municipality to render an account does not relieve the customer of the obligation to pay any amount due and payable.
- (3) An account rendered by the Municipality for water services provided to a customer shall be paid no later than the last date for payment specified in such account, which date will be at least twenty one days after the date of the

account.

(4) If payment of an account is received after the date referred to in sub-section (3), a charge or interest as may be prescribed must be paid by the consumer to the Municipality.

(5) Accounts must-

(a) contain the following information-

(i) the consumption or estimated consumption or assumed consumption as determined for measuring and/or consumption period;

(ii) the measuring or consumption period;

(iii) the applicable tariff;

(iv) the amount due in terms of the consumption;

(v) the amount due and payable for any other service rendered by the Municipality;

(vi) the amount in arrears, if any;

(vii) the interest payable on arrears, if any;

(viii) the final date for payment; and

(ix) the methods, places and approved agents or representatives of the Municipality where payment may be made.

Part [4]5

Termination, Limitation and Disconnection

8A.Termination of agreement for the provision of water services

- (1) A customer may terminate an agreement for the provision of water services by giving the Municipality of no less than thirty days written notice of his or her intention to do so.
- (2) The Municipality may, by notice in writing of not less than thirty days, advise a customer of the termination of the agreement for the provision of water services if-
 - (a) No water services was used during the preceding six months and no arrangements were made to the satisfaction of the Municipality for the continuation of the agreement;
 - (b) The customer failed to comply with the provisions of these by-laws and has failed to rectify such failure to comply or to pay any tariffs or charges due and payable in terms of the Debt Collection and Credit Control By-laws of the Municipality;
 - (c) In terms of an arrangement made by it with another water services institution to provide water services to the consumer
- (3) The Municipality may, after having given notice, terminate an agreement for services if the customer has vacated the premises to which such agreement relates.

9. Limitation and or disconnection of water services provided

(1). The Municipality may restrict or discontinue water supply services provided in terms of these by-laws-

- (a) on failure to pay the determined charges on the date specified, in accordance with and after the procedure set out in the municipality's by-laws relating to credit control and debt collection has been applied;
- (b) at the written request of a customer;
- (c) if the agreement for the provision of services has been terminated in accordance with the municipality's by-laws relating to Credit Control and Debt Collection;
- (d) the building on the premises to which services were provided has been demolished;
- (e) if the customer has interfered with a restricted or discontinued service;
- (f) in an emergency;
- (g) the customer has interfered, tampered or damaged or caused or permitted interference, tampering or damage to the water supply system of the municipality for the purposes of gaining access to water supply services after notice by the municipality;

(2). The Municipality may disconnect sanitation services provided in terms of these by-laws-

- (a) at the written request of a customer
- (b) If the agreement for the provision of sanitation services has been terminated in accordance with the municipality's By-laws relating to credit control and debt collection; or
- (c) the building on the premises to which services were provided has been demolished.

(3). The Municipality shall not be liable for any damages or claims that may arise from the limitation or disconnection of water services provided in terms of subsections (1) and (2), unless the damages or claims are as a result of willful or negligent acts on the part of the Municipality.

CHAPTER3**SERVICES LEVELS****10. Service levels**

(1). The Municipality may from time to time, and in accordance with national policy, but subject to principles of sustainability and affordability, by public notice, determine the service levels it is able to provide to customers.

(2). The municipal council may in determining services levels differentiate between types of customers, domestic customers, geographical areas and socio-economic areas.

(3). The following levels of service may, subject to subsection (1), be provided by the Municipality on the promulgation of these by-laws:-

(a) Communal water supply services and on-site sanitation services:-

- (i) constituting the minimum level of service provided by the municipality.,
- (ii) consisting of reticulated standpipes or stationery water tank serviced either through a network pipe or a water tanker located within a reasonable walking distance from any household with a Ventilated Improved Pit latrine located on each premises with premises meaning the lowest order of visibly demarcated area on which some sort of informal dwelling has been erected;
- (iii) installed free of charge;
- (iv) provided free of any charge to consumers; and
- (v) maintained by the municipality.

(b) Yard connection not connected to any water installation and an individual connection to the municipality's sanitation system-

- (i) consisting of an un-metered standpipe on a premises not connected to any water installation and a pour-flush toilet pan, wash-trough and suitable toilet top structure connected to the municipality's sanitation system;
- (ii) installed free of charge;
- (iii) maintained by the municipality.

(c) A metered pressured water connection with an individual connection to the municipality's sanitation system-

- (i) installed against payment of the relevant connection charges;
- (ii) provided against payment of prescribed charges; and
- (iii) with the water and drainage installations maintained by the customer.

CHAPTER 4 CONDITIONS FOR WATER SUPPLY SERVICES

Part 1: Connection to Water Supply System

11. Provision of connection pipe

- (1). If an agreement for water supply services in respect of premises has been concluded and no connection pipe exists in respect of the premises, the owner shall make application on the prescribed form and pay the determined charge for the installation of such a pipe.
- (2). If an application is made for water supply services which are of such an extent or so situated that it is necessary to extend, modify or upgrade the water supply system in order to supply water to the premises, the municipality may agree to the extension provided that the owner shall pay for the cost of the extension, as determined by the engineer.
- (3). Only the engineer may install a connection pipe but the owner or customer may connect the water installation to the connection pipe.
- (4). No person may commence any development on any premises unless the engineer has installed a connection pipe and meter.

12. Location of connection

- (1). A connection pipe provided and installed by the engineer shall-
 - (a) be located in a position determined by the engineer and be of a suitable size as determined by the engineer;
 - (b) terminate at:-
 - (i) the boundary of the land owned by or vested in the municipality, or over which it has a servitude or other right; or
 - (ii) at the outlet of the water meter or isolating valve if it is situated on the premises;

(2). The engineer may at the request of any person agree, subject to such conditions as the engineer may impose, to a connection to a main other than which is most readily available for the provision of water supply to the premises; provided that the applicant shall be responsible for any extension of the water installation to the connection point designated by the municipality and for obtaining at his cost, any servitudes over other premises that may be necessary.

(3). An owner must pay the determined connection charge in advance before a water connection can be effected.

13. Provision of single water connection for supply to several customers on the same premises

(1) Notwithstanding the provisions of section 12, only one connection pipe to the water supply system may be provided for the supply of water to any premises, irrespective of the number of accommodation units, business units or customers located on such premises.

(2) Where the owner, or the person having the charge or management of any premises on which several accommodation units are situated, requires the supply of water to such premises for the purpose of supply to the different accommodation units, the engineer may, in his or her discretion, provide and install either-

- (a) a single measuring device in respect of the premises as a whole or any number of such accommodation units; or
- (b) a separate measuring device for each accommodation unit or any number thereof.

(3) Where the engineer has installed a single measuring device as contemplated in subsection (2) (a), the owner or the person having the charge or management of the premises, as the case may be:-

- (a) must install and maintain, if the engineer so requires, on each branch pipe extending from the connection pipe to the different accommodation units-
 - (i) a separate measuring device; and
 - (ii) an isolating valve; and
 - (iii) will be liable to the Municipality for the charges or all water supplied to the premises through such a single measuring device irrespective of the different quantities consumed by the different customers served by such measuring device.

(4) Where premises are supplied by a number of connection pipes, the engineer may require the owner to reduce the number of connection points and alter his water installation accordingly.

(5) Notwithstanding sub-section (1), the Municipality may authorize that more than

one connection pipe be provided on the water supply system for the supply of water to any premises comprising of sectional title units if, in the opinion of the Municipality, undue hardship or inconvenience would be caused to any consumer on such premises by the provision of only one connection pipe.

14. Disconnection of water installation from the connection pipe

The Municipality may disconnect a water installation from the connection pipe and remove the connection pipe on termination of an agreement for the provision of water supply services in accordance with the municipality's by-laws relating to credit control and debt collection.

Part 2

Standards

15. Quantity, quality and pressure

Water supply services provided by the Municipality must comply with the minimum standards set for the provision of water supply services in terms of section 9 of the Act.

16. Testing of pressure in water supply systems

The Municipality may, on application by an owner or customer and on payment of the prescribed charge, determine and furnish the owner with the value of the pressure in the water supply system relating to his premises over such period as the owner may request.

17. Pollution of water

An owner must provide and maintain approved measures to prevent the entry of any substance, which might be a danger to health or adversely affect the portability of water or effect its fitness for use, into:-

- (a) the water supply system; and
- (b) any part-of the water installation on his or her premises.

18. Water restrictions

(1) The municipality may for purposes of water conservation or where in its opinion, drought, water shortage or flood conditions prevail or are imminent, by public notice:-

- (a) prohibit or restrict the consumption of water in the whole part of its area of jurisdiction:-
 - (i) in general or for specified purposes;
 - (ii) during specified hours of the day or on specified days; and
 - (iii) in a specified manner; and
 - (b) determine and impose:-
 - (i) a restriction on the quantity of water that may be consumed over a specified period
 - (ii) charges additional to those determined in respect of the supply of water in excess of a restriction contemplated in subsection (1)(b)(i); and
 - (iii) a general surcharge on the determined charges in respect of the supply of water; and
 - (c) impose restrictions on the use or manner of use or disposition of an appliance by means of which water is used or consumed, or on the connection of such appliances to the water installation.
- (2) The municipality may restrict the application of the provisions of a notice contemplated by subsection (1) to specified areas and categories of customers or users of premises, and activities, and may permit deviations and exemptions from, and the relaxation of, any of its provisions where there is reason to do so.
- (3) The municipality-
- (a) may take, or by written notice require a customer at his own expense to take, such measures, including the installation of measurement devices and devices for restricting the flow of water, as may in its opinion be necessary to ensure compliance with a notice published in terms of subsection (1); or
 - (b) may, subject to notice, and for such period as it may consider fit, restrict or limit the supply of water to any premises in the event of a contravention of these by-laws that takes place on or in such premises or a failure to comply with the terms of a notice published in terms of subsection (1); and
 - (c) shall where the supply has been discontinued, restore it only when the determined charge for discontinuation and reconnecting the supply has been paid.

19. Specific conditions of supply

(1) Notwithstanding the undertaking in section 15, the granting of a supply of water by the Municipality shall not constitute an undertaking by it to maintain at any time or any point in its water supply system:-

- (a) an uninterrupted supply, subject to the provisions of regulations 4 and 14 of Regulation 22355 promulgated in terms of the Act on 8 June 2003 as amended; or
- (b) a specific pressure or rate of flow in such supply other than requires in terms of regulation 15(2) of Regulation 22355 promulgated in terms of the Act on 8 June 2003 as amended.

(2) The Municipality may, subject to the provisions of subsection (1) (b), specify the maximum pressure to which water will be supplied from the water supply system.

(3) If an owner or customer requires-

- (a) that any of the standards referred to in subsection (1); or
- (b) a higher standard of service than specified in section 15; be maintained on his premises, he or she shall take the necessary steps to ensure that the proposed water installation is able to meet such standards.

(4) The Municipality, may in an emergency, interrupt the supply of water to any premises without notice.

(5) If in the opinion of the Municipality the consumption of water by a customer adversely affects the water supply of to another customer, it may apply such restrictions as it may consider fit, to the water to the customer in order to ensure a reasonable supply of water to the other customer and must inform that customer about the restrictions.

(6) The Municipality shall not be liable for any damage to property caused by water flowing from any water installation that is left open when the water supply is reinstated, after an interruption of supply.

(7) Every steam boiler, hospital, industry and any premises which requires, for the purpose of the work undertaken on the premises, a continuous supply of water shall have a storage tank, which must comply with the specification for water storage tanks as stipulated in SANS 0252 Part 1 as amended, with a capacity of not less than 24 hours water supply calculated as the quantity required to provide the average daily consumption, where water can be stored when the continuous supply is disrupted.

(8) No customer shall resell water supplied to him by the municipality except with the written permission of the municipality, which may stipulate the maximum price at which the water may be resold, and may impose such other conditions as the municipality may deem fit

Part 3

Measurement

20. Measuring of quantity of water supplied

- (1). The Municipality must provide a measuring device designed to provide either a controlled volume of water, or an uncontrolled volume of water, to a customer.
- (2). The municipality must, at regular intervals, measure the quantity of water supplied through a measuring device designed to provide an uncontrolled volume of water.
- (3) Any measuring device and its associated apparatus through which water is supplied to a customer by the Municipality, shall be provided and installed by the engineer when he or she considers it necessary to do so, remains property of the municipality and may be changed or maintained by the municipality when deemed necessary by it.
- (4) The engineer may install a measuring device, and its associated apparatus, at any point on the service pipe.
- (5) If the engineer installs a measuring device on a service pipe in terms of subsection (4) he may install a section of pipe and associated fittings between the end of its connection pipe and the meter, and that section shall form part of the water installation.
- (6) If the engineer installs a measuring device together with its associated apparatus on a service pipe in terms of subsection (4), the owner shall-
 - (a) provide a place satisfactory to the engineer in which to install it;
 - (b) ensure that unrestricted access is available to it at all times;
 - (c) be responsible for its protection and be liable for the costs arising from damage to it, excluding damage arising from normal fair wear and tear
 - (d) ensure that no connection is made to the pipe in which the measuring device is installed between the measuring device and the connection pipe serving the installation;
 - (e) make provision for the drainage of water which may be discharged from the pipe, in which the measuring device is installed, in the course of work done by the engineer on the measuring device; and
 - (f) not use, or permit to be used on any water installation, any fitting, machine or

appliance which cause damage or which, in the opinion of the engineer, is likely to cause damage to any meter.

7. No person other than the engineer shall:-
- (a) disconnect a measuring device and its associated apparatus from the pipe on which they are installed;
 - (b) break a seal which the engineer has placed on a meter; or
 - (c) in any other way interfere with a measuring device and its associated apparatus.
- 8 If the engineer considers that, a measuring device is a meter whose size is unsuitable because of the quantity of water supplied to premises, he may install a meter of a size that he considers necessary, and may recover the determined charge for the installation of the meter from the owner of the premises.
9. The Municipality may require the installation, at the owner's expenses, of a measuring device to each dwelling unit, in separate occupancy, on any premises, for use in ascertaining the quantity of water supplied to each such unit; but where controlled volume water-delivery systems are used, a single measuring device may otherwise be used for more than one unit.

21. Quantity of water supplied to customer

- (1) For the purpose of ascertaining the quantity of water that has been measured by a measuring device that has been installed by the engineer and that has been supplied to a customer over a specific period, it will, for the purposes of these by-laws, be presumed except in any criminal proceedings, unless the contrary is proven, that:-
- (a) the quantity, where the measuring device designed to provide an uncontrolled volume of water, is the difference between measurements taken at the beginning and end of that period;
 - (b) the quantity, where the measuring device designed to provide a controlled volume of water, is the volume dispensed by the measuring device;
 - (c) the measuring device was accurate during that period; and
 - (d) the entries in the records of the municipality were correctly made; and
 - (e) if water is supplied to, or taken by, a customer without having passed through a measuring device, the estimate by the municipality of the quantity of that water shall be presumed, except in any criminal proceedings, to be correct unless the contrary is proved.

- (2) Where water supplied by the municipality to any premises is in any way taken by the customer without the water passing through any measuring device provided by the Municipality, the Municipality may, for the purpose of rendering an account, estimate, in accordance with subsection (3), the quantity of water supplied to the customer during the period that water is so taken by the customer
- (3) For the purposes of subsection (2), an estimate of the quantity of water supplied to a customer shall, as the municipality may decide, be based either on-
- (a) the average monthly consumption of water on the premises recorded over three succeeding measuring periods after the date on which an irregularity referred to in subsection (2) has been discovered and rectified, or
 - (6) the average monthly consumption of water on the premises during any three succeeding measuring periods during the twelve months immediately before the date on which an irregularity referred to in subsection (2) was discovered
- (4) Nothing in these by-laws shall be constructed as imposing on the municipality an obligation to cause any measuring device installed by the engineer on any premises to be measured at the end of every month or any other fixed period, and the municipality may charge the customer for an average consumption during the interval between successive measurements by the measuring device.
- (5) Until the time when a measuring device has been installed in respect of water supplied to a customer, the estimated or shared consumption of that customer during a specific period, must be based on the average consumption of water supplied to the specific supply zone within which the customer's premises are situated.
- (6) Where in the opinion of the engineer it is not reasonably possible or cost effective to measure water that is supplied to each customer within a determined supply zone, the municipality may determine a tariff or charge based on the estimated or shared consumption of water supplied to that supply zone.
- (7) The municipality must within seven days, of receipt of a written notice from the customer and subject to payment of the determined charge, measure the quantity of water supplied to the customer at a time, or on a day, other than that upon which it would normally be measured.
- (8) if a contravention of subsection (7) occurs, the customer must pay to the municipality the cost of whatever quantity of water was, in the opinion by the

municipality, supplied to him.

22. Special measurement

- (1) If the Municipality requires, for purposes other than charging for water consumed, to ascertain the quantity of water which is used in a part of a water installation, may by written notice, advise the owner concerned of its intention to install a measuring device at any point in the water installation that it may specify.
- (2) The installation of a measuring device referred to in subsection (1), its removal, and the restoration of the water installation after such a removal shall be carried out at the expense of the municipality
- (3) The provisions of sections 20(5) and 20(6) shall apply, insofar as they may be applicable, in respect of a measuring device that has been installed in terms of subsection (1).

23. No reduction of amount payable for water wasted

A customer shall not be entitled to a reduction of the amount payable for water wasted or lost in a water installation.

Part 4 Audit

24. Water audit

- (1) The municipality may require a customer, within one month after the end of a financial year of the municipality, to undertake a water audit at his own cost.
- (2) The audit must at least involve and report-
 - (a) the amount of water used during the financial year;
 - (b) the amount paid for water used during the financial year;
 - (c) the number of people living on the stand or premises;
 - (d) the number of people permanently working on the stand or premises;
 - (e) the seasonal variation in demand through monthly consumption figures;
 - (f) the water pollution monitoring methods;
 - (g) the current initiatives for the management of the demand for water;
 - (h) the plans to manage their demand for water;
 - (i) a comparison of the report with any report that may have been made during the previous three years;
 - (j) estimates of consumption by various components of use; and
 - (k) a comparison of the above factors 'With those reported in each of the

previous three years, where available.

Part 5
Installation Work

25 Approval of installation work

- (1) If an owner wishes to have installation work done, he or she must first obtain the municipality's written approval; provided that approval shall not be required in the case of water installations in dwelling units or installations where no fire installation is required in terms of SANS 0400 as amended, or terms of any Municipal by-laws, or for the repair or replacement of an existing pipe or water fitting other than a fixed water heater and its associated protective devices.
- (2) Application for the approval referred to in subsection (1) shall be made on the prescribed form and shall be accompanied by:-
 - (a) the determined charge , if applicable; and
 - (b) copies of the drawings as may be determined by the municipality, giving information in the form required by Clause 4.1.1 of SANS Code 0252: Part I as amended;
 - (c) a certificate certifying that the installation has been designed in accordance with SANS Code 0252: Part I , as amended, by a professional engineer.
- (3) Authority given in terms of subsection (1) shall lapse at the expiry of a period of twenty four months after the first day of the month in which the authority is given.
- (4) Where approval was required in terms of subsection (1), a complete set of approved drawings of installation work must be available at the site of the work at all times until the work has been completed.
- (5) If installation work has been done in contravention of subsection (1) or (2), the municipality may require the owner-
 - (a) to rectify the contravention within specified period;
 - (b) if work is in progress, to cease the work; and
 - (c) to remove all such work which does not comply with these by-laws.

26 Persons permitted to do installation and other work

- (1) Only a plumber, a person working under the control of a plumber, or another person authorised in writing by the municipality, shall be permitted to:
- (a) do installation work other than the replacement or repair of an existing pipe or water fitting;
 - (b) replace a fixed water heater or its associated protective devices
 - (c) inspect, disinfect and test a water installation, fire installation or storage tank;
 - (d) service, repair or replace a back flow preventer; or
 - (e) install, maintain or replace a meter provided by an owner in a water installation.
- (2) No person shall require or engage a person who is not a plumber to do the work referred to in subsection (1).
- (3) Notwithstanding the provisions of subsection (1) the Municipality may permit a person who is not a plumber to do installation work on his behalf on premises owned and occupied solely by himself or herself and his immediate household, provided that such work must be inspected and approved by a plumber at the direction of the engineer.

27. Provision and maintenance of water installations

- (1) An owner must provide and maintain his or her water installation at his or her own cost and except where permitted in terms of section 96, must ensure that the installation is situated within the boundary of his premises.
- (2) An owner must install an isolating valve at a suitable point on service pipe immediately inside the boundary of the property in the case of a meter installed outside the boundary and in the case of a meter installed on the premises at a suitable point on his service pipe.
- (3) Before doing work in connection with the maintenance of a portion of his water installation, which is situated outside the boundary of his premises, an owner shall obtain the written consent of the municipality or the owner of the land on which the portion is situated, as the case may be.

28. Technical requirements for a water installation

Notwithstanding the requirement that a certificate be issued in terms of section 25, all water installations shall comply with SANS 0252 Part 1, as amended, and all fixed electrical storage water heaters shall comply with SANS 0254, as amended.

29. Use of pipes and water fittings to be authorised

- (1) No person shall, without the prior written authority of the engineer, install or use a pipe or water fitting in a water installation within the municipality's area of jurisdiction unless it is included in the Schedule of Approved Pipes and fittings as compiled by the municipality.
- (2) Application for the inclusion of a pipe or water fitting in the Schedule referred to in subsection (1) must be made on the form prescribed by the Municipality.
- (3) A pipe or water fitting may be not be included in the Schedule referred to in subsection (1) unless it-
- (a) bears the standardization mark of the South African Bureau of Standards in respect of the relevant SANS specification issued by the Bureau;
 - (b) bears a certification mark of the SANS to certify that the pipe or water fitting complies with an SANS Mark specification or a provisional specification issued by the SANS, provided that no certification marks shall be issued for a period exceeding two years; or
 - (c) is acceptable to the Municipality.
- (4) The Municipality may, in respect of any pipe or water fitting included in the Schedule, impose such additional conditions, as it may consider necessary in respect of the use or method of installation.
- (5) A pipe or water fitting shall be removed from the Schedule if it-
- (a) no longer complies with the criteria upon which its inclusion was based; or
 - (b) is no longer suitable for the purpose for which its use was accepted.
- (6) The current Schedule shall be available for inspection at the office of the municipality at any time during working hours.
- (7) The municipality may sell copies of the current Schedule at a determined charge.

30. Labeling of terminal water fittings and appliances

All terminal water fittings and appliances using or discharging water shall be marked, or have included within its packaging, the following information:

- (a) the range of pressure in kPa over which the water fitting or

appliance is designed to operate.

- (b) The flow rate, in litres per minute, related to the design pressure range, provided that this information shall be given for at least the following pressures: 20 kPa, 100kPa and 400 kPa.

Part 6

Water conservation and water demand management

31. Water demand management

- (1) In any water installation where the dynamic water pressures more than 200kPa at a shower control valve, and where the plumbing has been designed to balance the water pressures on the hot and cold water supplies to the shower control valve, a shower head with a maximum flow rate of greater than 10 litres per minute must not be installed.
- (2) The maximum flow rate from any tap installed on a wash hand basin must not exceed 6 litres per minute.
- (3) The Municipality may, but not limited to, whenever there is scarcity of water available for distribution and supply to consumers, by notice-
 - (a) prohibit the consumption or use of water-
 - (i) for specified purposes or otherwise than for approved purposes;
 - (ii) during specified hours of the day or on specified days or otherwise than during specified hours of the day or on specified days; and
 - (b) determine and impose-
 - (i) limits on the quantity of water which may be consumed over a specified period;
 - (ii) charges additional to those prescribed in respect of the supply of water in excess to the limit contemplated in this subsection ; and
 - (iii) a general surcharge on the prescribed charges in respect of the water supply of water; and
 - (iv) impose restrictions or prohibitions on the use or manner of use or nature of an appliance by means of which water is used or consumed or manner of use_or nature of an appliance by means of which water is used or consumed or on the connection of such appliances to the water installation.

- (4) The Municipality may limit the application of the provisions of a notice contemplated in subsection (3) to specified areas and classes of customers, premises and activities, and provide for and permit deviations and exemptions from, and relaxation of, any of the provisions on such grounds as it deems fit.
- (5) The Municipality may -
- (a) by written notice require an owner or consumer at his or her own cost to take such measures as may in its opinion be necessary to ensure compliance with a notice published in terms of subsection (3) including, but not limited to, the installation of measurement devices for restricting the flow of water; and
 - (b) disconnect, or for such a period as it deems fit, restrict the supply of water to a premises in the event of a contravention of, or failure to comply with, the terms of a notice published in terms of subsection (3), and where the supply has been cut off it may only be reinstated when the prescribed charge of disconnecting and reconnecting the supply has been paid.
- (6) In addition to the person who contravened, or failed to comply with, a notice published in terms of subsection (3), the owner or consumer to whom the water is supplied is presumed also to have committed the contravention or to have failed to comply, unless it is proved that he or she took all reasonable steps to prevent the contravention or failure to comply by any other person: Provided that the fact that the owner or consumer issued instructions to another person may not of itself be accepted as sufficient that he or she took all such reasonable steps.
- (7) The provisions of this section also apply to water supplied directly by the Municipality to owners or consumers outside its area of jurisdiction, despite anything to the contrary in the conditions governing that supply, unless otherwise specified in the notice published in terms of subsection (3).
- (8) No person may without prior written authority from the Municipality, water a garden, sports field, park, or other grassed area using potable water, outside the period as prescribed by the Municipality.
- (9) Where a hosepipe is used to irrigate a garden, park, or sports field from a potable water source, a controlling device such as a sprayer shall be attached to the hose end.
- (10) No person may without prior written authority from the Municipality hose down a hard-surface or paved area using water from a potable source.
- (11) A hosepipe used for washing vehicles, boats, and caravans must be fitted with an automatic self-closing device.
- (12) Wash-hand basins provided in public facilities must be fitted with demand type taps.

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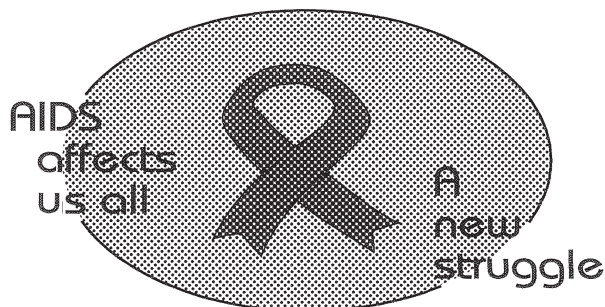
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(13) Showers provided at public facilities must be fitted with demand type valves.

