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IZIQULATHO

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WITZENBERG MUNICIPALITY

WATER AND SANITATION SERVICES AND INDUSTRIAL EFFLUENT BY-LAWS

PREFACE

The Constitution of the Republic of South Africa allows municipalities to exercise their legislative authority by developing their own by-laws. Section 21(4) of the Water Services Act, 1997 (Act 108 of 1997) states that the Minister may provide model by-laws to be used as a guide to Water Services Authorities as they develop and implement by-laws in terms of Section 21(1) of the said act.

The Department of Water Affairs and Forestry published model water services by-laws in 2001. In 2005, these model by-laws were revised in line with the Strategic Framework for Water Service dated 2003. The Water Services Act, 1997 requires municipalities to make water services by-laws.

This document, the Water By-law for the Witzenberg Municipal Area, is based on the revised model services by-laws, as published by the Department of Water Affairs and Forestry in June 2005.

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CHAPTER 1: GENERAL PROVISIONS

Part 1: DEFINITIONS

For the purpose of this by-laws, any word or expressions to which a meaning has been assigned in the Water Services Act, 1997 (Act 108 of 1997), the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000) or the National Building Regulations made in terms of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977) shall bear the same meaning in this by-laws, unless the context indicates otherwise. Any reference to gender will automatically be deemed to refer to the other gender as well (i.e. he / she; his / her), and in the event of an inconsistency between the English text and the Afrikaans/isiXhosa texts, the English text will prevail.

1. Definitions

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

“accommodation unit”	in relation to any premises, means a building or section of a building occupied or used or intended for occupation or use for any purpose;
“account”	means an account rendered for municipal services provided;
“Act”	means the Water Services Act, 1997 (Act 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 an authorised agent;
“area of supply”	means any area within or partly within the area of jurisdiction of the municipality to which a water service is provided;
“authorised agent”	means: <ul style="list-style-type: none"> (a) any person authorised by the municipality to perform any act, function or duty in terms of, or to exercise any power under, this by-laws; (b) any person to whom the municipality has delegated the performance of certain rights, duties and obligations in respect of providing water supply services; or (c) 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, which will be calculated by dividing the total measured consumption of that municipal service by that customer over the preceding three months by three;
“availability charges”	means a monthly levy that may be levied against immovable property, with or without improvements, which is not connected to any municipal service works, where such property can be reasonably so connected;
“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 published in terms of the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);
“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 and domestic, commercial or industrial purposes;
“commercial customer”	means any customer other than a domestic consumer and indigent customers, including, without limitation, business, industrial, government and institutional customers;
“communal water services work”	means a consumer connection through which water services are supplied to more than one person;
“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 them 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 wayleave or by agreement;
“connection” services;	means the point at which a customer gains access to water

“connection pipe”	means a pipe, the ownership of which is vested in the municipality or its authorised agent 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 10252-1;
“conservancy tank”	means a covered tank used for the reception and temporary retention of sewage and which requires emptying at intervals;
“Council”	means the Council of the Witzenberg Municipality;
“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 by-laws;
“domestic consumer”	means a customer using water for domestic purposes;
“domestic purposes”	in relation to the supply of water means water 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 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 which is ancillary to such systems;
“drainage work”	includes any drain, sanitary fitting, water supplying apparatus, waste or other pipe or any work associated with the discharge of liquid or solid matter into any drain or sewer or otherwise associated with the drainage of any premises;
“DWA”	means the Department of Water Affairs;
“DWAF”	means the Department of Water Affairs and Forestry;
“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;

“duly qualified sampler”	means a person who takes samples for analysis from the sewage disposal and storm-water disposal systems and from public waters and who has been certified to do so by an authorised agent;
“effluent”	means any liquid, whether or not containing matter in solution or suspension;
“emergency”	means any situation that poses a risk or potential risk to life, health, the environment or property;
“engineering professional”	means a person registered in terms of the Engineering Profession Act, 2000 (Act 46 of 2000) as a professional engineer, and includes a professional technologist and professional technician;
“environmental cost”	means the full cost of all measures necessary to restore the environment to its condition prior to the damaging incident;
“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 service, for a specific time;
“fire installation”	means a portable water installation that conveys water for fire-fighting purposes only;
“fixed quantity water”	means a water installation which delivers a fixed quantity of water to a consumer in any single day;
“flood level (1 in 50 years)”	means that level reached by flood waters resulting from a storm of a frequency of 1 in 50 years;
“flood plain (1 in 50 years)”	means the area subject to inundation by flood waters from a storm of a frequency of 1 in 50 years;
“French drain”	means a soil soak-away for the disposal of sewage and effluent from a septic tank;
“grey water”	means waste water resulting from the use of water for domestic purposes but does not include human excreta or any other solid matter;
“high strength sewage”	means 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 a household, the age of the persons who are members of it and any other factor that the municipality considers to be relevant;
“illegal connection”	means a connection to any system by means of which water or sanitation services are provided that is not authorised or approved by the municipality;
“industrial effluent”	means all effluents which are not domestic effluent: Without limiting this definition, these shall include effluents from all trade, commercial, manufacturing or food processing processes; commercial laundries; dispensaries; hospitals; laboratories; mortuaries; garages; abattoirs and the like;
“industrial purposes”	means, in relation to the supply of water, 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 85 of 1993), and includes, but for the purpose of the by-laws, is not limited to businesses, restaurants and home-based industries or services but excludes normal domestic effluents;
“installation work”	means work in respect of the construction of or carried out on a water installation;
“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 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, vesting in the municipality or its authorised agent and used by it for the purpose of conveying water to a consumer or sewage from a consumer;
“measuring device”	means any method, procedure, process or device, apparatus or installation that enables the quantity of water services provided to be quantified and includes a method, procedure or process whereby quantity is estimated or assumed;
“meter”	means a water meter as defined by the Regulations published in terms of the Trade Metrology Act, 1973 (Act 77 of 1973) or, in the case of water meters of a size greater than 100 mm, a device which measures the quantity of water passing through it;

“municipality”	means— <ul style="list-style-type: none"> (a) Witzenberg Municipality, a local municipality established in terms of Section 12 of the Structures Act 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 this 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 this by-laws or any other law, or (c) an authorised agent of the Witzenberg Municipality;
“municipal council”	means a municipal council as referred to in Section 157(1) of the Constitution of the Republic of South Africa, 1996, or means a municipal council of Witzenberg Municipality;
“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 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 the purposes of this by-laws services provided by a municipality and includes water supply, sanitation and sewerage;
“occupier”	means a person who occupies any (or part of any) land, building, structure or premises and includes a person who, for someone else’s reward or remuneration, allows another person to use or occupy any (or any part of any) land, building, structure or premises;
“on-site sanitation services”	means any sanitation services other than water-borne sewerage disposal through a sewerage disposal system;
“owner”	means – <ul style="list-style-type: none"> (a) the person in whom the legal title to premises is vested from time to time; (b) in a case where the person in whom the legal title to premises is vested is insolvent or deceased, or is under any form of legal disability whatsoever, 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) in any instance where the municipality or its authorised agent is unable to determine the identity of such person, a person who is entitled to the benefit of the use of such premises or a building or buildings thereon;
- (d) in the case of premises for which a lease agreement of 30 years or longer has been entered into, the lessee thereof;
- (e) in relation to –
 - (i) a piece of land delineated on a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act 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 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 natural person, local government body or suchlike authority; a company incorporated under any law; a 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 56 of 1981) 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 directly or indirectly alter the physical, chemical or biological properties of the water found therein so as to render it:

- (a) less fit for any beneficial purpose for which it may reasonably be expected to be used; or
- (b) harmful or potentially harmful –
 - (i) to the welfare, health or safety of human beings, or
 - (ii) to any aquatic or non-aquatic organism;

“premises” are delineated on:	<p>means any piece of land, the external surface boundaries of which</p> <ul style="list-style-type: none"> (a) a general plan or diagram registered in terms of the Land Survey Act, 1927 (Act 9 of 1927), or in terms of the Deeds Registries Act, 1937 (Act 47 of 1937), or (b) a sectional plan registered in terms of the Sectional Titles Act, 1986 (Act 95 of 1986), or (c) a register held by a tribal authority;
“prescribed tariff or charge”	<p>means a charge prescribed by the municipality;</p>
“public notice”	<p>means publication in the media including one or more of the following:</p> <ul style="list-style-type: none"> (a) Publication of a notice, in the official languages determined by the municipal council: <ul style="list-style-type: none"> (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;
“public water”	<p>means any river, watercourse, bay, estuary, the sea and any other water to which the public has the right of use or to which the public has the right of access;</p>
“sanitation services”	<p>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 the disposal of industrial effluent;</p>
“sanitation system”	<p>means the structures, pipes, valves, pumps, meters or other apparatus used in the conveyance through the sewer reticulation</p>

	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;
“SANS”	means the South African National Standard;
“septic tank”	means a watertight 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 to and installed on any premises by the owner or occupier and which is connected to, or to be connected to, a connection pipe to serve the water installation on the premises;
“sewage”	means waste water, industrial effluent, standard domestic effluent and other liquid waste, either separately or in combination, but shall not include storm water;
“sewage disposal system”	means the structures, pipes, valves, pumps, meters or other apparatus used in the conveyance through the sewer reticulation system and treatment at the sewage treatment plant under the control of the municipality or its authorised agent and which may be used by it in connection with the disposal of sewage and shall include sea outfalls;
“sewer”	means any pipe or conduit which is the property of, or is vested in, the municipality or its authorised agent and which may be used for the conveyance of sewage from the connecting sewer and shall not include a drain as defined;
“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;
“standard domestic effluent”	shall mean the effluent arising from the normal and usual household usage of residential properties and discharged from lavatory pans, urinals, baths, kitchen sinks and household laundries. It shall, without limiting this definition, include the effluent from the normal single residential household, blocks of flats, school hostels, residential boarding houses, hotels, cafeterias, canteens and similar discharges;
“standpipe”	means a connection through which water supply services are supplied to more than one person;

“storm water”	means water resulting from natural precipitation or accumulation and includes rainwater, subsoil water or spring water;
“terminal water fitting”	means a water fitting at an outlet of a water installation that controls the discharge 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 positioned and designed to retain a water seal that serves as a barrier against the flow of foul air or gas;
“unauthorised service”	means the receipt, use or consumption of any municipal service 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 vested 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 or its authorised agent;
“water services”	means water supply services and sanitation services and has the same meaning assigned to it in terms of the Act and includes, for purposes of this by-laws, water for industrial purposes and the disposal of industrial effluent;
“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 the disposal of industrial effluent;
“water supply system”	means the structures, aqueducts, pipes, valves, pumps, meters or other apparatus relating thereto which are vested in the municipality or its authorised agent and are used or intended to be used by it in connection with the supply of water, and includes any section of the system;
“wet industry”	means an industry which discharges industrial effluent; and
“working day”	means a day other than a Saturday, Sunday or public holiday.

CHAPTER 2: APPLICATION, CHARGES, PAYMENT, ACCOUNTS & TERMINATION

PART 1: APPLICATION FOR WATER SERVICES

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, debt collection and indigent support.
- (2) Water services rendered to a customer by the municipality are subject to the municipality's by-laws relating to credit control, debt collection and indigent support; this by-laws; and the conditions contained in the relevant agreement.
- (3) The municipality must, on application for the provision of water services by a consumer, inform that consumer of the different levels of services available and the tariffs or charges associated with each level of services.
- (4) A consumer must elect the available level of services to be provided to him.
- (5) A consumer may at any time apply to alter the 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 agreed to by the municipality shall continue as an agreement between the municipality and the applicant and such agreement shall take effect on the date referred to or stipulated in such agreement.
- (7) A consumer shall be liable for all the tariffs and or charges in respect of water services rendered to him until the agreement has been terminated in accordance with this by-law or until such time as any arrears have been paid.
- (8) In preparing an application form for water services, the municipality shall ensure that the document and the process of interaction with the owner, consumer or any other person making application are understood by that owner, consumer or other person. In the case of illiterate or similarly disadvantaged persons, the municipality will take reasonable steps to ensure that the person is aware of and understands the contents of the application form.
- (9) An application form will require at least the following minimum information –
 - a) certification by an authorised agent that the applicant is aware of and understands the contents of the form;
 - b) acceptance by the consumer of the provisions of the by-law and acceptance of the liability of the cost of water services rendered until the agreement is terminated or until such time as the arrears have been paid;

- c) name of consumer;
 - d) address or stand number of premises to or on which water services are to be rendered or the communal water services work where water services will be used;
 - e) address where accounts will be sent to;
 - f) source of income of the applicant;
 - g) name and address of the applicant's employer, where appropriate;
 - h) if water is to be supplied, the purpose for which the water is to be used; and
 - i) the agreed date on which the provision of water services will commence.
- (10) Water services rendered to a consumer are subject to the provisions of this by-law and the conditions contained in the relevant agreement.
- (11) If the municipality refuses an application for the provision of water services, is unable to render such water services on the date requested for such provision of such water services to commence or is unable to render the water services, the municipality will inform the consumer of such refusal and/or inability, the reasons thereof and, if applicable, when the municipality will be able to provide such water services.

3. Special agreements for water services

The municipality may enter into a special agreement for the provision of water services with an applicant in accordance with the municipality's by-laws relating to credit control, debt collection and indigent support.

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 ;

- b) any by-laws in respect thereof; and
 - c) any regulations in terms of national or provincial legislation; but
- (2) 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

- (1) The municipal council may, in addition to the charges determined for water services that have actually been 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.
- (2) Where a fixed charge is levied in terms of subsection 6(1), it shall be payable by every owner or consumer in respect of water services provided by the municipality or its authorised agent to him, her or it, whether or not water services are used by him, her or it.
- (3) Availability charges will become payable –
- a) on transfer of a portion or erf to another owner (for a private development, this is when a portion or erf is transferred);
 - b) when the service becomes available – where a new service is provided by the legal water provider (municipality or private entity).

PART 3: PAYMENT

7. Payment for water services

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.

Note: Capital contributions are a tariff and the aforementioned is applicable.

PART 4: ACCOUNTS

8. Accounts

Monthly accounts will be rendered to consumers for the amount due and payable, at the address last recorded with the municipality.

Failure by the municipality to render an account does not relieve a consumer of the obligation to pay any amount due and payable.

PART 5: TERMINATION, LIMITATION AND DISCONNECTION**9. Termination of agreement for the provision of water services**

A customer may terminate an agreement for the provision of water services in accordance with the municipality by-laws relating to credit control and debt collection by giving the municipality notice in writing of his intention to do so, in which case the municipality shall be entitled to recover from the consumer the applicable tariff for removal of the measuring device.

10. Limitation and / or disconnection of water services provided

- (1) The municipality may restrict or discontinue water supply services provided in terms of this by-laws:
 - a) in the case of 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) if the building on the premises to which services were provided is to be demolished (it is the responsibility of the owner / occupier to give notice of any building that is going to be demolished);
 - e) if the customer has interfered with a restricted or discontinued service;
 - f) in an emergency or emergency situation declared in terms of the municipality's by-laws relating to credit control and debt collection; or
 - g) if the customer has interfered, tampered with or damaged or caused or permitted interference, tampering with 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 this 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) if the building on the premises to which services were provided has been demolished (it is the responsibility of the owner / occupier to give notice of the building which is going to be 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), including damages or claims that may arise due to the limitation or disconnection of water services by the municipality in the bona fide belief that the provisions of subsections (1) and (2) applied, except in the case of consumers who had been incorrectly billed.

CHAPTER 3: SERVICE LEVELS

11. Service levels

- (1) The municipal council may from time to time and in accordance with national , but subject to the 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 service levels differentiate between types of customers, domestic customers, geographical areas and socio-economic areas.
- (3) The levels of service as described in the Water and Sanitation Service Level or as determined by Council may, subject to subsection (1), be provided by the municipality on the promulgation of this by-law.

CHAPTER 4: CONDITIONS FOR WATER SUPPLY SERVICES

PART 1: CONNECTION TO WATER SUPPLY SYSTEM

12. 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 municipality.
- (3) Only the municipality 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 municipality has installed a connection pipe and meter.

13. Location of connection pipe

- (1) A connection pipe provided and installed by the municipality shall:
 - a) be located in a position determined by the municipality and be of a suitable size as determined by the municipality;
 - 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) the outlet of the water meter or isolating valve if it is situated on the premises; or
 - (iii) at the position determined by die municipality.
- (2) The municipality may at the request of any person agree, subject to such conditions as the municipality may impose, to a connection to a main other than that which is most readily available for the provision of a water supply to the premises, provided that the applicant shall be responsible for any extension of the water installation to the connecting 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.

14. 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, unless an application to the contrary has been submitted to and approved by the municipality.
- (2) Where the owner, or the person in charge of or who manages 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 municipality may, in its 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 municipality has installed a single measuring device as contemplated in subsection (2)(a), the owner or in charge of or who manages the premises, as the case may be —

- a) Must install and maintain 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) he or she will be liable to the municipality for the charges for 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 municipality may require the owner to reduce the number of connection points and alter his or her water installation accordingly.

15. 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

16. 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.

17. Testing of pressure in water supply systems

The municipality may, on application by an owner and on payment of the determined charge, determine and furnish the owner with the amount of pressure in the water supply system relating to his premises over such period as the owner may request.

18. 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 potable quality of water or affect its fitness for use into:

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

19. Water restrictions

- (1) The municipality may for purposes of water conservation or where, in its opinion, drought conditions are imminent, by public notice —
 - a) prohibit or restrict the consumption of water in the whole or 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),
 - (iii) a general surcharge on the determined charges in respect of the supply of water, and
 - (iv) a fine per incident where a contravention of a public announcement of water restrictions has occurred, the amount of which will be as published in the announcement or in the annual list of tariffs; and
 - c) impose restrictions or prohibitions 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 in 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 to take at his own expense 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 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 reconnection of the supply has been paid.

20. Specific conditions of supply

- (1) Notwithstanding the undertaking in Section 16, 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; or
 - b) a specific pressure or rate of flow in such supply other than required in terms of regulation 15(2) of Regulation 22355 promulgated in terms of the Act on 8 June 2003.
- (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 16 be maintained on his premises, he 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 prior notice.
- (5) If, in the opinion of the municipality, the consumption of water by a customer adversely affects the supply of water to another customer, it may apply such restrictions as it may consider fit to the supply of 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 re-instated, after an interruption in supply.
- (7) Every steam boiler, hospital, industry and any premises which require, 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 10252-1, 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

21. 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 municipality, shall remain its property and may be changed and maintained by the municipality when it considers it necessary to do so.
- (4) The municipality may install a measuring device, and its associated apparatus, at any point on the service pipe.
- (5) If the municipality installs a measuring device on a service pipe in terms of subsection (4), it 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 municipality 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 municipality 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 municipality on the measuring device; and
 - f) not use, or permit to be used on any water installation, any fitting, machine or appliance which causes damage or which, in the opinion of the municipality, is likely to cause damage to any meter; and
 - g) shall, if requested by the municipality, pay a cost for the installation device, which amount shall be payable at least 48 hours before any device is installed.
- (7) No person other than the municipality shall:
- a) disconnect a measuring device and its associated apparatus from the pipe on which they are installed;
 - b) break a seal which the municipality has placed on a meter;
 - c) in any other way interfere with a measuring device and its associated apparatus; or
 - d) install a measuring device on a municipal system or a system to be taken over by the municipality without the prior written approval having been obtained from the municipality.
- (8) If the municipality considers that a measuring device is a meter whose size is unsuitable because of the quantity of water supplied to premises, it may install a meter of a size that it 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 expense, of a pre-approved measuring device to each dwelling unit (own title properties), 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 (body corporate), a single measuring device may otherwise be used for more than one unit.
- (10) The provision of an individual or bulk metering system must be approved by the municipality prior to installation.

22. Quantity of water supplied to customer

- (1) For the purposes of ascertaining the quantity of water measured by a measuring device installed by the municipality and which has been supplied to a customer over a specific period, it will, except in any criminal proceedings and unless the contrary is proved be presumed 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;
 - 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 is correct.
- (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
 - b) the average monthly consumption of water on the premises during any three consecutive measuring periods during the twelve months immediately before the date on which an irregularity referred to in subsection (2) was discovered.
- (4) Nothing in this by-law shall be construed as imposing on the municipality an obligation to cause any measuring device installed by the municipality 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 municipality 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, on 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 of the municipality, supplied to him.
- (9) If a consumer has reason to believe that a measuring device used for measuring water, which was supplied to him or her by the municipality is defective, he or she may take the steps as provided for in the municipality's by-law relating to credit control and debt collection.

23. Special measurement

- (1) If the municipality requires, for purposes other than charging for water consumed, to ascertain the quantity of water used in a part of a water installation, it may, by written notice, advise the owner concerned of its intention to install a measuring device at any point in the water installation.
- (2) The installation of a measuring device as 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 21(5) and 21(6) shall apply, as far as they may be applicable, in respect of a measuring device that has been installed in terms of subsection (1).

24. 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 if not agreed otherwise by contract or as determined by Council unless it can be proven that the municipality was negligent

PART 4: AUDIT

25. Water audit

- (1) The municipality may require a customer, within one month from 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 for 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 by way of monthly consumption figures;
- f) the water pollution monitoring methods;
- g) the current initiatives to manage the demand for water;
- h) the plans to manage the demand for water;
- i) a comparison of the report with any report that may have been submitted during the previous three years;
- j) estimates of consumption by various components of use;
- k) a comparison of the above factors with those reported in each of the previous three years, where available; and
- l) any other information the municipality may deem necessary.

PART 5: INSTALLATION WORK

26. 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, or in terms of any municipal by-law, or for the repair or replacement of an existing pipe or water fitting other than a fixed water geyser 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;
 - 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 10252-1; and
 - c) a certificate confirming that the installation has been designed by a registered engineering professional in accordance with SANS 10252-1.
- (3) Authority given in terms of subsection (1) shall lapse at the expiry of a period of twelve months.

- (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 at his own cost:
 - a) to rectify the contravention within a 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.

27. 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 geyser 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 own behalf on premises owned and occupied solely by himself and his immediate household, provided that such work must be inspected and approved by a plumber at the direction of the municipality.

28. Provision and maintenance of water installations

- (1) An owner must provide and maintain his water installation at his own cost and, except where permitted in terms of Section 103, 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 his 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.

29. 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 10252-1 and all fixed electrical storage water geysers shall comply with SANS 10254.

30. Use of pipes and water fittings to be authorised

- (1) No person shall, without the prior written authority of the municipality, install or use a pipe or water fitting in a water installation within the municipality's area of jurisdiction unless it is in accordance with municipal standards and/or a Schedule of Approved Pipes and Fittings as may be compiled by the municipality from time to time.
- (2) Application for the inclusion of a pipe or water fitting in the standards or 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 standards or schedule referred to in subsection (1) unless it —
 - a) bears the standardisation mark of the South African Bureau of Standards in respect of the relevant SANS specification issued by the Bureau;
 - b) bears a certification mark issued by SANS to certify that the pipe or water fitting complies with an SANS mark specification or a provisional specification issued by 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 standards or 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 standards or 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 standard or 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, should such be available.

31. Labelling of terminal water fittings and appliances

All terminal water fittings and appliances using or discharging water shall be marked with, 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; and
- 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.

32. Water demand management

Where deemed necessary, the municipality may insist that water demand management measures be implemented.

- (1) In any water installation where the dynamic water pressure is more than 200 kPa 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) When deemed necessary, the municipality may insist that other water demand management measures be implemented.

PART 6: COMMUNAL WATER SUPPLY SERVICES

33. Provision of water supply to several consumers

- (1) The municipality 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 municipality, constitute a substantial majority and to whom water services will be provided by the standpipe, has been consulted by the municipality.
- (2) The municipality may provide communal water supply services through a communal installation designed to provide a controlled volume of water to several consumers.

PART 7: TEMPORARY WATER SUPPLY SERVICES**34. 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 him 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 in the imposition of penalties determined by the municipality from time to time.

PART 8: BOREHOLES**35. Notification of boreholes**

- (1) No person may sink a borehole on any property in the Witzenberg Municipal area if prior approval from the Department of Water Affairs (DWA) has not been obtained.
- (2) 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 is situated within a dolomite area.
- (3) 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 to provide it with such information about the borehole as 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 with sinking is commenced.
- (4) 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.

- (5) 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 terms of Section 9 relating to fire services connections in respect of the use of a borehole for potable water services.

36. Connection to be approved by the municipality

- (1) The authorised agent shall be entitled, at his 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 has approved in terms of Section 25 has been obtained and which certifies that the installation complies with the requirements of this and any other by-laws of the municipality has been submitted.
- (3) If in the authorised agent's opinion, a fire extinguishing installation which he has allowed to be connected to the municipality's main is not being maintained in proper working order, or is otherwise not being properly maintained, or is being used for purpose other than fire fighting, he shall be entitled either to require the installation to be disconnected from the main, or to carry out the work of disconnecting it at the customer's expense.

37. Special provisions

The provisions of SANS 10252-1 shall apply to the supply of water for fire fighting purposes.

38. Dual and combined installations

All new buildings erected after these by-laws came into effect 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 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 a fire.
- c) Combined installations, where a booster pumping connection is provided, shall only be permitted when designed and certified by an engineering professional.

- 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.

39. Connection pipes for fire extinguishing services

- (1) Once this by-law has come into effect, 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 as referred to in (1).
- (3) A separate connection pipe shall be laid and used for every fire sprinkler extinguishing system unless the municipality gives its approval to 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.

40. Valves and meters in connection pipes

Every connection pipe to a fire extinguishing installation 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.

41. Meters in fire extinguishing connection pipes

The municipality 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.

42. Sprinkler extinguishing installation

A sprinkler installation may be connected directly to the main, but the municipality may not be deemed to guarantee any specified pressure at any time.

43. 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 has been 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.

44. Sealing of private fire hydrants

- (1) Except where a system is a combined system with a combination meter, all private hydrants and hose-reels must be sealed by the municipality and the seals must not, except for the purposes of opening the hydrant or using the hose when there is a fire, be broken by any person other than by the municipality in the course of servicing and testing.
- (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 shall be paid for by the customer at the charges determined by the municipality.

PART 9: GENERAL PROVISIONS

45. Sampling of water

- (1) The municipality may take samples of water obtained from a source, authorised in terms of Sections 6 or 7 of the Act, other than the water supply system for domestic purposes and cause the samples to be tested for compliance with any national standards prescribed in terms of Section 9 of the Act.
- (2) The prescribed charge for the taking and testing of the samples referred to in sub-section (1) shall be paid by the person to whom approval to use the water as potable water was granted in terms of Section 6(1) of the Act.

46. Supply of non-potable water by the municipality

- (1) The municipality may, on application in terms of Section (3), agree to supply non-potable water to a consumer, subject to such terms and conditions as the municipality may impose.

- (2) Any supply of water agreed to in terms of sub-section (1) shall not be used for domestic or other purposes which, in the opinion of the municipality, may give rise to a health risk.
- (3) No warranty, expressed or implied, shall apply to the purity of any non-potable water supplied by the municipality or its suitability for the purpose for which the supply was granted.
- (4) The supply of non-potable water shall, both in terms of condition and use, be entirely at the risk of the consumer, who shall be liable for any consequential damage or loss arising to himself, herself or others arising directly or indirectly there from, including the consequences of any bona fide fault of the municipality or the malfunction of a treatment plant.

47. Pipes in streets or public places

No person shall, for the purpose of conveying water derived from whatever source, lay or construct a pipe or associated component on or under a street, public place or other land owned by, vested in, or under the control of any municipality.

48. Use of grey water

No person shall use grey water or permit such water to be used, except with the prior written permission of the municipality and subject to such conditions as it may impose.

CHAPTER 5: CONDITIONS FOR SANITATION SERVICES

PART 1: CONNECTION TO SANITATION SYSTEM

49. Obligation to connect to sanitation system

- (1) All premises on which sewage is produced must be connected to an approved sanitation system. All premises must be connected to the municipal sanitation system if a connecting sewer is available or if it is reasonably possible or cost effective for the municipality to install a connecting sewer, unless approval for the use of on-site sanitation services was obtained in accordance with Sections 71 and 105.
- (2) The municipality may, by notice, require the owner of premises not connected to the municipal sanitation system to connect to the sanitation system.
- (3) An owner of premises, who is required to connect those premises to the municipal sanitation system in accordance with subsection (1), must inform the municipality in writing of any other 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 been given notice in terms of subsection (2), the municipality may, notwithstanding any other action that it may take in terms of this by-laws, impose a penalty as determined by the Council in the annual tariff list on the owner.

50. Provision of connecting sewer

- (1) If an agreement for sanitation services in respect of premises has been concluded in accordance with the municipal 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 services.
- (3) Only the municipality may install or approve an installed connecting sewer, but the owner or customer must connect the sanitation installation to the connection pipe.

- (4) No person may commence any development on any premises unless the municipality has installed a connecting sewer.
- (5) On application, and in accordance with certain conditions stipulated, the municipality may approve that the applicant install the service.

51. 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 municipality and be of a suitable size determined by the municipality; 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 municipality may at the request of the owner of a premises approve, subject to any conditions that it 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. Should more than one erf connect to a line and share a service, a service agreement is to be drawn up between the various owners regarding the maintenance and upgrading of the shared service.
- (3) Where an owner is required to provide a sewage lift as provided for in terms of the Building Regulations, or the premises is at a level where the drainage installation cannot discharge into the sewer by gravitation, the rate and time of discharge into the sewer have to 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.

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

- (1) Notwithstanding the provisions of Section 51, 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 are payable in respect of each sewage connection so provided.

53. 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 premises and the drainage installation on any other premises. It will be required that a legal agreement be drawn up between the premises' owners of the shared services that clearly stipulate the combined responsibility for the maintenance or possible upgrade of the shared service.

54. 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 sewer supply services in accordance with the municipal by-laws relating to credit control and debt collection.

PART 2: STANDARDS

55. 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 Section 9 of the Act.

PART 3: METHODS FOR DETERMINING CHARGES

56. Measurement of quantity of domestic effluent discharged

- (1) 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 for the purposes for which water is consumed on those premises, the municipality may reduce the percentage applicable to 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 the 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 abstraction from a river or borehole, the quantity must be a percentage of the total water used on those premises that is reasonably estimated by the municipality.

57. 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 as stipulated in Schedule B 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 for the purpose of ascertaining, to the satisfaction 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 to establish 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 conditions apply in respect of the assessment of the quality 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 as stated in the permit issued by 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 values for the formula;
- c) the average of the values of the different analysis results of 24 hourly composite or snap samples 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 values of the sampled effluent, taken during the period of charge, will be used to 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 test may be obtained from the municipality or the SANS. Test results from a laboratory, approved by the municipality, will have precedence over those of the municipality;
- f) the formula will be 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 that time, they may be amended or revised from time to time depending on such changes in the analysis results or further samples as may be determined from time to time, provided that the municipality at its discretion in any particular case may levy the minimum charges prescribed in subsection (7) or 8(l) without taking any samples;
- i) for the purpose of calculating the quantity of effluent discharged from each point of discharge of effluent, the total quantity of water consumed on the premises shall be allocated to the respective points of discharge as accurately as is reasonably practicable;

- j) whenever the municipality takes a sample, one half of it will be made available to the customer on request;
- 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) at 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.
- m) All points of discharge from a single premises must be disclosed to the municipality.

58. 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 55 and 56, 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 or any other municipal 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, resulted from a consumer's failure to comply with this or other policies / by-laws.

59. Charges in respect of "on-site" sanitation services

Charges payable by the owner 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 in accordance with the annual tariff list.

PART 4: DRAINAGE INSTALLATIONS

60. Installation of drainage installations

An owner must provide and maintain his drainage installation at his own expense, unless the installation constitutes 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.

- (1) 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 connecting point and may require the owner not to commence the construction or connection of the drainage installation until the municipality's connecting sewer has been laid.
- (2) Any drainage installation that has been constructed or installed must comply with any applicable specifications in terms of the Building Regulations and any standard prescribed in terms of the Act.
- (3) No person shall permit any liquid or solid substance whatsoever, other than clean water for testing purposes, to enter any drainage installation before the drainage installation has been connected to the sewer.
- (4) Where premises are situated in the 1-in-50-year flood plain, the top level of all service access holes, inspection chambers and gullies must be above the 1-in-100-year flood level and must be 100% watertight to prevent ingress or egress that can cause pollution of the environment.
- (5) After the completion of any drainage installation, or after any alteration to any drainage installation has been completed, 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-law.
- (6) 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.

61. Disconnection of drainage installations

- (1) Except for the purpose of carrying out maintenance or repair 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 regard to disconnection have been complied with, the municipality 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 disconnected portion of the drainage installation shall cease to be levied from the end 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 municipality 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 has been disconnected.
- (5) Where a drainage system is connected to or disconnected from the sewer system during a month, charges will be calculated as if the connection or disconnection were made on the first day of the month following the month in which the connection or disconnection took place.

62. 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 and a written agreement to this effect must be drawn up.
- (3) The owner of any premises must ensure that all manholes and cleaning eyes on the premises are permanently visible and accessible.

63. Technical requirements for drainage installations

All drainage installations shall comply with SANS 10252-2 and the Building Regulations and all other municipal standards, where applicable.

64. Drains

- (1) Drains passing through ground which, in the opinion of the municipality, is susceptible 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 municipality.
- (2) A drain or part of it may only be laid within, or passes under or through a building, with the written approval of the municipality in accordance with the conditions as set by the municipality.
- (3) A drain or part of it which it is laid in an inaccessible position under a building may not bend 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.

65. Sewer blockages

- (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 in it or a municipal sewer system.
- (2) When the owner or occupier of premises has reason to believe that a blockage has occurred in any drainage installation, 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 will be jointly and severally liable for the cost of clearing the blockage.
- (7) Where a blockage in a sanitation system has been removed by the municipality, and the removal necessitated the disturbance of an owner's paving, lawn or other artificial surface, the municipality shall not be required to restore these to their previous condition and shall not be responsible for any damage to them unless caused by a wrongful act or negligence by the municipality.

66. Grease traps

- (1) A grease trap of an approved type, size and capacity must be provided in respect of all premises, including but not limited to households, food outlets, car washes, malls, textile factories and the likes 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 municipal or other sewers or drains, or to interfere with the proper operation of any waste-water treatment plant.
- (2) The stipulations as described under Section 65 also apply to all premises that discharge effluent that contains grease, oil, fat and/or soap.

- (3) Grease, oil, fat and other inorganic materials that are removed from the grease trap must be disposed of at a suitable waste disposal site as approved by the municipality, and must under no circumstances be discharge back into the sewer or storm water systems in the municipal area.

67. Industrial grease traps

- (1) The owner or manufacturer must ensure that industrial effluent that contains or that, 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, pass 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 that is contained in any industrial effluent or other liquid and that gives off an inflammable or noxious vapour at a temperature of, or exceeding, 20° C is 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) it shall be provided with a sufficient number of manhole covers to allow 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 persons who cleaned the tank or chamber; 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.

68. Mechanical appliances for lifting sewage

- (1) The owner of any premise must obtain the approval of the municipality 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 an engineering professional 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 is caused by the wrongful, intentional or negligent act or negligence of an employee of the municipality.
- (4) Every mechanical appliance installed for the raising or transfer of sewage shall be specifically designed for the 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 municipality, 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 ventilated effectively.
- (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 municipality who may, at any time, require the owner to install such fittings and regulating devices as may in its 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 an emergency 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 the mechanical appliance.
- (10) Every storage tank and stilling chamber shall be provided with a ventilation pipe in accordance with the municipality's specifications.

PART 5: ON-SITE SANITATION SERVICES AND ASSOCIATED SERVICES

69. 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 subsidised service that has been determined by the municipality in accordance with the municipal credit control and debt collection by-law.

70. Ventilated improved pit latrines

- (1) The municipality may, on such conditions as it may prescribe, having regard for 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 m³ 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 with 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 so 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 ingress / egress of flies and other insects when the toilet is 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.
- (4) Any other alternative system must be designed by a registered engineering professional and be approved by the municipality before installation.

71. 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 2 500 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
 - d) 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 an engineering professional.
- (7) No rain water, storm-water or effluent other than that approved by the municipality may be discharged into a septic tank.

72. French drains

- (1) The municipality may, on such conditions as it may prescribe having regard for 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, 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 borehole 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 an engineering professional.

73. 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 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 a hinged cover approved by the municipality and which is situated in a position required by the municipality; and
 - e) access to the conservancy tank is 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 for 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.
- (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 or 6 m³, 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.

74. Operation and maintenance of on-site sanitation services

The operation and maintenance of on-site sanitation services and all costs pertaining to it remain the responsibility of the owner of the premises, unless the on-site sanitation services are subsidised services determined in accordance with the municipal by-laws relating to credit control and debt collection.

75. Disused conservancy and septic tanks

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.

PART 6: INDUSTRIAL EFFLUENT

76. 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 and pay the necessary application cost for approval to discharge industrial effluent into the sanitation system of the municipality on the prescribed form attached as Schedule B to this 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 Act (Act 103 of 1977) also lodge applications for the provision of sanitation services and for approval to discharge industrial effluent.
- a) In the cases where industries are situated in an area where they cannot connect to the municipal sewer systems, or when there are no sewerage connections, the industry needs to do on-site treatments, to the satisfaction of the municipality, of the effluent to an environmental discharge standard so that it can safely discharge to the environment.
 - b) If it is not possible to do on-site treatment, the industrial effluent must be transported to the nearest waste water treatment plant that is able to treat the effluent effectively.
 - c) For the transportation and discharging of the effluent, the necessary permit needs to be obtained from the municipality and the necessary municipal tariff paid.

77. Withdrawal of approval to discharge industrial effluent

- (1) 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 with the industrial effluent standards prescribed in Schedule A of this by-laws or the written permission referred to in Section 75;
 - b) fails or refuses to comply with any notice lawfully served on him in terms of these by-laws, or contravenes any provisions of this by-law 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.
- (2) The municipality may on withdrawal of any approval:
- a) in addition to any steps required in these by-laws, and on 14 (fourteen) days' written notice, authorise the closing or sealing of the connecting sewer of the said premises; and
 - b) 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 by these by-laws.

78. 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 granting its approval, relax or vary the standards in Schedule A, provided 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, the 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 minimisation that complies with national waste minimisation 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 condition for granting an approval.

79. Conditions for the discharge of industrial effluent

- (1) The municipality may, on granting approval by issuing a permit (see Schedule D) 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 with the standards prescribed in Schedule A before being discharged into the sanitation system;
 - b) install equalising 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 industrial effluent at any other point;

- d) construct on any pipe conveying 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 to prevent 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. Copies of the calibration must be forwarded to the municipality by the commercial customer; and
 - h) cause industrial effluent to be analysed as often, and in whatever manner as may be determined by the municipality, and to provide it with the results of these tests as they become available.
- (2) The cost of any treatment, plant, work or analysis that an owner may be required to carry out, construct or install in terms of subsection (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 thereof, as well as the reasons for it, within twelve hours of the discharge.

PART 7: SEWAGE DELIVERED BY ROAD HAULAGE

80. Acceptance of sewage delivered by road haulage

The municipality may, at its discretion, and subject to such conditions as it may specify, accept sewage for disposal that is delivered to the municipality's sewage treatment plants by road haulage.

81. 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 prior written approval of the municipality and subject to any conditions, and any times, that may, on reasonable grounds, be imposed by it.
- (2) The charges for any sewage delivered for disposal into the municipality's sewage treatment plants shall be assessed by the municipality in accordance with the prescribed tariffs or charges.

- (3) The “cartage” company shall:
- a) ensure the safety and suitability of the vehicle and ensure that no spillage takes place, during withdrawal, transport and disposal;
 - b) have the required health and safety plan in place; and
 - c) have a contingency plan in the event of an accidental spillage occurring.

82. Withdrawal of permission for delivery of sewage by road haulage

The municipality may withdraw any approval, given in terms of Section 81, after giving at least 14 (fourteen) days’ written notice of its 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 with the standards prescribed either in Schedule A, or as a 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.

83. 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 municipality; and
- b) the municipality must be satisfied, before a delivery can take place, that the sewerage is of a nature suitable for road haulage and that the delivery will comply with the provisions of this by-laws.

PART 8: TREATED SEWAGE

84. Use of treated sewage

- (1) The municipality may, on application in terms of Section 2, agree to supply treated sewage to a consumer, subject to such terms and conditions as the municipality may impose.
- (2) No warranty, expressed or implied, shall be supplied by the municipality in respect of the suitability of the treated sewage for the purpose for which the supply was granted.

- (3) The supply of treated sewage shall, both as to condition and as to use, be entirely at the risk of the consumer, who shall be liable for any consequential damage or loss arising to himself, herself or others arising directly or indirectly there from, including the consequences of any bona fide fault of the municipality or the malfunction of a treatment plant
- (4) Treated sewer pipes must:
 - a) be clearly marked indicating that they are conveying treated effluent;
 - b) have a warning notice on the pipe at regular intervals, or be marked in a different (orange) colour;
 - c) not be accessible by the general public; and
 - d) be constructed to the general municipal standards.

PART 9: OTHER SANITATION SERVICES

85. Stables and similar premises

The municipality may approve the connection of a drainage installation to stables, cowsheds, abattoirs, dairies, kennels, other premises for the accommodation of animals and tanneries, subject to the payment of all applicable charges and the fulfilment of any condition that the municipality may impose, but approval will only be granted:

- a) the floor of the premises is paved by impervious materials that are approved by the municipality and graded to a silt trap, grease trap or gully of adequate capacity; and
- b) every part of the floor of the premises is covered by a roof, or another protective device, in a way that adequately prevents the entry of rain or storm water into the drainage installation.

86. Mechanical food-waste or other disposal units

The municipality may approve the connection or incorporation of a mechanical waste-food disposal unit or garbage grinder into a drainage installation that has a capacity in excess of 500 W, 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 municipality is satisfied that the municipality's sewerage and sewage treatment system will not be affected adversely; and
- c) the installation or incorporation is installed in conformance with the municipality's by-laws relating to electricity.

87. Building over sewerage system

- (1) No structure may be erected over a municipal service, and no large vegetation or trees may be established over municipal services. A municipal service is to remain accessible at all times and access must be provided to the municipality, or its appointed agents, at all times.
- (2) The owner / occupier is responsible to report all faults and defects to the municipality or its appointed agent.

PART 10: INSTALLATION WORK**88. 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, if a charge is determined;
 - b) copies of all drawings that may be required and that need to be approved by the municipality; and
 - c) a certificate issued by an engineering professional confirming that the installation has been designed in accordance with any applicable SANS Codes.
- (3) Approval given in terms of subsection (1) shall lapse after 12 (twelve) 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 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 at his own cost:
 - 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.

89. 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 or repair 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 that person is occupied by himself or his own household, but if permission is given, the work must be inspected and approved by a plumber under the direction of, or who has been nominated by, the municipality.

90. Use of pipes and water fittings to be authorised

- (1) No person shall, without the prior written consent of the municipality, 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 standardisation 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 SANS to certify that the pipe or water fitting:
 - (i) complies with a SANS mark specification, or
 - (ii) a provisional specification issued by SANS;
 - c) it is included in the list of water and sanitation installations accepted by JASWIC.

- d) In this regard, note that no certification marks will be valid 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.

91. Testing of drainage installations

- (1) No drainage installation, or any part of one, 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, and to the satisfaction, of the municipality, before the draining installation has been enclosed:
 - a) The interior of every pipe or series of pipes between two points of 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 of 12 mm 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) If required by the municipality, a camera inspection of the pipe shall be allowed;
 - d) After all openings to the pipe or series of pipes to be tested have been plugged or sealed and all traps associated with them have been filled with water, air shall be pumped into the pipe or pipes until a manometric pressure of 38 mm of water is indicated, after which the pressure must remain greater than 25 mm of water for a period of at least 3 (three) minutes without further pumping; and
 - e) All parts of the installation will be subjected to and required to withstand an internally applied hydraulic test pressure of not less than a 3 m 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 these tests.

92. Water demand management

- (1) Notwithstanding the provisions of Sections 98 and 118, no flushing urinal that is not user-activated shall be installed or continue to operate in any water installation. All flushing urinals that are not user-activated installed prior to the commencement of these regulations must be converted to user-activated urinals within two years of the commencement of these by-laws.
- (2) No cistern, or related pan designed to operate with such cistern, shall be installed with a cistern capacity of greater than 9 litres and all cisterns not intended for public use shall be fitted with flushing devices allowing interruptible or multiple flushes, provided that such flushing device shall not be required in cisterns with a capacity of 4.5 or less litres.

CHAPTER 6: WATER SERVICES INTERMEDIARIES

93. 92. 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.

94. 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.

95. Charges 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) A water services intermediary must provide subsidised 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, to customers at a price that is the same or less than the charges at which the municipality provides such services.

CHAPTER 7: UNAUTHORISED WATER SERVICES

96. Unauthorised services

- (1) No person may gain access to water services unless it 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.

97. 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 unless by written agreement with the municipality.
- (2) No person other than the municipality shall effect a connection to infrastructure through which water services are provided unless covered by agreement with the municipality.
- (3) The municipality may recover any costs 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 rehabilitating any part of a street or ground affected by the repairs and the environmental cost.

98. Obstruction of access to infrastructure for the provision of water, sanitation and sewage services

- (1) No person shall prevent or restrict the physical access of the municipality to infrastructure through which water, sanitation and sewage 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 rehabilitating any part of a street or ground affected by restoring access and the environmental cost.

99. Wastage 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; or
 - d) an overflow 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 opinion, its use of water 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.

100. 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) Where the hosing 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 minimise such discharge or pollution.

- (3) 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.
- (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 directly 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 may cause a nuisance to the public;
 - (ii) is in the form of steam or vapour or has a temperature exceeding 45° C at the point where it enters the sewer;
 - (iii) has a pH value less than 6.0 or greater than 10;
 - (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 or which releases a poisonous vapour at a temperature below 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, bitumen 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 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 the ability of the sewage treatment works to produce discharges that meet the waste water discharge standards set in terms of the National Water Act, 1998 (Act 36 of 1998) and DWAF General Authorisation (2004); or:
- (xi) either alone or in combination with other substances 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 plants 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 and damage to the sanitation system; or
 - b) a prosecution in terms of the National Water Act, 1998 (Act 36 of 1998).

101. 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.

102. Interference with infrastructure

- (1) No person may unlawfully and intentionally or negligently interfere with infrastructure through which the municipality provides municipal services.
- (2) If a person contravenes subsection (1), the municipality may —
 - a) by written notice require such person to seize 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.

103. 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.

104. 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 or DWA, 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 municipality with evidence satisfactory to it that the water referred to in subsection (1) complies, whether as a result of treatment or otherwise, with the requirements of the latest amended SANS 241: Drinking 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 municipality:
 - 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 municipality 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 point or points where it is so used.
- (7) The provisions of Section 21 shall apply as far as they may be applicable in respect of the meter referred to in subsection (4).

105. 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 written 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) shall provide the municipality 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 municipality:
 - 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; or
 - c) a municipal service becomes available and a connection can be provided by the municipality.
- (4) The municipality may undertake such investigations as it 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 the 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

106. 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 fulfil any condition imposed in it, to 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 19, 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; or
 - d) issuing a fine.
- (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, consumer 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, consumer 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 been notified 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 rehabilitating any part of a street or ground affected by the work and the environmental cost.

107. 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 21 (twenty-one) days after a customer became aware of the decision or 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 been tested.
- (3) An appeal must be decided by the municipality within a reasonable time after the appeal was lodged and the customer must be informed of the outcome in writing as soon as possible thereafter.
- (4) The decision of the municipality is final.
- (5) The municipality may condone the late lodging of appeals or other procedural irregularities.

CHAPTER 9: OFFENCES

108. Offences

- (1) Subject to subsection (2), any person who:
 - a) obstructs or hinders the municipality in the exercising of the powers or performance of functions or duties under these by-laws;
 - b) misuses, 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; or
 - 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 6 months and in the case of any continued offence, to a further fine which will be determined from time to time by the municipality, 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) 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 10: DOCUMENTATION

109. Signing of notices and documents

A notice or document issued by the municipality in terms of these by-laws and signed by a duly authorised municipal employee 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.

110. Service of notices

- (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 village, 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);
 - 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;
 - e) by public notice in a recognised newspaper; or
 - f) by e-mail as per the municipality's financial data base.
- (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 or 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 it shall not be necessary to name him or her.
- (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.

111. 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 by-law.

112. 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 authorised 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 11: GENERAL PROVISIONS

113. 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 sanitation installations and the maintenance thereof.
- (2) The customer is responsible for compliance with these by-laws in respect of matters relating to the use of any water and sanitation service and the maintenance thereof.

114. 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.

115. Power of entry and inspection

- (1) The municipality may enter and inspect any premises for any purpose connected with the implementation or enforcement of these by-laws, at all reasonable times, after having given reasonable written notice to the occupier of the premises of the intention to do so.
- (2) Any entry and inspection must be conducted in conformity with the requirements of the Constitution of South Africa, 1996, and any other law and, in particular, with strict regard for decency and order, respect for a person's dignity, freedom and security, and personal privacy.
- (3) The municipal official may be accompanied by an interpreter and any other person reasonably required to assist the authorised official in conducting the inspection.
- (4) A person representing the municipality must, on request, provide his identification.

116. 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.

117. Exemption

- (1) The municipality may in writing exempt an owner, customer, any other person or category of owners, customers, ratepayers or users of services from complying with a provision of these by-laws, subject to any conditions it may impose, if it is of the opinion that the application or operation of that provision would be unreasonable, provided that the municipality 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; and/or
 - d) the Act, or any regulations made in terms of it, not being 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).

118. Conflict of law

If there is any conflict between these by-laws and any other by-laws of the municipality, these by-laws will prevail.

119. 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, authorise 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 by-laws repealed by Section 120, until the effective date of any applicable charges that may be determined by the municipal council in terms of these by-laws, or by-laws relating to credit control and debt collection, and any reference to a provision in the by-laws repealed by Section 120 shall be deemed to be a reference to a corresponding provision in these by-laws.
- (3) Any approval, consent or exemption granted under the by-laws repealed by Section 120 shall, save for the provisions of subsection (4), remain valid.
- (4) No customer shall be required to comply with these by-laws 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 municipality, 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 municipality may by notice require the customer to comply with the provisions of these by-laws.

120. 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 as far as they relate to matters provided for in these by-laws.

121. Short title and commencement

- (1) These by-laws are called the Water, Sanitation Services and Industrial Effluent By-laws of the Witzenberg Municipality and shall come into operation on the date of publication thereof in the Provincial Gazette.
- (2) The municipality may, by notice in the Provincial Gazette, determine that provisions of these by-laws, listed in the notice, do not apply in certain areas within its area of jurisdiction listed in the notice from a date specified in the notice.
- (3) Until any notice contemplated in subsection (2) is issued, these by-laws are binding.

SCHEDULE A: LIMITS OF CONCENTRATIONS OF SUBSTANCES THAT MAY BE DISCHARGED INTO THE WITZENBERG MUNICIPALITY'S SANITATION SYSTEM

- 1. No person shall discharge effluent into the sewerage system which contains a substance, either alone or in combination with other substances, having a concentration in excess of those listed below.**

Parameter	Allowed specifications	Units
A. General		
A temperature at the point of entry in excess of	43 ^o	C
A pH less than 10,0 or greater than 6,0	6,0 – 10,0	
Chemical oxygen demand (COD) less than	3 000	mg/L
Electrical conductivity— not greater than	150	m S / m at 25 °C
B. Chemical substances other than heavy metals		
Anionic surface active agents	500	mg/L
All sugars and / or starch (expressed as glucose)	1 500	mg/L
Available chlorine as Cl	100	mg/L
Caustic alkalinity as CaCO ₃	2 000	mg/L
Chloride as Cl	250	mg/L
Fluorine-containing compounds as F	5	mg/L
Formaldehyde as HCHO	50	mg/L
Non-organic solids in suspension	100	mg/L
Oils, greases, waxes and fats	50	mg/L
Sodium as Na	250	mg/L
Settable solids (60 minutes)	50	ml/L
Substance not in solution (including fat, oil, greases, waxes and like substances)	100	mg/L
Substances soluble in petroleum ether	50	mg/L
Substances from which hydrogen cyanide can be liberated in the drainage installation, sewer or sewage treatment works as HCN	20	mg/L
Suspended solids	1 000	mg/L
Total dissolved solids at 105 ^o C	1 000	mg/L
Total phenols as C ₆ H ₅ OH	50	mg/L
Total phosphates as P	25	mg/L
Total cyanides as CN	20	mg/l
Total sulphates as SO ₄	1 500	mg/L
Total sulphides as S	50	mg/L
Tar products and distillates	50	mg/L
C. Metals		
Group 1		
Chromium (hexavalent)	0	mg/L
Chromium (trivalent) as CrO ₃	10	mg/L
Copper as Cu	10	mg/L
Manganese as Mn	20	mg/L
Nickel as Ni	5	mg/L
Zinc as Zn	20	mg/L
Iron as Fe	20	mg/L
Silver as Pb	5	mg/L
Cobalt as Co	5	mg/L
Tungsten as W	5	mg/L
Titanium as Tii	5	mg/L
Cadmium as Cd	5	mg/L
Total collective concentration of all metals in Group 1	50	mg/L

Parameter	Allowed specifications	Units
Group 2		
Arsenic as As	5	mg/L
Boron as B	5	mg/L
Lead as Pb	5	mg/L
Selenium as Se	5	mg/L
Mercury as Hg	5	mg/L
Cadmium as Cd	5	mg/L
Nickel as Ni	5	mg/L
Total collective concentration of all metals in Group 2	10	mg/L
D. Radioactive wastes		
Any radioactive waste or isotopes: Such concentration as may be laid down by the Atomic Energy Corporation or any state department.		

2. No person shall discharge effluent into the sewerage system which

- a) whether or not it is listed in the effluent standards or which either alone or in combination with other matter, may:
 - (i) generate or constitute a toxic substance dangerous to the health of persons employed in the maintenance or operation of the sewerage system,
 - (ii) be harmful to the sewerage system, or
 - (iii) adversely affect any of the processes whereby sewage is normally treated or the re-use of purified sewage effluent or the disposal of solids arising from the treatment process;
- b) is in the form of steam at the point of entry into the sewerage system;
- c) contains any substance of whatever nature likely to produce or give off explosive, inflammable, poisonous or offensive gases in such sewerage system;
- d) shows any visible signs of oil, tar or associated products or distillates, bitumen or asphalts or their emulsions, or emulsions of oil or grease or fats;
- e) contains any solids which may, in the opinion of the local authority, have an effect on the sewerage system;
- f) contains any solvent immiscible in water;
- g) contains dye or dye residues;
- h) contains any substances in such concentration as may, in the opinion of the local authority, interfere with the sewerage system or adversely affect the quality of reclaimed water;
- i) contains any non-biodegradable substance (e.g. blood); or
- j) contains storm water or ground water.

**SCHEDULE B: APPLICATION FORM FOR THE DISCHARGE OF INDUSTRIAL EFFLUENT TO THE
WITZENBERG MUNICIPALITY'S SANITATION SYSTEM**



DIRECTORATE OF TECHNICAL SERVICES

PERMIT APPLICATION

**TO DISCHARGE A TRADE OR INDUSTRIAL EFFLUENT
INTO THE SEWERAGE SYSTEM**

**ISSUED IN TERMS OF THE WITZENBERG MUNICIPALITY
WATER AND SANITATION BY-LAW**

**Director: Technical Services
Witzenberg Municipality
50 Voortrekker Street
CERES
6835
Tel: (023) 316 1854
Fax: (023) 316 1877
E-mail: admin@witzenberg.gov.za**

PART 1: NATURE OF THE BUSINESS OR INDUSTRY CONCERNED**1.1 Business**

REGISTERED NAME OF THE BUSINESS			
STREET NAME	POSTAL ADDRESS	ERF NO.	ALLOTMENT AREA
AUTHORISED PROCESSES FOR THE PREMISES			

PART 2: INFORMATION RELATING TO WATER CONSUMPTION**2.1 Average number of kilolitre per month of water purchased from the municipality the past six months:**

WATER CONSUMPTION	TOTAL
WATER PURCHASED FROM THE MUNICIPALITY	
WATER FROM BOREHOLE OR OTHER SOURCES	
WATER ENTERING WITH RAW MATERIALS	
TOTAL: A	

2.2 Effluent discharge rate:

CONNECTION POSITION	MAXI MUM RATE IN kl		
	PER MONTH	PER DAY	PER HOUR

2.3 Effluent discharge factor:

FRACTION OF METERED WATER NOT DISCHARGED TO SEWER	
FRACTION OF METERED WATER TO SEWER	

In the event that no effluent meter is installed on the premises, the estimated volume of unmetered effluent discharge will be calculated as follows:

70% of Total: A, except if otherwise agreed with the municipality

2.4 Effluent discharge times:

MONDAY TO THURSDAY	
FRIDAY	
SATURDAY	
SUNDAY	

PART 3: INFORMATION REGARDING THE COMPOSITION OF THE INDUSTRIAL EFFLUENT**3.1 Information relating to the chemical and physical characteristics of the effluent to be discharged:**

Parameter	Allowed specifications	Units
A. General		
A temperature at the point of entry in excess of		C
A pH less than 10,0 or greater than 6,0		
Chemical oxygen demand (COD) less than		mg/L
Electrical conductivity – not greater than		m S / m at 25 °C
B. Chemical substances other than heavy metals		
Anionic surface active agents		mg/L
All sugars and / or starch (expressed as glucose)		mg/L
Available chlorine as Cl		mg/L
Caustic alkalinity as CaCO ₃		mg/L
Chloride as Cl		mg/L
Fluorine-containing compounds as F		mg/L
Formaldehyde as HCHO		mg/L
Non-organic solids in suspension		mg/L
Oils, greases, waxes and fats		mg/L
Sodium as Na		mg/L
Settable solids (60 minutes)		ml/L
Substance not in solution (including fat, oil, grease, waxes and like substances)		mg/L
Substances soluble in petroleum ether		mg/L
Substances from which hydrogen cyanide can be liberated in the drainage installation, sewer or sewage treatment works as HCN		mg/L
Suspended solids		mg/L
Total dissolved solids at 105° C		mg/L
Total phenols as C ₆ H ₅ OH		mg/L
Total phosphates as P		mg/L
Total cyanides as CN		mg/l
Total sulphates as SO ₄		mg/L
Total sulphides as S		mg/L
Tar products and distillates		mg/L
C. Metals		
Group 1		
Chromium (hexavalent)		mg/L
Chromium (trivalent) as CrO ₃		mg/L
Copper as Cu		mg/L

Parameter	Allowed specifications	Units
Manganese as Mn		mg/L
Nickel as Ni		mg/L
Zinc as Zn		mg/L
Iron as Fe		mg/L
Silver as Pb		mg/L
Cobalt as Co		mg/L
Tungsten as W		mg/L
Titanium as Tii		mg/L
Cadmium as Cd		mg/L
Total collective concentration of all metals in Group 1		mg/L
Group 2		
Arsenic as As		mg/L
Boron as B		mg/L
Lead as Pb		mg/L
Selenium as Se		mg/L
Mercury as Hg		mg/L
Cadmium as Cd		mg/L
Nickel as Ni		mg/L
Total collective concentration of all metals in Group 2		mg/L
D. Radioactive wastes		
Any radioactive waste or isotopes: Such concentration as may be laid down by the Atomic Energy Corporation or any state department.		