(14) No automatic cistern or tipping tank may be used for flushing a urinal.

(15) Within two years after the promulgation of this amendment bylaw all automatic flushing cisterns fitted to urinals, must be replaced with either manually operated systems or non-manual apparatus which causes the flushing device to operate after each use of such urinal.

Part 7

Communal Water Supply Services

32. Provision of water supply to several consumers

- (1) The engineer may install a communal standpipe for the provision of water supply services to several consumers at a location it considers appropriate, provided that a majority of consumers, who in the opinion of the engineer, constitute a substantial majority and to whom water services will be provided by the standpipe, has been consulted him or the Municipality.
- (2) The engineer may provide communal water supply services through a communal installation designed to provide a controlled volume of water to several consumers.

Part 8:

Temporary Water Supply Services

33. Water supplied from a hydrant

- (1) The Municipality may authorise a temporary supply of water to be taken from one or more fire hydrants specified by it, subject to such conditions and for any period that may be prescribed by it and payment of such applicable charges, including a deposit, as may be determined by the municipal council from time to time.
- (2) A person who wishes to obtain a temporary supply of water referred to in subsection (1) must apply for such a water supply service in terms of section 2 and must pay a deposit determined by the municipal council from time to time.
- (3) The Municipality shall provide a portable water meter and all other fittings and apparatus necessary for the temporary supply of water from a hydrant.
- (4) The portable meter and all other fittings and apparatus provided for the

temporary supply of water from a hydrant remain the property of the municipality and must be returned to the municipality on termination of the temporary supply. Failure to return the portable meter and all other fittings and apparatus shall result the imposition of penalties determined by the municipality from time to time.

Part 9

Boreholes

34. Notification of boreholes

(1) No person may sink a borehole on premises situated in a dolomite area, and before sinking a borehole a person must determine if the premises on which the borehole is to be sunk are situated within a dolomite area.

(2) The Municipality may, by public notice, require-

(a) the owner of any premises within any area of the municipality upon which a borehole exists or, if the owner is not in occupation of such premises, the occupier to notify it of the existence of a borehole on such premises, and provide it with such information about the borehole that it may require; and

(b) the owner or occupier of any premises who intends to sink a borehole on the premises, to notify it on the prescribed form of its intention to do so before any work in connection sinking it is commenced.

(3) The Municipality may require the owner or occupier of any premises who intends to sink a borehole, to undertake an environmental impact assessment of the intended borehole, to the satisfaction of the municipality, before sinking it.

(4) The Municipality may by notice to an owner or occupier or by public notice, require an owner or occupier who has an existing borehole that is used for water supply services to:-

- (a) obtain approval from it for the use of a borehole for potable water supply services in accordance with sections 6, 7 and 22 of the Act; and
- (b) impose conditions in respect of the use of a borehole for potable water services.

Part 9:
Fire Services Connections

35. Connection to be approved by the Municipality

- (1) The Municipality shall be entitled in his or her absolute discretion to grant or refuse an application for the connection of a fire extinguishing installation to the municipality's main.
- (2) No water shall be supplied to any fire extinguishing installation until a certificate that the Municipality's approval in terms of section 25 has been obtained and that the installation complies with the requirements of these and any other by-laws of the Municipality, has been submitted.
- (3) If in the engineer's opinion a fire extinguishing installation, which he has allowed to be connected to the municipality's main, is not being kept in proper working order, or is otherwise not being properly maintained, or is being used for purpose other than firefighting, he shall be entitled either to require the installation to be disconnected from the main or itself to carry out the work of disconnecting it at the customer's expense

36. Special provisions

The provision of SANS 0252-1 any revision or substitution thereof, shall apply to the supply of water for firefighting purposes.

37. Dual and combined installations

All new buildings erected after the commencement of these by-laws, must comply with the following requirements in relation to the provision of fire extinguishing services:

- (a) If boosting of the system is required, a dual pipe system must be used, one for fire extinguishing purposes and the other for general domestic purposes.
- (b) Combined installations shall only be permitted where no booster pumping connection is provided on the water installation. In such cases a fire hydrant must be provided by the municipality, at the customer's expense, within 90 metres of the property to provide a source of water for the fire tender to use in extinguishing the fire.
- (c) Combined installations where a booster pumping connection is provided, shall only be permitted when designed and certified by a professional

engineer.

- (d) All pipes and fittings must be capable of handling pressures in excess of 1 800 kPa, if that pressure could be expected when boosting takes place and must be capable of maintaining their integrity when exposed to fire conditions.

38. Connection pipes for fire extinguishing services

- (1) After the commencement of these by-laws, a single connection pipe for both fire (excluding sprinkler systems) and potable water supply services shall be provided by the Municipality.
- (2) The Municipality shall provide and install, at the cost of the owner a combination meter on the connection pipe referred to in subsection (1).
- (3) A separate connection pipe shall be laid and used for every fire sprinkler extinguishing system unless the engineer gives his approval of the contrary.
- (4) A connection pipe must be equipped with a measuring device that will not obstruct the flow of water while the device is operating.

39. Valves and meters in connection pipes

Every connection pipe to a fire extinguishing must be fitted with valves and a measuring device which shall be:-

- (a) supplied by the Municipality at the expense of the customer; .
- (b) installed between the customer's property and the main; and
- (c) installed in such position as may be determined by the Municipality.

40. Meters in fire extinguishing connection pipes

The engineer shall be entitled to install a water meter in any connection pipe used solely for fire extinguishing purposes and the owner of the premises shall be liable for all costs in so doing if it appears to the Municipality that water has been drawn from the pipe for purposes other than for the purpose of extinguishing a fire.

41. Sprinkler extinguishing installation

A sprinkler installation may be installed directly to the main, but the Municipality may not be deemed to guarantee any specified pressure at any time,

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42. Header tank or double supply from main

(1) The customer must install a header tank at such elevation as will compensate for any failure or reduction of pressure in the Municipality's main for its sprinkler installation, unless this installation is provided with a duplicate supply from a separate main.

(2) The main pipe leading from a header tank to the sprinkler installation may be in direct communication with the main, provided that the main pipe must be equipped with a reflux valve which, if for any reason the pressure in the main fails or is reduced, will shut off the supply from the main.

(3) Where a sprinkler installation is provided with a duplicate supply from a separate main, each supply pipe must be equipped with a reflux valve situated within the premises

43. Sealing of Private Fire Hydrants

(1) Except in the case of a fire installation supplied through a connection pipe fitted with a meter, a private hydrant and hose-reel must be sealed by the Municipality and such seal may not be broken by any person other than the Municipality in the course of servicing and testing, except for the purpose of opening the hydrant in the case of fire.

(2) The customer must give the municipality at least 48 hours' notice prior to a fire extinguishing installation being serviced and tested.

(3) The cost of resealing hydrants and hose-reels shall be borne by the customer except when the seals are broken by the municipality's officers for testing purposes.

(4) Any water consumed through a fire installation or sprinkler system, other than in the course of testing by the Municipality or in the course of fighting a fire, shall be paid for by the customer at the charges determined by the municipality.

CHAPTER 5:**CONDITIONS FOR SANITATION SERVICES*****Part 1******Connection to Sanitation System***

44. Obligation to connect to sanitation system

- (1) All premises on which sewage is produced must be connected to the municipality's sanitation system if a connection sewer is available or if it is reasonably possible or cost effective for the Municipality to install a connection sewer, unless approval for the use of on-site sanitation services was obtained in accordance with section 95.
- (2) The Municipality may, by notice, require the owner of premises not connected to the Municipality's sanitation system to connect to the sanitation system.
- (3) An owner of premises, who is required to connect those premises to the Municipality's sanitation system in accordance with subsection (1), must inform the Municipality in writing of any sanitation services, provided by the Municipality on the site, which will no longer be required as a result of the connection to the sanitation system.
- (4) The owner will be liable for any charge payable in respect of sanitation services on the site, until an agreement for rendering those services has been terminated in accordance with the Municipality's by-laws relating to credit control and debt collection.
- (5) If the owner fails to connect premises to the sanitation system after having had a notice in terms of subsection (2) the Municipality, notwithstanding any other action that it may take in terms of these by-laws, may impose a penalty determined by it.

45. Provision of connecting sewer

- (1) If agreement for sanitation service in respect of premises has been concluded in accordance with the Municipality's By-laws relating to credit control and debt collection and no connecting sewer exists in respect of the premises, the owner shall make application on the prescribed form, and pay the tariffs and charges determined by the Municipality for the installation of a connecting sewer.
- (2) If an application is made for sanitation services which are of such an extent or so situated that it will become necessary to extend, modify or upgrade the sanitation system in order to provide sanitation services to any premises, the Municipality may agree to the extension only if the owner pays or undertakes to pay for the cost, as determined by the Municipality, of the extension, modification or upgrading of the service.
- (3) Only the engineer may install or approve an installed connecting sewer; but the owner or customer may connect the sanitation installation to the connection pipe.
- (4) No person may commence a development on any premises unless the engineer

has installed a connecting sewer.

46. Location of connecting sewer

- (1) A connecting sewer that has been provided and installed by the Municipality must-
 - (a) be located in a position determined by the engineer and be of a suitable size determined by the engineer; and
 - (b) terminate at-
 - (i) the boundary of the premises; or
 - (ii) at the connecting point if it is situated on the premises.
- (2) The engineer may at the request of the owner of premises, approve, subject to any conditions that he may impose, a connection to a connecting sewer other than one that is most readily available for the provision of sanitation services to the premises; in which event the owner shall be responsible for any extension of the drainage installation to the connecting point designated by the municipality and for obtaining, at his own cost, any servitude over other premises that may be necessary.
- (3) Where an owner is required to provide a sewage lift as provided for in terms of the Building Regulations, or the premises are at a level where the drainage installation cannot discharge into the sewer by gravitation, the rate and time of discharge into the sewer be subject to the approval of the municipality.
- (4) The owner of premises must pay the connection charges and tariffs determined by the Municipality before a connection to the connecting sewer can be effected.

47. Provision of one connecting sewer for several consumers on same premises.

- (1) Notwithstanding the provisions of section 4 and 6, only one connecting sewer to the sanitation system may be provided for the disposal of sewage from any premises, irrespective of the number of accommodation units of consumers located on such premises.
- (2) Notwithstanding subsection (1), the municipality may authorise that more than one connecting sewer be provided in the sanitation system for the disposal of sewage from any premises comprising sectional title units or if, in the opinion of the municipality, undue hardship or inconvenience would be caused to any consumer on such premises by the provision of only one connecting sewer.
- (3) Where the provision of more than one connecting sewer is authorised by

the Municipality under subsection (2), the tariffs and charges for the provision of a connecting sewer is payable in respect of each sewage connection so provided.

48. Interconnection between premises

An owner of premises must ensure, unless he has obtained the prior approval of the Municipality and complies with any conditions that it may have imposed, that no interconnection exists between the drainage installation on his or her premises and the drainage installation on any other premises.

49. Disconnection of connecting sewer

The Municipality may disconnect a drainage installation from the connection pipe and remove the connection pipe on the termination of an agreement for the provision of water supply services in accordance with the Municipality's by-laws relating to credit control and debt collection.

Part 2: Standards

50. Standards for sanitation services

Sanitation services provided by the municipality must comply with the minimum standards set for the provision of sanitation services in terms of the section 9 of the Act.

Part 3 Methods for Determining Charges

51. Measurement of quantity of domestic effluent discharged

- (1) As from 1 July 2003, the quantity of domestic effluent discharged shall be determined as a percentage of water supplied by the municipality; provided that where the municipality is of the opinion that such a percentage in respect of specific premises is excessive, having regard to the purpose for which water is consumed on those premises to a figure which, in its opinion and in the light of the available information, reflects the proportion between the likely quantity of sewage discharged from the premises and quantity of water supplied.
- (2) Where premises are supplied with water from a source other than or in addition to, the municipality's water supply system, including abstracting from a river or bore hole, the quantity must be a percentage of the total water used

in those premises that is reasonably estimated by the municipality.

52. Measurement of quantity and determination of quality of industrial effluent discharged

- (1) The quantity of industrial effluent discharged into the sanitation system must be determined-
 - (a) where a measuring device is installed, by the quantity of industrial effluent discharged from the premises as measured by that measuring device; or
 - (b) until the time that a measuring device is installed, by a percentage of the water supplied by the municipality to those premises.
- (2) The municipality may require the owner of any premises to incorporate in any drainage installation conveying industrial effluent to a sewer, any control meter or gauge or other device of an approved type and in the control of the municipality, the tempo, volume and composition of the effluent.
- (3) The municipality may install and maintain any meter, gauge or device referred to in subsection (2) at the expense of the owner of the premises on which it is installed.
- (4) Where premises are supplied with water from a source other than or in addition to the municipality's water supply system, including abstraction from a river or borehole, the quantity will be a percentage of the total water used on those premises reasonably estimated by the municipality.
- (5) Where a portion of the water supplied to the premises forms part of the end product of any manufacturing process or is lost by reaction or evaporation during the manufacturing process or for any other reason the municipality may on application by the owner reduce the assessed quantity of industrial effluent.
- (6) The municipality may at its discretion enter into an agreement with any person discharging industrial effluent into the sanitation system establishing an alternative method of assessing the quantity and tempo of effluent so discharged.
- (7) Charges relating to the quality of industrial effluent will be based on the formula for industrial effluent discharges as prescribed in Schedule C.
- (8) The following apply in respect of the assessment of the quantity of industrial effluent discharged:-
 - (a) Each customer must conduct the prescribed tests on a regular schedule as provided for in the approval to discharge industrial effluent, and report the results to the municipality

- (b) the Municipality may conduct random compliance tests to correlate with those used in subsection (a) and, if discrepancies are found, the values of the Municipality shall, except for the purpose of criminal proceedings, be presumed to be correct and further tests, may be required by the Municipality to determine, at the cost of the customer, the value for the formula;
- (c) the average of the values of the different analysis results of 24 hourly composite or snap sample of the effluent, taken during the period of charge, will be used to determine the quality charges payable;
- (d) in the absence of a complete daily set of 24 hourly composite or snap samples, the average of not less than two value of the sampled effluent, taken during the period shall determine the charges payable;
- (e) in order to determine the strength (Chemical oxygen demand, suspended solids concentration, Ammonia concentration, and orthophosphate concentration) in the effluent as well as the concentration of Group 1 and 2 metals, pH value and conductivity, the municipality will use the tests normally used by Municipalities for these respective purposes. Details of the appropriate tests may be ascertained from the Municipality or the SANS. Tests results from a laboratory, accredited by the Municipality, will have precedence over those of the Municipality;
- (f) the formula is calculated on the basis of the different analysis results of individual snap or composite samples and the period of treatment for calculation shall not be less than one full 24-hour period; unless evidence, is submitted to the Municipality that a lesser period is actually applicable;
- (g) the terms of the disincentive formula cannot assume a negative value;
- (h) the total system values for quality charges shall remain constant for an initial period of one month, but in any case not longer than twelve months from the date of commencement of these charges, after the expiry of which time they may be amended or revised from time to time.
- (i) whether the municipality takes sample, one half of it must be made available to the customer,
- (j) for the purpose of calculating of the quantity of effluent discharged from each point of discharge to the several points of discharge as accurately as is reasonably practicable;

- (k) the costs of conveying and treating industrial effluent shall be determined by the municipality and shall apply with effect from a date determined by the municipality; and
- (l) in the discretion of the municipality, the charges for industrial effluent may be changed to a fixed monthly charge determined by taking into consideration the effluent strengths, the volume and the economic viability of micro and small industries.

53. Reduction in the measured quantity of effluent discharged

- (1). A person shall be entitled to a reduction in the quantity of effluent discharged, as determined in terms of sections 52 and 54, where the quantity of water, on which a percentage is calculated, was measured during a period where water was wasted or a leakage went undetected, if the consumer demonstrates to the satisfaction of the Municipality that the water was not discharged into the sanitation system.
- (2) The reduction in the quantity shall be based on the quantity of water lost through leakage or wastage during the leak period.
- (3) The leak period shall be either the measuring period immediately prior to the date of repair of the leak, or the measurement period during which the leak is repaired, whichever results in the greater reduction in the quantity.
- (4). The quantity of water lost shall be calculated as the consumption for the leak period less the average consumption, based on the preceding 3 (three) months, for the same length of time. In the event of no previous history of consumption being available, the average water consumption will be determined by the municipality, after taking into account all information that is considered by it to be relevant.
- (5) There shall be no reduction in the quantity if a loss of water, directly or indirectly result from a customer's failure to comply these or other by-laws.

54. Charges in respect of "On Site" sanitation services

Charges in respect of the removal or collection of conservancy tank contents, night soil or the emptying of pits will cover all the operating and maintenance costs arising from the removal of the pit contents, its transportation to a disposal site, the treatment of the contents to achieve a sanitary condition and the final disposal of any solid residues and are payable by the owner.

Part 4:
Drainage Installations

55. Installation of drainage installations

- (1) An owner must provide and maintain his drainage installation at his own expense, unless the installation constitute a basic sanitation facility as determined by the Municipality and except where otherwise approved by the Municipality, must ensure that the installation is situated within the boundary of his premises.
- (2) The Municipality may prescribe the point in the sewer, and the depth below the ground, at which any drainage installation is to be connected and the route to be followed by the drain to the connection of the drainage installation until the municipality's connecting sewer has been laid.
- (3) Any drainage installation that has been constructed or installed must comply with any applicable specifications in terms of the Building Regulations and standard prescribed in terms of the Act.
- (4) No person shall permit the entry of any liquid or solid substance whatsoever, other than clean water for testing purposes, into any drainage installation before the drainage installation has been connected to the sewer.
- (5) Where premises are situated in the 1 in 50 years flood plain, the top level of all service access holes, inspection chambers and gullies must be above the 1 in 50 years flood level.
- (6) After the completion, the plumber responsible for the execution of the work must submit to the building inspection section of the municipality a certificate certifying that the work was completed to the standards set out in the building regulations, these by-laws and any other relevant law or by-laws.
- (7) No rainwater or storm-water, and no effluent other than an effluent that has been approved by the municipality, may be discharged into a drainage installation.

56. Disconnection of Drainage Installations

- (1) Except for the purpose of carrying out maintenance or repairs work, no drainage installation may be disconnected from the connection point
- (2) Where any part of a drainage installation is disconnected from the remainder because it will no longer be used, the disconnected part must be destroyed

or entirely removed from the premises on which it was used, unless the Municipality approves otherwise.

- (3) When a disconnection has been made after all the requirements of the Building Regulations in regards to disconnection have been complied with, the engineer must upon the request of the owner, issue a certificate certifying that the disconnection has been completed in terms of the Building Regulations and that any charges raised in respect of the drainage installation shall cease to be levied from the of the month preceding the first day of the month following the issue of such certificate.
- (4) When a drainage installation is disconnected from a sewer, the engineer must seal the opening caused by the disconnection and may recover the cost of doing so from the owner of the premises on which the installation is disconnected.
- (5) Where a drainage system is connected to or disconnected from the sewer system during a month, the charge will be calculated as if the connection or disconnection was made on the first day of the month following the month in which the connection took place.

57. Maintenance of drainage installations

- (1) An owner must provide and maintain his drainage installation at his own cost.
- (2) Where any part of a drainage installation is used by two or more owners or occupiers, they shall be jointly and severally liable for the maintenance of the installation.
- (3) The owner of any premises must ensure that all manholes and cleaning eyes on the premises are permanently visible and accessible.
- (4) The Municipality may, on written application of the owner or occupier of any premises, inspect and test the drainage installation of such premises or any section thereof and recover from the owner or occupier the cost of such inspection and test, calculated at the rate specified in the prescribed tariffs or charges.

58. Technical requirements for drainage installations

All drainage installations shall comply with SANS code 0252 and the Building Regulations, as amended.

59. Drains

- (1) Drains passing through ground which in the opinion of the engineer is liable to movement, shall be laid on a continuous bed of river sand or

similar granular material not less than 100 mm thick under the barrel of the pipe and with a surround of similar material and thickness, and the joints of such drains must be flexible joints approved by the engineer.

- (2) A drain or part of it may only be laid within, or either passes under or through a building, with the approval of the engineer.
- (3) A drain or part of it which is laid in an inaccessible position under a building may not bent or be laid at a gradient.
- (4) If a drain passes through or under a wall, foundation or other structure, adequate precautions shall be taken to prevent the discharge of any substance to the drain.

60 .Sewer blockage

- (1) No person may cause or permit an accumulation of grease, oil, fat, solid matter, or any other substance in any trap, tank or fitting that may cause its blockage or ineffective operation.
- (2) When the owner or occupier of premises has reason to believe that a blockage has occurred in any drainage installation in or on it, he shall take immediate steps to have it cleared.
- (3) When the owner or occupier of premises has reason to believe that a blockage has occurred in the sewer system, he shall immediately inform the municipality.
- (4) Where a blockage occurs in a drainage installation, any work necessary for its removal must be done by, or under the supervision of, a plumber.
- (5) Should any drainage installation on any premises overflow as a result of an obstruction in the sewer, and if the municipality is reasonably satisfied that the obstruction was caused by objects emanating from the drainage installation, the owner of the premises served by the drainage installation shall be liable for the cost of clearing the blockage.
- (6) Where a blockage has been removed from a drain or portion of a drain which serves two or more premises, the owners are jointly and severally liable for the cost of clearing the blockage.

61. Grease traps

A grease trap of an approved type, size and capacity must be provided in respect of all premises that discharge sewage to on-site sanitation systems or where, in the opinion of the municipality the discharge of grease, oil and fat is likely to cause an obstruction to the flow in the sewers or drains, or to cause interference with the proper operation of any waste water treatment plant.

62. Industrial grease trap

- (1) The owner or manufacturer must ensure that industrial effluent which contains, or which, in the opinion of the municipality is likely to contain, grease, oil, fat or inorganic solid matter in suspension shall, before it is allowed to enter any sewer, be passed through one or more tanks or chambers, of a type, size and capacity designed to intercept and retain such grease, oil, fat or solid matter, that is approved by the Municipality.
- (2) The owner or manufacturer must ensure that oil, grease or any other substance which is contained in any industrial effluent or other liquid and which gives off an inflammable or noxious vapour at a temperature of, or exceeding, 20° C must be intercepted and retained in a tank or chamber so as to prevent its entry into the sewer
- (3) A tank or chamber as referred to in subsection (2) must comply with the following requirements:-
 - (a) it shall be of adequate capacity, constructed of hard durable materials and water-tight when completed;
 - (b) the water-seal of its discharge pipe shall be not less than 300 mm in depth; and
 - (c) shall be provided with sufficient such number of manhole covers for the adequate and effective removal of grease, oil fat and solid matter.
- (4) Any person discharging effluent to a tank or chamber must remove grease, oil, fat or solid matter regularly from the tank or chamber and must maintain a register recording-
 - (a) the dates on which the tank or chamber was cleaned;
 - (b) the name of any the person employed by him to clean the tank or chamber or, if he cleaned it himself, that fact that he did so; and
 - (c) a certificate from the person employed to clean it certifying that the tank or chamber has been cleaned and stating the manner in which the contents of the tank or chamber were disposed of, or, if he cleaned it himself, his own certificate to that effect.

63. Mechanical appliances for lifting sewage

- (1) The owner of any premises must obtain the approval of the engineer before installing any mechanical appliance for the raising or transfer of sewage in terms of the Building Regulations.

- (2) Approval must be applied for by a professional engineer and must be accompanied by drawings prepared in accordance with the relevant provisions of the Building Regulations and must show details of the compartment containing the appliance, the sewage storage tank, the stilling chamber and their position, and the position of the drains, ventilation pipes, rising main and the sewer connection.
- (3) Notwithstanding any approval given in terms of subsection (1), the municipality shall not be liable for any injury loss or damage to life or property caused by the use, malfunctioning or any other condition arising from the installation or operation of a mechanical appliance for the raising or transfer of sewage unless the injury or damage was caused by the wrongful intentional or negligent action or inaction of an employee of the municipality.
- (4) Every mechanical appliance installed for the raising or transfer of sewage shall be specifically designed for that purpose and shall be fitted with a discharge pipe, sluice valves and non-return valves located in approved positions.
- (5) Unless otherwise permitted by the engineer, such mechanical appliances shall be installed in duplicate and each such appliance shall be so controlled that either will immediately begin to function automatically in the event of failure of the other.
- (6) Every mechanical appliance forming part of a drainage installation shall be located and operated so as to not cause any nuisance through noise or smell or otherwise, and every compartment containing any such appliance must be effectively ventilated.
- (7) The maximum discharge rate from any mechanical appliance, and the times between which the discharge may take place, shall be as determined by the engineer who may, at any time, require the owner to install such fittings and regulating devices as may, in his opinion, be necessary to ensure that the determined maximum discharge rate shall not be exceeded.
- (8) Except where sewage storage space is incorporated as an integral part of a mechanical appliance, a sewage storage tank must be provided in conjunction with such appliance.
- (9) Every sewage storage tank required in terms of paragraph (a) must-
 - (a) be constructed of hard, durable materials and must be watertight and the internal surfaces of the walls and floor must be smooth and impermeable;
 - (b) have a storage capacity below the level of the inlet equal to the quantity of sewage discharged there into it in 24 hours or 900 litres, whichever is the greater quantity; and
 - (c) be so designed that the maximum of its sewage content shall be emptied at each discharge cycle of mechanical appliance.
- (10) Every storage tank and stilling chamber shall be provided with a ventilation

pipe in accordance with the engineer's specifications.

Part 5

On-Site Sanitation Services and Associated Services

64. Installation of on-site sanitation services

If an agreement for on-site sanitation services in respect of premises has been concluded, or if it is not reasonably possible or cost effective for the municipality to install a connecting sewer, the owner must install sanitation services specified by the municipality, on the site unless the service is a subsidized service that has been determined by the municipality in accordance with section 10 of the municipality's Credit Control and Debt Collection By-law

65. Ventilated improved pit latrines

- (1). The municipality may, on such conditions as it may prescribe, having regard to the nature and permeability of the soil, the depth of the water table, the size of, and access to, the site and the availability of a piped water supply, approve the disposal of human excrement by means of a ventilated improved pit (VIP) latrine.
- (2) A ventilated improved pit latrine must have:-
 - (a) a pit of 2 m capacity;
 - (b) lining as required;
 - (c) a slab designed to support the superimposed loading; and
 - (d) protection preventing children from falling into the pit;
- (3) A ventilated improved pit latrine must conform to the following specifications:
 - (a) the pit must be ventilated by means of a pipe, sealed at the upper end with durable insect proof screening fixed firmly in place;
 - (b) the ventilation pipe must project not less than 0.5 m above the nearest roof, must be of at least 150 mm in diameter, and must be installed vertically with no bend
 - (c) the interior of the closet must be finished smooth so that it can be kept in a clean and hygienic condition. The superstructure must be well-ventilated in order to allow the free flow of air into the pit to be vented through the pipe;
 - (d) the opening through the slab must be of adequate size as to prevent fouling; The rim must be raised so that liquids used for washing the floor do not flow into the pit. It shall be equipped with a lid to prevent the egress of flies and other insects when the toilet is not in use;
 - (e) must be sited in a position that is independent of the dwelling unit;

- (f) must be sited in positions that are accessible to road vehicles having a width of 3.0 m in order to facilitate the emptying of the pit;
- (g) in situations where there is the danger of polluting an aquifer due to the permeability of the soil, the pit must be lined with an impermeable material that is durable and will not crack under stress; and
- (h) in situations where the ground in which the pit is to be excavated is unstable, suitable support is to be given to prevent the collapse of the soil.

66. Septic tanks and treatment plants

- (1) The Municipality may, on such conditions as it may prescribe, approve the disposal of sewage or other effluent by means of septic tanks or other on-site sewage treatment plants.
- (2) A septic tank or other sewage treatment plant on a site must not be situated closer than 3 metres to any dwelling unit or to any boundary of the premises on which it is situated.
- (3) Effluent from a septic tank or other on-site sewage treatment plant must be disposed of to the satisfaction of the municipality.
- (4) A septic tank must be watertight, securely covered and provided with gas-tight means of access to its interior adequate to permit the inspection of the inlet and outlet pipes and adequate for the purpose of removing sludge.
- (5) A septic tank serving a dwelling unit must:-
 - (a) have a capacity below the level of the invert of the outlet pipe of not less than 500 litres per bedroom, subject to a minimum capacity below such an invert level of 2500 litres;
 - (b) have an internal width of not less than 1 metre measured at right angles to the direction of the flow;
 - (c) have an internal depth between the cover and the bottom of the tank of not less than 1,7 metre; and
 - (e) retain liquid to a depth of not less than 1,4 metre
- (6) Septic tanks serving premises other than a dwelling unit must be designed and certified by the professional civil engineer registered as a member of the Engineering Council of South Africa or its successor in title
- (7) No rain water, storm-water, or effluent other than that approved by the

municipality may be discharged into a tank.

67. French drains

- (1) The municipality may, on such conditions as it may prescribe having regard to the quantity and the nature of the effluent and the nature of the soil as determined by the permeability test prescribed by the South African Bureau of Standards or its successor in title, approve the disposal of waste-water or other effluent by means of French drains, soakage pits or other approved works.
- (2) A French drain, soakage pit or other similar work shall not be situated closer than 5 m to any dwelling unit or to any boundary of any premises on which it is situated, nor in any such position that will, in the opinion of the municipality, cause contamination of any boreholes or other source of water which is, or may be, used for drinking purposes, or cause dampness in any building.
- (3) The dimensions of any French drain, soakage pit or other similar work shall be determined in relation to the absorbent qualities of the soil and the nature and quantity of the effluent.
- (4) French drains serving premises other than a dwelling house must be designed and certified by a professional Civil engineer registered as a member of the Engineering Council of South Africa or its successor in title.

68. Conservancy tanks

- (1) The municipality may, on such conditions as it may prescribe; approve the construction of a conservancy tank and ancillary appliances for retention of sewage or effluent.
- (2) No rain water, storm-water, or effluent other than that approved by the municipality may be discharged into a conservancy tank.
- (3) No conservancy tank must be used as such unless-
 - (a) the invert of the tank slopes towards the outlet at a gradient of not less than 1 in 10;
 - (b) the tank is gas and water tight;
 - (c) the tank has an outlet pipe, 100 mm in internal diameter, made of wrought iron, cast iron or other approved material, and except if otherwise approved by the municipality, terminating at

an approved valve and fittings for connection to the municipality's removal vehicles;

(d) The valve and fittings referred to in paragraph (c) or the outlet end of the pipe, as the case may be, are located in a chamber that has hinged cover approved by the engineer and which is situated in a position required by the municipality;

(e) Access to the conservancy tank must be provided by means of an approved manhole fitted with a removable cast iron cover placed immediately above the visible spigot of the inlet pipe.

(4) The municipality may, having regard to the position of a conservancy tank or of the point of connection for a removal vehicle, require the owner or customer to indemnify the municipality, in writing, against any liability for any damages that may result from rendering of that service as a condition for emptying the tank unless the damage is a result of negligence or willful act(s) on the part of the Municipality.

(5) Where the municipality's removal vehicle, has to traverse private premises for the emptying of a conservancy tank, the owner shall provide a roadway at least 3,5 m wide, so hardened as to be capable of withstanding a wheel load of 4 metric tons in all weather, and shall ensure that no gateway through which the vehicle is required to pass to reach the tank, shall be less than 3.5 m wide for such purposes.

(6) The owner or occupier of premises on which a conservancy tank is installed shall at all times maintain the tank in good order and condition to the satisfaction of the municipality.

69. Operation and maintenance of on-site sanitation services

The operation and maintenance of on-site sanitation services and all costs pertaining to it remains the responsibility of the owner of the premises, unless the on-site sanitation services are subsidized services determined in accordance with the municipality's By-laws relating to Credit Control and Debt Collection.

70. Disused conservancy and septic tanks

(1) If an existing conservancy tank or septic tank is no longer required for the storage or treatment of sewage, or if permission for its use is withdrawn, the owner must either cause it to be completely removed or to be completely filled with earth or other suitable material, provided that the Municipality may require a tank to be

dealt with in another way, or approve its use for other purposes, subject to any conditions specified by it.

(2) The Municipality may require the tank referred to in subsection (1) to be otherwise dealt with or it may permit it to be used for some other purpose, subject to such conditions as may be considered necessary, regard being had to all circumstances of the case.

Part 6

Industrial Effluent

71. Approval to discharge industrial effluent

(1) No person shall discharge or cause or permit industrial effluent to be discharged into the sanitation system except with the approval of the Municipality.

(2) A person must apply for approval to discharge industrial effluent into the sanitation system of the Municipality on the prescribed form attached as Schedule B to these by-laws.

(3) The Municipality may, if in its opinion the capacity of the sanitation system is sufficient to permit the conveyance and effective treatment and lawful disposal of the industrial effluent, for such period and subject to such conditions it may impose, approve the discharge of industrial effluent into the sanitation system.

(4) Any person who wishes to construct or cause to be constructed, a building which shall be used as a trade premises, must at the time of lodging a building plan in terms of section 4 of the National Building Regulations and Building Standards No.103 of 1977 also lodge applications for the provision of sanitation services and for approval to discharge industrial effluent.

72. Withdrawal of approval to discharge industrial effluent

(1) Subject to the provisions of the Promotion of Administrative Justice Act 3 of 2000, the municipality may withdraw any approval to a commercial customer, who has been authorised to discharge industrial effluent into the sanitation system, upon giving 14 (fourteen) days' notice, if the customer-

- (a) fails to ensure that the industrial effluent discharged conforms to the industrial effluent standards prescribed in Schedule A of these by-laws or the written permission referred to in section 71;
 - (b) fails or refuses to comply with any notice lawfully served on him in terms of these by-laws, or contravenes any provisions of these by-laws or any condition imposed in terms of any permission granted to him; or
 - (c) fails to pay the charges in respect of any industrial effluent discharged into the sewage disposal system.
- (2) The municipality may on withdrawal of any approval:-
- (a) in addition to any steps required by in these by-laws, and on 14 (fourteen) day's written notice, authorise the closing or sealing of the connecting sewer of the said premises; and
 - (c) refuse to receive any industrial effluent until it is satisfied that adequate steps to ensure that the industrial effluent that is to be discharged conforms to the standards required in these by-laws.
- (3) No person may without the permission of the Council, open or break the seal of a drain closed and sealed off in terms of subsection (2) or cause it to be done.

73. Quality standards for disposal of industrial effluent

- (1) A commercial customer, to whom approval has been granted, must ensure that no industrial effluent is discharged into the sanitation system of the municipality unless it complies with the standards and criteria set out in Schedule A
- (2) The Municipality may, in giving its approval, relax or vary the standards in Schedule A., provided that it is satisfied that any relaxation represents the best practicable environmental option.
- (3) In determining whether relaxing or varying the standards in Schedule A represents the best practicable environmental option a municipality must consider-
 - (a) whether the commercial customer's undertaking is operated and maintained at optimal levels;
 - (b) whether technology used by the commercial customer represents the best available to the commercial customer's industry and,

if not, whether the installation of the best technology would cause the customer unreasonable expense;

- (c) whether the commercial customer is implementing a programme of waste minimization that complies with national waste minimization standards set in accordance with national legislation;
 - (d) the cost to the municipality of granting the relaxation or variation; and
 - (e) the environmental impact or potential impact of the relaxation or variation.
- (4) Test samples may be taken at any time by a duly qualified sampler to ascertain whether the industrial effluent complies with Schedule A or any other standard laid down as a requisition for granting an approval.

74. Conditions for the discharge of industrial effluent

(1) The municipality may on granting approval for the discharge of industrial effluent, or at any time that it considers appropriate, by notice, require a commercial customer to:-

- (a) subject the industrial effluent to such preliminary treatment as in the opinion of the municipality will ensure that the industrial effluent conforms to the standards prescribed in Schedule A before being discharged into the sanitation system;
- (b) install equalizing tanks, valves, pumps, appliances, meters and other equipment which, in the opinion of the municipality, will be necessary to control the rate and time of discharge into the sanitation system in accordance with the conditions imposed by it;
- (c) install for the conveyance of the industrial effluent into the sanitation system at a given point, a drainage installation separate from the drainage installation for other sewage and may prohibit a commercial customer from disposing of this industrial effluent at any other point
- (d) construct on any pipe conveying his industrial effluent to any sewer, a service access hole or stop-valve in such position and of such dimensions and materials as the municipality may prescribe;
- (e) provide all information that may be required by the municipality to enable it to assess the tariffs or charges due to the municipality;
- (f) provide adequate facilities including, but not limited to, level or overflow detection devices, standby equipment, overflow catch-pits, or other

appropriate means of preventing a discharge into the sanitation system in contravention of these by-laws;

- (g) cause any meter, gauge or other device installed in terms of this section to be calibrated by an independent authority at the cost of the commercial customer at such intervals as may be required by the Municipality and copies of calibration must to be forwarded to it by the commercial customer; and
 - (h) cause industrial effluent to be analyzed as often, and in whatever manner, may be determined by the municipality and provide it with the results of these tests when they are completed.
- (2) The cost of any treatment, plant, work or analysis, which a person may be required to carry out, construct or install in terms of subsections (1), shall be borne by the commercial customer concerned.
- (3) If industrial effluent that neither complies with the standards in Schedule A nor has received the approval of the municipality, is discharged into the sanitation system, the municipality must be informed of the discharge and the reasons for it, within twelve hours of the discharge.

Part 7

Sewage Delivered by Road Haulage

75. Acceptance of sewage delivered by road haulage

The engineer may, in his discretion, and subject to such conditions as he may specify, accept sewage that is delivered for disposal at the Municipality's sewage treatment plants by road.

76. Approval for delivery of sewage by road haulage

- (1) No person shall deliver sewage by road haulage in order to discharge it into the municipality's sewage treatment plants except with the approval of the engineer and subject to any conditions, and any times, that may on reasonable grounds be imposed by him.
- (2) The charges for any sewage delivered for disposal to the municipality's sewage treatment plants shall be assessed by the municipality in accordance with the prescribed tariffs of charges

77. Withdrawal of permission for delivery of sewage by road haulage

The engineer may withdraw any approval, given in terms of Section 75, after giving at least 14 (fourteen) days written notice of his intention to do so, if a person who has been allowed to discharge sewerage by road haulage-

- (a) fails to ensure that the sewage conforms to the standards prescribed either in Schedule A, or as condition of approval; or
- (b) fails or refuses to comply with any notice served on him in terms of these By-laws or contravenes any provision of these by-laws or any condition that has been imposed on him as a condition of approval; and
- (c) fails to pay all the charges applicable to the delivery of sewage.

78. Conditions for delivery of sewage by road haulage

When sewage is to be delivered by road haulage-

- (a) the time and place when delivery is to be made shall be arranged in consultation with the engineer; and
- (b) the engineer must be satisfied before a delivery can take place, that the sewage is of a nature suitable for road haulage and that the delivery would comply with the provisions, of these by-laws.

Part 8 Other Sanitation Services

79. Stables and similar premises

The municipality may approve the connection of a mechanical waste food, disposal which and any disposal unit or garbage grinder, into a drainage installation that has a capacity in excess of 500W, subject to the payment of all applicable charges and to any condition that the municipality may impose, but approval will be given only if-

- (a) a water meter is installed by the municipality;
- (b) the engineer is satisfied that the municipality's sewerage and sewage treatment system will not be adversely affected; and
- (c) the installation or incorporation is installed in conformity with the municipality's by-laws relating to electricity

Part 9 Installation Work

80. Approval of installation work

- (1) If an owner wishes to have installation work done, he must first obtain the municipality's written approval.
- (2) Application for the approval referred to in subsection (1) must be made on the prescribed form and shall be accompanied by-
 - (a) a charge determined by the municipality;
 - (b) copies of all drawings that may be required and approved by the municipality;
 - (c) a certificate by a professional engineer certifying that the installation has been designed in accordance with any applicable SANS codes.
- (3) Approval given in terms of subsection (1) shall lapse after 24 (twenty-four) months.
- (4) When approval has been given in terms of subsection (1), a complete set of the drawings that have been required and approved by the municipality must be made available for inspection at the site at all reasonable times until the work has been completed.
- (5) If installation work has been done in contravention of subsections (1) or (2), the municipality may require the owner-
 - (a) to rectify the contravention within a specified time;
 - (b) if work is in progress, to cease the work; and
 - (c) to remove all work that does not comply with these By-laws.

81. Persons permitted to do installation and other work

- (1) No person who is not a plumber, or working under the control of a plumber, shall be permitted to:-
 - (a) do installation work other than the replacement of an existing pipe or sanitation fitting;
 - (b) inspect, disinfect and test a drainage installation, fire installation or storage tank;
 - (c) service, repair or replace a back flow preventer; or

(d) install, maintain or replace a meter provided by an owner in a drainage installation

(2) No person shall require or engage a person who is not a plumber to do the work referred to in subsection (1).

(3) Notwithstanding the provisions of subsections (1) and (2), the Municipality may permit a person, who is not a plumber, to do installation work at his own premises if they are occupied by himself or his own household, but if permission is given, the work shall be approved by an engineer.

82. Use of pipes and water fittings to be authorised

(1) No person shall, without the prior written authority of the engineer, install or use a pipe or water fitting in a water installation within the municipality's area of jurisdiction unless it is included in the Schedule of Approved Pipes and Fittings compiled by the municipality.

(2) Application for the inclusion of a pipe or water fitting in the Schedule referred to in subsection (1) must be made on the form prescribed by the municipality.

(3) A pipe or water fitting may be included in the Schedule referred to in subsection (1) if-

(a) it bears the standardization mark of the South African Bureau of Standards in respect of the relevant SANS specification issued by the Bureau; or

(b) it bears a certification mark issued by the SANS to certify that the pipe or water fitting-

(c) it is included in the list of water and sanitation installations accepted by JASWIC.

(d) No certification marks shall be for a period exceeding two years.

(4) The municipality may impose any additional condition that it considers necessary as relating to the use, or method of installation of any pipe or water fitting included in the Schedule.

(5) A pipe or sanitation fitting must be removed from the Schedule if it:-

(a) no longer complies with the criteria upon which its inclusion was based; or

(b) is no longer suitable for the purpose for which its use was accepted.

(6) The current Schedule must be available for inspection at the office of the municipality at any time during working hours.

(7) The municipality may sell copies of the current Schedule at a charge determined by it.

83. Testing of Drainage Installations

(1) No drainage installation or any part thereof, shall be connected to on-site sanitation services nor shall, the municipality's sanitation system be connected to an existing approved installation, unless any one or more of the following tests have been applied in the presence of and to the satisfaction of the engineer, before the draining installation has been enclosed-

(a) the interior of every pipe or series of pipes between two points in access shall be inspected throughout its length by means of a mirror and a source of light, and during the inspection, a full circle of light must appear to the observer, and the pipe or series of pipes must be seen to be unobstructed;

(b) a smooth ball having a diameter 12mm less than the nominal diameter of the pipe shall, when inserted at the higher end of the pipe, roll down without assistance or interruption to the lower end;

(c) after all openings to the pipe or series of pipes to be tested, after having been plugged or sealed and after all traps associated with them have been filled with water, air shall be pumped into the pipe or pipes until a manometric pressure of 38mm of water is indicated, after which the pressure must remain greater than 25mm of water for a period of at least 3 (three) minutes without further pumping; and

(d) all parts of the installation are subjected to and withstand an internally applied hydraulic test pressure of not less than a 3m head of water for a period of not less than 10 minutes.

(2) If the municipality has reason to believe that any drainage installation or any part of it has become defective, it may require the owner of any premises to conduct any or all of the tests prescribed in subsection (1) and, if the installation fails to pass any test, or all the tests, to the satisfaction of the municipality, the municipality may by notice require the owner to take all reasonable measures that may be necessary to enable the installation to satisfy any or all of them.

CHAPTER 6

WATER SERVICES INTERMEDIARIES

84. Registration

The municipality may by public notice require water services intermediaries or classes of water services intermediaries to register with the municipality in a manner specified in the public notice.

85. Provision of water services

(1) Water services intermediaries must ensure that water services, including basic services as determined by the municipal council, are provided to such persons it is obliged to provide with water services.

(2) The quality, quantity and sustainability of water services provided by a water services intermediary must meet any minimum standards prescribed in terms of the Act and must at least be of the same standards as provided by the municipality to customers.

86. Charge for water services provided

(1) A water services intermediary may not charge for water services at a price which does not comply with any norms and standards prescribed under the Act and any additional norms and standards as may be set by the municipality.

(2) Water services intermediary must provide subsidized water services, as determined by the municipal council in terms of the municipality's by-laws relating to credit control and debt collection from time to time.

CHAPTER 7

UNAUTHORISED WATER SERVICES

87. Unauthorised services

(1) No person may gain access to water services unless he or she is in terms of an agreement entered into with the Municipality for the rendering of those services.

(2) The Municipality may, irrespective of any other action it may take against such person in terms of these By-laws by written notice order a person who is using unauthorised services to-

(a) apply for such services in terms of sections 2 and 3; and

(b) undertake such work as may be necessary to ensure that the customer installation through which access was gained complies with the provisions of these or any other relevant By-laws.

88. Interference with infrastructure for the provision of water services

(1) No person other than the Municipality shall manage, operate or maintain infrastructure through which water services are provided

- (2) No person other than the Municipality shall effect a connection to infrastructure through which water services are provided.
- (3) The Municipality may recover any cost associated with repairing damage caused as a result of a contravention of subsections (1) and (2). The costs recoverable by the Municipality is the full cost associated with repairing the damage and includes, but is not restricted to, any exploratory investigation surveys, plans, specifications, schedules of quantities, supervision, administration charge, the use of tools, the expenditure of labour involved in disturbing or rehabilitation of any part of a street or ground affected by the repairs and the environmental cost.
- (4) No person may interfere with, or willfully or negligently damage or permit damage to or interference with any part of the water services infrastructure belonging to the Municipality.
- (5) If a person contravenes subsection (1), the Municipality may-
 - (a) by written notice require such person to cease or rectify the interference at his own expense within a specified period; or
 - (b) if it is of the opinion that the situation is a matter of urgency, without prior notice prevent or rectify the interference and recover the cost from such person.

89. Obstructions of access to infrastructure for the provision of water Services

- (1) No person shall prevent or restrict the physical access of the Municipality to infrastructure through which water services are provided.
- (2) If a person contravenes subsection (1), the municipality may-
 - (a) by written notice require such person to restore access at his own expense within a specified period; or
 - (b) if it is of the opinion that the situation is a matter of urgency, without prior notice restore access and recover the cost from such person.
- (3) The costs recoverable by the municipality is the full cost associated with restoring access and includes, but is not restricted to, any exploratory investigation, surveys, plans, specifications, schedules of quantities, supervision, administration charge, the use of tools the expenditure of labour involved in disturbing or rehabilitation of any part of a street or ground affected by restoring access and the environmental cost.

90. Waste of water

- (1) No customer shall permit:-
 - (a) the purposeless or wasteful discharge of water from terminal water fittings;
 - (b) pipes or water fittings to leak;

(c) the use of maladjusted or defective water fittings;

(d) an overflow of water to persist; or

(e) inefficient use of water or allow an inefficient use of water to persist.

(2) An owner shall repair or replace any part of his water and sanitation installation which is in such a state of disrepair that it is either causing or is likely to cause an occurrence listed in subsection (1).

(3) If an owner fails to take measures as contemplated in subsection (2), the municipality shall, by written notice require the owner to comply with the provisions of subsection (1).

(4) The Municipality may, by written notice, prohibit the use by a customer of any equipment in a water or sanitation installation if, in its use of water, it is inefficient. Such equipment shall not be returned to use until its efficiency has been restored and a written application to do so has been approved by the Municipality.

91. Unauthorised and illegal discharges

(1) No person may discharge or cause or permit any sewage to be discharged directly or indirectly into a storm water drain, river, stream or other watercourse, whether natural or artificial.

(2) The owner or occupier of any premises on which steam or any liquid other than potable water, is stored, processed or generated shall provide all facilities necessary to prevent any discharge or leakage of such liquid to any street, storm water drain or watercourse, whether natural or artificial, except where, in the case of steam, the municipality has approved such discharge.

(3) Where the hosting down or flushing by rainwater of an open area on any premises is in the opinion of the Municipality likely to cause the discharge of objectionable matter into any street, storm water drain, river, stream or other watercourse, whether natural or artificial, or to cause or contribute towards the pollution of any such watercourse, the municipality may, by notice, require the owner of the premises to take reasonable measures to prevent or minimize such discharge or pollution.

(4) No person may discharge or cause or permit the discharge of-

(a) any substance, including storm water, other than sewage, into a drainage installation;

(b) water from any swimming pool or indirectly over any road or into a gutter, storm water drain, watercourse, open ground or private premises other than the premises of the owner of such swimming pool;

(c) water from artificial fountains, reservoirs or swimming pools situated on premises into a drainage installation, without the approval of the Municipality and subject to the payment of relevant charges and such conditions as the Municipality may impose;

(d) any sewage, industrial effluent or other liquid or substance which-

(i) in the opinion of the Municipality may be offensive to or cause a nuisance to the public;

(ii) is in the form of steam or vapour or has a temperature exceeding 44°C at the point where it enters the sewer,

(iii) has a pH value less than 6.0;

(iv) contains any substance of whatsoever nature likely to produce or release explosive, flammable, poisonous or offensive gases or vapours in any sewer.

(v) contains any substance having an open flashpoint of less than 93°C;

(vi) contains any material of whatsoever nature, including oil, grease, fat or detergents capable of causing obstruction to the flow in sewers or drains or interference with the proper operation of a sewerage treatment works;

(vii) shows any visible signs of tar or associated products or distillates, bitumens or asphalts;

(viii) contains any substance in such concentration to produce an undesirable taste after chlorination or an undesirable odour or colour, or excessive foam;

(ix) has either a greater PV or COD (Chemical Oxygen Demand) value, a lower pH value, or a higher caustic alkalinity or electrical conductivity than specified in Schedule A, without the prior approval and subject to the payment of relevant charges and such conditions as the Municipality may impose;

(x) contains any substance which in the opinion of the Municipality-

(aa) cannot be treated at the sewage treatment works to which it could be discharged; or

(bb) will negatively affect the treatment processes at the sewage treatment works to which it could be discharged or

(cc) will negatively impact on the ability of the sewer treatment works to produce discharges that meet the waste water discharge standards set in terms of the National Water Act, 1998 (Act No 36 of 1998) as amended, or

(xi) either alone or in combination with another substance may-

(aa) generate or constitute a toxic substance dangerous to the health of persons employed at the sewage treatment works or entering the council's sewers or manholes in the course of their duties; or

(bb) be harmful to sewers, treatment plant or land used for the disposal of treated waste water; or

(cc) adversely affect any of the processes whereby sewage is treated or any re-use of sewage effluent

(5) No person shall cause or permit the accumulation of grease, oil, fat or solid matter in any drainage installation that will adversely affect its effective functioning.

(6) The Municipality may, notwithstanding any other actions that may be taken in terms of these by-laws, recover from any person who discharges industrial effluent or any substance which is unauthorised or illegal all costs incurred, by the Municipality as a result of such discharges, including costs that result from-

(a) injury to persons, damage to the sanitation system; or

(b) a prosecution in terms of the National Water Act, 1998 (Act No 36 of 1998) as amended.

92. Illegal re-connection

A customer whose access to water supply services has been restricted or disconnected, who intentionally reconnects to services or who intentionally or negligently interferes with infrastructure through which water supply services are provided, shall on written notice be disconnected.

93. Pipes in streets or public places

No person shall for the purpose of conveying water or sewage derived from whatever source, lay or construct a pipe or associated component on, in or under a street, public place or other land owned by or under the control of any municipality, except with the prior written permission of the municipality and subject to such conditions as it may impose.

94. Use of water from sources other than the water supply system

(1) No person shall use or permit the use of water obtained from a source other than the water supply system, other than rain water tanks which are not connected to the water installation, except with the prior approval of the

Municipality, and in accordance with such conditions as it may impose, for domestic, commercial or industrial purposes.

(2) Any person desiring the consent referred to in subsection (1) must, at his or her own cost, prove to the satisfaction of the Municipality that the water referred to in that section complies with the requirements of SABS Code 241:1999 (Fourth Edition): Drinking water, as amended or any requirement contained in these by-laws or any other law applicable to the consumption of water, or that the use of such water does not, or will not, constitute a danger to health.

(3) Any consent given in terms of subsection (1) may be withdrawn if, in the opinion of the engineer:-

(a) a condition imposed in terms of subsection (1) is breached; or

(b) the water quality no longer conforms to the requirements referred to in subsection (2).

(4) The engineer may take samples of water obtained from a source, other than the water supply system and cause the samples to be tested for compliance with the requirements referred to in subsection (2).

(5) The determined charge for the taking and testing of the samples referred to in subsection (4) above shall be paid by the person to whom consent was granted in terms of subsection (1).