3.2 Proposed pre-treatment of effluent before discharge into the sewer system:

TYPE OF PRE-TREATMENT			REQUIRED	REMARKS
Screens (hand raked)	:	Area (m ²)		
Screens (mechanical)	:	Area (m ²)		
Macerator	:			
Grease traps	:	Volume (m ³)		
	:	Depth (m)		
Grit tanks	:			
Sedimentation tanks	:	Area (m ²)		
	:	Volume (m ³)		
Biological processes	:	Type		
pH control	:			

PART 4: 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, dilution and neutralising tanks and any other provision made for the treatment of the effluent prior to discharge to the sewer.
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 complying with the provisions of the municipality's Water Services By-laws aimed at the protection of its employees, sewers and treatment plant from damage, comply with any direction concerned with such protection given by the municipality 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, or at least 14 days before, if anything has been/will be 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.
5. The applicant shall, within 30 days from the date of signature of this application, procure an accurately representative sample of not less than 5 litres of the industrial effluent to be discharged into the sewer, which sample shall be free of domestic sewage, and shall submit one half thereof to the municipality for analysis and also submit to the municipality 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 for a period not exceeding six months or such further extended periods as the municipality in its discretion may approve.
6. The applicant hereby declares and warrants that the information given by him in this form, or otherwise, in connection with this 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 of20

.....
Signature and capacity of the applicant

The application form fully completed and in duplicate should be posted to:

The Director: Technical Services
Witzenberg Municipality
50 Voortrekker Street
CERES
6835

OR

Delivered to:
Witzenberg Municipality
50 Voortrekker Street
CERES
6835

PART 5: APPLICATION APPROVED:

DIRECTOR: TECHNICAL SERVICES	DATE ISSUED	PERMIT NO.	DATE EXPIRES

SCHEDULE C: FORMULA FOR THE CALCULATION OF EFFLUENT DISCHARGES**WITZENBERG MUNICIPALITY**

The additional charge for industrial effluent per kilolitre for the disposal of high-strength sewage to a waste water treatment plant shall be determined in accordance with the following formula:

$$T_c = X + Y(COD_i/COD_w) + Z + \text{Penalty}$$

Where	T_c	=	Extraordinary treatment cost to consumer per kℓ
	X	=	Conveyance cost per kℓ
		=	C_C / V_A
	Conveyance	=	The transport of effluent or any liquid waste in the bulk or external sewer network from the point of discharge to the inlet of the treatment works
	C_C	=	The operation and maintenance expenditure towards the conveyance of the waste water in kℓ per annum
	V_A	=	Adjusted volume (meaning total volume corrected for infiltration) in kℓ per annum
	Y	=	Variable treatment costs per kℓ
		=	C_T / V_A
	Variable treatment costs	=	These costs are defined as expenditure that does vary significantly with volume and COD loading
	C_T	=	The operation and maintenance expenditure towards the treatment of the waste water in kℓ per annum
	V_A	=	Adjusted volume (meaning total volume corrected for infiltration) in kℓ per annum
	COD_i	=	Average of each industry, inclusive of both biodegradable and non-biodegradable portion of COD
	COD_w	=	Average of works (weighted for more than one works), inclusive of both biodegradable and non-biodegradable portion of COD
	Z	=	Fixed costs per kℓ
		=	C_F / V_A
	Fixed costs	=	These costs are defined as expenditure that does not vary significantly during a financial year and which is not affected by COD loading
	C_F	=	Fixed cost expenditure towards the treatment of the waste water in kℓ per annum
	V_A	=	Adjusted volume (meaning total volume corrected for infiltration) in kℓ per annum
	Penalty	=	Penalty per kℓ charged in addition to the effluent charge based on volume and COD for prohibited effluents, for instance where COD_i of the effluent exceeds 3000 mg/L or where any other quality parameter exceeds the maximum value allowed according to Annexure A of the / by-laws, as contained in the permit for the industry
		=	$P \times (\text{value measured}/\text{maximum allowed})$
		=	If value measured is lower than maximum value $P = 0$, except in the case of pH where $P = 0$ if pH is between 6 and 10 and the Penalty =
		=	$P \times (\text{value measured}/10)$ if the pH is above 10 and =
		=	$P \times \{[4 + (4 - \text{value measured})]/4\}$ if it is below 4
	P	=	Unit penalty charge as determined by Council

**SCHEDULE D: PERMIT ISSUED TO ALLOW THE DISCHARGE OF TRADE OR INDUSTRIAL EFFLUENT
INTO THE SEWERAGE SYSTEM**

DATE



PERMIT NO.

WITZENBERG MUNICIPALITY

DIRECTORATE CIVIL SERVICES

PERMIT

TO DISCHARGE A TRADE OR INDUSTRIAL EFFLUENT
INTO THE SEWERAGE SYSTEM

Valid for one year after issue

**ISSUED IN TERMS OF THE WITZENBERG MUNICIPALITY WATER AND SANITATION BY-
LAW**

Director: Technical Services
Witzenberg Municipality
50 Voortrekker Street
CERES
6835
Tel: (023) 316 1854
Fax: (023) 316 1877
E-mail: admin@witzenberg.gov.za

PERMIT TO DISCHARGE INDUSTRIAL EFFLUENT INTO THE SEWERAGE SYSTEM

DATE		PERMIT NO.

1. Nature of the business or industry concerned

REGISTERED NAME OF THE BUSINESS			
STREET NAME	POSTAL ADDRESS	ERF NO.	ALLOTMENT AREA
AUTHORISED PROCESSES FOR THE PREMISES			

2. Effluent discharge rate:

CONNECTION POSITION	MAXIMUM RATE IN kℓ		
	PER MONTH	PER DAY	PER HOUR

3. Effluent discharge factor:

FRACTION OF METERED WATER NOT DISCHARGED TO SEWER	
FRACTION OF METERED WATER TO SEWER	

4. Effluent discharge times:

MONDAY TO THURSDAY	
FRIDAY	
SATURDAY	
SUNDAY	

5. Pre-treatment requirements before acceptance:

<ul style="list-style-type: none"> Removal of settleable solids. Fat, oil and grease removal. Any further treatment as may be deemed necessary when more information on the composition of the effluent being discharged is available after sampling and analysis. Special steps should be taken to ensure that no sea water can enter the municipal sewerage system. 	
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6. Physical and chemical condition requirements before acceptance:

Parameter	Allowed specifications	Units
B. General		
A temperature at the point of entry in excess of	43°	C
A pH less than 10,0 or greater than 6,0	6,0 – 10,0	
Chemical oxygen demand (COD) less than	3 000	mg/L
Electrical conductivity – not greater than	150	m S / m at 25 °C
B. Chemical substances other than heavy metals		
Anionic surface active agents	500	mg/L
All sugars and / or starch (expressed as glucose)	1500	mg/L
Available chlorine as Cl	100	mg/L
Caustic alkalinity as CaCO ₃	2000	mg/L
Chloride as Cl	250	mg/L
Fluorine-containing compounds as F	5	mg/L
Formaldehyde as HCHO	50	mg/L
Non-organic solids in suspension	100	mg/L
Oils, greases, waxes and fats	50	mg/L
Sodium as Na	250	mg/L
Settable solids (60 minutes)	50	ml/L
Substance not in solution (including fat, oil, greases, waxes and like substances)	100	mg/L
Substances soluble in petroleum ether	50	mg/L
Substances from which hydrogen cyanide can be liberated in the drainage installation, sewer or sewage treatment works as HCN	20	mg/L
Suspended solids	1000	mg/L
Total dissolved solids at 105° C	1000	mg/L
Total phenols as C ₆ H ₅ OH	50	mg/L
Total phosphates as P	25	mg/L
Total cyanides as CN	20	mg/l
Total sulphates as SO ₄	1500	mg/L
Total sulphides as S	50	mg/L
Tar products and distillates	50	mg/L
C. Metals		
Group 1		
Chromium (hexavalent)	0	mg/L
Chromium (trivalent) as CrO ₃	10	mg/L
Copper as Cu	10	mg/L
Manganese as Mn	20	mg/L
Nickel as Ni	5	mg/L
Zinc as Zn	20	mg/L
Iron as Fe	20	mg/L
Silver as Pb	5	mg/L
Cobalt as Co	5	mg/L
Tungsten as W	5	mg/L
Titanium as Tii	5	mg/L
Cadmium as Cd	5	mg/L
Total collective concentration of all metals in Group 1	50	mg/L
Group 2		
Arsenic as As	5	mg/L

Parameter	Allowed specifications	Units
Boron as B	5	mg/L
Lead as Pb	5	mg/L
Selenium as Se	5	mg/L
Mercury as Hg	5	mg/L
Cadmium as Cd	5	mg/L
Nickel as Ni	5	mg/L
Total collective concentration of all metals in Group 2	10	mg/L
D. Radioactive wastes		
Any radioactive waste or isotopes: Such concentration as may be laid down by the Atomic Energy Corporation or any state department.		

7. Prohibited effluents:

No person shall discharge effluent into the sewerage system which

- a) whether or not it is listed in the Effluent standards or which either alone or in combination with other matter, may
 - (i) generate or constitute a toxic substance dangerous to the health of persons employed in the maintenance or operation of the sewerage system,
 - (ii) be harmful to the sewerage system, or
 - (iii) adversely affect any of the processes whereby sewage is normally treated or the re-use of purified sewage effluent or the disposal of solids arising from the treatment process;
- (b) is in the form of steam at the point of entry into the sewerage system;
- (c) contains any substance of whatever nature likely to produce or give off explosive, inflammable, poisonous or offensive gases in such sewerage system;
- (d) shows any visible signs of oil, tar or associated products or distillates, bitumen or asphalts or their emulsions, or emulsions of oil or grease or fats;
- (e) contain any solids which may, in the opinion of the local authority, have an effect on the sewerage system;
- (f) contain any solvent immiscible in water;
- (g) contain dye or dye residues;
- (h) contain any substances in such concentration as may, in the opinion of the local authority, interfere with the sewerage system or adversely affect the quality of reclaimed water;
- (i) contains any non-biodegradable substance (e.g. blood); or
- (j) contains storm water or ground water.

8. Special conditions for this permit:

The permit holder shall install and maintain at its own cost a suitable flow measuring device, on all lines discharging industrial effluent to the municipality's sewer system, to measure the volumes. The proposed flow measuring device shall be to the satisfaction and approval of the Director: Technical Services.

9. Indemnification of the local authority:

A permit holder shall indemnify the local authority against all claims which may be brought or instituted against it for damage to property or injury or death of persons as a result of the discharge of effluent.

10. Conditions of issue:

This permit is issued in terms of the Witzenberg Municipality Water Services By-Law and is subject to the conditions stated therein.

DIRECTOR: TECHNICAL SERVICES	DATE ISSUED	PERMIT NO.	DATE EXPIRES



WITZENBERG MUNISIPALITEIT

VERORDENINGE INSAKE WATER- EN SANITASIEDIENSTE EN NYWERHEIDSUITVLOEISEL

VOORWOORD

Die Grondwet van die Republiek van Suid-Afrika magtig munisipaliteite om hul wetgewende gesag uit te oefen deur hul eie verordeninge te ontwikkel. Artikel 21(4) van die Wet op Waterdienste, 1997 (Wet 108 van 1997) meld dat die minister modelle verordeninge as 'n riglyn aan waterdiensowerhede kan voorsien aangesien hulle verordeninge ingevolge artikel 21(1) van die gemelde wet moet ontwikkel.

Die departement van water en bosbou het in 2001 modelwaterdienste verordeninge uitgevaardig. In 2005 is hierdie modelle verordeninge ooreenkomstig die strategiese raamwerk vir waterdienste, gedateer 2003, hersien. Voorts vereis die Wet op Waterdienste, 1997 van munisipaliteite om waterdienste verordeninge uit te vaardig.

Hierdie dokument, die verordening insake water vir die Witzenberg munisipale gebied, is gegrond op die hersiene modelwaterdienste verordeninge soos in Junie 2005 deur die departement van water en bosbou uitgevaardig.

INHOUD

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HOOFSTUK 1: ALGEMENE BEPALINGS

Deel 1: WOORDOMSKRYWINGS

Vir die doel van hierdie verordeninge sal enige woord of uitdrukkings waaraan 'n betekenis in die Wet op Waterdienste, 1997 (Wet 108 van 1997), die Wet op Plaaslike Regering: Munisipale Stelselswet, 2000 (Wet 32 van 2000) of die Nasionale Bouregulasies uitgevaardig ingevolge die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977) toegeken is, dieselfde betekenis in hierdie verordeninge hê, tensy die samehang anders aandui. Enige verwysing na geslag sal outomaties geag word om ook na die ander geslag te verwys (d.w.s. hy/sy; sy/haar), en in die geval van 'n teenstrydigheid tussen die Engelse bewoording en die Afrikaanse bewoording sal die Engelse bewoording geld.

1. Woordomsrywings

(1) In hierdie verordeninge, tensy die samehang anders aandui, beteken:	
“aansluiting”	die punt waar 'n kliënt toegang tot waterdienste verkry;
“aansluitingspunt”	die punt waar die rioleringsinstallasie by die aansluitingsriool aansluit;
“aansluitingspyp”	'n pyp waarvan die eienaarskap in die munisipaliteit of sy gemagtigde agent setel en wat geïnstalleer is met die doel om water vanaf 'n hooftoevoer na 'n waterinstallasie te vervoer, en sluit 'n "verbindingspyp" in waarna in SANS 10252-1 verwys word;
“aansluitingsriool”	'n pyp wat in munisipale besit is en deur die munisipaliteit geïnstalleer is vir die doel om rioolvuil vanaf 'n rioleringsinstallasie op 'n perseel weg te voer na 'n riool buite die grense van daardie perseel of binne die grense van 'n spesifieke serwituutgebied of na 'n gebied wat deur 'n ooreenkoms of toegangsvergunning gedek word;
“behoorlik gekwalifiseerde toetser”	'n persoon wat monsters vir ontleding uit die rioolvuil- en stormwaterwegdoeningstelsel haal en uit openbare water en wat deur 'n gemagtigde agent gesertifiseer is om dit te doen;
“beskikbaarheidsheffings”	'n maandelikse heffing wat teen enige eiendom, met of sonder verbeterings, gehef kan word waar sodanige eiendom nie met enige munisipale diensnetwerk verbind is nie, maar gereedelik daarmee verbind kan word;
“besoedeling”	die vrystelling van enige stof in die watervoorsieningstelsel, 'n waterinstallasie of waterbron wat die fisieke, chemiese of biologiese eienskappe van die water wat daarin aangetref word, hetsy direk of indirek, kan verander ten einde dit: <ol style="list-style-type: none"> minder geskik te maak vir enige doel waarvoor dit, na verwagting, redelikerwys gebruik kan word; of skadelik of potensieel skadelik te maak – <ol style="list-style-type: none"> vir die welsyn, gesondheid of veiligheid van mense, of vir enige organisme wat in water oorleef, of nie daarin oorleef nie;

“beste praktiese omgewingsopsie”	die opsie wat die grootste voordeel inhou vir of die minste skade berokken aan die omgewing as 'n geheel, teen 'n koste wat vir die samelewing aanvaarbaar is, oor die lang termyn sowel as oor die kort termyn;
“bewoonbare eenheid”	'n gebou of deel van 'n gebou wat vir enige doel geokkupeer of gebruik kan word of vir okkupasie of gebruik bedoel is;
“bewoonbare eenheid”	met betrekking tot enige perseel, 'n gebou of gedeelte van 'n gebou wat bewoon, bewoon of gebruik of bedoel vir bewoning of gebruik vir enige doeleinde;
“boorgat”	'n gat wat in die grond gesink is met die doel om ondergrondse water op te spoor, te onttrek of te gebruik, en sluit 'n fontein in;
“Bouregulasies”	die Nasionale Bouregulasies uitgevaardig ingevolge die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977);
“brandinstallasie”	'n verplaasbare waterinstallasie wat water uitsluitlik vir die doel van brandbestryding vervoer;
“dienspyp”	'n pyp wat deel uitmaak van 'n waterinstallasie wat op 'n perseel deur die eienaar of okkupeerder voorsien en geïnstalleer is en wat aan 'n aansluitingspyp gekoppel is of daarmee verbind gaan word om die waterinstallasie op die perseel te bedien;
“dreinerings-installasie”	'n stelsel wat op enige perseel geleë is en waarvan eienaarskap in die eienaar daarvan setel en wat gebruik word vir, of bedoel is om gebruik te word vir, of in verband met die ontvangs, berging, behandeling of vervoer van rioolvuil op daardie perseel na die aansluitingspunt en sluit rioolpype, toebehore, toestelle, septiese tenks, riooltenks, putlatrines en private pompinstallasies in wat deel uitmaak van of aanvullend is tot sodanige stelsels;
“dreineringswerk”	sluit enige rioolpype, sanitêre toebehore, watervoorsienings-apparaat, afval- of ander pyp in of enige werk wat met die storting van vloeistof of vaste stowwe in enige rioolpyp of andersins met die dreinerings op enige perseel verband hou;
“DWA”	die departement van water;
“DWAF”	die departement van water en bosbou;
“eienaar”	<ol style="list-style-type: none"> a) die persoon in wie die wettige eienaarskap van die perseel van tyd tot tyd gesetel is; b) waar die persoon in wie die wettige eienaarskap van die perseel gesetel is, insolvent of dood is, of in watter vorm ook al handelingsonbevoeg is, die persoon by wie die administrasie en beheer van sodanige eiendom as kurator, trustee, eksekuteur, administrateur, geregtelike bestuurder, likwidateur of ander regsverteenvoerder berus; c) waar die munisipaliteit of sy gemagtigde agent nie die identiteit van sodanige persoon kan vasstel nie, 'n persoon wat daarop geregtig is om te baat by die gebruik van sodanige perseel of 'n gebou of geboue wat daarop geleë is; d) waar 'n huurkontrak van 30 jaar of langer vir 'n perseel aangegaan is, die huurder daarvan;

	<p>e) met betrekking tot –</p> <ol style="list-style-type: none"> i. 'n stuk grond wat afgebaken is op 'n deeltitelplan wat ingevolge die Wet op Deeltitels, 1986 (Wet 95 van 1986) geregistreer is, die ontwikkelaar of die regspersoon ten opsigte van die gemeenskaplike eiendom, of ii. 'n gedeelte soos omskryf in die Wet op Deeltitels, 1986 (Wet 95 van 1986), die persoon in wie se naam sodanige gedeelte ingevolge 'n deeltitelakte geregistreer is en sluit die wettig aangestelde agent van sodanige persoon in, of iii. grond wat kragtens 'n register wat deur 'n stamowerheid gehou word, of ooreenkomstig 'n beëdigde verklaring deur 'n stamowerheid, die persoon wat daardie grond okkupeer;
“eind-watertoebehore”	'n toebehoorsel by die uitlaat van 'n waterinstallasie waardeur die uitlaat van water vanaf 'n waterinstallasie beheer word;
“gedeelde verbruik”	'n kliënt se verbruik van 'n munisipale diens gedurende 'n spesifieke tydperk, wat bereken word deur die totale gemete verbruik van daardie munisipale diens in die voorsieningsone waarin die kliënt se perseel geleë is vir dieselfde tydperk deur die aantal kliënte binne daardie voorsieningsone gedurende daardie tydperk te deel;
“gekombineerde installasie”	'n waterinstallasie wat vir brandbestryding én huishoudelike, kommersiële of industriële doeleindes gebruik word;
“gelde”	die belasting, geld, tarief, eenvormige koers of subsidie deur die munisipale raad vasgestel;
“gemagtigde agent”	<ol style="list-style-type: none"> (a) enige persoon wat deur die munisipaliteit gemagtig is om enige handeling, funksie of plig ingevolge hierdie verordeninge te verrig, of om enige mag ingevolge daarvan uit te oefen; (b) enige persoon aan wie die munisipaliteit die uitoefening van sekere regte, pligte en verpligtinge ten opsigte van die verskaffing van watervoorsieningsdienste gedelegeer het; of (c) enige persoon wat deur die munisipaliteit in 'n skriftelike kontrak as 'n diensverskaffer aangestel is om namens hom waterdienste aan kliënte te voorsien, tot die mate waartoe sodanige kontrak hom daartoe magtig;
“gemeenskapswater-dienstewerke”	'n verbruikersaansluiting waardeur waterdienste aan meer as een persoon verskaf word;
“gemiddelde verbruik”	die gemiddelde verbruik van 'n verbruiker van 'n munisipale diens gedurende 'n gespesifiseerde tydperk, en dit word bereken deur die totale gemete verbruik van daardie munisipale diens deur daardie kliënt oor die voorafgaande drie maande deur drie te deel;
“geraamde verbruik”	die geagte verbruik van 'n kliënt wie se verbruik nie gedurende 'n spesifieke tydperk gemeet is nie, en wat geraam word deurdat die munisipaliteit tersaaklike faktore in ag neem, welke faktore

	die verbruik van waterdienste deur die totale aantal gebruikers van 'n diens binne 'n gebied waar die diens deur die munisipaliteit gelewer word, op die toepaslike diensvlak, vir 'n spesifieke tydperk kan insluit;
“goedgekeurde”	goedgekeur deur 'n gemagtigde agent;
“grys water”	afvalwater voortspruitend uit die gebruik van water vir huishoudelike doeleindes maar sluit nie menslike ekskreta of vaste stowwe in nie;
“handelsperseel”	'n perseel waarop nywerheidsuitvloeiing ontstaan;
“hoësterkterioolvuil”	rioolvuil met 'n sterkte of gehalte groter as standaard-huishoudelike uitvloeiing ten opsigte waarvan 'n spesifieke heffing, soos bereken ooreenkomstig Bylae C, gehef kan word;
“hoofleiding”	'n pyp, uitgesonder 'n aansluitingspyp, waarvan die eienaarskap by die munisipaliteit of sy gemagtigde agent berus en wat deur hom gebruik word vir die doel om water na 'n verbruiker te vervoer of rioolvuil weg van 'n verbruiker te vervoer;
“huishoudelike doeleindes”	met betrekking tot die verskaffing van water, water wat vir drink-, ablusie- en kookdoeleindes aan persele verskaf word en hoofsaaklik vir residensiële doeleindes gebruik word;
“huishoudelike verbruiker”	'n kliënt wat water vir huishoudelike doeleindes gebruik;
“huishouding”	'n familie-eenheid wat deur die munisipaliteit as 'n tradisionele huishouding geag word deur die aantal mense waaruit die huishouding bestaan, die verwantskap tussen die lede van 'n huishouding, hulle ouderdomme en enige ander faktor wat die munisipaliteit as tersaaklik beskou, in ag te neem;
“in situ-sanitasie-dienste”	enige sanitasiediens anders as spoelrioolvuilwegdoening via 'n rioolvuilwegdoeningstelsel;
“ingenieursvakkundige”	'n persoon wat ingevolge die Wet op Ingenieursberoep, 2000 (Wet 46 van 2000) as 'n professionele ingenieur geregistreer is, en sluit 'n professionele tegnoloog en professionele tegnikus in;
“installeringwerk”	werk wat ten opsigte van die konstruksie van of op 'n waterinstallasie uitgevoer word;
“kliënt”	'n persoon met wie die munisipaliteit 'n ooreenkoms vir die voorsiening van 'n munisipale diens aangegaan het soos in die munisipaliteit se verordeninge insake kredietbeheer en skuldinvordering bepaal;
“kommersiële verbruiker”	enige verbruiker buiten 'n huishoudelike verbruiker en hulpbehoewende verbruiker met inbegrip van, maar nie beperk nie tot, sake-, nywerheids-, staats- en institusionele verbruikers;
“loodgieter”	'n persoon wat in die loodgietersambag 'n kwalifiserende ambagstoets geslaag het of aan wie, kragtens die Wet op Mannekragopleiding, 1981 (Wet 56 van 1981), 'n sertifikaat van bedrewenheid of sodanige ander kwalifikasie wat kragtens nasionale wetgewing vereis word, uitgereik is;
“mangat”	enige toegangskamer na die binnekant van die riool wat vir die doel van instandhouding en inwendige skoonmaak voorsien is;

“meettoestel”	enige metode, prosedure, proses of toestel of apparaat of installasie waarmee die hoeveelheid waterdienste wat verskaf is, gekwantifiseer kan word, en sluit enige metode, prosedure of proses in waarvolgens die hoeveelheid geraam of veronderstel word;
“meter”	’n watermeter soos omskryf deur die regulasies uitgevaardig ingevolge die Wet op Handelsmetrologie, 1973 (Wet 77 van 1973) of, in die geval van watermeters met ’n grootte van meer as 100 mm, ’n toestel wat die hoeveelheid water meet wat daardeur vloei;
“munisipale bestuurder”	die persoon wat ingevolge artikel 82 van die Wet op Plaaslike Regering: Munisipale Strukture, 1998 (Wet 117 van 1998) deur die munisipale raad as die munisipale bestuurder van die munisipaliteit aangestel is en sluit enige persoon in aan wie die munisipale bestuurder ’n mag, funksie of plig gedelegeer het maar slegs ten opsigte van daardie gedelegeerde mag, funksie of plig;
“munisipale dienste”	vir die doeleindes van hierdie verordeninge, dienste wat deur ’n munisipaliteit voorsien word en sluit watervoorsiening, sanitasie en riolering in;
“munisipale raad”	’n munisipale raad soos na verwys in artikel 157(1) van die Grondwet van die Republiek van Suid-Afrika, 1996, of ’n munisipale raad van Witzenberg Munisipaliteit;
“munisipaliteit”	<p>(a) Witzenberg Munisipaliteit, ’n plaaslike munisipaliteit wat ingevolge artikel 12 van die Strukturewet tot stand gekom het en sy regsopvolgers, of</p> <p>(b) onderworpe aan die bepalings van enige ander wet, en slegs indien uitdruklik of by implikasie in hierdie verordeninge verlang of vergun, die munisipale bestuurder in soverre die uitvoering van enige funksie of die uitoefening van enige plig, verpligting of reg ingevolge hierdie verordeninge of enige ander wet aanbetref, of</p> <p>(c) ’n gemagtigde agent van die Witzenberg Munisipaliteit;</p>
“natbedryf”	’n bedryf wat nywerheidsuitvloeisel afvoer;
“noodsituasie”	enige situasie wat ’n risiko of potensiele risiko vir lewe, gesondheid, die omgewing of eiendom inhou;
“nywerheidsdoeleindes”	met betrekking tot die verskaffing van water, water wat aan enige perseel verskaf word wat geag kan wees om ’n fabriek soos omskryf in die algemene administratiewe regulasies, uitgevaardig ingevolge die Wet op Beroepsgesondheid en Veiligheid, 1993 (Wet 85 van 1993) te wees, en sluit in, maar is vir die doeleindes van hierdie verordeninge nie beperk nie tot, sake-ondernemings, restaurante, tuisgebaseerde bedrywe of dienste maar sluit normale huishoudelike uitvloeisel uit;
“nywerheidsuitvloeisel”	alle uitvloeiels wat nie huishoudelike uitvloeisel is nie: Sonder om ’n perk op hierdie omskrywing te plaas, sluit hierdie alle uitvloeiels komende van alle handels-, kommersiële, vervaardiging- of voedselverwerkingsprosesse; kommersiële wasserye; apteke; hospitale; laboratoriums; lykshuise; motorhawens;

“okkupeerder”	abattoirs en soortgelyk in; ’n persoon wat enige grond, gebou, struktuur of perseel (of deel daarvan) okkupeer en sluit ’n persoon in wat, vir iemand anders se vergoeding of beloning, ’n ander persoon toelaat om enige grond, gebou, struktuur of perseel (of deel daarvan) te gebruik of te okkupeer;
“omgewingskoste”	die volle koste van alle maatreëls wat nodig is om die omgewing te herstel tot die toestand waarin dit was vóór die voorval wat skade tot gevolg gehad het;
“ongemagtigde diens”	die opvang, gebruik of verbruik van enige munisipale diens wat nie ingevolge ’n ooreenkoms is met of deur die munisipaliteit goedgekeur is nie;
“onwettige aansluiting”	’n aansluiting by enige stelsel waardeur water- of sanitasiedienste gelewer word wat nie deur die munisipaliteit gemagtig of goedgekeur is nie;
“ooreenkoms”	die kontraktuele ooreenkoms tussen die munisipaliteit en ’n kliënt, hetsy skriftelik of geag te wees soos in die munisipaliteit se verordeninge met betrekking tot kredietbeheer en skuldinvordering bepaal;
“openbare kennisgewing”	publikasie in die media, insluitende een of meer van die volgende: <ul style="list-style-type: none"> a) Publikasie van ’n kennisgewing, in die amptelike tale wat deur die munisipale raad bepaal is: <ul style="list-style-type: none"> i. in enige plaaslike koerant of koerante wat in die munisipaliteit se voorsieningsgebied versprei word; ii. in die koerant of koerante wat in die munisipaliteit se voorsieningsgebied versprei word en wat deur die munisipale raad as ’n koerant van rekord geag word, of iii. op die amptelike webwerf van die munisipaliteit; iv. deur middel van radio-uitsendings wat die munisipaliteit se voorsieningsgebied dek; b) Aanbring van ’n kennisgewing in of op enige perseel, kantoor, biblioteek of betaalpunt van óf die munisipaliteit óf sy gemagtigde agent waartoe die publiek gereedelik toegang kan verkry; en c) Kommunikasie met kliënte via openbare vergaderings en wykskomiteevergaderings;
“openbare water”	enige rivier, waterloop, baai, riviermonding, die see of enige ander water ten opsigte waarvan die publiek ’n gebruiksreg of toegangsreg geniet;
“perseel”	enige stuk grond waarvan die buitevlakgrense afgebaken is op: <ul style="list-style-type: none"> (a) ’n algemene plan of diagram wat ingevolge die Opmetingswet, 1927 (Wet 9 van 1927), of ingevolge die Wet op die Registrasie van Aktes, 1937 (Wet 47 van 1937), geregistreer is; (b) ’n deeltitelplan wat ingevolge die Wet op Deeltitels, 1986 (Wet 95 van 1986) geregistreer is, of (c) ’n register gehou deur ’n stamowerheid;

“persoon”	enige natuurlike persoon, plaaslike regeringsliggaam of soortgelyke owerheid; 'n maatskappy wat kragtens enige wet geïnkorporeer is; 'n liggaam van persone, hetsy geïnkorporeer of nie; 'n openbare nutsliggaam; vrywillige vereniging of trust;
“Raad”	die Raad van die Witzenberg Munisipaliteit;
“rekening”	'n rekening wat vir gelewerde munisipale dienste gelewer word;
“rente”	rentekoerse soos deur die minister van justisie ingevolge artikel 1 van die Wet op Voorgeskrewe Rentekoerse, 1975 (Wet 55 van 1975) voorgeskryf kan word;
“riool”	enige pyp of leipyp wat die eiendom is van, of berus by, die munisipaliteit of sy gemagtigde agent en wat gebruik kan word vir die vervoer van rioolvuil vanaf die aansluitriool, en sluit nie 'n rioolpyp in soos omskryf nie;
“rioolpyp”	daardie gedeelte van die dreineringsinstallasie wat rioolvuil binne enige perseel vervoer;
“riooltenk”	'n bedekte tenk wat vir die ontvangs en tydelike retensie van rioolvuil gebruik word en wat van tyd tot tyd leeggemaak moet word;
“rioolvuil”	vuilwater, nywerheidsuitvloeisel, standaard- huishoudelike uitvloeisel en ander vloeibare afval, hetsy afsonderlik of in kombinasie, maar sluit nie stormwater in nie;
“rioolvuilwegdoenstelsel”	die strukture, pype, kleppe, pompe, meters en ander bybehore wat gebruik word vir die vervoer deur die rioolnetstelsel en behandeling by die rioolvuilbehandelingsaanleg onder die beheer van die munisipaliteit of sy gemagtigde agent en wat deur hom gebruik kan word in verband met die wegdoening van rioolvuil met insluiting van oseaanuitlope;
“sanitasiedienste”	het dieselfde betekenis as wat ingevolge die Wet daaraan toegewys is en sluit vir die doeleindes van hierdie verordeninge water vir nywerheidsdoeleindes en die wegdoening met nywerheidsuitvloeisel in;
“sanitasiestelsel”	die strukture, pype, kleppe, pompe, meters en ander bybehore wat gebruik word vir die vervoer deur die rioolnetstelsel en behandeling by die rioolvuilbehandelingsaanleg onder die beheer van die munisipaliteit en wat deur hom gebruik kan word in verband met die wegdoening van rioolvuil;
“SANS”	die Suid-Afrikaanse Nasionale Standaard;
“septiese tenk”	'n waterdigte tenk wat ontwerp is om rioolvuil op te vang en die toereikende ontbinding van organiese stof in rioolvuil deur bakteriese werking te bewerkstellig;
“skoonmaakoog”	'n toegangsopening na die binnekant van 'n afvoerpyl of sperder wat vir die doel van inwendige skoonmaak voorsien word;
“sperder”	'n stuk pyptoebehore of deel van 'n sanitêre toestel wat ontwerp is om 'n waterslot, wat as 'n versperring teen die vloei van bedorwe lug of gas dien, in posisie te hou;
“staanpyp”	'n aansluiting waardeur watervoorsieningsdienste aan meer as een persoon verskaf word;

“standaard- huishoudelike uitvloeisel”	die uitvloeisel voortspruitend uit normale en gebruikelike huishoudelike gebruik van residensiële eiendomme en wat deur toiletbakke, urinale, baddens, kombuisopwasbakke en huishoudelike wasserye vrygestel word. Dit sal, sonder beperking van hierdie omskrywing, die uitvloeisel komende van normale enkel- residensiële huishoudings, woonstelblokke, skoolkoshuise, residensiële hostelle, hotelle, kafeterias, kantiene en soortgelyke uitvloeiels insluit;
“stormwater”	water voortspruitend uit natuurlike neerslag of opeenhoping waarby reënwater, ondergrondse water of fonteinwater ingesluit is;
“syperlui”	’n vuilweekput vir die wegdoening van rioolvuil en uitvloeisel uit ’n septiese tenk;
“uitvloeisel”	enige vloeistof, ongeag dit opgeloste stowwe of stowwe in suspensie bevat of nie;
“vasgestel”	vasgestel deur die munisipaliteit of deur enige persoon wat ’n vasstelling ingevolge hierdie verordeninge maak;
“vaste hoeveelheid water”	’n waterinstallasie wat ’n vaste hoeveelheid water aan ’n verbruiker op enige enkele dag lewer;
“vloedhoogte (1 in 50 jaar)”	daardie hoogte wat deur vloedwater weens ’n storm met ’n frekwensie van 1 in 50 jaar bereik is;
“vloedvlakke (1 in 50 jaar)”	die gebied onderhewig aan oorstroming deur vloedwater weens ’n storm met ’n frekwensie van 1 in 50 jaar;
“voorgeskrewe tarief of heffing”	’n heffing deur die munisipaliteit voorgeskryf;
“voorsieningsgebied”	enige gebied binne of gedeeltelik binne die munisipaliteit se regsgebied waaraan waterdienste voorsien word;
“waterdienste”	watervoorsieningsdienste én sanitasiedienste en het dieselfde betekenis as wat ingevolge die Wet daaraan toegewys is en sluit vir die doeleindes van hierdie verordeninge water vir nywerheidsdoeleindes en die wegdoening met nywerheidsuitvloeisel in;
“waterdienste-tussengangers”	het dieselfde betekenis as wat ingevolge die Wet daaraan toegewys is;
“waterinstallasie”	die pype en watertoebehore wat geleë is op enige perseel en waarvan die eienaarskap by die eienaar berus en gebruik word, of bedoel is om gebruik te word, in verband met die gebruik van water op sodanige perseel, en sluit enige pyp en watertoebehoorsel in wat buite die grens van die perseel geleë is wat óf met die aansluitingspyp met betrekking tot sodanige perseel verbind is óf wat andersins met die toestemming van die munisipaliteit of sy gemagtigde agent gelê is;
“watertoebehoorsel”	’n komponent, behalwe ’n pyp, van ’n waterinstallasie waardeur water vloei of waarin dit opgegaar word;
“watervoorsienings-dienste”	het dieselfde betekenis as wat ingevolge die Wet daaraan toegewys is en sluit vir die doeleindes van hierdie verordeninge water vir nywerheidsdoeleindes en die wegdoening met nywerheidsuitvloeisel in;

“watervoorsieningstelsel”	die strukture, waterleidings, pype, kleppe, pompe, meters of ander bybehore wat daarmee in verband staan, waarvan die eienaarskap by die munisipaliteit of sy gemagtigde agent berus en wat gebruik word, of bedoel is om gebruik te word, in verband met die verskaffing van water, en sluit enige deel van daardie stelsel in;
“werkdag”	’n ander dag as ’n Saterdag, Sondag of openbare vakansiedag;
“Wet”	die Wet op Waterdienste, 1997 (Wet 108 van 1997), soos van tyd tot tyd gewysig; en
“wooneenheid”	’n tussenverbinde stel kamers, insluitende ’n kombuis of opwaskamer, wat ontwerp is vir okkupasie deur ’n enkelgesin, ongeag of die wooneenheid ’n enkelgebou is of deel is van ’n gebou wat twee of meer wooneenhede bevat.

HOOFSTUK 2: AANSOEK, HEFFINGS, BETALING, REKENINGE EN BEËINDIGING

DEEL 1: AANSOEK OM WATERDIENSTE

2. Aansoek om waterdienste

- (1) Niemand sal toegang tot waterdienste verkry nie tensy hy op die voorgeskrewe vorm ingevolge die munisipaliteit se verordeninge insake kredietbeheer, skuldinvordering en deernishulp daarvoor aansoek gedoen het en daardie aansoek deur die munisipaliteit goedgekeur is.
- (2) Waterdienste wat deur die munisipaliteit aan 'n kliënt gelewer word, is onderworpe aan die munisipaliteit se verordeninge insake kredietbeheer, skuldinvordering en deernishulp; hierdie verordeninge; en die voorwaardes wat in die tersaaklike ooreenkoms vervat is.
- (3) By ontvangs van 'n verbruiker se aansoek om die voorsiening van waterdienste, moet die munisipaliteit daardie verbruiker in kennis stel van die verskillende beskikbare diensvlakke, en ook van die tariewe of heffings van toepassing op elke diensvlak.
- (4) 'n Verbruiker moet 'n keuse uitoefen ten opsigte van die diensvlak wat aan hom gebied word.
- (5) 'n Verbruiker kan te eniger tyd aansoek doen om die wysiging van die vlak wat aanvanklik verkies is ingevolge die ooreenkoms aangegaan, mits sodanige dienste beskikbaar is en met dien verstande dat die verbruiker alle koste en uitgawes verbonde aan só 'n verandering van diensvlak sal betaal.
- (6) 'n Aansoek waartoe die munisipaliteit ingestem het, sal 'n ooreenkoms tussen die munisipaliteit en die aansoeker tot gevolg hê, en sodanige ooreenkoms sal op die datum waarna in die ooreenkoms verwys word of daarin bepaal word, in werking tree.
- (7) 'n Verbruiker sal aanspreeklik wees vir alle tariewe en/of heffings ten aansien van waterdienste aan hom voorsien, tot en met beëindiging van die ooreenkoms ingevolge hierdie verordening of tot tyd en wyl enige agterstallige gelde betaal is.
- (8) Wanneer 'n aansoekvorm vir waterdienste voorberei word, sal die munisipaliteit toesien dat die eienaar, verbruiker of enige ander persoon wat 'n aansoek indien die dokument en die proses van interaksie met daardie eienaar, verbruiker of ander persoon verstaan. In geval van ongeletterde of soortgelyk benadeelde persone, sal die munisipaliteit redelike stappe neem ten einde te verseker dat die persoon bewus is van die inhoud van die aansoekvorm en dat hy of sy dit verstaan.

- (9) Minstens die volgende inligting moet op die aansoekvorm aangebring word –
- a) sertifisering deur 'n gemagtigde agent dat die aansoeker bewus is van en die inhoud van die vorm verstaan;
 - b) aanvaarding deur die verbruiker van die bepalings van die verordening en aanvaarding van aanspreeklikheid vir die koste verbonde aan gelewerde waterdienste tot en met beëindiging van die ooreenkoms of tot tyd en wyl enige agterstallige gelde betaal is;
 - c) die naam van die verbruiker;
 - d) die adres of erfnommer van die perseel waarheen of waarop waterdienste gelewer moet word of die gemeenskaplike waterdienswerke waar waterdienste gebruik sal word;
 - e) die adres waarheen rekeninge gestuur moet word;
 - f) die aansoeker se bron van inkomste;
 - g) indien van toepassing, die naam en adres van die aansoeker se werkgewer;
 - h) indien water voorsien moet word, die doel waarvoor die water aangewend gaan word; en
 - i) die ooreengekome datum waarop die verskaffing van water 'n aanvang sal neem.
- (10) Waterdienste wat aan 'n verbruiker verskaf word, is onderhewig aan die bepalings van hierdie verordening en die voorwaardes wat in die tersaaklike ooreenkoms vervat is.
- (11) Indien die munisipaliteit 'n aansoek om die voorsiening van waterdienste weier, of nie in staat is om sodanige waterdienste op die aangevraagde datum vir die aanvang van sodanige dienste te lewer nie, of nie in staat is om die waterdienste te lewer nie, moet die munisipaliteit die verbruiker in kennis stel van sodanige weiering en/of onvermoë en, indien van toepassing, wanneer die munisipaliteit in staat sal wees om sodanige waterdienste te lewer.

3. Spesiale ooreenkomste vir waterdienste

Die munisipaliteit mag, ingevolge sy verordeninge insake kredietbeheer, skuldinvordering en hulpbehoewendes, 'n ooreenkoms vir die voorsiening van waterdienste met 'n aansoeker aangaan.

4. Verandering aan die doel waarvoor waterdienste gebruik word

Indien die doel, of omvang, van enige munisipale diens sou verander, sal die kliënt die munisipaliteit dadelik van die wysiging verwittig en dienooreenkomstig 'n nuwe ooreenkoms met die munisipaliteit aangaan.

DEEL 2: HEFFINGS**5. Voorgeskrewe heffings vir waterdienste**

- (1) Alle gelde betaalbaar ten opsigte van waterdienste (met inbegrip van maar nie beperk nie tot aansluitingsfooie, vasgestelde tariewe of enige bykomende heffings of rente) sal deur die munisipale raad bepaal word ooreenkomstig:
 - a) sy eiendomsbelasting- en tarief;
 - b) enige verordeninge wat daarop betrekking het; en
 - c) enige regulasies ingevolge nasionale of provinsiale wetgewing; maar
- (2) 'n Onderskeid tussen kategorieë van klante, gebruikers van dienste, soorte en vlakke van dienste, hoeveelhede van dienste, infrastrukturele vereistes en geografiese gebiede mag die heffing van differensiële heffings regverdig.

6. Besikbaareshedshreffing vir waterdienste

- (1) Benewens die voorgeskrewe heffings vir werklik gelewerde waterdienste, kan die munisipale raad 'n vasgestelde maandelikse heffing, 'n vasgestelde jaarlikse heffing of slegs 'n vasgestelde eenmalige heffing ten aansien van beskikbare waterdienste hef, ongeag of sodanige dienste verbruik word of nie.
- (2) Waar 'n vasgestelde heffing ingevolge subartikel 6(1) gehef word, sal dit deur elke eienaar of verbruiker betaalbaar wees ten opsigte van waterdienste wat die munisipaliteit of sy gemagtigde agent aan hom of haar voorsien het, ongeag of waterdienste deur hom of haar gebruik is of nie.
- (3) Besikbaareshedshreffings is betaalbaar –
 - a) wanneer 'n gedeelte of erf aan 'n ander eienaar oorgedra word (vir 'n private ontwikkeling is dit wanneer 'n gedeelte of erf oorgedra word);
 - b) wanneer die diens beskikbaar word – waar 'n nuwe diens deur die wettige waterverskaffer verskaf word (munisipaliteit of private entiteit).

DEEL 3: BETALING**7. Betaling vir waterdienste**

Die eienaar, okkupeerder en kliënt sal, ingevolge die munisipaliteit se verordeninge insake kredietbeheer en skuldinvordering, gesamentlik en afsonderlik aanspreeklik en verantwoordelik wees vir betaling van alle waterdiensheffings en waterdienste wat deur 'n kliënt verbruik is.

Let wel: Kapitaalbydraes is 'n tarief en die voormelde is van toepassing.

DEEL 4: REKENINGS**8. Rekenings**

Maandelikse rekenings vir die bedrag verskuldig en betaalbaar sal aan verbruikers gelewer word by die laaste adres wat in die munisipaliteit se rekords aangeteken is.

Versuim deur die munisipaliteit om 'n rekening te lewer, onthef die verbruiker nie van sy verpligting om enige bedrag verskuldig en betaalbaar te betaal nie.

DEEL 5: BEËINDIGING, INKORTING EN STAKING**9. Beëindiging van ooreenkoms vir die voorsiening van waterdienste**

'n Verbruiker kan 'n ooreenkoms vir die voorsiening van waterdienste beëindig deur, ingevolge die munisipaliteit se verordeninge insake kredietbeheer en skuldinvordering, skriftelik kennis van sy voorneme om dit te doen aan die munisipaliteit te gee, in welke geval die munisipaliteit daarop geregtig sal wees om die toepaslike tarief vir die verwydering van die meter-installasie van die verbruiker te verhaal.

10. Inkorting en /of staking van gelewerde waterdienste

- (1) Die munisipaliteit mag die watervoorsieningsdienste wat ingevolge hierdie verordeninge gelewer word, inkort of staak:
 - a) by versuim om die voorgeskrewe tariewe op die gespesifiseerde datum te betaal ooreenkomstig die prosedures wat in die munisipaliteit se verordeninge insake kredietbeheer en skuldinvordering uiteengesit is en nadat daardie prosedures toegepas is;
 - b) op skriftelike versoek van 'n kliënt;
 - c) indien die ooreenkoms vir die lewering van dienste ooreenkomstig die munisipaliteit se verordeninge insake kredietbeheer en skuldinvordering beëindig is;
 - d) indien die gebou op die perseel waaraan dienste voorsien is, gesloop gaan word (dit is die verantwoordelikheid van die eienaar / okkupeerder om kennis te gee indien enige gebou gesloop gaan word);
 - e) indien die kliënt met enige ingekorte of gestaakte diens ingemeng het;
 - f) indien 'n noodgeval of noodsituasie ingevolge die munisipaliteit se verordeninge insake kredietbeheer en skuldinvordering afgekondig word; of
 - g) indien die kliënt vir die doel om toegang tot watervoorsieningsdienste te verkry met die munisipaliteit se watervoorsieningstelsel ingemeng of gepeuter of dit beskadig het, of veroorsaak of toegelaat het dat daarmee ingemeng of

gepeuter of dat dit beskadig word, nadat die munisipaliteit 'n waarskuwing hieroor uitgereik het.

- (2) Die munisipaliteit mag die sanitasiedienste wat ingevolge hierdie verordeninge gelewer word, staak:
- a) op skriftelike versoek van 'n kliënt;
 - b) indien die ooreenkoms vir die lewering van sanitasiedienste ooreenkomstig die munisipaliteit se verordeninge insake kredietbeheer en skuldinvordering beëindig is; of
 - c) indien die gebou op die perseel waaraan dienste voorsien is, gesloop is (dit is die verantwoordelikheid van die eienaar / okkupeerder om kennis te gee indien die gebou gesloop gaan word).
- (3) Die munisipaliteit sal nie aanspreeklik wees vir enige skade of eise wat moontlik kan voortspruit uit die inkorting of staking van waterdienste soos bepaal ingevolge subartikels (1) en (2) nie, met inbegrip van skade of eise wat mag voortspruit in gevalle waar die munisipaliteit *bona fide* daarvan oortuig is dat die bepaling vervat in subartikels (1) en (2) geld, behalwe in gevalle waar verbruikers verkeerdelik gefaktureer is.

HOOFSTUK 3: DIENSVLAKKE

11. Diensvlakke

- (1) Die munisipale raad kan van tyd tot tyd en ingevolge nasionale , maar onderworpe aan die beginsels van volhoubaarheid en bekostigbaarheid, per openbare kennisgewing die diensvlakke bepaal wat hy by magte is om aan kliënte te lewer.
- (2) Wanneer diensvlakke bepaal word, kan die munisipale raad 'n onderskeid tref tussen die soorte kliënte, huishoudelike kliënte, geografiese gebiede en sosio-ekonomiese gebiede.
- (3) Die vlakke van diens, soos beskryf in die insake water- en sanitasiediensvlakke of soos deur die Raad bepaal, kan, onderworpe aan subartikel (1), deur die munisipaliteit bepaal word wanneer hierdie verordening afgekondig word.

HOOFSTUK 4: VOORWAARDES VIR WATERVOORSIENINGSDIENSTE

DEEL 1: AANSLUITING AAN WATERVOORSIENINGSDIENS

12. Voorsiening van aansluitingspyp

- (1) Indien 'n ooreenkoms vir watervoorsieningsdienste ten aansien van 'n perseel aangegaan is en geen aansluitingspyp ten aansien van daardie perseel bestaan nie, moet die eienaar op die voorgeskrewe vorm aansoek doen en die voorgeskrewe heffing betaal vir die installering van sodanige pyp.
- (2) Indien aansoek gedoen is vir watervoorsieningsdienste wat van so 'n aard of ligging is dat dit nodig is om die watervoorsieningstelsel te verleng, aan te pas of op te gradeer ten einde water aan die perseel te verskaf, mag die munisipaliteit tot die verlenging instem, met dien verstande dat die eienaar die koste van die verlening, soos bepaal deur die munisipaliteit, sal betaal.
- (3) Net die munisipaliteit mag 'n aansluitingspyp installeer, maar die eienaar of kliënt mag die waterinstallasie met die aansluitingspyp verbind.
- (4) Niemand mag met enige ontwikkeling op enige perseel begin alvorens die munisipaliteit 'n aansluitingspyp en meter geïnstalleer het nie.

13. Plasing van aansluitingspyp

- (1) 'n Aansluitingspyp wat deur die munisipaliteit voorsien en geïnstalleer is, moet:
 - a) geplaas word op 'n plek soos bepaal deur die munisipaliteit en sal van 'n gepaste grootte wees soos bepaal deur die munisipaliteit;
 - b) eindig by —
 - (i) die grens van grond in die munisipaliteit se besit of waaroor die munisipaliteit seggenskap het, of ingevolge waarvan 'n serwituut of ander reg aan die munisipaliteit toegestaan is;
 - (ii) die uitlaat van die watermeter of isolasieklep waar dit op die perseel geleë is; of
 - (iii) op 'n plek wat deur die munisipaliteit bepaal word.
- (2) Die munisipaliteit mag, onderhewig aan sodanige voorwaardes as wat dit mag goeddink, op versoek van enige persoon instem om 'n aansluiting aan 'n ander hooftoevoerpyp te maak as die hooftoevoerpyp wat mees geredelik beskikbaar is vir die voorsiening van water aan die perseel, met dien verstande dat die eienaar verantwoordelik sal wees vir enige verlenging van die waterinstallasie na die aansluitingspunt deur die munisipaliteit aangewys, sowel as vir die verkryging, op eie koste, van sodanige serwitute oor ander persele as wat nodig mag wees.

- (3) 'n Eienaar moet die voorgeskrewe aansluitingsheffing vooraf betaal alvorens 'n wateraansluiting in werking kan tree.

14. Voorsiening van enkelwateraansluiting vir lewering aan verskeie kliënte op dieselfde perseel

- (1) Desnieteenstaande die bepalings vervat in artikel 12, kan slegs een aansluitingspyp vir die verskaffing van water aan enige perseel voorsien word, ongeag die aantal wooneenhede, sake-eenhede of kliënte wat op daardie perseel geleë is, tensy 'n aansoek wat die teendeel bewys aan die munisipaliteit voorgelê en deur hom goedgekeur word.
- (2) Waar die eienaar, of die persoon in beheer of aan die stuur van enige perseel waarop verskeie wooneenhede geleë is, die voorsiening van water na sodanige perseel verlang met die oog op die voorsiening daarvan aan die onderskeie wooneenhede, sal die munisipaliteit na goeddunke een van die volgende installeer:
- a) óf 'n enkele meettoestel ten opsigte van die perseel in sy geheel of enige aantal sodanige wooneenhede; óf
- b) 'n afsonderlike meettoestel vir elke wooneenheid of enige hoeveelheid daarvan.
- (3) Waar die munisipaliteit 'n enkele meettoestel, soos beoog in subartikel (2)(a), geïnstalleer het, moet die eienaar, of die persoon in beheer of aan die stuur van die perseel, na gelang van die geval —
- a) op elke takpyp wat vanaf die aansluitingspyp tot by die onderskeie wooneenhede strek, die volgende installeer en in stand hou:
- (i) 'n afsonderlike meettoestel; en
- (ii) 'n isolasieklep; en
- (iii) sal hy of sy teenoor die munisipaliteit aanspreeklik wees vir die tariewe en heffings vir alle water wat aan die perseel deur sodanige enkele meettoestel verskaf is, ongeag die verskillende hoeveelhede wat deur die onderskeie kliënte wat deur sodanige meettoestel bedien word, verbruik is.
- (4) Waar persele van 'n aantal aansluitingspype voorsien word, mag die munisipaliteit van die eienaar verwag om die aantal aansluitingspunte te verminder en om sy of haar waterinstallasie dienooreenkomstig te wysig.

15. Diskonnektering van waterinstallasie van die aansluitingspyp

Die munisipaliteit mag 'n waterinstallasie van die aansluitingspyp diskonnekteer en die aansluitingspyp verwyder by beëindiging van 'n ooreenkoms vir die voorsiening van waterverskaffingsdienste ooreenkomstig die munisipaliteit se verordeninge insake kredietbeheer en skuldinvordering.

DEEL 2: STANDAARDE**16. Hoeveelheid, gehalte en druk**

Watervoorsieningsdienste wat deur die munisipaliteit verskaf word, moet aan die minimum standarde voldoen wat ingevolge artikel 9 van die Wet bepaal is.

17. Toets van druk in watervoorsieningstelsels

Die munisipaliteit mag, op aansoek van 'n eienaar en teen betaling van die vasgestelde heffing, die hoeveelheid druk in die watervoorsieningstelsel met betrekking tot daardie eienaar se perseel vasstel oor sodanige tydperk as wat deur die eienaar versoek is.

18. Besoedeling van water

'n Eienaar moet goedgekeurde maatreëls instel en handhaaf om te verhoed dat enige stof wat 'n gevaar vir gesondheid inhou of die drinkbaarheid of geskiktheid van water negatief kan beïnvloed, vrygestel word aan:

- a) die watervoorsieningstelsel; en
- b) enige deel van die waterinstallasie op sy perseel.

19. Waterbeperkings

- (1) Die munisipaliteit mag vir die doeleindes om water te bewaar, of in geval droogtetoestande na sy mening dreig, per openbare kennisgewing —
 - a) die verbruik van water in die geheel of 'n gedeelte van sy regsgebied verbied of beperk:
 - (i) vir algemene of gespesifiseerde doeleindes,
 - (ii) tydens bepaalde ure van die dag of op bepaalde dae, en
 - (iii) op 'n bepaalde manier; en
 - b) —
 - (i) 'n beperking plaas op die hoeveelheid water wat oor 'n bepaalde tydperk verbruik mag word,

- (ii) bykomende heffings hef as daardie wat ten opsigte van die verskaffing van water wat die beperking soos beoog in subartikel (1)(b)(i) oorskry,
 - (iii) 'n algemene toeslag op die voorgeskrewe heffings vir watervoorsiening bepaal, en
 - (iv) 'n boete oplê per voorval waar 'n oortreding van openbaar- afgekondigde waterbeperkings voorgekom het, waarvan die bedrag sal wees soos in die afkondiging gepubliseer of soos in die jaarlikse lys van tariewe afgekondig; en
 - c) beperkings of verbodsbepalings oplê met betrekking tot die gebruik of wyse van gebruik of die opstelling van 'n toestel waardeur water gebruik of verbruik word, of die verbinding van sodanige toestelle met die waterinstallasie.
- (2) Die munisipaliteit mag die toepassing van 'n kennisgewing soos beoog in subartikel (1) beperk tot bepaalde gebiede en kategorieë kliënte of gebruikers van persele en aktiwiteite en mag afwykings, vrystellings of die verslapping van enige van die bepalings op redelike gronde toelaat.
- (3) Die munisipaliteit mag —
- a) maatreëls instel, met insluiting van die installering van meettoestelle en toestelle vir die beperking van die vloeï van water, of 'n kliënt by wyse van skriftelike kennisgewing gelas om sodanige maatreëls op sy eie koste in te stel as wat nodig mag wees om nakoming van 'n kennisgewing wat ingevolge subartikel (1) uitgereik is, te verseker; of
 - b) vir sodanige tydperk as wat die munisipaliteit dit nodig ag, die watervoorsiening na enige perseel beperk in die geval van 'n oortreding van hierdie verordeninge wat op of in sodanige perseel plaasvind of nienakoming van die bepalings van 'n kennisgewing uitgereik ingevolge subartikel (1); en
 - c) sal, waar die toevoer gestaak is, dit slegs herstel wanneer die vasgestelde gelde vir staking en heraansluiting betaal is.

20. Spesifieke voorwaardes van verskaffing

- (1) Nieteenstaande die onderneming in artikel 16, maak die toestaan van waterverskaffing deur die munisipaliteit nie 'n onderneming deur hom uit om te eniger tyd of by enige punt in sy watervoorsieningstelsel —
- a) 'n ononderbroke toevoer te handhaaf nie, behoudens die bepalings van regulasies 4 en 14 van Regulasie 22355 wat ingevolge die Wet op 8 Junie 2003 gepromulgeer is; of

- b) 'n spesifieke druk of vloeitempo in sodanige toevoer te handhaaf nie, behalwe soos vereis ingevolge regulasie 15(2) van Regulasie 22355 wat op 8 Junie 2003 ingevolge die Wet gepromulgeer is.
- (2) Die munisipaliteit mag, behoudens die bepalings van subartikel (1)(b), die maksimum druk waarteen water uit die watervoorsieningstelsel voorsien sal word, spesifiseer.
- (3) Indien 'n eienaar of kliënt vereis –
 - a) dat enigeen van die standaarde waarna in subartikel (1) verwys word; of
 - b) 'n hoër diensstandaard as wat in artikel 16 gespesifiseer word op sy perseel gehandhaaf word, moet hy die nodige stappe doen om te verseker dat die beoogde waterinstallasie aan sodanige standaarde kan voldoen.
- (4) Die munisipaliteit mag in 'n noodgeval die verskaffing van water aan enige perseel sonder vooraf kennisgewing onderbreek.
- (5) Indien die verbruik van water deur 'n kliënt, na die munisipaliteit se mening, die verskaffing van water aan 'n ander kliënt nadelig beïnvloed, mag die munisipaliteit na goeddunke sodanige beperkings plaas op die verskaffing van water aan die kliënt om 'n redelike toevoer van water aan die ander kliënt te verseker, en moet hy daardie kliënt van die beperkings verwittig.
- (6) Die munisipaliteit sal nie aanspreeklik wees vir enige skade aan eiendom wat veroorsaak word deur water wat vloei uit 'n waterinstallasie wat oop gelaat is nadat die watertoevoer na 'n onderbreking in toevoer herstel is nie.
- (7) Elke stoomketel, hospitaal, bedryf en enige perseel wat vir die doel van die werk wat op die perseel onderneem word 'n deurlopende watertoevoer vereis, moet 'n opgaartenk hê wat voldoen aan die spesifikasies vir wateropgaartenks soos in SANS 10252-1 vereis met 'n inhoudsvermoë van nie minder nie as 24 uur se watervoorraad, bereken as die hoeveelheid wat nodig is om die gemiddelde daaglikse verbruik te voorsien, waar water opgegaar kan word wanneer die deurlopende toevoer onderbreek word.
- (8) Geen kliënt mag water wat deur die munisipaliteit aan hom verskaf word, herverkoop nie, behalwe met die skriftelike toestemming van die munisipaliteit, wat die maksimum prys waarteen water herverkoop mag word, kan stipuleer en sodanige voorwaardes mag oplê as wat hy gerade mag ag.

DEEL 3: METING

21. Meting van hoeveelheid water verskaf

- (1) Die munisipaliteit moet 'n meettoestel voorsien wat ontwerp is om óf 'n beheerde volume water óf 'n onbeheerde volume water aan 'n kliënt te voorsien.

- (2) Die munisipaliteit moet, met gereelde tussenpose, die hoeveelheid water meet wat voorsien is deur 'n meettoestel wat ontwerp is om 'n onbeheerde volume water te voorsien.
- (3) Enige meettoestel en gepaardgaande bybehore waardeur water aan 'n kliënt deur die munisipaliteit voorsien word, sal deur die munisipaliteit verskaf en in stand gehou word en sal die eiendom van die munisipaliteit bly en kan na goeddunke van die munisipaliteit vervang of in stand gehou word.
- (4) Die munisipaliteit mag 'n meettoestel en die gepaardgaande bybehore op enige punt in die dienspyp installeer.
- (5) Indien die munisipaliteit ingevolge subartikel (4) 'n meettoestel op 'n dienspyp installeer, kan hy 'n seksiepyp en gepaardgaande bybehore tussen die eindpunt van sy aansluitingspyp en die meter installeer, en daardie seksie maak deel van die waterinstallasie uit.
- (6) Indien die munisipaliteit ingevolge subartikel (4) 'n meettoestel tesame met die gepaardgaande toebehore op 'n dienspyp installeer, moet die eienaar —
 - a) 'n plek ter bevrediging van die munisipaliteit voorsien waar dit geïnstalleer kan word;
 - b) ten alle tye onbeperkte toegang daartoe verseker;
 - c) dit beskerm en aanspreeklikheid aanvaar vir die koste wat spruit uit skade daaraan, uitgesonderd skade wat uit billike slytasie spruit;
 - d) verseker dat geen aansluiting aan die pyp waarin die meettoestel geïnstalleer is, tussen die meettoestel en die aansluitingspyp wat die installasie bedien, gemaak word nie;
 - e) voorsiening maak vir die afloop van water uit die pyp waarin die meettoestel geïnstalleer is, in die loop van werk wat deur die munisipaliteit aan die meettoestel gedoen word; en
 - f) nie enige toebehoorsel, masjien of toestel op enige waterinstallasie gebruik wat skade, of na die munisipaliteit se mening waarskynlik skade, aan enige meter kan veroorsaak nie, of toelaat dat dit gebruik word nie; en
 - g) sal, indien versoek deur die munisipaliteit, die koste betaal vir die installering van die toestel, welke bedrag betaalbaar sal wees ten minste 48 uur voordat enige toestel geïnstalleer word.
- (7) Niemand behalwe die munisipaliteit mag:
 - a) 'n meettoestel en sy gepaardgaande bybehore ontkoppel van die pyp waarop dit geïnstalleer is nie;

- b) 'n seël wat die munisipaliteit op 'n meter geplaas het, breek nie;
 - c) op enige ander wyse met 'n meettoestel en sy gepaardgaande bybehore inmeng nie; of
 - d) 'n meettoestel op 'n munisipale stelsel of 'n stelsel wat deur die munisipaliteit oorgeneem gaan word, installeer nie tensy skriftelike toestemming vooraf van die munisipaliteit verkry is.
- (8) Indien die grootte van 'n meettoestel, na die munisipaliteit se mening, ongeskik is vanweë die hoeveelheid water wat aan 'n perseel verskaf word, kan hy dit na gerade met 'n meter van 'n gepaste grootte vervang en kan die vasgestelde gelde vir die installering van die meter van die eienaar van daardie perseel verhaal.
- (9) Die munisipaliteit mag, op die verbruiker se onkoste, vereis dat 'n voorafgoedgekeurde meettoestel by elke wooneenheid wat afsonderlik op 'n perseel bewoon word (voltiteleiendom), geïnstalleer word om die hoeveelheid water wat aan elke sodanige eenheid voorsien word, te bepaal, met dien verstande dat waar beheerdevolume-waterleweringstelsels deur die regspersoon gebruik word, 'n enkele meettoestel andersins vir meer as een eenheid gebruik mag word.
- (10) Die voorsiening van 'n individuele of grootmaatmeetstelsel moet vóór installering deur die munisipaliteit goedgekeur word.

22. Hoeveelheid water wat aan kliënt verskaf word

- (1) Vir die doeleindes van die bepaling van die hoeveelheid water gemeet deur 'n meettoestel wat deur die munisipaliteit geïnstalleer is en wat oor 'n spesifieke tydperk aan 'n verbruiker verskaf is, word dit geag, tensy in enige strafsak of as die teendeel bewys word, dat —
- a) die hoeveelheid, waar die meettoestel ontwerp is om 'n onbeheerde hoeveelheid water te verskaf, die verskil is tussen metings wat aan die begin en aan die einde van daardie tydperk geneem is;
 - b) die hoeveelheid, waar die meettoestel ontwerp is om 'n beheerde hoeveelheid water te lewer, die hoeveelheid is wat deur die meettoestel gelewer is;
 - c) die meettoestel gedurende daardie tydperk akkuraat was;
 - d) die inskrywings in die munisipaliteit se rekords korrek aangebring is; en
 - e) indien water voorsien is aan of geneem is deur 'n kliënt sonder dat dit deur 'n meettoestel gevloei het, die raming deur die munisipaliteit van die veronderstelde hoeveelheid water korrek is.
- (2) Waar water wat deur die munisipaliteit verskaf word op enige wyse deur die kliënt geneem word sonder dat die water deur 'n meettoestel vloei wat deur die

munisipaliteit voorsien is, mag die munisipaliteit ingevolge subartikel (3) vir die doel van die lewering van 'n rekening die hoeveelheid water beraam wat gedurende die tydperk aldus deur die verbruiker geneem is.

- (3) Vir die doeleindes van subartikel (2) moet 'n raming van die hoeveelheid water wat aan 'n verbruiker verskaf is, gebaseer word op een van die volgende:
- a) die gemiddelde maandelikse verbruik van water op die perseel wat aangeteken is oor drie opeenvolgende meettydperke ná die datum waarop 'n onreëlmatigheid wat in subartikel (2) bedoel word, ontdek en reggestel is; of
 - b) die gemiddelde maandelikse verbruik van water op die perseel gedurende enige drie opeenvolgende meettydperke gedurende die twaalf maande onmiddellik vóór die datum waarop 'n onreëlmatigheid wat in subartikel (2) bedoel word, ontdek en reggestel is.
- (4) Niks wat in hierdie verordening vervat is, sal vertolk word as 'n verpligting van die munisipaliteit om 'n meettoestel wat deur hom op enige perseel geïnstalleer is aan die einde van elke maand of op enige ander vasgestelde tydperk te laat meet nie, en die munisipaliteit mag die kliënt faktureer vir die gemiddelde hoeveelheid water wat tussen agtereenvolgende metings van die meettoestel verbruik is.
- (5) Totdat 'n meettoestel ten opsigte van water verskaf aan 'n kliënt geïnstalleer is, moet die geraamde of gedeelde verbruik van daardie kliënt gedurende 'n spesifieke tydperk gebaseer word op die gemiddelde verbruik van water wat aan die spesifieke voorsieningsone waarbinne die verbruiker se perseel geleë is, verskaf is.
- (6) Waar dit na die mening van die munisipaliteit nie redelik moontlik of kostedoeltreffend is om water te meet wat aan elke kliënt binne 'n bepaalde voorsieningsone gelewer is nie, mag die munisipaliteit 'n tarief of heffing bepaal gegrond op die geraamde of gedeelde verbruik van water wat aan daardie voorsieningsone verskaf is.
- (7) Die munisipaliteit moet, by ontvangs van 'n skriftelike versoek van 'n kliënt, en onderworpe aan betaling van die voorgeskrewe gelde, binne sewe dae die hoeveelheid water wat aan die kliënt verskaf is, meet op 'n tyd en dag anders as die tyd en dag waarop dit normaalweg gemeet word.
- (8) As 'n oortreding van subartikel (7) voorkom, moet die kliënt die koste van watter hoeveelheid water wat ook al na die mening van die munisipaliteit aan hom verskaf is aan die munisipaliteit betaal.
- (9) As 'n kliënt rede het om te glo dat 'n meettoestel wat deur die munisipaliteit aan hom verskaf is om die water te meet wat aan hom gelewer is, foutief is, kan hy of sy stappe neem soos bepaal in die munisipaliteit se verordening insake kredietbeheer en skuldinvordering.

- b) 'n seël wat die munisipaliteit op 'n meter geplaas het, breek nie;
 - c) op enige ander wyse met 'n meettoestel en sy gepaardgaande bybehore inmeng nie; of
 - d) 'n meettoestel op 'n munisipale stelsel of 'n stelsel wat deur die munisipaliteit oorgeneem gaan word, installeer nie tensy skriftelike toestemming vooraf van die munisipaliteit verkry is.
- (8) Indien die grootte van 'n meettoestel, na die munisipaliteit se mening, ongeskik is vanweë die hoeveelheid water wat aan 'n perseel verskaf word, kan hy dit na gerade met 'n meter van 'n gepaste grootte vervang en kan die vasgestelde gelde vir die installering van die meter van die eienaar van daardie perseel verhaal.
- (9) Die munisipaliteit mag, op die verbruiker se onkoste, vereis dat 'n voorafgoedgekeurde meettoestel by elke wooneenheid wat afsonderlik op 'n perseel bewoon word (voltiteleiendom), geïnstalleer word om die hoeveelheid water wat aan elke sodanige eenheid voorsien word, te bepaal, met dien verstande dat waar beheerdevolume-waterleweringstelsels deur die regspersoon gebruik word, 'n enkele meettoestel andersins vir meer as een eenheid gebruik mag word.
- (10) Die voorsiening van 'n individuele of grootmaatmeetstelsel moet vóór installering deur die munisipaliteit goedgekeur word.

22. Hoeveelheid water wat aan kliënt verskaf word

- (1) Vir die doeleindes van die bepaling van die hoeveelheid water gemeet deur 'n meettoestel wat deur die munisipaliteit geïnstalleer is en wat oor 'n spesifieke tydperk aan 'n verbruiker verskaf is, word dit geag, tensy in enige strafsak of as die teendeel bewys word, dat —
- a) die hoeveelheid, waar die meettoestel ontwerp is om 'n onbeheerde hoeveelheid water te verskaf, die verskil is tussen metings wat aan die begin en aan die einde van daardie tydperk geneem is;
 - b) die hoeveelheid, waar die meettoestel ontwerp is om 'n beheerde hoeveelheid water te lewer, die hoeveelheid is wat deur die meettoestel gelewer is;
 - c) die meettoestel gedurende daardie tydperk akkuraat was;
 - d) die inskrywings in die munisipaliteit se rekords korrek aangebring is; en
 - e) indien water voorsien is aan of geneem is deur 'n kliënt sonder dat dit deur 'n meettoestel gevloei het, die raming deur die munisipaliteit van die veronderstelde hoeveelheid water korrek is.
- (2) Waar water wat deur die munisipaliteit verskaf word op enige wyse deur die kliënt geneem word sonder dat die water deur 'n meettoestel vloei wat deur die

23. Spesiale meting

- (1) Indien die munisipaliteit die hoeveelheid water wat in 'n deel van 'n waterinstallasie gebruik is, moet bepaal vir 'n doel anders as om 'n rekening daarvoor te lewer, kan hy by skriftelike kennisgewing die betrokke eienaar in kennis stel van sy voorneme om 'n meettoestel op enige punt in die waterinstallasie te installeer.
- (2) Die installering van 'n meettoestel wat in subartikel (1) bedoel word, die verwydering daarvan en die herstel van die waterinstallasie ná so 'n verwydering sal op die onkoste van die munisipaliteit gedoen word.
- (3) Die bepalinge van artikels 21(5) en 21(6) sal geld, namate hulle van toepassing is, ten opsigte van 'n meettoestel wat ingevolge subartikel (1) geïnstalleer is.

24. Geen vermindering van bedrag betaalbaar vir verkwiste water nie

'n Kliënt is nie geregtig op 'n vermindering van die bedrag wat betaalbaar is vir water wat verkwis is of in 'n waterinstallasie verlore gegaan het nie, behalwe indien kontraktueel andersins ooreengekom of soos deur die Raad bepaal tensy bewys kan word dat die munisipaliteit nalatig was.

DEEL 4: OUDIT**25. Wateroudit**

- (1) Die munisipaliteit mag binne een maand ná die einde van 'n boekjaar van die munisipaliteit van 'n kliënt vereis om 'n wateroudit op sy eie koste te onderneem.
- (2) Die oudit moet ten minste die volgende behels en verslag doen oor:
 - a) die hoeveelheid water wat gedurende die boekjaar gebruik is;
 - b) die bedrag wat in die boekjaar vir water betaal is;
 - c) die aantal mense wat op die standplaas of perseel woon;
 - d) die aantal mense wat permanent op die standplaas of perseel werk;
 - e) die seisoenale wisseling in vraag aan die hand van maandelikse verbruiksyfers;
 - f) die metodes wat gebruik word om waterbesoedeling te monitor;
 - g) die huidige inisiatiewe wat ingespan word om die vraag na water te bestuur;
 - h) die planne wat ingespan word om die vraag na water te bestuur;

- i) 'n vergelyking tussen die jongste verslag en enige verslag wat dalk gedurende die vorige drie jaar ingedien is;
- j) 'n raming van verbruik deur die onderskeie verbruikskomponente;
- k) 'n vergelyking tussen die voormelde faktore en daardie waaroor in elk van die voorafgaande drie jaar verslag gedoen is, indien beskikbaar; en
- l) enige ander inligting wat die munisipaliteit nodig mag ag.

DEEL 5: INSTALLEERWERK

26. Goedkeuring van installeerwerk

- (1) Indien 'n eienaar installeerwerk gedoen wil hê, moet hy of sy eers die munisipaliteit se skriftelike goedkeuring verkry, met dien verstande dat goedkeuring nie vereis sal word in die geval van waterinstallasies in wooneenhede of installasies waar geen brandinstallasie ingevolge SANS 0400 of ingevolge enige munisipale verordening vereis word nie, of vir die herstel of vervanging van 'n bestaande pyp of watertoebroersel, uitgesonderd waar 'n waterverhitter en gepaardgaande beskermingstoestel aangebring moet word.
- (2) Aansoeke om die goedkeuring bedoel in subartikel (1) moet op die voorgeskrewe vorm geskied en vergesels word van:
 - a) die vasgestelde gelde, indien van toepassing;
 - b) afskrifte van die tekeninge, soos na goeddunke deur die munisipaliteit bepaal, waarop inligting verskaf word soos vereis deur Klousule 4.1.1 van SANS 10252-1; en
 - c) 'n sertifikaat wat bevestig dat die installasie deur 'n geregistreerde ingenieursvakkundige ingevolge SANS 10252-1 ontwerp is.
- (3) Magtiging wat ingevolge subartikel (1) verleen is, sal na 'n tydperk van twaalf maande verstryk.
- (4) Waar goedkeuring ingevolge subartikel (1) verlang word, moet 'n volledige stel goedgekeurde tekeninge van die installeerwerk ten alle tye op die werkperseel beskikbaar wees tot tyd en wyl die werk afgehandel is.
- (5) Indien installeerwerk strydig met subartikel (1) of (2) gedoen is, mag die munisipaliteit van die eienaar vereis om, op sy eie koste:
 - a) die oortreding binne 'n gespesifiseerde tydperk reg te stel;
 - b) die werk te staak, indien dit nog nie afgehandel is nie; en

- c) om werk wat nie aan hierdie verordeninge voldoen nie, te verwyder.

27. Persone toegelaat om installeer- en ander werk te doen

- (1) Slegs 'n loodgieter, 'n persoon wat onder die beheer van 'n loodgieter werk, of 'n ander persoon wat skriftelik deur die munisipaliteit gemagtig is, sal toegelaat word om:
 - a) installeerwerk behalwe die vervanging of herstel van 'n bestaande pyp of watertoebehoorsel te doen;
 - b) 'n vaste waterverhitter of sy gepaardgaande beskermingstoestelle te vervang;
 - c) 'n waterinstallasie, brandinstallasie of opgaartenk te inspekteer, te ontsmet en te toets;
 - d) 'n terugvloeisperder te diens, te herstel of te vervang; of
 - e) 'n meter wat deur 'n eienaar in 'n waterinstallasie voorsien is, te installeer, in stand te hou of te vervang.
- (2) Daar sal van niemand verwag word om 'n persoon wat nie 'n loodgieter is nie, aan te stel om die werk te verrig waarna in subartikel (1) verwys word.
- (3) Nieteenstaande die bepalings van subartikel (1) mag die munisipaliteit 'n persoon wat nie 'n loodgieter is nie, toelaat om installeerwerk namens homself op 'n perseel wat aan hom behoort en alleenlik deur sy onmiddellike huishouding geokkupeer word, te doen, met dien verstande dat sodanige werk deur 'n loodgieter onder toesig van die munisipaliteit na sy goeddunke geïnspekteer en goedgekeur moet word.

28. Voorsiening en instandhouding van waterinstallasies

- (1) 'n Eienaar moet sy waterinstallasie op eie koste voorsien en in stand hou en waar toestemming ingevolge subartikel 103 verleen is, toesien dat die installasie binne die grense van sy eiendom is.
- (2) 'n Eienaar moet 'n afsluitklep installeer op 'n geskikte posisie op sy dienspyp vlak binne die grens van die eiendom in die geval waar die meter buite die grens van die eiendom geleë is en, in die geval waar die meter op die eiendom is, by 'n geskikte punt op sy dienspyp.
- (3) Voordat enige werk in verband met die instandhouding van 'n eienaar se waterinstallasie wat buite die grense van sy eiendom gesetel is, gedoen word, moet die eienaar, na gelang van die geval, die skriftelike toestemming van die munisipaliteit, of die eienaar van die grond waarop sodanige gesetel is, bekom.

29. Tegnieise vereistes vir 'n waterinstallasie

Nieteenstaande die vereiste dat 'n sertifikaat ingevolge artikel 25 uitgereik moet word, moet alle waterinstallasies voldoen aan SANS 10252-1 en alle vaste elektriese warmwateropgaarders moet aan SANS 10254 voldoen.

30. Gebruik van pype en watertoebroehore moet gemagtig word

- (1) Niemand mag, sonder die vooraf skriftelike magtiging van die munisipaliteit, 'n pyp of watertoebroehorsel binne die munisipaliteit se regsgebied in 'n waterinstallasie installeer of gebruik nie, tensy daardie installering of gebruik ingevolge die munisipaliteit se standarde geskied en/of ooreenstem met die Skedule van Goedgekeurde Pype en Toebehore wat van tyd tot tyd deur die munisipaliteit saamgestel word.
- (2) Aansoek om die insluiting van 'n pyp of watertoebroehorsel by die standarde of skedule waarna in subartikel (1) verwys word, moet gedoen word op die vorm wat deur die munisipaliteit voorgeskryf is.
- (3) 'n Pyp of watertoebroehorsel mag nie by die standarde of skedule soos verwys na in subartikel (1) ingesluit word nie, tensy dit --
 - a) die standaardisasiemerk van die Suid-Afrikaanse Buro van Standarde ten opsigte van die tersaaklike SANS-spesifikasie, uitgereik deur die buro, vertoon nie;
 - b) 'n sertifiseringsmerk wat deur SANS uitgereik is, vertoon om te sertifiseer dat die pyp of watertoebroehorsel aan 'n SANS-merkspesifikasie of 'n voorwaardelike spesifikasie wat deur SANS uitgereik is, voldoen, met dien verstande dat geen sertifiseringsmerke uitgereik mag word vir 'n tydperk wat twee jaar oorskry nie; of
 - c) vir die munisipaliteit aanvaarbaar is nie.
- (4) Die munisipaliteit mag, ten opsigte van enige pyp of watertoebroehorsel wat by die standarde of skedule ingesluit is, sodanige bykomende voorwaardes stel as wat hy ten opsigte van die gebruik of metode van installasie nodig mag ag.
- (5) 'n Pyp of watertoebroehorsel sal uit die standarde of skedule geskrap word indien dit:
 - a) nie meer voldoen aan die kriteria waarop aanvanklike insluiting gegrond is nie; of
 - b) nie meer geskik is vir die doel waarvoor dit aanvanklik aanvaar is nie.
- (6) Die heersende standaard of skedule sal gedurende kantoorure ter insae lê by munisipale kantore.

- (7) Die munisipaliteit mag afskrifte van die huidige skedule teen 'n vasgestelde bedrag van die hand sit, indien sodanige skedules beskikbaar sou wees.

31. Merk van eind-watertoebehore en -toestelle

Alle eind-watertoebehore en -toestelle wat water gebruik of uitlaat, sal met die volgende inligting gemerk word, of dit by die verpakking van die item insluit:

- a) die drukstrek in kPa waarteen die watertoebehore of -toestelle ontwerp is om te werk; en
- b) die vloeitempo, in liter per minuut, ten opsigte van die ontwerpdrukstrek, met dien verstande dat hierdie inligting vir ten minste die volgende waterdruk gegee moet word: 20 kPa, 100 kPa en 400 kPa.

32. Wateraanvraagbestuur

Waar nodig geag, mag die munisipaliteit daarop aandring dat wateraanvraag-beheermaatreëls geïmplementeer word.

- (1) In enige waterinstallasie waar die dinamiese waterdruk meer as 200 kPa by 'n stortbeheerklap is, en waar die loodgieterswerk ontwerp is om 'n balans tussen die waterdruk op die warm- en kouewatertoevoer na die stortbeheerklap te bereik, mag 'n storkop met 'n maksimum vloeitempo van meer as 10 liter per minuut nie geïnstalleer word nie.
- (2) Die maksimum vloeitempo uit enige kraan wat op 'n handewasbak geïnstalleer is, mag nie 6 liter per minuut oorskry nie.
- (3) Wanneer nodig geag, mag die munisipaliteit daarop aandring dat ander wateraanvraag-beheermaatreëls geïmplementeer word.

DEEL 6: GEMEENSKAPSWATEROORSIENINGSDIENSTE

33. Lewering van watervoorsiening aan verskeie verbruikers

- (1) Die munisipaliteit mag 'n gemeenskapstaanpyp vir die lewering van watervoorsieningsdienste aan verskeie verbruikers by 'n plek installeer wat hy as gepas ag, met dien verstande dat 'n meerderheid van verbruikers wat, na die mening van die munisipaliteit, 'n aansienlike meerderheid verteenwoordig en aan wie waterdienste deur die staanpyp gelewer gaan word, deur die munisipaliteit geraadpleeg is.
- (2) Die munisipaliteit mag gemeenskapswatervoorsieningsdienste verskaf deur 'n gemeenskapsinstallasie wat ontwerp is om 'n beheerde volume water aan verskeie verbruikers te voorsien.

DEEL 7: TYDELIKE WATERVOORSIENINGSDIENSTE**34. Water wat uit 'n brandkraan verskaf word**

- (1) Die munisipaliteit mag 'n tydelike watertoevoer magtig wat uit een of meer brandkrane, soos deur hom gespesifiseer, geneem word, onderworpe aan sodanige voorwaardes en vir enige tydperk wat deur hom voorgeskryf word en teen betaling van sodanige vasgestelde gelde, insluitende 'n deposito, wat van tyd tot tyd deur die munisipale raad bepaal word.
- (2) 'n Persoon wat 'n tydelike watertoevoer soos beoog in subartikel (1) wil verkry, moet aansoek doen vir sodanige waterdiens ingevolge artikel 2 en moet 'n deposito betaal soos van tyd tot tyd deur die munisipale raad bepaal.
- (3) Die munisipaliteit sal 'n verplaasbare watermeter en alle ander toebehore en apparaat verskaf wat nodig is vir die tydelike verskaffing van water vanuit die brandkraan.
- (4) Die verplaasbare meter en alle ander toebehore en apparaat wat vir die tydelike verskaffing van water vanuit 'n brandkraan voorsien word, bly die eiendom van die munisipaliteit en moet by beëindiging van die tydelike voorsiening aan die munisipaliteit terugbesorg word. Versuim om die verplaasbare meter en alle ander toebehore en apparaat terug te besorg, sal strawwe tot gevolg hê soos van tyd tot tyd deur die munisipaliteit bepaal.

DEEL 8: BOORGATE**35. Kennisgewing van boorgate**

- (1) Niemand mag 'n boorgat op enige eiendom binne die gebied van Witzenberg Munisipaliteit sink nie tensy goedkeuring vooraf van die departement van water (DWA) verkry is.
- (2) Niemand mag 'n boorgat sink op 'n perseel wat in 'n dolomietgebied geleë is nie, en voordat 'n boorgat gesink word, moet 'n persoon vasstel of die perseel waarop die boorgat gesink gaan word, binne 'n dolomietgebied geleë is.
- (3) Die munisipaliteit mag, per openbare kennisgewing:
 - a) van die eienaar van enige perseel binne die gebied van die munisipaliteit waarop 'n boorgat bestaan, of van die okkupeerder van sodanige perseel waar die eienaar nie self die perseel okkupeer nie, vereis om kennis te gee van die bestaan van 'n boorgat op sodanige perseel, en om sodanige inligting oor die boorgat as wat nodig mag wees aan die munisipaliteit te verskaf; en
 - b) van die eienaar of okkupeerder van enige perseel wat van voorneme is om 'n boorgat op die perseel te sink, vereis om op die voorgeskrewe vorm kennis te

gee van sy voorneme om dit te doen voordat daar begin word met enige werk in verband met die sink daarvan.

- (4) Die munisipaliteit mag van die eienaar of okkupeerder van enige perseel wat van voorneme is om 'n boorgat te sink, vereis om 'n omgewingsimpakbepaling ter bevrediging van die munisipaliteit te doen voordat die boorgat gesink word.
- (5) Die munisipaliteit mag, by kennisgewing aan 'n eienaar of okkupeerder of per openbare kennisgewing, van 'n eienaar of okkupeerder wat 'n bestaande boorgat het wat vir watervoorsieningsdienste gebruik word, vereis om —
 - a) goedkeuring te verkry vir die gebruik van 'n boorgat vir die voorsiening van drinkbare water ingevolge artikels 6, 7 en 22 van die Wet; en
 - b) voorwaardes oplê ingevolge artikel 9 wat verband hou met die gebruik van 'n boorgat vir die verskaffing van drinkbare water en betrekking het op brandweeraansluitings.

36. Aansluiting moet deur die munisipaliteit goedgekeur word

- (1) Die gemagtigde agent is geheel en al na sy goeddunke daarop geregtig om 'n aansoek om aansluiting van 'n brandblussingsinstallasie met die munisipaliteit se hoofleiding toe te staan of te weier.
- (2) Geen water sal aan enige brandblussingsinstallasie voorsien word alvorens 'n sertifikaat, waarin gesertifiseer word dat die installasie aan die vereistes van hierdie en enige ander verordeninge van die munisipaliteit voldoen, ingevolge artikel 25 bekom en ingedien is en deur die munisipaliteit goedgekeur is nie.
- (3) Indien 'n brandblussingsinstallasie met sy vergunning met die munisipaliteit se hoofleiding verbind is en na die mening van die gemagtigde agent nie in 'n behoorlik werkende toestand onderhou word nie, of andersins vir ander doeleindes as brandbestryding gebruik word, is hy daarop geregtig om te vereis dat die installasie van die hoofleiding ontkoppel word, of om dit te laat ontkoppel op koste van die kliënt.

37. Spesiale bepalings

Die bepalings van SANS 10252-1 sal van toepassing wees vir die voorsiening van water vir brandbestrydingsdoeleindes.

38. Dubbel- en gekombineerde installasies

Alle nuwe geboue wat ná die inwerkingtreding van hierdie verordeninge opgerig word, moet aan die volgende vereistes met betrekking tot die voorsiening van brandbestrydingsdienste voldoen:

- a) As versterking op die stelsel vereis word, moet 'n dubbelpypstelsel gebruik word: een vir brandblussingsdoeleindes en die ander vir algemene doeleindes.

- b) Gekombineerde installasies sal net toegelaat word waar die waterinstallasie met geen versterkende pompaansluiting toegerus is nie. In sulke gevalle moet 'n brandkraan deur die munisipaliteit, op die kliënt se onkoste, binne 90 meter van die eiendom voorsien word om as 'n waterbron te dien vir brandweerwaens wat die brand moet blus.
- c) Gekombineerde installasies wat met 'n versterkende pompaansluiting toegerus is, sal net toegelaat word as dit deur 'n ingenieursvakkundige ontwerp en goedgekeur is.
- d) Alle pype en toebehore moet in staat wees om druk van meer as 1 800 kPa te weerstaan, waar sodanige druk te verwagte is indien versterking sou plaasvind, en moet in staat wees om brande ongeskonde te weerstaan.

39. Aansluitingspype vir brandblussingsdienste

- (1) Na die inwerkingtreding van hierdie verordening, moet 'n enkelaansluitingspyp vir die lewering van beide brandblussing- (uitgesonder sprinkelstelsels) en drinkwaterdienste deur die munisipaliteit verskaf word.
- (2) Die munisipaliteit moet, op die koste van die eienaar, 'n kombinasiemeter op die aansluitingspyp, soos beoog in (1), verskaf en installeer.
- (3) 'n Afsonderlike aansluitingspyp moet vir elke sprinkelbrandblussingstelsel gelê en gebruik word, tensy die munisipaliteit andersins goedkeuring verleen het.
- (4) 'n Aansluitingspyp moet toegerus wees met 'n meettoestel wat nie die vloei van water sal belemmer wanneer die toestel in gebruik is nie.

40. Kleppe en meters in aansluitingspype

Elke aansluitingspyp na 'n brandblussingsinstallasie moet toegerus wees met kleppe en 'n meettoestel wat:

- a) op die koste van die kliënt deur die munisipaliteit verskaf is;
- b) tussen die kliënt se eiendom en die hoofleiding geïnstalleer is; en
- c) op 'n plek geïnstalleer is wat deur die munisipaliteit bepaal is.

41. Meters in aansluitingspype wat vir brandblussing bestem is

Die munisipaliteit is geregtig om 'n watermeter in enige aansluitingspyp wat uitsluitlik vir brandblussingsdoeleindes bedoel is, te installeer en die eienaar van die perseel is aanspreeklik vir alle koste wat daaruit voortspruit as dit vir die munisipaliteit blyk dat water uit die pyp vir ander doeleindes as vir die doel om 'n brand te blus, gebruik is.

42. Sprinkelblusserinstallasies

'n Sprinkelinstallasie kan regstreeks met die hoofleiding verbind word, maar daar kan nie aanvaar word dat die munisipaliteit enige gespesifiseerde druk op enige tydstip kan waarborg nie.

43. Drukhoogtetenk of dubbeltoevoer vanaf hoofleiding

- (1) Die kliënt moet 'n drukhoogtetenk op só 'n hoogte installeer dat dit vergoed vir enige onderbreking of vermindering van druk in die munisipaliteit se hoofleiding vir sy sprinkelinstallasie, tensy die installasie van 'n duplikaattoevoer vanaf 'n afsonderlike hoofleiding voorsien is.
- (2) Die hoofleidingpyp wat van 'n drukhoogtetenk na die sprinkelinstallasie lei, mag in regstreekse verbinding met die hoofleiding wees, met dien verstande dat die hoofleiding toegerus moet wees met 'n terugslagklep wat, indien die druk van die hoofleiding om enige rede sou faal of verminder, die toevoer vanaf die hoofleiding sal afsluit.
- (3) Waar 'n sprinkelinstallasie van 'n duplikaattoevoer vanaf 'n afsonderlike hoofleiding voorsien is, moet elke toevoerpyp toegerus wees met 'n terugslagklep wat binne die perseel geleë is.

44. Verseël van private brandkrane

- (1) Behalwe waar 'n stelsel 'n gekombineerde stelsel met 'n kombinasiemeter is, moet alle private brandkrane en slangtolle deur die munisipaliteit verseël word, en die seëls mag nie, behalwe vir die doeleindes om die brandkraan oop te maak of die slang te gebruik wanneer daar 'n brand is, gebreek word deur enige ander persoon as die munisipaliteit in die loop van versiening en toetsing nie.
- (2) Die kliënt moet die munisipaliteit minstens 48 uur kennis gee voordat 'n brandblussingsinstallasie versien en getoets word.
- (3) Die koste van die herverseëling van brandkrane en slangtolle moet deur die verbruiker gedra word, behalwe wanneer die seëls deur die munisipaliteit se beamptes vir toetsdoeleindes gebreek word.
- (4) Die kliënt moet vir enige water wat deur 'n brandinstallasie of sprinkelstelsel verbruik word, betaal teen die heffings wat deur die munisipaliteit vasgestel is.

DEEL 9: ALGEMENE BEPALINGS

45. Monsterneming van water

- (1) Benewens die toets van die watertoevoerstelsel vir huishoudelike doeleindes, mag die munisipaliteit ook watermonsters neem vanuit 'n bron wat ingevolge artikels 6 of 7 van die Wet gemagtig is en daardie monsters laat toets vir

voldoening aan enige nasionale standaard wat ingevolge artikel 9 van die Wet voorgeskryf word.

- (2) Die voorgeskrewe heffing vir die neem en toetsing van die monsters waarna in subartikel (1) verwys word, sal betaal word deur die persoon aan wie goedkeuring ingevolge artikel 6(1) van die Wet verleen is om die water as drinkwater te gebruik.

46. Verskaffing van nie-drinkbare water deur die munisipaliteit

- (1) Op aansoek ingevolge artikel (2), mag die munisipaliteit instem om nie-drinkbare water aan 'n verbruiker te verskaf, onderworpe aan sodanige bepalings en voorwaardes as wat hy gerade mag ag.
- (2) Enge water wat per ooreenkoms ingevolge subartikel (1) verskaf word, sal nie vir huishoudelike of ander doeleindes gebruik word wat, na die mening van die munisipaliteit, tot 'n gesondheidsrisiko aanleiding kan gee nie.
- (3) Geen waarborg, hetsy uitdruklik of geïmpliseer, sal geld vir die suiwerheid van enige nie-drinkbare water wat deur die munisipaliteit verskaf word of die geskiktheid daarvan vir die doel waarvoor die voorsiening toegestaan is nie.
- (4) Die verskaffing van nie-drinkbare water, beide ten opsigte van toestand en gebruik, sal geheel en al op die risiko van die verbruiker geskied, wie aanspreeklik sal wees vir enige gevolglike skade of verlies wat hy, sy of ander ly wat regstreeks of onregstreeks daaruit voortspruit, met inbegrip van die gevolge van enige *bona fide*-fout aan die kant van die munisipaliteit of die wanfunksionering van 'n behandelingsaanleg.

47. Pype in strate of openbare plekke

Niemand sal, vir die doel om water te vervoer wat vanuit watter bron ook al verkry is, 'n pyp of gepaardgaande komponent op of onder 'n straat, openbare plek of ander grond waarvan eienaarskap berus by of gesetel is in, of beheer word deur, enige munisipaliteit, lê of bou nie.

48. Gebruik van grys water

Niemand sal grys water gebruik of toelaat dat sulke water gebruik word nie, behalwe met vooraf skriftelike toestemming van die munisipaliteit en onderworpe aan sodanige voorwaardes as wat hy mag oplê.

HOOFSTUK 5: VOORWAARDES VIR SANITASIEDIENSTE

DEEL 1: AANSLUITING BY SANITASIESTELSEL

49. Verpligting om by sanitasiestelsel aan te sluit

- (1) Alle persele waarop rioolvuil ontstaan, moet by 'n goedgekeurde sanitasiestelsel aangesluit wees. Alle persele moet by die munisipale sanitasiestelsel aangesluit wees as daar 'n aansluitriool beskikbaar is of as dit redelik moontlik of kostedoeltreffend vir die munisipaliteit is om 'n aansluitriool te installeer, tensy goedkeuring vir die gebruik van *in situ*-sanitasiedienste ingevolge artikels 71 en 105 verkry is.
- (2) Die munisipaliteit mag, per kennisgewing, van die eienaar van 'n perseel wat nie by die munisipaliteit se sanitasiestelsel aangesluit is nie, vereis om by die sanitasiestelsel aan te sluit.
- (3) 'n Eienaar van 'n perseel van wie ooreenkomstig subartikel (1) vereis word om daardie perseel by die munisipaliteit se sanitasiestelsel aan te sluit, moet die munisipaliteit skriftelik in kennis stel van enige sanitasiedienste wat *in situ* deur die munisipaliteit verskaf word en wat, as gevolg van die aansluiting by die sanitasiestelsel, nie meer benodig gaan word nie.
- (4) Die eienaar sal aanspreeklik wees vir enige gelde betaalbaar ten opsigte van *in situ*-sanitasiedienste totdat 'n ooreenkoms vir die lewering van daardie dienste ingevolge die munisipaliteit se verordeninge insake kredietbeheer en skuldinvordering gekanselleer is.
- (5) Indien die eienaar versuim om die perseel by die sanitasiestelsel aan te sluit ná kennisgewing ingevolge subartikel (2), mag die munisipaliteit, ongeag enige ander stappe wat hy ingevolge hierdie verordeninge mag neem, 'n boete oplê soos vasgestel in die Raad se jaarlikse lys van tariewe.

50. Voorsiening van aansluitriool

- (1) Indien 'n ooreenkoms vir sanitasiedienste ten opsigte van persele ingevolge die munisipale verordeninge insake kredietbeheer en skuldinvordering aangegaan is en geen aansluitriool ten opsigte van die perseel bestaan nie, sal die eienaar op die voorgeskrewe vorm aansoek doen en die tariewe en gelde, soos deur die munisipaliteit vasgestel, betaal vir die installasie van 'n aansluitriool.
- (2) Indien aansoek gedoen word vir sanitasiedienste wat van só 'n omvang of so geleë is dat dit nodig word om die sanitasiestelsel uit te brei, te verander of op te gradeer ten einde sanitasiedienste aan enige perseel te voorsien, mag die munisipaliteit tot die uitbreiding instem, mits die eienaar die koste verwant aan die uitbreiding, verandering of opgradering van die dienste, soos deur die munisipaliteit vasgestel, betaal of onderneem om daarvoor te betaal.

- (3) Slegs die munisipaliteit mag 'n aansluitriool installeer of 'n geïnstalleerde aansluitriool goedkeur, maar die eienaar of kliënt moet die sanitasie-installasie met die aansluitpyp verbind.
- (4) Niemand mag met enige ontwikkeling op enige perseel begin alvorens die munisipaliteit 'n aansluitriool geïnstalleer het nie.
- (5) By aansoek, en ingevolge sekere bepaalde voorwaardes, mag die munisipaliteit goedkeuring aan die aansoeker verleen om self die diens te installeer.

51. Ligging van aansluitriool

- (1) 'n Aansluitriool wat deur die munisipaliteit voorsien en geïnstalleer is, moet:
 - a) geplaas word op 'n plek soos bepaal deur die munisipaliteit en van 'n gepaste grootte wees. soos bepaal deur die munisipaliteit; en
 - b) eindig by —
 - (i) die grens van die perseel; of
 - (ii) die aansluitpunt indien dit op die perseel geleë is.
- (2) Die munisipaliteit mag, onderhewig aan sodanige voorwaardes as wat dit mag goeddink, op versoek van die eienaar van 'n perseel instem om 'n aansluiting aan 'n aansluitriool anders as die aansluitriool wat mees gereedelik beskikbaar is vir die voorsiening van sanitasiedienste aan die perseel, met dien verstande dat die eienaar verantwoordelik sal wees vir enige verlenging van die dreineringsinstallasie na die aansluitingspunt deur die munisipaliteit aangewys, sowel as vir die verkryging, op eie koste, van sodanige servitude oor ander persele as wat nodig mag wees. Indien meer as een erf by 'n lyn aangesluit is en 'n diens deel, moet 'n diensooreenkoms aangegaan word tussen die onderskeie eienaars rakende die instandhouding en opgradering van die gedeelde diens.
- (3) Waar daar van 'n eienaar vereis word om 'n rioolvuilhefpomp ingevolge die Bouregulasies te voorsien, of waar die perseel op 'n vlak is waar die rioolinstallasie nie deur gravitasie na die riool kan afloop nie, is die aflooptempo en -tyd onderworpe aan goedkeuring deur die munisipaliteit.
- (4) Die eienaar van 'n perseel moet die aansluitingsgelde en tariewe wat deur die munisipaliteit vasgestel is, betaal alvorens 'n aansluiting by die aansluitriool in werking kan tree.

52. Voorsiening van een aansluitriool vir verskeie verbruikers op dieselfde perseel

- (1) Nieteenstaande die bepalings van artikel 51, mag net een aansluitriool tot die sanitasiestelsel voorsien word vir die wegdoening van rioolvuil op enige perseel, ongeag die aantal wooneenhede of verbruikers wat op sodanige perseel is.

- (2) Nieteenstaande subartikel (1), mag die munisipaliteit toelaat dat meer as een aansluitriool voorsien word op 'n perseel wat uit deeltiteleenhede bestaan of indien, na die mening van die munisipaliteit, onnodige ontbering of ongerief vir enige verbruiker op sodanige perseel deur die voorsiening van net een aansluitriool veroorsaak sal word.
- (3) Waar die voorsiening van meer as een aansluitriool deur die munisipaliteit ingevolge subartikel (2) gemagtig word, sal die tariewe en heffings vir die voorsiening van 'n aansluitriool betaalbaar wees ten opsigte van elke rioolaansluiting wat dienooreenkomstig voorsien word.

53. Tussenaansluiting tussen persele

'n Eienaar van 'n perseel moet verseker dat, tensy hy vooraf die goedkeuring van die munisipaliteit verkry het en aan enige voorwaardes voldoen wat die munisipaliteit dalk opgelê het, geen tussenaansluiting tussen die dreineringsinstallasie op sy perseel en die dreineringsinstallasie op enige ander perseel bewerkstellig word nie. Daar word verwag dat 'n wettige ooreenkoms tussen die eienaars van persele wat dienste deel, aangegaan word, welke ooreenkoms die gesamentlike verantwoordelikheid vir die instandhouding of moontlike opgradering van die gedeelde diens duidelik moet uiteensit.

54. Diskonnektering van aansluitriool

Die munisipaliteit mag 'n dreineringsinstallasie van die aansluitingspyp diskonnekteer en die aansluitingspyp verwyder by beëindiging van 'n ooreenkoms vir die voorsiening van rioolverskaffingsdienste ooreenkomstig die munisipaliteit se verordeninge insake kredietbeheer en skuldinvordering.

DEEL 2: STANDAARDE

55. Standaarde vir sanitasiedienste

Sanitasiedienste wat deur die munisipaliteit verskaf word, moet aan die minimum standaarde vir die voorsiening van sanitasiedienste voldoen wat ingevolge artikel 9 van die Wet bepaal is.

DEEL 3: METODES VIR BEPALING VAN HEFFINGS

56. Meting van hoeveelheid huishoudelike uitvloeisel afgevoer

- (1) Die hoeveelheid huishoudelike uitvloeisel wat afgevoer word, sal bepaal word as 'n persentasie van die water wat deur die munisipaliteit voorsien is; met dien verstande dat waar sodanige persentasie ten opsigte van 'n bepaalde perseel, met inagneming van die doeleindes waarvoor water op daardie perseel verbruik word, na die munisipaliteit se mening, buitensporig is, die munisipaliteit die persentasie mag verminder na 'n syfer wat, na sy mening en gegewe die inligting tot sy beskikking, die verhouding tussen die hoeveelheid rioolvuil wat vanaf die perseel afgevoer is en die hoeveelheid water wat aan die perseel voorsien is, weerspieël.

- (2) Wanneer water vanaf 'n eksterne bron of 'n bron addisioneel tot die munisipaliteit se watervoorsieningstelsel aan 'n perseel voorsien word, ingesluit die onttrekking van water vanuit 'n rivier of boorgat, sal die hoeveelheid 'n persentasie wees van die totale waterverbruik op daardie perseel soos wat redelikerwys deur die munisipaliteit geraam word.

57. Meting van hoeveelheid en bepaling van gehalte van nywerheidsuitvloeisel afgevoer

- (1) Die hoeveelheid nywerheidsuitvloeisel wat in die sanitasiestelsel afgevoer is, moet bepaal word deur:
 - a) waar 'n meettoestel geïnstalleer is, die hoeveelheid nywerheidsuitvloeisel afgevoer vanaf die perseel soos deur daardie meettoestel gemeet; of
 - b) tot tyd en wyl 'n meettoestel geïnstalleer is, 'n persentasie van die water wat deur die munisipaliteit aan daardie perseel voorsien is soos in Bylae B gestipuleer.
- (2) Die munisipaliteit mag van die eienaar van enige perseel waarvandaan nywerheidsuitvloeisel na 'n riool afgevoer word, vereis om 'n meter of ander toestel van 'n soort wat deur die munisipaliteit goedgekeur is op die dreineringsstelsel te installeer ten einde, ter bevrediging van die munisipaliteit, die tempo, volume en samestelling van die uitvloeisel te bepaal.
- (3) Die munisipaliteit mag enige meter of toestel, soos beoog in subartikel (2), installeer op die koste van die eienaar van die perseel waarop dit geïnstalleer word.
- (4) Wanneer water vanaf 'n eksterne bron of 'n bron addisioneel tot die munisipaliteit se watervoorsieningstelsel aan 'n perseel voorsien word, ingesluit die onttrekking van water vanuit 'n rivier of boorgat, sal die hoeveelheid 'n persentasie wees van die totale waterverbruik op daardie perseel soos redelikerwys deur die munisipaliteit geraam.
- (5) Wanneer 'n gedeelte van die water wat aan 'n perseel voorsien word, deel uitmaak van die eindproduk van enige vervaardigingsproses of weens 'n chemiese reaksie of verdamping of enige ander oorsaak gedurende die vervaardigingsproses verlore gaan, mag die munisipaliteit op aansoek die geraamde hoeveelheid nywerheidsuitvloeisel verminder.
- (6) Die munisipaliteit mag na goeddunke 'n ooreenkoms aangaan met enige persoon wat nywerheidsuitvloeisel in die sanitasiestelsel afvoer om 'n alternatiewe metode vir die skatting van die hoeveelheid en tempo van uitvloeisel wat afgevoer word, te raam.

- (7) Gelde wat met die gehalte van nywerheidsuitvloeisel verband hou, sal gebaseer word op die formule vir die afvoer van nywerheidsuitvloeisel soos in Bylae C bepaal.
- (8) Die volgende voorwaardes geld ten opsigte van die evaluering van die gehalte van nywerheidsuitvloeisel afgevoer:
- a) elke kliënt moet die voorgeskrewe toetse, soos bepaal in die goedkeuring om nywerheidsuitvloeisel af te voer, op 'n gereelde basis doen en aan die munisipaliteit oor die resultate verslag doen;
 - b) die munisipaliteit mag lukraak nakomingstoetse uitvoer en hulle vergelyk met dié waarna in subartikel (a) verwys word en, indien teenstrydighede gevind word, sal die waardes wat deur die munisipaliteit bepaal is, as juis geag word, behalwe in die geval van 'n strafsak, en mag die munisipaliteit vereis dat verdere toetse, op die koste van die kliënt, uitgevoer word om die waardes van die formules vas te stel;
 - c) die gemiddeld van die waardes van die onderskeie toetse wat gesamentlik oor 'n tydperk van 24 uur of lukraak op die uitvloeisel uitgeoefen is, soos geneem gedurende die afvoertydperk, sal gebruik word om gelde ten opsigte van gehalte te bepaal;
 - d) waar 'n volledige stel saamgestelde monsters wat daagliks oor 'n tydperk van 24 uur geneem is of lukrake monsters ontbreek, sal die gemiddeld van nie minder nie as twee waardes van die uitvloeiemonsters, geneem ten tyde van die afvoertydperk, gebruik word om die gelde wat betaalbaar is, te bepaal;
 - e) ten einde die sterkte (chemiese suurstofbehoefte, gesuspendeerde vastestof-konsentrasie, ammoniak-konsentrasie en orto-fosfaatkonsentrasie) in die uitvloeisel asook die konsentrasie van groep 1- en 2-metale, pH-waarde en geleivermoë te bepaal, sal die munisipaliteit die toetse gebruik wat normaalweg deur munisipaliteite vir hierdie onderskeie doeleindes gebruik word. Besonderhede rakende die tersaaklike toetse kan van die munisipaliteit of SANS verkry word. Toetsresultate komende van 'n laboratorium wat deur die munisipaliteit goedgekeur is, sal voorkeur geniet bó dié van die munisipaliteit;
 - f) die formules sal bereken word gegrond op die verskillende ontledingsresultate van lukrake of saamgestelde monsters, en die tydperk van behandeling vir berekening mag nie minder wees nie as een volle 24-uur-tydperk, tensy bewys aan die munisipaliteit voorgelê word dat 'n korter tydperk inderwaarheid toepaslik sou wees;
 - g) die bepalinge van die ontmoedigingsformules kan nie 'n negatiewe waarde veronderstel nie;
 - h) die totale stelselwaardes vir gehalteheffings moet konstant bly vir 'n aanvanklike tydperk van een maand, maar in alle gevalle nie langer nie as

twalf maande vanaf die datum van die aanvang van hierdie heffings. Ná die verstryking van daardie tydperk, kan die heffings van tyd tot tyd gewysig of hersien word afhangende van sodanige veranderings in die ontledingsresultate of verdere monsters soos van tyd tot tyd bepaal, met dien verstande dat die munisipaliteit na sy goedgekenke in enige spesifieke geval die minimum gelde mag hef soos in subartikel (7) of 8(l) voorgeskryf sonder om enige monsters te neem;

- i) vir die doeleindes van die berekening van die hoeveelheid uitvloeisel wat by elke uitvloeiselafvoerpunt afgevoer word, word die totale hoeveelheid water wat op die perseel verbruik word so akkuraat as wat redelikerwys prakties moontlik is aan die verskillende afvoerpunte toegewys;
- j) wanneer die munisipaliteit ook al 'n monster neem, moet een helfte daarvan op versoek tot die kliënt se beskikking gestel word;
- k) die koste van die afvoer en behandeling van nywerheidsuitvloeisel sal deur die munisipaliteit bepaal word en sal geld vanaf 'n datum wat deur die munisipaliteit bepaal word; en
- l) na goedgekenke van die munisipaliteit, kan die heffings vir nywerheidsuitvloeisel na 'n vaste maandelikse bedrag verander word met inagneming van die uitvloeiselsterkte, die volume en die ekonomiese lewensvatbaarheid van mikro- en klein nywerhede.
- m) Alle uitvloeiselpunte vanaf 'n enkele perseel moet aan die munisipaliteit onthul word.

58. Vermindering in die gemete hoeveelheid uitvloeisel afgevoer

- (1) Waar die hoeveelheid water waarop die persentasie bereken is, in 'n tydperk gemeet is waartydens water verspil of 'n lekkasie nie ontdek is nie, sal 'n persoon geregtig wees op 'n vermindering van die hoeveelheid ingevolge artikels 55 en 56 bepaal, indien die verbruiker ter bevrediging van die munisipaliteit mag bewys dat die voormelde water nie in die sanitasiestelsel of enige ander munisipale stelsel afgevoer is nie.
- (2) Die vermindering van die hoeveelheid sal gegrond word op die hoeveelheid waterverlies weens die lekkasie of verspilling tydens die lekkasietydperk.
- (3) Die lekkasietydperk sal óf die meettydperk onmiddellik vóór die herstel van die lekkasie wees óf die meettydperk waartydens die lekkasie herstel is, welke ook al die grootste vermindering tot gevolg sal hê.
- (4) Die hoeveelheid water wat verlore gegaan het, sal bereken word as die verbruik tydens die lekkasietydperk min die gemiddelde gebruik, gegrond op die voorafgaande 3 (drie) maande, vir 'n ooreenstemmende tydperk. Waar geen voorafgegewens van verbruik beskikbaar is nie, sal die gemiddelde waterverbruik

deur die munisipaliteit bepaal word, met inagneming van alle inligting wat hy as tersaaklik beskou.

- (5) Daar sal geen vermindering in die hoeveelheid wees nie indien die waterverlies, regstreeks of onregstreeks, voortspruit uit die verbruiker se versuim om aan hierdie of ander verordeninge te voldoen.

59. Heffings ten opsigte van "in situ"-sanitasiedienste

Gelde betaalbaar deur die eienaar ten opsigte van die verwydering of insameling van opgaartenkinhoud, nagvuil of die leegmaak van putte sal alle bedryfs- en instandhoudingskoste dek wat voortspruit uit die verwydering van put-inhoud, die vervoer daarvan na 'n wegdoeningsterrein, die behandeling van die inhoud om 'n sanitêre toestand te bewerkstellig en die finale wegdoening van enige vaste residu, en is betaalbaar deur die eienaar ooreenkomstig die jaarlikse tarieflys.

DEEL 4: DREINERINGSINSTALLASIES

60. Installasie van dreineringsinstallasies

'n Eienaar moet sy dreineringsinstallasie op sy eie onkoste voorsien en in stand hou, tensy die installasie neerkom op 'n basiese sanitasiefasiliteit soos deur die munisipaliteit bepaal en moet, behalwe waar andersins deur die munisipaliteit goedgekeur, toesien dat die installasie binne die grense van sy perseel geleë is.

- (1) Die munisipaliteit mag die punt in die riool, en die diepte onder die grond, voorskryf waar die dreineringsinstallasie aangesluit moet word en die roete wat die riool tot by die aansluitpunt moet volg en mag van die eienaar verwag om nie met die konstruksie of aansluiting van die dreineringsinstallasie te begin alvorens die munisipaliteit se aansluitrioel geleë is nie.
- (2) Enige dreineringsinstallasie wat gebou of geïnstalleer is, moet aan enige toepaslike spesifikasies ingevolge die Bouregulasies voldoen en aan enige standaard wat ingevolge die Wet voorgeskryf is.
- (3) Niemand sal toelaat dat enige vloeistof of vaste stof van watter aard ook al, behalwe skoon water vir toetsdoeleindes, enige dreineringsinstallasie binnekom alvorens die dreineringsinstallasie by die riool aangesluit is nie.
- (4) Waar persele in die 1-in-50-jaar-vloedvlakte geleë is, moet die boonste vlak van alle dienstoegangsgate, inspeksiekamers en rioolputte bo die 1-in-100-jaar-vloedvlakte wees en moet 100% waterdig wees om enige instroming of uitstroming wat die omgewing kan besoedel, te verhoed.
- (5) Ná die voltooiing van enige dreineringsinstallasie, of nadat enige verandering aan 'n dreineringsinstallasie afgehandel is, moet die loodgieter verantwoordelik vir die uitvoering van die werk 'n sertifikaat by die munisipaliteit se bou-inspeksie-afdeling indien waarin gesertifiseer word dat die werk uitgevoer is volgens die standaarde

wat in die Bouregulasies, hierdie verordening en enige ander tersaaklike wet of verordening uiteengesit word.

- (6) Geen reënwater of stormwater, en geen uitvloeisel behalwe uitvloeisel wat deur die munisipaliteit goedgekeur is, mag in die dreineringsinstallasie afgevoer word nie.

61. Ontkoppeling van dreineringsinstallasies

- (1) Behalwe vir die doel om instandhoudings- of herstelwerk te verrig, mag geen dreineringsinstallasie van die aansluitpunt ontkoppel word nie.
- (2) Waar enige deel van 'n dreineringsinstallasie van die oorblywende gedeelte ontkoppel word omdat dit nie meer gebruik gaan word nie, moet die ontkoppelde deel vernietig of geheel en al verwyder word van die perseel waarop dit gebruik is, tensy andersins deur die munisipaliteit goedgekeur.
- (3) Wanneer 'n ontkoppeling plaasgevind het nadat daar aan al die vereistes van die Bouregulasies ten opsigte van ontkoppeling voldoen is, moet die munisipaliteit op versoek van die eienaar 'n sertifikaat uitreik waarin gesertifiseer word dat die ontkoppeling ingevolge die Bouregulasies uitgevoer is en dat enige heffings ten opsigte van die ontkoppelde gedeelte van die dreineringsinstallasie nie meer gehef sal word vanaf die einde van die maand wat die eerste dag van die maand volgende op die uitreiking van sodanige sertifikaat voorafgaan nie.
- (4) Wanneer 'n dreineringsinstallasie van 'n riool ontkoppel is, moet die munisipaliteit die opening seël wat as gevolg van die ontkoppeling ontstaan het en mag die koste om dit te doen van die eienaar van die perseel waarop die installasie ontkoppel is, verhaal.
- (5) Waar 'n dreineringsstel in die loop van 'n maand by die rioolstelsel aangesluit of daarvan ontkoppel word, sal heffings bereken word asof die aansluiting of ontkoppeling gedoen is op die eerste dag van die maand volgende op die maand waarin die aansluiting of ontkoppeling plaasgevind het.

62. Instandhouding van dreineringsinstallasies

- (1) 'n Eienaar moet sy dreineringsinstallasie op sy eie onkoste voorsien en in stand hou.
- (2) Waar enige deel van 'n dreineringsinstallasie deur twee of meer eienaars of okkupeerders gebruik word, sal hulle gesamentlik en afsonderlik aanspreeklik wees vir die instandhouding van die installasie en 'n skriftelike ooreenkoms moet dienoooreenkomstig opgestel word.
- (3) Die eienaar van enige perseel moet toesien dat alle mangate en skoonmaakoë op die perseel deurentyd sigbaar en toeganklik is.

63. Tegniese vereistes vir dreineringsinstallasies

Alle dreineringsinstallasies sal aan SANS 10252-2 en die Bouregulasies en alle ander munisipale standaarde, waar van toepassing, voldoen.

64. Rioolpype

- (1) Rioolpype wat deur grond loop wat, na die munisipaliteit se mening, vatbaar is vir beweging, moet gelê word op 'n aaneenlopende bed riviersand of soortgelyke korrelrige materiaal met 'n dikte van nie minder nie as 100 mm nie onder die buis van die pyp en sal omring word deur soortgelyke materiaal van minstens dieselfde dikte, en die lasse van sodanige rioolpype moet buigsaam wees en deur die munisipaliteit goedgekeur wees.
- (2) 'n Rioolpyp of deel daarvan mag slegs met die goedkeuring van die munisipaliteit, ingevolge bepalings soos deur die munisipaliteit neergelê, binne 'n gebou geïnstalleer word of onder of deur 'n gebou loop.
- (3) 'n Rioolpyp of deel daarvan wat in 'n ontoeganklike posisie onder 'n gebou gelê word, mag nie buig of teen 'n helling gelê word nie.
- (4) Indien 'n rioolpyp deur of onder deur 'n muur, fondasie of ander struktuur loop, moet toereikende voorsorgmaatreëls getref word om te verhoed dat enige stof in die rioolpyp afgevoer word.

65. Rioolverstoppings

- (1) Niemand mag toelaat of veroorsaak dat ghries, olie, vet, vaste stowwe of enige ander stof in 'n versperder, tenk of toebehoorsel opbou wat tot die verstopping of ondoeltreffende werking daarvan of van 'n munisipale rioleringstelsel aanleiding kan gee nie.
- (2) Wanneer die eienaar of okkupeerder van 'n persele rede het om te glo dat 'n verstopping in enige dreineringsinstallasie voorgekom het, sal hy dadelik stappe neem om daardie installasie te laat oopmaak.
- (3) Wanneer die eienaar of okkupeerder van persele rede het om te glo dat 'n verstopping in die rioleringstelsel opgeduik het, sal hy die munisipaliteit dadelik daaroor inlig.
- (4) Wanneer 'n verstopping in 'n dreineringsstelsel voorkom, moet alle werk wat nodig is vir die verwydering daarvan deur, of onder toesig van, 'n loodgieter geskied.
- (5) Indien enige dreineringsinstallasie op enige perseel sou oorloop weens 'n verstopping van die riool, en as die munisipaliteit redelik daarvan oortuig is dat die verstopping veroorsaak is deur voorwerpe komende van die dreineringsinstallasie, sal die eienaar van die perseel wat deur die dreineringsinstallasie bedien word, aanspreeklik gehou word vir die onkoste om die verstopping te verwyder.

- (6) Waar 'n verstopping van 'n rioolpyp, of 'n gedeelte van 'n rioolpyp, wat twee of meer persele bedien, verwyder is, sal die eienaars gesamentlik en afsonderlik aanspreeklik wees vir die koste om die verstopping te verwyder.
- (7) Waar 'n verstopping in 'n sanitasiesstelsel deur die munisipaliteit verwyder is en sodanige verwydering die versteuring van 'n eienaar se plaveisel, grasperk of ander kunsmatige oppervlak genoodsaak het, sal daar nie van die munisipaliteit verwag word om die voorafgaande tot hul vorige toestand te herstel nie en sal hy nie verantwoordelik gehou word vir enige skade wat daaraan veroorsaak is nie, tensy sodanige skade deur 'n onregmatige handeling of nalatigheid aan die kant van die munisipaliteit veroorsaak is.

66. Vetvangers

- (1) 'n Vetvanger van 'n goedgekeurde soort, grootte en kapasiteit moet voorsien word ten opsigte van alle persele, met inbegrip van maar nie beperk nie tot huishoudings, koswinkels, motorwasserye, inkopiesentrums, tekstielafval en soortgelyk wat rioolvuil *in situ* na sanitasiesstelsels afvoer of waar, na die mening van die munisipaliteit, die afvoering van ghries, olie en vet waarskynlik 'n verstopping in die vloei van munisipale of ander rioleringsstelsels of rioolpype kan veroorsaak, of waarskynlik met die behoorlike funksionering van enige afvalwaterbehandelingsaanleg kan inmeng.
- (2) Die bepalinge soos omskryf ingevolge artikel 65 geld ook vir alle persele wat uitvloeiende wat ghries, olie, vet en/of seep bevat, afvoer.
- (3) Ghries, olie, vet en ander anorganiese stowwe wat vanuit die vetvanger verwyder word, moet mee weggedoen word by 'n gepaste afvalstortingsterrein soos deur die munisipaliteit goedgekeur, en moet om geen omstandighede weer in die riool- of stormwaterstelsels in die munisipale gebied afgevoer word nie.