(6) If water obtained from a borehole or other source of supply on any premises is used for a purpose which gives rise to the discharge of such water or a portion thereof into the municipality's sewerage system, the municipality may install a meter in the pipe leading from such borehole or other source of supply to the points where it is so used.

(7) The provisions of section 20 shall apply in so far as they may be applicable in respect of the meter referred to in subsection (4).

95. Use of on-site sanitation services not connected to the sanitation system

(1) No person shall use or permit the use of on-site sanitation services not connected to the municipality's sanitation system except with the prior approval of the engineer, and in accordance with such conditions as it may impose, for domestic, commercial or industrial purposes

(2) Any person desiring the consent referred to in subsection (1) shall provide the engineer with evidence satisfactory to it that the sanitation facility is not likely to have a detrimental effect on health or the environment.

(3) Any consent given in terms of subsection (1) may be withdrawn if, in the opinion of the engineer-

(a) a condition imposed in terms of subsection (1) is breached; or

(b) the sanitation facility has a detrimental impact on health or the environment

(4) The engineer may undertake such investigations as he or she may deem necessary to determine if a sanitation facility has a detrimental impact on health or the environment.

(5) The person to whom consent was granted in terms of subsection (1) shall be liable for costs associated with an investigation undertaken in terms of subsection (2) if the result of the investigation indicates that the sanitation facility has a detrimental impact on health or the environment

CHAPTER 8

NOTICES

96. Power to serve and compliance with notices

(1) The Municipality may, by written notice, order an owner, customer or any other person who fails, by act or omission, to comply with the provisions of these By-laws, or to fulfill any condition imposed in it, rectify his failure within a period specified in the notice, which period shall not be less than thirty days except where a notice is issued in terms of section 18, when the period shall not be less than seven days.

(2) If a person fails to comply with a written notice served on him by the municipality in terms of these By-laws within the specified period, it may take such action that in its opinion is necessary to ensure compliance, including-

- (a) undertaking the work necessary itself and recovering the cost of such action or work from that owner, consumer or other person;
- (b) restricting or discontinuing the provision of services; and
- (c) instituting legal proceedings.

(3) A notice in terms of subsection (1) must:-

- (a) give details of any provision of the by-laws that has not been complied with;
- (b) give the owner, customer or other person a reasonable opportunity to make representations and state his case, in writing to the municipality within a specified period, unless the owner, customer or other person was given such an opportunity before the notice was issued.
- (c) specify the steps that the owner, consumer or other person must take to rectify the failure to comply;
- (d) specify the period within which the owner, consumer or other person must take the steps specified to rectify such failure; and
- (e) indicate that the municipality:-
 - (i) may undertake any work that is necessary to rectify a failure to comply with a notice and the cost to the Municipality of rectification may be recovered from the owner, consumer or other person who has failed to comply with it; and
 - (ii) may take any other action that it considers necessary for ensuring compliance.

(4) In the event of an emergency the Municipality may, without prior notice to anyone, undertake the work required by subsection (3) (e) (i) and recover the costs from a person who, but for the emergency, would have to be noticed in terms of subsection (1).

(5) The costs recoverable by the municipality in terms of subsections (3) and (4) are the full costs associated with that work and includes, but are not restricted to, any exploratory investigation, surveys, plans, specifications, schedules of quantities, supervision, administration charge, the use of tools, the expenditure of labour involved in disturbing or rehabilitation of any part of a street or ground affected by the work and the environmental cost.

CHAPTER 9:

INVESTIGATIONS/INSPECTIONS

97. Procedure to execute work or conduct an inspection: entry with a written authorization.

- (1) A designated officer may subject to section 101 of the Systems Act, enter any premises if a justice of the peace as contemplated in section 3 and 4 of the Justices of the Peace and Commissioners of Oaths Act, 1963 (Act No. 16 of 1963), has issued a written authorization to enter and execute work or inspect the premises, and the written authorization is still valid.
- (2) A justice of the peace may issue a written authorization to enter and execute work or inspect any premises if, from information on oath, there are reasonable grounds to believe
 - (a) that, in the interest of the public, it is necessary to execute work or obtain information that cannot be obtained without entering those premises;
 - (b) that there is non-compliance with any provision of these By-laws in respect of the premises; or
 - (c) that significant environmental degradation or water pollution has taken, or is likely to take place, or is suspected.
- (3) A justice of the peace may issue a written instruction to the owner or person in control of the premises to do work, at the expense of such owner or person, which is necessary to enable a designated officer to –
 - (a) determine whether or not there has been a contravention of the By-laws on such premises;

- (b) restore access to the water supply system or any sanitation service where the owner or such person has restricted such access; and
 - (c) properly and effectively execute work or inspect premises, as contemplated in subsection (1).
- (4) If, after the work contemplated in subsection (3) has been performed, it is established that no contravention of the By-laws has taken place, the expenses incurred in performing the work and restoring the premises to their former condition, shall be paid by the Council.
- (5) A written authorization in terms of subsection (2) may be issued at any time and must specifically –
 - (a) identify the premises that may be entered and worked on or inspected ; and
 - (b) authorise the designated officer to enter and execute work or inspect the premises and to do anything to ensure compliance with these by-laws.
- (6) A written authorization issued in terms of subsection (2) is valid until one of the following events occur:
 - (a) It is carried out;
 - (b) it is cancelled by the person who issued it or, in that person's absence, by a person with similar authority;
 - (c) the purpose for which it was issued has lapsed; or
 - (d) three months have passed since the date of issue.
- (7) A written authorization issued in terms of subsection (2) may only be carried out between 07h00 and 19h00, unless the justice of the peace who issues it states in writing that it may be carried out at a different time reasonable in the circumstances.
- (8) Before commencing any work or inspection, a designated officer who carries out a written authorization must either –
 - (a) if the owner of or a person apparently in control of the premises is present –
 - (i) identify himself or herself and explain his or her authority to that person or furnish proof of such authority, and
 - (ii) hand a copy of the written authorization to that person;

- (b) if the owner or person apparently in control of the premises is absent or refuses to accept a copy, attach a copy of the written authorization to the premises in a prominent and visible place.

98. Procedure to execute work or conduct an inspection: entry without a written authorization

- (1) A designated officer who does not have a written authorization may subject to section 101 of the Systems Act, enter and execute work or inspect -
 - (a) any premises, with the consent of the owner or person apparently in control of the premises; or
 - (b) any premises, except residential premises, on a routine basis –
 - (i) no more frequently than six times during a twelve month period; or
 - (ii) more frequently if permitted by these By-laws for the purposes of any work or inspection
 - (c) any premises, if there are reasonable grounds to suspect that there is an emergency, and/or that any delay in commencing any work or inspection may –
 - (i) disrupt or adversely affect the provision of water and sanitation services;
 - (ii) result in excessive wastage or pollution of water; or
 - (iii) have significant detrimental effects on public or private health and safety;
 - (d) any premises from which there is a discharge or a suspected discharge, into any sewer of any stormwater, sewage, industrial effluent, or other liquid or substance contemplated in these by-laws;
 - (e) any premises on which a nuisance is caused by, related to, or emanates from a drainage installation; and
 - (f) any premises on which a contravention of section 90 exists or is suspected.
- (2) Unless the emergency and/or delay in commencing any work or inspection referred to in subsection (1)(c) was caused by an act or omission of the Council, the cost of any remedial action taken in connection with subsections (c), (d), (e) and (f) must be paid by the owner of the premises.

- (3) In addition to the entry permitted in terms of subsection (1), a designated officer may enter any premises without a written authorization in respect of which there is an outstanding compliance notice, issued in terms of section 97 for the purpose of determining whether that notice has been complied with.
- (4) Before commencing work or inspecting any premises in terms of this section, a designated officer must identify him or herself and explain his or her authority or furnish proof of such authority to the person apparently in control of the premises or the person who gave permission to enter.
- (5) Any entry and execution of work or inspection without a written authorization must be carried out at a reasonable time in the circumstances.

99. Observing fundamental rights

A designated officer who enters and executes work or inspects any premises in terms of this Chapter must do so with strict regard for decency and orderliness and with regard for each person's human rights including the right to dignity, freedom, security and privacy.

100. Using force to enter

- (1) A designated officer carrying out a written authorization may overcome any resistance to entry, execution of work or inspection by using as much force as is reasonably required, including breaking a lock, door or window of the premises to be entered.
- (2) Before resorting to force, the person carrying out the written authorization must audibly demand admission and must announce his or her purpose, unless he or she reasonably believes that doing so may induce someone to destroy, dispose of, or tamper with, an article or document that is the object of the work or inspection.
- (3) The Council must compensate anyone who suffers damage because of forced entry during the execution of any work or any inspection when no one responsible for the premises was present.
- (4) Force may not be used to effect an entry to execute work or conduct an inspection in terms of section 101 of the Municipal Systems Act, unless an emergency arises.

101. Designated officer may be accompanied

During the execution of any work or an inspection, a designated officer may be accompanied by a member of the South African Police Services and/or by any other person reasonably required to assist in executing the work or conducting the inspection.

102. Duty to produce document

Any person who holds any document relevant to the execution of any work or inspection contemplated in this Chapter must produce it at the request of a designated officer.

103. Duty to answer question and assist designated officer

(1) Any person who is questioned by a designated officer in terms of this Chapter must answer truthfully and to the best of his or her ability;

(2) An answer or explanation given to a designated officer may not be used or admitted in criminal proceedings against the person who provides it, except in proceedings against that person on a charge relating to –

- (a) the administration or taking of an oath;
- (b) the making a false statement; or
- (c) the failure to answer a lawful question fully and satisfactorily.

(3) An owner or occupier of any premises must provide any facility and assistance that is reasonably required by a designated officer to perform his or her functions effectively.

CHAPTER 10**APPEALS****104. Appeals against decisions of the Municipality**

(1) A customer may appeal in writing against a decision of, or a notice issued by the municipality in terms of these By-laws.

(2) An appeal in terms of subsection (1) must be made in writing and lodged with the municipality within twenty one (21) days after a customer was notified of the decision or served with a notice and must:-

- (a) set out the reasons for the appeal; and
- (b) be accompanied by any security determined by the municipality for the testing of a measuring device, if it has not been tested.

(3) The appeal authority must commence with the appeal within six (6) weeks after the lodgment and decide the appeal within reasonable time.

(4)The Municipality may condone the late lodging of appeals or other procedural irregularities.

CHAPTER 11

OFFENCES

105. Offences

(1) Subject to subsection (2), any person who:-

(a) obstructs or hinders the municipality in the exercising of the powers or performance functions or duties under these by-laws;

(b) uses, tampers or interferes with municipal equipment, the water supply system, sanitation system and reticulation network or consumption of services rendered;

(c) contravenes or fails to comply with a provision of these by-laws other than a provision relating to payment for municipal services;

(d) fails to comply with the terms of a notice served upon him in terms of these by-laws;

is guilty of an offence and liable on conviction to a fine or in default of payment to imprisonment for a period not exceeding 3 years and in the case of any continued offence, to a further fine not exceeding R200, or in default of payment, to imprisonment not exceeding one day for every day during the continuance of such offence, after a written notice has been issued by the municipality and served on the person concerned requiring the discontinuance of such an offence.

(2) No person shall be liable to imprisonment if he or she is unable to afford to pay a fine.

(3) Any person committing a breach of the provisions of these by-laws shall be liable to recompense the Municipality for any loss or damage suffered or sustained by it in consequence of the breach

CHAPTER 11

DOCUMENTATION

106. Signing of notices and documents

A notice or document issued by the municipality in terms of these by-laws and signed by a staff member of the Municipality shall be deemed to have been duly issued and must on its mere production be accepted by a court as *prima facie* evidence of that fact.

107. Service of notice

(1) Any notice, order or other document that is served on any person in terms of these by-laws must; subject to the provisions of the Criminal Procedure Act 1977 (Act 51 of 1977) be served personally, failing which it may be regarded as having duly been served-

- (a) when it has been left at a person's place of residence, or business or employment in the Republic, with a person apparently over the age of sixteen years;
- (b) when it has been posted by registered or certified mail to a person's last known residential address or business address in the Republic and an acknowledgement of posting thereof from the postal service is obtained;
- (c) if a person's address in the Republic is unknown, when it has been served on that person's agent or representative in the Republic in a manner provided for in subsections (a), (b) or (d); or
- (d) if that person's address and agent or representative in the Republic is unknown, when it has been placed in a conspicuous place on the property or premises, if any, to which it relates.

(2) Any legal process is effectively and sufficiently served on the Municipality when it is delivered to the municipal manager or a person in attendance at the municipal manager's office.

(3) When any notice or other document must be authorised or served on the owner, occupier of any property, or of any person who holds a right over, or in respect of it, it is sufficient if that person is described in the notice or other document as the owner occupier or holder of the right over or in respect of the property, and shall not be necessary to name him.

(4) Where compliance with a notice is required within a specified number of working days, the period that is required shall commence on the date when the notice is served or when it has first been given in any other way contemplated in these by-laws.

108. Authentication of documents

(1) Every order, notice or other document requiring authentication by the Municipality shall be sufficiently authenticated, if it is signed by the municipal manager, by a duly authorised officer of the Municipality or by the Manager of the Municipality's authorised agent.

(2) Authority to authorise, as envisaged in subsection (1) must be conferred by a resolution of the Municipality, by a written agreement or by a bylaw.

109. *Prima facie* evidence

In legal proceedings by or on behalf of the Municipality, a certificate reflecting an amount of money as being due and payable to the municipality, shall, if it is made under the hand of the Municipal Manager, or of a suitably qualified employee of the municipality who is authorized by the Municipal Manager or the Manager of the municipality's authorised agent, shall upon its mere production constitute prima facie evidence of the indebtedness.

CHAPTER 12**GENERAL PROVISIONS****110. Responsibility for compliance with these By-Laws**

(1) The owner of premises is responsible for ensuring compliance with these by-laws in respect of all or any matters relating to water and the installation and maintenance of sanitation.

(2) The customer is responsible for compliance with these by-laws in respect of matters relating to the use of any water and the installation and maintenance of sanitation.

111. Provision of information

An owner, occupier, customer or person within the area of supply of the municipality must provide the municipality with accurate information requested by the municipality that is reasonably required by the municipality for the implementation or enforcement of these by-laws.

112. Indemnification from liability

Neither employees of the Municipality nor any person, body, organisation or corporation acting on behalf of the Municipality is liable for any damage arising from any omission or act done in good faith in the course of his duties unless the damage is caused by a wrongful and intentional act or negligence.

113. Exemption

(1) The engineer may, in writing exempt an owner, customer, any other person or category of owners, customers, ratepayers, users or services from complying with a provision of these by-laws, subject to any conditions it may impose, if he or she is of the opinion that the application or operation of that provision would be unreasonable, provided that the engineer shall not grant exemption from any section of these by-laws that may result in-

- (a) the wastage or excessive consumption of water supply services;
- (b) significant adverse effects on public health, safety or the environment;
- (c) the non-payment for services;
- (d) the Act or any regulations made in terms of it, being not complied with.

(2) The Municipality may at any time after giving written notice of at least thirty days, withdraw any exemption given in terms of subsection (1).

114. Conflict of law

If there is any conflict between these By-laws and other By-laws of the municipality on a matter relating to water and sanitation, these by-laws will prevail.

115. Transitional arrangements

(1) Installation work authorised by the Municipality prior to the commencement date of these by-laws or authorised installation work in progress on that date shall be deemed to have been authorised in terms of these by-laws; and the municipality may, for a period of 90 (ninety) days after the commencement of these by-laws, authorized installation work in accordance with the by-laws that regulated that work immediately prior to the promulgation of these by-laws.

(2) Any reference in these by-laws to a charge determined by the municipal council shall be deemed to be a reference to a charge determined by the municipal council under the laws repealed by section 117, until the effective date of any applicable charges that may be determined by the municipal council in terms of these by-laws, or other applicable by-laws.

(3) Any approval consent or exemption granted under the laws repealed by section 114 shall remain valid.

(4) No customer shall be required to comply with these by-law by altering a water installation or part of it which was installed in conformity with any laws applicable immediately prior to the commencement of these by-laws, provided that if, in the opinion of the engineer, the installation or part, is so defective or in a condition or position that could cause waste or undue consumption of water, pollution of the water supply or a health hazard, the engineer may by notice require the customer to comply with the provisions of these by-laws.

116. Repeal of existing Municipal Water Services By-laws

The provisions of any by-laws relating to water supply and sanitation services by the municipality are hereby repealed insofar as they relate to matters provided for in these by-laws.

117. Short title and commencement

(1) These by-laws are called the Water Services By-laws of the Mopani District Municipality, 2019.

(2) These by-laws shall become effective on the date of their publication in the Provincial Gazette.

SCHEDULE A

LIMITS OF CONCENTRATION OF SUBSTANCES THAT MAY BE DISCHARGED TO THE MUNICIPALITY'S SANITATION SYSTEM

Parameter	Allowed Specification
PV – not exceed	1400 ml/l
Ph. within range	6,0 – 10,0
Electrical conductivity – not greater than	500 m S/m at 20 °C
Caustic alkalinity (expresses CaCO ₃)	2 000 mg/l
Substance not in solution (including fat, oil, grease waxes and like substance)	
Substances soluble in petroleum ether	500 mg/l
Sulphides, hydro-sulphides and polysulphides (expresses as S)	50 mg/l
Substances from which hydrogen cyanide can be liberated in the drainage installation, sewer or sewage treatment works (expresses as HCN)	20 mg/l
Formaldehyde (expressed as HCHO)	50 mg/l
Non-organic solids in suspension	100 mg/l
Chemical oxygen demand (CO)	5 000 mg/l
All sugars and/or starch (expressed as glucose)	1 500 mg/l
Available chlorine (expressed as Cl)	100 mg/l
Sulphates (expressed as SO)	1 800 mg/l
Fluorine – containing compounds (expressed as F)	5 mg/l
Anionic surface active agents	500 mg/l

METALS

Group 1

Metal	Expressed as
Manganese	Mn
Chromium	Cr
Copper	Cu
Nickel	Ni
Zinc	Zn
Iron	Fe
Silver	Ag
Cobalt	Co
Tungsten	W
Titanium	Ti
Cadmium	Cd

Group 2

Metal	Expressed as
Lead	Pb
Selenium	Se
mercury	Hg

The total collective concentration of all metals in Group 2 (expressed as indicated above) in any sample of the effluent shall not exceed 10mg/l, nor shall the concentration of any individual metal in any sample exceed 5 mg/l.

OTHER ELEMENTS

Element	Expressed as
Arsenic	As
Boron	B

The total collective concentration of all elements (expressed as indicated above) in any sample of the effluent shall not exceed 20mg/l.

RADIO-ACTIVE WASTES

Radio-active wastes or isotopes: Such concentration as may be laid down by the Atomic Energy Board or any national or Department: Provided that, notwithstanding the requirements set out in this Part, the municipality reserves the right to limit the total mass of any substance or impurity discharged per 24 hours into the sanitation system from the premises.

METHODS OF TESTING

The method of testing in order to ascertain the concentration of any substance in this Schedule shall be the test normally used by the municipality for these purposes. Any person discharging any substance referred to in this Schedule shall ascertain the details of the appropriate test from the municipality

SCHEDULE B**APPLICATION FORM FOR THE DISCHARGE OF INDUSTRIAL EFFLUENT TO THE MUNICIPALITY'S SANITATION SYSTEM**

(Please complete application in block capitals)

I _____ (name): the undersigned, duly authorised to set on behalf of _____ and (hereinafter referred to as the applicant), hereby apply in terms of the Water Services By-laws of the municipality for approval to discharge industrial effluent into the municipality's sanitation system in accordance with the information provided herein.

PART 1**1. NATURE OF THE BUSINESS OR INDUSTRY CONCERNED:**

2. NAME OR STYLE UNDER WHICH THE BUSINESS OR INDUSTRY IS CONDUCTED.

3. POSTAL ADDRESS OF THE BUSINESS OR INDUSTRY:

4. PHYSICAL STREET ADDRESS:

Erf No. or Farm PTN : _____ Township or Farm:

5. If the business or industry is conducted by a company or closed corporation, state the name of the secretary, and if it is a partnership state the names of the partners:

6. Is a new or established business:

7. Description of industrial or trade process by which the effluent will be produced:

8. Information relating to employees:

	Office	Factory
1) Total number of daily employees(not included in (4)):		
2) Number of shifts worked per day:		
3) Number of days worked per week:		
4) Number of persons resident on the premises:		
5) Is a canteen provided?		

PART II**INFORMATION RELATING TO THE CONSUMPTION OF WATER****1. TOTAL NUMBER OF LITRED OF WATER CONSUMED IN SIX MONTHS:**

	Meter No	Meter No	Meter No	Total
Water purchased from the municipality				
Water from boreholes or other source				
Water entering with raw material				
Section of plant served by meter				
Total A				

2. WATER CONSUMPTION1) Industrials –
kl/Month

- I) Quantity of water in product
.....
- II) Quantity of water lost evaporation
.....
- III) Quantity of water used as boiler make-up
.....
- IV) Quantity of water for other uses (e.g. cooling, gardens, etc)
.....

TOTAL B2) Domestic use –
kl/Month

- I) Total number in product
.....
- II) Total number of employees permanently resident on the premises
e.g Hostels (Allow 1 kilolitre/person/month)
.....

TOTAL C**3. EFFLUENT DISCHARGE INTO SANITATION SYSTEM**

- 1) Metered volume (if known)
.....kl/Month
- 2) Estimated un-metered volume (see below)
..... kl/Month
- 3) Estimated rate of discharge
.....
- 4) Period of maximum discharge (e.g 07:00 to 08:00)
.....

- In the event that no effluent meter is installed on the premises, the estimated volume of unmetred effluent discharge to sewer is calculated as follows –
 $A - (B + C)$ Kilolitre/Month

PART III

INFORMATION REGARDING THE COMPOSITION OF INDUSTRIAL EFFLUENT

Information relating to the chemical and physical characteristics of the effluent to the discharged –

- 1) Maximum temperature of effluent
C.....
- 2) pH value pH
- 3) Nature and amount of settleable solids
.....
- 4) Organic Content (Expressed as Chemical Oxygen Demand)
.....
- 5) Maximum total daily discharge (kilolitres)
.....
- 6) Maximum rate of discharge (kilolitres/hr)
.....
- 7) Periods of maximum discharged, (e.g 7:00 am to 8:00 am)
.....
- 8) If any of the substances or their salts, specified in the table, are formed on the premises, a cross must be placed in the space in which the substance appears, and possible, the average concentration of this substance likely to be present in any must also be stated.

ELEMENTS	COMPOUNDS	OTHER SUBSTANCES
Arsenic mg/l	Ammonium mg/l	Grease and/or oil mg/l
Boron mg/l	Nitrate mg/l	Starch and/or sugars mg/l
Cadmium mg/l	Sulphide mg/l	Synthetic detergents mg/l
Chromium mg/l	Sulphate mg/l	Tar and/or tar oils mg/l
Cobalt mg/l	Others (specify) mg/l	Volatile solvents mg/l
Copper mg/l		Others (specify) mg/l
Cyanide mg/l		
Iron mg/l		
Lead mg/l		
Manganese mg/l		

Mercury mg/l		
Nickel mg/l		
Selenium mg/l		
Tungsten mg/l		
Titanium mg/l		
Zinc mg/l		
Other (Specify) mg/l		

9. Any further information as to kind or character, chemical compositions, concentrations or other properties peculiar to the industrial effluent to be furnished on a separate sheet and attached hereto.

Part IV

CONDITIONS RELATING TO THE ACCEPTANCE OF INDUSTRIAL EFFLUENT

1. The applicant shall attach descriptions and a statement of the dimensions of grease and oil traps, screens, dilutions and neutralizing tanks and any other provision made for the treatment of the effluent prior to the sanitation systems.
2. The applicant shall submit to the municipality, if requested, plans showing the reticulation systems on his premises for water and industrial effluent.
3. The applicant shall, in addition to comply with the provisions of the municipality's Water Services By-laws aimed at the protections of its employees, sewers and treatment plant from damage, comply with any direction concerned with such protection given by the engineer verbally or in writing for the purpose of ensuring the applicant's compliance with the said By-laws.
4. The applicant shall notify the municipality, as soon as possible after he becomes aware thereof, at least 14 days before anything is done to cause material alteration in the nature or quantity of the industrial effluent specified in this application or in any of the facts stated by him therein.
5. The applicant shall, within 30 days from the date of signature of this application, procure an accurately representative sample shall be free of domestic sewage, and shall submit one half thereof to the municipality for analysis and also submit to the engineer a report on the sample made by an analyst appointed by him: Provided that in the case of a newly established industry the period specified may be extended by the municipality in its discretion may approve.
6. The applicant hereby declares and warrants that the information given by him in its form, or otherwise, in the connection with its application is, to the best of his knowledge and belief, in all respects correct.
7. The applicant agrees that the said information, being in all respects correct, shall form the basis on which this application is granted by the municipality.

Thus done at by the applicant this day of

20.....

.....

Signature and capacity of the applicant

SCHEDULE C

FORMULA FOR THE CALCULATION OF EFFLUENT DISCHARGE CHARGES

1. The additional charge for industrial effluent for the disposal of high strength sewage to a waste water treatment plant shall be determined in accordance with the following formula –

$$T_c = QcT \left[a \frac{[COD_c - COD_d]}{[COD_d]} + b \frac{[P_c - P_d]}{[P_d]} + c \frac{[N_c - N_d]}{[N_d]} \right]$$

Where T	=	Extraordinary Treatment Cost to Consumer
Q	=	Waste water Volume discharge by consumer in kl
t	=	Unit Treatment cost of waste water in R/kl
COD	=	Total COD of waste water discharged by consumer in
biodegradable		milligrams/litre and is inclusive of both the
		and non- biodegradable portion of the COD
COD	=	Total COD of domestic waste water in milligrams per litre
P	=	Ortho-phosphate concentration of waste water discharged
		by consumer in milligrams phosphorus per litre
P	=	Ortho-phosphate concentration of domestic waste water in

milligrams of nitrogen per litre.