67. Nywerheidsvetvangers

- (1) Die eienaar of vervaardiger moet toesien dat nywerheidsuitvloeiende wat, of na die mening van die munisipaliteit, waarskynlik ghries, olie, vet of anorganiese vaste stowwe in suspensie bevat, voordat dit toegelaat word om enige riool binne te gaan, eers vloei deur een of meer tenks of kamers van 'n soort, grootte en kapasiteit wat ontwerp is om sodanige ghries, olie, vet of vaste stowwe te onderskep en terug te hou soos deur die munisipaliteit goedgekeur.
- (2) Die eienaar of vervaardiger moet toesien dat olie, ghries of enige ander stof wat in nywerheidsuitvloeiende of ander vloeiende vervaar is en wat 'n vlambare of skadelike damp afgee teen 'n temperatuur van 20° C of hoër in 'n tenk of kamer onderskep en teruggehou word ten einde te verhoed dat dit die riool binnegaan.
- (3) 'n Tenk of kamer soos bedoel in subartikel (2) moet aan die volgende vereistes voldoen:

- a) dit moet 'n toereikende inhoudsvermoë hê, van harde duursame materiaal vervaardig word en waterdig wees wanneer dit voltooi is;
 - b) die waterseël van sy uitlaatpyp moet nie minder as 300 mm diep wees nie; en
 - c) dit moet toegerus wees met 'n toereikende aantal mangatdeksels vir die afdoende en doeltreffende verwydering van ghries, olie, vet en vaste stowwe.
- (4) Enige persoon wat uitvloeisel in 'n tenk of kamer afvoer, moet die ghries, olie, vet of vaste stowwe gereeld uit die tenk of kamer verwyder en moet 'n register byhou waarin die volgende aangeteken word:
- a) die datums waarop die tenk of kamer skoongemaak is;
 - b) die naam van enige persoon wat die tenk of kamer skoongemaak het; en
 - c) 'n sertifikaat van die persoon wat aangestel is om die tenk of kamer skoon te maak waarin gesertifiseer word dat dit skoongemaak is en die wyse waarop daar met die inhoud van die tenk of kamer weggedoen is of, as hy dit self skoongemaak het, sy eie sertifikaat in hierdie verband.

68. Meganiese toestelle vir die lig van rioolvuil

- (1) Die eienaar van enige perseel moet die goedkeuring van die munisipaliteit verkry alvorens enige meganiese toestelle vir die lig of vervoer van rioolvuil ingevolge die Bouregulasies geïnstalleer word.
- (2) 'n Ingenieursvakkundige moet om goedkeuring aansoek doen en daardie aansoek moet vergesel wees van tekeninge wat ooreenkomstig die tersaaklike bepalings van die Bouregulasies voorberei is en waarop besonderhede getoon word van die kompartement waarin die toestel gehuisves word, die rioolvuilopgaartenk, die dempkamer en hul posisies, en die posisie van die rioolpype, ventilasiepype, stygleiding en die rioolaansluiting.
- (3) Nieteenstaande enige goedkeuring wat ingevolge subartikel (1) verleen is, sal die munisipaliteit nie aanspreeklik wees vir enige besering, verlies of skade aan lewens of eiendom wat deur die gebruik, wanfunksionering of enige ander toestand wat uit die installasie of werking van 'n meganiese toestel vir die lig en vervoer van rioolvuil voortspruit nie, tensy die besering of skade veroorsaak is deur die onregmatige, opsetlike of nalatige handeling of versuim van 'n werknemer van die munisipaliteit.
- (4) Elke meganiese toestel wat vir die lig of vervoer van rioolvuil geïnstalleer word, sal spesifiek vir daardie doel ontwerp word en sal toegerus wees met 'n uitlaatpyp, sluiskleppe en terugslagkleppe wat in goedgekeurde posisies aangebring is.
- (5) Tensy andersins deur die munisipaliteit toegelaat, moet sodanige meganiese toestelle in duplikaat geïnstalleer word en elke sodanige toestel moet só beheer word dat enigeen van hulle outomaties sal begin funksioneer in geval die ander een staak.

- (6) Elke meganiese toestel wat deel uitmaak van 'n dreineringsinstallasie moet so geleë en so gebruik word dat dit nie enige oorlas as gevolg van geraas of reuke of andersins veroorsaak nie, en elke kompartement waarin enige sodanige toestel gehuisves word, moet doeltreffend geventileer wees.
- (7) Die maksimum tempo van afvoering vanuit enige meganiese toestel, en die pose tussen die tye waarop afvoering mag plaasvind, sal deur die munisipaliteit bepaal word en laasgenoemde kan op enige tydstop van die eienaar verlang om sodanige toebehore en reguleringstoestelle te installeer as wat na sy mening nodig mag wees om te verseker dat die vasgestelde maksimum afvoeringstempo nie oorskry sal word nie.
- (8) Behalwe waar rioolvuilopgaarruimte as 'n integrale deel van 'n meganiese toestel geïnkorporeer is, moet 'n rioolvuilopgaartenk saam met sodanige toestel voorsien word.
- (9) Elke rioolvuilopgaartenk wat ingevolge paragraaf (a) vereis word, moet —
 - a) van harde, duursame materiaal gebou wees en moet waterdig wees en die binne-oppervlakte van die mure en vloer moet glad en syferdig wees;
 - b) 'n noodopgaarkapasiteit hê wat onder die vlak van die inlaat is en wat gelyk is aan die hoeveelheid rioolvuil wat binne 24 uur daarin afgevoer word of aan 900 liter, watter een ook al die grootste hoeveelheid is; en
 - c) só ontwerp word dat die maksimum van sy rioolvuilinhoud tydens elke afvoeringsiklus van die meganiese toestel leeggemaak sal word.
- (10) Elke opgaartenk en dempkamer moet van 'n ventilasiepyp voorsien word ooreenkomstig die munisipaliteit se spesifikasies.

DEEL 5: *IN SITU*-SANITASIEDIENSTE EN VERBANDHOUDENDE DIENSTE

69. Installering van *in situ*-sanitasiedienste

Indien 'n ooreenkoms vir *in situ*-sanitasiedienste ten opsigte van persele aangegaan is, of as dit nie geredelik moontlik of kostedoeltreffend vir die munisipaliteit is om 'n aansluitriool te installeer nie, moet die eienaar sanitasiedienste soos gespesifiseer deur die munisipaliteit op die terrein installeer, tensy die diens 'n gesubsidieerde diens is wat deur die munisipaliteit ingevolge die munisipale verordeninge insake kredietbeheer en skuldinvordering bepaal is.

70. Geventileerde verbeterde putlatrines

- (1) Die munisipaliteit mag, op sodanige voorwaardes as wat dit mag voorskryf, met inagneming van die aard en syferdigtheid van die grond, die diepte van die watertafel, die grootte en toeganklikheid van die terrein en die beskikbaarheid van leidswater, die wegdoening van menslike ekskrement by wyse van 'n geventileerde verbeterde putlatrine (VIP) goedkeur.

- (2) 'n Geventileerde verbeterde putlatrine moet —
- a) 'n put met 'n kapasiteit van 2 m³ hê;
 - b) 'n voering hê soos vereis;
 - c) 'n blad hê wat ontwerp is om die opgelegde las te dra; en
 - d) beskerming hê wat verhoed dat kinders in die put val.
- (3) 'n Geventileerde verbeterde putlatrine moet aan die volgende spesifikasies voldoen:
- a) die put moet geventileer word deur middel van 'n pyp wat by die bopunt met 'n duursame, insekwerende sif afgedig is wat stewig in plek gehou word;
 - b) die ventilasiepyp moet nie minder nie as 0,5 m bokant die naaste dak uitsteek nie, moet 'n deursnee van minstens 150 mm hê, en moet vertikaal sonder 'n kromming geïnstalleer word;
 - c) die interieur van die gemakhuisie moet glad afgewerk wees sodat dit in 'n skoon en higiëniese toestand gehou kan word. Die drastruktuur moet goed geventileer wees sodat lug vrylik na die put vloei en deur die pyp uitgelaat word;
 - d) die opening deur die blad moet van 'n toereikende grootte wees om bevuilding te verhoed. Die rand moet gelig wees sodat vloeiwater wat gebruik word om die vloer te was, nie in die put inloop nie. Dit sal toegerus wees met 'n deksel om te verhoed dat vlieë en ander insekte nie in/uitgaan wanneer die toilet nie gebruik word nie;
 - e) dit moet op 'n plek aangebring word wat onafhanklik van die wooneenheid is;
 - f) dit moet aangebring word op plekke wat toeganklik is vir voertuie wat 3,0 m breed is ten einde die leegmaak van die put te fasiliteer;
 - g) in situasies waar 'n gevaar bestaan dat 'n akwifere besoedel kan word weens die deurlaatbaarheid van die grond, moet die put uitgevoer word met syferdigte materiaal wat duursaam is en nie onder spanning sal kraak nie; en
 - h) in situasies waar die grond waarin die put uitgegrawe gaan word, onstabiel is, moet 'n geskikte stut verskaf word om die instorting van die grond te voorkom.
- (4) Enige ander alternatiewe stelsel moet deur 'n geregistreerde ingenieursvakkundige ontwerp word en deur die munisipaliteit vóór installering goedgekeur word.

71. Septiese tenks en behandelingsaanlegte

- (1) Die munisipaliteit mag, onderworpe aan sodanige voorwaardes as wat hy mag oplê, die wegdoening van rioolvuil of ander uitvloeisel deur middel van septiese tenks of *in situ*-rioolvuilbehandelingsaanlegte goedkeur.
- (2) 'n Septiese tenk of ander rioolvuilbehandelingsaanleg op 'n perseel mag nie nader as 3 meter wees van enige wooneenheid of enige grens van die perseel waarop dit geleë is nie.
- (3) Daar moet ter bevrediging van die munisipaliteit weggedoen word met uitvloeisel komende van 'n septiese tenk of 'n *in situ*-rioolvuilbehandelingsaanleg.
- (4) 'n Septiese tenk moet waterdig en 'n stewige deksel hê en moet voorsien word van 'n gasdigte wyse van toegang tot die binnekant daarvan sodat die in- en uitlaatpype geïnspekteer kan word en wat toereikend is vir die doeleinde om slik vanuit die tenk te verwyder.
- (5) 'n Septiese tenk wat 'n wooneenheid bedien, moet:
 - a) 'n inhoudsvermoë onder die vlak van die bodem van die uitlaatpyp hê van nie minder nie as 500 liter per slaapkamer, mits die minimum inhoudsvermoë onder sodanige bodemvlak 2 500 liter is;
 - b) 'n interne breedte van nie minder nie as 1 meter hê, welke breedte reghoekig in die rigting van die vloei gemeet moet word;
 - c) 'n interne diepte van nie minder nie as 1,7 meter tussen die deksel en die bodem van die tenk hê; en
 - d) vloeistof op 'n diepte van nie minder nie as 1,4 meter terughou.
- (6) Septiese tenks wat persele uitgesonder wooneenhede bedien, moet deur 'n ingenieursvakkundige ontwerp en gesertifiseer word.
- (7) Geen reënwater of stormwater, en geen uitvloeisel behalwe uitvloeisel wat deur die munisipaliteit goedgekeur is, mag in die septiese tenk afgevoer word nie.

72. Sypelriole

- (1) Die munisipaliteit mag, ooreenkomstig voorwaardes wat hy mag oplê en met inagneming van die hoeveelheid en aard van die uitvloeisel en die deurdringbaarheid van die grond, soos bepaal aan die hand van die Suid-Afrikaanse Buro van Standaarde se voorgeskrewe toetse, goedkeuring verleen dat daar by wyse van sypelriole, syferputte of ander goedgekeurde werke weggedoen word met afvalwater.
- (2) 'n Sypelriool, syferput of enige ander soortgelyke werke mag nie nader as 5 m van enige wooneenheid of enige grens van die perseel waarop dit aangebring is, geleë wees of op enige sodanige plek aangebring word wat, na die mening van

die munisipaliteit, sal veroorsaak dat 'n boorgat of ander bron wat vir die doeleindes van drinkwater gebruik of gebruik kan word, besoedel sal word of vogtigheid in enige gebou sal veroorsaak nie.

- (3) Die afmetings van enige sytelriool, weekput of soortgelyke werk sal bepaal word in verhouding tot die absorberende eienskappe van die grond en die aard en hoeveelheid van die uitvloeisel.
- (4) Sytelriole wat persele uitgesonder wooneenhede bedien, moet deur 'n ingenieursvakkundige ontwerp en gesertifiseer word.

73. Riooltenks

- (1) Die munisipaliteit mag, op voorwaardes wat hy na goeddunke kan voorskryf, die bou van 'n riooltenk en aanvullende toerusting vir die terughou van rioolvuil of uitvloeisel goedkeur.
- (2) Geen reënwater of stormwater, en geen uitvloeisel behalwe uitvloeisel wat deur die munisipaliteit goedgekeur is, mag in 'n riooltenk afgevoer word nie.
- (3) Geen riooltenk mag as sodanig gebruik word nie, tensy:
 - a) die bodem van die tenk teen 'n helling van nie minder nie as 1 in 10 na die uitlaat afloop;
 - b) die tenk gas- en waterdig is;
 - c) die tenk 'n uitlaatpyp het, gemaak van gegote yster, gietyster of 'n ander goedgekeurde materiaal, met 'n boring van 100 mm en wat, tensy andersins deur die munisipaliteit goedgekeur, eindig in 'n goedgekeurde klep en toebehore wat met die munisipaliteit se verwyderingsvoertuie kan verbind;
 - d) die klep en toebehore in subartikel (c) bedoel of die uitlaatend van die pyp, na gelang van die geval, aangebring is in 'n kamer met 'n skarnierdeksel wat deur die munisipaliteit goedgekeur is en wat aangebring is op 'n plek soos deur die munisipaliteit vereis; en
 - e) toegang tot die riooltenk voorsien is by wyse van 'n goedgekeurde mangat wat van 'n verwyderbare gietysterdeksel voorsien is wat direk bokant die sigbare tap van die inlaatpyp aangebring is.
- (4) Met inagneming van die posisionering van 'n riooltenk of die plek waar 'n aansluitingspunt vir verwydering deur voertuie aangebring is, mag die munisipaliteit, as 'n voorwaarde vir die leegmaak van die tenk, van die eienaar of kliënt verwag om die munisipaliteit skriftelik te vrywaar teen enige aanspreeklikheid of skade wat kan voortspruit uit die lewering van daardie diens.
- (5) Waar die munisipaliteit se verwyderingsvoertuig oor private grond moet ry om 'n riooltenk leeg te maak, sal die eienaar 'n toegangspad voorsien wat minstens 3,5 m breed is en wat, ongeag die weersomstandighede, só verhard is dat dit 'n wiellas van 4 metrieke ton of 6 m³ kan weerstaan, en toesien dat geen hek

waardeur die voertuig moet ry om die tenk te bereik minder as 3,5 m breed vir daardie doeleindes is nie.

- (6) Die eienaar of okkupeerder van 'n perseel waarop 'n riooltenk aangebring is, moet die tenk, ter bevrediging van die munisipaliteit, ten alle tye in 'n goeie werkende toestand onderhou.

74. Werking en instandhouding van *in situ*-sanitasiedienste

Die werking en instandhouding van *in situ*-sanitasiedienste en alle koste wat daarmee verband hou, bly die verantwoordelikheid van die eienaar van die perseel, tensy *in situ*-sanitasiedienste 'n gesubsidieerde diens is soos ingevolge die munisipale verordeninge insake kredietbeheer en skuldinvordering bepaal.

75. Ongebruikte riool- en septiese tenks

Indien 'n riooltenk of septiese tenk nie meer vir die opgaar of behandeling van rioolvuil nodig word nie, of indien toestemming vir die gebruik daarvan teruggetrek word, moet die eienaar sorg dat dit óf geheel en al verwyder word óf geheel en al met grond of ander geskikte materiaal opgevol word, met dien verstande dat die munisipaliteit mag vereis dat daar op 'n ander wyse daarmee gehandel word of, na gelang van enige voorwaardes wat hy mag opla, toestemming kan verleen dat dit vir ander doeleindes gebruik mag word.

DEEL 6: NYWERHEIDSUITVLOEISEL

76. Goedkeuring vir afvoering van nywerheidsuitvloeisel

- (1) Niemand sal nywerheidsuitvloeisel in die sanitasiestelsel afvoer of veroorsaak of toelaat dat dit gebeur nie behalwe met die goedkeuring van die munisipaliteit.
- (2) 'n Persoon moet aansoek doen om en die verlangde aansoekskoste betaal vir goedkeuring om nywerheidsuitvloeisel in die munisipaliteit se sanitasiestelsel af te voer op die voorgeskrewe vorm wat as Bylae B by hierdie verordeninge aangeheg is.
- (3) Die munisipaliteit mag, indien die kapasiteit van die sanitasiestelsel na sy mening voldoende is om die afvoer en doeltreffende behandeling van sowel as die wettige wegdoening met nywerheidsuitvloeisel te behartig, die afvoering van nywerheidsuitvloeisel in die sanitasiestelsel goedkeur, vir sodanige tydperk en onderworpe aan sodanige voorwaardes as wat hy mag opla.
- (4) Enige persoon wat 'n gebou wil oprig, of laat oprig, wat as 'n handelsperseel gebruik gaan word, moet ten tyde van die indiening van 'n bouplan ingevolge artikel 4 van die Wet op die Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977) ook aansoeke vir die voorsiening van sanitasiedienste en vir goedkeuring om nywerheidsuitvloeisel af te voer, indien.

- a) In gevalle waar nywerhede in 'n area geleë is waar hulle nie by die munisipale rioolstelsels kan aansluit nie, of waar daar geen rioolaansluitings is nie, moet die nywerheid die uitvloeisel *in situ* behandel ter bevrediging van die munisipaliteit en tot 'n omgewingvrystellingstandaard wat veilige afvoering in die omgewing moontlik maak.
- b) As dit nie moontlik is om *in situ*-behandeling toe te pas nie, moet die nywerheidsuitvloeisel na die naaste afvalwaterbehandelingsaanleg vervoer wat in staat is om die uitvloeisel doeltreffend te behandel.
- c) Die nodige permit vir die vervoer en afvoering van die uitvloeisel moet van die munisipaliteit verkry word en die verlangde munisipale tarief moet betaal word.

77. Terugtrekking van goedkeuring vir afvoering van nywerheidsuitvloeisel

- (1) Die munisipaliteit mag enige goedkeuring aan 'n kommersiële kliënt wat gemagtig is om nywerheidsuitvloeisel in die sanitasiestelsel af te voer, terugtrek deur 14 (veertien) dae kennis te gee indien die kliënt:
 - a) versuim om toe te sien dat die nywerheidsuitvloeisel wat afgevoer word aan die nywerheidsuitvloeiselstandaarde wat in Bylae A van hierdie verordeninge of die skriftelike toestemming, soos beoog in artikel 75, voldoen;
 - b) versuim of weier om te voldoen aan enige kennisgewing wat wettig ingevolge hierdie verordeninge op hom bestel is, of enige bepalinge van hierdie verordening of enige voorwaarde wat ingevolge enige toestemming wat aan hom verleen is, oortree; of
 - c) versuim om die heffings ten opsigte van enige afgevoerde nywerheidsuitvloeisel te betaal.
- (2) Die munisipaliteit mag, ten tyde van die terugtrekking van enige goedkeuring:
 - a) benewens enige stappe wat in hierdie verordeninge vereis word, en by 14 (veertien) dae se skriftelike kennisgewing, gelas dat die betrokke perseel se aansluitriool gesluit of verseël word; en
 - b) weier om enige nywerheidsuitvloeisel te aanvaar totdat hy tevrede is dat toereikende stappe geneem is om te verseker dat die nywerheidsuitvloeisel wat afgevoer gaan word aan die standaarde, soos vereis deur hierdie verordeninge, voldoen.

78. Gehaltestandaarde vir afvoering van nywerheidsuitvloeisel

- (1) 'n Kommersiële kliënt aan wie goedkeuring verleen is, moet toesien dat geen nywerheidsuitvloeisel in die munisipaliteit se sanitasiestelsel afgevoer word nie tensy dit aan die standaarde en kriteria, soos uiteengesit in Bylae A, voldoen.
- (2) Die munisipaliteit mag, wanneer hy goedkeuring verleen, enige van die standaarde in Bylae A verslap of varieer, met dien verstande dat hy oortuig moet wees dat enige verslapping op die beste praktiese omgewingsopsie neerkom.

- (3) Wanneer hy bepaal of die verslapping of variëring van die standaarde in Bylae A neerkom op die beste praktiese omgewingsopsie, moet die munisipaliteit ag slaan op die volgende:
- a) of die kommersiële kliënt se onderneming teen optimale vlakke bedryf en in stand gehou word;
 - b) of die tegnologie wat deur die kommersiële kliënt aangewend word die beste is wat tot beskikking van die kommersiële kliënt se bedryf en, indien nie, of die aanbring van die beste tegnologie onredelike uitgawes vir die kliënt tot gevolg sal hê;
 - c) of die kommersiële kliënt 'n program om afval te minimaliseer, implementeer wat voldoen aan die nasionale standaarde vir afvalminimalisering wat ingevolge nasionale wetgewing neergelê is;
 - d) die koste vir die munisipaliteit indien die verslapping of variëring toegestaan sou word; en
 - e) die omgewingsimpak of potensiële impak verbonde aan die verslapping of variëring.
- (4) Toetsmonsters kan op enige tydstip deur 'n behoorlik gekwalifiseerde toetser geneem word om te bepaal of nywerheidsuitvloeisel aan Bylae A of enige ander standaard voldoen wat as 'n voorwaarde vir die vergunning van goedkeuring opgelê is.

79. Voorwaardes vir die afvoering van nywerheidsuitvloeisel

- (1) Ten tyde van die verlening van goedkeuring vir die afvoering van nywerheidsuitvloeisel deur 'n permit uit te reik (sien Bylae D), of enige tydstip wat na sy mening gepas is, mag die munisipaliteit, per kennisgewing, van 'n kommersiële kliënt verwag om:
- a) die nywerheidsuitvloeisel aan sodanige voorlopige behandeling te onderwerp as wat na die mening van die munisipaliteit nodig mag wees om te verseker dat die nywerheidsuitvloeisel voldoen aan die standaarde soos voorgeskryf in Bylae A voordat dit in die sanitasiestelsel afgevoer word;
 - b) balanseertenks, kleppe, pompe, toebehore, meters en ander toerusting te installeer wat, na die mening van die munisipaliteit, nodig sal wees om die tempo en tyd van afvoering in die sanitasiestelsel te beheer ingevolge die voorwaardes wat deur hom opgelê is;

- c) 'n rioleringsinstallasie vir die afvoer van nywerheidsuitvloeisel na die sanitasiestelsel op 'n spesifieke punt aan te bring wat nie met die rioleringsstelsel vir ander rioolvuil verbind is nie, en mag 'n kommersiële kliënt verbied om op enige ander punt met nywerheidsuitvloeisel weg te doen;
 - d) op enige pyp wat nywerheidsuitvloeisel na enige riool afvoer, 'n dienstoegangsgat of afsluitklep aan te bring op 'n plek en van sodanige afmetings en vervaardig van sodanige materiaal as wat die munisipaliteit mag voorskryf;
 - e) alle inligting wat deur die munisipaliteit verlang word sodat die tariewe of heffings verskuldig aan die munisipaliteit bereken kan word, te voorsien;
 - f) toereikende fasiliteite insluitende, maar nie beperk nie tot, vlak- of oorloopverklidders, bystandstoerusting, oorloopvangputte en ander gepaste maatreëls te voorsien ten einde te verhoed dat uitvloeisel strydig met hierdie verordeninge in die sanitasiestelsel afgevoer word;
 - g) toe te sien dat enige meter, meettoestel of ander toestel wat ingevolge hierdie artikel aangebring is, deur 'n onafhanklike owerheid, op koste van die kommersiële kliënt, so gereeld as wat deur die munisipaliteit vereis mag word, gekalibreer word. Afskrifte van die kalibrering moet deur die kommersiële kliënt aan die munisipaliteit voorsien word; en
 - h) daardie kliënt moet toesien dat nywerheidsuitvloeisel ontleed word, so dikwels as en op enige wyse wat deur die munisipaliteit voorgeskryf word, en moet die munisipaliteit van die resultate van daardie toetse voorsien sodra hulle beskikbaar is.
- (2) Die koste van enige behandeling, aanlegte, werk of ontleding wat 'n eienaar ingevolge subartikel (1) moet uitvoer, sal deur die betrokke kommersiële kliënt vereffen word.
- (3) Indien nywerheidsuitvloeisel wat nie aan die standaard soos beoog in Bylae A voldoen nie of wat nie deur die munisipaliteit goedgekeur is nie, in die sanitasiestelsel afgevoer word, moet die munisipaliteit binne twaalf uur oor sodanige afvoering, sowel as die redes daarvoor, ingelig word.

DEEL 7: RIOOLVUIL DEUR MIDDEL VAN PADVERVOER GELEWER

80. Aanvaarding van rioolvuil deur middel van padvervoer gelewer

Die munisipaliteit mag, na goeddunke en onderworpe aan enige voorwaardes wat hy mag oplê, rioolvuil aanvaar wat per padvervoer by die munisipaliteit se rioolvuilbehandelingsaanlegte besorg word.

81. Goedkeuring vir die lewering van rioolvuil by wyse van padvervoer

- (1) Niemand sal rioolvuil by wyse van padvervoer aflewer by die munisipaliteit se rioolvuilbehandelingsaanlegte met die doel om dit daar af te voer nie tensy die munisipaliteit, onderworpe aan voorwaardes soos deur hom gespesifiseer, en onderworpe aan die tye wat hy vir sodanige afvoering redelikerwys bepaal het, skriftelike toestemming verleen het.
- (2) Die heffings vir enige rioolvuil wat vir wegdoening aan enige van sy rioolvuilbehandelingsaanlegte gelewer word, sal aan die hand van voorgeskrewe tariewe of heffings deur die munisipaliteit bereken word.
- (3) Die "karweiende" maatskappy sal:
 - a) toesien dat die voertuig beveilig en geskik is en toesien dat geen storting ten tyde van onttrekking, vervoer en leegmaking plaasvind nie;
 - b) 'n gesondheid-en-veiligheidsplan, soos vereis, in plek hê; en
 - c) 'n gebeurlikheidsplan in plek hê indien 'n onvoorsiene storting sou voorkom.

82. Terugtrekking van toestemming om rioolvuil by wyse van padvervoer te lewer

Die munisipaliteit mag enige goedkeuring wat hy ingevolge artikel 81 verleen het, terugtrek nadat minstens 14 (veertien) dae se skriftelike kennis gegee is van sy voorneme om dit te doen, indien 'n persoon wat toegelaat is om rioolvuil per padvervoer af te voer —

- a) versuim om toe te sien dat die rioolvuil voldoen aan die standaard wat voorgeskryf is in óf Bylae A óf as 'n voorwaarde vir goedkeuring; of
- b) versuim of weier om te voldoen aan enige kennisgewing wat ingevolge hierdie verordeninge op hom bestel is, of enige bepalinge van hierdie verordeninge oortree, of enige voorwaarde wat as 'n voorwaarde van goedkeuring aan hom opgelê is; en
- c) versuim om al die heffings te betaal wat vir die lewering van rioolvuil geld.

83. Voorwaardes vir die lewering van rioolvuil by wyse van padvervoer

Wanneer rioolvuil by wyse van padvervoer gelewer gaan word:

- a) sal die tyd waarop en plek waar die lewering moet plaasvind in oorleg met die munisipaliteit gereël word; en
- b) moet die munisipaliteit, voordat lewering kan plaasvind, tevrede wees dat die rioolvuil van 'n aard is wat geskik is vir padvervoer en dat die lewering aan die bepalinge van hierdie verordeninge sal voldoen.

DEEL 8: BEHANDELDE RIOOLWATER**84. Gebruik van behandelde rioolwater**

- (1) Op aansoek ingevolge artikel (2), mag die munisipaliteit instem om behandelde rioolwater aan 'n verbruiker te verskaf, onderworpe aan sodanige bepalings en voorwaardes as wat hy gerade mag ag.
- (2) Geen waarborg, hetsy uitdruklik of geïmpliseer, sal deur die munisipaliteit verskaf word rakende die geskiktheid van die behandelde rioolwater vir die doeleinde waarvoor die lewering toegestaan is nie.
- (3) Die verskaffing van behandelde rioolwater, beide ten opsigte van toestand en gebruik, sal geheel en al op die risiko van die verbruiker geskied, wie aanspreeklik sal wees vir enige gevolglike skade of verlies wat hy, sy of ander ly wat regstreeks of onregstreeks daaruit voortspruit, met inbegrip van die gevolge van enige *bona fide*-fout aan die kant van die munisipaliteit of die wanfunksionering van 'n behandelingsaanleg.
- (4) Pype wat vir behandelde rioolwater gebruik word, moet:
 - a) duidelik gemerk wees om aan te toon dat hulle behandelde uitvloeisel vervoer;
 - b) op gereelde intervale op die pyp 'n waarskuwingskennisgewing vertoon, of met 'n ander kleur (oranje) gemerk wees;
 - c) nie vir die algemene publiek toeganklik wees nie; en
 - d) volgens algemene munisipale standaarde aangebring word.

DEEL 9: ANDER SANITASIEDIENSTE**85. Perdestalle en soortgelyke persele**

Die munisipaliteit mag die aansluiting van perdestalle, koeistalle, slagpale, melkerye, hondeherberge, ander persele vir die huisvesting van diere en leerlooierye by 'n dreineringsinstallasie goedkeur, onderworpe aan die betaling van alle toepaslike heffings en die nakoming van enige voorwaarde wat die munisipaliteit mag oplê, maar goedkeuring sal slegs verleen word indien:

- a) die vloer van die perseel geplavei is met ondeurdringbare materiaal wat deur die munisipaliteit goedgekeur is en 'n helling het wat afloop na 'n slikvanger, vetvanger of rioolput met 'n toereikende kapasiteit; en
- b) elke deel van die perseel se vloer deur 'n dak, of ander beskermende toestel, bedek is op 'n manier wat op 'n toereikende wyse sal verhoed dat reën- of stormwater in die dreineringsinstallasie gestort word.

86. Meganiese voedselafval- of ander -wegdoeneenhede

Die munisipaliteit mag die aansluiting of inkorporering van 'n meganiese voedselafvalwegdoeningseenheid of afvalmeul by dreineringsinstallasie met 'n kapasiteit van meer as 500 W goedkeur, onderworpe aan die betaling van alle toepaslike heffings en onderworpe aan enige voorwaarde wat die munisipaliteit mag oplê, maar goedkeuring sal slegs verleen word indien —

- a) 'n watermeter deur die munisipaliteit geïnstalleer word;
- b) die munisipaliteit tevrede is dat die munisipaliteit se rioolvuil- en rioolbehandelingstelsel nie negatief beïnvloed sal word nie; en
- c) die installasie of inkorporasie ooreenkomstig die munisipaliteit se verordeninge insake elektrisiteit geïnstalleer word.

87. Bouwerk oor rioolstelsel

- (1) Geen struktuur mag oor 'n munisipale diens opgerig word nie, en groot plante of bome mag nie bo-oor munisipale dienste gevestig word nie. 'n Munisipale diens moet ten alle tye toeganklik wees en toegang moet ten alle tye aan die munisipaliteit, of sy aangestelde agente, verleen word.
- (2) Die eienaar / okkupeerder is daarvoor verantwoordelik om alle foute en defekte aan die munisipaliteit of sy aangestelde agent te rapporteer.

DEEL 10: INSTALLEERWERK**88. Goedkeuring van installeerwerk**

- (1) As 'n eienaar installeerwerk wil laat doen, moet hy eers die munisipaliteit se skriftelike goedkeuring verkry.
- (2) Aansoeke om die goedkeuring bedoel in subartikel (1) moet op die voorgeskrewe vorm geskied en vergesel wees van:
 - a) gelde deur die munisipaliteit bepaal, indien 'n heffing vasgestel is;
 - b) afskrifte van alle tekeninge wat vereis mag word en wat deur die munisipaliteit goedgekeur moet word; en
 - c) 'n sertifikaat wat bevestig dat die installasie deur 'n geregistreerde ingenieursvakkundige ingevolge enige toepaslike SANS-kodes ontwerp is.
- (3) Goedkeuring wat ingevolge subartikel (1) verleen is, sal ná 12 (twaalf) maande verstryk.

- (4) Wanneer goedkeuring ingevolge subartikel (1) verleen is, moet 'n volledige stel tekeninge – soos deur die munisipaliteit vereis en goedgekeur – ten alle redelike tye by die terrein ter insae beskikbaar wees totdat die werk voltooi is.
- (5) Indien installeerwerk strydig met subartikels (1) of (2) gedoen is, mag die munisipaliteit van die eienaar vereis om, op sy eie koste:
 - a) die oortreding binne 'n gespesifiseerde tyd reg te stel;
 - b) die werk te staak, indien dit steeds onderneem word; en
 - c) om alle werk wat nie aan hierdie verordeninge voldoen nie, te verwyder.

89. Persone toegelaat om installeer- en ander werk te doen

- (1) Niemand wat nie 'n loodgieter is of onder toesig van 'n loodgieter werk nie, sal toegelaat word om:
 - a) installasiewerk te doen anders as om 'n bestaande pyp of sanitasietoebehoorsel te vervang of te herstel;
 - b) 'n dreineringsinstallasie, brandinstallasie of opgaartenk te inspekteer, te ontsmet en te toets;
 - c) 'n terugvloeisperder te diens, te herstel of te vervang; of
 - d) 'n meter wat deur 'n eienaar in 'n dreineringsinstallasie voorsien is, te installeer, in stand te hou of te vervang.
- (2) Daar sal van niemand verwag word om 'n persoon wat nie 'n loodgieter is nie, aan te stel om die werk te verrig waarna in subartikel (1) verwys word.
- (3) Nieteenstaande die bepalings van subartikel (1) en (2) mag die munisipaliteit 'n persoon wat nie 'n loodgieter is nie, toelaat om installeerwerk namens homself op 'n perseel wat aan hom behoort en alleenlik deur sy onmiddellike huishouding geokkupeer word, te doen, met dien verstande dat sodanige werk deur 'n loodgieter onder toesig van, of wat deur die munisipaliteit aangewys is, geïnspekteer en goedgekeur word.

90. Gebruik van pype en watertoebehore moet gemagtig word

- (1) Niemand mag, sonder die vooraf skriftelike magtiging van die munisipaliteit, 'n pyp of watertoebehoorsel binne die munisipaliteit se regsgebied in 'n waterinstallasie installeer of gebruik nie, tensy dit ingesluit is by die Skedule van Goedgekeurde Pype en Toebehore wat deur die munisipaliteit opgestel is.
- (2) Aansoek om die insluiting van 'n pyp of watertoebehoorsel by die skedule waarna in subartikel (1) verwys word, moet gedoen word op die vorm wat deur die munisipaliteit voorgeskryf is.

- (3) 'n Pyp of watertoebroorsel mag by die skedule soos verwys na in subartikel (1) ingesluit word mits dit:
- a) die standaardisiemerik van die Suid-Afrikaanse Buro van Standaarde ten opsigte van die tersaaklike SANS-spesifikasie, uitgereik deur die buro, vertoon; of
 - b) 'n sertifiseringsmerik uitgereik deur die SANS vertoon wat sertifiseer dat die pyp of watertoebroorsel:
 - (i) aan 'n SANS-merkspesifikasie voldoen, of
 - (ii) voldoen aan 'n voorlopige spesifikasie wat deur SANS uitgereik is;
 - c) by die lys van water- en sanitasie-installasies wat deur JASWIC aanvaar word, ingesluit is.
 - d) Let in hierdie verband daarop dat geen sertifiseringsmerik vir 'n tydperk van langer as twee jaar geldig sal wees nie.
- (4) Die munisipaliteit mag na goeदनunke enige bykomende voorwaarde oplê met betrekking tot die gebruik van of metode van installasie van enige pyp of watertoebroorsel wat by die skedule ingesluit is.
- (5) 'n Pyp of sanitasietoebroorsel moet uit die skedule geskrap word indien dit:
- a) nie meer voldoen aan die kriteria waarop aanvanklike insluiting gegrond is nie; of
 - b) nie meer geskik is vir die doel waarvoor dit aanvanklik aanvaar is nie.
- (6) Die huidige skedule moet ten alle tye gedurende kantoorure ter insae lê by die munisipale kantore.
- (7) Die munisipaliteit mag afskrifte van die huidige skedule verkoop teen 'n koste wat deur hom bepaal word.

91. Toets van dreineringsinstallasies

- (1) Geen dreineringsinstallasie, of enige deel daarvan, mag by *in situ*-sanitasiedienste aangesluit word en die munisipaliteit se sanitasiestelsel sal ook nie by 'n bestaande goedgekeurde installasie aangesluit word nie tensy een of meer van die volgende toetse in die teenwoordigheid en ter bevredig van die munisipaliteit uitgevoer is, alvorens die dreineringsinstallasie toegemaak word:
- a) Die binnekant van elke pyp of reeks pype tussen twee toegangspunte moet regdeur die lengte daarvan met behulp van 'n spieël en 'n ligbron geïnspekteer word, en ten tyde van die inspeksie moet die waarnemer 'n ononderbroke ligkring sien, en dit moet blyk dat die pyp of reeks pype geensins versper is nie;

- b) 'n Gladde bal met 'n diameter van 12 mm minder as dié van die normale diameter van die pyp sal, wanneer dit by die bo-ent van die pyp ingerol word, afrol tot by die onderent sonder dat dit aangehelp word of vassteek;
 - c) Indien die munisipaliteit dit nodig ag, sal 'n inspeksie van die pyp by wyse van 'n kamera toegelaat word;
 - d) Nadat alle openings na die pyp of reeks pype wat getoets gaan word, toegestop of verseël is en nadat alle gepaardgaande sperders met water gevul is, moet lug in die pyp of pype gepomp word totdat 'n manometriese druk van 38 mm water aangedui word, waarna die druk vir 'n tydperk van ten minste 3 (drie) minute sonder enige verdere pomp teen 25 mm water gehandhaaf moet word; en
 - e) Alle dele van die installasie sal onderwerp word aan en moet in staat wees om 'n intern-toegepaste hidrouliese druktoets van nie minder nie as 'n drukhoogte van 3 m vir 'n tydperk van nie minder nie as 10 minute te weerstaan.
- (2) Indien die munisipaliteit rede het om te glo dat 'n dreineringsinstallasie of enige deel daarvan onklaar geraak het, mag hy van die eienaar van enige perseel vereis om enige of al die toetse uit te voer soos in subartikel (1) voorgeskryf en indien die installasie nie daarin sou slaag om, ter bevrediging van die munisipaliteit, aan enige of al die toetse te voldoen nie, mag die munisipaliteit per kennisgewing van die eienaar vereis om alle redelike maatreëls te tref wat nodig mag wees om te verseker dat die installasie aan enige of al hierdie toetse voldoen.

92. Wateriaanvraagbestuur

- (1) Nieteenstaande die bepalings vervat in artikel 98 en 118 sal geen spoelurinaal wat nie deur die gebruiker geaktiveer word op enige waterinstallasie geïnstalleer word of aanhou gebruik word nie. Alle spoelurinale wat nie deur die gebruiker geaktiveer word nie wat vóór die uitvaardiging van hierdie regulasies geïnstalleer is, moet na binne twee jaar vanaf die inwerkingtreding van hierdie verordeninge na gebruikergeaktiveerde urinale omgeskakel word.
- (2) Geen spoelbak, of gepaardgaande pan wat ontwerp is om in samehang met sodanige spoelbak te werk nie, met 'n spoelbakkapasiteit van meer as 9 liter mag geïnstalleer word nie en alle spoelbakke wat nie vir openbare gebruik is nie, sal toegerus word met spoeltoestelle wat onderbreekbare of veelvuldige spoele toelaat, met dien verstande dat sodanige spoeltoestelle nie as 'n vereiste gestel word vir spoelbakke met 'n kapasiteit van 4,5 liter of minder nie.

HOOFSTUK 6: WATERDIENSTE-TUSSENGANGERS

93. 92. Registrasie

Die munisipaliteit mag, per openbare kennisgewing, van waterdienste-tussengangers of klasse van waterdienste-tussengangers om by die munisipaliteit te registreer op 'n wyse wat in die openbare kennisgewing gespesifiseer word.

94. Verskaffing van waterdienste

- (1) Waterdienste-tussengangers moet toesien dat waterdienste, met inbegrip van basiese dienste soos deur die munisipale raad bepaal, voorsien word aan diegene aan wie dit verplig is om waterdienste te lewer.
- (2) Die gehalte, hoeveelheid en volhoubaarheid van waterdienste wat deur 'n waterdienste-tussenganger verleen word, moet aan die minimumstandaarde voldoen wat ingevolge die Wet voorgeskryf word en moet ten minste van dieselfde standaard wees as dié wat deur die munisipaliteit aan kliënte voorsien word.

95. Gelde vir waterdienste verskaf

- (1) 'n Waterdienste-tussenganger mag nie gelde vir 'n waterdiens hef teen 'n prys wat nie voldoen aan die norme en standaarde wat ingevolge die Wet voorgeskryf word nie en wat nie aan enige bykomende norme en standaarde voldoen soos deur die munisipaliteit opgelê nie.
- (2) 'n Waterdienste-tussenganger moet gesubsidieerde waterdienste verskaf, soos van tyd tot tyd deur die munisipale raad ingevolge die munisipaliteit se verordeninge insake kredietbeheer en skuldinvordering bepaal, teen 'n prys wat dieselfde of minder is as die koste waarteen die munisipaliteit sodanige dienste aan kliënte lewer.

HOOFSTUK 7: ONGEMAGTIGDE WATERDIENSTE

96. Ongemagtigde dienste

- (1) Niemand mag toegang tot waterdienste verkry nie tensy dit ingevolge 'n ooreenkoms is wat met die munisipaliteit vir die lewering van daardie dienste aangegaan is.
- (2) Die munisipaliteit mag, afgesien van enige ander stappe wat hy teen sodanige persoon ingevolge hierdie verordening per skriftelike kennisgewing mag instel, 'n persoon wat van ongemagtigde dienste gebruik maak, gelas om:
 - a) aansoek vir sodanige dienste te doen ingevolge artikels 2 en 3; en
 - b) sodanige werk te onderneem as wat nodig mag wees om te verseker dat die kliëntinstallasie waardeur toegang verkry is aan die bepalings van hierdie of enige ander tersaaklike verordening voldoen.

97. Inmenging met infrastruktuur vir die lewering van waterdienste

- (1) Niemand anders as die munisipaliteit sal infrastruktuur waardeur waterdienste gelewer word, beheer, bedryf of in stand hou nie tensy 'n geskrewe ooreenkoms met die munisipaliteit aangegaan is.
- (2) Niemand anders as die munisipaliteit sal 'n aansluiting aan infrastruktuur waardeur waterdienste gelewer word, bewerkstellig nie tensy dit deur 'n ooreenkoms met die munisipaliteit gedek word.
- (3) Die munisipaliteit mag enige koste verhaal wat verband hou met die herstel van skade wat weens 'n oortreding van subartikels (1) en (2) veroorsaak is. Die koste verhaalbaar deur die munisipaliteit is die volle koste wat verband hou met die herstel van die skade en sluit in, maar is nie beperk nie tot, enige verkennende ondersoek, opmetings, planne, spesifikasies, hoeveelhedslyste, toesighouding, administrasieheffings, die gebruik van gereedskap, uitgawes verbonde aan arbeid betrokke by die verstoring of rehabilitering van enige deel van 'n straat of grond wat deur die herstelwerk geraak word en die omgewingskoste.

98. Versperring van toegang tot infrastruktuur vir die lewering van water-, sanitasie- en rioleringsdienste

- (1) Niemand sal die munisipaliteit se fisiese toegang tot infrastruktuur waardeur water-, sanitasie- en rioleringsdienste gelewer word, verhoed of beperk nie.
- (2) As 'n persoon subartikel (1) oortree, mag die munisipaliteit:
 - a) per skriftelike kennisgewing van sodanige persoon vereis om toegang op sy eie koste binne 'n spesifieke tydperk te herstel; of

- b) as die situasie na sy mening 'n saak van dringendheid is, sonder voorafkennigswing, toegang herstel en die koste van sodanige persoon verhaal.
- (3) Die koste verhaalbaar deur die munisipaliteit is die volle koste wat verband hou met die herstel van toegang en sluit in, maar is nie beperk nie tot, enige verkennende ondersoek, opmetings, planne, spesifikasies, hoeveelheidslyste, toesighouding, administrasieheffings, die gebruik van gereedskap, uitgawes verbonde aan arbeid betrokke by die versterking of rehabilitering van enige deel van 'n straat of grond wat deur die herstelwerk geraak word en die omgewingskoste.

99. Verkwisting van water

- (1) Geen kliënt sal toelaat dat —
 - a) water doelloos of verkwistend by eind-watertoebehore uitgelaat word nie;
 - b) pype of watertoebehore lek nie;
 - c) verkeerd ingestelde of defektiewe watertoebehore gebruik word nie; of
 - d) water deurentyd oorloop nie.
- (2) 'n Eienaar sal enige deel van sy water- en sanitasie-installasie herstel of vervang wat in so 'n swak toestand is dat dit 'n insident soos in subartikel (1) gelys, óf veroorsaak óf waarskynlik gaan veroorsaak.
- (3) As die eienaar versuim om maatreëls, soos beoog in subartikel (2), te tref, sal die munisipaliteit, per skriftelike kennisgewing, van die eienaar vereis om aan die bepalings van subartikel (1) te voldoen.
- (4) Die munisipaliteit mag, per skriftelike kennisgewing, 'n kliënt verbied om enige toerusting in 'n water- of sanitasie-installasie te gebruik indien, na sy mening, die waterverbruik van daardie toerusting ondoeltreffend is. Sodanige toerusting mag nie weer gebruik word nie alvorens die doeltreffendheid daarvan herstel is en 'n skriftelike aansoek om dit weer te gebruik deur die munisipaliteit goedgekeur is.

100. Ongemagtigde en onwettige afvoerings

- (1) Niemand mag enige rioolvuil regstreeks of onregstreeks in 'n stormwaterdrein, rivier, stroom of ander waterloop, hetsy natuurlik of kunsmatig, afvoer of toelaat dat dit daarin afgevoer word nie.
- (2) Waar die afspuit of afspoel deur reënwater van 'n oop area op enige perseel na die mening van die munisipaliteit waarskynlik die afvoering van aanstootlike stowwe in enige straat, stormwaterdrein, rivier, stroom of ander waterloop, hetsy natuurlik of kunsmatig, gaan veroorsaak of daartoe gaan bydra, of waarskynlik daartoe gaan bydra, dat enige sodanige waterloop besoedel gaan word, mag die

munisipaliteit, per kennisgewing, van die eienaar van die perseel vereis om redelike maatreëls te tref om sodanige afvoering of besoedeling te verhoed of te minimaliseer.

- (3) Die eienaar of okkupeerder van enige perseel waarop stoom of enige vloeistof anders as drinkwater geberg, verwerk of genereer word, sal alle fasiliteite verskaf wat nodig is om enige afvoering of lekkasie van sodanige vloeistof in enige straat, stormwaterpyp of waterloop, hetsy natuurlik of kunsmatig, te verhoed behalwe waar, in die geval van stoom, die munisipaliteit sodanige afvoering goedgekeur het.
- (4) Niemand mag die volgende afvoer en/of toelaat dat dit op die volgende wyse afgevoer word nie:
- a) enige stof, insluitende stormwater, anders as rioolvuil in 'n dreineringsinstallasie;
 - b) water vanuit enige swembad regstreeks of onregstreeks oor enige pad of in 'n watersloot, stormwaterpyp, waterloop, oop grond of private perseel anders as die perseel van die eienaar van sodanige swembad;
 - c) water vanuit kunsmatige fonteine, reservoirs of swembaddens wat op persele aangebring is in 'n dreineringsinstallasie, tensy die munisipaliteit goedkeuring daarvoor verleen het en onderworpe aan die betaling van die toepaslike heffings en sodanige voorwaardes as wat die munisipaliteit mag opleë;
 - d) enige rioolvuil, nywerheidsuitvloeisel of ander vloeistof of stof wat:
 - (i) na die mening van die munisipaliteit, aanstootlik kan wees of 'n oorlas vir die publiek kan veroorsaak;
 - (ii) in die vorm van stoom of damp is of 'n temperatuur van meer as 45° C het by die punt waar dit die riool binnegaan;
 - (iii) 'n pH-waarde van minder as 6,0 of meer as 10 het;
 - (iv) enige stof van watter aard ook al bevat wat waarskynlik plofbare, vlambare, giftige of aanstootlike gasse of dampe in enige riool gaan voortbring of vrystel;
 - (v) enige stof bevat wat 'n oop ontbrandingspunt van minder as 93°C het of wat 'n giftige damp vrystel teen 'n temperatuur van minder as 93° C;
 - (vi) enige materiaal van water aard ook al, met inbegrip van olie, ghries, vet of skoonmaakmiddels, bevat wat in staat is om blokkasies in rioolpype en dreine te veroorsaak of wat met die behoorlike werking van rioolvuilbehandelingsaanlegte kan inmeng;

- (vii) enige sigbare tekens van teer of verwante produkte of distillate, bitumen of asfalt toon;
- (viii) enige stof in sulke konsentrasies bevat dat dit 'n ongewenste smaak ná chlorering of 'n ongewenste reuk of kleur, of uitermatige skuim, tot gevolg kan hê;
- (ix) na gelang van die geval, of 'n hoër CSB- (chemiese suurstofbehoefte-) waarde, 'n laer pH-waarde, of 'n hoër bytende alkaliniteit of elektriese geleivermoë het as wat in Bylae A gespesifiseer is, tensy goedkeuring vooraf verleen is en onderworpe aan die betaling van die toepaslike heffings en sodanige voorwaardes as wat die munisipaliteit mag oplê;
- (x) enige stof bevat wat na die mening van die munisipaliteit:
 - aa) nie behandel kan word by die rioolvuilbehandelingsaanleg waarin dit afgevoer gaan word nie; of
 - bb) 'n negatiewe impak gaan hê op die behandelingsprosesse by die rioolvuilbehandelingsaanleg waarin dit afgevoer gaan word; of
 - cc) 'n negatiewe impak gaan hê op die vermoë van die rioolvuilbehandelingsaanleg om uitlate voort te bring wat aan die standaarde vir afvalwateruitlatings te voldoen wat ingevolge die Nasionale Waterwet, 1998 (Wet 36 van 1998) en die DWAF se Algemene Magtiging (2004) bepaal is; of
- (xi) hetsy alleen of in kombinasie met ander stowwe:
 - aa) kan neerkom op 'n toksiese stof, of só 'n stof voortbring, wat 'n gevaar inhou vir die gesondheid van werknemers wat by die rioolvuilbehandelingsaanleg werk of wat, in die uitvoering van hul pligte, die Raad se riele of mangate moet betree; of
 - bb) skadelik kan wees vir die rioolpype, behandelingsaanlegte of grond wat gebruik word om met behandelde afvalwater weg te doen; of
 - cc) 'n negatiewe impak kan hê op enige prosesse waarvolgens rioolvuil behandel word of op enige hergebruik van behandelde riooluitvloei.
- (5) Niemand mag die opeenhoping van ghries, olie, vet of vaste stowwe in enige dreineringsinstallasie veroorsaak of toelaat nie waar só 'n opeenhoping 'n negatiewe impak op die funksionering van die installasie sal hê.
- (6) Die munisipaliteit mag, nieteenstaande enige ander stappe wat ingevolge hierdie verordeninge geneem kan word, alle koste van enige persoon verhaal wat nywerheidsuitvloei of ander ongemagtigde of onwettige stowwe afvoer wat

deur die munisipaliteit aangegaan is as gevolg van sodanige afvoerings, met inbegrip van koste wat voortspruit uit:

- a) die besering van persone en skade aan die sanitasiesetel; of
- b) strafsake ingevolge die Nasionale Waterwet, 1998 (Wet 36 van 1998).

101. Onwettige heraansluiting

'n Kliënt wie se toegang tot watervoorsieningsdienste ingekort of afgesluit is wat opsetlik weer by die dienste aansluit of wat opsetlik of op 'n nalatige wyse inmeng met die infrastruktuur waardeur watervoorsieningsdienste verskaf word, se dienste, sal per skriftelike kennisgewing, afgesluit word.

102. Inmenging met infrastruktuur

- (1) Niemand mag onwettig of opsetlik of nalatig inmeng met infrastruktuur wat deur die munisipaliteit gebruik word om munisipale dienste te lewer nie.
- (2) As 'n persoon subartikel (1) oortree, mag die munisipaliteit —
 - a) per skriftelike kennisgewing van sodanige persoon vereis om, op sy eie koste, sodanige inmenging te staak of reg te stel binne 'n spesifieke tydperk; of
 - b) as die situasie na sy mening 'n saak van dringendheid is, sonder voorafkennisgewing, sodanige inmenging verhoed of regstel en die koste van sodanige persoon verhaal.

103. Pype in strate of openbare plekke

Tensy die munisipaliteit skriftelik daartoe ingestem het en onderworpe aan sodanige voorwaardes as wat hy mag opla, sal niemand 'n pyp of verbandhoudende komponent aanla of aanbring in of onder 'n straat, openbare plek of grond wat in munisipale besit is of deur die munisipaliteit beheer word vir die doeleinde om water of rioolvuil, komende van watter bron ook al, af te voer nie.

104. Gebruik van water uit ander bronne as die watertoeverstelsel

- (1) Niemand sal water vir huishoudelike, kommersiële of nywerheidsdoeleindes afkomstig van 'n bron anders as die watervoorsieningstelsel, met die uitsondering van reënwaterenks wat nie met die waterinstallasie verbind is nie, gebruik of toelaat dat dit gebruik word nie tensy die munisipaliteit of DWA vooraf toestemming verleen het, en dan slegs ooreenkomstig sodanige voorwaardes as wat hulle opgelê het.
- (2) Enige persoon wat toestemming soos beoog in subartikel (1) verlang, sal die munisipaliteit van afdoende bewyse voorsien dat die water waarna in subartikel (1) verwys word, hetsy as gevolg van behandeling of andersins, voldoen aan die mees onlangse gewysigde SANS 241: Drinkwater, of dat die gebruik van sodanige water nie 'n gesondheidsgevaar inhou of sal inhou nie.

- (3) Enige toestemming wat ingevolge subartikel (1) verleen is, kan teruggetrek word indien, na die mening van die munisipaliteit:
 - a) 'n voorwaarde wat ingevolge subartikel (1) opgelê is, verbreek word; of
 - b) die watergehalte nie meer voldoen aan die vereistes waarna in subartikel (2) verwys word nie.
- (4) Die munisipaliteit mag monsters neem van water wat verkry is van 'n bron anders as die watervoorsieningstelsel en daardie monsters laat toets vir voldoening aan die vereistes soos beoog in subartikel (2).
- (5) Die vasgestelde gelde vir die neem en toetsing van die monsters waarna in subartikel (4) hierbo verwys word, sal betaal word deur die persoon aan wie toestemming ingevolge subartikel (1) verleen is.
- (6) As water wat uit 'n boorgat of ander voorraadbron op enige perseel verkry is, gebruik word vir 'n doeleinde wat tot gevolg het dat sulke water of 'n gedeelte daarvan in die munisipaliteit se rioleringsstelsel afgevoer word, mag die munisipaliteit 'n meter installeer in die pyp wat vanaf sodanige boorgat of ander voorraadbron lei tot by die punt of punte waar die water aldus gebruik word.
- (7) Die bepalings van artikel 21 sal geld in die mate waartoe hulle van toepassing is ten opsigte van die meter waarna in subartikel (4) verwys word.

105. Gebruik van *in situ*-sanitasiedienste wat nie aan die sanitasiestelsel gekoppel is nie

- (1) Niemand sal vir huishoudelike, kommersiële of nywerheidsdoeleindes *in situ*-sanitasiedienste wat nie aan die munisipaliteit se sanitasiestelsel gekoppel is, gebruik of toelaat dat dit gebruik word nie behalwe met die vooraf skriftelike goedkeuring van die munisipaliteit, en dan ooreenskomstig sodanige voorwaardes as wat hy mag oplê.
- (2) Enige persoon wat toestemming verlang soos in subartikel (1) beoog, sal die munisipaliteit van afdoende bewyse voorsien dat die sanitasiefasiliteit nie 'n nadelige impak op gesondheid of die omgewing sal hê nie.
- (3) Enige toestemming wat ingevolge subartikel (1) verleen is, mag teruggetrek word indien, na die mening van die munisipaliteit:
 - a) 'n voorwaarde wat ingevolge subartikel (1) opgelê is, verbreek word; of
 - b) die sanitasiefasiliteit 'n nadelige impak op gesondheid of die omgewing het; of
 - c) 'n munisipale diens beskikbaar word en 'n aansluiting deur die munisipaliteit voorsien kan word.

- (4) Die munisipaliteit mag sodanige ondersoeke onderneem as wat hy nodig mag ag om te bepaal of 'n sanitasiefasiliteit 'n nadelige impak op gesondheid of die omgewing het.
- (5) Die persoon aan wie toestemming ingevolge subartikel (1) verleen is, sal aanspreeklik wees vir koste wat verband hou met 'n ondersoek wat ingevolge subartikel (2) onderneem is indien die uitslag van die ondersoek toon dat die sanitasiefasiliteit 'n nadelige impak op gesondheid of die omgewing het.

HOOFSTUK 8: KENNISGEWINGS

106. Bevoegdheid om kennisgewings te bestel en nakoming van kennisgewings

- (1) Die munisipaliteit mag, per skriftelike kennisgewing, 'n eienaar, kliënt of enige ander persoon wat versuim, hetsy deur 'n handeling of nalatigheid, om aan die bepalings van hierdie verordeninge te voldoen, of enige voorwaarde na te kom wat ingevolge daarvan opgelê is, gelas om sy versuim binne 'n tydperk soos in die kennisgewing gespesifiseer, reg te stel, welke tydperk nie minder as dertig dae sal wees nie behalwe 'n kennisgewing uitgereik ingevolge artikel 19, waar die tydperk nie minder as sewe dae sal wees nie.
- (2) Indien 'n persoon versuim om binne die gespesifiseerde tydperk te voldoen aan 'n kennisgewing wat die munisipaliteit ingevolge hierdie verordeninge op hom bestel het, mag die munisipaliteit sodanige stappe neem as wat nodig sal wees om nakoming te verseker, insluitende —
 - a) om self die nodige werk te onderneem en die koste verbonde aan sodanige handeling of werk van daardie eienaar, verbruiker of ander persoon te verhaal;
 - b) om die lewering van dienste in te kort of te staak; en
 - c) regstappe te neem; of
 - d) 'n boete op te lê.
- (3) 'n Kennisgewing ingevolge subartikel (1) moet —
 - a) die besonderhede verstrek van enige bepaling van hierdie verordeninge waaraan nie voldoen is nie;
 - b) aan die eienaar, verbruiker of ander persoon 'n redelike geleentheid gun om, binne 'n gespesifiseerde tydperk, skriftelike vertoë aan die munisipaliteit te rig en sy saak te stel, tensy die eienaar, verbruiker of ander persoon só 'n geleentheid gegun is alvorens die kennisgewing uitgereik is;
 - c) die stappe spesifiseer wat die eienaar, verbruiker of ander persoon moet neem om nakoming te verseker;
 - d) die tydperk spesifiseer waarbinne die eienaar, verbruiker of ander persoon die stappe moet neem om sodanige versuim reg te stel; en
 - e) aandui dat die munisipaliteit —
 - (i) enige werk mag onderneem wat nodig is om versuim om aan 'n kennisgewing te voldoen, reg te stel en dat die koste wat deur die munisipaliteit in hierdie verband aangegaan word van die eienaar,

verbruiker of ander persoon wat nie daaraan gehoor gegee het nie, verhaal mag word; en

(ii) tot enige ander stappe mag oorgaan wat hy nodig ag om nakoming te verseker.

- (4) In 'n noodgeval mag die munisipaliteit, sonder voorafkennisgewing aan enigeen, die werk soos beoog in subartikel (3)(e)(i) onderneem en die koste verhaal van 'n persoon op wie 'n kennisgewing ingevolge subartikel (1) bestel sou wees as dit nie 'n noodgeval was nie.
- (5) Die koste verhaalbaar deur die munisipaliteit ingevolge subartikels (3) en (4) is die volle koste wat verband hou met, maar nie beperk is nie tot, enige verkennende ondersoek, opmetings, planne, spesifikasies, hoeveelhedslyste, toesighouding, administrasieheffings, die gebruik van gereedskap, uitgawes verbonde aan arbeid betrokke by die verstoring of rehabilitering van enige deel van 'n straat of grond wat deur die werk geraak word en die omgewingskoste.

107. Appèlle teen besluite van die munisipaliteit

- (1) 'n Kliënt mag skriftelik appèl aanteken teen 'n besluit van die munisipaliteit, of 'n kennisgewing uitgereik deur hom ingevolge hierdie verordeninge.
- (2) 'n Appèl ingevolge subartikel (1) moet skriftelik geskied en moet by die munisipaliteit aanhangig gemaak word binne 21 (een-en-twintig) dae nadat die besluit of kennisgewing onder die kliënt se aandag gebring is en moet:
- a) die redes vir die appèl uiteensit; en
 - b) vergesel wees van enige waarborge, soos bepaal deur die munisipaliteit, vir die toetsing van 'n meettoestel, indien dit getoets is.
- (3) Die munisipaliteit moet binne 'n redelike tydperk nadat die appèl aanhangig gemaak is daaroor beslis en die kliënt moet so gou as moontlik daarna skriftelik oor die beslissing ingelig word.
- (4) Die munisipaliteit se beslissing is finaal.
- (5) Die munisipaliteit mag die laatindiening van appèlle of ander prosessuele onreëlmatighede kondoneer.