- N = Ammonia concentration of domestic waste in milligrams in
nitrogen per litre.
- a = Portion of the costs directly related to COD
- b = Portion of the costs directly to the removal of nitrates
- c = Portion of the costs directly related to the removal of nitrates
- (Editorial Note: Wording as per original *Provincial Gazette*)

SCHEDULE C

Different terms	Value
T	R0.82/kl
COD	600 mg/l
	10 mg/l
N	25 mg
A	0.6
B	0.25
C	0.15

LOCAL AUTHORITY NOTICE 120 OF 2021**WATERBERG DISTRICT MUNICIPALITY: REVISION OF THE SPATIAL DEVELOPMENT FRAMEWORK.**

Notice is hereby given in terms of Section 20(3) of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) read together with the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) that the Waterberg District Municipality, Limpopo Province is in the process of reviewing the Municipal Spatial Development Framework (SDF) for the municipal area of jurisdiction as contemplated in Section 21 of the act (supra) and that the draft report and concept proposals are now available for public perusal and input. The public is hereby invited to inspect the draft Municipal SDF and submit written representations in respect of the plan within 60 days from 9 July 2021. The documents can be accessed electronically from the Municipality's website at <http://www.waterberg.gov.za>. A hard copy of it will also lie open for inspection at the offices of the Municipality at the address mentioned below.

Any representation must reach the Office of the Municipal Manager at Harry Gwala Street, Modimolle or be submitted by e-mail to psiebe@waterberg.gov.za, within a period of 60 days from 9 July 2021, but no later than 7 September 2021. For enquiries contact the Manager: Town Planning, Mr. Phathu Siebe at 084 287 0467 or email psiebe@waterberg.gov.za during office hours (from 8h00 to 16h30).

P RAPUTSOA
MUNICIPAL MANAGER

PLAASLIKE OWERHEID KENNISGEWING 120 VAN 2021**WATERBERG DISTRIK MUNISIPALITEIT: HERSIENING VAN DIE RUIMTELIKE ONTWIKKELINGSRAAMWERK**

Kennis word hiermee gegee in terme van Artikel 20(3) van die Wet op Ruimtelike Beplanning en Grondgebruiksbestuur, 2013 (Wet 16 van 2013) saamgelees met die Wet op Plaaslike Regering: Munisipale Stelsels, 2000 (Wet 32 van 2000) dat die Waterberg Distrik Munisipaliteit, Limpopo Provinsie, in die proses is om die Munisipale Ruimtelike Ontwikkelingsraamwerk (ROR) vir sy munisipale jurisdiksiegebied te hersien soos beoog in Artikel 21 van die wet (supra) en dat die konsepverslag en voorstelle nou beskikbaar is vir openbare insae en insette. Die publiek word hiermee uitgenooi om die konsep Munisipale ROR te inspekteer en skriftelike insette op die plan te lewer binne 'n tydperk van 60 dae vanaf 9 Julie 2021. Toegang tot die dokument kan elektronies verkry word vanaf die webtuiste van die munisipaliteit by <http://www.waterberg.gov.za>. 'n Harde kopie daarvan sal ook ter insae lê by die Munisipale kantore by ondergenoemde adres.

Enige vertoë moet die Kantoor van die Munisipale Bestuurder by Harry Gwalastraat, Modimolle bereik of per e-pos gerig word aan psiebe@waterberg.gov.za, binne 'n tydperk van 60 dae vanaf 9 Julie 2021, maar nie later as 7 September 2021 nie. Vir enige verdere navrae kontak die Bestuurder Stadsbeplanning, Mnr. Phathu Siebe by 084 287 0467 of e-pos: psiebe@waterberg.gov.za gedurende kantoorure (vanaf 8h00 tot 16h30).

P RAPUTSOA
MUNISIPALE BESTUURDER

LOCAL AUTHORITY NOTICE 121 OF 2021**POLOKWANE LOCAL MUNICIPALITY****NOTICE OF A REZONING APPLICATION IN TERMS OF SECTION 61 OF THE POLOKWANE MUNICIPAL PLANNING BY-LAW, 2017****POLOKWANE AMENDMENT SCHEME 433**

I Ignatius Mathibe Mahlangu from Madiva Resources Proprietary Limited Pty being the applicant of Erf 3257 Pietersburg Extension 11 hereby give notice in terms of section 95(1)(a) of the Polokwane Municipal Planning By-law, 2017, that I/we have applied to Polokwane Municipality for the amendment of the applicable Land Use Scheme/or Town planning Scheme, by the rezoning in terms of section 61 of the of the Polokwane Municipal Planning By-law, 2017, of the property(ies) as described above. The property(ies) is/are situated 7 Pelican Street. The rezoning is from "Residential 1 " to "Special" for Medical Consulting Rooms for Dialysis. The intention of the applicant in this matter is to Dialysis Medical Facility.

Any objection(s) and/or comment(s), including the grounds for such objection(s) and/or comment(s) with full contact details, without which the Municipality cannot correspond with the person or body submitting the objection(s) and/or comment(s), shall be lodged with, or made in writing to: Manager: City Planning and Property Management, PO Box 111, Polokwane, 0700 from 18 June 2021.

Full particulars and plans (if any) may be inspected during normal office hours at the Municipal offices as set out below, for a period of 28 days from the date of first publication of the notice in the Provincial Gazette /newspaper.

Address of Municipal offices: PO Box 111, Polokwane, 0700, Closing date for any objections and/or comments is 28 days after 18 June 2021, Address of applicant 7 Pelican, Polokwane : Ignatius Mathibe Mahlangu, Cell phone No: 082 892 6631, Dates on which notice will be published: 18 June 2021.

9-16

PLAASLIKE OWERHEID KENNISGEWING 121 VAN 2021**POLOKWANE PLAASLIKE MUNISIPALITEIT****KENNISGEWING VAN 'N HERSONERENDE AANSOEK INGEVOLGE AFDELING 61 VAN DIE VERORDENING IN DIE POLOKWANE MUNISPALE BEPLANNING, 2017****POLOKWANE - WYSIGINGSKEMA 433**

Ignatius Mathibe Mahlangu van Madiva Resources Proprietary Limited Pty synde die aansoeker van Erf 3257 Pietersburg Uitbreiding 11, gee hiermee ingevolge artikel 95 (1) (a) van die Polokwane Munisipale Beplanningsverordening, 2017, kennis dat ek / ons aansoek gedoen het Polokwane Munisipaliteit vir die wysiging van die toepaslike Grondgebruikskema / of Stadsbeplanningskema, deur die hersonering ingevolge artikel 61 van die Polokwane Munisipale Beplanning, 2017, van die eiendom (s) soos hierbo beskryf. Die eiendom is geleë en is geleë in Pelicanstraat 7. Die hersonering is vanaf "Residensieel 1" na "Spesiaal" vir mediese toerusting vir dialise. Die aansoeker se bedoeling is om die mediese fasiliteit van Dialysis in te stel.

Enige beswaar (s) en / of kommentaar (s), insluitend die gronde vir sodanige beswaar (s) en / of kommentaar (s) met volledige kontakbesonderhede, waarsonder die Munisipaliteit nie kan korrespondeer met die persoon of liggaam wat die beswaar (s) indien nie) en / of kommentaar (s), moet vanaf 18 Junie 2021 skriftelik by of tot die Bestuurder: Stadsbeplanning en Eiendomsbestuur, Posbus 111, Polokwane, 0700, ingedien of gerig word.

Volledige besonderhede en planne (as daar is) kan gedurende gewone kantoorure by die Munisipale kantore, soos hieronder uiteengesit, besigtig word vir 'n periode van 28 dae vanaf die datum van die eerste publikasie van die kennisgewing in die Provinsiale Koerant / koerant.

Adres van Munisipale kantore: Posbus 111, Polokwane, 0700

Sluitingsdatum vir besware en / of kommentaar is 28 dae na 18 Junie 2021, Adres van applikant 7 Pelican, Polokwane, Naam van aansoeker: Ignatius Mathibe Mahlangu, Telefoonnommer: 082 892 6631
Datums waarop kennisgewing gepubliseer word: 18 Junie 2021.

9-16

LOCAL AUTHORITY NOTICE 122 OF 2021**AMENDMENT OF LAND USE SCHEME OR REZONING IN TERMS OF SECTION 54(1) AND REMOVAL OF RESTRICTIVE CONDITIONS IN TERMS OF SECTION 55(2) OF THE LEPHALALE MUNICIPAL SPATIAL PLANNING AND LAND USE MANAGEMENT BY-LAW, 2017****AMENDMENT SCHEME NUMBER: 52**

Notice is hereby given that I, **Dries de Ridder** Town and Regional Planner, being the authorised agent of the owner of **Erf 1258 Ellisras Extension 16 Township**, in terms of Section 54(1) and Section 55(2) of the Lephalale Municipal Spatial Planning and Land Use Management By-Law, 2017 have applied for the amendment of the Lephalale Land Use Scheme, 2017, by the rezoning of the property described above, situated at 14 Bluehawk Street, Onverwacht from **Residential 1, one dwelling unit per erf to Residential 2, one dwelling unit per 250m², consent use for a boarding house and for the removal of restrictive condition 14 to 16 of Title Deed T8308/2017**. Particulars relating to the application will lie for inspection during normal office hours at the office of the Executive Manager, Development Planning Directorate, Lephalale Civic Centre, Cnr Joe Slovo and Douwater Road, Onverwacht, for a period of 30 days from **9 July 2021**. Objections to or representations in respect of the application must be lodged with or made in writing to the Municipal Manager, Lephalale Municipality, Private Bag X136, Lephalale, 0555, within a period of 30 days from **9 July 2021**. Postal address of applicant: Dries de Ridder Town and Regional Planner, 5A Herman Street, Ellisras, 0555. PO Box 5635, Onverwacht, 0557. Telephone Number: 014 763 4184. **Dates of the notices: 9 and 16 July 2021.**

9-16

PLAASLIKE OWERHEID KENNISGEWING 122 VAN 2021**WYSIGING VAN GRONDGEBRUIKSKEMA OF HERSONERING IN TERME VAN ARTIKEL 54(1) EN OPHEFFING VAN BEPERKENDE VOORWAARDES IN TERME VAN ARTIKEL 55(2) VAN DIE LEPHALALE MUNISIPALE RUIMTELIKE BEPLANNING EN GRONDGEBRUIKBESTUUR VERORDENING, 2017****WYSIGINGSKEMA NOMMER: 52**

Kennis geskied hiermee dat ek, **Dries de Ridder** Stads- en Streeksbeplanner, synde die gemagtigde agent van die eienaar van **Erf 1258 Ellisras Uitbreiding 16 Dorpsgebied**, ingevolge Artikel 54(1) en Artikel 55(2) van die Lephalale Munisipale Ruimtelike Beplanning en Grondgebruikbestuur Verordening, 2017, aansoek gedoen het vir die wysiging van die Lephalale Grondgebruikskema, 2017, deur die hersonering van die bogenoemde eiendom, geleë te Bluehawk straat 14, Onverwacht van **Residensieel 1, een wooneenheid per erf na Residensieel 2, een wooneenheid per 250m², toestemmingsgebruik vir 'n losieshuis en vir die opheffing van beperkende voorwaardes 14 tot 16 in die Akte van Transport T8308/2017**. Besonderhede aangaande hierdie aansoek lê ter insae gedurende normale kantoorure by die kantoor van die Uitvoerende Bestuurder, Direkoraat Ontwikkeling Beplanning, Lephalale Burgersentrum, h/v Joe Slovo en Douwaterstraat, Onverwacht, vir 'n periode van 30 dae vanaf **9 Julie 2021**. Besware teen of voorleggings ten opsigte van die aansoek moet geopper word by of op skrif gestel en gerig word aan die Munisipale Bestuurder, Lephalale Munisipaliteit, Privaatsak X136, Lephalale, 0555, binne 'n periode van 30 dae vanaf **9 Julie 2021**. Posadres van aansoeker: Dries de Ridder Stads- en Streeksbeplanner, Herman Straat 5A, Ellisras, 0555. Posbus 5635, Onverwacht, 0557. Telefoon Nommer: 014 763 4184. **Datums van plasing: 9 en 16 Julie 2021.**

9-16

LOCAL AUTHORITY NOTICE 123 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 10G (7) OF THE LOCAL GOVERNMENT TRANSITION ACT, 1993 (ACT 209 OF 1993), AS AMENDED****LEASE OF SHOW HALL**

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, amended the Tariff of Charges for the lease of the Show Hall situated on the Show Grounds as determined by Council Resolution A.148.28.06.94, by the substitution of the Tariff of Charges with effect of 1 July 2021 by the following:

"TARIFF OF CHARGES

	RENTAL PAYABLE PER DAY OR PART THEREOF BETWEEN 08:00 AND 24:00.	AMOUNT
1.	Tariff A Any other proceedings and purposes not mentioned in Tariff B and C	R890.10
2.	Tariff B Any proceedings of an amateur nature as well as conferences, congresses, meetings, and lectures.	R453.30
3.	Tariff C Any purposes for charity or functions for the benefit of a registered charity organization, churches, schools, and related organizations where the full proceeds, if any, are to the credit of such an organization	R303.50
2.	The Show Hall is available free of charge for official use by the Mayor, Mayoress, the Municipality, the Makhado Municipal Workers Social Club, Soutpansberg District Development Association, the Soutpansberg District Agricultural Union, the Soutpansberg Show Society, and any other organisation which is involved with the day-to-day functioning of the Municipality.	
3.	The lessee of the Show Hall will be required to pay a deposit of R1 182.10 for each occasion and such deposit is refundable under standard conditions applicable to the rental of Council's buildings and halls in the applicable Council policy and by-laws, including the specific condition that the deposit is forfeited if the Show Hall is not satisfactorily cleaned and tidied after use thereof by the lessee. The deposit shall accordingly also be appropriated in proportion to damage to the Show Hall and equipment.	
4.	Should a lessee cancel a reservation and such cancellation take place within 10 days before the date on which the hall would have been used, an amount equal to 25% of the applicable rental will be forfeited to the Council to cover administrative costs and loss of income."	

Civic Center, No 83 Krogh Street
MAKHADO

File No. 7/2/2/3/12
Notice No. 85/2021
Date of Publication: 9 July 2021

MR K M NEMANAME
ACTING MUNICIPAL MANAGER

lh/ShowHall_Notice2021

LOCAL AUTHORITY NOTICE 124 OF 2021

MAKHADO MUNICIPALITY
DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL
GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED
AMENDED ELECTRICITY BY-LAWS

In terms of section 74(2) of the Municipal Systems Act, 2000 (Act no. 32 of 2000) the purpose of the electricity tariffs is to recover Council's costs and a surplus. The surplus will be transferred to the General Account. The basic electricity charge is to offset the capital cost on loans. Capital projects are internally financed through Council's Consolidated Loan Fund over different periods with the redemption on the loans reallocated for further loans.

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, further amended the Tariff of Charges in the Schedule to the Municipality's Electricity By-laws, adopted by the Makhado Municipality under Administrator's Notice No. 1401 dated 17 August 1983, as amended, and published under Municipal Notice no. 14/1986 in the Provincial Gazette dated 2 July 1986, with effect of **1 July 2021**:

"3.1 Basic Charges

For the calculation of the basic charges per consumer or per farm portion or per piece of land where such farm portion of piece of land, with or without improvements, is connected to the Council's supply main, in the opinion of the Council, can be connected thereto, whether electricity is consumed or not, the following basic charges are payable monthly to the Council: Provided that in the case of a farm portion which is not connected to the Council's supply main, no monthly basic charge is payable to the Council if such farm portion's electricity supply would have occurred by means of a peri-urban electricity supply agreement if it was connected to the Council's supply main:-

3.2 Consumption of Electricity

3.2.1 **Domestic Tariff** (Conventional 1PH & 3PH 60 – 80AMP ≤ 50KVA INSTALLED NMD)

All consumers of electricity which consumed solely for residential units, religious purposes, schools, hostels, military bases, churches, sports clubs, charitable institutions, and hospitals: Per kWh consumed [Domestic High Tariff – Urban]:

Block	2020/21	2021/22
1 (0 – 50 kWh)	R1.0596	1.2142
2 (51 – 350 kWh)	R1.3700	1.5699
3 (351 – 600 kWh)	R1.9372	2.2198
4 (>600 kWh)	R2.3111	2.6483

3.2.2 **BASIC CHARGE:** Every piece of land used or intended for residential units, religious purposes, prisons, schools, hostels, military bases, churches, sports clubs, charitable institutions, and hospitals per consumer [Domestic High Tariff – Urban (Excluding Rural Residential)]:

2020/21	2021/22
R223.64	256.27

3.2.3 For a single-phase supply of electricity to a consumer within the area of supply of the Makhado Municipality, for residential purposes to a dwelling unit, or for a church, school, hall, or the like premises, where the tariff provides for a supply to low usage consumers with restricted capacity, the following charges shall apply (VAT excluded):

Pre-light 1: **Rural Villages** (Domestic Low Tariff 1PH 60AMP ≤ 16KVA INSTALLED NMD)

Block	2020/21	2021/22
1 (0 – 50 kWh)	R1.0596	R1.2142
2 (51 – 350 kWh)	R1.3700	R1.5699
3 (351 – 600 kWh)	R1.9372	R2.2198
4 (>600 kWh)	R2.3111	R2.6483

3.2.4 **Urban and Peri-urban Tariff** (Small Business Conventional – 1PH & 3PH 60 – 80AMP ≤ 50KVA INSTALLED NMD) Commercial /Farms Tariffs:

2020/21	2021/22
R1.6187kwh	R1.8549

3.2.5 **BASIC CHARGE:**

Commercial Tariffs:

2020/21	2021/22
R624.16	R715.22

3.2.6 For a single-phase supply of electricity to a consumer within the area of supply of the Makhado Municipality, for residential purposes to a dwelling unit, or for a church, school, hall, or the like premises, where the tariff provides for a supply to low usage consumers with restricted capacity, the following charges shall apply (VAT excluded):

- Pre-light 2: Commercial Pre-paid (Small Business 1PH 60AMP 16KVA INSTALLED NMD) Urban
In the case where the capital cost of the local electricity infrastructure, including the service connection costs (service cable/line, electricity dispenser, ready board, etc.) has been paid for in advance by the consumer(s) or another party.

2020/21	2021/22
2.3656 Cents/kwh	2.7107 Cents/kwh

3.2.7 Bulk Metering

- 3.2.7.1 Industrial Low Tariffs (Urban and Peri-urban (Farms) 400V ≥50KVA 80A INSTALLED NMD)
Per maximum demand metered in KVA:
Per kWh consumed:

	2020/21	2021/22
Energy	R1.0876 per kWh	R1.2463 per kWh
Demand	R270.17 per KVA	R309.59 per KVA

3.2.8 BASIC CHARGE:

Industrial Low Tariff:

2020/21	2021/22
R985.59	R1129.39

- 3.2.8.1 Industrial High Tariffs (Urban and Peri-urban (Farms) 11KV & 22 KV ≥500KVA 3PH INSTALLED NMD)
Per maximum demand metered in KVA:
Per kWh consumed:

	2020/21	2021/22
Energy	R1.0688 per kWh	R1.2247 per kWh
Demand	R266.87 per KVA	R305.81 per KVA

3.2.9 BASIC CHARGE:

Industrial High Voltage:

2020/21	2021/22
R1 306.75	R1497.40

3.2.10 Municipal Services

Charges in respect of the consumption of electricity for municipal services: Per kWh consumed: R1.1731

2020/21	2021/22
R1.0876/ kwh	R1.2463 /kwh

3.2.11 Monthly basic charge for municipal services:

2020/21	2021/22
R223.64	R256.27

3.2.12 Time of Use Tariffs (400V & 11KV & 22 KV ≥500KVA 3PH INSTALLED NMD)

The Time of Use and seasonal periods applied will be in accordance with those determined by Eskom for the Mega Flex-Tariff Structure.

3.2.12.1 Usage Charges

Demand charge calculation and times
as for Eskom Mega Flex energy

Summer

Winter

	2020/21		2021/22	
Consumption Period	Summer	Winter	Summer	Winter
KVA	R145.97	R145.97	R167.27	R167.27
Peak (kwh)	R1.5998	R3.5116	R1.8332	R4.0239
Standard (kwh)	R1.1012	R1.5009	R1.2619	R1.7199
Off Peak (kwh)	R0.6487	R0.8069	R0.7433	R0.9246
Excess KVAR calculation and Times as for ESKOM Mega flex tariff	R0.0024	R0.2513	R0.0028	R0.2880

3.2.13 **Basic Charges:** Time of Use

R1394.54

2020/21	2021/22
R1 216.98	R1394.54

3.2.14 Tariffs applicable to Pre-paid Metering

A connection fee of R2557.71 per connection is payable in advance.

2020/21	2021/22
R2 232.05	R2557.71

3.2.15 ALL CUSTOMERS BY SUPPLY AGREEMENT; RURAL OR LARGE CUSTOMERS ON FARM AND IN TOWN ARE LIABLE FOR A MAINTENANCE FEE AS PER THE SIGNED SUPPLY AGREEMENTS.

"3.3 Surcharges

3.3.1 The following charges are applicable with regard to: -

3.3.1.1 replacement of service fuse or reconnection of service circuit breaker in a consumer's meter cabinet; and/or

3.3.1.2 reconnection after disconnection of a consumer's supply to an electrical installation

Type	2020/21	2021/22
Household	R345.92	R396.39
Agricultural (Farm)	R604.40	R692.58

3.3.1.4 special reading of a consumer's meter; and/or

3.3.1.5 inspections and tests of electrical installations (only applicable to second and ensuing inspections and tests) as contemplated in section 17 of these By-laws.

(i) Within proclaimed townships	R471.50
(ii) Outside proclaimed townships	R777.07

Place	2020/21	2021/22
Within proclaimed townships	R411.47	R471.50
Outside proclaimed townships	R678.13	R777.07

4. Adjustments of tariff

In terms of the National Regulator Act, (Act No. 40 of 2004) NERSA is entrusted to annually review and approve tariff increase proposals by all licensed distributors of electricity in South Africa. Implementation of tariff increases without the approval of the National Energy Regulator is a contravention of the license conditions."

**Civic Center, No 83 Krogh Street
MAKHADO**

File No. 1/3/15/1

Notice No 94 of 2021

Date of Publication: 9 July 2021

ElectricityNotice_2021

MR K M NEMANAME**ACTING MUNICIPAL MANAGER**

LOCAL AUTHORITY NOTICE 125 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED**

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, adopted the following tariffs and charges under its Miscellaneous category:

MISCELLANEOUS CHARGES**1. OTHER CHARGES**

- | | | |
|-----|--|---------|
| 2.1 | SITE RENT: ENTERTAINMENT VENUES
R1 767.10 per calendar day or part thereof: Sanitation to be raised additional at the prescribed rate
Refundable Deposit R1 151.30 | |
| 2.2 | CUTTING OF GRASS: VACANT STANDS
R770.20 for sites smaller than 1428m ² and
R1 485.30 for sites greater than 1428m ² | |
| 2.3 | GARDEN REFUSE
R736.40 per 4,5m ² load or part thereof (NO FREE REMOVAL OF GARDEN REFUSE) | |
| 2.4 | RENTAL OF CARPORTS: PUBLIC PARKING AREA | |
| | Per open carport per month plus VAT | R147.10 |
| | Under cover parking per month plus VAT | R234.80 |
| | Pay and display per hour or part thereof | R 5.10 |
| | Pay and display per half an hour or part thereof (Munnik) | R 2.60 |
| 2.5 | ELECTRICITY CUT-OFF FEE: | |
| | (a) Household Cut-off Fee | R269.20 |
| | (b) Agricultural (Farm) Cut-off Fee | R507.20 |
| 2.6 | ACCOUNTS LATE PAYMENT FEE | |
| | The average of Household and Farm Cut-off Fee | R309.70 |

2. CONSUMER'S DEPOSIT FEE

Those standard fixed deposits be applied with respect to the consumer type and that they be reviewed at an average of three months' consumption consequent to the opening of an account, determined at the reduction of 50% of the 2014/2015 Consumer Deposit Fees, as follows:

- | | | |
|-----|---------------|-----------|
| 2.1 | Household | R1 612.00 |
| 2.2 | Business | R4 731.00 |
| 2.3 | Farmers | R2 437.00 |
| 2.4 | Old Age Homes | R 656.00 |
| 2.5 | Flat | R1 150.00 |

3. ELECTRICITY CONNECTION FEES

- | | | |
|-----|---------------------------------------|------------|
| 3.1 | (Conversion) Single Phase to Pre-paid | R 6 408.56 |
| | Single Phase | R14 873.55 |
| | Three Phase | R27 630.17 |
| | Pre-Paid (Urban) | R21 293.11 |
| | Pre-Paid (Rural) | R 2 642.10 |

Civic Center, No 83 Krogh Street
MAKHADO

File No. 6/6/6
Notice No. 97 of 2021
Date of Publication: 9 July 2021

MR K M NEMANAME
ACTING MUNICIPAL MANAGER

RR/lh/MiscellaneousCharges_Notice2021

LOCAL AUTHORITY NOTICE 126 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****REFUSE REMOVAL**

In terms of section 74(2) of the Municipal Systems Act, 2000 (Act no. 32 of 2000) the purpose of the tariff is to recover costs and to make a profit.

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, be further amended with effect from 1 July 2021 by the substitution of item 8 for the following-

- “7.2.1 Delivery of refuse removal to Air Force Base
The service is provided as per agreement subjected to the proposed tariff increases.