HOOFSTUK 9: MISDRYWE

108. Misdrywe

- (1) Onderworpe aan subartikel (2), is enige persoon wat:
- a) die uitvoering van die munisipaliteit se magte of die verrigting van sy funksies of verpligtinge ingevolge hierdie verordeninge verhoed of verhinder;
 - b) munisipale toerusting, die watervoorsieningstelsel, sanitasiestelsel en retikulasienetwerk of die verbruik van gelewerde dienste misbruik, daarmee peuter of daarmee inmeng;
 - c) 'n bepaling van hierdie verordeninge oortree, uitgesonder 'n bepaling wat betrekking het op betaling vir munisipale dienste, oortree of versuim om daaraan te voldoen; of
 - d) versuim om te voldoen aan die bepalings van 'n kennisgewing wat ingevolge hierdie verordeninge op hom bestel is, pleeg 'n misdryf en mag, by skuldigbevinding, 'n boete opgelê word en, indien die boete nie betaal word nie, gevangenisstraf van nie meer as 6 maande opgelê word, en in die geval van enige voortgesette misdryf, 'n verdere boete opgelê word wat van tyd tot tyd deur die munisipaliteit bepaal sal word en, indien daardie boete nie betaal word nie, gevangenisstraf opgelê word wat nie langer sal wees as een dag vir elke dag waarop sodanige misdryf voortgeduur het nadat 'n skriftelike kennisgewing op die betrokke persoon deur die munisipaliteit bestel is waarin hy versoek word om sodanige misdryf te staak nie.
- (2) Enige persoon wat die bepalings van hierdie verordeninge oortree, sal aanspreeklik gehou word vir die vergoeding van die munisipaliteit vir enige verlies of skade wat weens die oortreding gely of verduur is.

HOOFSTUK 10: DOKUMENTASIE

109. Ondertekening van kennisgewings en dokumente

'n Kennisgewing of dokument wat ingevolge hierdie verordeninge deur die munisipaliteit uitgereik is en wat deur 'n behoorlik gemagtigde munisipale werknemer onderteken is, sal geag word as behoorlik uitgereik te wees en moet by wyse van blote voorlegging deur 'n hof as *prima facie*-bewys van daardie feit aanvaar word.

110. Bestelling van kennisgewings

- (1) Enige kennisgewing, lasgewing of ander dokument wat ingevolge hierdie verordeninge op 'n persoon bestel is, moet onderworpe aan die bepalings van die Strafproseswet, 1977 (Wet 51 van 1977) persoonlik bestel word en, indien dit nie moontlik sou wees nie, sal dit geag behoorlik bestel te wees:
 - a) wanneer dit by daardie persoon se dorpie, woning, sake-onderneming of werksplek in die Republiek gelaat is by 'n persoon wat oënskynlik ouer as sestig jaar is;
 - b) wanneer dit per geregistreerde of gesertifiseerde pos aan daardie persoon se laaste bekende woon- of sake-adres in die Republiek gepos is en bewys van die pos daarvan van die posdiens verkry is;
 - c) indien 'n persoon se adres in die Republiek onbekend is, wanneer dit op daardie persoon se agent of verteenwoordiger in die Republiek bestel word op 'n wyse soos voorsien in subartikels (a), (b) of (d);
 - d) indien daardie persoon se adres en agent of verteenwoordiger in die Republiek onbekend is, wanneer dit op 'n opsigtelike plek op die eiendom of perseel, indien enige, waarop dit betrekking het, aangebring is;
 - e) wanneer dit in 'n erkende koerant per openbare kennisgewing gepubliseer is; of
 - f) wanneer dit ooreenkomstig die munisipaliteit se finansiële databasis per e-pos versend is.
- (2) Enige regstappe teen die munisipaliteit sal geag word na behore bestel te wees indien dit op die munisipale bestuurder of enige persoon aan diens in die munisipale bestuurder se kantoor bestel word.
- (3) Wanneer enige kennisgewing of ander dokument deur die eienaar of okkupeerder van 'n eiendom, of enige gevolmagtigde ten opsigte van daardie eiendom, onderteken of op hom bestel moet word, is dit voldoende om die persoon in die kennisgewing of ander dokument te beskryf as die eienaar of okkupeerder of gevolmagtigde, en dit sal nie nodig wees om daardie persoon by sy naam te noem nie.

- (4) Wanneer voldoening aan 'n kennisgewing binne 'n gespesifiseerde aantal werksdae vereis word, sal die tydperk wat vereis word 'n aanvang neem op die datum waarop die kennisgewing bestel is of op die datum waarop kennis op enige ander manier, soos beoog in hierdie verordeninge, gegee is.

111. Outentisering van dokumente

- (1) Enige lasgewing, kennisgewing of ander dokument wat deur die munisipaliteit bekrag moet word, sal geag word om behoorlik geoutentiseer te wees indien dit deur die munisipale bestuurder, 'n behoorlik gemagtigde amptenaar van die munisipaliteit of deur die bestuurder van die munisipaliteit se gemagtigde agent onderteken is.
- (2) Die munisipaliteit moet by wyse van 'n skriftelike ooreenkoms of 'n resoluë magtiging verleen aan diegene wat, soos beoog in subartikel (1), dokumente kan outentiseer.

112. *Prima facie*-bewyse

In 'n strafsak wat deur of namens die munisipaliteit aanhangig gemaak word, sal 'n sertifikaat wat toon dat 'n bedrag geld aan die munisipaliteit verskuldig en betaalbaar is, indien dit onderteken is deur die munisipale bestuurder of 'n behoorlik bevoegde werknemer van die munisipaliteit wat deur die munisipale bestuurder of die bestuurder van die munisipaliteit se gemagtigde agent daartoe gemagtig is om sulke sertifikate te onderteken, by blote aanbieding daarvan dien as *prima facie*-bewys van verskuldigheid.

HOOFSTUK 11: ALGEMENE BEPALINGS

113. Verantwoordelikheid vir nakoming van hierdie verordeninge

- (1) Die eienaar van 'n perseel is daarvoor verantwoordelik om toe te sien dat hierdie verordeninge ten opsigte van alle aangeleenthede verwant aan water- en sanitasie-installasies en die instandhouding daarvan nagekom word.
- (2) Die kliënt is daarvoor verantwoordelik om toe te sien dat hierdie verordeninge ten opsigte van alle aangeleenthede verwant aan die gebruik van enige water- en sanitasie-installasie gehandhaaf en nagekom word.

114. Verskaffing van inligting

'n Eienaar, okkupeerder, kliënt of persoon binne die voorsieningsgebied van die munisipaliteit moet die munisipaliteit van akkurate inligting voorsien wat redelikerwys deur die munisipaliteit versoek word met die oog daarop om hierdie verordeninge te implementeer of af te dwing.

115. Bevoegdheid om te betree en te inspekteer

- (1) Die munisipaliteit mag enige perseel op enige redelike tyd, nadat redelike skriftelike kennis aan die okkupeerder van die perseel gegee is van sy voorneme om dit te doen, betree en inspekteer vir enige doel wat met die implementering of afdwinging van hierdie verordeninge verband hou.
- (2) Enige betreding of inspeksie moet ooreenkomstig die vereistes van die Grondwet van Suid-Afrika, 1996, en enige ander wet uitgevoer word en, in die besonder, sal daar streng gelet word op betaamlikheid en orde, respek vir 'n persoon se waardigheid, vryheid en veiligheid, en persoonlike privaatheid.
- (3) Die munisipale beampte mag vergesel word van 'n tolk en enige ander persoon wat redelikerwys nodig is om die gemagtigde beampte in die uitvoering van die inspeksie by te staan.
- (4) 'n Persoon wat die munisipaliteit verteenwoordig, moet op versoek sy identifikasie toon.

116. Vrywaring van aanspreeklikheid

Nóg werknemers van die munisipaliteit nóg enige persoon, liggaam, organisasie of korporasie wat namens die munisipaliteit optree, sal aanspreeklik wees vir enige skade wat voortspruit uit enige handeling of versuim wat in goedertrou in die loop van sy pligte uitgevoer is nie, tensy die skade veroorsaak is deur 'n wederregtelike of opsetlike daad of nalatigheid.

117. Vrystelling

- (1) Die munisipaliteit mag 'n eienaar, kliënt, enige ander persoon of kategorie van eienaars, kliënte, belastingbetalers of gebruikers van dienste skriftelik vrystel van nakoming van 'n bepaling van hierdie verordeninge, onderworpe aan enige voorwaardes wat hy mag oplê, indien hy van menings is dat die afdwinging of gebruik van daardie bepaling onredelik sou wees, met dien verstande dat die

munisipaliteit nie vrystelling van enige artikel van hierdie verordeninge sal toestaan nie as dit aanleiding kan gee tot:

- a) die verkwistende of buitensporige verbruik van watervoorsieningsdienste;
 - b) beduidende nadelige impakte op openbare gesondheid, veiligheid of die omgewing;
 - c) die nie-betaling vir dienste; en/of
 - d) nienakoming van die Wet, of enige regulasies wat ingevolge daarvan uitgevaar is.
- (2) Die munisipaliteit mag te eniger tyd, nadat skriftelike kennis van ten minste dertig dae gegee is, enige vrystelling wat ingevolge subartikel (1) toegestaan is, terugtrek.

118. Strydigheid van wette

Indien daar enige strydigheid tussen hierdie verordeninge of enige ander verordeninge van die munisipaliteit is, sal hierdie verordeninge geld.

119. Oorgangsreëlings

- (1) Installeringswerk wat deur die munisipaliteit gemagtig is vóór die inwerkingtredingsdatum van hierdie verordeninge of gemagtigde installeringswerk wat nog nie op daardie datum afgehandel is nie, sal geag word as gemagtig te wees ingevolge hierdie verordeninge, en die munisipaliteit mag, vir 'n tydperk van 90 (negentig) dae ná die inwerkingtreding van hierdie verordeninge, installeringswerk magtig ooreenkomstig die verordeninge wat werk onmiddellik vóór die promulgasie van hierdie verordeninge gereguleer het.
- (2) Enige verwysing in hierdie verordeninge na 'n heffing wat deur die munisipale raad bepaal is, sal geag 'n verwysing te wees na 'n heffing wat deur die munisipale raad bepaal is ingevolge die verordeninge wat in artikel 120 herroep is, tot en met die inwerkingtredingsdatum van enige toepaslike heffings wat deur die munisipale raad ingevolge hierdie verordeninge, of verordeninge insake kredietbeheer en skuldinvordering, bepaal mag word, en enige verwysing na 'n bepaling in die verordeninge wat in artikel 120 herroep is, sal geag 'n verwysing te wees na die ooreenstemmende bepaling in hierdie verordeninge.
- (3) Enige goedkeuring, vergunning of vrystelling wat verleen is ingevolge verordeninge wat in artikel 120 herroep is, sal – met die uitsondering van die bepalings van subartikel (4) – geldig bly.
- (4) Daar sal van geen kliënt vereis word om aan hierdie verordeninge te voldoen deur 'n waterinstallasie of deel daarvan te verander wat ooreenkomstig enige geldende wette wat onmiddellik vóór die inwerkingtreding van hierdie verordeninge geïnstalleer is nie mits, na die mening van die munisipaliteit, die installasie, of deel

daarvan, so defektief of in só 'n toestand of posisie is dat dit die verkwisting of buitensporige gebruik van water, besoedeling van die watervoorraad of 'n gesondheidsgevaar tot gevolg kan hê, in welke geval die munisipaliteit per kennisgewing van die kliënt mag vereis om aan die bepalings van hierdie verordeninge te voldoen.

120. Herroeping van bestaande munisipale waterdienste-verordeninge

Die bepalings van enige verordening insake die voorsiening van water- en sanitasiedienste deur die munisipaliteit word hiermee herroep in die mate waartoe hulle betrekking het op enige aangeleentheid waarvoor bepalings in hierdie verordeninge neergelê is.

121. Korttitel en datum van inwerkingtreding

- (1) Hierdie verordeninge heet die Verordeninge insake Water, Sanitasiedienste en Nywerheidsuitvloeisel van die Witzenberg Munisipaliteit en sal in werking tree op die datum waarop dit in die Provinsiale Koerant afgekondig word.
- (2) Die munisipaliteit mag, per kennisgewing in die Provinsiale Koerant, bepaal dat bepalings van hierdie verordeninge, soos gelys in die kennisgewing, nie in sekere areas van sy regsgebied, soos gelys in die kennisgewing, geld nie vanaf 'n datum wat in die kennisgewing gespesifiseer word.
- (3) Tot tyd en wyl 'n kennisgewing, soos beoog in subartikel (2), gepubliseer word, is hierdie verordeninge bindend.

SCHEDULE A: LIMITS OF CONCENTRATIONS OF SUBSTANCES THAT MAY BE DISCHARGED INTO THE WITZENBERG MUNICIPALITY'S SANITATION SYSTEM

- No person shall discharge effluent into the sewerage system which contains a substance, either alone or in combination with other substances, having a concentration in excess of those listed below.**

Parameter	Allowed specifications	Units
A. General		
A temperature at the point of entry in excess of	43 ^o	C
A pH less than 10,0 or greater than 6,0	6,0 – 10,0	
Chemical oxygen demand (COD) less than	3 000	mg/L
Electrical conductivity— not greater than	150	m S / m at 25 °C
B. Chemical substances other than heavy metals		
Anionic surface active agents	500	mg/L
All sugars and / or starch (expressed as glucose)	1 500	mg/L
Available chlorine as Cl	100	mg/L
Caustic alkalinity as CaCO ₃	2 000	mg/L
Chloride as Cl	250	mg/L
Fluorine-containing compounds as F	5	mg/L
Formaldehyde as HCHO	50	mg/L
Non-organic solids in suspension	100	mg/L
Oils, greases, waxes and fats	50	mg/L
Sodium as Na	250	mg/L
Settable solids (60 minutes)	50	ml/L
Substance not in solution (including fat, oil, greases, waxes and like substances)	100	mg/L
Substances soluble in petroleum ether	50	mg/L
Substances from which hydrogen cyanide can be liberated in the drainage installation, sewer or sewage treatment works as HCN	20	mg/L
Suspended solids	1 000	mg/L
Total dissolved solids at 105 ^o C	1 000	mg/L
Total phenols as C ₆ H ₅ OH	50	mg/L
Total phosphates as P	25	mg/L
Total cyanides as CN	20	mg/l
Total sulphates as SO ₄	1 500	mg/L
Total sulphides as S	50	mg/L
Tar products and distillates	50	mg/L
C. Metals		
Group 1		
Chromium (hexavalent)	0	mg/L
Chromium (trivalent) as CrO ₃	10	mg/L
Copper as Cu	10	mg/L
Manganese as Mn	20	mg/L
Nickel as Ni	5	mg/L
Zinc as Zn	20	mg/L
Iron as Fe	20	mg/L
Silver as Pb	5	mg/L
Cobalt as Co	5	mg/L
Tungsten as W	5	mg/L
Titanium as Tii	5	mg/L
Cadmium as Cd	5	mg/L

Parameter	Allowed specifications	Units
Total collective concentration of all metals in Group 1	50	mg/L
Group 2		
Arsenic as As	5	mg/L
Boron as B	5	mg/L
Lead as Pb	5	mg/L
Selenium as Se	5	mg/L
Mercury as Hg	5	mg/L
Cadmium as Cd	5	mg/L
Nickel as Ni	5	mg/L
Total collective concentration of all metals in Group 2	10	mg/L
D. Radioactive wastes		
Any radioactive waste or isotopes: Such concentration as may be laid down by the Atomic Energy Corporation or any state department.		

2. No person shall discharge effluent into the sewerage system which

- a) whether or not it is listed in the effluent standards or which either alone or in combination with other matter, may:
 - (i) generate or constitute a toxic substance dangerous to the health of persons employed in the maintenance or operation of the sewerage system,
 - (ii) be harmful to the sewerage system, or
 - (iii) adversely affect any of the processes whereby sewage is normally treated or the re-use of purified sewage effluent or the disposal of solids arising from the treatment process;
- b) is in the form of steam at the point of entry into the sewerage system;
- c) contains any substance of whatever nature likely to produce or give off explosive, inflammable, poisonous or offensive gases in such sewerage system;
- d) shows any visible signs of oil, tar or associated products or distillates, bitumen or asphalts or their emulsions, or emulsions of oil or grease or fats;
- e) contains any solids which may, in the opinion of the local authority, have an effect on the sewerage system;
- f) contains any solvent immiscible in water;
- g) contains dye or dye residues;
- h) contains any substances in such concentration as may, in the opinion of the local authority, interfere with the sewerage system or adversely affect the quality of reclaimed water;
- i) contains any non-biodegradable substance (e.g. blood); or
- j) contains storm water or ground water.

**SCHEDULE B: APPLICATION FORM FOR THE DISCHARGE OF INDUSTRIAL EFFLUENT TO THE
WITZENBERG MUNICIPALITY'S SANITATION SYSTEM**



DIRECTORATE OF TECHNICAL SERVICES

PERMIT APPLICATION

**TO DISCHARGE A TRADE OR INDUSTRIAL EFFLUENT
INTO THE SEWERAGE SYSTEM**

**ISSUED IN TERMS OF THE WITZENBERG MUNICIPALITY
WATER AND SANITATION BY-LAW**

**Director: Technical Services
Witzenberg Municipality
50 Voortrekker Street
CERES
6835
Tel: (023) 316 1854
Fax: (023) 316 1877
E-mail: admin@witzenberg.gov.za**

PART 1: NATURE OF THE BUSINESS OR INDUSTRY CONCERNED**1.1 Business**

REGISTERED NAME OF THE BUSINESS			
STREET NAME	POSTAL ADDRESS	ERF NO.	ALLOTMENT AREA
AUTHORISED PROCESSES FOR THE PREMISES			

PART 2: INFORMATION RELATING TO WATER CONSUMPTION**2.1 Average number of kilolitre per month of water purchased from the municipality the past six months:**

WATER CONSUMPTION	TOTAL
WATER PURCHASED FROM THE MUNICIPALITY	
WATER FROM BOREHOLE OR OTHER SOURCES	
WATER ENTERING WITH RAW MATERIALS	
TOTAL: A	

2.2 Effluent discharge rate:

CONNECTION POSITION	MAXI MUM RATE IN kl		
	PER MONTH	PER DAY	PER HOUR

2.3 Effluent discharge factor:

FRACTION OF METERED WATER NOT DISCHARGED TO SEWER	
FRACTION OF METERED WATER TO SEWER	

In the event that no effluent meter is installed on the premises, the estimated volume of unmetered effluent discharge will be calculated as follows:

70% of Total: A, except if otherwise agreed with the municipality

2.4 Effluent discharge times:

MONDAY TO THURSDAY	
FRIDAY	
SATURDAY	
SUNDAY	

PART 3: INFORMATION REGARDING THE COMPOSITION OF THE INDUSTRIAL EFFLUENT

3.1 Information relating to the chemical and physical characteristics of the effluent to be discharged:

Parameter	Allowed specifications	Units
A. General		
A temperature at the point of entry in excess of		C
A pH less than 10,0 or greater than 6,0		
Chemical oxygen demand (COD) less than		mg/L
Electrical conductivity – not greater than		m S / m at 25 °C
B. Chemical substances other than heavy metals		
Anionic surface active agents		mg/L
All sugars and / or starch (expressed as glucose)		mg/L
Available chlorine as Cl		mg/L
Caustic alkalinity as CaCO ₃		mg/L
Chloride as Cl		mg/L
Fluorine-containing compounds as F		mg/L
Formaldehyde as HCHO		mg/L
Non-organic solids in suspension		mg/L
Oils, greases, waxes and fats		mg/L
Sodium as Na		mg/L
Settable solids (60 minutes)		ml/L
Substance not in solution (including fat, oil, grease, waxes and like substances)		mg/L
Substances soluble in petroleum ether		mg/L
Substances from which hydrogen cyanide can be liberated in the drainage installation, sewer or sewage treatment works as HCN		mg/L
Suspended solids		mg/L
Total dissolved solids at 105° C		mg/L
Total phenols as C ₆ H ₅ OH		mg/L
Total phosphates as P		mg/L
Total cyanides as CN		mg/l
Total sulphates as SO ₄		mg/L
Total sulphides as S		mg/L
Tar products and distillates		mg/L
C. Metals		
Group 1		
Chromium (hexavalent)		mg/L
Chromium (trivalent) as CrO ₃		mg/L
Copper as Cu		mg/L

Parameter	Allowed specifications	Units
Manganese as Mn		mg/L
Nickel as Ni		mg/L
Zinc as Zn		mg/L
Iron as Fe		mg/L
Silver as Pb		mg/L
Cobalt as Co		mg/L
Tungsten as W		mg/L
Titanium as Tii		mg/L
Cadmium as Cd		mg/L
Total collective concentration of all metals in Group 1		mg/L
Group 2		
Arsenic as As		mg/L
Boron as B		mg/L
Lead as Pb		mg/L
Selenium as Se		mg/L
Mercury as Hg		mg/L
Cadmium as Cd		mg/L
Nickel as Ni		mg/L
Total collective concentration of all metals in Group 2		mg/L
D. Radioactive wastes		
Any radioactive waste or isotopes: Such concentration as may be laid down by the Atomic Energy Corporation or any state department.		

3.2 Proposed pre-treatment of effluent before discharge into the sewer system:

TYPE OF PRE-TREATMENT			REQUIRED	REMARKS
Screens (hand raked)	:	Area (m ²)		
Screens (mechanical)	:	Area (m ²)		
Macerator	:			
Grease traps	:	Volume (m ³)		
	:	Depth (m)		
Grit tanks	:			
Sedimentation tanks	:	Area (m ²)		
	:	Volume (m ³)		
Biological processes	:	Type		
pH control	:			

PART 4: 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, dilution and neutralising tanks and any other provision made for the treatment of the effluent prior to discharge to the sewer.
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 complying with the provisions of the municipality's Water Services By-laws aimed at the protection of its employees, sewers and treatment plant from damage, comply with any direction concerned with such protection given by the municipality 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, or at least 14 days before, if anything has been/will be 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.
5. The applicant shall, within 30 days from the date of signature of this application, procure an accurately representative sample of not less than 5 litres of the industrial effluent to be discharged into the sewer, which sample shall be free of domestic sewage, and shall submit one half thereof to the municipality for analysis and also submit to the municipality 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 for a period not exceeding six months or such further extended periods as the municipality in its discretion may approve.
6. The applicant hereby declares and warrants that the information given by him in this form, or otherwise, in connection with this 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 of20

.....
Signature and capacity of the applicant

The application form fully completed and in duplicate should be posted to:

The Director: Technical Services
Witzenberg Municipality
50 Voortrekker Street
CERES
6835

OR

Delivered to:
Witzenberg Municipality
50 Voortrekker Street
CERES
6835

PART 5: APPLICATION APPROVED:

DIRECTOR: TECHNICAL SERVICES	DATE ISSUED	PERMIT NO.	DATE EXPIRES

SCHEDULE C: FORMULA FOR THE CALCULATION OF EFFLUENT DISCHARGES**WITZENBERG MUNICIPALITY**

The additional charge for industrial effluent per kilolitre for the disposal of high-strength sewage to a waste water treatment plant shall be determined in accordance with the following formula:

$$T_c = X + Y(COD_i/COD_w) + Z + \text{Penalty}$$

Where	T_c	=	Extraordinary treatment cost to consumer per kℓ
	X	=	Conveyance cost per kℓ
		=	C_C/V_A
	Conveyance	=	The transport of effluent or any liquid waste in the bulk or external sewer network from the point of discharge to the inlet of the treatment works
	C_C	=	The operation and maintenance expenditure towards the conveyance of the waste water in kℓ per annum
	V_A	=	Adjusted volume (meaning total volume corrected for infiltration) in kℓ per annum
	Y	=	Variable treatment costs per kℓ
		=	C_T/V_A
	Variable treatment costs	=	These costs are defined as expenditure that does vary significantly with volume and COD loading
	C_T	=	The operation and maintenance expenditure towards the treatment of the waste water in kℓ per annum
	V_A	=	Adjusted volume (meaning total volume corrected for infiltration) in kℓ per annum
	COD_i	=	Average of each industry, inclusive of both biodegradable and non-biodegradable portion of COD
	COD_w	=	Average of works (weighted for more than one works), inclusive of both biodegradable and non-biodegradable portion of COD
	Z	=	Fixed costs per kℓ
		=	C_F/V_A
	Fixed costs	=	These costs are defined as expenditure that does not vary significantly during a financial year and which is not affected by COD loading
	C_F	=	Fixed cost expenditure towards the treatment of the waste water in kℓ per annum
	V_A	=	Adjusted volume (meaning total volume corrected for infiltration) in kℓ per annum
	Penalty	=	Penalty per kℓ charged in addition to the effluent charge based on volume and COD for prohibited effluents, for instance where COD_i of the effluent exceeds 3000 mg/L or where any other quality parameter exceeds the maximum value allowed according to Annexure A of the / by-laws, as contained in the permit for the industry
		=	$P \times (\text{value measured}/\text{maximum allowed})$
		=	If value measured is lower than maximum value $P = 0$, except in the case of pH where $P = 0$ if pH is between 6 and 10 and the Penalty =
		=	$P \times (\text{value measured}/10)$ if the pH is above 10 and =
		=	$P \times \{[4 + (4 - \text{value measured})]/4\}$ if it is below 4
	P	=	Unit penalty charge as determined by Council

**SCHEDULE D: PERMIT ISSUED TO ALLOW THE DISCHARGE OF TRADE OR INDUSTRIAL EFFLUENT
INTO THE SEWERAGE SYSTEM**

DATE



PERMIT NO.

WITZENBERG MUNICIPALITY

DIRECTORATE CIVIL SERVICES

PERMIT

TO DISCHARGE A TRADE OR INDUSTRIAL EFFLUENT
INTO THE SEWERAGE SYSTEM

Valid for one year after issue

**ISSUED IN TERMS OF THE WITZENBERG MUNICIPALITY WATER AND SANITATION BY-
LAW**

Director: Technical Services
Witzenberg Municipality
50 Voortrekker Street
CERES
6835
Tel: (023) 316 1854
Fax: (023) 316 1877
E-mail: admin@witzenberg.gov.za

PERMIT TO DISCHARGE INDUSTRIAL EFFLUENT INTO THE SEWERAGE SYSTEM

DATE



PERMIT NO.

1. Nature of the business or industry concerned

REGISTERED NAME OF THE BUSINESS			
STREET NAME	POSTAL ADDRESS	ERF NO.	ALLOTMENT AREA
AUTHORISED PROCESSES FOR THE PREMISES			

2. Effluent discharge rate:

CONNECTION POSITION	MAXIMUM RATE IN kℓ		
	PER MONTH	PER DAY	PER HOUR

3. Effluent discharge factor:

FRACTION OF METERED WATER NOT DISCHARGED TO SEWER	
FRACTION OF METERED WATER TO SEWER	

4. Effluent discharge times:

MONDAY TO THURSDAY	
FRIDAY	
SATURDAY	
SUNDAY	

5. Pre-treatment requirements before acceptance:

<ul style="list-style-type: none"> Removal of settleable solids. Fat, oil and grease removal. Any further treatment as may be deemed necessary when more information on the composition of the effluent being discharged is available after sampling and analysis. Special steps should be taken to ensure that no sea water can enter the municipal sewerage system.

6. Physical and chemical condition requirements before acceptance:

Parameter	Allowed specifications	Units
B. General		
A temperature at the point of entry in excess of	43°	C
A pH less than 10,0 or greater than 6,0	6,0 – 10,0	
Chemical oxygen demand (COD) less than	3 000	mg/L
Electrical conductivity – not greater than	150	m S / m at 25 °C
B. Chemical substances other than heavy metals		
Anionic surface active agents	500	mg/L
All sugars and / or starch (expressed as glucose)	1500	mg/L
Available chlorine as Cl	100	mg/L
Caustic alkalinity as CaCO ₃	2000	mg/L
Chloride as Cl	250	mg/L
Fluorine-containing compounds as F	5	mg/L
Formaldehyde as HCHO	50	mg/L
Non-organic solids in suspension	100	mg/L
Oils, greases, waxes and fats	50	mg/L
Sodium as Na	250	mg/L
Settable solids (60 minutes)	50	ml/L
Substance not in solution (including fat, oil, greases, waxes and like substances)	100	mg/L
Substances soluble in petroleum ether	50	mg/L
Substances from which hydrogen cyanide can be liberated in the drainage installation, sewer or sewage treatment works as HCN	20	mg/L
Suspended solids	1000	mg/L
Total dissolved solids at 105° C	1000	mg/L
Total phenols as C ₆ H ₅ OH	50	mg/L
Total phosphates as P	25	mg/L
Total cyanides as CN	20	mg/l
Total sulphates as SO ₄	1500	mg/L
Total sulphides as S	50	mg/L
Tar products and distillates	50	mg/L
C. Metals		
Group 1		
Chromium (hexavalent)	0	mg/L
Chromium (trivalent) as CrO ₃	10	mg/L
Copper as Cu	10	mg/L
Manganese as Mn	20	mg/L
Nickel as Ni	5	mg/L
Zinc as Zn	20	mg/L
Iron as Fe	20	mg/L
Silver as Pb	5	mg/L
Cobalt as Co	5	mg/L
Tungsten as W	5	mg/L
Titanium as Tii	5	mg/L
Cadmium as Cd	5	mg/L
Total collective concentration of all metals in Group 1	50	mg/L

Group 2		
Arsenic as As	5	mg/L
Boron as B	5	mg/L
Lead as Pb	5	mg/L
Selenium as Se	5	mg/L
Mercury as Hg	5	mg/L
Cadmium as Cd	5	mg/L
Nickel as Ni	5	mg/L
Total collective concentration of all metals in Group 2	10	mg/L
D. Radioactive wastes		
Any radioactive waste or isotopes: Such concentration as may be laid down by the Atomic Energy Corporation or any state department.		

7. Prohibited effluents:

No person shall discharge effluent into the sewerage system which

- a) whether or not it is listed in the Effluent standards or which either alone or in combination with other matter, may
 - (i) generate or constitute a toxic substance dangerous to the health of persons employed in the maintenance or operation of the sewerage system,
 - (ii) be harmful to the sewerage system, or
 - (iii) adversely affect any of the processes whereby sewage is normally treated or the re-use of purified sewage effluent or the disposal of solids arising from the treatment process;
- (b) is in the form of steam at the point of entry into the sewerage system;
- (c) contains any substance of whatever nature likely to produce or give off explosive, inflammable, poisonous or offensive gases in such sewerage system;
- (d) shows any visible signs of oil, tar or associated products or distillates, bitumen or asphalts or their emulsions, or emulsions of oil or grease or fats;
- (e) contain any solids which may, in the opinion of the local authority, have an effect on the sewerage system;
- (f) contain any solvent immiscible in water;
- (g) contain dye or dye residues;
- (h) contain any substances in such concentration as may, in the opinion of the local authority, interfere with the sewerage system or adversely affect the quality of reclaimed water;
- (i) contains any non-biodegradable substance (e.g. blood); or
- (j) contains storm water or ground water.

8. Special conditions for this permit:

The permit holder shall install and maintain at its own cost a suitable flow measuring device, on all lines discharging industrial effluent to the municipality's sewer system, to measure the volumes. The proposed flow measuring device shall be to the satisfaction and approval of the Director: Technical Services.

9. Indemnification of the local authority:

A permit holder shall indemnify the local authority against all claims which may be brought or instituted against it for damage to property or injury or death of persons as a result of the discharge of effluent.

10. Conditions of issue:

This permit is issued in terms of the Witzenberg Municipality Water Services By-Law and is subject to the conditions stated therein.

DIRECTOR: TECHNICAL SERVICES	DATE ISSUED	PERMIT NO.	DATE EXPIRES



UMASIPALA WASEWITZENBERG

**UMTHETHO KAMASIPALA WEENKONZO ZAMANZI NOGUTYULO
KUNYE NAMANZI AMDAKA ESHISHINI**

Isindululo

UMgaqosiseko weRiphabhlikhi yoMzantsi Afrika uvumela oomasipala ukuba basebenzise amagunya abo ezomthetho ngokuziqulungela owabo umthetho kamasipala. Icandelo 21(4) lalo mthetho uyiWater Services Act, 1997 (uMthetho we108 ka1997) lithi uMphathiswa unokunika umthetho kamasipala ongumkhombandlela oza kusetyenziswa ngabasemaGunyeni beeNkonzo zaManzi, njengesikhokelo njengokuba bequlunqa bekwafezekisa umthetho kamasipala ngokweCandelo 21(1) lalo mthetho uxeliweyo.

Ngo2001 iSebe lezaManzi namaHlathi lipapashe umthetho kamasipala ongumkhombandlela ngokunxulumene neenkonzo zamanzi. Ngo2005, lo mthetho kamasipala ungumkhombandlela, uye wahlaziywa ngokuhambelana neStrategic Framework for Water Service sonyaka ka2003. UMthetho iWater Services Act, 1997, ufuna umasipala aqulunqe umthetho kamasipala onxulumene neenkonzo zamanzi.

Olu xwebhu, uMthetho kaMasipala onxulumene naManzi kwindawo yoMasipala waseWitzenberg, lusekelwe kulo mthetho kamasipala uhlaziyiweyo weenkonzo, ungumkhombandlela, njengoko upapashwe liSebe lezaManzi namaHlathi ngoJuni 2005.

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ISAPHLUKO SOKU1: IMIGAQO GABALALA

ICANDELO LOKU1: IINGCACISO

Kulo mthetho kamasipala, naliphi igama okanye intetho enikwe intsingiselo kuMthetho iWater Services Act, 1997 (uMthetho ka108 ka1997), uMthetho iLocal Government: Municipal Systems Act, 2000 (uMthetho wama32 ka2000) okanye imiGaqo iNational Building Regulations equlunqwe ngokoMthetho iNational Building Regulations kunye neBuilding Standards Act, 1977 (uMthetho ka103 ka1977) uya kuthetha into enye kulo mthetho kamasipala, ngaphandle kokuba kukwenye imeko. Nakuphi ukubhekisa kwisini esithile kuya kuthathwa ngokuba kubhekisa nakwesinye isini, yaye xa kunokwenzeka kubekho ukungahambelani phakathi kwembalo yesiNgesi kunye naleyo yesiBhulu/yesiXhosa, kuya kuthathwa imbalo yesiNgesi.

1. Iingcaciso

(1) Kulo mthetho kamasipala, ngaphandle kokuba umxholo uthetha enye into –

“abaninixanduva lokunikwa kweenkonzo zamanzi”	baya kuba nentsingiselo efanayo naleyo inikiweyo ngokwalo Mthetho;
“amanzi amdaka”	kuthetha nawaphi amanzi, nokuba anezibi ezizamisekele kuwo okanye angqindilili;
“amanzi amdaka ekuhlanjwe ngawo”	athetha amazi amdaka avela ekusetyenzisweni kwamanzi endlwini, kodwa engenakungcola kwagutyulo lwelindle okanye nayiphi na enye into eqinileyo;
“amanzi amdaka eshishini”	athetha nawaphi amanzi amdaka angaphumi kwindawo yokuhlala abantu: Nangona le ngcaciso ingaphelelanga kwezi ndawo, ziya kuquka amanzi amdaka aphuma kuzo zonke inkqubo zorhwebo, zoveliso okanye zokwenziwa kokutya; iindawo zokuhlambisa iimpahla; iindawo zokwenza amayeza; izibhedlele; iilebhu; iimotshuwari; iigaraji; iindawo zokuxhela, nezinye;
“amanzi amdaka esiqhelo asendlwini”	aya kuthetha amanzi amdaka avela ekusetyenzisweni kwamanzi kwesiqhelo kwasekhaya kwendawo ekuhlalwa kuyo nathi aphume kumatanki okugungxula, izichameli zamadoda, iibhafu, iisinki zasekhithshini kunye nokuhlanjwa kweempahla. Le ngcaciso iya kuquka namanzi amdaka asuka kwikhaya elinye lesiqhelo ekuhlalwa kulo, ibloko yeeflethi, iihostele zasesikolweni, izindlu zokuhlala abafundi bemfundo ephakamileyo, iihostele, iivenkile zokutya, iinkanti kunye namanzi avela kwiindawo ezinjalo;
“Amanzi ezikhukula”	athetha amanzi avela endlwini okanye aqokelelekileyo yaye aquka amanzi emvula, amanzi aqokeleleke phantsi komhlaba ongaphezulu okanye awomthombo;
“amanzi obungakanani obuqingqiweyo”	athetha imibhobho yamanzi enika umxumi ubungakanani obuqingqiweyo bamanzi ngosuku;
“amanzi oluntu”	athetha nawuphi umlambo, indledlana yamanzi, unxweme, ukungenela komlambo elwandle kunye nawo nawaphi na amanye amanzi abantu abanelungelo lokuwasebenzisa okanye abanelungelo lokufikelela kuwo;

“engundoqo”	ithetha umbhobho, ongenguwo umbhobho wokuqhagamshela, nothi oxhomekeke kumasipala okanye iarhente egunyaziswe ngumasipala uze usetyenziwe nguwo ukuze uhambisele umxumi amanzi okanye uhambise ugutyulo asuka kumxumi othile;
“ethathelwe isigqibo”	ithetha ethathelwe isigqibo ngumasipala okanye nguye nawuphi umntu othatha izigqibo ngokunxulumene nale mithetho kamasipala;
“evunyiweyo”	ithetha evunyiwe yiarhente egunyazisiweyo;
“eyona ndlela ithathela ingqalelo indalo inokusetyenziswa”	ithetha indlela enika eyona nzuzo ininzi okanye ebangela owona monakalo mncinane esingqongileyo xa iyonke, ngendleko eyamkelekileyo eluntwini, ngokwethuba elide nangokwakaloku nje;
“iakhawunti”	ithetha iakhawunti ekhutshelwe iinkonzo zikamasipala ezinikiweyo;
“iarhente egunyazisiweyo”	ithetha: (a) nawuphi umntu ogunyaziswe ngumasipala ukuba enze nasiphi isenzo okanye umsebenzi ngokwamagunya, okanye asebenzise nawaphi amagunya phantsi lwalo mithetho kamasipala; (b) nawuphi umntu onikwe ngumasipala amagunya okwenza amalungelo, imisebenzi noxanduva oluthile ngokunxulumene nokunikwa kweenkonzo zamanzi; okanye (c) nawuphi umntu oqeshwe ngumasipala ngekhontrakthi ebhaliweyo ukuba abe ngumninki weenkonzo zokunikwa kweenkonzo zamanzi kubaxumi, egameni lomasipala, kangangoko kugunyazisiwe kuloo khontrakthi;
“iBhunga”	lithetha iBhunga loMasipala waseWitzenberg;
“ibhunga lomasipala”	lithetha ibhunga lomasipala njengoko kuthethwe ngalo kwiCandelo 157(1) loMgaqosiseko ka1996 weRiphabliki yoMzantsi Afrika, okanye lithetha ibhunga loMasipala waseWitzenberg;
“idreyini”	ithetha laa ndawo yokufunxwa kwamanzi ethi ihambise ugutyulo kuyo nayiphi iyadi;
“idreyini yomsele wendlu”	ithetha idreyini efunxa amanzi asemhlabeni njengendlela yokulahla ugutyulo namanzi amdaka asuka kwitanki logutyulo olufunxwayo luye kuchithwa lwakuba ludala;
“I-DWA”	ithetha iSebe lezaManzi (iDepartment of Water Affairs);
“I-DWAF”	ithetha iSebe lezaManzi namaHlathi (iDepartment of Water Affairs and Forestry);
“iindleko zobuyiselomvelo”	zithetha iindleko ezipheleleyo zazo zonke iindlela eziyimfuneko ukubuyisela imvelo kwimeko yayo yaphambi kwesehlo esiyonakalisayo;
“iinjongo zasendlwini”	ngokunxulumene nokunikwa kwamanzi, zithetha amanzi anikelwa ukusela, ukuhlamba nokugungxula kumagumbi angasese kwanokupheka kwiyadi esetyenziselwa ukuhlala;

“iinkonzo yogutyulo lwakwiziko”	zithetha naziphi iinkonzo zogutyulo ezingenanto yokwenza nokulahlwa kogutyulo ngemibhobho yamanzi ehamba ngesistim yemibhobho yogutyulo;
“iinkonzo zamazi”	zithetha iinkonzo zokunikwa kwamanzi nogutyulo yaye zinentsingiselo efanayo naleyo ziyinikwe ngokoMthetho yaye ngokwalo mthetho kamasipala zikwaquka amanzi asetyenziselwa uveliso kunye nokulahlwa kwamanzi amdaka eshishini;
“iinkonzo zikamasipala”	ngokunxulumene nalo mthetho kamasipala, zithetha iinkonzo ezinikwa ngumasipala yaye ziquka ukunikwa kwamanzi, ugutyulo nemibhobho yogutyulo;
“iinkonzo zogutyulo”	zinentsingiselo efanayo naleyo ziyinikwe ngokoMthetho yaye ngokwale mthetho kamasipala zikwaquka amanzi asetyenziselwa uveliso kunye nokulahlwa kwamanzi amdaka eshishini;
“iinkonzo zokunikwa kwamanzi”	zinentsingiselo efanayo naleyo ziyinikwe ngokoMthetho yaye ngokwale mthetho kamasipala zikwaquka amanzi asetyenziselwa uveliso kunye nokulahlwa kwamanzi amdaka eshishini;
“iintlawulo”	zithetha ireyithi, intlawulo, ixabiso okanye izinga elimiselweyo kungenjalo isibonelelo esibekwa libhunga lomasipala;
“iintlawulo zokufumaneka”	zithetha imali etsalwa ngenyanga enokutsalelwa ipropati esisigxina, eyenziwe okanye engenziwanga zongezelelo zolungiso, nengaqhagamshelwanga kuzo naziphi izakhiwo zeenkondo zikamasipala, nalapho loo propati inokuthi iqhagamshelwe ngokufanelekileyo;
“ikhaya okanye indlu”	ithetha usapho, njengoko lucaciswe ngumasipala njengoluquka abantu bekhaya besiqhelo, ngokuthathela ingqalelo inani labantu belo khaya, uzalwano lwabo bantu belo khaya, ubudala babo bantu belo khaya kunye nayo nayiphi eminye imiba ethathwa njengefanelekileyo ngumasipala;
“imeko kaxakeka”	ithetha nayiphi imeko ebeka okanye enokubeka emngciphekweni ubomi, impilo, indalo esingqongileyo okanye ipropati;
“imibhobho emikhulu yogutyulo”	ithetha imibhobho yogutyulo enamandla okanye umgangatho ongaphezu kowemibhobho yesiqhelo yokuhambisa amanzi amdaka asendlwini, nalapho kunokubizwa indleko ethile, ebalwa ngokweShedyuli C;
“imibhobho yamanzi”	ithetha imibhobho kunye nayo nantoni na ehambisa amanzi ekuyo nayiphi na indawo ekwimida yomnini wayo nesetyenziselwa okanye elungiselelwa ukusetyenziswa nokusetyenziswa kwamanzi kuloo ndawo, yaye iquka umbhobho okanye eminye imibhojana efakelwa ngaphaya kwemida yaloo ndawo, nenokuba iqhagamshela kumbhobho woqhagamshelo ngokunxulumene naloo ndawo okanye iphantsi kolawulo lomasipala okanye iarhente egunyaziswe nguloo masipala;

“imibhobho yogutyulo”	ithetha amanzi amdaka, amanzi amdaka eshishini, amanzi aqhelekileyo amdaka aphuma endlwini okanye ekhayeni kunye nako nakuphi okanye ukungcola okungamanzi, nokuba kuyazihambela na okanye kudityanisiwe, kodwa ayiyonxalenye yemibhobho yamanzi ezikhukula;
“imibhobho yokufunxwa kogutyulo”	ithetha isistim ekuyo nayiphi iyadi neluxanduva lomniniyadi, nesetyenziselwa, okanye ejonge ukusetyenziselwa, kungenjalo ngokunxulumene nokwamkelwa, ukugcinwa, ukucocwa okanye ukuhanjiswa kogutyulo kuloo yadi ukuya kwindawo enxulumanisayo; yaye iquka iidreyini, imibhobho efakelweyo, izixhobo, amatanki ogutyulo olufunxwayo luye kuchithwa lwakuba ludala, amatanki ogutyulo oluseza kugqithiswa, amapitsi kunye nemibhobho empompela kwiindawo zabucala, nayinxalenye encedisa kwezo sistim;
“imiGaqo yoKwakha”	ithetha imiGaqo iNational Building Regulations epapashwe ngokoMthetho iNational Building Regulations and Building Standards Act, 1977 (uMthetho we103 ka1977);
“imitha”	ithetha imitha yokubala amanzi njengoko icaciswe yimiGaqo epapashwe ngokoMthetho iTrade Metrology Act, 1973 (uMthetho wama77 ka1973) okanye, kwimeko yeemitha zokubala amanzi abuninzi bungaphezu kwe100 mm, isixhobo esilinganisa ubungakanani bamanzi adlula kuso;
“Indawo enikwa inkonzo”	ithetha nayiphi indawo enikwa inkonzo yamanzi, ephantsi okanye enxenye yayo ikwindawo ephantsi kolawulo lomasipala;
“indawo enxibeleleneyo yokuhlala”	ithetha amagumbi okuhlala anxibeleleneyo, kuquka ikhitshi okanye igunjana lokuphekela, elilungiselelwe ukuhlalwa lusapho olunye, nokuba loo ndawo inxibeleleneyo yokuhlala isisakhiwo esinye na okanye iyinxalenye yesakhiwo esineendawo ezinxibeleleneyo zokuhlala ezimbini nangaphezulu;
“indawo eyiyunithi yokuhlala”	ngokunxulumene nayo nayiphi indawo, ithetha isakhiwo okanye icandelo lesakhiwo ekuhlalwa kulo okanye elisetyenziselwa kungenjalo elijonge ukusetyenziselwa ukuhlala kulo okanye nayiphi na enye injongo;
“indawo yeshishini”	ithetha indawo ethi ivelise ze ikhuphe amanzi amdaka eshishini;
“Indawo yoqhagamshelo”	ithetha indawo ekudibana kuyo imibhobho yogutyulo lwamanzi kunye nemibhobho yogutyulo;
“ingcali yezobunjineli”	ithetha umntu obhalisiweyo ngokoMthetho iEngineering Profession Act, 2000 (uMthetho wama46 ka2000) njengenjineli eqeqeshiweyo, yaye iquka ingcali yoyilo kunye nengcali yomlungisi;
“inkonzo engagunyaziswanga”	ithetha ukwamkela okanye ukusebenzisa nayiphi inkonzo kamasipala enganikwa ngendlela yesivumelwano, okanye engavunywanga ngumasipala;
“inqanaba lesikhukula (esi1	lithetha inqanaba elifikelelwe ngamanzi ezikhukula xa

kwisithuba seminyaka engama50)	ejongwa ngokophindeko lokubakho kanye kwisithuba seminyaka engama50;
“inzala”	ithetha inzala ngokwendlela enokubekwa ngayo nguMphathiswa wezobuLungisa ngokweCandelo loku1 loMthetho iPrescribed Rate of Interest Act, 1975 (uMthetho wama55 ka1975);
“iqula”	lithetha umngxuma owembiwe emhlabeni kusenzelwa ukukhangela, ukutsala nokusebenzisa amanzi aphantsi komhlaba yaye likwaquka nomthombo;
“iSANS”	ithetha iSouth African National Standard;
“isaziso sikawonkewonke”	sithetha ukupapashwa kwijelo losasazo kuquka enye nangaphezulu kwezi zinto zilandelayo: (a) Upapasho lwesaziso, kwiilwimi ezisemthethweni ezibekwe libhunga lomasipala: (i) kulo naliphi iphephandaba okanye amaphephandaba endawo afumaneka kuloo ndawo ifumana iinkonzo zikamasipala; (ii) kwiphephandaba okanye amaphephandaba afumaneka kwindawo efumana iinkonzo zikamasipala, nelikwabekwe libhunga likamasipala njengelona phephandaba lifumanekayo, okanye (iii) kwiwebhusayithi esesikweni kamasipala; (iv) ngokusasazwa kunomathotholo ofumaneka kuloo ndawo ifumana iinkonzo zikamasipala; (b) Ukuxhonywa kwesaziso kuyo nayiphi indawo, iofisi, ilayibhrari okanye indawo yokupeyela kamasipala okanye yearhente yawo egunyazisiweyo efikelelwa kangangoko luluntu; kunye (c) Nokunxibelelana nabaxumi ngokusebenzisa iintlanganiso zoluntu kunye neentlanganiso zeekomiti zeewadi;
“isihambisimanzi kwimibhobho”	sithetha inxenye yemibhobho yamanzi, engengombhobho, nekuthi kudlule okanye kugcinwe kuyo amanzi;
“isilawulimanzi aphuma kwimibhobho”	sithetha umbhobho esekuphumeni kwamanzi achithwayo emibhobo yamanzi, nothi ulawule ukukhutshwa kwawo kuloo mibhobho yamanzi;
“Isistimisistim yogutyulo”	ithetha izakhiwo, imibhobho, iivalvu, iimpmpo, iimitha okanye ezinye izixhobo ezisetyenziswa ekuhanjiseni kwamanzi kwisistim yesureji exananazileyo nasekucocweni okwenziwa kwiziko lokucocwa kwamanzi esureji eliphantsi kolawulo lukamasipala okanye iarhente egunyaziswe nguye, nenokusetyenziswa lilo ngokunxulumene nokulahlwa kogutyulo yaye ikwaquka nombhobho ochithela elwandle;

“isistim yogutyulo”	ithetha izakhiwo, imibhobho, iivalvu, iimpmpo, iimitha okanye ezinye izixhobo ezisetyenziswa ekuhanjiseni kwamanzi kwisistim yesureji exananazileyo nasekucocweni okwenziwa kwiziko lokucocwa kwamanzi esureji eliphantsi kolawulo lukamasipala, nenokusetyenziswa lilo ngokunxulumene nokulahlwa kogutyulo;
“isistim yokunikwa kwamanzi”	ithetha izakhiwo, iibhulorho zokuwelisa amanzi, imibhobho, iivalvu, iimpmpo, iimitha okanye ezinye izixhobo ezinxulumene noku eziphantsi kolawulo lukamasipala okanye iarhente egunyaziswe nguwo yaye zikwasetyenziswa okanye zijonge ukusetyenziswa yiyo ngokunxulumene nokunikwa kwamanzi, yaye ziquka naliphi icandelo lale sistim;
“isivumelwano”	sithetha isivumelwano sekhontrakthi esiphakathi komasipala nomxumi, nokuba sibhaliwe na okanye sithathwa njengesilungiselelwe kumthetho kamasipala onxulumene nolawulo lwamatyala kunye nokuqokelelwa kwawo;
“isixhobo sokulinganisa”	sithetha nayiphi indlela, inkqubo okanye isixhobo kungenjalo ufakelo olwenza kukuba kukwazi ukubalwa ubungakakani bamanzi anikiweyo yaye siquka indlela okanye inkqubo ekuthi kuqikelelwe ngayo obo bungakanani;
“isivalelimanzi”	sithetha umbhobho okanye inxenye yesixhobo sogutyulo esibekiweyo nesiyilelwe ukugcina uvalalogesi lwamanzi noluthi lusebenze njengesithinteli sokudlula komoya negesi engafunekiyo;
“itanki logutyulo olufunxwayo luye kuchithwa lwakuba ludala”	lithetha itanki elivalwe mba ukuze kungaphumi manzi neliyilelwe ukwamkela ugutyulo noluya kuthi luboliswe ziibhakthiriya;
“itanki logutyulo oluseza kugqithiswa”	lithetha itanki elogquniweyo elisetyenziselwa ukwamkelwa nokugcinwa kwethutyana kogutyulo nelifuna ukumana lichithwa emva kwamathuba abekiweyo;
“ixabiso okanye iindleko ezibekiweyo”	zithetha iindleko ezibekwe ngumasipala;
“iyadi”	ithetha nawuphi umhlatyana, nalapho umda womphandle wawo ucaciswe: (a) kwiplani gabalala okanye umzobo obhaliswe ngokoMthetho iLand Survey Act, 1927 (uMthetho we9 ka1927), okanye ngokoMthetho iDeeds Registries Act, 1937 (uMthetho wama47 ka1937), okanye (b) iplani yenxenye yomhlaba ebhaliswe ngokoMthetho iSectional Titles Act, 1986 (uMthetho wama95 ka1986), okanye (c) uluhlu lobhaliso olugcinwe yinqila;
“ufakelo oludibeneyo”	luthetha ufakelo lwamanzi olusetyenziselwa ukucima imililo kunye nokusetyenziswa ezindlwini nakumashishini;

“ukusebenzisa nabanye”	kuthetha ukuba umxumi usebenzisa inkonzo kamasipala ngethuba elithile elibalwa ngokwahlula olona setyenziso lupheleleyo lubalwe yimitha lwaloo nkono kamasipala kwiindawo ethile yokunikwa kweenkonzo, apho kwindawo ahlala kuyo umxumi kuhlala khona nabanye abaxumi kwangeli thuba linye, babe nabo ngelo thuba bengena phantsi kwaloo ndawo ithile yokunikwa kweenkonzo;
“ulwakhelo lofunxo lwamanzi”	luquka nayiphi idreyini, imibhobho yokucocwa kwamanzi, ugutyulo okanye omnye umbhobho okanye nayiphi na imibhobho enxulumene nokuhanjiswa kokungcola okungamanzi okanye okuqinileyo kusisiwa kwidreyini okanye kwimibhobho yogutyulo kungenjalo eminye enxulumene nokufunxwa kogutyulo kuyo nayiphi na iyadi;
“umasipala”	uthetha— (a) UMasipala waseWitzenberg, umasipala wendawo owasekwa ngokweCandelo le12 loMthetho iStructures Act kunye naleyo iye yangena endaweni yawo, okanye (b) ngokuxhomekeke kuloo nto ibekwe kuwo nawuphi na omnye umthetho, nalapho kufuneka icacise okanye ivunyelwe ngulo mthetho kamasipala, umlawuli kamasipala ngokunxulumene nokwenziwa kwawo nawuphi na umsebenzi, isibophelelo okanye ilungelo ngokwalo mthetho kamasipala, kungenjalo (c) nayiphi iarhente egunyaziswe nguMasipala waseWitzenberg;
“umbhobho olungiselelwe ukuqhagamshela imibhobho yezicimamlilo”	uthetha umbhobho wamanzi ekuqhagamshelwa kuwo amanzi ekuziwa nawo okucima umlilo;
“umbhobho oqhagamshela kongundoqo”	uthetha umbhobho oyinxalenye yofakelo lwamanzi olunikwa lukwafakelwa kuyo nayiphi indawo ngumnini okanye umhlali wayo, noqhagamshelwe, okanye oza kuqhagamshelwa kumbhobho oqhagamshelayo ukwenzela ukuhambisa ufakelo lwamanzi kuloo ndawo;
“umbhobho oqhagamshelayo wogutyulo”	uthetha umbhobho kamasipala ofakwe nguye ukuze uhambise ugutyulo ukusuka kwiziko lokufunxwa kogutyulo ukuya kwimibhobho engaphaya kwemida yaloo yadi okanye kwakwiyadi encedwa ngumasipala kungenjalo indawo yokugqithisa evunywe ngumninindawo okanye ngesivumelwano;
“umbhobho wogutyulo”	uthetha nawuphi umbhobho okanye isixhobo esihambisa amanzi sikamasipala okanye iarhente egunyaziswe nguye nesinokusetyenziselwa ukuhambisa amanzi ogutyulo ukusuka kumbhobho wogutyulo oqhagamshelwayo yaye awuyo kuquka idreyini, ngokwendlela ecaciswe ngayo;

“umbhobho woqhamgamshelo”	uthetha umbhobho, ongokamasipala okanye iarhente egunyazisiweyo nothe wafakwa yiyo ngenjongo yokuhambisa amanzi ukusuka kwelona ziko lingundoqo lofakelo lwamanzi, yaye uquka “umbhobho onxulumanisayo” (i-“communication pipe”) ekuthethwe ngawo kwiSANS 10252-1;
“Umchongisampule oqeqeshiweyo”	uthetha umntu othatha iisampule zamanzi achithwa kwimibhobho yogutyulo lwogutyulo neesistim zokuchitha amanzi ezikhukula nezamanzi kawonkewonke eziza kuhlalutywa abe eneziqinisekiso zokwenza oko azifumene kwiarhente egunyazisiweyo;
“umhlali”	uthetha umntu ohlala kuwo nawuphi umhlaba, isakhiwo, okanye iyadi (okanye inxenye yayo) yaye uquka umntu othathela omnye inzuzo okanye imbuyekezo, ovumela omnye umntu ukuba asebenzise okanye ahlale kuwo nawuphi nawuphi na umhlaba, isakhiwo okanye iyadi (okanye inxenye yayo);
“umlawuli kamasipala”	uthetha umntu oqeshwe libhunga lomasipala njengomlawuli kamasipala waloo masipala ngokweCandleo lama82 loMthetho iLocal Government Municipal Structures Act, 1998 (uMthetho we117 ka1998) yaye uquka nawuphi umntu onikwe ngumlawuli kamasipala amagunya, uxanduva okanye umsebenzi, kodwa ngokunxulumene nokunikwa amagunya, uxanduva nomsebenzi;
“umlungisimanzi”	uthetha umntu opase uvavanyo lomsebenzi wokuqeqesheka kwezolungisomanzi okanye okhutshelwe ukukwazi ukwenza into ngokoMthetho iManpower Training Act, 1981 (uMthetho wama56 ka1981) okanye eso siqinisekiso soqeqesho sisesinye esinokufuneka phantsi kwemithetho kazwelonke;
“umngxuma oya kwimibhobho ephantsi komhlaba”	uthetha nayiphi indlela yokungena ngaphakathi kwimibhobho yogutyulo eyenzelwe ukulungiswa nokucocwa kwayo kwangaphakathi;
“umnini”	uthetha– (a) loo mntu unetayitile esemthethweni yaloo ndawo amaxesha ngamaxesha; (b) kwimeko apho loo mntu unamagunya etayitile esemthethweni yaloo ndawo angenamali okanye aswelekileyo, okanye aphantsi kohlobo oluthile lokungakwazi ukusebenza ngokusemthethweni, loo mntu unikwe amagunya okuphatha nokulawula loo yadi njengomkhathaleli, umlawulipropati, umkhathalelipropati osemthethweni, umphathi, umntu obekwe ngumthetho ukuba ancedise ukubuyisela ishishini kwimeko yesiqhelo, umntu onyulelwe ukugqibezela imicimbi yenkampani evalwayo okanye omnye ummeli wasemthethweni;

	<p>(c) kuyo nayiphi imeko apho umasipala okanye iarhente yawo egunyazisiweyo ingakwaziyo ukubeka ukuba ngubani loo mntu, umntu onelungelo lenzuzo yokusetyenziswa kwaloo yadi okanye eso sakhiwo okanye ezo zakhiwo;</p> <p>(d) kwimeko apho kukho isivumelwano seminyaka engama-30 nangaphezulu sokurentisa iyadi, lowo uqeshiselweyo;</p> <p>(e) ngokunxulumene —</p> <p>(i) nesahlulo somhlaba esiboniswe kwiplani yezahlulo zomhlaba ebhaliswe ngokoMthetho ka1984 weeTayitile zeZahlulo zoMhlaba (iSectional Titles Act) (uMthetho wama95 ka1984), umakhi (wendawo) okanye okanye iqumrhu lamaqela elisebenza ngepropati enye, okanye</p> <p>(ii) isahlulo esicaciswe kuloo Mthetho iSectional Titles Act, 1986 (uMthetho wama95 ka1986), umntu ogama lakhe livela njengomntu ebhaliswe ngaye itayitile yobunini yeso sahlulo nesiquka ukuchongwa okusemthethweni kommeli waloo mntu.</p> <p>(iii) umntu ohlala kumhlaba obhaliso lwawo yinqila okanye ngokweafidavithi efungelweyo eyenziwe yinqila;</p>
“umntu”	uthetha nawuphi na umntu, iqumrhu lorhulumente wendawo okanye ugunyaziwe onjalo; inkampani esekwe phantsi kwawo nawuphi na umthetho; iqumrhu labantu nokuba badibene na okanye hayi; iqumrhu elinyanzeliswa ngumthetho; iqumrhu leziko likarhulumente; umbutho owenziwe ngabantu ngokuzithandela okanye iqumrhu lengxowamali;
“umnyangwana wokucoca”	uthetha nayiphi ndawo yokungena ngaphakathi kumbhobho wokuchitha amanzi okanye umnyangwana olungiselelwe ukucoca kwangaphakathi;
“umpompi”	uthetha uqhagamshelo ekunikwa ngayo inkonzo yamanzi kubantu ababini nangaphezulu;
“umsebenzi wofakelo”	uthetha umsebenzi onxulumene nokwakhiwa okanye ukusetyenzwa kofakelo lwamanzi;
“uMthetho”	uthetha uMthetho iWater Services Act, 1997 (uMthetho we108 ka1997), omana uhlaziywa amatyeli ngamatyeli;
“umxumi”	uthetha umntu umasipala athe wasayina isivumelwano naye ukuze umnike inkonzo kamasipala njengoko kubekwe kumthetho kamasipala enxulumene nolawulo lwamatyala kunye nokuqokelelwa kwawo;
“umxumi oshishinayo”	uthetha nawuphi umxumi ongengomsebenzisi weenkono zikamasipala wasendlwini nongahlelelekanga, kuquka abaxumi abangamashishini, amaziko karhulumente namaziko;
“umxumi wasendlwini”	uthetha umntu owasebenzisa endlwini amanzi;

“ungcoliso”	luthetha ukugalelwa kwayo nantoni na kwisistim yokunikwa kwamanzi, imibhobho yofakelo lwamanzi okanye umthombo wamanzi, nto leyo inokuchaphazela ngqo okanye ichaphazele mayana imbonakalo, incasa okanye ubunjani bamanzi afumaneka apho, luwenza loo manzi: (a) angafaneleki ncam ekusetyenziselweni nantoni na ekulindeleke ukuba asetyenziselwe yona; okanye (b) abe nobungozi kungenjalo abe sethubeni lokuba nobungozi – (i) kwintlalontle, impilo okanye ukhuseleko lwabantu, okanye (ii) kwizilwanyana nezityalo eziphila emanzini nasemhlabeni;
“uqhagamshelo”	luthetha indawo umxumi afumana kuyo ufikelelo kwinkonzo yamanzi;
“uqhagamshelo lweenkonzo zamanzi oluntu”	lithetha uqhagamshelo lwabaxhumi olunika iinkonzo zamanzi kubantu abangaphezu komntu omnye;
“uqhagamshelo olungekho mthethwen”	luthetha uqhagamshelo olungagunyaziswanga okanye olungavunywanga ngumasipala oluthi lwenziwe kuyo nayiphi isistim yeenkonzo zamanzi okanye eyogutyulo;
“uqikelelosetyenziso”	luthetha usetyenziso lomxumi olungalinganisiwanga ngethuba elithile, nekuthathwa ngokuba ulusebenzisile ngokuthathela ingqalelo imiba umasipala ayibona ifanelekile, nenokuquka ukusetyenziswa kweenkonzo zamanzi ngabasebenzisi abapheleleyo benkonzo baloo ndawo inikwa inkonzo ngumasipala, ngezinga elifanelekileyo lenkonzo, ithuba elithile;
“usetyenziso oluphakathi”	kuthetha ukusetyenziswa okuphakathi kwenkonzo kamasipala ngumxumi ngethuba elithile, nokuya kubalwa ngokwahlula usetyenziso olupheleleyo olulinganisiweyo lwaloo nkonzo kamasipala ngesithathu esisetyenziswe ngumxumi kwiinyanga ezintathu ezidlulileyo;
“ushishino ngamanzi amdaka”	luthetha ushishino olukhupha amanzi amdaka eshishini; yeye
“usuku lomsebenzi”	luthetha usuku olungengoMgqibelo, iCawa okanye iholide kawonkewonke.
“yamashishini”	ngokunxulumene nokunikwa kwamanzi, athetha amanzi anikwa kuyo nayiphi indawo eyinxalenye yomzimveliso, njengoko ucaciswe kwimigaqo iGeneral Administrative Regulations, epapashwe ngokoMthetho iOccupational Health and Safety Act, 1993 (uMthetho wama85 ka1993), yaye ngokwalo mthetho kamasipala, unokuquka amashishini, iindawo zokutyela kunye namashishini okanye iinkonzo eziqhutyelwa emakhaya, kodwa akawaquki amanzi amdaka esiqhelo aphuma ezindlwini okanye emakhaya;

ISAPHLUKO SESI2: UKUPAKWA KWEZICELO, IINDLEKO, UKUHLAWULA, IIAKHAWUNTI KUNYE NOKUQHAWULWA

ICANDLEO LOKU1: UKUPAKA ISICELO SEENKONZO ZAMANZI

2. Ukupaka isicelo seenkonzo zamanzi

- (1) Akukho mntu uya kunikwa ufikelelo kwiinkonzo zamanzi ngaphandle kokuba abe ufake isicelo soko, saza savunywa ngumasipala kwifomu ebekelwe oko ngokomthetho kamasipala onxulumene nolawulo lwamatyala, uqokelelo lwamatyala kunye nenkxaso yabahlelelekileyo.
- (2) Iinkonzo zamanzi ezinikwa umxumi ngumasipala zixhomekeke kumthetho kamasipala onxulumene nolawulo lwamatyala, uqokelelo lwamatyala kunye nenkxaso yabahlelelekileyo; lo mthetho kamasipala; kunye nemiqathango ekwezo sivumelwano.
- (3) Kufuneka umasipala athi akufumana isicelo sokunikwa kwenkonzo yamanzi esivela kumxumi, azise loo mxumi malunga namazinga ahlukileyo eenkonzo ezifumanekayo kunye namaxabiso okanye iintlawulo ezinxulumene nezinga ngalinye leenkonzo.
- (4) Kufuneka umsebenzisi akhethe izinga elifumanekayo leenkonzo ukuze alinikwe.
- (5) Umsebenzisi unokuthi nanini na, afake isicelo sokutshintsha izinga leenkonzo alikhethileyo ngokwesivumelwano asisayinileyo, ngokuxhomekeke ekubeni ezo nkonzo ziyafumaneka yaye naziphi iindleko nenkcitho enxulumene noko kutshintshwa kwezinga leenkonzo liya kuhlulwa ngumsebenzisi.
- (6) Isicelo asivumileyo umasipala siya kuqhuba njengesivumelwano phakathi komasipala nalo mceli yaye eso sivumelwano siya kuqala ukusebenza ngomhla ekuthethwe ngawo okanye obekwe kweso sivumelwano.
- (7) Umsebenzisi uya kuba noxanduva lwawo onke amaxabiso kunye/ okanye neentlawulo ezinxulumene nenkonzo yamanzi ayinikwayo de siqhawulwe eso sivumelwano ngokwalo mthetho kamasipala okanye de zibe zihlawulwe iimali ebesemva ngazo kwintlawulo.
- (8) Xa ulungisa ifomu yesicelo seenkonzo zamanzi, umasipala uya kuqinisekisa ukuba olo xwebhu kunye nonxibelelwano lwawo nomnini walo, umsebenzisi okanye naye nawuphi na umntu ofaka isicelo, luyaqondwa nguloo mnini, umsebenzisi okanye umntu ongomnye. Kwimeko yomntu ongenafundo yasesikolweni okanye onobunzima obukumila kunjalo, umasipala uya kuthatha amanyathelo afanelekileyo okuqinisekisa ukuba loo mntu uyakwazi ekwakuqonda okuqulethwe yifomu yesicelo.
- (9) Ifomu yesicelo iya kufuna ubuncinane bezi nkukacha zilandelayo –
 - a) uqinisekiso olwenziwa yiarhente egunyazisiweyo lokuba umceli uyakwazi ekwakuqonda okuqulethwe yile fomu;

- b) ukuvunywa kwemigaqo yomthetho kamasipala ngumsebenzi kwanokwamkela kwakhe uxanduva lweendleko zeenkonzo zamanzi azinikwayo de kurhoxiswe isivumelwano okanye de zibe zihlawulwe zonke iintlawulo ebesemva ngazo;
 - c) Igama lomsebenzisi;
 - d) idilesi okanye inombolo yesitandi sendawo ekuza kunikwa kuyo iinkonzo zamanzi okanye ulwakhiwo lokunikwa kweenkonzo zamanzi zoluntu oluya kuzisebenzisa;
 - e) idilesi eziza kuthunyelwa kuyo iikhawunti;
 - f) umthombo womrholo womceli;
 - g) igama nedilesi yomqeshi womceli, apho kuyimfuneko;
 - h) ukuba kuza kunikwa amanzi, injongo aza kusetyenziselwa yona loo manzi; kunye
 - i) nomhla ekuvunyelwene ngokuba kuza kuqala ngawo ukunikwa kwenkonzo yamanzi.
- (10) Iinkonzo zamanzi ezinikwa umsebenzisi zixhomekeke kwimigaqo yalo mthetho kamasipala kunye nemiqathango ekweso sivumelwano sifanelekileyo.
- (11) Ukuba umasipala uyasikhaba isicelo sokunikwa kweenkonzo zamanzi, akakwazi kuzinika ezo nkonzo ngomhla ekucelwa ukuba ziqalwe ngawo ukunikwa okanye umasipala awukwazi kuzinika ezo nkonzo zamanzi, umasipala uya kwazisa umsebenzisi malunga noko kukhatywa kwesicelo kunye/okanye nokungakwazi kwawo, kwanezizathu zoko yaye, ukuba kuyimfuneko, anike nethuba anokukwazi ngalo ukuzinika ezo nkonzo zamanzi.