8. Refuse Removal

- (1) For the removal of refuse from private residential premises, churches, NPO'S, per standard refuse container, per month or part thereof: R59.60
- (2) For the removal of refuse from any other premises not mentioned in sub-item (1), per standard refuse container, per month or part thereof: R226.80
- (3) For the removal of refuse from any other premises not mentioned in sub-item (1), per bulk refuse container, per month or part thereof: R5 688.70
- (4) For the temporary use of bulk refuse containers, per bulk refuse container, per day or part thereof, payable in advance: R396.00
- (5) For the sale of standard refuse containers as contemplated in section 44 of Chapter 1 of Part IV, per standard refuse container: Cost price plus 10%.
- (6) For the dumping of commercial and/or industrial waste at the Municipal Refuse Dumping Site by vehicle with a loading capacity up to a maximum of 1 ton, per load or part thereof: R35.30
And by vehicle with a loading capacity of more than 1 ton, per load or part thereof: R109.90
- (7) For incinerating of refuse, per incinerator load or part thereof: R28.00
- (8) In the former R293 (Dzanani area) towns and Waterval t h a t is now situated within the Makhado Municipal area:
For the removal of refuse from private residential premises, per refuse container, per month or part thereof: R56.60
- (9) In the former R293 (Dzanani area) towns and Waterval t h a t is now situated within the Makhado Municipal area: - Businesses
For the removal of refuse from any other premises not mentioned in sub-item (8), per standard refuse container, per month or part thereof: R213.50

Civic Center, No 83 Krogh Street
MAKHADO

File No. 16/4/1/1
Notice No. 77A/2021
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MR K M NEMANAME
ACTING MUNICIPAL MANAGER

lh/RefuseRemoval_Notice2021

LOCAL AUTHORITY NOTICE 127 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****BY-LAWS FOR THE DETERMINATION OF CHARGES FOR THE ISSUING OF CERTIFICATES AND FURNISHING OF INFORMATION**

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, further amended the Schedule to the Council's By-laws for the Determination of Charges for the Issuing of Certificates and Furnishing of Information, adopted under Administrator's Notice 1847 dated 25 October 1972, as amended, with effect from 1 July 2021 by the substitution of the Schedule by the following:

**"Schedule
Tariff of Charges**

1. Except where otherwise provided, each applicant for the issuing by the Council of any certificate in terms of the provisions of the Local Government Ordinance, 1939, as amended, or any other Ordinance which is applicable to the Council shall pay an amount of R11.60 for each such certificate issued.
2.
 - (1) For extracts from any minutes, record, or proceedings of the Council, per folio or part thereof: R15.40
 - (2) Copies of confirmed minutes of the Council, per copy: R34.70
 - (3) Copies of complete agendas of the Council, per copy: R280.70
3. For the search of any name, whether of a person or property, or the address of any person, or supply of a duplicate account, each: R7.20
4. For inspection of any deed, document, or diagram or any such like particulars, each: R7.20
5. For endorsements on declaration by purchaser's forms, each: R7.20
6. For the issuing of any taxation or rent board certificate, each: R7.20
7. For information, excluding that mentioned in item 2, and in addition to the fees in terms of item 3 and 4, Per A4 page or part thereof: R7.20
8. for copies of the voter's roll of any ward, each: R94.00
9. for the continuous search for information: For each quarter of an hour or part thereof: R94.00
10. Copies of agendas and minutes of Council meetings to local member of Parliament, the Press and the South African Broadcasting Corporation or any other Provincial or Government Department: No Charge
11.
 - (1) Copies made by copying machines of any documents, pages of books, illustrations, or other records of the Council: Per copy page (any size): R7.20
 - (2) Copies made by copying machines in the library of any library material, per copy page (any size): R2.00
- 12.1 For the supply of prints or plans and land maps:

Per A2 copy	R16.60
Per A1 copy	R29.50
Per A0 copy	R48.40
- 12.2 For the supply of prints or plans and land maps done by Council's Plotter (VAT excluded):

Black & White copies:

Per A0 copy	R285.90
Per A1 copy	R240.80
Per A2 copy	R142.50
Per A3 copy	R96.80

Colored copies:

Per A0 copy	R489.00
Per A1 copy	R380.00
Per A2 copy	R219.90
Per A3 copy	R158.50

- | | | |
|-----|--|---------|
| 13. | Notice to a consumer that moneys due to the Council by him are still outstanding, per notice: | R19.10 |
| 14. | Clearance certificates: The maximum amount as prescribed in section 50 of the Local Government Ordinance, 1939, as amended. Outstanding amounts are recovered in terms of section 118 of the Municipal Systems Act, 2000 (Act 32 of 2000) under restraint of transfer of property. | R10.70 |
| 15. | Valuation Certificate | R40.70 |
| 16. | Copies of the valuation roll: | |
| | With street addresses only | R699.00 |
| | Postal addresses included | R925.10 |

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/18/2
Notice No. 79/2021
Date of Publication: 9 July 2021

MR K M NEMANAME
ACTING MUNICIPAL MANAGER

lh/Information_Notice2021

LOCAL AUTHORITY NOTICE 128 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****BY-LAWS RELATING TO THE CONTROL OF INFLAMMABLE LIQUIDS AND SUBSTANCES**

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, further amended the tariffs mentioned in section 3(6) and in Schedule I and II of Chapter I of the Municipality's By-laws Relating to the Control of Inflammable Liquids and Substances, adopted by the Municipality under Administrator's Notice 363 dated 10 May 1961, as amended, with effect from 1 July 2021 by the substitution of Schedule I and II of Chapter I as well as the tariff mentioned in section 3(6) of the following:

**"SCHEDULE 1
TARIFF OF CHARGES**

1. APPLICATION FOR THE APPROVAL OF PLANS
Amount payable to the Council in respect of each application for the approval of plans as contemplated in section 3(6): R33.00

2. TARIFF OF FEES FOR CERTIFICATES OF REGISTRATION AND TRANSFERS IN TERMS OF SECTIONS 3, 10 AND 11(2)

<u>Description of Premises</u>	<u>Half-yearly</u>	<u>Yearly</u>
A. Bulk depots	R304.20	R602.20
B. Dry-cleaning rooms	R154.60	R306.30
C. Spraying rooms	R44.70	R92.00
Certificate of registration issued to premises other than the above:-		
D. Up to 2 000-liter storage capacity	R77.70	R154.60
E. Up to 5 000-liter storage capacity	R155.40	R304.20
F. Up to 20 000-liter storage capacity	R304.20	R605.50
G. Over 20 000-liter storage capacity	R372.10	R7392.70
H. Transfer of a certificate of registration	R36.50	

For every certificate of registration, the annual fees shall be as prescribed in this Schedule: Provided that if liability to pay the fees arises on or after the first day of July in any year the fees payable shall be half the annual amount.

3. FEES FOR EXAMINING VEHICLES FOR TRANSPORT PERMIT

<u>Description of vehicle</u>	<u>Half-yearly</u>
Road tank wagon	R155.40
Motor vehicle other than a road tank wagon, designed to be used for the delivery of inflammable liquids in excess of the amount permitted under section 79(1)(a) and (b)	R77.70
Any vehicles other than a motor vehicle or road tank wagons, designed to be used for the delivery of inflammable liquids in excess of the amount permitted under section 79(1)(a) and (b)	R36.50

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/29/1
Notice No. 80/2021
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MR K M NEMANAME
ACTING MUNICIPAL MANAGER

lh/Inflammable_Notice2021

LOCAL AUTHORITY NOTICE 129 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****BUILDING BY-LAWS**

In terms of section 74(2) of the Municipal Systems Act, 2000 (Act no. 32 of 2000) the purpose of the tariff is to control building plans and to recover administration costs for building control.

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, amended the Charges for the Approval of Building Plans in Appendix VII of Schedule 2 of the Municipality's Building By-laws, adopted by the Municipality under Administrator's Notice 1960 dated 12 November 1975, with effect from 1 July 2021 by the following:

**" Appendix VII
CHARGES FOR THE APPROVAL OF BUILDING PLANS**

1. (1) The charges payable in respect of every building plan submitted for consideration shall be as follows: -
 - (a) The minimum charge payable in respect of any building plan shall be R158.70
 - (b) The charges payable for any building plan shall be calculated according to the following scale: -

For every 10 m² or part thereof of the area of the building at the level of each floor:

(i) For the first 1 000 m ² of the area:	R14.40
(ii) For the next 1 000 m ² of the area:	R7.70
- (2) For the purpose of this item, "area" means the overall superficial area of any new building at each floor level within the same cartilage and includes the area of verandahs and balconies over public streets and basement floors. Mezzanine floors and galleries shall be measured as separate storey.
2. In addition to the charges payable in terms of item 1, a charge of R1.40 per m² of area as defined in item 1, shall be payable for any new building in which structural steelwork or reinforced concrete or structural timber is used for the main framework or as main structural components of the building.
3. Charges for plans for new additions to existing buildings shall be calculated as set out in item 1 with a minimum charge of R158.70
4. Charges for alterations to existing buildings shall be calculated on the estimated value of the work to be performed at the rate of R7.70 or every R896.00 or part thereof with a maximum charge of R1135.10
5. Charges for plans of buildings of a special character such as factory chimneys, spires and similar erections shall be calculated on the estimated value thereof at the rate of R7.70 for every R899.10 or part thereof with a minimum charge of R380.10 and a maximum charge of R3806.80
6. Approval form for approval of advertising sign R66.60 as per Council decision."

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/8/1
Notice No. 81 of 2021
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**MR K M NEMANAME
ACTING MUNICIPAL MANAGER**

lh/BuildingPlans_Notice2021

LOCAL AUTHORITY NOTICE 130 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****TRAFFIC BY-LAWS**

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, further amended the Municipality's Traffic By-Laws adopted by the Municipality under Administrator's Notice 223 dated 19 March 1947 as amended, with effect of 1 July 2021, by the substitution of the Tariff of License Fees for Public Motor vehicles by the following:

**"SCHEDULE A
TARIFF OF LICENCE FEES FOR PUBLIC MOTOR VEHICLES**

1. Public motor vehicles which are used for the transport of passengers at hire or reward:
 - (a) By bus per annum (school buses excluded) As prescribed
 - (b) By taxi per annum As prescribed
 - (c) By minibus per annum As prescribed
2. Public motor vehicles which are used for the transport of goods at hire or reward:
 - (a) By motor vehicle per annum (tractors and trailers excluded) As prescribed
 - (b) Motor vehicles which are trailers, per trailer per annum As prescribed
3. Duplicate license or token As prescribed
4. Public motor vehicle licenses are valid as from 1 January until 31 December of any year and if the liability for the payment of a public motor vehicle license originates for the first time after 1 July of any year, only 50% of the fees as mentioned in items 1 and 2 above, shall be payable for the half year concerned or part thereof.
5. For the application of the above-mentioned fees "taxi" means a motor vehicle which is used for the transport of passengers at hire or reward and the words "bus", "minibus", "motor vehicle", "motorcar" and "school bus" have the meaning which are attached thereto in pursuance of the Road Traffic Act, 1989 and the Road Traffic Regulations promulgated in terms thereof."

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/48
Notice No. 82 of 2021
Date of Publication: 9 July 2021

**MR K M NEMANAME
ACTING MUNICIPAL MANAGER**

lh/Traffic_Notice2021

LOCAL AUTHORITY NOTICE 131 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL
GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****BY-LAWS RELATING TO THE CONTROL OF TEMPORARY ADVERTISEMENTS
AND PAMPHLETS**

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, amended the By-laws Relating to the Control of Temporary Advertisement and Pamphlets of the Makhado Municipality, adopted under Administrator's Notice 248 dated 3 March 1976, as amended, with effect from 1 July 2021 by the substitution of section 8(c), (e) and (f) by the following:

- “8. (c) In respect of pamphlets, a single amount of R372.00 per applicant per application which amount shall not be refundable
- e) In respect of overhead banners, a single amount of R520.40 per applicant per application, which amount shall not be refundable: Provided that the Council may exempt as it deems fit and at its sole discretion, any applicant from the payment of the total amount of R468.60 or any part thereof.
- (f) In respect of banners affixed to a fence a deposit of R513.80 per application plus an amount of R160.50 which amount is not refundable: Provided that the Council may exempt as it deems fit at its sole discretion, any applicant from the payment of the total amount or any part thereof”

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/2
Notice No. 83/2021
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MR K M NEMANAME
ACTING MUNICIPAL MANAGER

lh/Pamphlets_Notice2021

LOCAL AUTHORITY NOTICE 132 OF 2021

**MAKHADO MUNICIPALITY
DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL
GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED
LEASE OF ACTIVITY ROOM (LIBRARY BUILDING), TSHIKOTA-, VLEYFONTEIN-,
MUDULUNI-, AND RAVELE COMMUNITY HALLS AND ANY OTHER HALLS NOT
MENTIONED IN ANY OTHER TARIFF**

In terms of section 74(2) of the Municipal Systems Act, 2000 (Act no. 32 of 2000) the purpose of the tariff is to recover the cost for the maintenance of the said buildings.

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, amended the Tariff of Charges for the lease of the Activity Room in the Library Building, Tshikota-, Vleifontein-, Muduluni-, and Ravele Community Halls as well as parking on erf 3415, Louis Trichardt township promulgated under Local Government Notice 170 dated 20 January 1993 by the substitution for the Tariff of Charges with effect of 1 July 2021 by the following:

"TARIFF OF CHARGES

The rental in respect of the Activity Room in the Library Building for the purpose of meetings, seminars, conferences, congresses, lectures, and courses payable per occasion is as follows:

<u>Category of User</u>		<u>Tariff office hours 07:00 – 16:00</u>	<u>Tariff between 16:00 & 24:00</u>
1.	Tariff A Any proceedings not mentioned under Tariff B and C	R380.50	R602.30
2.	Tariff B Any proceedings presented at amateur level	R349.80	R506.30
3.	Tariff C Any proceedings in aid of charity, or functions in aid of a registered welfare organisation, churches, schools and related organisations, the full return of which, if any, is to the credit of such organisation	R158.20	R250.10
4.	It is required from lessees of the activity room in the library building to pay a deposit of R1 110.80 per occasion and such deposit is refundable subject to the ordinary conditions applicable to the lease of the Council's halls and buildings as set out in the applicable Council policy and by-laws, including the specific condition that the deposit is forfeited if the activity room is not satisfactorily cleaned and tidied after use thereof by the lessee. The deposit shall accordingly also be appropriated in proportion to damage to the activity room and equipment.		
5.	Use of Activity Room in the library by the Maroela Care Group (Cancer Association): "RESOLVED A.96.06.04.98 - THAT Council contributes to the Louis Trichardt Cancer Association in the form of free telephone use to the maximum amount of R129.80 per month as well as free use of the Library Activity Room twice a month."		
6.	All halls other than the activity room will be lease at the same rental except that the after-hour's rental will not be applicable at such halls.		
7.	Sport Hall per occasion: Rental R1 897.20 Deposit – R2 360.40		

Civic Center, No 83 Krogh Street
MAKHADO

File No. 7/2/2/3/13

Notice No. 84 of 2021

Date of Publication: 9 July 2021

lh/ActivityRoom_Notice2021

**MR K M NEMANAME
ACTING MUNICIPAL MANAGER**

LOCAL AUTHORITY NOTICE 133 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL
GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****BY-LAWS RELATING TO HAWKERS**

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, further amended the Tariff of Charges under the Schedule to the Council's By-laws Relating to Hawkers, adopted by the Makhado Municipality under Administrator's Notice 927 dated 23 July 1980, as amended, with effect from 1 July 2021 by the substitution of the Tariff of Charges by the following:

**"SCHEDULE
Tariff of Charges**

For the use of stands referred to in section 3:

- | | |
|---|--------|
| 1. Per under roof facility, per day:
(For <u>ad hoc</u> leases other than by means of allocated tender, excluding market stalls) " | R68.20 |
|---|--------|

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/41
Notice No. 78/2021
Date of Publication: 9 July 2021

**MR K M NEMANAME
ACTING MUNICIPAL MANAGER**

lh/Hawkers_Notice202

LOCAL AUTHORITY NOTICE 134 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****LEASE OF BUILDINGS ON SHOW-GROUNDS (HALLS & TEA GARDEN) OTHER THAN SHOW HALL & BEER GARDEN**

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, amended the Tariff of Charges for the lease of the buildings on the showgrounds (Halls & Tea Garden) other than Show Hall & Beer Garden by the substitution of the Tariff of Charges with effect of 1 July 2021 by the following:

"TARIFF OF CHARGES

- | | | |
|----|---|---------|
| 1. | Rental payable per day or part thereof between 08:00 and 24:00. | |
| | Type of gathering | Amount |
| 1. | Tariff A | |
| | Any other proceedings and purposes not mentioned in Tariff B and C | R587.90 |
| 2. | Tariff B | |
| | Any proceedings of an amateur nature as well as conferences, congresses, meetings and lectures | R158.10 |
| 3. | Tariff C | |
| | Any purposes for charity, or function for the benefit of a registered charity organization, churches, schools, and related organizations where the full proceeds, if any, are to the credit of such organization | R118.70 |
| 2. | The halls and tea garden are available free of charge for official use by the Mayor, Mayors, the Municipality, the Makhado Municipal Workers Social Club, Soutpansberg District Development Association, the Soutpansberg District Agricultural Union, the Soutpansberg Show Society, and any other organization which is involved with the day-to-day functioning of the Municipality. | |
| 3. | It is required from lessees of the Halls and Tea Garden to pay a deposit of R1 182.10 per occasion and such deposit is refundable subject to the ordinary conditions applicable to the lease of the Council's halls and buildings as set out in the applicable Council policy and by-laws, including the specific condition that the deposit is forfeited if the Halls and Tea Garden is not satisfactorily cleaned and tidied after use thereof by the lessee. The deposit shall accordingly also be appropriated in proportion to damage to the Halls, Tea Garden and equipment." | |
| 4. | In respect of any sports clubs who may wish to rent the halls, or any other buildings situated on the showgrounds to practice any type of sport, such rental will be calculated on the basis of the rental payable by sports clubs which utilize the Central Sports Hall, as determined by Council from time to time. | |
| 5. | Should a lessee cancel a reservation and such cancellation take place within 10 days before the date on which the hall would have been used, an amount equal to 25% of the applicable rental will be forfeited to the Council to cover administrative costs and loss of income." | |

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/2/3/1
Notice No. 86/2021
Date of Publication: 9 July 2021

MR K M NEMANAME
ACTING MUNICIPAL MANAGER

Lh/TeaGarden_Notice2021

LOCAL AUTHORITY NOTICE 135 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL
GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****LEASE OF BEER GARDEN AT SHOW-GROUNDS**

In terms of section 74(2) of the Municipal Systems Act, 2000 (Act no. 32 of 2000) the purpose of the tariff is to recover part of the cost for the maintenance of the said facility.

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, amended the tariffs for the lease of the Beer Garden at the Showgrounds by the substitution of the following with effect of 1 July 2021:

"TARIFF OF CHARGES

1. THAT the rental payable for the ad hoc rental of the Beer Garden situated at the Showgrounds for bona fide social occasions be determined at R391.30 per day or part thereof between 08:00 and 24:00.
2. The Beer Garden is available free of charge for official use by the Mayor, Mayoress, the Municipality, the Makhado Municipal Workers Social Club, Soutpansberg District Development Association, the Soutpansberg District Agricultural Union, the Soutpansberg Show Society, and any other organisation which is involved with the day-to-day functioning of the Municipality.
3. It is required from lessees of the Beer Garden to pay a deposit of R1185.80 per occasion and such deposit is refundable subject to the ordinary conditions applicable to the lease of the Council's halls and buildings as set out in the applicable Council policy and by-laws, including the specific condition that the deposit is forfeited if the Beer Garden is not satisfactorily cleaned and tidied after use thereof by the lessee. The deposit shall accordingly also be appropriated in proportion to damage to the Beer Garden and equipment.
4. Should a lessee cancel a reservation and such cancellation take place within 10 days before the date on which the hall would have been used, an amount equal to 25% of the applicable rental will be forfeited to the Council to cover administrative costs and loss of income."

Civic Center, No 83 Krogh Street
MAKHADO

File No. 7/2/2/3/12
Notice No. 87/2021
Date of Publication: 9 July 2021

MR K M NEMANAME
ACTING MUNICIPAL MANAGER

lh/BeerGarden_Notice2021

LOCAL AUTHORITY NOTICE 136 OF 2021

**MAKHADO MUNICIPALITY
DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL
GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED
LIBRARY BY-LAWS**

In terms of section 74(2) of the Municipal Systems Act, 2000 (Act no. 32 of 2000) the purpose of the tariff is to recover cost and to supplement new books.

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, amended the Library By-laws of the Council, adopted under Local Authority Notice 2063 dated 22 June 1994, as amended, and as published under Municipal Notice no. 34/1994 in the Provincial Gazette of 22 June 1994, with effect from 1 July 2021 by the substitution of the following Tariff of Charges:

TARIFF OF CHARGES

1. **Fines"**
A fine of R2,60 per book per week or part thereof must be paid to the Council by a member whose books are not returned within the period contemplated in section 6 of the Council's Library By-laws.
2. **Deposits**
 - 2.1 A deposit of R266.00 per book is payable by a member who obtain membership of the library in terms of the provisions of sections 3(1) or 3(2) or 3(6) of the above-mentioned Library By-laws and who in the sole judgement of the Council furnishes inconclusive proof of identity, residential address, work address and any other information required.
 - 2.2 A member from whom it is required to pay a deposit in terms of subitem 2.1 may not subject thereto that an adequate deposit is paid as calculated at the amount per book mentioned in sub-item 2.1, borrow more than four books per occasion against his proof of membership.
 - 2.3 The deposit paid by a member can be appropriated to defray the cost of any books which are lost or damaged whilst being on loan against the proof of membership of the member.
 - 2.4 The deposit paid by a member, shall be refunded to such member on termination of membership, save as provided by sub-item 2.3.
 - 2.5 If the deposit paid by a member in terms of sub-item 2.1 is not adequate to defray the cost of any books which are lost or damaged whilst being on loan against the proof of membership of the member, such member shall be liable for the difference between the deposit and the actual cost of any book and Council reserves the right to recover such difference by means of process of law.
3. **Membership fees**

The following membership fees are charged in respect of permanent or temporary membership of the library, granted in terms of the provisions of section 3(2) of the said Library By-laws, payable 1 July of each financial year:

	Category	Fees
3.1	Adult members under the age of 60 years (Residents residing within the borders of Makhado Municipality)	R149.60 per family per year or R12.20 per month
3.2	Adult members under the age of 60 years (Residents residing outside the borders of Makhado Municipality)	R145.40 per member or R10.60 per month
3.3	Minor members (18 years and younger):	R48.20per year.
3.4	Adult members older than 60 years:	Free of Charge
3.5	Rental of audio-visual material:	R63.40per occasion

4. Issuance of duplicate certificate of membership

An amount of R16.60 is payable for the issuance of a duplicate certificate, in terms of section 3(5) of the said By-laws."

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/7
Notice No. 88/2021
Date of Publication: 9 July 2021

MR M K NEMANAME
ACTING MUNICIPAL MANAGER

lh/Library_Notice2021

LOCAL AUTHORITY NOTICE 137 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****CEMETERY BY-LAWS**

In terms of section 74(2) of the Municipal Systems Act, 2000 (Act no. 32 of 2000) the purpose of the tariff is to recover maintenance cost for the cemetery.

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, further amended the Tariff of Charges under Schedule B to the Municipality's Cemetery By-laws, adopted by the Municipality under Administrator's Notice 1214 dated 26 June 1985, as amended, with effect of 1 July 2021, by the substitution of such tariffs by the following:

"Tariff of Charges

The following charges are payable in respect of all sections of the cemetery:

Description	Residents	Non-residents
1. Reservation or purchase of grave		
(i) Adults, per single grave	R602.30	R1 198.00
(ii) Children, per single grave	R369.70	R760.60
2. Opening and closing of grave		
These charges are payable in addition to the charges mentioned in item 1:		
(i) Adults, per single grave	R509.70	R1015.80
(ii) Children, per single grave	R253.00	R535.50
3. Widening or deepening of grave, per single grave	R158.20	R318.00
4. Use of a niche in the columbarium, per niche	R604.10	R1 204.50
5. Application for transfer of a reserved grave	R158.20	R318.00
6. Burial of paupers	Free of charge	Free of charge
7. Application for permission for the erection of a memorial work:		
(i) Memorial work on single grave	R158.30	R158.30
(ii) Memorial work on double grave	R158.30	R318.00
(iii) Memorial work in hero's acre	Free of charge	Free of charge
(iv) Other memorial works	R158.30	R158.30
8. Wholly or partly dismantling of a memorial work in preparation of a further burial	R602.30	R602.30

These charges are retained as a deposit and will be refunded to the contractor on application in the event of the memorial work being repaired within 6 months from date of dismantling thereof.

These charges are not payable when the memorial work in its entirety is removed from the cemetery on the date of dismantling thereof.

9. Exhumation of a body Actual cost plus 10%."

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/4/2
Notice No. 89 of 2021
Date of Publication: 9 July 2021

MR M K NEMANAME
ACTING MUNICIPAL MANAGER

lh/Cemetery_Notice2021

LOCAL AUTHORITY NOTICE 138 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL
GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****AERODROME BY-LAWS**

In terms of section 74(2) of the Municipal Systems Act, 2000 (Act no. 32 of 2000) the purpose of the tariff is to control the access to the Aerodrome, and a contribution towards the maintenance costs.

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021 further amended the Tariff of Charges under the Schedule to the Aerodrome By-Laws of the Municipality, adopted under Administrator's Notice 1344 dated 29 August 1973, as amended with effect of 1 July 2021 by the substitution of the section "Landing Fees" with the following:

"1. All aircrafts which land at the Makhado Aerodrome shall pay the following landing fees:

MAXIMUM CERTIFICATED MASS IN KG OF THE AIRCRAFT UP TO AND INCLUDING -	PER SINGLE LANDING R
500.....	38.00
1 000.....	56.20
1 500.....	71.70
2 000.....	86.80
2 500.....	101.90
3 000.....	110.80
4 000.....	164.00
5 000.....	209.60
6 000.....	255.10
7 000.....	304.20
8 000.....	349.80
9 000.....	394.30
10 000.....	441.50
And thereafter, for every additional 2 000 kg or part thereof.....	626.40
Helicopter, irrespective of mass.....	22.20
Block landings, irrespective of mass.....	R268.50 per month

2. Concessions for the use of the aerodrome can be granted to local aero clubs by means of Council Resolution.
3. The Council retains the right to place the aerodrome at the disposal of applicants for air rally's, bivouacs or for any other purpose, free of charge or on such conditions as the Council may deem fit."

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/47
Notice No. 90 of 2021
Date of Publication: 9 July 2021

MR M K NEMANAME
ACTING MUNICIPAL MANAGER

lh/Aerodrome_Notice2021

LOCAL AUTHORITY NOTICE 139 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL
GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****CARAVAN PARK BY-LAWS**

In terms of section 74(2) of the Municipal Systems Act, 2000 (Act no. 32 of 2000) the purpose of the tariff is to recover maintenance cost.

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, amended the Schedule to the Caravan Park By-laws of the Makhado Municipality, published under Administrator's Notice 1162 dated 19 June 1985, with effect from 1 July 2021 by the substitution for the Tariff of Charges of the following:

**"SCHEDULE TARIFF
OF CHARGES**

“Per person per day or part of a day: R106.10

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/53
Notice No. 91 of 2021
Date of Publication: 9 July 2021

MR K M NEMANAME
ACTING MUNICIPAL MANAGER

lh/CaravanPark_Notice2021

LOCAL AUTHORITY NOTICE 140 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL
GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****SWIMMING BATH BY-LAWS**

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, further amended the Tariff of Charges under section 24 to the Town Council's Swimming Bath By-laws, adopted by the Town Council under Administrator's Notice 636 dated 29 September 1948, as amended, with effect from 1 July 2021 by the substitution of section 24 by the following:

""24. The tariff of charges for the use of the bath shall be as follows:

- (1) Season Tickets
 - (a) Adults: R242.50
 - (b) Child under 19 years: R118.20
- (2) Monthly Tickets
 - (a) Adults: R118.20
 - (b) Child under 18 years: R60.70
- (3) Single admission
 - (a) Adults: R16.10
 - (b) Child under 18 years: R3.50
- (4) Admission of Spectators to swimming pool premises
 - (a) Adults: Free of charge
 - (b) Children under 18 years: Free of charge."

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/45
Notice No. 92/2021
Date of Publication: 9 July 2021

MR M K NEMANAME
ACTING MUNICIPAL MANAGER

lh/SwimmingPool_Notice2021

LOCAL AUTHORITY NOTICE 141 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****BY-LAWS RELATING TO STREET TRADING**

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, further amended the Tariff of Charges under the Schedule to the Council's By-laws Relating to Street Trading, adopted by the Makhado Municipality under Administrator's Notice 248 dated 25 July 1997, as amended, with effect from 1 July 2021 by the substitution of the Tariff of Charges by the following:

1. By the insertion of Schedule 3 after Schedule 2 of the By-laws as follows:

"SCHEDULE 3

Rental of vendor stands per month, payable on the 1st day of each month
in advance: R21.60 per stand."

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/44
Notice No. 93/2021
Date of Publication: 9 July 2021

MR M K NEMANAME
ACTING MUNICIPAL MANAGER

lh/StreetTrading_Notice2021

LOCAL AUTHORITY NOTICE 142 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****LEASE OF TENT**

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, further amended the Tariff of Charges for the Lease of the Tent of the department of the Chief Community Services published under Municipal Notice 11 of 1993 in the Provincial Gazette of 24 March 1993, as amended, be further amended with effect from 1 July 2021 by the substitution of the Tariff of Charges by the following:

"TARIFF OF CHARGES

1. The rental in respect of the tent under the control of the department of the Chief Community Services is R317.70 per day, plus a further amount of R15 078.90 per occasion payable in respect of the pitching and striking of the tent. Transportation will be collected at the applicable tariff.
2. A deposit in the amount of R1 274.20 per occasion is payable, and will be refunded if the tent is returned to the Council in the same condition as it was furnished: Provided that should the deposit not be sufficient to cover the cost of the cleaning, repair or replacement of the tent should it be soiled, damaged, lost or destroyed whilst being leased, the lessee shall be liable for the payment of the difference between such cost and the deposit and the right to recover such difference by means of process of law is reserved by the Council.
3. Conditions of lease:
 - 3.1 The Council shall be responsible for the transportation, pitching and striking of the tent, which shall be conducted during normal office hours only.
 - 3.2 The tent shall be leased with the consent of the Chief Community Services only.
 - 3.3 The tent shall be leased only for functions to be held within the Council's area of jurisdiction."

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/30
Notice No. 95/2021
Date of Publication: 9 July 2021

MR M K NEMANAME
ACTING MUNICIPAL MANAGER

lh/LeaseOfTent_Notice2021

LOCAL AUTHORITY NOTICE 143 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75A OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED
LEASE OF RABALI SPORT STADIUM**

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, determined the Tariff of Charges for the lease of the Rabali Sport Stadium and its facilities situated in Rabali, Dzanani with effect of 1 July 2021 as follows:

"TARIFF OF CHARGES

RENTAL PAYABLE PER DAY OR PART THEREOF BETWEEN 08:00 AND 24:00.

	TYPE OF GATHERING	AMOUNT
1.	Tariff A Any other proceedings and purposes not mentioned in Tariff B and C (including from registered sporting clubs)	R5 279.20
2.	Tariff B Any proceedings of an amateur nature as well as conferences, congresses, meetings, and lectures of local bona fide organizations	R883.70
3.	Tariff C Any purposes for charity or functions for the benefit of a registered charity organization, churches, schools, and related organizations where the full proceeds, if any, are to the credit of such an organization	R589.00
2.	The Sport Stadium is available free of charge for official use by the Mayor, Mayoress, the Municipality, and any other organisation which is involved with the day-to-day functioning of the Municipality.	
3.	The lessee of the Sport Stadium will be required to pay a deposit of R3 770.80 for each occasion and such deposit is refundable under standard conditions applicable to the rental of Council's buildings, halls and facilities in the applicable Council policy and by-laws, including the specific condition that the deposit is forfeited if the Sport Stadium is not satisfactorily cleaned and tidied after use thereof by the lessee. The deposit shall accordingly also be appropriated in proportion to damage to the Sports Stadium and any of its equipment or facilities.	
	Should the lessee be any professional sporting club or body or any profit-making body the non-refundable deposit referred to above will be R7 541.60 and Council further reserves the right of claim for losses suffered as a result of any damage above such amount plus legal costs.	
4.	Should a lessee cancel a reservation and such cancellation take place within 10 days before the date on which the stadium would have been used, an amount equal to 30% of the applicable rental will be forfeited to the Council to cover administrative costs and loss of income."	

Civic Center, No 83 Krogh Street
MAKHADO

File No. 7/2/1/4/16
Notice No. 96/2021
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MR M K NEMANAME
ACTING MUNICIPAL MANAGER

RabaliStadiumTariffs_2021

LOCAL AUTHORITY NOTICE 144 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL
GOVERNMENT: MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****MUNICIPAL POUND REGULATIONS**

In terms of section 74(2) of the Municipal Systems Act, 2000 (Act no. 32 of 2000) the purpose of the tariff is to recover cost for the lawful taking and impounding in the municipality's animal pound, stray animals in terms of the provisions of the Municipal Pound Regulations

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, further amended the Tariff of Charges for the taking and impounding of stray animals in its pound, published under Administrator's Notice 1039 dated 3 August 1977, with effect from 1 July 2021 by the substitution of the following:

"1. POUND TARIFF

	Driving fees per km	Feeding and attention fees, per day or part thereof
1. Horses, mules, donkeys, and cattle, per head	R12.00/km	R40.00
2. Sheep and goats, per head	R12.00/km	R20.20
3. Pigs, per head	R12.00/km	R40.00

2. For the purpose of this tariff the term "day" shall be the period of 24 hours from 0:00 on any calendar day to 24:00 on the same day"

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/40
Notice No. 98/2021
Date of Publication: 9 July 2021

MR K M NEMANAME
ACTING MUNICIPAL MANAGER

lh/PoundRegulationTariffs_2021

LOCAL AUTHORITY NOTICE 145 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF THE LOCAL GOVERNMENT:
MUNICIPAL SYSTEMS ACT, 2000 AS AMENDED****LEASE OF FACILITIES AND ENTRY FOR 2020 SHOW EVENT**

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, determined the Tariff of Charges for the lease of facilities and entrance to grounds in respect of the 2018 Show Event at the Show Grounds, in terms of its Municipal Facilities: Hiring of Municipal Premises and Amenities By-laws adopted under Notice 209 of 24 October 2012, with effect of 1 July 2021 as follows:

TARIFF OF CHARGES

SALES AREAS / HALLS	USERS	TARIFF
Main hall	Sector Departments	Free
	Parastatals	Free
	ESKOM	Free
1	ESKOM	Free
2	Clients (3) food	R979.70 each
3	Clients (3) food	R979.70 each
4	Clients (3) food	R979.70 each
5	Clients (5)	R979.70 each
6	Clients	R1837.00 each
7	Clients (2)	R979.70 each
8	Clients (2)	R979.70 each
9	Clients (5)	R979.70 each
15	Formal food Restaurant (single)	R3061.60 each
16	Clients (5)	R979.70each
17	Clients (5)	R979.70 each
Hall 1	Décor / Non- food (6 Clients)	R1224.70 each
Hall 2	Kruger National Park	Free
Hall 3	Furniture shops (2 Clients)	R1224.70 each
Hall 4	Furniture shop (2 Clients)	R1224.70 each

OUTDOOR	USERS	TARIFF
	Magicians	R734.80
	Swingers inclusive of Marry-go Rounds	R1837.00
	Circus	R3061.60
Open shed area	Department of Agriculture	Free
	Car sales inclusive of Tractors	R1224.70
	Funeral Undertakers and Funeral Schemes e.g., Avbob, Metropolitan, Old Mutual, MMK	R1224.70
	Gymnasiums	R734.80
	Sales outside show premises within 1 kilometer Radius on Municipal land	R979.70
	Outdoor sales nonfood	R979.70
	Sweets truck	R979.70

OUTDOOR	USERS	TARIFF
	Hot Dog Car	R979.70
	Selling of ice creams	R367.40
	Cookers by Gas e.g., braai meat/preparation of hotdogs Only Five spaces available	R612.30

2. RESTRICTIVE CONDITIONS

The selling of alcohol at the 2020 Makhado Municipality's Annual Show is strictly prohibited.

3. ENTRANCE FEES

CATEGORY	THURSDAY	FRIDAY	SATURDAY
VIP TICKETS	N/A	N/A	R382.60
PENSIONERS	Free	Free	Free
ADULTS	R52.00	R52.00	R76.50
Kids (Free for 3 years and below)	R31.10	R31.10	R43.70
STAFF MEMBERS (Only one non-transferable ticket)	R26.00	R26.00	R38.20
COUNCILLORS (Only one non-transferable ticket)	R26.00	R26.00	R38.20

4. RESTRICTIVE CONDITIONS

No tickets will be available for selling at the Show Grounds.

Civic Centre, No 83 Krogh Street
MAKHADO

File No. 7/2/2/3/12
Notice No. 99 of 2021
Date of Publication: 9 July 2021

MR K M NEMANAME
ACTING MUNICIPAL MANAGER

lh/AnnualShowEvent_2021

LOCAL AUTHORITY NOTICE 146 OF 2021**MAKHADO MUNICIPALITY****RESOLUTION: LEVYING PROPERTY RATES FOR THE FINANCIAL YEAR 1 JULY 2021
TO 30 JUNE 2022**

Notice is hereby given in terms of section 14(1) and (2) of the Local Government: Municipal Property Rates Act, 2004; that at its meeting of 31 May 2021, the Council resolved by way of Council Resolution number A.41.31.05.21, to levy the rates on properties reflected in the schedule below with effect from 1 July 2021.

No.	Property Details	Cents in a Rand
1.	Residential Properties	0.0090
	These properties include, amongst others, all properties of which their primary use is for residential purposes:	
	• Household Properties;	
	• State Owned Properties;	
2.	Business/ Industrial/ Commercial Properties (Including the following):	0.0126
	• State Owned Properties	
3.	Farm Properties used for Agricultural purposes	0.0023
4.	Public Service Purposes (e.g., Creches/ Schools)	0.0030
5.	State Owned Properties (Government Properties)	0.0030
6.	Public Benefit Organisations (e.g., Home Based)	0.0023
7.	Public Service Infrastructure (e.g., Railways/ Land)	0.0030
5.	Exempted Properties include the following:	
	• Municipal Properties	
	• Churches (Place of Worship)	

All Residential Properties within Makhado Local Municipal jurisdiction are discounted prior to being rated at the amount of R29 882.78 for the financial year of 2021/2022.

Public service infrastructure will be charged on the market value of the public service infrastructure less 30% of that value.

All qualifying Senior Citizens are granted a rebate of 45%, considering the criteria stated in item 1.2 below.

The amount due for assessment rates shall be payable on the 7th day of every month following the month in which it was levied and that any period of grace be deemed to have been included in such final date of payment.

Interest calculated at the maximum rate of interest as approved by the Premier of the Northern Province in terms of the provisions of section 50(A) of the Local Government Ordinance, 1939, (Ordinance 17 of 1939) shall be charged on all amounts not paid on the first day of the month that follows the month in which the rendered account was payable. Defaulters are liable to legal proceedings for recovery of such arrear amounts.

Condition 1.2 of the Council's approved scheme whereby assessment rates rebate is granted to less affluent property owners and social pensioners in accordance with the provisions of the Local Government Municipal Property Rates Act, 2004, be as follows:

"1.2 That property owners must be 60 years and older and that his/her total income must not exceed R85 057.01 per annum (income and pension of spouse included)."

Civic Center, No 83 Krogh Street
MAKHADO

Notice No. 100/2021
File No. 1/1/90
Date of Publication: 9 July 2021

Lh/AssessmentPropertyRates_Notice2021

MR K M NEMANAME
ACTING MUNICIPAL MANAGER

LOCAL AUTHORITY NOTICE 147 OF 2021**MAKHADO MUNICIPALITY****DETERMINATION OF CHARGES IN TERMS OF SECTION 75 OF THE LOCAL GOVERNMENT MUNICIPAL SYSTEMS ACT, 2000, AS AMENDED****TOWN-PLANNING RELATED APPLICATIONS' FEES**

In terms of section 75 of the Local Government: Municipal Systems Act, 2000, as amended, notice is hereby given that the Makhado Municipality in terms of section 75A of the said Act, by Special Resolution dated 31 May 2021, amended the Tariff of Charges for all town-planning related applications with effect of 1 July 2021 by the following:

Application in terms of the Town Planning and Townships Ordinance, (1986), Makhado Municipality Spatial Planning, Land Development, and Land Use Management By-Law, 2017 and Makhado Land Use Management Scheme, 2009	2021/22 Financial Year
SUBDIVISIONS	
Subdivision of erf/property into 5 or lesser portions in terms of [Section 66 (2)(a)] of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017 or [Section 92 (1)(a)] of the Town planning and Townships Ordinance, 1986	R2 148.80 (Also applicable to the applications in terms of Division of Land Ordinance)
Subdivision of erf/property into more than five portions in terms of [Section 66 (2)(a)] of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2016 or [Section 92 (1)(a)] of the Town Planning and Townships Ordinance, 1986, read together with Schedule 17 (8) (a) (ii)	R 2 147.70 plus R172.00 per portion
Amendment of a Subdivision plan in terms of Section 69 of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017 or [Section 92 (4) (c)] of the Town Planning and Townships Ordinance, 1986	R857.80
Application in terms of Section 69 of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017 or [Section 92 (4) (a) and 92(4) (b)] of the Town Planning and Township Ordinance, 1986 for the amendment of conditions of an approved subdivision application or cancellation of approval.	R859.80
Application for Extension of Subdivision in terms of [Section 68(2)] of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017	R429.20
CONSOLIDATIONS	
Consolidation of Erven/property in terms of [Section 72 (2)] of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017 or [Section 92 (1)(b)] of the Town planning and Townships Ordinance, 1986	R1145.50
Amendment of a Consolidation plan in terms of [Section 92 (4) (C)] of the Town Planning and Townships Ordinance, 1986 and Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017	R716.20
Application in terms of [Section 92 (4) (a) and 92(4) (b)] of the Town Planning and Townships Ordinance, 1986 and Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017 for the amendment of conditions of an approved Consolidation application or cancellation of approval.	R859.80
Simultaneous Subdivision and Consolidation	R2 292.40
Extension of consolidation in terms of [Section 73(2)] of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017	R429.20

Application in terms of the Town Planning and Townships Ordinance, (1986), Makhado Municipality Spatial Planning, Land Development, and Land Use Management By-Law, 2017 and Makhado Land Use Management Scheme, 2009		2021/22 Financial Year
SUBDIVISION AND CONSOLIDATION		
Simultaneous Subdivision and Consolidation in terms of Section 66 (2)(a), 72 (2) of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017 or Section 92 of the Town Planning and Townships Ordinance, 1986		R2 292.40
Amendment of a Subdivision and Consolidation plan in terms of [Section 92 (4) (C)], Section 69 and Section 72 of the Makhado Local Municipality Spatial planning, Land Development and Land Use Management By-Law, 2009.		R859.80
Application in terms of [Section 92 (4) (a) and 92(4) (b)] of the Town Planning and Townships Ordinance, 1986 and [Section 69, and 72] of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2009 for the amendment of conditions of an approved Subdivision and Consolidation application or cancellation of approval.		R859.80
APPLICATION IN TERMS OF MAKHADO LOCAL MUNICIPALITY SPATIAL PLANNING, LAND DEVELOPMENT AND LAND USE MANAGEMENT BY-LAW 2016		
Permanent Closer of Public Place in terms of [Section 74(2)] of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017		R2 148.80
AMENDMENT OF LAND USE SCHEME/REZONING		
Amendment of Land Use Scheme/Rezoning in terms of [Section (63) (1)] of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017 or [Section (56) (1)] of the Town Planning and Townships Ordinance, 1986		R4 289.40(Excluding placement of notices/proclamation on the Provincial Gazette, if the applicant wants the Municipality to place a notice after approval and additional amount of R2 148.80 must be added or paid)
Every erf/property additional to the first erf/property		R1 915.50 per erf/property (Irrespective of consolidation). This may be applicable in a proclaimed area/township.
TOWNSHIP ESTABLISHMENT		
Township establishment in terms of [Section (56) (1)] of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017 or [Section 96 and 69 (1)] of the Town planning and Townships Ordinance, 1986		R6 385.40 plus R68.30 per 100 erven (rounded off to the nearest 100)
Application for the extension of boundaries of approved township in terms of [Section (56) (1)] of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017 or [Section 88(1)] of the Town planning and Townships Ordinance, 1986		R3 404.30 plus R71.80per 100 erven (rounded off to the nearest 100)
Alteration or amendment of condition and general plan of approved township in terms of [Section 56 (5)] of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017 or [Section 89(1)] of the Town Planning and Townships Ordinance, 1986		R2 865.20
Application for amendment of documents in terms of [Section 59 (9)] of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017		R1 432.60
Total or partial cancellation of General plan of approved township in terms of Section 69 (1) of the Makhado Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017 or [Section 89 (1)] of the Town Planning and Townships Ordinance, 1986		R2 865.20
Division or Phasing of township in terms of [Section 57(1)] of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2017		R2 148.80

Application in terms of the Town Planning and Townships Ordinance, (1986), Makhado Municipality Spatial Planning, Land Development, and Land Use Management By-Law, 2017 and Makhado Land Use Management Scheme, 2009		2021/22 Financial Year
REMOVAL OF RESTRICTIVE CONDITIONS		
Removal, Amendment or Suspension of a restrictive or obsolete condition, servitude or reservation registered against the Title deed of land in terms of [Section 64 (2)] of the Makhado Local Municipality Spatial Planning, Land Development and Land Use Management, 2017		R2 865.20
Consent Use application in terms of Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2009 and Makhado Land Use Scheme, 2009		
[Section 75(1)] of the Makhado Local Municipality Spatial, Land Development and Land Use Management By-Law, 2017, Clause 22 and Clause 23 Uses for: Mobile Dwelling Unit, dwelling unit for caretaker, Dwelling Unit related to but subordinate to the main use, dwelling units used for permanent staff, Municipal Purposes, Informal Business, Dwelling units only for key staff, Duet dwelling, Additional Dwelling Unit, Granny Flat.		R859.80
[Section 75(1)] of the Makhado Local Municipality Spatial, Land Development and Land Use Management By-Law, 2017, Clause 22 and Clause 23 Uses for: Institution, Place of Instruction, Place of Public worship, Place of amusement, social hall, Animal care center, Taxi Rank, Recreation and Fitness Centre		R1 432.60
[Section 75(1)] of the Makhado Local Municipality Spatial, Land Development and Land Use Management By-Law, 2017, Clause 22 and Clause 23 Uses for: Conference Facility, Overnight Accommodation, Accommodation and related facilities for visitors, Residential Building, Guesthouse, Private Club, Rural General Dealer, Place of Refreshment, Restaurant, Commercial Use, Wholesale Trade, Bed and Breakfast, Household Enterprise, Service Industry, Dwelling Office, Office subservient to the main use, Retirement Village, Private Club and Hotel		R2 148.80
[Section 75(1)] of the Makhado Local Municipality Spatial, Land Development and Land Use Management By-Law, 2017, Clause 22 and Clause 23 Uses for: Commune, Spaza, Kiosk, Tea Garden, Public Phone Shop, Business / trade related to conservation / tourism for convenience of staff & visitors, other uses as permitted in terms of relevant declaration legislation, Nursery and Art Dealer & Gallery		R572.80
[Section 75(1)] of the Makhado Local Municipality Spatial, Land Development and Land Use Management By-Law, 2017, Clause 22 and Clause 23 Uses for: Filling Station, Funeral Parlor, Public Garage, Dry Cleaner, Bakery, Scrap Yard, Panel Beater and Builders Yard		R4 297.50
Telecommunication Mast		R 1 432.60
Temporary Consent [Section 77(1)] of the Makhado Local Municipality Spatial, Land Development and Land Use Management By-Law, 2017 and Clause 24 of the Makhado Land Use Scheme, 2009		R429.20 per request
Consent application renewal		It will be determined by the land use rights
RELAXATION FEES IN TERMS OF THE MAKHADO LAND USE SCHEME, 2009		
Relaxation of Height, Coverage, FAR and Density		R 859.80
Building line relaxation, Town (Residential)		R1 432.60 per line (Side and Rear) [Note: Amount for two lines will be R 2 865.20]
Building line relaxation, Townships (Waterval, Makhado-A, Tshikota, Hlanganani, and Ha-Tshikota) and communal areas (villages)		R716.20 Per line (Side and Rear) [Note: Amount for two lines will be R 1 429.80]
Building line relaxation of other uses than residential (Note: only those permitted as per Makhado Land Use Scheme, 2009.)		R 2 148.80
Relaxation of parking requirements		R 4 297.50 Per parking [To the

Application in terms of the Town Planning and Townships Ordinance, (1986), Makhado Municipality Spatial Planning, Land Development, and Land Use Management By-Law, 2017 and Makhado Land Use Management Scheme, 2009	2021/22 Financial Year
	Maximum of Ten Parking only and satisfaction of the Municipality]. Relaxation permission can or not be granted.
Relaxation of Lines of no access	R 4 297.40
Approval/Consideration of Site Development plan	Amount will be obtained from Building Section
If Site Development Plan include Building line relaxation in Town	R1 432.60per line
OTHER FEES	
Issuing of Zoning Certificate/Information pertaining zoning of the Property	R71.80 per erf
Issuing of Regulation 38 Certificate	R572.80
Extension of validity period of approval	R4 29.2 per request
Re-issuing of any notice of approval of any application	R71.80
Hard Copy of SDF, LSDF, Makhado Land Use Scheme, 2009, Makhado compaction and Densification Policy, 2011 and Makhado Municipality Spatial Planning, Land Development and Land Use Management By-Law	R716.20
Provision of erf measurements with map by GIS section	R71.80
Fine for contravening to the Makhado Land Use Scheme,2009 and Makhado Local Municipality Spatial Planning, Land Development and Land Use Management By-Law, 2016	First notice (none) and a fine of R7 162.60 for Second notice.
Identification of Pegs	R429.20
Encroachment on the Municipal Property/Area	R 287.00 (monthly) if matter not addressable
Submission of appeal (To be considered by Appeal Authority)	R1 915.50

Civic Centre, No 83 Krogh Street
MAKHADO

File No. 1/3/8/2
Notice No. 101 of 2021
MANAGER Date of Publication: 9 July 2021

MR K M NEMANAME
ACTING MUNICIPAL

lh/TownplanningFees 2021

LOCAL AUTHORITY NOTICE 148 OF 2021

**MAKHADO LOCAL MUNICIPALITY****CREDIT CONTROL AND DEBT COLLECTION
BY- LAWS, 2021/2022**

(Approved by Council Resolution A.52.31.05.21)

***Vision:** “A dynamic hub for socio-economic development by 2050”*

***Mission:** “To ensure effective utilization of economic resources to address socio-economic imperatives through mining, agriculture and tourism*

Values

1. Distinctiveness (Uniqueness, Excellence)
2. Progressiveness (Open Minded)
3. Dynamic (Energetic, Lively, Self-Motivated)
4. Culpability (Accountability and Responsibility)
5. Efficacy (Effectiveness and Efficiency)
6. Adeptness (Expertise and Proficiency)

Seven (7) Strategic Objectives

1. Promote Community Participation and Environmental Welfare
2. Invest in Local Economy
3. Advance Spatial Planning
4. Invest in Human Capital
5. Good Governance and Administrative Excellence
6. Sound Financial Management and Viability
7. Accessible Basic and Infrastructure Services

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MAKHADO LOCAL MUNICIPALITY

FINAL CREDIT CONTROL AND DEBT COLLECTION BY- LAWS, 2021/2022 (Council Resolution A.52.31.05.21)

To give effect to the Municipality's credit control and debt collection policy, its implementation and enforcement in terms of section 156(2) of the Constitution of the Republic of South Africa, 1996 and section 96 and 98 of the Municipal Systems Act, 2000; to provide for the collection of all monies due and payable to the Municipality; and to provide for matters incidental thereto.

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14. Full and final settlement payments
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1. Definitions

In this By-law, unless the context indicates otherwise—

"Arrangement" means a written agreement entered into between the Municipality and a debtor where specific terms and conditions for the payment of a debt are agreed to;

"Arrears" means any amount due and payable to the Municipality and not paid by the due date;

"Council" means the council of the Municipality;

"Councillor" means a member of the Council;

"Debt" means any monies owing to the Municipality and includes monies owing in regard to property rates, housing, motor vehicle registration and licensing, leases, and any other outstanding amounts, inclusive of any interest thereon, owing to the Municipality;

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"Debtor" means any person who owes a debt to the Municipality;

"Due date" means the final date on which a payment, as shown on the debtor's municipal account or in terms of a contract is due and payable;

"Indigent debtor" means a debtor who meets certain criteria, as determined by the Municipality from time to time;

"Interest" means a rate of interest, charged on overdue accounts which is one percent higher than the prime rate, which is obtainable from the Municipality's banker on request;

"Municipality" means the Makhado Municipality and includes any duly delegated official or service provider of the Municipality.

"Official" means an "official" as defined in section 1 of the Local Government: Finance Management Act, No. 56 of 2003;

"Policy" means the Municipality's credit control and debt collection policy;

"Service" means "municipal service" as defined in section 1 of the Systems Act, and includes a function listed in Schedules 4B and 5B of the Constitution of the Republic of South Africa, 1996 and any other service rendered by the Municipality;

"Systems Act" means the Local Government: Municipal Systems Act, No. 32 of 2000;

"Third party debt collector" means any person or persons authorised to collect monies or institute legal proceedings against debtors, on behalf of the Municipality;

"This By-law" includes the Credit Control and Debt Collection Policy;

"User" means a person who has applied for and entered into an agreement with the Municipality for the supply of a service.

2. Duty to collect debt

All debt owing to the Municipality must be collected in accordance with this By-law and the policy.

3. Provision of services

New applications for services and the provision of new services must be dealt with as prescribed in this By-law and the policy.