3. Izivumelwano ezikhethekileyo zeenkonzo zamanzi

Umasipala unokungena kwisivumelwano nomceli malunga nokunikwa kweenkonzo zamanzi ngokomthetho kamasipala onxulumene nolawulo lwamatyala, ukuqokelelwa kwamatyala kunye nenkxaso yabahlelelekileyo.

4. Ukutshintsha kwenjongo ezisetyenziselwa yona iinkonzo zamanzi

Xa kuthe kwatshintshwa injongo, okanye ubungakanani benkonzo kamasipala, umxumi makazise umasipala ngoko nangoko malunga nolo tshintsho aze angene kwisivumelwano esitsha nomasipala.

ICANDELO LESI2: IINTLAWULO**5. Iintlawulo ezibekiweyo zeenkonzoz zamanzi**

- (1) Zonke iintlawulo ezifanelekileyo ezihlawulelwa iinkonzoz zamanzi (kuquka iintlawulo zokuqhagamshelwa, iintlawulo ezisisigxina okanye naziphi na ezinye iintlawulo okanye inzala) ziya kubekwa libhunga lomasipala ngokulandela:
 - a) umthetho kamasipala walo weereyithi namaxabiso;
 - b) nawuphi umthetho kamasipala onxulumene nazo; kunye
 - c) nayo nayiphi eminye imigaqo ngokwemithetho kazwelonke okanye yephondo; kodwa
- (2) Ukwahluka kwezintlu zabaxumi, abasebenzisi beenkonzo, iintlobo namazinga eenkonzo, ubungakanani beenkonzo, iimfuno zezakhiwo kunye neendawo eziqukwayo zizo ezinokuba zizizathu zokubekwa kweentlawulo ezahlukeyo.

6. Iintlawulo zokufumaneka kweenkonzo zamanzi

- (1) Ibhunga lomasipala linokuthi, ngaphezu kwezi ntlawulo zibekelwe iinkonzoz zamanzi ezinikiweyo, litsale irhafu esisigxina yenyanga, iintlawulo esisigxina yonyaka okanye iintlawulo enye yesigxina, apho zifumaneka khona iinkonzoz zamanzi, nokuba ezo nkonzo zisetyenzisiwe na okanye hayi.
- (2) Apho kutsalwa iintlawulo esisigxina ngokwecandelwana 6(1), iya kuhlawulwa ngabo bonke abanini beendawo okanye abasebenzisi beenkonzo zamanzi ezinikwa ngumasipala okanye iiarhente egunyaziswe nguye, nokuba uzisebenzisile na ezo nkonzo zamanzi okanye hayi.
- (3) Iintlawulo zokufumaneka ziya kudinga ukuhlawulwa –
 - a) xa kudluliselwa komnye umnini inxenye okanye iploti (mnini lowo uza kuyisebenzisela ukwakha okuthile, kulapho kuye kufuneke udluliselo lobunini benxenye okanye besiza);
 - b) xa loo nkonzo iqalisa ukufumaneka – apho kunikwa inkonzo entsha ngumniki weenkonzoz zamanzi osemthethweni (nokuba ngokamasipala na okanye ngokwequmrhu labucala).

ICANDELO LESI3: UKUHLAWULA**7. Ukuhlawulela iinkonzoz zamanzi**

Umnini, umhlali okanye umxumi uya kuba noxanduva olubambisanayo lokuhlawula zonke iintlawulo zeenkonzoz zamanzi kunye neenkonzoz zamanzi ezisetyenziswe ngumxumi, ngokomthetho kamasipala onxulumene nolawulo lwamatyala nokuqokelelwa kwamatyala.

Qaphela: Igalelo lentlawulo engundoqo lixabiso yaye le miba ixelwe apha ngasentla ziya kusebenza.

ICANDELO LESI4: IIAKHAWUNTI**8. Iiakhawunti**

Iiakhawunti zanyanga zonke ziya kukhutshelwa abasebenzisi zibonise iimali ezimele ukuhlawulwa nezingamatyala abo kumasipala, yaye zithunyelwe kwidilesi yokugqibela ebhaliswe kumasipala.

Ukungakwazi kukamasipala ukukhupha iakhawunti akuthethi ukuba umsebenzisi ukhululekile kuxanduva lwakhe lokuhlawula nayiphi na imali amele ukuyihlawula nelityala lakhe kumasipala.

ICANDELO LESI5: UKUPHELIWA, UKUNCITSHISWA NOKUQHAWULWA KWEENKONZO**9. Ukupheliswa kwesivumelwano sokunikwa kweenkonzo zamanzi**

Umsebenzisi unokuphelisa isivumelwano sokunikwa kweenkonzo zamanzi ngokuhambelana nomthetho kamasipala nxulumene nolawulo lwamatyala kunye nokuqokelelwa kwamatyala, ngokuthi anike umasipala isaziso esibhaliweyo esibonisa oko ajonge ukukwenza, nalapho umasipala unelungelo lokuqokelela kumsebenzisi lowo ixabiso elifanelekileyo lokususwa kwesixhobo sokulinganisa.

10. Ukuncitshiswa kunye/okanye nokuqhawulwa kweenkonzo zamanzi ezinikwayo

- (1) Umasipala unokunciphisa okanye ayeke ukunika iinkonzo zamanzi ekuthethwe ngazo kulo mthetho kamasipala:
 - a) xa zithe azahlawulwa ngomhla obekiweyo iintlawulo ezifanelekileyo kulandelwa iinkqubo ezibekwe kulo mthetho kamasipala onxulumene nolawulo lwamatyala kunye nokuqokelelwa kwamatyala;
 - b) xa kufunyenwe isicelo esibhaliweyo esivela kumxumi;
 - c) xa isivumelwano sokunikwa kweenkonzo sithe sapheliswa ngokomthetho kamasipala onxulumene nolawulo lwamatyala kunye nokuqokelelwa kwamatyala.
 - d) ukuba siza kutshatyalaliswa isakhiwo esikwindawo enikwa iinkonzo (luxanduva lomnini/lomhlali lwaso nasiphi isakhiwo ukufaka isaziso sokuba eso sakhiwo siza kutshatyalaliswa);
 - e) ukuba umsebenzisi uye waphazamisana nezithintelo okanye inkonzo engasanikwayo;
 - f) kwimeko kaxakeka okanye xa kubhengezwe imeko kaxakeka ngokomgaqonkqulbo kamasipala/imithetho kamasipala ngokunxulumene nolawulo lwamatyala kunye nokuqokelelwa kwamatyala; okanye

- g) xa umsebenzisi eye waphazamisana okanye wonakalisa kungenjalo wabangela okanye evumela uphazamiso okanye ukoniwa kwesistim yokunikwa kamanzi kamasipala kuba efuna ukufikelela kwiinkonzo zamanzi, emva kokufumana isaziso sikamasipala.
- (2) Umasipala unokuqhawula iinkonzo zogutyulo ezinikwa ngokwalo mthetho kamasipala:
 - a) xa kufunyenwe isicelo esibhaliweyo esivela kumxumi;
 - b) xa isivumelwano sokunikwa kweenkonzo zogutyulo sithe sapheliswa ngokomthetho kamasipala onxulumene nolawulo lwamatyala kunye nokuqokelelwa kwamatyala okanye
 - c) ukuba sitshatyalalisiwe isakhiwo esikwindawo enikwa iinkonzo (luxanduva lomnini/lomhlali weso sakhiwo ukufaka isaziso sokuba eso sakhiwo siza kutshatyalaliswa);
- (3) Umasipala akayi kubekwa tyala ngawo nawuphi umonakalo okanye amabango anokuvula ngenxa yokuncitshiswa okanye ukuqhawulwa kweenkonzo zamanzi anikwa ngokwecandelwana (1) no(2), kuquka umonakalo okanye amabango avela nengxa yokuncitshiswa okanye ukuqhawulwa kweenkonzo zamanzi ngumasipala othe wakholelwa ngokungenankohliso ukuba imigaqo yecwandelwana (1) no(2) ilandelwe, ngaphandle kwakwimeko apho umsebenzisi aye wabizwa imali engachanekanga.

ISAHLUKO SESI3: AMAZINGA EENKONZO

11. Amazinga eenkonzo

- (1) Ibhunga lomasipala linokumana likhupha izaziso zikawonkewonke apho libeka khona amazinga eenkonzo elikwaziyo ukulinika abaxumi, ngokuhambelana nomgaqonkqubo kazwelonke, kodwa ngokwemimiselo yozinzo nokufikeleleka ngokwentlawulo,
- (2) Ibhunga lomasipala linokuthi ekukhangeleni kwalo amazinga eenkonzo, lahlule phakathi kweentlobo zabasebenzisi, abasebenzisi basendlwini, iindawo eziqukwayo kunye neendawo zoqoqosho lwentlalo.
- (3) Amazinga eenkonzo, njengoko ecaciswe kuMgaqonkqubo iWalter and Sanitation Service Level Policy okanye njengoko ebekwe liBhunga, anokunikwa ngumasipala ekubhengezweni kwalo mthetho kamasipala, ngokuhambelana necandelwana (1).

ISAPHLUKO 4: IMIQATHANGO YOKUNIKWA KWEENKONZO ZAMANZI

ICANDELO LOKU1: UQHAGAMSHALO KWI-SISTIM YOKUNIKWA KWAMANZI

12. Ukunikwa kwemibhobho yokuqhagamshela

- (1) Xa sele sigqityiwe isivumelwano seenkonzo zokunikwa kwamanzi ngokunxulumene nendawo kube kungekho mibhobho yoqhagamshelo ikhoyo ngokunxulumene naloo ndawo, umnini wayo uya kufaka isicelo esebenzisa ifomu efanelekileyo aze ahlawule intlawulo ebekiweyo yokuba kufakelwe loo mbhobho.
- (2) Ukuba kufakwe isicelo sokunikwa kweenkonzo zamanzi ezingohlobo lokuba okanye ezibekwe kwindawo eyenza ukuba kufuneke kwandiswe, kulungiswe okanye kuhlaziywe isistim yokunikwa kweenkonzo ukuze kunikwe amanzi kuloo ndawo, umasipala unokukuvumela oko kwandiswa, ngokuxhomekeke ekubeni umnini uza kuhlawula iindleko zolo lwandiso neziya kubekwa ngumasipala.
- (3) Ngumasipala kuphela onokufakela umbhobho woqhagamshelo, kodwa umnini okanye umsebenzisi unokuqhagamshela ufakelo lwamanzi oluqhagamshelwe kumbhobho woqhagamshelo.
- (4) Akukho mntu unokuqhubeka nalo naluphi ulwakhiwo kuyo nayiphi iyadi, ngaphandle kokuba umasipala abe ufakele umbhobho woqhagamshelo kunye nemitha.

13. Iindawo eba kuzo imibhobho yokuqhagamshela

- (1) Umbhobho woqhagamshelo onikwe waza wafakelwa ngumasipala uya:
 - a) kuba kwindawo ebekwe ngumasipala yaye ube nobukhulu obufanelekileyo obubekwe ngumasipala;
 - b) kuphela —
 - (i) kumda womhlaba kamasipala okanye ophantsi kolawulo lwakhe, okanye kwindawo anelinye ilungelo kuyo; okanye
 - (ii) umbhobho wemitha yokubala amanzi okanye ivalvu evalela amanzi, xa ingaphakathi eyadini; okanye
 - (iii) kwindawo ebekwe ngumasipala.
- (2) Umasipala unokuthi, phantsi kwemiqathango ethile ayibekileyo, ngokwesicelo sakhe nawuphi na umntu, avume ukuqhagamshela kumbhobho ongundoqo ongenguwo lowo ufumaneka lula ekunikweni kwamanzi kuloo yadi, ngokuxhomekeke ekubeni umceli lowo uya kuthatha uxanduva ngako nakuphi na ukwandiswa kwemibhobho yokufaka amanzi isisiwa kuqhagamshelwa kwindawo yoqhagamshelo ebekwe ngumasipala, nangokurentwa okunokuba yimfuneko malunga nezo yadi zizezinye.

- (3) Umnini kufuneka ahlawule intlawulo yoqhagamshelo ebekiweyo kwangaphambi kokuba lube nokwenziwa olo qhagamshelo.

14. Ukunikwa koqhagamshelo olunye lwamanzi oluza kunikwa abasebenzisi abaninzi abakwiyadi enye

- (1) Ngaphandle koko kukwimigaqo yeCandelo le12, mnye kuphela umbhobho woqhagamshelo lwemibhobho yamanzi onokunikelwa ukunika amanzi kuyo nayiphi iyadi, nokuba zingaphi iiyunithi ekuhlalwa kuzo, iiyunithi zoshishino okanye abaxumi abakuloo yadi, ngaphandle kokuba isicelo esikhabana noko singenisiwe saza savunywa ngumasipala.
- (2) apho umnini, okanye umntu ojongene okanye olawula nayiphi iyadi eneeyunithi ezininzi zokuhlala, udinga ukunikwa kwamanzi kuloo yadi, ngenjongo yokunika iiyunithi ezahlukeyo zokuhlala, umasipala unokunika aze afakele loo manzi, ngokwendlela ayibona ifanelekile.
- a) isixhobo esinye sokulinganisa amanzi seyadi iyonke okanye naliphi inani lezo yunithi zokuhlala; okanye
- b) isixhobo sokulinganisa amanzi esahlukeyo seyunithi nganye yokuhlala okanye naliphi inani lazo.
- (3) Apho umasipala ubefakele isixhobo esinye sokulinganisa amanzi njengoko kucacisiwe kwicandelwana (2)(a), umnini okanye lowo unoxanduva okanye olawula loo yadi, ngokwaloo meko kuyiyo —
- a) Makafakele aze agcine usebenza umbhobho ngamnye ophuma kumbhobho oqhagamshela kwiiyunithi zokuhlala ezahlukeyo:
- (i) isixhobo esahlukeyo sokulinganisa; kunye
- (ii) nevalu yokuvala amanzi; yaye
- (iii) uya kuba noxanduva leentlawulo zikamasipala zawo onke amanzi anikwe loo yadi kusetyenziswa eso sixhobo sinye sokulinganisa amanzi, nokuba abulingani ubungakanani bamanzi asetyenziswe ngabasebenzisi abahlukeyo abancedwa seso sixhobo sokulinganisa.
- (4) Apho iiyadi zinikwa amanzi ngemibhobho yoqagamshelo emininzi, umasipala unokucela umnini weyadi ukuba anciphise inani leendawo zoqhagamshelwano aze atshintshe ufakelo lwamanzi lwakhe ngokufanelekileyo.

15. Ukuqhawulwa kofakelo lwamanzi asuka kumbhobho woqhagamshelo

Umasipala unokuqhawula ufakelo lwamanzi olusuka kumbhobho oqhagamshelayo aze asuse umbhobho woqhagamshelo xa kufikelelwe ekuqhawulweni kwesivumelwano sokunikwa kweenkonzo zamanzi ngokomthetho kamasipala wolawulo lwamatyala nokuqokelelwa kwamatyala.

ICANDELO LESI2: IMIGANGATHO

16. Ubungakanani, umgangatho wokutsaza kokuphuma kwamanzi

Iinkonzo zamanzi ezinikwa ngumasipala mazihambelane neyona migangatho iphantsi inokunikwa ibekelwe ukunikwa kweenkonzo zamanzi ngokweCandelo le9 lalo Mthetho.

17. Ukuvavanywa kokutsaza kwiisistim zokunikwa kwamanzi

Umasipala unokuthi, xa umnini ethe wafaka isicelo waza wahlawula intlawulo ebekiweyo, abeke ze anike umnini wendawo ubungakanani kokutsaza kwesistim yokunikwa kwamanzi ngokunxulumene neyadi yakhe ithuba elingangelo licelwe ngumnini.

18. Ungcoliso lwamanzi

Kufuneka umnini anike ze agcine iindlela ezivunyiweyo zokuthintela ukungena kwayo nantoni na enokuba nobungozi kwimpilo okanye ichaphazele kakubi umgangatho wokuseleka kwamanzi okanye ichaphazele ukufaneleka kokusetyenziswa kwawo, loo nto isenzeka:

- a) kwisistim yokunikwa kwamanzi; kunye
- b) nakulo naluphi ufakelo lwamanzi oluseyadini yakhe.

19. Izithintelo zamanzi

- (1) Umasipala unokuthi kuba elungiselela ukonga amanzi okanye apho, ngokokubona kwawo, kunokubakho iimeko zembalela, akuphe isaziso sikawonkewonke —
 - a) avalele okanye athintele ukusetyenziswa kwamanzi kuyo yonke okanye kwinxenye yaloo ndawo iphantsi kolawulo lwakhe:
 - (i) ngokweenjongo gabalala okanye iinjongo ezithile,
 - (ii) ngeeyure ezithile zosuku okanye ngeentsuku ezithile, kunye
 - (iii) nangendlela ethile; aze
 - b) abeke aze anyanzelise:
 - (i) isithintelo sobungakanani bamanzi obunokusetyenziswa kwithuba elithile,

- (ii) iintlawulo ezongezeleleweyo kwezo zibekiweyo ngokunxulumene nokunikwa kwamanzi ongezelelwe ngaphezu kwesithintelo esibekwe kwicandelwana (1)(b)(i).
- (iii) intlawulo eyongezelelweyo gabalala kwezo ntlawulo zibekiweyo ngokunxulumene nokunikwa kwamanzi, kunye
- (iv) nentlawulo yesidelo yesehlo apho kuye kwaphulwa isibhengezo sikawonkewonke esimalunga nezithintelo zokusetyenziswa kwamanzi, nalapho ixabiso liya kupapashwa kweso sibhengezo okanye kuluhlu lwamaxabiso olukhutshwa minyaka le; aze
- c) anyanzelise izithintelo okanye izalelo zokusetyenziswa okanye indlela yokusetyenziswa okanye yokubekwa kweso sixhobo kusetyenziswa kuso amanzi, okanye ekuqhagamshelweni kweso sixhobo kufakelo lwamanzi.
- (2) Umasipala unokuthintela ukusetyenziswa kwemigaqo yesaziso ebekwe kwicandelwana (1) kwiindawo ezithile neentlelo ezithile zabaxumi okanye abasebenzisi baloo yadi, kunye nezenzo, yaye unokuvumela ukungalandelwa nokuxolelwa kunye nokungalandelwa kwayo nayiphi imigaqo yawo xa kukho isizathu sokuba kwenziwe oko.
- (3) Umasipala —
 - a) unokuthatha, okanye abhale isaziso, efuna umxumi athathe iindleko zezo zenzo, kuquka ufakelo lwesixhobo sokulinganisa kunye nezixhobo zokunciphisa ukuhamba kwamanzi, ngokwendlela abona ifanelekile ukuqinisekisa ukuba siyalandelwa isibhengezo sikawonkewonke esipapashwe ngokwecandelwana (1); okanye
 - b) unokuthi, ngokubhala isaziso, ithuba elithile alibona lifanelekile, athintele ukunikwa kwamanzi kuyo nayiphi na iyadi ethe yaphula le mithetho kamasipala okanye kwiyadi okanye ukungalandelwa okunxulumene nesaziso esipapashwe ngokwecandelwana (1); yaye
 - c) uya kuthi, apho kuthe kwayekiswa khona ukunikwa kwamanzi, akubuyisele kodwa xa sele kuhlululwe intlawulo yokuyekiswa nokubuyiselwa kokunikwa kwenkonzo.

20. Iimeko ezithile zokunikwa kwenkonzo

- (1) Ngaphandle kokulandelwa kokuthethwe kwiCandelo le16, ukunikwa kwamanzi ngumasipala akuyi kubandakanya isivumelwano sakhe sokuwalungisa nanini na okanye nandawoni na kwisistim yakhe yokunikwa kwamanzi –
 - a) ukunikwa okungaphazamisekiyo, okuhambelana nemigaqo yeMigaqo 4 neMigaqo 14 yemigaqo iRegulation 22355 ebhengezwe ngokwalo Mthetho ngomhla wesi8 kuJuni 2003; okanye

- b) Ukutsaza okuthile okanye izinga elithile lokuhamba kwamanzi kolo niko lwamanzi, ngaphandle kolu lufunekayo ngokomgaqo 15(2) wemigaqo iRegulation 22355 ebhengezwe ngokwalo Mthetho ngomhla wesi8 kuJuni 2003.
- (2) Umasipala unokuthi, ngokulandela imigaqo yecandelwana (1)(b), axele okona kutsaza kuphezulu kwamanzi kuya kunikwa ngesistim yokunikwa kwamanzi.
- (3) Ukuba umnini okanye umsebenzisi ufuna –
- a) ukuba nayiphi imigangatho kuleyo kuthethwe ngayo kwicandelwana (1); okanye
- b) umgangatho wenkonzo ongentla noko kulowo ubekwe kwiCandelo le16 ugcinwe kwiyadi yakhe, uya kulandela amanyathelo afanelekileyo okuqinisekisa ukuba olo fakelo lwamanzi lucetywayo luyakwazi ukuyifezekisa loo migangatho.
- (4) Umasipala unokuthi, kwimeko kaxakeka, aphazamise ukunikwa kwamanzi kuyo nayiphi iyadi engakhange aqale azise mntu.
- (5) Ukuba, ngokokubona kukamasipala, ukusetyenziswa kwamanzi ngumsebenzisi kuchaphazela kakubi ukunikwa kwamanzi komnye umxumi, unokusebenzisa izithintelo azibona zifanelekile ekunikweni kwamanzi kuloo mxumi ukwenzela ukuqinisekisa ukuba lo mxumi ungomnye unikwa amanzi afanelekileyo, yaye kufuneka azise lo mxumi malunga nezithintelo ezo.
- (6) Umasipala akayi kuba naxanduva ngako nakuphi ukonakaliswa kwepropati okwenziwe ngamanzi asuka kulo naluphi ufakelo lwamanzi olushiywe luvuliwe xa kufakelwa ngokutsha ukunikwa kwamanzi, emva kophazamiseko kokunikwa kwawo.
- (7) Zonke iibhoyila zomphunga, izibhedlele, amashishini nazo naziphi iiyadi ezidinga ukunikwa okuqhubekayo kwamanzi, ukwenzela umsebenzi owenziwa kuloo yadi, ziya kuba namatanki okugcina amanzi, nekufuneka ahambelane neengcaciso zamatanki okugcina amanzi acaciswe kwiSANS 10252-1, abe nomthamo ongekho ngaphantsi kokunikwa kwamanzi okungekho ngaphantsi kweeyure ezingama24, obalwe njengobungakanani obudingekayo ukunika usetyenziso oluphakathi lwamihla yonke, nalapho amanzi anokugcinwa khona xa kukho ukuphazamiseka kokunikwa okuqhubekayo kwamanzi.
- (8) Akukho mxumi uya kuthengisa amanzi awanikwa ngumasipala, ngaphandle kokufumana imvume ebhaliweyo evela kumasipala, nenokubeka elona xabiso liphezulu anokuthengiswa ngalo amanzi, yaye ikwabeka neminye imiqathango anokuyibona ifanelekile umasipala.

ICANDELO LESI3: IMILINGANISELO**21. Ukulinganiswa kobungakanani bamanzi anikiweyo**

- (1) Kufuneka umasipala anike umxumi isixhobo sokulinganisa esiyilelwe ukunika amanzi agcwalisa isithuba esithile esilawulwayo, okanye esingalawulwayo.
- (2) Kufuneka umasipala athi, ngezithuba ezithile ezibekiweyo, alinganise ubungakanani bamanzi anikwe ngesixhobo sokulinganisa esiyilelwe ukunika amanzi agcwalisa isithuba esingalawulwayo.
- (3) Nasiphi isixhobo sokulinganisa kunye nezixhotyana zaso umasipala amnika ngazo umxumi amanzi siya kunikwa ze sifakelwe ngumasipala, yaye siya kuhlala sisesakhe kananjalo sinokutshintshwa size sigcinwe sikwimeko yokusebenza ngumasipala xa ekubona kuyimfuneko oko.
- (4) Umasipala unokufakela isixhobo sokulinganisa kunye nezixhotyana zaso kuyo nayiphi indawo yombhobho wokunikwa kwenkonzo yamanzi.
- (5) Ukuba umasipala ufakela isixhobo sokulinganisa kumbhobho wokunikwa kwenkonzo yamanzi ngokwecandelwana (4), unokufakela indawana yombhobho kunye nemibhojana ehambelana nayo phakathi kwesiphelo sombhobho woqhagamshelo kunye nemitha, yaye loo ndawana iya kuba yinxalenye yofakelo olo lwamanzi.
- (6) Ukuba umasipala ufakela isixhobo sokulinganisa manazi kunye nezixhotyana zaso kumbhobho wokunikwa kwenkonzo yamanzi ngokwecandelwana (4), umnini waloo ndawo uya —
 - a) kunika indawo apho umasipala anelisekayo ukuba masifakelwe kuyo;
 - b) aqinisekise ukuba ufikelelo olungenazithintelo lukhona ngawo onke amaxesha;
 - c) abe noxanduva lokukhuselwa kwaso kunye neendleko ezivela ngokonakaliswa kwaso, ngaphandle komonakalo obangelwa kukuguga kwaso;
 - d) aqinisekise ukuba akukho qhagamshelo lwenziwa kuloo mbhobho sifakelwe kuwo isixhobo sokulinganisa, phakathi kweso sixhobo sokulinganisa kunye nombhobho wokuqhagamshela ohambisa amanzi kufakelo olo;
 - e) alungiselele ukufunxwa kwamanzi okunokukhupheleka kusuka kumbhobho ekufakelwe kuwo isixhobo sokulinganisa, kwindlela yomsebenzi owenziwe ngumasipala kwisixhobo sokulinganisa; aze
 - f) angasebenzisi, okanye avumele ukusetyenziswa kwayo nayiphi imibhobho yokufakelwa kwamanzi, nayiphi imibhobho efakelweyo okanye, ngokokubona kukamasipala, enokubangela umonakalo kuyo nayiphi imitha; yaye

- g) xa ecelwe ngumasipala, ahlawule iindleko zokufakelwa kwesixhobo sokulinganisa, ndleko ezo ziya kuhlawulwa kubuncinane beeyure ezingama48 phambi kokuba kufakelwe nasiphi na isixhobo.
- (7) Ngaphandle kukamasipala, akukho mntu uya:
- a) kuqhawula isixhobo sokulinganisa amanzi kunye nezixhotyana ezinxulunyani nazo, eziqhawula kumbhobho ezixokonyezelwe kuwo;
 - b) ophule uvalelogesi lwamanzi olubekwe ngumasipala kwimitha;
 - c) onokuphazamisana ngayo nayiphi na indlela nesixhobo sokulinganisa kunye nezixhotyana ezinxulumene naso; okanye
 - d) afakele isixhobo sokulinganisa kwisistim kamasipala okanye isistim eza kuba phantsi kolawulo lomasipala, engaqalanga wafumana imvume ebhaliweyo evela kumasipala.
- (8) ukuba umasipala ubona ngathi isixhobo sokulinganisa yimitha yokulinganisa amanzi ebukhulu bungafanelekanga ngenxa yobungakanani bamanzi anikwa looyadi, unokufakela imitha ebukhulu abubona bufanelekile, yaye iindleko ezibekiweyo zokufakelwa kwaloo mitha unokuzifuna kumnini waloo yadi.
- (9) Umasipala unokufuna ukuba ufakelo lwesixhobo sokulinganisa esele sivunyiwe kwiunithi nganye yokuhlala (enetayitile yepropati) luhawulelwe ngumninindawo, nokuba lolwabantu abazihlalela bucala, okanye kuyo nayiphi na iyadi, xa beza kusebenzisa sona ukuqinisekisa ngobungakanani bamanzi anikwe iyunithi nganye, kodwa xa kusetyenziswa iisistim zokugcwaliswa kwesithuba sokunikwa kwamanzi okulawulwayo kuthi kusetyenziswe (liqumrhu loshishino), isixhobo esinye sokulinganisa sinokusetyenziswa kwiyunithi ezingaphezu kweyunithi enye.
- (10) Ukunikwa kwesistim yokufakelwa kwemitha enye okanye eziliqela kufuneka kuvunywe ngumasipala phambi kokuba ifakelwe.

22. Ubungakanani bamanzi anikwa umsebenzisi

- (1) Ukwenzela ukuqinisekisa ngobungakanani bamanzi alinganiswa sisixhobo sokulinganisa esifakelwe ngumasipala kunye nalawo anikwe umxumi ithuba elithile, umasipala uya kuthi, ngaphandle kwakuzo naziphi iinkqubo zolwaphulomthetho nangaphandle kokuba kukho okuthile okunikiweyo okuqinisekisa ukuba —
- a) ubungakanani, apho isixhobo sokulinganisa siyilelwe ukunika amanzi asithuba sigcwaliswayo singalawulwayo, singumahluko phakathi kolinganiso oluthathiweyo ekuqaleni nasekupheleni kwelo thuba;
 - b) ubungakanani, apho isixhobo sokulinganisa siyilelwe ukunika amanzi asithuba sigcwaliswayo silawulwayo, agcwalisa isithuba esiboniswe sisixhobo sokulinganisa;

- c) isixhobo sokulinganisa besichanekile ngelo thuba;
 - d) okubhaliswe kwiirekhodi zikamasipala kwenziwe ngokuchanekileyo; yaye
 - e) xa amanzi anikwa okanye athathwa ngumxumi engadlulanga kwisixhobo sokulinganisa, uqikelelo lukamasipala lobungakanani bamanzi buchanekile.
- (2) Apho amanzi anikwa ngumasipala kuyo nayiphi iyadi athi athathwe ngumxumi, ngayo nayiphi na indlela, amanzi lawo engadlulanga kwisixhobo sokulinganisa esinikwe ngumasipala, umasipala unokuthi, ngenjongo yokukhupha iakhawunti, aqikelele ngokwecandelwana (3) ubungakanani bamanzi anikwe umxumi ngelo thuba umxumi abewathathe ngalo amanzi.
- (3) Ngokwecandelwana (2), uqikelelo lobungakanani bamanzi anikwe umxumi luya kuthi, ngokokugqiba kukamasipala, busekelwe:
- a) kusetyenziso lwanyanga zonke lwamanzi kuloo yadi oluthe lwabhaliswa kwiinyanga ezintathu ezilandelelanayo ezidlulileyo emva komhla ekuthe kwaqatshelwa kwaze kwalungiswa ngawo oku kungabalwa kakuhle kuthethwe ngako kwicandelwana (2); okanye
 - b) usetyenziso oluphakathi lwanyanga zonke lwamanzi kuloo yadi kuzo naziphi iinyanga ezintathu ezilandelelanayo zethuba ebelilinganiswa kwiinyanga ezilishumi elinambini ezandulela ngqo umhla ekuthe kwaqatshelwa ngawo oku kungabalwa kakuhle kuthethwe ngako kwicandelwana (2).
- (4) Kulo mthetho kamasipala akukho nto iya kuthathwa njengenyanzelisa kumasipala isibophelelo sokwenza nasiphi isixhobo solinganiso esifakelwe ngumasipala kuyo nayiphi iyadi silinganiswe ekupheleni kwenyanga nganye okanye naliphi elinye ixesha elisisigxina, yaye umasipala unokubiza kumsebenzisi iindleko zokusetyenziswa okuphakathi okwenzeke kweso sithuba siphakathi kolinaganiso oluyimpumelelo olwenziwe sisixhobo sokulinganisa.
- (5) De kufike ixesha apho isixhobo sokulinganisa sifakiweyo ngokunxulumene namanzi anikwe umxumi, uqikelelo okanye usetyenziso oludityanisiweyo lwamanzi ngumxumi ngethuba elithile kufuneka lusekelwe kusetyenziso oluphakathi lwamanzi anikwe kwindawo ethile esikiweyo nebekwe kuyo loo yadi yomxumi.
- (6) Apho, ngokokubona kukamasipala, kungakwazekiyo okanye kungekokonga ukulinganisa amanzi anikwa umxumi ngamnye kwindawo ethile ecandelwe ukunikwa kwamanzi, umasipala unokubeka ixabiso okanye indleko esekelwe kusetyenziso oluqikelelwayo okanye oludityanisiweyo lwamanzi anikwe kuloo ndawo icandelwe ukunikwa amanzi.
- (7) Kufuneka umasipala athi zingaphelanga iintsuku ezisixhenxe efumene isaziso esibhaliweyo esivela kumxumi, nangokuxhomekeke ekuhlawulweni kweendleko ezibekiweyo, alinganise ubungakanani bamanzi anikwe umxumi ngexesha, okanye ngosuku, ngaphandle kwaloo ndlela bekudla ngokulinganiswa ngayo.

- (8) Ukuba kwenzeka ukwaphulwa kwecandelwana (7), umxumi kufuneka ahlawule umasipala iindleko zabo nabuphi ubuninzi bamanzi umasipala athi buye banikwa loo mxumi.
- (9) Ukuba umxumi unesizathu sokukholelwa ukuba sonakele isixhobo sokulinganisa esisetyenziswe ukulinganisa amanzi awanikwe ngumasipala, unokuthatha amanyathelo njengoko kuboniswe kumthetho kamasipala waloo masipala, omalunga nolawulo lwamatyala kunye nokuqokelelwa kwamatyala.

23. Ulinganiso olukhethekileyo

- (1) Ukuba umasipala udinga ukuqiniseka ukuba ubungakanani bamanzi obusetyenziswe kwinxenye yofakelo lwamanzi, kuba enanjongo yimbi ngaphandle kokubiza iindleko zamanzi asetyenzisiweyo, unokuthi, ngesaziso esibhaliweyo, acebise umnini lowo malunga nokufuna kwakhe ukufakela isixhobo sokulinganisa kuyo nayiphi indawo yoqhagamshelo lwemibhobho yofakelo lwamanzi.
- (2) Ufakelo lwesixhobo sokulinganisa amanzi asetyenzisiweyo ekuthethwe ngaso kwicandelwana (1), ukususwa nokubuyiselwa kofakelo lwamanzi emva koko kususwa, kuya kwenziwa ngeendleko zomasipala.
- (3) Imigaqo yeCandelo 21(5) no21(6) iya kusebenza kangangoko inokusetyenziswa, ngokunxulumene nesixhobo sokulinganisa esifakelwe ngokwecandelwana (1).

24. Akukho nciphiso lwexabiso elihlawulelwa amanzi ekudlalwe ngawo

Umxumi akayi kuba nalungelo lakuncitshiselwa ixabiso alihlawulayo ngamanzi ekudlalwe ngawo okanye abe yilahleko kufakelo lwamanzi, ukuba akuvunyelwananga ngesinye isigqibo ngokwekhontrakthi okanye ngokwendlela ebekwe liBhunga, ngaphandle kokuba kuye kwakho ubungqina bokungakhathali ngakwicala likamasipala.

ICANDELO LESI4: UPHICOTHOZINCWADI

25. Uphicothozincwadi olunxulumene namanzi

- (1) Umasipala unokufuna ukuba umxumi aqhube uphicothozincwadi olunxulumene namanzi ngeendleko zakhe, ingaphelanga inyanga ukususela ekupheleni konyakamali womasipala.
- (2) Ubuncinane olo phicothozincwadi kufuneka luquke nengxelo:
 - a) yobungakanani bamanzi asetyenziswe kuloo nyakamali;
 - b) ubungakanani bamanzi ahlawulelwe kuloo nyakamali;
 - c) inani labantu abahlala kweso sitandi okanye kuloo yadi;
 - d) inani labantu abasebenza isigxina kweso sitandi okanye kuloo yadi;

- e) utshintshatshintsho lwemfuneko yamanzi ngokwamaxesha ngokohlobo lwamanani osetyenziso lweenyanga ngeenyanga;
- f) iindlela zokuqwalasela ungcoliseko lwamanzi;
- g) amaphulo angoku okulawula imfuneko yamanzi;
- h) izicwangciso zokulawula imfuneko yamanzi;
- i) uthlekiso lwengxelo kunye nayo nayiphi enye ingxelo enokuba ingeniswe kwiminyaka emithathu edlulileyo;
- j) ingqikelelo yokusetyenziswa kweenxenye ezahlukileyo zokusetyenziswa;
- k) uthlekiso lwale miba ingentla kunye naleyo ixelwe kuwo ngamnye kule minyaka mithathu idlulileyo, apho zikhoyo; kunye
- l) nazo naziphi ezinye iinkcukacha anokuzibona zifanelekile umasipala.

ICANDELO LESI5: UKUFAKELWA KWEMIBHOBHO YAMANZI

26. Ukuvunywa kokufakelwa kwemibhobho yamanzi

- (1) Ukuba umnini wendawo angathanda ukuba afakelelwe imibhobho yamanzi, kufuneka aqale afumane imvume ebhaliweyo kamasipala, ngokuxhomekeke ekubeni oko kuvunywa akuzi kufuneka ngokwakufakelo lwamanzi kwiiyunithi zokuhlala okanye ukufakelwa kwemibhobho yamanzi apho kungekho fakelo lwamanzi okucima umlilo lufunekayo ngokweSANS 0400, okanye ngokwawo nawuphi umgaqo nkqubo kamasipala/imithetho kamasipala, okanye ukwenzela ukulungisa nokufakela ngokutsha umbhobho ofakelwa endaweni yombhobho okhoyo okanye umbhobho wamanzi ongenguwo owegiza yamanzi esisigxina okanye izixhobo eziyikhuselayo.
- (2) Isicelo sokuvunyelwa ekuthethwe ngaso kwicandelwana (1) siya kwenziwa kwifomu ebekiweyo yaye siya kukhatshwa:
 - a) zezo ndleko zibekiweyo, xa zikhona;
 - b) ziikopi zemizobo enokubekwa ngumasipala, inika iinkcukacha ngohlobo olufunwa liGatya 4.1.1 leSANS 10252-1; kunye
 - c) nasatifiketi esiqinisekisa ukuba ufakelo olo luyilwe yingcali yenjineli ebhalisiweyo ngokweSANS10252-1.
- (3) Amagunya anikwe ngokwecandelwana (1) aya kuphela ekupheleni kwethuba leenyanga ezilishumi elinambini.

- (4) Apho bekufuneka imvume ngokwecandelwana (1), iseti ephелеleyo yemizobo evunyiweyo yofakelo olo mayifumaneke kwisiza ekusetyenzwa kuso ngalo lonke ixesha de ube ugqityiwe umsebenzi wofakelo.
- (5) Ukuba umsebenzi wofakelo wenziwe ngokwaphula icandelwana (1) okanye (2), umasipala unokufuna ukuba umnini wendawo asebenzise iindleko zakhe:
 - a) ukulungisa oko kwaphulwa kweli candelwana lingaphelanga ithuba elinikiweyo;
 - b) ukuba umsebenzi usaqhubeka, uyekwe loo msebenzi; yaye
 - c) kususwe wonke loo msebenzi ungahambelaniyo nale mithetho kamasipala.

27. Abantu abavumeleke ukuba benze ufakelo kunye neminye imisebenzi

- (1) Ngumlungisi wemibhobho yamanzi kuphela, umntu ophantsi kolawulo lwaloo mlungisi okanye omnye umntu ogunyaziswe ngumasipala ngokubhaliweyo oya kuvunyelwa ukuba:
 - a) enze umsebenzi wofakelo ongekuko ukufakelwa kombhobho okanye enye inxenye yofakelo lwamanzi ebikho okanye ukulungiswa kwayo;
 - b) afakele enye igiza esisigxina okanye izixhobo zayo zokuyikhusela;
 - c) ahlole, abulale iintsholongwane ezisemanzini okanye avavanye ufakelo lwamanzi, lwemibhobho yamanzi okucima umlilo okanye itanki lokugcina amanzi;
 - d) aseviswe, alungise okanye afakele esinye isivalelimanzi angcolileyo; okanye
 - e) afakele, alungise okanye afakele enye imitha yokubala amanzi eze nomnini wendawo kufakelo lwamanzi.
- (2) Akukho mntu uya kufuna okanye asebenzise umntu ongengomlungisi wemibhobho yamanzi ukuba enze lo msebenzi kuthethwe ngawo kwicandelwana (1).
- (3) Nangona kukho le migaqo ikwicandelwana (1), umasipala unokuvumela umntu ongengomlungisi wemibhobho yamanzi ukuba azifakelele umsebenzi wofakelo lwamanzi kwiyadi eyeyakhe nekwahlala yena nosapho lwakhe ngqo, ukuba loo msebenzi uza kuhlolwa uze uvunywe ngumlungisi wemibhobho wamanzi oyalelwe ngumasipala.

28. Ukunikwa nokulungiswa kwemisebenzi yofakelo lwamanzi

- (1) Umnini wendawo kufuneka anike ze alungise ufakelo lwamanzi ngeendleko zakhe, ngaphandle kwalapho avumelekileyo ngokweCandelo le103, yaye kufuneka aqinisekise ukuba ufakelo olo lukwindawo engaphakathi kwemida yeyadi yakhe.

- (2) Umnini wendawo kufuneka afakele ivalvu yokujika ukuhamba kwamanzi kwindawo efanelekileyo yombhobho oqhagamshela kongundoqo ongaphakathi ngqo kumda wepropati yakhe, xa kuthethwa ngemitha efakelwe ngaphaya komda weyadi, ze apho imitha ifakelwe kuloo yadi, ibe kwindawo efanelekileyo kumbhobho oqhagamshela kongundoqo.
- (3) Phambi kokwenza umsebenzi onxulumene nolungiso lwenxenye yofakelo lwamanzi, ongaphandle kwemida yeyadi yakhe, kufuneka umnini wendawo leyo afumane imvume ebhaliweyo kamasipala kamasipala okanye umnini womhlaba ekuwo loo nxenye.

29. Iimfuno ezinxulumene nofakelo lwamanzi

Nangona iimfuno zisithi makukhutshwe isatifiketi ngokweCandelo lama25, lonke ufakelo lwamanzi luya kulandela iSANS10252-1 yaye zonke iigiza zokugcina amanzi ezifakelweyo zombane ziya kulandela iSANS10254.

30. Ukusetyenziswa kwemibhobho neenxenye zofakelo lwamanzi ekufuneka zigunyaziswe

- (1) Akukho mntu uya kuthi, engaqalanga wafumana ugunyaziso olubhaliweyo lukamasipala, afakele okanye asebenzise umbhobho okanye iinxenye zofakelo lwamanzi kufakelo lwamanzi olukwindawo ephantsi kolawulo lwamasipala ngaphandle kokuba oko kuhambelana nemigangatho ebekwe ngumasipala kunye/okanye iShedyuli yemiBhobho neeNxenye zoFakelo eziVunyiweyo ezinokuqulunqwa ngumasipala amaxesha ngamaxesha.
- (2) Isicelo sokuqukwa kombhobho okanye ufakelo lwamanzi kwimigangatho okanye ishedyuli ekuthethwe ngayo kwicandelwana (1) masenziwe kwifomu ebekwe ngumasipala.
- (3) Umbhobho okanye inxenye yofakelo lwamanzi inokungaqukwa kwimigangatho okanye ishedyuli ekuthethwe ngayo kwicandelwana (1) ngaphandle kokuba —
 - a) inophawu lokuba semgangathweni leSouth African Bureau of Standards ngokweengcaciso ezifanelekileyo zeSANS ezikhutshwe yiBureau;
 - b) inophawu loqinisekiso olukhutshwe yiSANS luqinisekisa ukuba loo mbhobho okanye loo nxenye yofakelo ihambelana nophawu lwengcaciso lweSANS okanye ingcaciso yethutyana ekhutshwe yiSANS, ngokuxhomekeke ekubeni akukho phawu lwaqinisekiso luya kukhutshwa kwithuba elingaphezu kweminyaka emibini; okanye
 - c) yamkelekile kumasipala.
- (4) Umasipala unokuthi, ngokunxulumene nawo nawuphi umbhobho okanye inxenye yofakelo ebanakanywe kwimigangatho okanye ishedyuli, anyanzelise eminye imiqathango anokuyibona ifanelekile ngokunxulumene nokusetyenziswa okanye indlela yokufakelwa kwayo.

- (5) Umbhobho okanye inxenywe yofakelo iya kususwa kwimigangatho okanye ishedyuli xa:
 - a) ingasahambelani nemiba obekusekelwe kuyo ukuqukwa kwayo; okanye
 - b) ingasafanelekanga ngokwenjongo eyayivunyelwe yona.
- (6) Umgangatho okanye ishedyuli yangoku iya kufumaneka ukuba ubani ayifunde kwiofisi kamasipala ngalo naliphi na ixesha ngamaxesha omsebenzi.
- (7) Umasipala unokuthengisa iikopi zeshedyuli yawo yangoku ngexabiso elibekiweyo, xa oko kunokufumaneka.

31. Ukuleyibhelishwa kwezilawulimanzi aphuma kwimibhobho nezixhobo zazo

Zonke izilawulimanzi aphuma kwimibhobho nezixhobo zazo ezisebenzisa okanye ezikhupha amanzi ziya kuphawulwa okanye kusongelo lwazo kufakwe ezi nkukacha zilandelayo:

- a) uluhlu lobungakanani kokutsaza kwamanzi nge-kPa ekufuneka loo nxenye yofakelo okanye eso sixhobo esiyilelwe ukusebenza phezu kwayo; kunye
- b) nezinga lokuhamba kwamanzi, ngokweelitha ezidlula ngomzuzu, ngokunxulumene nomahluko phakathi kokutsaza kwangaphakathi nokwangaphandle ongenakudlulwa, ngokuxhomekeke ekubeni ezi nkukacha ziya kunikwa ubuncinane bale mifutho ilandelayo: i20 kPa, 100kPa kunye ne400 kPa.

32. Ulawulo lokufuneka kwamanzi

Xa ebona kuyimfuneko, umasipala unokunyanzelisa ukuba kufezekiswe iindlela zolawulo lokufuneka kwamanzi.

- (1) Kulo naluphi ufakelo lwamanzi apho umahluko phakathi kokutsaza okupheleleyo kunye noko kungaguqukiyo kwamanzi kungaphezu kwe200 kPa, kwivalvu yolawulobushushu bamanzi aphuma eshaweni, nalapho ufakelo lwemibhobho yamanzi luyilwe ngendlela elinganisa ukutsaza kwamanzi phuma kwimibhotshana yamanzi atshisayo nabandayo kuloo valvu yolawulobushushu bamanzi aphuma eshaweni, akufunekanga kufakelwe intloko yeshawa enelona zinga liphezulu lokuhamba kwamanzi elingaphezu kweelitha ezili10 ngomzuzu.
- (2) Elona zinga liphezulu lokuhamba kwamanzi ukusuka kuyo nayiphi itephu efakelwe esikini yokuhlamba izandla malingabi ngaphezu kweelitha ezi6 ngomzuzu.
- (3) Apho abona kuyimfuneko, umasipala unokunyanzelisa ukuba kufezekiswe ezinye iindlela zolawulo lokufuneka kwamanzi.

ICANDELO LESI6: IINKONZO ZOKUNIKWA KWAMANZI EQELA LABANTU**33. Ukunikwa kwamanzi kubasebenzisi abaninzi**

- (1) Umasipala unokufakela umpompi woluntu kwindawo ayibona ifanelekile, mpompi lowo uza kunika iinkonzo zamanzi kubasebenzisi abaninzi, ngokuxhomekeke ekubeni, ngokokubona kukamasipala, uninzi lwabo basebenzisi benza inxenye eninzi yabo baza kunikwa lo mpompi kuye kwathethwa nayo ngumasipala.
- (2) Umasipala unokunika abasebenzisi abaninzi iinkonzo zokunikwa kwamanzi eqela labantu ngofakelo loluntu oluyilelwe ukunika isithuba esigcwaliswa ngamanzi esilawulwayo.

ICANDELO LESI7: IINKONZO ZOKUNIKWA KWAMANZI ETHUTYANA**34. Amanzi anikwa ngombhobho olungiselelwe ukuqhagamshela imibhobho yezicimamlilo**

- (1) Umasipala unokugunyazisa ukunikwa kwamanzi kwethutyana ethathwa kumbhobho othile olungiselelwe ukuqhagamshela imibhobho yezicimamlilo omnye nangaphezulu, ngokuxhomekeke kwimiqathango ethile kunye nethuba alibekileyo kwanokuhlawulelwa kweendleko ezifanelekileyo ezinokumana zibekwa libhunga lomasipala, kuquka nediphozithi.
- (2) Umntu ongathanda ukufumana oku kunikwa kwamanzi kwethutyana kuthethwe ngako kwicandelwana (1) makafake isicelo saloo nkonzo yokunikwa kwamanzi ngokweCandelo (2) yaye ahlawule idiphozithi emana ibekwa libhunga lomasipala.
- (3) Umasipala uya kunika imitha ephathwayo yokubala amanzi kunye nazo zonke izixhobo nezixhotyana zofakelo eziyimfuneko koko kunikwa kwethutyana kwamanzi avela kumbhobho olungiselelwe ukuqhagamshela imibhobho yezicimamlilo.
- (4) Loo mitha iphathwayo kunye nazo zonke izixhobo nezixhotyana zofakelo ezinikelwe uniko lwethutyana lwamanzi avela kumbhobho olungiselelwe ukuqhagamshela imibhobho yezicimamlilo ziya kuhlala zizezomasipala yaye kufuneka zibuyiselwe kumasipala ekuphelisweni kolo niko lwethutyana. Ukungayibuyisi imitha ephathwayo nazo zonke izixhobo nezixhotyana zofakelo kuya kugqibela nokuza nezohlwayo ezimana zibekwa ngumasipala.

ICANDELO LESI8: AMAQULA AMANZI**35. Ukuboniswa kweendawo ezinamaqula amanzi**

- (1) Akukho mntu unokwemba iqula lamanzi kuyo nayiphi iyadi ekuMasipala waseWitzenberg engaqalanga wafumana imvume kwiSebe lezaManzi (iDWA).

- (2) Akukho mntu unokwemba iqula lamanzi kwiyadi ekwindawo enelitye ledolomayithi yaye phambi kokwemba iqula lamanzi kufuneka umntu akhangele ukuba loo yadi kuza kwembiwa kuyo iqula elo ayikho kwindawo enelitye idolomayithi.
- (3) Umasipala unokukhupha isaziso soluntu esifuna:
 - a) ukuba umnini wayo nayiphi indawo ekumhlaba ophantsi komasipala enequla lamanzi esele likhona, okanye ukuba umnini lowo akahlali kuloo ndawo, umntu ohlala kuyo uya kuthi azise umasipala ngokukho belo qula kuloo yadi yaye anike iinkcukacha ezinokufuneka malunga nelo qula; yaye
 - b) umnini okanye umhlali wayo nayiphi iyadi ojonge ukumba iqula lamanzi kuloo yadi, kufuneka azise umasipala esebenzisa ifomu emiselweyo yokubonisa loo njongo phambi kokuba kuqaliswe nawuphi umsebenzi onxulumene nokwembiwa kwalo.
- (4) Umasipala unokufuna ukuba umnini okanye umhlali wakuyo nayiphi na iyadi ojonge ukwemba iqula aqale ngokwenza uhlobo lwefuthe loko kwembiwa kwequla kwimvelo, ngokwendlela eya kwanelisa umasipala, phambi kokuba aqalise ukulemba.
- (5) Umasipala unokwazisa umnini okanye umhlali okanye akhuphe isaziso sikawonkewonke esifuna ukuba umnini okanye umhlali onequla elisele likhona elisetyenziselwa iinkonzo zokunikwa kwamanzi ukuba —
 - a) afumane imvume kamasipala yokusebenzisa iqula kwiinkonzo zokunikwa kwamanzi aselwayo ngokweCandelo lesi6, 7 nelama22 alo Mthetho; yaye
 - b) anyanzelise imiqathango ngokweCandelo le9 ngokunxulumene noqhagamshelo lweenkonzo zokulwa umlilo, ngokubhekiselele ekusetyenzisweni kwequla kwiinkonzo zamanzi aselwayo.