4. Service agreement

Except as otherwise determined in terms of this By-law and the policy, no services may be supplied until an agreement has been entered into between the Municipality and the user for the supply of a service. The consumer must provide the Municipality with a South African barcoded ID before entering into a contract with the Municipality. The Municipality will not enter into an agreement with a new occupier if the previous occupier's account is not paid and settled in full.

5. Deposits

The Municipality may determine and require the payment of deposits for the provision of new services and the reconnection of services and may adjust the amount of any existing deposit.

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6. Interest charges

The Municipality may charge and recover interest in respect of any arrear debt as prescribed in this By-law and policy. Where a debt is overdue for part of a month, interest will be calculated for a full month.

7. Arrangements to pay arrears

- (1) The Municipality may make arrangements with a debtor to pay any arrear debt under conditions as prescribed in terms of this By-law and the policy.
- (2) Should any dispute arise as to the amount of the arrear debt, the debtor must nevertheless continue to make regular payments, in terms of the arrangement, until such time as the dispute has been resolved.
- (3) Only the account holder may sign and enter into a payment arrangement with the municipality
- (4) A minimum amount not less than 50% of the arrear amount will be payable by all consumers of services (prepaid and conventional) and ratepayers, prior to entering into a payment arrangement, depending on the accountholder's payment history.

8. Agreements with a debtor's employer

- (1) The Municipality may—
 - (a) With the consent of a debtor, enter into an agreement with that person's employer to deduct from the salary or wages of that debtor—
 - (i) Any outstanding amounts due by the debtor to the Municipality, or
 - (ii) Regular monthly amounts as may be agreed; and
 - (b) Provide special incentives for—
 - (i) Employers to enter into such agreements; and
 - (ii) Debtors to consent to such agreements.
- (2) The municipal debt of officials or councillors of the Municipality may by agreement be deducted from their salaries if such official or councillor is more than one month in arrears.

9. Power to restrict or disconnect supply of service

- (1) The Municipality may restrict or disconnect the supply electricity (both conventional and prepaid) of any service to the premises of any user whenever such user of a service—
 - (a) Fails to make payment on the due date;
 - (b) Fails to comply with an arrangement; or
 - (c) Fails to comply with a condition of supply imposed by the Municipality;
 - (d) Tenders a negotiable instrument which is dishonored by the bank, when presented for payment;
 - (e) Damages the infrastructure of the Municipality for the supply of such service or tampers with any meters used regarding that service.
- (2) The Municipality may reconnect the restricted or discontinued services only—

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- (a) After the arrear debt, including the costs of disconnection or reconnection, if any, has been paid in full and any other conditions have been complied with; or
- (b) After an arrangement with the debtor has been concluded.
- (3) The Municipality may restrict, disconnect, or discontinue any service in respect of any arrear debt.

10. Recovery of debt

Subject to section 9, the Municipality may, with regards to rates and other debt-

- (a) By legal action recover any debt from any person; and
- (b) Recover debt from any organ of state with due consideration of the provisions of Chapter 3 of the Constitution of the Republic of South Africa, 1996; and may refer a debtor to third party debt collection agencies and have such debtor placed on the National Credit Rating list.

11. Recovery of costs

The Municipality may recover the following costs, in instances where such costs are incurred by or on behalf of the Municipality:

- (a) Costs and administration fees where payments made to the Municipality by negotiable instruments are dishonored by banks when presented for payment;
- (b) Legal and administration costs, including attorney-and-client costs and tracing fees incurred in the recovery of debts;
- (c) Restriction, disconnection, and reconnection fees, where any service has been restricted or disconnected as a result of non-compliance with these By-laws;
- (d) Any losses the Municipality may suffer as a result of tampering with municipal equipment or meters; and
- (e) Any collection commission incurred.

12. Attachment

The Municipality may, in order to recover debt, approach a competent court for

an order to attach a debtor's movable or immovable property.

13. Claim on rental for outstanding debt

The Municipality may in terms of section 28 of the Municipal Property Rates Act, 2004 (Act No 6 of 2004), attach any rent due in respect of any ratable property, to cover in part or in full any amount in respect of outstanding rates after the due date.

14. Full and final settlement payments

Where an account is not settled in full, any lesser amount tendered to, and accepted by, the municipality shall not be a full and final settlement of such an account despite the fact that the payment was tendered, in full and final settlement, unless the municipal manager or the manager of the municipality's

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authorised agent, expressly accepts it in writing as being in full and final settlement of the account in question.

15. Consolidation of debtor's accounts

The Municipality may-

- (a) Consolidate any separate accounts of a debtor;
- (b) Credit a payment by a debtor against any account of the debtor; and
- (c) Implement any measures provided for in these By-laws and the policy; in relation to any arrears on any of the accounts of such debtor.

16. Indigents

A debtor, who can prove indigence, will be dealt with as prescribed in the policy.

17. Delegation

The Municipality may delegate its powers in terms of the By-law or the policy to any official or service provider of the Municipality.

18. Offences and penalties

Any person who—

- (a) Obstructs or hinders any councillor or official of the Municipality in the execution of his or her duties under these By-laws or the policy;
- (b) Unlawfully uses or interferes with Municipal equipment or consumption of services supplied;
- (c) Tampers with any Municipal equipment or breaks any seal on a meter;
- (d) Fails to comply with a notice served in terms of this By-law or the policy;
- (e) Supplies false information regarding the supply of services or with regard to an application for assistance as an indigent, shall be guilty of an offence and on conviction liable to the payment of a fine not exceeding one thousand rand or imprisonment for a period not exceeding 3 months or to such imprisonment without the option of a fine or to both such fine and such imprisonment.

19. Indemnification from Liability

Neither an employee of the municipality nor any person, body, organisation, or corporation acting on behalf of the municipality are liable for any damage arising from any omission or act done in good faith in the course of his or its duties.

20. Operative clause

These by-laws will commence on publication thereof in the Provincial Gazette.

21. Repeal of By-Laws

The provisions of any by-laws relating to credit control and debt collection by the municipality are hereby repealed insofar as they relate to matters provided for in these by-laws and policy.

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22. Short title

These By-laws is called the Credit Control and Debt Collection By-laws of the Makhado Local Municipality, 2020/2021.

AUTHORIZED BY SIGNATURE

I, THE UNDERSIGNED, CLLR L B MOGALE, SPEAKER, HEREBY CERTIFY THAT THIS CREDIT CONTROL AND DEBT COLLECTION BY-LAWS, 2021/2022 IS AN EXTRACT AS FILED IN THE OFFICIAL AGENDA OF THE 535th EXECUTIVE COMMITTEE MEETING HELD ON 24 MAY 2021 AND APPROVED BY COUNCIL AT ITS 159th SPECIAL MEETING HELD ON 31 MAY 2021 UNDER COUNCIL RESOLUTION A.52.31.05.21

CLLR L B MOGALE**DATE: 31 MAY 2021**

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/3/55
Notice No. 114 of 2021
Date of Publication: 9 July 2021

MR K M NEMANAME
ACTING MUNICIPAL MANAGER

LOCAL AUTHORITY NOTICE 149 OF 2021

1

**MAKHADO LOCAL MUNICIPALITY****PROPERTY
RATES BY-LAW, 2021/2022**

(Approved by Council Resolution A.52.31.05.21)

Vision: "A dynamic hub for socio-economic development by 2050"

Mission: "To ensure effective utilization of economic resources to address socio-economic imperatives through mining, agriculture and tourism"

Values

1. Distinctiveness (Uniqueness, Excellence)
2. Progressiveness (Open Minded)
3. Dynamic (Energetic, Lively, Self-Motivated)
4. Culpability (Accountability and Responsibility)
5. Efficacy (Effectiveness and Efficiency)
6. Adeptness (Expertise and Proficiency)

Seven (7) Strategic Objectives

1. Promote Community Participation and Environmental Welfare
2. Invest in Local Economy
3. Advance Spatial Planning
4. Invest in Human Capital
5. Good Governance and Administrative Excellence
6. Sound Financial Management and Viability
7. Accessible Basic and Infrastructure Services

MAKHADO LOCAL MUNICIPALITY

PROPERTY RATES BY-LAW

(COUNCIL RESOLUTION A.52.31.05.21)

The Municipal Manager of Makhado Local Municipality hereby, in terms of Section 6 of the Local Government: Municipal Property Rates Act, 2004 (No. 6 of 2004), publishes the Property Rates By-law for the Makhado Local Municipality.

PURPOSE OF BY-LAW

To allow Council to exercise its power to value and impose rates on immovable properties located within its area of jurisdiction in such a manner that it will contribute to effective and economic service delivery to the entire community.

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21. COMMENCEMENT

1. Definitions

For the purpose of these by-laws any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004) shall bear the same meaning in these by-laws and unless the context indicates otherwise-

1.1 “**Act**” means the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004);

1.1.1 Inclusion is the 3 Inclusive additions as per the Municipal Property Rates Amendment Act of 2014, as per Gazette 37922 issued on 18 August 2014 but effective 1 July 2015.

1.2 “**Municipality**” means the Makhado Local Municipality NP 344;

1.3 “**Privately owned towns serviced by the owner**” means single properties, situated in an area not ordinarily being serviced by the municipality, divided through subdivision or township establishment into (ten or more) full title stands and/ or sectional units and where all services inclusive of water, electricity, sewerage and refuse removal and roads development are installed at the full cost of the developer and maintained and rendered by the residents of such estate.

1.4 “**Residential property**” means improved property that:

(a) is used predominantly (60% or more) for residential purposes including any adjoining property registered in the name of the same owner and used together with such residential property as if it

were one property. Any such grouping shall be regarded as one residential property for rate rebate or valuation reduction purposes.

(b) is a unit registered in terms of the Sectional Title Act and used predominantly for residential purposes.

(c) Is owned by a share-block company and used solely for residential purposes.

(d) Is a residence used for residential purposes situated on property used for or related to educational purposes. And specifically exclude vacant land irrespective of its zoning or intended use.

1.5 In this by-law, words used in the masculine gender include the feminine, the singular includes the plural and vice versa.

2. Principles

2.1 Rates will be levied in accordance with the Act as an amount in the rand based on the market value of all rateable property contained in the municipality's valuation roll and supplementary valuation roll.

2.2 The municipality will differentiate between various categories of property and categories of owners of property as contemplated in clause 5 and 6 of this by-law.

2.3 Some categories of property and categories of owners will be granted relief from rates.

2.4 The municipality will not grant relief in respect of payments for rates to any category of owners or properties, or to owners of properties on an individual basis.

2.5 There will be no phasing in of rates based on the new valuation roll, except as prescribed by legislation and in accordance with clause 14 of this by-law.

2.6 The municipality's rates policy will be based on the following principles:

(a) Equity

The municipality will treat all ratepayers with similar properties the same.

(b) Affordability

The ability of a person to pay rates will be taken into account by the municipality. In dealing with the poor/indigent ratepayers the municipality will provide relief measures through exemptions, reductions, or rebates.

(c) Sustainability

Rating of property will be implemented in a way that:

i. it supports sustainable local government by providing a stable and buoyant revenue source within the discretionary control of the municipality; and

ii. Supports local social economic development.

(d) Cost efficiency

Rates will be based on the value of all rateable property and will be used to fund community and subsidised services after taking into account surpluses generated on trading (water, electricity) and economic (refuse removal, sewerage removal) services and the amounts required to finance exemptions, rebates, reductions and phasing-in of rates as approved by the municipality from time to time.

3. Application of By-law

3.1 Where this by-law contradicts national legislation, such legislation has preference over this by-law. The Municipal Manager shall bring such conflicts immediately to the attention of the municipality once he becomes aware of such conflicts and will propose changes to the municipality's by-laws to eliminate such conflicts.

3.2 If there is any conflict between this by-law and the Property Rates policy of the municipality, this by-law will prevail.

3.3 In imposing the rate in the rand for each annual operating budget component, the municipality shall grant exemptions, rebates, and reductions to the categories of properties and categories of owners.

4. Principles applicable to financing services

4.1 The municipal manager or his/her nominee must, subject to the guidelines provided by the National Treasury and Executive Committee of the municipality, make provision for the following classification of services: -

- (a) Trading services
 - i. Water
 - ii. Electricity
 - (b) Economic services
 - i. Refuse removal.
 - ii. Sewerage disposal.
 - (c) Community and subsidised services
- These include all those services ordinarily being rendered by the municipality excluding those mentioned in 4.1 (a) and (b).

4.2 Trading and economic services as referred to in clauses (a) and (b) must be ring fenced and financed from service charges while community and subsidised services referred to in clause (c) will be financed from surpluses on trading and economic services, regulatory fees, rates, and rates related income.

5. Categories of property

5.1 Different rates may be levied in respect of the categories of rateable properties as determined by the municipality's rates policy.

5.2 Such rates will be determined on an annual basis during the compilation of the municipality's budget.

5.3 In determining the category of a property referred to in 5.1 the municipality shall take into consideration the following criteria or a combination thereof: -

- The use of the property;
- Permitted use of the property; and
- The geographical area in which the property is situated.

5.4 In order to create certainty and to ensure consistency the criteria mentioned in 5.3 shall be applied as indicated below in order of priority and no deviation is permissible:

5.4.1 Properties shall first of all be categorised in accordance with their formal zoning. Town planning schemes, town establishment schemes and town planning regulations may be used to determine the formal zoning.

5.4.2 If, for whatever reason, the status or zoning of a property cannot be determined in terms of 5.4.1 the actual use shall then be determined in order to appropriately categorise such property. All relevant information, including circumstantial evidence, may be taken into consideration in an attempt to determine for what purpose the property is being used. A physical inspection may be done to acquire the necessary information.

5.4.3 The geographical area in which a property is situated may be used to assist in the categorisation of a property when the provisions of 5.4.1 can not be applied. However, the geographical area as a criterion should not be used in isolation.

5.5 Properties used for multiple purposes shall be categorised and rated as provided for in section 9 of the Act and as more fully described in clause 7.

6. Categories of owners

6.1 For the purpose of granting exemptions, reductions, and rebates in terms of clause 9, 10 and 11 respectively the following categories of owners of properties are determined:

- (a) Those owners who qualify and who are registered as indigents in terms of the adopted indigent policy of the municipality;
- (b) Those owners who do not qualify as indigents in terms of the adopted indigent policy of the municipality but whose total monthly income is less than the amount annually determined by the municipality during the budget process;
- (c) Owners of property situated within an area affected by-
 - i. a disaster within the meaning of the Disaster Management Act, 2002 (Act No. 57 of 2002); or
 - ii. serious adverse social or economic conditions.

- (d) Owners of residential properties with a market value below the amount as determined annually by the municipality as part of tariffs approved during the budget process; and
- (e) Owners of agricultural properties.

7. Properties used for multiple purposes

7.1 Rates on properties used for multiple purposes will be levied as follows:

- (a) In accordance with the “permitted use of the property”.
- (b) In accordance with the “dominant use of the property” if (a) cannot be applied; or
- (c) In accordance with the “different uses” by apportioning the market value of a category of property to the different purposes for which the property is used if both (a) and (b) above cannot be applied.

8. Differential rating

8.1 Criteria for differential rating on different categories of properties will be according to-

- (a) The nature of the property including its sensitivity to rating e.g., agricultural properties used for agricultural purposes.
- (b) The promotion of social and economic development of the municipality.

8.2 Differential rating among the various property categories will be done by way of setting different cent amount in the rand for each property category; and

8.3 by way of reductions and rebates as provided for in the municipality’s rates policy document.

9. Exemptions and Impermissible Rates

9.1 Categories of property as determined by the municipality’s rates policy on an annual basis will be exempted from paying rates.

- a) All applications will be dealt with in accordance with the municipality’s Credit control and Indigent Policies.
- b) Conditions determined by the Rates policy will be applied accordingly.
- c) The municipality retains the right to refuse exemptions if the details supplied in the application form are incomplete, incorrect, or false.
- d) Exemptions will automatically apply where no applications are required.
- e) Rates may not be levied by the municipality on properties in section 17(1) of the Act as amended in Gazette no: 38259 on 28 November 2014

9.2 Exemptions will automatically apply.

10. Reductions

10.1 Reductions as contemplated in section 15 of the Act will be considered on an *ad-hoc* basis in the event of the following:

10.1.1 Partial or total destruction of a property.

10.1.2 Disasters as defined in the Disaster Management Act, 2002 (Act 57 of 2002).

10.2 The following conditions shall be applicable in respect of 10.1:

10.2.1 The owner referred to in 10.1.1 shall apply in writing for a reduction and the onus will rest on such applicant to prove to the satisfaction of the municipality that his property has been totally or partially destroyed. He/she will also have to indicate to what extent the property can still be used and the impact on the value of the property.

10.2.2 Property owners will only qualify for a rebate if affected by a disaster as referred to in the Disaster Management Act, 2002 (Act No. 57 of 2002).

10.2.3 A maximum reduction determined by the municipality will be allowed in respect of both 10.1.1 and 10.1.2.

10.2.4 An ad-hoc reduction will not be given for a period in excess of 6 months unless the municipality gives further extension on application.

10.2.5 If rates were paid in advance prior to granting of a reduction the municipality will give credit to such an owner as from the date of reduction until the date of lapse of the reduction or the end of the period for which payment was made whichever occurs first.

11. Rebates

11.1. Categories of property

11.1.1 The municipality may grant rebates to categories of property as determined in the municipality's rates policy.

11.2 Categories of owners

11.2.1 The municipality may grant rebates to categories of owners as determined annually in the municipality's rates policy.

11.2.2. Applications by property owners for rebates must reach the municipality before the date determined by the Property Rates Policy, preceding the start of the municipal financial year for which relief is sought.

11.2.3 The municipality retains the right to refuse rebates if the details supplied in the application form were incomplete, incorrect, or false.

11.3 Properties with a market value below a prescribed valuation level of an amount determined annually by the municipality may, instead of a rate being determined on the market value, be rated a uniform fixed amount per property.

11.4 The extent of the rebate in terms of 11.1, 11.2 and 11.3 shall annually be determined by the municipality during the budget process.

12. Payment of rates

12.1 Council may levy assessment rates: -

- (a) On a monthly basis or less regular as determined by the Municipal Finance Management Act, (No.56 of 2003) or
- (b) Annually, as agreed with the owner of the property.

12.2 Assessment rates is payable: -

- (a) Annually in a once of amount determined by the municipality during the budget process; or
- (b) in instalments payable on or before a date in each period as determined by the municipality.

12.3 Interest on arrears rates, whether payable on or before 30 September or in equal monthly instalments, shall be calculated in accordance with the provisions of the credit control, debt collection and indigent policy of the municipality.

12.4 If a property owner who is responsible for the payment of property rates in terms of the rates policy, fails to pay such rates in the prescribed manner, it will be recovered from him/her in accordance with the provisions of the Credit Control, Debt Collection, and indigent policy of the Municipality.

12.5 Arrears rates shall be recovered from tenants, occupiers, and agents of the owner, in terms of section 28 and 29 of the Act as follows:

12.5.1 If an amount, due for rates levied on a property, is not paid by the owner by the due date as shown on the account and no reaction is forthcoming from the owner after two written reminders have been issued, the municipality shall recover the amount in full or partially as follows:

12.5.2 From the agent who is lawfully responsible to collect commission or rental in respect of the property concerned;

12.5.3 From a tenant or occupier of the property, only after an attempt was made to collect it from an agent refer to in 12.5.2 but such attempt was unsuccessful, or no such agent exists or only a part of the outstanding amount could successfully be recovered.

12.5.4 The amount recoverable is limited to the amount as stipulated in the Act and it may only be recovered after written notice has been served on the party concerned (tenant, occupier, or agent) of the rates due and payable, but not yet paid by owner of the property.

12.5.5 The notice referred to in 12.5.4 shall give the party concerned at least 14 calendar days to pay the outstanding rates.

12.6 Where the rates levied on a particular property have been incorrectly determined, whether because of an error or omission on the part of the municipality or false information provided by the property owner concerned or a contravention of the permitted use to which the property concerned may be put, the rates payable shall be appropriately adjusted for the period extending from the date on which the error or omission is detected back to the date on which rates were first levied in terms of the current valuation roll.

12.7 In addition, where the error occurred because of false information provided by the property owner or as a result of a contravention of the permitted use of the property concerned, interest on the unpaid portion of the adjusted rates payable shall be levied at the maximum rate permitted by prevailing legislation.

13. Accounts to be furnished

13.1 The municipality will furnish each person liable for the payment of rates with a written account, which will specify:

- (i) the amount due for rates payable,
- (ii) the date on or before which the amount is payable,
- (iii) how the amount was calculated,
- (iv) the market value of the property, and
- (v) rebates, exemptions, reductions or phasing-in, if applicable.

13.2 A person liable for payment of rates remains liable for such payment, whether or not such person has received a written account from the municipality. If the person concerned has not received a written account, he/she must make the necessary enquiries with the municipality.

13.3 In the case of joint ownership the municipality shall consistently, in order to minimise costs and unnecessary administration, recover rates from one of the joint owners only provided that it takes place with the consent of the owners concerned.

14. Phasing in of rates

14.1 The rates to be levied on newly rateable property shall be phased in as explicitly provided for in section 21 of the Act.

14.2 The phasing-in discount on the properties referred to in section 21 shall be as follows:

- First year : 75% of the relevant rate;
- Second year : 50% of the relevant rate; and
- Third year : 25% of the relevant rate.

14.3 No rates shall be levied on newly rateable properties that are owned and used by organisations conducting activities that are beneficial to the public and that are registered in terms of the Income Tax Act for those activities, during the first year. Thereafter, the phasing-in discount on these properties shall be as indicated in paragraph 14.2 above

15. Special rating areas

15.1 The municipality will, whenever deemed necessary, by means of a formal Council resolution determine special rating areas in consultation with the relevant communities as provided for in section 22 of the Act.

15.2 The following matters shall be attended to in consultation with the committee referred to in clause 15.3 whenever special rating is being considered:

15.2.1 Proposed boundaries of the special rating area;

15.2.2 Statistical data of the area concerned giving a comprehensive picture of the number of erven with its zoning, services being rendered and detail of services such as capacity, number of vacant erven and services that are not rendered;

15.2.3 Proposed improvements clearly indicating the estimated costs of each individual improvement;

15.2.4 Proposed financing of the improvements or projects;

15.2.5 Priority of projects if more than one;

15.2.6 Social economic factors of the relevant community;

15.2.7 Different categories of property;

15.2.8 The amount of the proposed special rating;

15.2.9 Details regarding the implementation of the special rating;

15.2.10 The additional income that will be generated by means of this special rating.

15.3 A committee consisting of 6 members of the community of whom 3 shall be women will be established to advise and consult the municipality in regard to the proposed special rating referred to above. This committee will be elected by the inhabitants of the area concerned who are 18 years of age or older. No person under the age of 18 may be elected to serve on the committee. The election of the committee will happen under the guidance of the Municipal Manager. The committee will serve in an advisory capacity only and will have no decisive powers.

15.4 The required consent of the relevant community shall be obtained in writing or by means of a formal voting process under the chairmanship of the Municipal Manager. A majority shall be regarded as 50% plus one of the households affected. Each relevant household, i.e., every receiver of a monthly municipal account, will have 1 vote only.

15.5 In determining the special additional rates the municipality shall differentiate between different categories as referred to in clause 5.

15.6 The additional rates levied shall be utilised for the purpose of improving or upgrading of the specific area only and not for any other purposes whatsoever.

15.7 The municipality shall establish separate accounting and other record-keeping systems, compliant with GRAP, for the identified area and the households concerned shall be kept informed of progress with projects and financial implications on an annual basis.

16. Frequency of valuation

16.1 The municipality shall prepare a new valuation roll every 5 (five) years, with the option to extend the validity of the valuation roll to 7 (seven) years with the approval of the MEC for Local Government and Housing in the province.

16.2 Supplementary valuations will be done on a continual basis to ensure that the valuation roll is properly maintained which should be completed at least once a year.

16.3 The municipality holds the copyright over the information contained in the valuation roll.

17. Community participation

17.1 Before the municipality adopts the rates by-law, the municipal manager will follow the process of community participation envisaged in chapter 4 of the Municipal Systems Act and comply with the following requirements:

17.1.1 Conspicuously display the draft rates by-law for a period of at least 30 days (municipality to include period decided on) at the municipality's head and satellite offices and libraries (and on the website)

17.1.2 Advertise in the media a notice stating that the draft rates by-law has been prepared for submission to council and that such by-law is available at the various municipal offices and on the website for public inspection. Property owners and interest persons may obtain a copy of the draft by-law from the municipal offices during office hours at a cost as determined annually by the municipality. Property owners and interest persons may submit written comments or representations to the municipality within the specified period in the notice.

17.1.3 Council will consider all comments and/or representations received when considering the finalisation of the rates by-law.

18 Register of properties

18.1 The municipality will compile and maintain a register in respect of all properties situated within the jurisdiction of the municipality. The register will be divided into Part A and Part B.

18.2 Part A of the register will consist of the current valuation roll of the municipality and will include all supplementary valuations done from time to time.

18.3 Part B of the register will specify which properties on the valuation roll, or any supplementary valuation roll are subject to:

- i. Exemption from rates in terms of section 15 of the Property Rates Act, 2004,
- ii. Rebate or reduction in terms of section 15,
- iii. Phasing-in of rates in terms of section 21, and
- iv. Exclusions as referred to in section 17.

18.4 The register will be open for inspection by the public at the municipal main offices during office hours or on the website of the municipality.

18.5 The municipality will update Part A of the register every 6 months during the supplementary valuation process.

18.6 Part B of the register will be updated on a continuous basis.

19 Regular review processes

19.1 The municipality's rates policy must be reviewed on an annual basis to ensure that it complies with the Municipality's strategic objectives as contained in the Integrated Development Plan and with legislation.

20. Short title

This by-law is the rates by-law of the Makhado Local Municipality.

21. Commencement

This amended by-law comes into force and effect on 1 July 2021.

AUTHORIZED BY SIGNATURE

I, THE UNDERSIGNED, CLLR L B MOGALE, SPEAKER, HEREBY CERTIFY THAT THIS PROPERTY RATES BY-LAW, 2021/2022 IS AN EXTRACT AS FILED IN THE OFFICIAL AGENDA OF THE 535th EXECUTIVE COMMITTEE MEETING HELD ON 24 MAY 2021 AND APPROVED BY COUNCIL AT ITS 159th SPECIAL MEETING HELD ON 31 MAY 2021 UNDER COUNCIL RESOLUTION A.52.31.05.21

CLLR L B MOGALE
DATE: 31 MAY 2021

Civic Center, No 83 Krogh Street
MAKHADO

File No. 1/1/90
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MR K M NEMANAME
ACTING MUNICIPAL MANAGER

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