36. Uqhagamshelo ekufuneka luvunywe ngumasipala

- (1) I-arhente egunyazisiweyo iya kuba nelungelo, ngokokubona kwayo, lokuba inike okanye ikhabe isicelo sokuqhagamshelwa kofakelo lwemibhobho yezicimamlilo kwimibhobho engundoqo kamasipala.
- (2) Akukho manzi aya kunikelwa naluphi ufakelo lwemibhobho yezicimamlilo, de kube kufunyenwe isatifiketi sokuba umasipala uluvumile ngokweCandelo lama25, nalapho siqinisekisa ukuba ufakelo olo luhambelana neemfuno zalo mthetho kamasipala kunye neminye imithetho kamasipala yalo masipala.
- (3) Ukuba, ngokokubona kwe-arhente egunyazisiweyo, ufakelo lwemibhobho yezicimamlilo aye waluvumela ukuba luqhagamshelwe kwimibhobho engundoqo kamasipala alugcinwa lukwimeko elungileyo, okanye alulungiswa ngokufanelekileyo, okanye lusetyenziselwa enye injongo engekukucima umlilo, loo arhente iya kuba nelungelo lokufuna ukuba olo fakelo lususe kwimibhobho engundoqo, okanye iwenze ngokwayo umsebenzi wokuyisusa loo mibhobho, kodwa ngeendleko zomxumi.

37. Imigaqo ekhethekileyo

Imigaqo yeSANS 10252-1 iya kusebenza ekunikweni kwamanzi okucima umlilo.

38. Ufakelo oluntlantlumbini okanye oludityanisiweyo

Kufuneka zonke izakhiwo ezitsha ezakhiwe emva kokuqala kokusebenza kwale mithetho kamasipala zilandele iimfuno ngokunxulumene nokunikwa kweenkonzo zezicimamlilo:

- a) Ukuba kufuneka isistim inyuswe umgangatho, kufuneka kusetyenziswe isistim esebenzisa imibhobho entlantlumbini: Omnye ube ngowezicimamlilo uze omnye ube ngowokusetyenziswa gabalala.
- b) Ufakelo oludityanisiweyo luya kuvunyelwa kuphela apho kungekho qhagamshelo lokunyusela umgangatho wokumpompa amanzi kolo fakelo lwamanzi. Kwimeko enjalo, kufuneka umasipala anike umbhobho wokuqhagamshela imibhobho yezicimamlilo, ngeendleko zomxumi, ube kwisithuba esingedululanga kwiimitha ezingama90 ukusuka kwipropati leyo, ukwenzela ukunika amanzi okusetyenziswa ekucinyweni komlilo zizicimamlilo.
- c) Uqhagamshelo oludityanisiweyo olusebenzisa uqhagamshelo lokumpompa okunyuswe umgangatho luya kuvunyelwa kuphela xa luyilelwe lwaza lwaqinisekiswa yingcali yezobunjinieli.
- d) Yonke imibhobho nemibhojana mayikwazi ukumelana nokutsaza okungaphezu kwe1 800 kPa, ukuba oko kutsaza kwamanzi kunokulindeleka xa kunyuselwa umgangatho, yaye mayikwazi ukumelana noko kutsaza xa ijongene neemeko zomlilo.

39. Imibhobho woqhagamshelo yeenkonzo zezicimamlilo

- (1) Wakuqalisa lo mthetho kamasipala, umbhobho omnye wokuqhagamshela iinkonzo zomlilo (ngaphandle kweesistim yotsazisomanzi oluvela kwisilingi yendlu) kunye neenkonzo zamanzi aselwayo, ziya kuthi zinikwe ngumasipala.
- (2) Umasipala uya kunika ze afakele, ngeendleko zomnini, imitha yodityaniso kulo mbhobho woqhagamshelo kuthethwe ngawo ku(1).
- (3) Umbhobho woqhagamshelo owahlukileyo uya kubekwa ze usetyenziselwe isistim nganye yotsazisomanzi oluvela kwisilingi, ngaphandle kokuba umasipala unika invume kokunye.
- (4) Umbhobho woqhagamshelo mawuxhotyiswe ngesixhobo sokulinganisa esingayi kukuthintela ukuhamba kwamanzi ngethuba sisebenza isixhobo.

40. Iivalvu neemitha ezikwimibhobho yoqhagamshelo

Yonke imibhobho yoqhagamshelo eya kufakelo lwemibhobho yezicimamlilo mayifakelwe iivalvu yaye isixhobo sokulinganisa kufuneka:

- a) sinikwe ngumasipala ngeendleko zomxumi;
- b) sifakelwe phakathi kwepropati yomxumi kunye nofakelo lwemibhobho olungundoqo; yaye
- c) sifakelwe ngenndlela eya kubekwa ngumasipala.

41. Iimitha ezikwimibhobho yoqhagamshelo lwemibhobho yezicimamlilo

Umasipala uya kuba nelungelo lokufakela imitha yokulinganisa amanzi kuwo nawuphi umbhobho osetyenziselwa izicimamlilo kuphela, yaye umnini waloo yaki uya kuba noxanduva lwazo zonke iindleko zoko xa umasipala ebona ngathi amanzi atsaliweyo kumbhobho atsalelwe ezinye iinjongo ezingekokucima umlilo.

42. Ufakelo lwezicimamlilo zotsazisomanzi olusuka kwisilingi

Ufakelo lotsazisomanzi olusuka kwisilingi lunokuqhagamshelwa ngqo kwimibhobho engundoqo, kodwa umasipala akanakuthathwa njengonike nasiphi isithembiso sobungakanani bokutsaza kwamanzi ngalo naliphi na ixesha.

43. Isizinzisibushushu betanki okanye imibhobho entlantlumbini esuka kongundoqo

- (1) Kufuneka umxumi afakele isizinzisibushushu betanki kwelo tanki lixhonyiweyo nanjengoko siya kuncedisana nakho nakuphi na ukungakwazi okanye ukuhla koxinzelelo kufakelo olungundoqo lomasipala lotsazisomanzi oluvela kwisilingi, ngaphandle kokuba olu fakelo lwenzelwe uniko oluntlantlumbini olusuka kumbhobho ongundoqo owahlukileyo.
- (2) Umbhobho ongundoqo okhokelela usuka kwisizinzisibushushu betanki usiya kutsazisomanzi oluvela kwisilingi unokuqhagamshelwa ngqo kumbhobho ongundoqo, ngokuxhomekeke ekubeni loo mbhobho ungundoqo unevalu engqalisayo nethi xa kuthe kwehla okanye kwancitshiswa ukutsaza kwamanzi kwemibhobho engundoqo, ngenxa ya so nasiphi na isizathu, utsho ucime ukunikwa kwamanzi okuvela kwimibhobho engundoqo.
- (3) Apho kukho ufakelo lotsazisomanzi oluvela kwisilingi olunemibhobho entlantlumbini esuka kumbhobho ongundoqo owahlukileyo, umbhobho ngamnye uya kuba nevalu yokugqalisa amanzi ekuloo yadi.

44. Ukutywinwa kwemibhobho yoqhagamshelo lwemibhobho yezicimamlilo

- (1) Apho isistim iyisistim edityanisiwayo enemitha edityansiwayo, yonke imibhobho yoqhagamshelo lwemibhobho yezicimamlilo kunye nezisongimathumbu amanzi mazitywinwe ngumasipala yaye utywino olo malungophulwa nguye nawuphi na

omnye umntu ngaphandle komasipala xa ewusevisa okanye ewuvavanya, ngaphandle kwaxa kuvulwa umbhobho woqhagamshelo lwemibhobho yezicimamlilo okanye xa kusetyenziswa ithumbu lamanzi xa kukho umlilo.

- (2) Kufuneka umxumi anike umasipala isaziso sobuncinane beeyure ezingama48 phambi kuseviswe okanye kuvavanywe ufakelo lwemibhobho lwezicimamlilo.
- (3) lindleko zokutywina ngokutsha imibhobho yoqhagamshelo lwemibhobho yezicimamlilo kunye nezisongimathumbu amanzi ziya kuwela kumxumi, ngaphandle kwaxa utwyino olo lophulwe ngamagosa kamasipala ngethuba evavanya.
- (4) Nawaphi amanzi asetyenziswe ngofakelo lwesicimamlilo okanye isistim yotsazisomanzi oluvela kwisilingi aya kuhlawulelwa ngumxumi ngokweendleko ezibekwe ngumasipala.

ICANDELO LE10: IMIGAQO GABALALA

45. Ukuthathwa kweesampule zamnazi

- (1) Umasipala unokuthatha iisampule zamanzi afunyanwa kumthombo, ogunyaziswe ngokweCandelo lesi6 okanye lesi7 lalo Mthetho, ngaphandle kwesistim yokunikwa kwamanzi asetyenziswa endlwini, aze enze amalungiselelo okuba ezo sampule zivavanyelwe ukuhambelana kwazo nemigangatho yelizwe ebekwe ngokweCandelo le9 lalo Mthetho.
- (2) lindleko ezibekiweyo zokuthathwa nokuvavanywa kweesampule ekuthethwe ngazo kwicandelwana (1) kuya kuhlawulwa ngumntu onikwe imvume yokusebenzisa amanzi lawo njengamanzi aselwayo ngokweCandelo 6(1) lalo Mthetho.

46. Ukunikwa ngumasipala kwamanzi angaselwayo

- (1) Umasipala unokuthi, xa kufakwe isicelo ngokweCandelo (3), avume ukunika amanzi angaselwayo kumxumi, ngokuxhomekeke kuloo miqathango anokuyibeka umasipala.
- (2) Nakuphi ukunikwa kwamanzi okuvunywe ngokwecandelwana (1) akuyi kusetyenziselwa amanzi asendlwini okanye ezinye iinjongo, ezinokuza nomngcipheko wempilo, ngokokubona kukamasipala.
- (3) Akukho sithembiso, sixeliweyo okanye sicingelwayo, siya kusebenza ngokunxulumene nokucoceka kwawo nawaphi amanzi angaselwayo anikwa ngumasipala okanye ukufaneleka kwawo ngokwenjongo abenikelwe yona.
- (4) Ukunikwa kwamanzi angaselwayo kuya kuthi, ngokwemeko nosetyenziso, kube ngumngcipheko womxumi, oya kuba noxanduva lwawo nawuphi umonakalo onokuba sisiphumo sayo nayiphi impazamo enyanisekileyo yomasipala okanye ukungasebenzi kweziko lokucocwa kwamanzi.

47. Imibhobho esesitalatweni okanye kwiindawo zoluntu

Akukho mntu uya kubeka okanye akhele umbhobho okanye inxenye enxulumene nawo esitalatweni, kwindawo okanye phantsi kwendawo yoluntu okanye omnye umhlaba ophantsi kolawulo lwawo nawuphi umasipala, kuba efuna ukuhambisa amanzi avela kumthombo othile.

48. Ukusetyenziswa kwamanzi amdaka ekuhlanjwe ngawo

Akukho mntu uya kusebenzisa amanzi ekuhlanjwe ngawo okanye avumele ukusetyenziswa kwaloo manzi, ngaphandle okuba uqale wafumana imvume ebhaliweyo kumasipala yaye alandele imiqathango enokubekwa ngumasipala.

ISAHLUKO 5: IMIQATHANGO YEENKONZO ZOGUTYULO

ICANDELO LOKU1: UQHAGAMSHELO KWI-SISTIM YOGUTYULO

49. Isinyanzelo sokuqhagamshela kwisistim yogutyulo

- (1) Zonke iiyadi ezikhupha isureji maziqhagamshelwe kwisistim yogutyulo evunyiweyo. Zonke iiyadi maziqhagamshelwe kwisistim yogutyulo kamasipala xa ifumaneka loo sureji yoqhagamshelo okanye xa kusenzeka oko kungenjalo kungabizi kakhulu ukuba umasipala afakele isureji yoqhagamshelo, ngaphandle kokuba kufunyenwe imvume yokusebenzisa iinkonzo zogutyulo olufakelwe ngaphakathi ngokweCandelo lama71 nele105.
- (2) Umasipala unokuthi, ngokukhupha isaziso, afune ukuba umnini weyadi engaqhagamshelwanga kwisistim yogutyulo kamasipala aqhagamshela kule sistim yogutyulo.
- (3) Umnini weyadi, ekufuneka eqhagamshela loo yadi kwisistim yogutyulo yomasipala ngokwecandelwana (1), makabhalele umasipala amazise malunga nazo naziphi ezinye iinkonzo zogutyulo ezinikwa ngumasipala eso siza, nezingasafunekiyo ngenxa yolo qhagamshelo kwisistim yogutyulo.
- (4) Umnini wendawo uya kuba noxanduva lwazo naziphi iindleko ezihlawulelwa ezo nkonzo zogutyulo zikweso siza side siqhawulwe isivumelwano sokunikwa kwezo nkonzo ngokomthetho kamasipala onxulumene nolawulo lwamatyala kunye nokuqokelelwa kwamatyala.
- (5) Ukuba umnini wendawo akakwazi kuqhagamshela iyadi yakhe kwisistim yogutyulo emva kokuba ethe wanikwa isaziso ngokwecandelwana (2), umasipala unokuthi, ngaphandle kwazo naziphi ezinye iintshukumo anokuzithatha ngokwalo mthetho kamasipala, anyanzelise isohlwayo kumnini wendawo ngokokubekwa kwaso liBhunga kuluhlu lwalo lwamaxabiso onyaka.

50. Ukunikwa kwesureji yoqhagamshelo

- (1) Ukuba kufikelelwe kwisivumelwano seenkonzo zogutyulo ngokunxulumene naloo yadi, ngokomthetho kamasipala ngokunxulumene nolawulo lwamatyala kunye nokuqokelelwa kwamatyala, kube kungekho sureji yoqhagamshelo ikhoyo ngokunxulumene naloo yadi, umnini weyadi uya kufaka isicelo ngokusebenzisa ifomu aze ahlawule amaxabiso neendleko ezibekwe ngumasipala zokugakelwa kwesureji yoqhagamshelo.
- (2) Ukuba kufakwe isicelo sokunikwa kweenkonzo zogutyulo ezingohlobo lokuba okanye ezibekwe kwindawo eyenza ukuba kufuneke kwandiswe, kulungiswe okanye kuhlaziye isistim yokunikwa kweenkonzo ukuze kunikwe iinkonzo zogutyulo kuloo yadi, umasipala unokukuvumela oko kwandiswa, ngokuxhomekeke ekubeni umnini uhlawula okanye uyavuma ukuba uza kuzihlawula iindleko zolo lwandiso okanye oko kunyuselwa komgangatho, neziya kubekwa ngumasipala.

- (3) Ngumasipala kuphela onokufakela okanye avume ukufakelwa kombhobho wesureji yoqhagamshelo, kodwa umnini okanye umxumi kufuneka ibe nguye oqhagamshela ufakelo logutyulo oluqhagamshelwe kumbhobho woqhagamshelo.
- (4) Akukho mntu unokuqhubeka nalo naluphi ulwakhiwo kuyo nayiphi iyadi, ngaphandle kokuba umasipala abe ufakele isureji yoqhagamshelo.
- (5) Xa kufakwa isicelo, ngokwemiqathango ethile ebekiweyo, umasipala unokuvuma ukuba umfaki wesicelo afakele inkonzo leyo.

51. Indawo ebekwa kuyo isureji yoqhagamshelo

- (1) Isureji yoqhagamshelo enikwe okanye efakelwe ngumasipala kufuneka:
 - a) ukuba kwindawo ebekwe ngumasipala yaye ube nobukhulu obufanelekileyo obubekwe ngumasipala; yaye
 - b) isuswe —
 - (i) kwindawo engumda waloo yadi; okanye
 - (ii) kwindawo yoqhagamshelo ukuba ingaphakathi kuloo yadi.
- (2) Umasipala unokuthi, phantsi kwayo nayiphi imiqathango ayibekileyo, ngokwesicelo sakhe nawuphi na umntu, avume ukuqhagamshela kumbhobho wogutyulo ongenguwo lowo ufumaneka lula ekunikweni kweenkonzo zogutyulo kuloo yadi; nalapho umnini lowo uya kuthatha uxanduva ngako nakuphi na ukwandiswa kwemibhobho yofakelo isisiwa kuqhagamshelwa kwindawo yoqhagamshelo ebekwe ngumasipala, nangokurentwa okunokuba yimfuneko malunga nezo yadi zizezinye. Xa kunokufuneka kuqhagamshelwe ngaphezu kwesiza esinye kumbhobho othile, okanye ezo ziza zisebenzise inkonzo enye, kuya kufuneka kubekho sivumelwano senkonzo phakathi kwabo banini, ngokunxulumene nokulungiswa kunye nokuphuculwa komgangatho waloo nkonzo bayifumana ngokubambisana.
- (3) Apho umnini wendawo kufuneka abe nesithundezi kunyuka kogutyulo ngokwendlela ekubekwe ngayo kwimigaqo yoKwakha (iBuilding Regulations), okanye apho iyadi ikwinqanaba apho ufakelo lwedreyini lungenakukhuphela kwisureji ngokuzenzekelayo, ithuba nexesha lokukhutshwa kwaloo sureji kufuneka lixhomekeke ekuvunyweni kwalo ngumasipala.
- (4) Umnini waloo yadi makahlawule iindleko zoqhagamshelo kunye namaxabiso abekwe ngumasipala kwaphambi kokuba kuqaliswe ukuqhagamshelwa kuloo sureji yoqhagamshelo.

52. Ukunikwa kwisureji yoqhagamshelo yabaxumi abaninzi abakwiyadi enye

- (1) Nangona kukho imigaqo ebekwe kwiCandelo lama51, inye kuphela isureji eqhagamshela kwisistim yogutyulo enokunikelwa ukuchithwa kwisureji evela

kuyo nayiphi iyadi, nokuba ineeyunithi zokuhlala ezingaphi zabasebenzisi ezikuloo yadi.

- (2) Nangona kubekiwe nje kwicandelwana (1), umasipala unokugunyazisa ukuba kunikwe ngaphezu kwesureji eqhagamshelayo enye kwisistim yogutyulo yokulahlwa kwesureji esuka kuyo nayiphi iyadi eneeunithi ezinobunini bezahlulo, ukuba, ngokokubona kukamasipala, ukunikwa kwesureji yoqhagamshelo enye kungabangela ubunzima okanye uphazamiseko olunokwenzeka kuye nawuphi umxumi okuloo yadi.
- (3) Apho umasipala agunyazise ukunikwa kweesureji zoqhagamshelo ezingaphezu kwenye, phantsi kwecandelwana (2), kuya kubakho amaxabiso neendleko zokunikwa kwesureji yoqhagamshelo ezihlawulwayo ngesureji yoqhagamshelo nganye enikiweyo.

53. Uqhagamshelo oludibanisa iiyadi

Ngaphandle kokuba uqale wafumana imvume kumasipala yaye ulandela nayiphi imiqathango enokuba ibekiwe, umnini weyadi makaqiniseke ukuba akukho qhagamshelo lukhoyo phakathi kofakelo lofunxo lwamanzi kwiyadi yakhe kunye nofakelo lofunxo lwamanzi olukuyo nayiphi enye iyadi. Kuya kufuneka ukuba kubekho isivumelwano esisemthethweni esiphakathi kwabanini bezo yadi zabelana ngeenkonzo, nesiya kubeka ngokucacileyo uxanduva lokulungiswa okanye ukunyuswa komgangatho okunokwenziwa kuloo nkonzo kwabelwana ngayo.

54. Ukuqhawulwa kwesureji yoqhagamshelo

Umasipala unokuqhawula ufakelo lofunxo lwamanzi olusuka kumbhobho oqhagamshelayo aze asuse umbhobho woqhagamshelo xa kufikelelwe ekuqhawulweni kwesivumelwano sokunikwa kweenkonzo zogutyulo ngokomthetho kamasipala wolawulo lwamatyala nokuqokelelwa kwamatyala.

ICANDELO LESI2: IMIGANGATHO

55. Imigangatho yeenkonzo zogutyulo

Iinkonzo zogutyulo ezinikwa ngumasipala mazihambelane neyona migangatho iphantsi inokunikwa ibekelwe ukunikwa kweenkonzo zogutyulo ngokweCandelo le9 lalo Mthetho.

ICANDELO LESI3: IINDLELA ZOKUBEKA IINDLEKO

56. Ulinganiso lobungakanani lwamanzi amdaka asendlwini akhutshwayo

- (1) Ubungakanani bamanzi amdaka asendlwini akhutshwayo buya kubekwa njengomyinge wamanzi anikwa ngumasipala; ngokuxhomekeke ekubeni apho umasipala abona ngathi loo myinge uphezulu ngokunxulumene neyadi ethile, ethathela ingqalelo injongo yokusetyenziswa kwamanzi kuloo yadi, umasipala unowunciphisa umyinge osetyenziswa kulo yadi awubeke kwinani abona ngathi, ngokweenkcukacha anazo, libonisa isahlulo somyinge ophakathi kobungakanani

besureji ebimele ukukhutshwa yiloo yadi kunye nobungakanani bamanzi anikwayo.

- (2) Apho iiyadi inikwa amanzi avela kumthombo othile ongenguwo okanye owongezelela kwisistim yokunikwa kamanzi kamasipala, kuquka ukutsalwa emlanjeni okanye equleni, kufuneka ubuninzi bawo bube ngumyinge wamanzi apheleleyo asetyenziswa kuloo yadi, nothi uqikelelwe ngumasipala ngokufanelekileyo.

57. Ulinganiso lomgangatho nokubekwa kobungakanani bamanzi amdaka akhutshwa lishishini

- (1) Kufuneka kubekwe ubungakanani bamanzi amdaka eshishini angena kwisistim yogutyulo:
 - a) apho kufakelwe isixhobo solinganiso, ngokobungakanani bamanzi amdaka esishini akhutshwa kwiyadi ngokokulinganiswa kwawo seso sixhobo solinganiso; okanye
 - b) de kufike ixesha lokuba kufakelwe isixhobo solinganiso, ngokwepesenti ebekwi kwiShedyuli B yamanzi anikwa ngumasipala kuloo yadi.
- (2) Umasipala unokufuna ukuba umnini weyadi aquke kufakelo lofunxo kuhanjiso lwamanzi amdaka oluya esurejini nayiphi imitha yolawulo okanye ulinganiso kungenjalo esinye isixhobo sohlobo oluvunyiweyo nesilawulwa ngumasipala, ukwenzela ukuqinisekisa okwaneza umasipala malunga nezinga, umthamo nobungakanani bamanzi amdaka.
- (3) Umasipala unokufaka ze agcine ayigcine ikwimeko yokusebenza nayiphi imitha, isilinganisi okanye isixhobo ekuthethwe ngaso kwicandelwana (2), nesiya kuhlawulelwa ngumnini waloo yadi sifakwa kuyo.
- (4) Apho iiyadi inikwa amanzi avela kumthombo othile ongenguwo okanye owongezelela kwisistim yokunikwa kamanzi kamasipala, kuquka ukutsalwa emlanjeni okanye equleni, kufuneka ubuninzi bawo bube ngumyinge wamanzi apheleleyo asetyenziswa kuloo yadi, nothi uqikelelwe ngumasipala ngokufanelekileyo.
- (5) Apho inxenye yamanzi anikwa kwiyadi iyinxalenye yemveliso epheleleyo yayo nayiphi inkqubo yokuvelisa okanye alahleka ngenxa yokwenzeka komophu owenzeke ngethuba lenkqubo yokuvelisa okanye ngenxa yaso nasiphi na esinye isizathu, umasipala unokuthi xa kufakwe umnini wendawo efake isicelo, anciphise ubuninzi obuhloliweyo bamanzi amdaka eshishini.
- (6) Umasipala unokuthi xa ebona kufanelekile angene kwisivumelwano naye nawuphi umntu okhuphela amanzi amdaka eshishini kwisistim yogutyulo, ukuba abe nanye indlela yokuhlola umgangatho nezinga lamanzi amdaka akhutshwayo.
- (7) lindleko ezinxulumene nomgangatho wamanzi amdaka eshishini ziya kusekelwa kwifomyula yamanzi amdaka akhutshwa lishishini, njengoko ebekwe kwiShedyuli C.

- (8) Le miqathango ilandelayo iyangena ngokunxulumene nokuhlolwa komgangatho wamanzi amdaka akhutshwa lishishini:
- a) umxumi ngamnye makaqhube iimvavanyo ezibekiweyo, ngokweshedyuli eyenziwa rhoqo, ngokwendlela elungiselelwe ekuvunyweni kwamanzi amdaka akhutshwa lishishini, aze anike umasipala ingxelo yeziphumo ngokwendlela exelwe kwiphemithi ekhutshwe ngumasipala;
 - b) umasipala unokuqhuba iimvavanyo ezingabhengezwanga zokulandelwa komthetho ngokubhekiselele nezo zisetyenziswe kwicandelwana (a), kuze kuthi ukuba kufunyenwe ukungahambi kakuhle okuthile, ngaphandle kwaxa kusenzelwa ityala lokwaphulwa komthetho, kuthathwe ngokuba amaxabiso kamasipala ngawo achanekileyo yaye umasipala unokufuna ukuba umxumi ahlawulele ukwenziwa kwezinye iimvavanyo zokujonga amaxabiso efomyula:
 - c) inani eliphakathi lamaxabiso eziphumo zohlalutyo olwahlukileyo lomxube weesampule ezithathwa kwiinyure ezingama24 okanye iisampule ezithathwa ngokungahlelwanga zamanzi amdaka, ezithathwe ngethuba elihlawulelwayo, ziya kusetyenziswa ukukhangela iindleko ezihlawulwayo zokukhangela komgangatho.
 - d) xa iye yangabikho iseti yamihla le yomxube weesampule ezithathwa rhoqo kwiinyure ezingama24 okanye iisampule ezithathwa ngokungahlelwanga, ixabiso leendleko liya kubekwa ngokusebenzisa inani eliphakathi elingekho ngaphantsi kwala maxabiso mabini amanzi amdaka athathwe njengesampule ngethuba elihlawulelwayo.
 - e) ukuze kufunyanwe amandla (imfuneko yeoksijini eyikhemikhali, ukungcola okuxubeke emanzini, ukuqulungana kweamoniya kunye nokuqulungana kwe-orthophosphate) kumanzi amdaka, ngokunjalo nokuqulungana kweemethali zeQela 1 nelesi2, ixabiso le-pH kunye nokumelana kwawo nombane, umasipala uza kusebenzisa iimvavanyo ezidla ngokusetyenziswa ngoomasipala xa besenzela ezi njongo. Iinkcukacha zovavanyo olufanelekileyo zinokufunyanwa kumasipala okanye kwiSANS. Iziphumo zovavanyo lwelebhu evunye ngumasipala ziya kubaluleka ngaphezu kwezo zikamasipala;
 - f) ifomyula iya kubalwa ngokweziphumo zohlalutyo olwahlukileyo kwesampule ethathwa ngokungahlelwanga okanye umxube weesampule, kunye nethuba lokucocwa eliya kubalwa aliya kuba ngaphantsi kwethuba elipheleleyo leeyure ezingama24, ngaphandle kokuba kufakwe kumasipala ubungqina bokuba kufaneleke ithuba elinganeno kwelo;
 - g) imiqathango yefomyula yokungakhuthazwayo ayinakuba lixabiso elingaphantsi kukaziro
 - h) amaxabiso apheleleyo esistim yeendleko zokubalwa komgangatho ahlala engatshintshi kwithuba lokuqala lenyanga enye, kodwa lingedluli kwiinyanga ezilishumi elinambini ukususela ngomhla wokuqaliswa kwezi ndleko. Emva

kokuphela kwelo xesha, linokumana lihlaziywa, ngokuxhomekeke kolo tshintsho lukhoyo kwiziphumo zohlalutyo okanye ezinye iisampule, njengoko kunokumana kubekwa maaxesha ngamaxesha, ngokuxhomekeke ekubeni umasipala ubona ngathi kwimeko ethile unokutsala irhafu yezona ndleko ziphantsi kwezibekwe kwicandelwana (7) okanye u8(l), kungakhange kuthathwe sampule;

- i) ngenjongo yokubala ubungakanani bamanzi amdaka akhutshwa kwindawo nganye yokukhutshwa kwamanzi amdaka, ubungakanani obupheleleyo bamanzi asetyenziswe kuloo yadi buya kunikwa kuloo ndawo yokukhutshwa kwamanzi ngokuchaneke kangangoko;
- j) nanini na umasipala ethatha isampule, isiqingatha sayo siya kunikwa umxumi xa ethe wasicela;
- k) iindleko zokuhanjiswa nokucocwa kwamanzi amdaka eshishini ziya kubekwa ngumasipala yaye ziya kusebenza ukususela ngomhla obekwe ngumasipala; yaye
- l) ngokokubona kukamasipala, iindleko zamanzi amdaka eshishini zinokutshintshelwa kwiindleko ezimiselweyo zenyanga ezibekwe kuthathelwa ingqalelo amandla aloo manzi amdaka, umthamo kunye nokuzinza koqoqosho lwamashishini amancinane namancinci kakhulu.
- m) Zonke iindawo ekuchithwa ngazo amanzi asuka kwiyadi enye mazixelwe kumasipala.

58. Ukuncitshiswa kobungakanani obulinganiswayo bamanzi amdaka akhutshwayo

- (1) Umntu uya kuba nelungelo lokuncitshiselwa ubungakanani bamanzi amdaka akhutshwayo, ngokwendlela ebekwe kwiCandelo lama55 nelama56, apho ubungakanani bamanzi ekubalwe umyinge wawo buye balinganiswa ngethuba apho kungaqaphelekanga ukusetyenziswa ngokungenalulondolozo kwamanzi okanye ukuvuza kwawo, ukuba umsebenzisi ubonisa umasipala ngokwanelisayo ukuba amanzi khange achithelwe kwisistim yogutyulo okanye nayiphi enye isistim kamasipala.
- (2) Ukuncitshiswa kobungakanani buya kusekelwa kobungakanani bamanzi abe yilahleko ngokuvuza okanye inkcitho yawo ngethuba lokuvuza kwawo.
- (3) Ithuba lokuvuza liya kuba lelo lokulinganiswa okwenziwe nje phambi komhla wokulungiswa kokuvuza, okanye ithuba lokulinganiswa okwenziwe ngethuba kulungiswa ukuvuza, nokuba zeziphi kwezo iziphumo zokucuthwa kobungakanani.
- (4) Ubungakanani bamanzi ayilahleko buya kulinganiswa njengasetyenzisiweyo ngethuba lokuvuza xa kukhutshwe usetyenziso oluphakathi, ngokusekelwe kwiinyanga ezintathu (3) ezandulelayo, ithuba lobude obulinganayo bexesha. Xa kunokwenzeka ukuba kungabikho mbali idlulileyo yokusetyenziswa okufumanekayo, ukusetyenziswa kwamanzi okuphakathi kuya kubekwa

ngumasipala, emva kokuba ethathele ingqalelo zonke iinkcukacha azibona njengezifanelekileyo.

- (5) Akuyi kubakho kuncitshiswa kobungakanani ukuba amanzi abe yilahleko engqalileyo okanye emayana enxulumene nokungakwazi komxumi ukulandela lo okanye eminye imigaqonkqubo/ imithetho kamasipala.

59. Iindleko ngokunxulumene nokufakelwa kweenkonzo zogutyulo ezingaphakathi kwisiza

Iindleko ezihlawulwa ngumnini wendawo ngokunxulumene nokusulwa okanye ukuqokelelwa kwesiqulatho setanki logutyulo oluseza kugqithiswa, ilindle eliqokelelwa kwiziqulathi zethutyana okanye ukugutyulwa kwamapitsi ziya kuquka zonke iindleka zokusebenza nokulungisa ezibangelwe kukugutyulwa kokuqulethwe ngamapitsi, ukuhanjiswa kwako kusiwe kwisiza sokulahla, ukucocwa kweziququlathi ukuze zibe kwimeko yogutyulo kuze ukulahlwa kokugqibela kwalo naliphi ilindle eliqinileyo, yaye zihlawulwa ngumnini ngokoluhlu lwamaxabiso onyaka.

ICANDELO LESI4: UFAKELO LWEMIBHOBHO YOGUTYULO

60. Ufakelo lwemibhobho yogutyulo

Umnini waloo ndawo makanike ze agcine lukwimeko eyiyo ufakelo lwemibhobho yogutyulo esebenzisa iindleko zakhe, ngaphandle kokuba ufakelo luyinxalenye yemibhobho yogutyulo, njengoko kubekiwe ngumasipala yaye, ngaphandle kwaxa kuvunywe ngumasipala, kufuneka aqinisekise ukuba ufakelo lukwindawo engaphakathi kwemida yeyadi yakhe.

- (1) Umasipala unokubeka indawo kwisureji, kunye nobunzulu obungaphantsi komhlaba, apho kufuneka lonke ufakelo lwemibhobho yogutyulo luqhagamshelwe khona kwakunye nendlela ekufuneka ilandelwe yidreyini ukuya kwindawo yoqhagamshelo, yaye unokufuna ukuba umnini wendawo angaqhubeki nokwakha okanye ukuqhagamshela kufakelo lwemibhobho yogutyulo ide ibe ibekiwe isureji yoqhagamshelo kamasipala.
- (2) Naluphi ufakelo lwemibhobho yamanzi okwakhiweyo okanye okufakelweyo kufuneka kuhambelane nazo naziphi iingcangciso zomsebenzi ezikwimiGaqo yoKwakha kunye nayo nayiphi imigangatho ebekiweyo ngokwalo Mthetho.
- (3) Akukho mntu uya kuvumela nayiphi into engamanzi okanye iqinileyo, engengomanzi acocekileyo aza kuvavanywa, ukuba ingene kuyo nayiphi imibhobho yogutyulo phambi kokuba loo mibhobho yogutyulo ibe iqhagamshelwe kwisureji.
- (4) Apho iyadi ibekwe kwindawo emthabazi enokwehlelwa zizikhukula kanye kwiminyaka engama50, umphezulu wayo yonke imingxuma yokufikelela kwimibhobho, ukuhlolwa kwendlela zokuhamba kwimibhobho kunye nemijelo ehamba imibhobho mayibe ngaphezu kwezinga lendawo enokwehlelwa zizikhukula kanye kwiminyaka eli100, yaye kufuneka ziqamangeleke nge100% ukuze zingavuzi manzi anokubangela ukungcoliswa kwemvelo.

- (5) Emva kokugqitywa kwalo naluphi ufakelo lwemibhobho yogutyulo, okanye emva kokuba kugqitywe nakuphi ukufakelwa kwemibhobho yamanzi, umlungisi wemibhobho yamanzi ojongene nokwenziwa kwaloo msebenzi makangenise, kwicandelo lokuhlolwa kwezakhiwo lomasipala, isatifiketi esiqinisekisa ukuba loo msebenzi wenziwe ngokwemigangatho ebekwe kwiMigaqo yeZakhiwo, kule mithetho kamasipala kunye nawo nawuphi na omnye umthetho okanye umthetho kamasipala.
- (6) Akukho manzi amvula okanye amanzi ezikhukula, kungekho namanzi amdaka anokuthi achithelwe kwimibhobho yogutyulo, ngaphandle kwalawo avunyelwe ngumasipala.

61. Ukuqhawulwa koqhagamshelo lwemibhobho yogutyulo

- (1) Ngaphandle kwaxa kusenzelwa ukwenziwa umsebenzi wokulungisa, akukho fakelo lwamibhobho yamanzi lunokuqhawulwa kwindawo yoqhagamshelo.
- (2) Apho nayiphi inxenye yofakelo lwemibhobho yogutyulo ithe yaqhawulwa kwenye inxenye yayo kuba ingasayi kuba sasetyenziswa, le nxenye iqhawulweyo mayitshatyalaliswe okanye isuswe ngokupheleleyo kuloo yadi ibisetyenziswa kuyo, ngaphandle kokuba umasipala uvume enye indlela.
- (3) Xa sele lwenziwe uqhawulo emva kokufezekiswa kwazo zonke iimfuno zemiGaqo yoKwakha ngokunxulumene nolo qhawulo, umasipala kufuneka athi, ngokucelwa ngumnini wendawo, akhuphe isatifiketi esiqinisekisa ukuba olo qhawulo lugqitywe ngokweMigaqo yoKwakha kwanokuba naziphi iindleko ezinxulumene naloo nxenye iqhawulweyo kufakelo lwemibhobho yogutyulo ziya kuyekwa ukukhutshwa ekupheleni kwenyanga eyandulela usuku lokuqala lwenyanga elandela ukukhutshwa kweso satifiketi.
- (4) Xa ufakelo lwemibhobho yoguqulo luye lwaqhawulwa kwisureji, kufuneka umasipala akuncibe oko kuvuleka kwenziwe lolo qhawulo yaye iindleko zoko unokuzifuna kumnini waloo yadi ekuqhawulwe kuyo ufakelo olo.
- (5) Apho isistim yofunxo lwamanzi iqhagamshelwe okanye iqhawulwa khona kwisistim yesureji phakathi enyangini, iindleko ziya kubalwa ngokunga olo qhagamshelo okanye uqhawulo lwenziwe ngosuku lokuqala lwenyanga elandela leyo lwenziwe ngayo.

62. Ukulungiswa koqhagamshelo lwemibhobho yogutyulo

- (1) Umnini wendawo kufuneka afakele ze alungise uqhagamshelo lwemibhobho yogutyulo ngeendleko zakhe.
- (2) Apho nayiphi inxenye yofakelo lwemibhobho yogutyulo ithe yasetyenziswa ngabanini okanye abahlali ababini nangaphezulu, baya kubambisana yaye batshintshisane ngoxanduva lolo fakelo yaye kufuneka babe nesivumelwano esibhaliweyo esimalunga noku.

- (3) Umnini wayo nayiphi na iyadi makaqiniseke ukuba yonke imingxuma eya kwimibhobho ephantsi komhlaba kunye neminyangwana yokucoca ekuloo yadi iya kuhlala ibonakala yaye ifikeleleka.

63. Iimfuno ezinxulumene nofakelo lwemibhobho yogutyulo

Lonke ufakelo lwemibhobho yogutyulo luya kulandela iSANS 10252-2 kunye neMigaqo yoKwakha kwakunye nayo yonke eminye imigangatho ebekwe ngumasipala, apho kunokwenzeka.

64. Idreyini

- (1) Idreyini ezidlula kumhlaba osemngciphekweni wokushukuma, ngokokubona kukamasipala, ziya kubekwa kwisanti eqhubekayo yomlambo okanye umhlaba onjalo onobunzulu obungekho ngaphantsi kwe100 mm phantsi kombhobho kubekho nemathiriyeli enjalo ekwanokutyeba okunjalo ejikeleze umbhobho lowo, yaye iindawo ezidibanisa loo mibhobho yeedreyini mazibe nodibaniso oluthambileyo oluvunywe ngumasipala.
- (2) Idreyini okanye inxenye yayo inokufakelwa ngaphakathi, okanye ihambe ngaphantsi kungenjalo kwisakhiwo, kodwa kube kuqalwe kwafunyanwa imvume kamasipala ehambelana nemiqathango aya kuthi ayibeke umasipala.
- (3) Idreyini okanye inxenye yayo akufunekanga igobe okanye ibekwe ethambekeni xa ibekwe kwindawo engafikelelekiyo phantsi kwesakhiwo.
- (4) Ukuba idreyini edlula okanye ihamba phantsi kodonga, isiseko okanye esinye isakhiwo, kufuneka yenziwe loo nto ngobulumko obaneleyo bokuba kungabikho nto ivuzela kuloo dreyini.

65. Ukuvaleka kweesureji

- (1) Akukho mntu unokubangela okanye avumele ukwanda kwefutha, ioyile, amafutha, into eqinileyo okanye nayo nayiphi enye into kuso nasiphi isibambi, itanki okanye okufakelweyo nto leyo iya kwenza ukuvaleka okanye ukungasebenzi kakuhle kwayo okanye kwesistim yesureji kamasipala.
- (2) Apho umnini okanye umhlali weyadi anesizathu sokukholelwa ukuba kukho uvalelo olwenzekileyo kuyo nayiphi imibhobho yogutyulo, kufuneka athathe amanyathelo akhawulezileyo okuyicoca.
- (3) Apho umnini okanye umhlali weyadi anesizathu sokukholelwa ukuba kukho uvalelo olwenzekileyo kwisistim yesureji, kufuneka azise umasipala ngoko nangoko.
- (4) Apho kukho ukuvaleka okwenzekayo kufakelo lwemibhobho yogutyulo, nawuphi umsebenzi oyimfuneko ekuyisuseni mawenziwe ngumlungisi wemibhobho yamanzi okanye phantsi kweliso lakhe.

- (5) Xa kunokubakho nakuphi ukuphuphuma kwayo nayiphi imibhobho kuyo nayiphi iyadi okubangelwe kukuvaloka okukwisureji, yaye ukuba umasipala wanelisekile ukuba olo valeko lubangelwe yinto ephuma kwimibhobho yogutyulo, umnini waloo yadi incedwa lolo fakelo lwemibhobho yogutyulo uya kuba noxanduva lweendleko zokucocwa kolo valeko.
- (6) Apho kuye kwasuswa khona uvaleko obelukwidreyini, okanye inxenye yedreyini enceda iiyadi ezimbini nangaphezulu, abanini bezo ndawo baza kubambisana yaye batshintshisane ngoxanduva lweendleko zokucocwa kolo valeleko.
- (7) Apho uvaleko okukwisistim yogutyulo luye lwacocwa ngumasipala, kwaza oko kususwa kwaloo nto ivalileyo kwafuna kubekho ukuphazamiseka kwepheyingi, ingca etyaliweyo okanye enye into efakelweyo yomnini wendawo, akuyi kubakho mfuneko yakuthi umasipala abuyisele loo nto kwimeko yangaphambili yaye akayi kuba naxanduva ngawo nawuphi umonakalo owenzeke kuyo ngaphandle kokuba loo monakalo wenziwe sisenzo esingafanelekanga okanye okanye sokungakhathali ngakwicala likamasipala.

66. Izikhonkxi zefutha

- (1) Makunikwe isikhonkxi sefutha sohlobo, ubukhulu nomthamo onokuqulathwa ovunyiweyo kuzo zonke iiyadi, kuquka izindlu, iivenkile zokutyela, iindawo zokuhlamba iimoto, uderhu lweevenkile, imizimveliso yelaphu kunye nezinye iindawo ezinjalo ezikhuphela isureji kwisistim yogutyulo engaphakathi kuloo ndawo, okanye apho umasipala abona ngathi ukukhutshwa kwamafutha neoyile kunokubangela ukuthinteleka kokuhamba kogutyulo kwiisureji okanye iidreyini zikamasipala okanye ezinye, kungenjalo kuphazamisane nokusebenza okufanelekileyo kwalo naliphi iziko lokucocwa kwamanzi amdaka.
- (2) Oko kubekwe phantsi kweCandelo lama65 kukwangena kuzo zonke iiyadi ezikhupha amanzi amdaka anamafutha, ioyile kunye/okanye nesephu.
- (3) Amafutha, ioyile nazo naziphi ezinye izinto ezingaboliyo ezisuswa kwisikhonkxi sefutha kufuneka zilahlwe kwindawo efanelekileyo yokulahla inkukuma, evunywe ngumasipala, yaye akufunekanga ziphinde zichithelwe kwisistim yesureji okanye yamanzi ezikhukula ezikwindawo kamasipala.

67. Izikhonkxi zefutha zeshishini

- (1) Umnini okanye umzimveliso kufuneka uqinisekise ukuba amanzi amdaka eshishini abamafutha, ioyile okanye into engaboliyo exubeke emanzini, okanye abonwa ngumasipala njenganayo, kufuneka aqale adlule kwitanki elinye nangaphezulu okanye igunjana lohlobo, ubukhulu nomthambo onokuthathwa othile eliyilelwe ukubamba nokugcina loo mafutha, ioyile okanye loo nto iqinileyo, elivunywe ngumasipala, phambi kokuba avunyelwe angene kwisureji.
- (2) Umnini okanye umzimveliso lowo kufuneka aqinisekise ukuba loo oyile, amafutha okanye nayiphi enye into esemanzini amdaka eshishini okanye enye into engamanzi akhupha umphunga onokutsha lula okanye oyingozi kubushushu

obuyi20° C nangaphezulu, iyabanjwa igcinwe kwelo tanki okanye elo gunjana ukwenzela ukunqanda ukungena kwawo esurejini.

- (3) Itanki okanye igunjana ekuthethwe ngalo kwicandelwana (2) malilandele ezi mfuno zilandelayo:
 - a) malibe nomthamo owaneleyo, lakhiwe ngemathiriyeli eqinileyo neyomeleleyo yaye lingabi nakudlulisa manzi xa sele ligqityiwe.
 - b) uvalelogesi lwamanzi lombhobho walo ochithayo malungabi ngaphantsi kobunzulu obuzi300 mm; yaye
 - c) masibe nenani elaneleyo lezogqumi zemingxuma yokungena kwimibhobho ezivumela ukususwa okwaneleyo nokulungileyo kwamafutha, ioyile nezinto eziqinileyo.
- (4) Nawuphi umntu okhuphela amanzi amdaka kwitanki okanye igunjana kufuneka asoloko esusa amafutha, ioyile okanye izinto eziqinileyo rhoqo kwelo tanki okanye igunjana yaye agcine irejista ekubhalwa kuyo —
 - a) imihla ekucocwe ngayo elo tanki okanye elo gunjana;
 - b) igama lakhe nawuphi umntu oye wacoca itanki okanye igunjana; kunye
 - c) nesatifiketi esisuka kuloo mntu oqeshelwe ukulicoca, siqinisekisa ukuba elo tanki okanye igunjana liye lacocwa ekwabonisa nendlela ekulahlwe ngayo ezo zinto bezikwelo tanki okanye elo gumbi okanye, ukuba ulicoce ngokwakhe, akhuphe isatifikethi sakhe esibonisa oko.

68. Izixhobo zemekhanikhi zokuphakamisa isureji

- (1) Umnini wayo nayiphi na iyadi makafumane imvume kamasipala phambi kokuba afakele isixhobo semekhanikhi sokuphakamisa okanye ukudlulisela isureji ngokwendlela ekubekwe ngayo kwiMigaqo yoKwakha.
- (2) Ukuvunywa oko makufakelwe isicelo kwingcali yezobunjineli yaye kufuneka bukhatshwe yimizobo ezotywe ngokuhambelana nemigaqo efanelekileyo yeMigaqo yoKwakha, yaye kufuneka kubonise iinkcukacha zegumbi elinezo zixhobo, itanki lokugcina isureji, igunjana lolawulokudlula kwamanzi kunye nendawo emazibe kuyo, kunye nendawo yeedreyini, imibhobho yokhuphomoya wesureji, uqhagamshelo olunyakayo lwemibhobho engundoqo kunye neyesureji.
- (3) Ngaphandle kwako nakuphi ukuvunywa ekuthethwe ngako kwicandelwana (1), umasipala akayi kuba naludanduva ngako nakuphi ukulimala, ilahleko okanye umonakalo owenzeke kubomi bomntu okanye ipropati, kusenziwa kukusetyenziswa, ukungasebenzi kakuhle okanye nayiphi imeko ethe yavela ngenxa yokufakelwa okanye ukusetyenziswa kwesixhobo semekhanikhi sokunyusa okanye ukudlulisela isureji, ngaphandle kokuba oko kulimala okanye loo monakalo ubangelwe sisenzo esingafanelekanga, sangabom okanye sokungakhathali sakhe nawuphi umsebenzi kamasipala.

- (4) Zonke izixhobo zemekhanikhi ezifakelelwe ukunyusa okanye ukudlulisa isureji maziylelwe oko yaye zifakwe umbhobho wokuchitha, iivalvu zolawulo lwamanzi amdaka kunye neevalvu zongqalisolwamanzi ezifakwe kwiindawo ezivunyiweyo.
- (5) Ngaphandle kokuba umasipala uvumele enye indlela, ezo zixhobo zemekhanikhi ziya kufakelwa ngambini yaye isixhobo ngasinye kuzo siya kulawulwa ngendlela yokuba siqalise ngoko nangoko ukusebenza ngokuzenzekelayo xa kunokubakho ukungasebenzi kwesinye.
- (6) Zonke izixhobo zemekhanikhi eziyinxalenye yofakelo lwemibhobho yogutyulo ziya kukubekwa okanye zilawulwe ngendlela eya kuzenza ukuba zingabangeli luphazamiso ngohlobo lokwenza ingxolo okanye ivumba kungenjalo olunye uphazamiso, yaye igunjana ngalinye elineso sixhobo kufuneka singenwe ngumoya ngokufanelekileyo.
- (7) Esona santya siphezulu sokukhutshwa kwamanzi okusuka kuso nasiphi isixhobo semekhanikhi, kunye namaxesha okunokwenzeka phakathi kwawo ukukhutshwa kwamanzi, kufuneka zibekwe ngumasipala onokuthi maxa wambi afune ukuba umnini wendawo afakele imibhobho nezixhobo zokulawula amanzi anokuzibona ziyimfuneko ukuze kuqinisekise ngokuba asiya kudlulwa esona santya siphezulu sibekiweho sokuphuma kwamanzi.
- (8) Ngaphandle kwaxa isithuba sokugcina isureji siyinxalenye yenxenyengundoqo yesixhobo semekhanikhi, kufuneka itanki lokugcinwa kwesureji libe khona lisebenzisane neso sixhobo.
- (9) Onke amatanki okugcina isureji afunekayo ngokomhlathi (a) kufuneka —
 - a) akhiwe ngemathiriyeli eqinileyo neyomeleleyo yaye kufuneka angavumeli kudlula kwamanzi, yaye umphakathi weendonga zawo naphantsi kuwo kufuneka ugude yaye kungadluli nto imanzi kuyo;
 - b) abe nomthamo wokugcina okungxamisekileyo ongaphantsi komgangatho wegunjana elilingana nobungakanani besureji ekhutshelwe kulo ngeeyure ezingama24 okanye iilitha ezingama900, nokuba yeyiphi ebobona buninzi buphezulu; yaye
 - c) ayilelwe ukuba esona siqulatho sininzi sesureji sikhutshwe kumjikelo ngamnye wokuchitha seso sixhobo semekhanikhi.
- (10) Onke amatanki okugcina kunye negunjana lolawulokudlula kwamanzi kufuneka abe nombhobho wokukhupha umoya ofakelwe ngokweengcaciso zikamasipala.

ICANDELO LESI5: IINKONZO ZOGUTYULO LWAKWISIZA KUNYE NEENKONZO EZINXULUMENE NOKO

69. Ukufakelwa kweenkonzo zogutyulo ezingaphakathi kwisiza

Ukuba kufikelelwe kwisivumelwano seenkonzo zogutyulo ezingaphakathi ngokunxulumene neyadi ethile, okanye ukuba akunakwenzeka lula okanye kungayinkcitho eninzi kumasipala xa enokufakela isureji eqhagamshelayo, umnini waloo ndawo makafakele iinkonzo zogutyulo

ezibekwe ngumasipala malunga neso siza, ngaphandle kokuba inkonzo leyo yinkonzo exhaswayo ebekwe ngumasipala ngokolawulo lwamatyala kamasipala kunye nomthetho kamasipala wokuqokelelwa kwamatyala.

70. Imingxuma enemibhobho yokukhupha ivumba

- (1) Ngokuxhomekeke kwimiqathango anokuyibeka umasipala, ethathela ingqalelo uhlobo nokuvuma komhlaba, ubunzulu bezinga lofunxomanzi lomhlaba, ubungakanani kunye nofikelelo kweso siza ngokunjalo nokufumaneka kokunikwa kwamanzi empompi, umasipala unokuvuma ukuchithwa kwelindle labantu kusetyenziswa umngxuma onombhobho wokukhupha ivumba.
- (2) Umngxuma onombhobho wokukhupha ivumba kufuneka —
 - a) nomngxuma onomthamo onokugcina oyi2 m³;
 - b) ukogqunywa kweendonga okufanelekielyo;
 - c) isilebhu esiyilelwe ukuxhasa ukugalelwa okuninzi; kunye
 - d) nokhuselo oluthintela abantwana ukuba bangaweli emngxunyeni lowo.
- (3) Umngxuma onombhobho wokukhupha ivumba kufuneka ulandele ezi mfuno zilandelayo:
 - a) umngxuma mawube nendawo yokukhupha umoya engumbhobho, uze ngaphezulu ungcitywe ngento eyomeleleyo evaleka mba nengangenisi zinambuzane;
 - b) umbhobho wokukhupha ivumba mawuphokele ngokungekho ngaphantsi kwe0.5m ngaphezu kolona phahla lukufutshane, ube nobubanzi obungekho ngaphantsi kwe150 mm, yaye ufakelwe ume ngqo, ungagobi;
 - c) umphakathi waloo mngxuma mawugudiswe ukuze ukwazi ukugcinwa ucocekile yaye ukwimeko esempilweni. Ulwakhiwo olungaphezulu malukhuphe umoya ngokwaneleyo ukuze ukwazi ukuvumela ukuhamba ngokukhululekileyo komoya ongena emngxunyeni ukuba uphume ngombhobho lowo;
 - d) le ndawo ivulekileyo kwisilebhu mayibe nobukhulu obaneleyo bokunqanda ungcoliseko. Le ndawo yogqumileyo ngaphezulu mayiphakame ukwenzela ukuba amanzi asetyenziselwa ukuhlamba umgangatho awangeni emngxunyeni lowo. Uya kuba nesiciko sokuthintela ukungena/ ukuphuma kweempukane nezinye izinambuzane xa isetyenziswa ithoyilethi leyo;
 - e) mayibe kwindawo ebhekeleyo kwiyunithi yokuhlala;
 - f) mayibe kwindawo efikelekayo kwizithuthi zendlela ezinobubanzi obuyi3.0 m ukuze kukwazeke ukuba kutsalwe okungaphakathi;

- g) kwiimeko apho kukho ubungozi bongcoliseko lwelitye eliphumela amanzi omhlaba ngenxa yokudluliseka kwamanzi omhlaba, kufuneka loo mngxuma ufakelwe imathiriyeli engadlulwa manzi eqinileyo nengayi kuchachamba xa iphantsi koxinzelelo; yaye
- h) ibe kwindawo apho umhlaba ekwembiwe kuwo umngxuma lowo ungazinzanga, kukho inkxaso eza kunikwa enqanda ukuchitheka komhlaba lowo.
- (4) Nayiphi enye isistim mayiyilwe yingcali yezobunjineli yaye ivunywe ngumasipala phambi kokuba ifakelwe.

71. Amatanki ogutyulo olufunxwayo luye kuchithwa lwakuba ludala kunye namaziko okucocwa kwamanzi

- (1) Umasipala kufuneka avume, phantsi kwemiqathango ethile, ukuchithwa kwesureji okanye amanye amanzi amdaka kusetyenziswa amatanki ogutyulo olufunxwayo luye kuchithwa lwakuba ludala okanye amanye amaziko okucocwa kwesureji yangaphakathi kwiziko.
- (2) Itanki logutyulo olufunxwayo luye kuchithwa lwakuba ludala okanye elinye iziko lokucocwa kwesureji elikweso siza kufuneka libekwe kufuphi neeyure ezi3 zayo nayiphi iyunithi yokuhlala okanye nawuphi umda weyadi elibekwe kuyo.
- (3) Amanzi amdaka aphuma kwiitanki logutyulo olufunxwayo luye kuchithwa lwakuba ludala makachithwe ngendlela eyanelisa umasipala.
- (4) Itanki logutyulo olufunxwayo luye kuchithwa lwakuba ludala malingavumeli kudlula kwamanzi, luvalwe ngokuqinileyo yaye lunikwe indlela yokuvala ukungena ngaphakathi kwegesi, ukwenzela ukuba kube lula ukuhlolwa kwemibhobho engenayo nephumayo nekwaneleyo ukukhupha ukungcola.
- (5) Itanki logutyulo olufunxwayo luye kuchithwa lwakuba ludala elinceda iyunithi yokuhlala kufuneka:
 - a) libe nomthamo ongaphantsi kwenqanaba longqameko lombhobho wokukhupha amanzi olungekho ngaphantsi kweelitha ezingama500 ngegumbi ngalinye lokulala, ngokuxhomekeke ekubeni owona mthamo mncinci ungezantsi kwendawo engaphantsi kombhobho ochithayo ube nokuthatha iilitha ezingama2 500;
 - b) libe nobubanzi obungekho ngaphantsi kwemitha enye (1) elinganiswa ngokungqamene ngqo necala aya ngakulo amanzi;
 - c) libe nobubanzi bangaphakathi obuphakathi kwesiciko kunye nomzantsi wetanki obungekho ngaphantsi kwemitha eyi1.7; yaye
 - d) likwazi ukugcina okungamanzi okungekho ngaphantsi kwemitha eyi1.4.

- (6) Amatanki ogutyulo olufunxwayo luye kuchithwa lwakuba ludala ancada iiyadi ezingezoyunithi zokuhlala makayilelwe yaye aqinisekise yingcali yezobunjineli.
- (7) Akukho manzi amvula, awezikhukula, kungekho namanzi amdaka anokuthi achithelwe kwitanki logutyulo olufunxwayo luye kuchithwa lwakuba ludala, ngaphandle kwalawo avunyelwe ngumasipala.

72. Iidreyini zemisele yezindlu

- (1) Umasipala unokuvuma ukulahlwa kwamanzi asetyenzisiweyo okanye amanye amanzi amdaka kusetyenziswa iidreyini zemisele yezindlu, imingxuma yokufunxa amanzi kunye nolunye ulwakhiwo oluvunyiweyo zinokuvunywa ngumasipala phantsi kwemiqathango ethile ebekiweyo ngokunxulumene nobungakanani kunye nohlobo lwamanzi amdaka ngokunjalo nohlobo lomhlaba olubekwa ngokovavanyo lokufunxa kwawo amanzi olubekwe yiSouth African Bureau of Standards.
- (2) Idreyini yomsele wendlu, umngxuma wokufunxa amanzi okanye olunye ulwakhiwo olunjalo aluyi kubekwa kwindawo esondele ngaphezu kwe5 m kuyo nayiphi iyunithi yokuhlala okanye kuwo nawuphi umda weyadi ebekwe kuyo, okanye kuyo nayiphi indawo, ngokokubona kukamasipala, enokubangela ukungcoliseka kwalo naliphi iqula okanye omnye umthombo wamanzi anokusetyenziselwa ukusela, okanye abangele ukufuma kuso nasiphi isakhiwo.
- (3) Idayimenshini yedreyini yomsele wendlu, umngxuma wokufunxa amanzi okanye naluphi ulwakhiwo olufana nolo iya kubekwa ngokunxulumene nemigangatho yokufunxa komhlaba kunye nobunjani kwanobungakanani baloo manzi amdaka.
- (4) Iidreyini zemisele yezindlu ezinceda iiyadi ezingezozindlu zokuhlala maziyelelwe yaye ziqinisekise yingcali yezobunjineli.

73. Amatanki ogutyulo oluseza kugqithiswa

- (1) Umasipala unokuthi, phantsi kwemiqathango ethile, avume ukwakhiwa kwetanki logutyulo oluseza kugqithiswa kunye nezixhobo ezihamba nalo, ukwenzela ukugcina isureji okanye amanzi amdaka.
- (2) Akukho manzi amvula, awezikhukula, kungekho namanzi amdaka anokuthi achithelwe kwitanki logutyulo oluseza kugqithiswa, ngaphandle kwalawo avunyelwe ngumasipala.
- (3) Akukho tanki logutyulo oluseza kugqithiswa ekufuneka lisetyenziswe ngaloo ndlela ngaphandle kokuba:
 - a) ungqameko lwendawo itanki oluya ngakumbhobho wokuchitha olunobuthambeka obungekho ngaphantsi kuka1 ku10;
 - b) itanki yigesu yaye alivuzi manzi;
 - c) itanki linombhobho wokuchitha onobubanzi bangaphakathi obuyi100 mm, lenziwe ngentsimbi ekhandiweyo, intsimbi eqinileyo okanye enye imathiriyeli evunyiweyo yaye, ngaphandle kokuba kuvume umasipala, libe liphela

ngevalvu okanye umbhobho wokuqhagamshela kwizithuthi zikamasipala zokuthutha ugutyulo;

- d) ivalvu nemibhobho ekuthethwe ngayo apha kumhlathi (c) okanye isiphelo sombhobho wokuchitha mawube kwigunjana elinesiciko esinehenjisi esivunywe ngumasipala nesibekwe kwindawo efunwa ngumasipala; yaye
 - e) ufikelelo kwitanki logutyulo oluseza kugqithiswa lunikwa ngomngxuma oya kwimibhobho ephantsi komhlaba ofakwe isiciko sentsimbi esisuswayo nesibekwa ngqo phezu kwesinxulumanisi esibonakalayo saloo mbhobho wamanzi angenayo.
- (4) Umasipala unokuthi, ethathe la ingqalelo yendawo elikulo itanki logutyulo oluseza kugqithiswa okanye indawo yoqhagamshelo eza kusetyenziswa sisithuthi sogutyulo, afune ukuba umnini okanye umxumi abhale phantsi esusa uxanduva kumasipala malunga nokubekwa ityala ngawo nawuphi na umonakalo onokubangelwa kukunikwa kwaloo nkonzo, njengomqathango wokugutyula elo tanki.
- (5) Apho isithuthi sogutyulo sikamasipala kufuneka sinqumle kwiyadi yabucala ukuze sikwazi ukuya kugutyula itanki logutyulo oluseza kugqithiswa, umnini uya kunika indawo yokuhamba ebuncinane bobubanzi buyi3.5 m, eyomelezwe kangangokuba ikwazi ukumelana namavili eetoni zeemetriki ezine okanye i6 m³, kuzo zonke iintlobo zemozulu, yaye uya kuqinisekisa ukuba xa kukho isango ekufuneka singene kulo eso sithuthi ukuze sifikelele kwelo tanki, elo sango aliya kuba ngaphantsi kobubanzi obuyi3.5 m.
- (6) Umnini okanye umhlali wendawo ekufakelwe kuyo itanki logutyulo oluseza kugqithiswa uya kusoloko elo tanki eligcina likwimeko efanelekileyo ngokwendlela eyanelisa umasipala.

74. Ukuqhutywa nokulungiswa kweenkonzo zogutyulo ezingaphakathi kwisiza

Ukuqhutywa nokulungiswa kweenkonzo zogutyulo ezingaphakathi kwisiza kunye nazo zonke iindleko ezinxulumene nako kuya kuhlala kuluxanduva lomnini waloo ndawo, ngaphandle kokuba ezo nkonzo zogutyulo ezingaphakathi kwisiza ziinkonzo ezixhaswayo ngokwendlela ekubekwe ngayo kumthetho kamasipala onxulumene nolawulo lwamatyala kunye nokuqokelelwa kwamatyala.

75. Ukuyekwa kokusetyenziswa kwamatanki ogutyulo oluseza kugqithiswa kunye nalawo ogutyulo olufunxwayo luye kuchithwa lwakuba ludala

Ukuba kukho itanki logutyulo oluseza kugqithiswa okanye itanki logutyulo olufunxwayo luye kuchithwa lwakuba ludala elingasadingekiyo ukuba kugcinwe okanye kucocwe isureji, okanye ukuba kurhoxiswa imvume yokusetyenziswa kwalo, umnini unokwenza iindlela zokuba lisuswe ngokupheleleyo okanye liditywe ngomhlaba okanye enye imathiriyeli efanelekileyo, ngaphandle kokuba umasipala unokufuna ukuba elo tanki lenziwe ngenye indlela, okanye avumele ukusetyenziselwa kwalo ezinye iinjongo, kulandelwa nayiphi imiqathango ayibekileyo.

ICANDELO LESI6: AMANZI AMDAKA ESHISHINI**76. Ukuvunywa kokuchithwa kwamanzi amdaka eshishini**

- (1) Akukho mntu unokuchitha okanye enze ukuba kungenjalo avume ukuba kuchithelwe amanzi amdaka eshishini kwisistim yogutyulo, ngaphandle kokuba abe ufumene imvume kumasipala.
- (2) Kufuneka umntu afake isicelo aze ahlawule iindleko ezifanelekileyo zesicelo sokuvunywa kokuchithela amanzi amdaka eshishini kwisistim yogutyulo kamasipala ngokwendlela ebekiweyo ecaciswe njengoShedyuli B walo mthetho kamasipala.
- (3) Umasipala unokuthi avumele ukuchithelwa kwamanzi amdaka eshishini kwisistim yakhe yogutyulo xa ebona ngathi umthamo onokugcwaliswa yisistim yogutyulo wanele ukuba uvumele ukuhanjiswa kunye nokucocwa okwaneleyo kwanokuchithwa okusemthethweni kwamanzi amdaka eshishini, ithuba elithile nangokuxhomekeke kuloo miqathango anokuyibeka.
- (4) Nawuphi umntu ongathanda ukwakha, okanye enze ukuba kwakhiwe isakhiwo esiya kusetyenziswa njengendawo yorhwebo kufuneka athi ngethuba efaka iplani yokwakha ngokweCandelo lesi4 loMthetho iNational Building Regulations and Building Standards Act (uMthetho we103 ka1977), afake nesicelo sokunikwa kweenkonzo zogutyulo kwakunye nokuvunywa kokuchithwa kwamanzi amdaka eshishini.
 - a) Kwiimeko apho amashishini akwindawo angakwaziyo kuyo ukuqhagamshelwa kwisistim yogutyulo kamasipala, okanye apho kungekho qhagamshelo logutyulo, elo shishini kufuneka lenze, ngendlela eyanelisa umasipala, ukucocwa kwangaphakathi kwisiza kwamanzi amdaka okwenziwa ngokomgangatho wokuchithela kwimvelo, ukuze likwazi elo shishini ukuchithela kwimvelo.
 - b) Ukuba akukwazeki ukuba acocwe ngaphakathi kwisiza, loo manzi amdaka eshishini makathuthelwe kwiziko elikufutshane lokucocwa kwamanzi amdaka, neliya kuthi likwazi ukuwacoca ngokwaneleyo loo manzi.
 - c) Xa kuthuthwa ngesithuthi kukwachithwa loo manzi amdaka, kufuneka kufunyanwe iphemithi eyimfuneko kumasipala kuze kuhlalulwe nexabiso eliyimfuneko likamasipala.

77. Ukurhoxiswa kokuvunywa kokuchithwa kwamanzi amdaka eshishini

- (1) Umasipala unokuyirhoxisa nayiphi imvume ayinike umxumi ongosomashishini othe wagunyaziswa ukuba achithele amanzi amdaka eshishini kwisistim yogutyulo, ngokuthi aminike isaziso seentsuku ezilishumi elinesine (14), xa loo mxumi:

- a) engaqinisekisi ukuba amanzi amdaka eshishini ayayilandela imigangatho yamanzi amdaka eshishini ebekwe kwiShedyuli A yalo mthetho kamasipala okanye imvume ebhaliweyo ekuthethwe ngayo kwiCandelo lama75;
 - b) engalandeli okanye esala ukulandela nayiphi isaziso asikhutshelwe ngokusemthethweni ngokwale mithetho kamasipala, kungenjalo esaphula nayiphi imigaqo yalo mthetho kamasipala okanye nayiphi imiqathango ayibekelwe ngokwayo nayiphi imvume ayinikiweyo; okanye
 - c) engazihlawuli iindleko ezifunekayo zogutyulo lwamanzi eshishini.
- (2) Umasipala unokuthi xa erhoxisa nayiphi imvume:
- a) ngaphezu kwawo nawaphi amanyathelo afunekayo ngokwale mithetho kamasipala, nangokukhupha isaziso esibhaliweyo seentsuku ezilishumi elinesine (14), agunyazise ukuvalwa okanye ukutywinwa kwesureji eqhagamshela kuloo yadi kuthethwa ngayo; aze
 - b) angavumi ukwamkela nawaphi amanzi amdaka eshishini ade abe wanelisekile ukuba athathiwe amanyathelo okuqinisekisa ukuba loo manzi amdaka eshishini eza kuchithwa ayayilandela imigangatho efunwa yile mithetho kamasipala.

78. Imimiselo yemigangatho yokulahlwa kwamanzi amdaka eshishini

- (1) Umxumi ongosomashishini, othe wanikwa imvume, makaqinisekise ukuba akukho manzi amdaka eshishini achithelwa kwisistim yogutyulo kamasipala ngaphandle kokuba alandela imigangatho kunye nemiba ebekwe kwiShedyuli A.
- (2) Xa ekhupha imvume yakhe, umasipala unokunyenyisa okanye abe notshintsho oluthile kwimiganagtho ekwiShedyuli A, ngokuxhomekeke ekubeni wanelisekile ukuba nakuphi na ukunyenyiswa kwayo kumele ezona ndlela zingcono ziya kulungela imvelo.
- (3) Xa ejonga ukuba ukunyenyiswa okanye ukutshintshwa okuthile kwemigangatho ekwiShedyuli A kumele ezona ndlela zingcono ziya kulungela imvelo, kufuneka umasipala athathele ingqalelo:
 - a) ukuba isibophelelo somxumi ongosomashishini senziwa yaye sigcinwa sikwawona mazinga aphezulu na;
 - b) ukuba iteknoloji esetyenziswa ngumxumi ongosomashishini imele eyona ingcono ifumanekayo kolo shishino lwaloo mxumi ongosomashishini na, aze ukuba akunjalo ajonge ukuba ukufakelwa kweyona teknoloji ingcono kungamlekisa ngokungeyomfuneko na umxumi lowo;
 - c) ukuba umxumi ongosomashishini uyayifezekisa na inkqubo yokuncitshiswa kokungcola okulahlwayo, nkqubo leyo ihambelana nemigangatho kazwelonke yokuncitshiswa kokungcola okulahlwayo ebekwe ngokwemithetho kazwelonke;

- d) iindleko zikamasipala zokunika ukunyenysiswa okanye ukutshintshwa okuthile kwemigangatho; kunye
 - e) nefuthe loko kwimvelo okanye ifuthe elinokubangelwa koko kunyenysiswa okanye ukutshintshwa okuthile kwemigangatho.
- (4) Umthathisampule unokuthatha iisampule zovavanyo ngalo naliphi na ixesha, ukwenzela ukuqinisekisa ukuba loo manzi amdaka eshishini ayahambelana na neShedyuli A okanye nayiphi na eminye imigangatho ebekwe njengemiqathango yokunikwa kwaloo mvume.

79. Imiqathango yokuchithwa kwamanzi amdaka eshishini

- (1) Umasipala unokuthi xa enika imvume kokukhupha iphemithi (jonga kwiShedyuli D) yokuchithwa kwamanzi amdaka eshishini, okanye ngalo naliphi ixesha akubona kufanelekile oko, akhuphe isaziso esifuna ukuba umxumi ongosomashishini:
- a) aqiniseke ukuba loo manzi amdaka eshishini aqala acocwe ngokwendlela umasipala abona ngathi iya kuqinisekisa ukuba ayayilandela imigangatho ebekwe kwiShedyuli A phambi kokuba achithwe kwisistim yogutyulo;
 - b) ufakela amatanki olungelelwaniso, iivalvu, iimpompo, izixhobo, iimitha zokulinganisa kunye neziney izixhobo umasipala azibona ziya kuba yimfuneko ekulawuleni izinga nexesha lokuchithwa kwaloo manzi kwisistim yogutyulo ngokwemiqathango ebekwe ngumasipala;
 - c) ufakela ufakelo lwemibhobho yogutyulo eyahlukileyo kufakelo lwemibhobho yogutyulo lwenye isureji ukwenzela ukuhambisa amanzi amdaka eshishini ukuya kwindawo ethile kwisistim yogutyulo, yaye unokungamvumeli umxumi ongosomashishini ukuba achithe amanzi amdaka eshishini kuyo nayiphi na enye indawo;
 - d) athi kuwo nawuphi umbhobho ohambisa amanzi amdaka eshishini uwaso kuyo nayiphi isureji akhe umngxuma wofikelelo kwinkonzo okanye ivalvu evulwa ngesandla eya kubekwa ngendlela kunye nohlobo kwanangemathiriyeli enokubekwa ngumasipala;
 - e) anike zonke iinkcukacha ezinokufunwa ngumasipala ukwenzela ukuba akwazi ukuhlola amaxabiso okanye iintlawulo ezimele ukuhlawulwa kumasipala;
 - f) anike izixhobo ezaneleyo eziquka izixhobo zokuqaphela izinga okanye ukuphuphuma kwamanzi, izixhobo ezilindele okungekehli, imingxuma yokwamkela amanzi aphuphumayo okanye ezinye iindlela zokuthintela ukuchithekelwa kwamanzi lawo kwisistim yogutyulo ngendlela ekhabanayo nale mithetho kamasipala;
 - g) enze ukuba ukuba nayiphi na imitha yokulinganisa, igeyiji okanye esinye isixhobo esifakelwe ngokweli candelo silinganiswe ngugunyanziwe ozimeleyo

ngeendleko zomxumi ongosomashishini, ngezithuba ezinokufunwa ngumasipala. Kufuneka umxumi ongosomashishini azidlulisele kumasipala iikopi zoko kulinganiswa; yaye

- h) enze ukuba amanzi amdaka eshishini ahlalutywe amaxesha amaninzi kangangoko, yaye ngendlela enokubekwa ngumasipala, aze anike umasipala iziphumo zezo mvavanyo ukufumaneka kwazo.
- (2) lindleko zoko nakuphi ukucocwa, iziko, umsebenzi okanye ukuhlalutywa ekunokufuneka kwenziwe, kwakhiwe okanye kufakelwe ngumnini ngokwencandelwana (1), ziya kuba luxanduva lwaloo mxumi ongosomashishini.
- (3) Ukuba amanzi amdaka eshishini, angalandelanga imigangatho ekwiShedyuli A okanye angafumananga mvume kumasipala, athe achithelwa kwisistim yogutyulo, kufuneka umasipala aziswe malunga noko, ngokunjalo nezizathu zoko, zingedlulanga iiyure ezilishumi elinesibini zoko kuchithwa.

ICANDELO LESI7: ISUREJI EHANJISWA YIMIBHOBHO EHAMBA PHANTSI KOMGAQO

80. Ukuvunywa kwesureji ehanjiswa yimibhobho ehamba phantsi komgaqo

Umasipala unokuthi, ngokokubona kwakhe, nangokwemiqathango anokuyibeka, amkele isureji elahlwa ngokuthunyelwa kumaziko okucocwa kwesureji kamasipala okanye ngemibhobho ehamba phantsi komgaqo.

81. Ukuvunywa kokuthunyelwa kwesureji ngemibhobho ehamba phantsi komgaqo

- (1) Akukho mntu uya kuthumela isureji esebenzisa imibhobho ehamba phantsi komgaqo kuba esenzela ukuyichitha kwiziko lokucocwa kwesureji kamasipala, engakhange aqale afumane imvume ebhaliweyo kamasipala neya kuthi imnike nayiphi imiqathango kunye nawo nawaphi na amaxesha anokubekwa ngokufanelekileyo ngumasipala.
- (2) lintlawulo zayo nayiphi isureji ethunyelwa ukuya kulahlwa kumaziko okucocwa kwesureji kamasipala ziya kuhlolwa ngumasipala ngokuhambelana namaxabiso okanye iintlawulo ezibekiweyo.
- (3) Inkampani yesithuthi sogutyulo iya:
 - a) kuqinisekisa ngokukhuseleka nokufaneleka kweso sithuthi yaye iqinisekise ukuba akukho kuchitheka kwenzekayo ngethuba lokufunxwa, ukuhanjiswa nokuchithwa kogutyulo;
 - b) kuba nesicwangciso sempilo nokhuseleko; yaye
 - c) kuba nesicwangciso sokulungiselela okungekehli esenzelwe ukulungiselela xa kunokubakho ukuchitheka ngempazamo okwenzekayo.

82. Ukurhoxiswa kwemvume yokuthunyelwa kwesureji ngemibhobho ehamba phantsi komgaqo

Umasipala unokurhoxisa nayiphi imvume ayinike ngokweCandelo lama81, emva kokuba enike isaziso esibhaliweyo sobuncinane beentsuku ezilishumi elinesine (14) exela oko aza kwenza, xa umntu lowo ubevunyelwe ukuba achithe isureji ngemibhobho ehamba phantsi komgaqo —

- a) ngaphumeleli ukuqinisekisa ukuba loo sureji iyayilandela imigangatho ebekwe kwiShedyuli A, okanye njengomqathango wemvume leyo; kungenjalo
- b) engaphumeleli, okanye engavumi ukulandela nayiphi isaziso asinikiweyo ngokwale mithetho kamasipala, okanye esaphula nayiphi imigaqo yale mithetho kamasipala, kungenjalo nayiphi imiqathango ayibekelwe njengomqathango wemvume ayinikiweyo; yaye
- c) engaphumeleli ukuhlawula zonke iintlawulo ezifanelekileyo zokuthunyelwa kwesureji.

83. Imiqathango yokuthunyelwa kwesureji ngemibhobho ehamba phantsi komgaqo

Xa isureji iza kuthunyelwa ngemibhobho ehamba phantsi komgaqo:

- a) kuya kulungiselelwa ixesha nendawo wokuthunyelwa kwayo kusetyenziswa nomasipala; yaye
- b) phambi kokuba oko kuthunyelwa kwenzeke, umasipala makaneliseke ukuba isureji leyo iluhlobo olufanele ukuhanjiswa ngemibhobho ehamba phantsi komgaqo kwanokuba ukuthunyelwa kwayo kuhambelana nemigaqo yalo mithetho kamasipala.

ICANDELO LESI8: ISUREJI ECOCIWEYO

84. Ukusetyenziswa kwesureji ecociweyo

- (1) Umasipala unokuthi, xa kufakwe isicelo ngokweCandelo lesi2, avume ukunika isureji ecociweyo kumxumi, ngokuxhomekeke kuloo miqathango anokuyibeka umasipala.
- (2) Umasipala akayi kunika sithembiso, esixeliweyo okanye esicingelwayo, ngokunxulumene nokufaneleka kwesureji ecociweyo ngokwaloo njongo inikelwe yona.
- (3) Ukunikwa kwesureji ecociweyo kuya kuthi, ngokwemeko nosetyenziso, kube ngumngcipheko womxumi, oya kuba noxanduva lwawo nawuphi umonakalo onokuba sisiphumo sayo nayiphi impazamo enyanisekileyo yomasipala okanye ukungasebenzi kweziko lokucocwa kwesureji.
- (4) Imibhobho yesureji ecociweyo kufuneka:

- a) iphawulwe ngokucacileyo ibonisa ukuba ihambisa amanzi amdaka acociweyo;
- b) imana iba nesaziso esilumkisayo kwimibhobho leyo, okanye iphawulwe ngombala owahlukileyo (o-orenji);
- c) ingafikelelwa luluntu gabalala; yaye
- d) yakhiwe ngokwemigangatho gabalala kamasipala.

ICANDELO LE9: EZINYE IINKONZO ZOGUTYULO

85. Izitali kunye neeyadi ezikumila kunjalo

Umasipala unokuvuma ukuqhagamshela imibhobho yogutyulo kwizitali, iishedi zeenkomo, amaziko okuxhela, awokusenga, awokugcina izinja, ezinye iiyadi zokugcina izilwanyana kunye neendawo zokusukwa kwezikhumba, ngokuxhomekeke kwintlawulo yazo zonke iintlawulo ezifanelekileyo nokufezekiswa kwayo nayiphi imiqathango enokubekwa ngumasipala, kodwa loo mvume iya kunikwa kuphela xa:

- a) Umgangatho waphantsi kuloo yadi upheyivwe ngemathiriyeli enqanda ukutyhoboza kwamanzi yaye ibe ivunywe ngumasipala yaza yagreyidelwa kwisikhonkxi sokutyibilika, isikhonkxi samafutha okanye umsele onomthamo waneleyo; yaye
- b) zonke iinxenye zomgangatho ophantsi waloo yadi zogqunywe ngophahla, okanye esinye isixhobo sokhuselo, ngendlela enqanda ngokwaneleyo ukungena kwamanzi emvula okanye ezikhukula kwimibhobho yogutyulo.

86. Inkukuma yaxa kusenziwa ukutya okanye ezinye iiyunithi zokulahla

Umasipala unokuvuma ukuqhagamshelwa okanye ukuxokonyezelelwa kweyunithi yokulahla inkukuma yaxa kusenziwa ukutya okanye igrayinda yenkukuma, iqhagamshelwe kwimibhobho yogutyulo enamandla angaphezu kwe500 W, ngokuxhomekeke ekubeni kuye kwahlawulwa zonke iindleko yaye kulandelwe nayo nayiphi imiqathango enokubekwa ngumasipala, kodwa loo mvume iya kwenziwa kuphela xa —

- a) imitha yamanzi ifakelwe ngumasipala;
- b) umasipala anelisekile ngokuba isureji nesistim yokucocwa kwesureji kamasipala ayiyi kuchaphazeleka kakubi; yaye
- c) ufakelo okanye uxokomezelelo olo lufakelwe ngokulandela umthetho kamasipala ngokunxulumene embaneni.

87. Ukwakha phezu kwesistim yesureji

- (1) Akukho sakhiwo sinokwakhiwa phezu kwenkonzo kamasipala, yaye kungekho hlathi likhulu okanye imithi enokutyalwa phezu kweenkonzo zikamasipala. Inkonzo

kamasipala kufuneka ihlale ifikeleleka ngawo onke amaxesha yaye kufuneka umasipala, okanye iiarhente ezichongwe nguye zisoloko zilunikwa olo fikelelo ngawo onke amaxesha.

- (2) Umnini/umhlali unoxanduva lokuxelela umasipala okanye iiarhente echongwe nguye malunga nazo zonke iingxaki okanye ukungasebenzi kakuhle okuqatshelweyo.

ICANDELO LE10: UKUFAKELWA KWEMIBHOBHO YAMANZI

88. Ukuvunywa kokufakelwa kwemibhobho yamanzi

- (1) Ukuba umnini wendawo angathanda ukufakela imibhobho yogutyulo, kufuneka aqale afumane imvume ebhaliweyo kumasipala.
- (2) Isicelo sokuvunyelwa ekuthethwe ngaso kwicandelwana (1) masenziwe kwifomu ebekiweyo yaye siya kukhatshwa:
 - a) yintlawulo ebekwe ngumasipala, ukuba ikhona indleko ebekiweyo;
 - b) ziikopi zayo yonke imizobo enokufuneka edinga ukuvunywa ngumasipala; kunye
 - c) nesatifiketi esikhutshwe yingcali yezobunjinieli eqinisekisa ukuba ufakelo olo luyilwe ngokwemiMiselo efanelekileyo yeSANS.
- (3) Imvume enikwe ngokwecandelwana (1) iya kuphela ekupheleni kwethuba leenyanga ezilishumi elinambini (12).
- (4) Yakuba inikiwe imvume ngokwecandelwana (1), kufuneka ifumaneke kwisiza eso yonke imizobo eye yafuneka yaza yavunywa ngumasipala mayisoloko ikhona kwisiza eso ngawo onke amaxesha afanelekileyo ukuze ikwazi ukujongwa de ube ugqityiwe umsebenzi.
- (5) Ukuba umsebenzi wofakelo wenziwe ngokwaphula icandelwana (1) okanye (2), umasipala unokufuna ukuba umnini wendawo asebenzise iindleko zakhe:
 - a) ukulungisa oko kwaphulwa kweli candelwana lingaphelanga ixesha elinikiweyo;
 - b) ukuba umsebenzi usaqhubeka, uyekwe loo msebenzi; yaye
 - c) kususwe wonke umsebenzi ongahambelaniyo nale mithetho kamasipala.

89. Abantu abavumeleke ukuba benze ufakelo kunye neminye imisebenzi

- (1) Akukho mntu ungengomlungisi wemibhobho yamanzi, okanye ungasebenzi phantsi kolawulo lwalo mlungisi, uya kuvunyelwa ukuba:

- a) enze umsebenzi wofakelo ongekuko ukufakelwa kombhobho okanye enye inxenye yofakelo logutyuko ebikho okanye ukulungiswa kwayo;
 - b) ahlole, abulale iintsholongwane ezisemanzini okanye avavanye imibhobho yogutyulo, imibhobho yamanzi okucima umlilo okanye itanki lokugcina amanzi;
 - c) aseviswe, alungise okanye afakele esinye isivalelimanzi angcolileyo; okanye
 - d) afakele, alungise okanye afakele enye imitha yokubala amanzi eze nomnini wendawo kufakelo logutyulo.
- (2) Akukho mntu uya kufuna okanye asebenzise umntu ongengomlungisi wemibhobho yamanzi ukuba enze lo msebenzi kuthethwe ngawo kwicandelwana (1).
- (3) Nangona kukho le migaqo ikwicandelwana (1) no(2), umasipala unokuvumela umntu ongengomlungisi wemibhobho yamanzi ukuba azifakelele umsebenzi wofakelo lwemibhobho yogutyulo kwiyadi eyeyakhe nekwahlala yena nosapho lwakhe ngqo, ukuba loo msebenzi uza kuhlolwa uze uvunywe ngumlungisi wemibhobho wamanzi ochongwe wayalelwa ngumasipala.

90. Ukusetyenziswa kwemibhobho neenxenye zofakelo lwamanzi ekufuneka zigunyaziswe

- (1) Akukho mntu uya kuthi, engaqalanga wafumana ugunyaziso olubhaliweyo lukamasipala, afakele okanye asebenzise umbhobho okanye iinxenye zofakelo lwamanzi kufakelo lwamanzi olukwindawo ephantsi kolawulo lwamasipala ngaphandle kokuba oko kubandakanywe kwiShedyuli yemiBhobho neeNxenye zoFakelo eziVunyiweyo equlunqwe ngumasipala.
- (2) Isicelo sokuqukwa kombhobho okanye inxenye yofakelo lwamanzi kwishedyuli ekuthethwe ngayo kwicandelwana (1) masenziwe kwifomu ebekwe ngumasipala.
- (3) Umbhobho okanye inxenye yofakelo lwamanzi inokuqukwa kwishedyuli ekuthethwe ngayo kwicandelwana (1) ukuba:
- a) inophawu lokuba semgangathweni leSouth African Bureau of Standards ngokweengcaciso ezifanelekileyo zeSANS ezikhutshwe yiBureau; okanye
 - b) inophawu lwesatifiketi olukhutshwe yiSANS luqinisekisa ukuba loo mbhobho okanye loo nxenye yofakelo lwamanzi:
 - (i) izilandele iingcaciso zophawu lweSANS, okanye
 - (ii) ingcaciso yethutyana ekhutshwe yiSANS;
 - c) iqukwe kuluhlu lweenxenye zofakelo lwamanzi nogutyulo oluvunywa yiJASWIC.
 - d) Ngokunxulumene noku, qaphela ukuba akukho phawu lwasiqinisekiso luya kuwebenza ithuba elingaphezu kweminyaka emibini.

- (4) Umasipala unokunyanzelisa nayiphi eminye imiqathango eyongezelelweyo ayibona iyimfuneko ngokunxulumene nokusetyenziswa okanye indlela yokufakelwa kwawo nawuphi umbhobho okanye inxenye yofakelo lwamanzi olukule shedyuli.
- (5) Umbhobho okanye inxenye yofakelo lwemibhobho yogutyulo iya kususwa kule shedyuli xa:
 - a) ingasahambelani nemiba obekusekelwe kuyo ukuqukwa kwayo; okanye
 - b) ingasafanelekanga ngokwenjongo eyayivunyelwe yona.
- (6) Ishedyuli yangoku mayifumaneke ukuze ubani ayifunde kwiofisi kamasipala ngalo naliphi na ixesha ngamaxesha omsebenzi.
- (7) Umasipala unokuthengisa iikopi zeshedyuli yawo yangoku ngexabiso alibekileyo.

91. Ukuvavanywa koqhagamshelo lwemibhobho yogutyulo

- (1) Akukho fakelo lwemibhobho yogutyulo, okanye nayiphi inxenye yalo, eya kuthi iqhagamshelwe kwiinkonzo zogutyulo lwangaphakathi kwisiza, yaye kungayi kuqhagamshelwa isistim yogutyulo kamasipala kwimibhobho yogutyulo evunyiweyo esele ikho, ngaphandle kokuba kuye kwenziwa enye okanye ezinye zezi mvavanyo zilandelayo, yaye umasipala uye waneliseka zizo phambi kokuba luvalwe ufakelo lwemibhobho yogutyulo:
 - a) Umphakathi wayo yonke imibhobho okanye uluhlu lwemibhobho ephakathi kweendawo ezimbini zokfikelelo iya kuhlolwa ngokobude bayo bonke kusetyenziswa isipili kunye nobukho bokukhanya, yaye ngethuba loko kuhlolwa, kufuneka kubekho umjikelo opheleleyo wokukhanya obonwa ngumqwalaseli lowo, yaye umbhobho okanye uluhlu lwemibhobho mayibonwe ingafihlwa nto;
 - b) Kufuneka xa kufakwe ibhola egudileyo enobubanzi obuyi12 mm engaphantsi kobona bubanzi bombhobho ithi xa ifakwe kwicala elingentla laloo mbhobho iziqengqelekele ngaphandle koncedo okanye uphazamiseko de iye kufika kwicala elingezantsi;
 - c) ukuba umasipala ufuna njalo, kuya kuvunyelwa uhlolo lombhobho olusebenzisa ikhamera;
 - d) Emva kokuba onke amacala avulekileyo aloo mbhobho okanye olo luhlu lwemibhobho luza kuvavanywa ethe adityaniswa okanye atywinwa zaza zonke izikhonkxi ezihambelana nayo zagcwaliswa ngamanzi, kuya kumpontshelwa umoya kuloo mbhobho okanye imibhobho lude lubonise uxinzelelo olulinganiswe ngemanomitha oluyi38 mm, yaye emva koko kufuneka uxinzelelo luhlale lungaphezu kwe25 mm yamanzi ubuncinane bethuba lemizuzu emithathu (3) kungakhange kuphinde kumpontshwe; yaye

- e) Zonke iinxenye zolo fakelo mazibekwe kwimeko yaye kufuneke ukuba zimelane noxinzelelo lovavanyo lomatshini ofumana amanzi emafutheni olufakwe ngaphakathi olungekho ngaphantsi kwe3 m yentloko yamanzi ithuba elingekho ngaphantsi kwemizuzu eli10.
- (2) Ukuba umasipala unesizathu sokukholelwa ukuba naluphi ufakelo lwemibhobho yogutyulo okanye inxenye yalo inomnakalo, okanye inokufuna ukuba umnini wayo nayiphi indawo aqhube naluphi na okanye zonke iimvavanyo ezikwicandelwana (1), yaye ukuba ufakelo alukwazi kuphumelela naluphi uvavanyo, okanye zonke ezo mvavanyo, ngokwendlela eyanelisa umasipala, umasipala unokukhupha isaziso esifuna umnini waloo ndawo ukuba athathe onke amanyathelo afanelekileyo anokuba yimfuneko ukwenzela ukuvumela ufakelo olwaneza naluphi na okanye zonke ezi mvavanyo.

92. Ulawulo lokufuneka kwamanzi

- (1) Ngaphandle kwale nto ixelwe kwimigaqo yeCandelo lama98 nele118, akukho ndawo yakuchamela yamadoda ingagungxulwayo iya kufakelwa okanye iqhube nokusebenza kulo naluphi ufakelo lwamanzi. Zonke iindawo zokuchamela zamadoda ezigungxulwayo ezingagungxulwa ngumsebenzisi wazo ebezifakelwe phambi kokusebenza kwale migaqo, kufuneka ziguqulwe zibe ziindawo zokuchamela zamadoda ezigungxulwa ngumntu ingaphelanga iminyaka emibini yokuqala kokusebenza kwale mithetho kamasipala.
- (2) Akukho tanki lamanzi okugungxula ethoyilethi, okanye into enjalo eyilelwe ukusebenza kwelo tanki, eya kufakelwa ibe nomthamo wetanki onokuqulatha ngaphezu kweelitha ezili9, yaye onke amatanki amanzi okugungxula angafakelwanga ukusetyenziswa luluntu aya kufakelwa abe nesixhobo sokugungxula esivumela ukuphazanyiswa okanye ukugungxula amatyeli ngamatyeli, ngokuxhomekeke ekubeni eso sixhobo sokugungxula asiyi kufuneka kuloo matanki amanzi okugungxula athatha iilitha eziyi4.5 nangaphantsi.

ISAHLUKO 6: ABANINIXANDUVA LOKUNIKWA KWEENKONZO ZAMANZI

93. Ubhaliso

Umasipala unokukhupha isaziso soluntu esifuna abaninixanduva lokunikwa kweenkonzo zamanzi okanye izintlu zabaninixanduva lokunikwa kweenkonzo zamanzi ukuba zibhalise kumasipala ngendlela ecaciswe kwisaziso eso soluntu.

94. Ukunikwa kweenkonzo zamanzi

- (1) Abaninixanduva lokunikwa kweenkonzo zamanzi mabaqinisekise ukuba iinkonzo zamanzi, kuquka neenkonzo ezingundoqo ezibekwe libhunga lomasipala, zinikwa kwabo bantu umasipala anoxanduva lokubanika iinkonzo zamanzi.

- (2) Umgangatho, ubungakanani nokuzinza kweenkonzo zamanzi ezinikwa ngumninixanduva lokunikwa kweenkonzo zamanzi kufuneka zifezekise nayiphi imigangatho eyeyona iphantsi ebekwe ngokwalo Mthetho, yay emazibe nobuncinane bemigangatho efanayo naleyo inikwa ngumasipala kubaxumi.

95. Iindleko zeenkonzo zamanzi ezinikwayo

- (1) Umninixanduva lokunikwa kweenkonzo zamanzi akanakubiza ixabiso leenkonzo zamanzi elingahambelaniyo nayo nayiphi imimiselo nemigangatho ebekwe phantsi kwalo Mthetho kunye nayo nayiphi eminye imimiselo nemigangatho engeminye enokubekwa ngumasipala.
- (2) Umninixanduva lokunikwa kweenkonzo zamanzi makanike iinkonzo zamanzi ezisisibonelelo esixhaswayo, ngokwendlela ebekwe libhunga lomasipala ngokomthetho kamasipala onxulumene nokulawulwa kwamatyala kunye nokuqokelelwa kwamatyala, ndlela leyo imana ibekwa amaxesha ngamaxesha, inika abaxumi ngexabiso elifanayo okanye elingaphantsi kwelo libizwa ngumasipala xa enika ezo nkonzo.

ISAPHLUKO 7: IINKONZO ZAMANZI EZINGAGUNYAZISWANGA

96. Iinkonzo ezingagunyaziswanga

- (1) Akukho mntu unokufikelela kwiinkonzo zamanzi ngaphandle kokuba oko ukwenza ngokwesivumelwano angene kuso nomasipala ukuba afumane ezo nkonzo.
- (2) Umasipala unokuthi, nokuba uthathe waphi amanyathelo malunga naloo mntu ngokwale mithetho kamasipala, akhuphe isaziso esibhaliweyo eyalela loo mntu usebenzisa iinkonzo ezingagunyaziswanga ukuba:
 - a) afake isicelo sezo nkonzo ngokweCandelo lesi2 nelesi3; aze
 - b) aqhube loo msebenzi unokuba yimfuneko ukuqinisekisa ukuba ufakelo lomxumi afikelele ngalo luyahambelana nemigaqo yale mithetho kamasipala okanye nayiphi eminye.

97. Ukuphazamisana neziseko ezingundoqo zokunikwa kweenkonzo zamanzi

- (1) Akukho mntu wumbi ngaphandle kukamasipala uya kulawula, asebenze okanye alungise iziseko ezingundoqo ekunikwa ngazo iinkonzo zamanzi, ngaphandle kokuba unikwe isivumelwano esibhaliweyo ngumasipala.
- (2) Akukho mntu wumbi ngaphandle kukamasipala uya kwenza uqhagamshelo kwiziseko ezingundoqo ezihambisa iinkonzo zamanzi ezinikwayo, ngaphandle kokuba oko kunikwe kwisivumelwano sakhe nomasipala.
- (3) Umasipala unokubuyisa nazihiphi iindleko ezinxulumene nokulungisa umonakalo obangelwe kukwaphulwa kwecandelwana (1) no(2). Iindleko ezibuyiselwa umasipala ziindleko ezipheleleyo ezinxulunyaniswa nokulungisa umonakalo yaye

ziquka, naluphi uphando lokukhangela ingxaki, iimfunawazi, iiplani, iingcaciso zomsebenzi, iishedyuli zobungakanani, ukubekwa esweni, iindleko zolungiselelo, ukusetyenziswa kwezixhobo, inkcitho yokuqesha abasebenzi ababandakanyeka ekuphazamiseni okanye ekubuyiseleni nayiphi inxenye yesitalato okanye umhlaba ochatshazelwe koko kulungisa kwakunye neendleko zokulungiselela imvelo.

98. Ukuthintelwa kofikelelo kwiziseko ezingundoqo zokunikwa kweenkonzo zamanzi, ugutyulo nesureji

- (1) Akukho mntu uya kuthintela okanye avalele ufikelelo lukamasipala kwisakhiwo esingundoqo ekunikwa ngaso iinkonzo zamanzi, ugutyulo nesureji.
- (2) Ukuba umntu waphula icandelwana (1), umasipala unokuthi:
 - a) Ngesaziso esibhaliweyo afune ukuba loo mntu asebenzise iindleko zakhe ukubuyisela ufikelelo olo lingaphelanga ithuba elibekiweyo; okanye
 - b) Ukuba umasipala ubona ngathi loo meko ingxamisekile, atsale iindleko kuloo mntu, engakhange aqale akhuphe isaziso sokubuyisela ufikelelo.
- (3) Iindleko ezibuyiselwa umasipala ziindleko ezipheleleyo ezinxulunyaniswa nokubuyiswa kofikelelo yaye ziquka, naluphi uphando lokukhangela ingxaki, iimfunawazi, iiplani, iingcaciso zomsebenzi, iishedyuli zobungakanani, ukubekwa esweni, iindleko zolungiselelo, ukusetyenziswa kwezixhobo, inkcitho yokuqesha abasebenzi ababandakanyeka ekuphazamiseni okanye ekubuyiseleni nayiphi inxenye yesitalato okanye umhlaba ochatshazelwe koko kubuyiselwa kofikelelo kwakunye neendleko zokulungiselela imvelo.

99. Ukusetyenziswa gwenxa kwamanzi

- (1) Akukho mxumi uya kuvumela —
 - a) ukuchithwa kwamanzi okungenanjongo okanye okuyinkcitho okuphuma kwizilawulimanzi aphuma kwimibhobho;
 - b) iimpompi okanye imibhobho yokufakelwa kwamanzi ukuba zivuze;
 - c) Ukusetyenziswa kwemibhobho yokufakelwa kwamanzi elungiselelwe ngokungekuko okanye eyonakeleyo; okanye
 - d) Ukuphuphuma okuqhubekayo kwamanzi.
- (2) Umnini wendawo uya kulungisa okanye athenge ze abuyisele nayiphi inxenye yofakelo lwemibhobho yamanzi nogutyulo ekwimeko yokungalungi ebangela okanye enokubangela ukwenzeka isehlo esidweliswe kwicandelwana (1).
- (3) Ukuba umnini wendawo akawathathanga amanyathelo abekwe kwicandelwana (2), umasipala uya kumkhuphela isaziso esibhaliweyo apho amcela ukuba alandele imigaqo yecandelwana (1).

- (4) Umasipala unokubhala isaziso esibhaliweyo aho avalela umxumi ukuba angasebenzisi naziphi izixhobo ezikufakelo lwemibhobho yamanzi okanye yogutyulo, ukuba ubona ngathi akufanelekanga ukusetyenziswa kwaloo manzi. Ezo zixhobo aziyi kubuyiselwa ukusetyenziswa kude kubuyiselwe ukulunga kwazo, sibe sivunyiwe ngumasipala nesicelo sokwenza oko.

100. Ukuchitha okungagunyaziswanga nokungekho mthethweni

- (1) Akukho mntu unokuchitha okanye abangele kungenjalo avumele ukuba kuchithelwe isureji ngqo okanye ngokumayana kwidreyini yamanzi ezikhukula, emlanjeni, emfuleni okanye enye indlela yamanzi, nokuba yeyendalo na okanye eyokuzenzela.
- (2) Apho umasipala abona ngathi ukutyhalelwa okanye ukugungxulwa okwenziwa ngamanzi kusiya kwindawo evulelekileyo kuyo nayiphi na iyadi kunokubangela ukuchithwa kwezinto ezingafanelekanga ziye esitalatweni, kwidreyini yamanzi ezikhukula, umlambo, umfula okanye enye indlela yamanzi, nokuba yeyendalo na okanye yeyokuzenzela, okanye kunokubangela okanye kube negalelo ekungcolisweni kwaloo ndlela yamanzi, umasipala unokukhupha isaziso esifuna umnini waloo ndawo ukuba athathe amanyathelo okuthintela okanye ukwehlisa oko kuchitha okanye ukungcolisa.
- (3) Umnini okanye umhlali wayo nayiphi iyadi ekugcinwa, kwenziwe okanye kuveliswe kuyo umphunga okanye nayiphi into engamanzi engengomanzi okusela, uya kunika zonke izixhobo eziyimfuneko zokuthentela nakuphi ukuchithekelwa okanye ukuvuzela kwaloo manzi esitalatweni, kwidreyini yamanzi ezikhukula okanye indlela yamanzi, nokuba yeyendalo na okanye yenziwe, ngaphandle kwakwimeko yomphunga omanzi acithwa ngendlela evunyiweyo ngumasipala.
- (4) Akukho mntu unokuchitha okanye abangele kungenjalo avumele ukuba kuchithwe:
- a) nantoni na, kuquka namanzi ezikhukula, ngaphandle kwesureji eya kufakelo lwemibhobho yogutyulo;
 - b) amanzi asuka kulo naliphi na idama lokudada esiya ngqo okanye ngokumayana kuyo nayiphi na indlela, isureji, idreyini yamanzi ezikhukula, indlela yamanzi, umhlaba ovulelekileyo okanye indawo yabucala engeyondawo yomnini welo dama lokudada;
 - c) amanzi asuka kwimithombo yokuzenzela, amatanki akhiweyo amanzi okanye amadama okudada aseziyadini aye kufakelo lwemibhobho yogutyulo, engafumananga mvume kumasipala ekhatshwa kukuhlawulwa kweentlawulo ezifanelekileyo kunye naloo miqathango inokubekwa ngumasipala.;
 - d) nayiphi na isureji, amanzi amdaka eshishini okanye enye into engamanzi:
 - (i) umasipala ayibona njengenokungathandeki okanye iphazamise uluntu;

- (ii) ekuhlobo lomphunga okanye enamaqondo obushushu angaphezu kwe45° C kuloo ndawo ingena esurejini;
- (iii) enexabiso lepH elingaphantsi kwe6.0 okanye engaphezu kuka10;
- (iv) enayo nantoni na yalo naluphi uhlobo enokuvelisa okanye ikhuphe iigesu okanye imiphunga enokubangela ugqabhuko lomlilo, enokutsha lula, eyingozi okanye engathandekiyo kuyo nayiphi na isureji;
- (v) enayo nantoni na enesivavanyikutshisa esivulekileyo esingaphantsi kwe93°C okanye esikhupha umphunga oyingozi onobushushu obungaphantsi kwe93° C;
- (vi) enayo nantoni na yalo naluphi na uhlobo, kuquka ioyile, amafutha okanye iimveliso zokuhlamba, ekwaziyo ukuvalela ukuhamba kwamanzi kwiisureji okanye iidreyini kungenjalo ibangele uphazamiseko ekusebenzeni ngokukuko kweziko lokucocwa kwesureji;
- (vii) ebonisa naziphi iimpawu ezibonakalayo zetela yendlela okanye iimveliso ezinxulunyaniswa nayo kungenjalo ezenziwa ngokudidiyelwa, iimveliso zokwenza itela yendlela okanye itela yendlela;
- (viii) ezinayo nantoni na eyenziwe ngqindilili ukuze ivelise incasa engathandekiyo emva kokucocwa kwamanzi okanye ivumba okanye umbala ongathandekiyo, okanye igwebu elininzi ngokugqithisileyo;
- (ix) enokuba nexabiso eliphezulu leCOD (chemical oxygen demand) (imfuneko yeoksijini yokusetyenziswa), ixabiso elisezantsi lePH, okanye ubuqhalalayini obuphezulu okanye ukuhambisa umbane okungaphezu koko kubekwe kwiShedyuli A, kungakhange kuqalwe kufunyanwe mvume nakuhlulwa kweentlawulo ezifanelekileyo kunye naloo miqathango inokubekwa ngumasipala;
- (x) enayo nantoni na umasipala ayibona:
 - aa) ingenakucocwa kwiziko lokucoca isureji nalapho inokuchithwa; okanye
 - bb) inokuchaphazela kakubi iinkqubo zokucocwa kwiziko lokucoca isureji nalapho inokuchithwa; okanye
 - cc) inokuchaphazela kakubi ukukwazi kweziko lokucoca isureji ukuvelisa okuchithwayo okuhambelana nemigangatho yokuchithwa kwamanzi amdaka ebekwe kuMthetho iNational Water Act, 1998 (uMthetho wama36 ka1998) kunye noGunyaziso Gabalala lweDWAF (2004); okanye:

- (xi) nokuba xa iyodwa okanye idityaniswe nezinye izinto inokuthi:
 - aa) izise okanye ibangele izinto ezinobungozi kwimpilo yabantu abaqeshwe kwiziko lokucocwa kwesureji okanye abangena kwiisureji okanye imingxuma yokungena kwimibhobho yogutyulo yeBhunga xa besenza umsebenzi wabo; okanye
 - bb) ibe nobungozi kwisureji, amaziko okucoca okanye umhlaba osetyenziselwa ukulahlwa kwamanzi amdaka acociweyo; okanye
 - cc) ichaphazele kakubi naziphi iinkqubo zokucocwa kwesureji okanye ukusetyenziswa ngokutsha kwamanzi amdaka esureji.
- (5) Akukho mntu unokubangela okanye avumele ukuba kuqokeleleke amafutha, ioyile okanye into eqinileyo kuyo nayiphi imibhobho yogutyulo, nokunokuchaphazela ukusebenza kakuhle kwayo.
- (6) Umasipala unokuthi, nangona kunokuba sele kuthathwe amanye amanyathelo ngokwale mithetho kamasipala, abuyise kuye nabani na ochitha amanzi amdaka eshishini okanye nayiphi na into engagunyaziswanga okanye engekho mthethweni iindleko ezichithwe ngumasipala ngenxa yoko kuchithwa, kuquka neendleko:
 - a) zokulimala kwabantu nomonakalo owenzeke kwisistim yemibhobho yogutyulo; okanye
 - b) Zotshutshiso ngokoMthetho iNational Water Act, ka1998 (uMthetho wama36 ka1998).

101. Ubuyiselo loqhagamshelo olungekho mthethweni

Umxumi ovalelwe okanye oqhawulelwe ufikelelo kwiinkonzo zamanzi nothi athathe isigqibo sokuziqhagamshela kwakhona kwezo nkonzo okanye aphazamisane ngabom okanye ngokungakhathali kwakhe nolwakhiwo olungundoqo olunika iinkonzo zamanzi, uya kuthi aqhawulelwe ezo nkonzo, emva kokunikwa isaziso esibhaliweyo.

102. Ukuphazamisana nolwakhiwo olungundoqo

- (1) Akukho mntu unokuthi ngokungekho mthethweni nangabom okanye ngokungakhathali kwakhe aphazamisane nolwakhiwo olungundoqo umasipala anika ngalo iinkonzo zamanzi.
- (2) Ukuba umntu waphula icandelwana (1), umasipala unokuthi —
 - a) ngesaziso esibhaliweyo afune ukuba loo mntu asebenzise iindleko zakhe ukuyekisa okanye ukulungisa olo phazamiso lingaphelanga ithuba elibekiweyo; okanye
 - b) ukuba umasipala ubona ngathi loo meko ingxamisekile, atsale iindleko kuloo mntu, engakhange aqale akhuphe isaziso sakuthintela okanye ukulungisa olo phazamiso.

103. Imibhobho esesitalatweni okanye kwiindawo zoluntu

Akukho mntu uya kubeka okanye akhele umbhobho okanye inxenye enxulumene nawo esitalatweni, kwindawo okanye phantsi kwendawo yoluntu okanye omnye umhlaba ophantsi kolawulo lwawo nawuphi umasipala, kuba efuna ukuhambisa amanzi okanye isureji evela kumthombo othile, ngaphandle kokuba aqale afumane imvume ebhaliweyo evela kumasipala alandele nemiqathango enokubekwa ngumasipala.

104. Ukusetyenziswa kwamanzi asuka kwimithombo engeyiyo isistim yokunikwa kwamanzi

- (1) Akukho mntu uya kusebenzisa okanye avumele ukusetyenziswa kwamanzi afunyenwe kumthombo ongeyiyo isistim yokunikwa kwamanzi, ngaphandle kwamatanki amanzi emvula angaqhagamshelwanga kwimibhobho yamanzi, engaqalanga wafumana imvume kumasipala okanye iSebe iDWA, nangokwaloo miqathango inokunikwa ngokunxulumene namanzi okusetyenziswa endlwini, kurhwebo okanye kushishino.
- (2) Nawuphi umntu ofuna imvume ekuthethwe ngayo kwicandelwana (1) uya kunika umasipala ubungqina obanelisayo malunga nokulandelwa kweemfuno zakutsha nje ezihlaziyiweyo zeSANS 241 kuloo manzi kuthethwe ngawo kwicandelwana (1), nokuba oko kusemva kokucocwa kwakwo okanye enye indlela; Amanzi okusela, okanye ukusetyenziswa kwamanzi anjalo akubangeli yaye kungayi kubangela ubungozi kwimpilo.
- (3) Nayiphi imvume ngokwecandelwana (1) inokurhoxiswa xa, ngokokubona kukamasipala:
 - a) kwaphulwe umqathango onyanzeliswa ngokwecandelo (1); okanye
 - b) umgangatho wamanzi ungasazilandeli iimfuno ekuthethwe ngazo kwicandelwana (2).
- (4) Umasipala unokuthatha iisampule zamanzi afunyenwe kumthombo ongeyosistim yokunikwa kwamanzi, aze adale ukuba ezo sampule zivavanyelwe ukuhambelana neemfuno ekuthethwe ngazo kwicandelwana (2).
- (5) Iindleko ezibekiweyo zokuthathwa nokuvavanywa kweesampule ekuthethwe ngazo kwicandelwana (4) apha ngasentla, ziya kuhlululwa ngumntu onikwe imvume ngokwecandelwana (1).
- (6) Ukuba amanzi afumaneka kwiqula okanye omnye umthombo wokunikwa kwamanzi kuyo nayiphi iyadi, asetyenziselwe injongo ebangela ukuchithelwa kwaloo manzi okanye inxenye yawo kwisistim yesureji kamasipala, umasipala unokufakela imitha kumbhobho okhokelela kwelo qula okanye loo mthombo ungomnye wokunikwa kwamanzi, ukuya kutsho kwindawo okanye iindawo asetyenziswa kuzo.
- (7) Imigaqo yeCandelo lama21iya kusebenza kangangoko inokusetyenziswa, ngokunxulumene nemitha yokulinganisa kuthethwe ngayo kwicandelwana (4).

105. Ukusetyenziswa kweenkonzo zogutyulo lwangaphakathi kwiyadi olungaqhagamshelwanga kwisistim yogutyulo

- (1) Akukho mntu uya kusebenzisa, okanye avumele ukusetyenziswa kweenkonzo zogutyulo lwangaphakathi kwiyadi zisetyenziselwa ekhaya, ushishino okanye urhwebo, nkonzo ezo zingaqhagamshelwanga kwisistim yogutyulo kamasipala, ngaphandle kokuba uqale wafumana imvume ebhaliweyo kumasipala, nangokuwemiqathango anokuyibekelwa.
- (2) Nawuphi umntu ofuna imvume ekuthethwe ngayo kwicandelwana (1) uya kunika umasipala ubungqina obumanelisayo bokuba olo lwakhiwo logutyulo alunakuba nasiphumo sibi kwimpilo okanye kwimvelo.
- (3) Nayiphi imvume ngokwecandelwana (1) inokurhoxiswa xa, ngokokubona kukamasipala:
 - a) kwaphulwe umqathango onyanzeliswa ngokwecandelo (1); okanye
 - b) olo lwakhiwo logutyulo lunefuthe elibi kwimpilo nemvelo; okanye
 - c) inkonzo kamasipala iyafumaneka yaye umasipala angalunika uqhagamshelo kuyo.
- (4) Umasipala unokuqhuba uphando alubona lufanelekile lokujonga ukuba olo lwakhiwo logutyulo alunaziphumo zibi na kwimpilo okanye kwimvelo.
- (5) Umntu onikwe imvume ngokwecandelwana (1) uya kuba noxanduva lweendleko ezinxulumene nolo phando luqhutywa ngokwecandelwana (2), ukuba iziphumo zophando zibonisa ukuba olo lwakhiwo logutyulo lunefuthe elibi kwimpilo okanye imvelo.

ISAHLUKO 8: ISAZISO

106. Amagunya okukhupha nokulandela izaziso

- (1) Umasipala unokubhalela umxumi okanye nawuphi omnye umntu ongakwazanga, ngokwenza okanye ngokushiyelela, ukulandela imigaqo yale mithetho kamasipala, okanye ukufezekisa nayiphi imiqathango enyanzeliswe kuyo, nalapho amyalela ukuba alungise ukungaphumeleli kwakhe lingaphelanga ithuba elithile elinikwe kwisaziso eso asibhalelweyo, xesha elo kufuneka lingabi ngaphantsi kweentsuku ezingamashumi amathathu, ngaphandle kokuba isaziso ikhutshwe ngokweCandelo le19, apho eli thuba lingayi kuba ngaphantsi kweentsuku ezisixhenxe.
- (2) Ukuba umntu akaphumeleli ukufezekisa okubhalwe kwisaziso esibhaliweyo asinikwe ngumasipala ngokwale mithetho kamasipala lingaphelanga ithuba elibekiweyo, umasipala unokuthatha amanyathelo awabona eyifuneko ukuqinisekisa ngokulandelwa kwaloo miqathango, kuquka —

- a) ukuqhutywa komsebenzi ngokwawo oyimfuneko nokubuyisa kumnini, umhlali okanye omnye umntu iindleko zezo zenzo okanye loo msebenzi;
 - b) ukuvala okanye ukuyekisa ukunikwa kweenkonzo; kunye
 - c) nokumangala; okanye
 - d) Ukukhupha isohlwayo.
- (3) Isaziso esikhutshwa ngokuhambelana necandelwana (1) kufuneka —
- a) sinike iinkcukacha zayo nayiphi imigaqo engalandelwanga kule mithetho kamasipala;
 - b) sinike umnini, uxumi okanye omnye umntu ithuba elifanelekileyo lokuzithethelela abeke elakhe icala ngokubhaliweyo kumasipala lingaphelanga ithuba elithile, ngaphandle kokuba umnini, uxumi okanye omnye umntu lowo ubekhe wanikwa elo thuba phambi kokuba sikhutshwe isaziso;
 - c) sicacise amanyathelo ekufuneka umnini, umxumi okanye omnye umntu awathathe ukulungisa oko kungalandeli kwakhe umthetho;
 - d) sicacise ithuba emalithathwe ngumnini, umxumi okanye loo mntu ungomnye ukuthatha amanyathelo abekelwe ukulungisa oko kungalandelwa komthetho; yaye
 - e) sixele ukuba umasipala —
 - (i) unokuqhuba nawuphi umsebenzi oyimfuneko ukulungisa oko kungalandelwa kwesaziso, zize iindleko zikamasipala okanye zoko kulungiswa zitsalwe kumnini, umxumi okanye loo mntu ungomnye ungakwazanga kulandela isaziso; yaye
 - (ii) unokuthatha nawuphi amanyathelo awabona eyimfuneko ukuqinisekisa ngokulandelwa komthetho.
- (4) Xa kunokwenzeka kube yimeko kaxakeka, umasipala unokuthi, engakhange aqale azise mntu, aqhube umsebenzi ofunwa licandelwana (3)(e)(i) aze atsale ezo ndleko kuloo mntu ubenokwaziswa ngokwecandelwana (1) ukuba bekungeyomeko engxamisekileyo.
- (5) Iindleko ezibuyiselwa umasipala, ngokwecandelwana (3) no(4), ziindleko ezipheleleyo ezinxulunyaniswa naloo msebenzi yaye ziquka, naluphi uphando lokukhangela ingxaki, iimfunelwazi, iiplani, iingcaciso zomsebenzi, iishedyuli zobungakanani, ukubekwa esweni, iindleko zolungiselelo, ukusetyenziswa kwezixhobo, inkcitho yokuqesha abasebenzi ababandakanyeka ekuphazamiseni okanye ekubuyiseleni nayiphi inxenye yesitalato okanye umhlaba ochatshazelwe nguloo msebenzi kwakunye neendleko zokulungiselela imvelo.

107. Ukubhena kwisigqibo sikamasipala

- (1) Umxumi unokufaka isibheni esibhaliweyo kwisigqibo, okanye isaziso esikhutshwe ngumasipala ngokwale mithetho kamasipala.
- (2) Isibheni ngokwecandelwana (1) masibe esibhaliweyo size sifakwe kumasipala zingaphelanga iintsuku ezingama21 (amashumi amabini ananye) emva kokuba umxumi eye wanolwazi malunga neso sigqibo okanye eso saziso yaye kufuneka:
 - a) sibeke izizathu zesibheni, yaye
 - b) sikhutshwe lulo naluphi ukhuselo olubekwe ngumasipala, lokuvavanya isixhobo sokulinganisa, ukuba sivavanyiwe.
- (3) Umasipala makathathe isigqibo malunga nesibheni lingaphelanga ixesha elifanelekileyo emva kokuba sifakiwe yaye umxumi makaziswe ngokubhaliweyo kwangoko kangangoko emva koko.
- (4) Isigqibo sikamasipala asinakuphikiswa.
- (5) Umasipala unokukhuthaza ukufakwa emva kwethuba kwezibheni okanye okanye ukungaqhutywa kakuhle kweenkqubo.

ISAPHLUKO 10: AMATYALA**108. Amatyala**

- (1) Ngokuxhomekeke kwicandelwana (2), nawuphi umntu:
 - a) ovalela okanye ophazamisa umasipala ekusebenziseni amagunya okanye ekwenzeni umsebenzi okanye uxanduva lwawo phantsi kwale mithetho kamasipala;
 - b) osebenzisa gwenxa, owona okanye aphazamise izixhobo zikamasipala, isistim yokunikwa kwamanzi, isistim yogutyulo kunye nemibhobho exananazileyo okanye ukusetyenziswa kweenkonzo ezinikiweyo;
 - c) owaphula okanye ongawulandeliyo umgaqo okule mithetho kamasipala, ngaphandle komgaqo onxulumene nokuhlulwa kweenkonzo zikamasipala; okanye
 - d) ongaphumeleliyo ukulandela imiqathango yesaziso asinikwe ngokwale mithetho kamasipala, unetyala lesityholo atyatyekwa sona yaye ujongene nokugwetywa intlawulo okanye ongahlawulanga imali uvalelwa entolongweni ithuba elingedlulanga kwiinyanga ezi6 yaye ukuba uyaqhubeka esenza eso sityholo, uya kubizwa esinye isohlwayo esiya kumana sibekwa ngumasipala, okanye xa engahlawulanga imali avalelwa entolongweni ithuba elingedlulanga kusuku, ngosuku ngalunye loko kuqhutyekwa kokwenziwa kweso sityolo emva

kokuba umasipala ekhuphe isaziso esibhaliweyo wasinika loo mntu emyalela ukuba ayeke ukuqhubeka neso sityholo.

- (2) Nawuphi umntu owaphula imigaqo ekule mithetho kamasipala kuya kufuneka abuyise iindleko zikamasipala ngokubhekiselele kuyo nayiphi ilahleko okanye umonakalo owenzekileyo okanye ofunyenwe ngumasipala ngenxa yoko kwaphulwa kwemigaqo.

ISAHLUKO 11: AMAXWEBHU

109. Ukusayinwa kwezaziso namaxwebhu

Isaziso okanye uxwebhu olukhutshwe ngumasipala ngokwale mithetho kamasipala, lwaza lwasayinwa ngumsebenzi kamasipala ogunyazisiweyo, luya kuthathwa njengolukhutshwe ngokusesikweni yaye kufuneka ngokukhutshwa nje kwalo lwamkelwe yinkundla njengobungqina obuphathekayo baloo mba.

110. Ukudluliswa kwezaziso

- (1) Nasiphi isaziso, umyalelo okanye olunye uxwebhu olunikwe nawuphi umntu ngokwale mithetho kamasipala, ngokuxhomekeke kwimigaqo yoMthetho iCriminal Procedure Act ka1977 (uMthetho wama55 ka1977), kufuneka asinikwe buqu, nokuya kuthi xa kungenzekanga kuthathwe ngokuba ulunikwe ngokusesikweni:
- a) xa lushiywe kwilali, indawo yokuhala okanye yokusebenza okanye yengqesho yaloo mntu apha kwiRiphabliki, lushiywa kumntu obonakala engaphezu kweminyaka elishumi elinesithandathu ngokobudala;
 - b) xa luposwe ngerejista okanye ileta eqinisekisiweyo ukuya kwidilesi awayegqibele ehlala kuyo okanye ephangela kuyo apha kwiRiphabliki kwaye kukho nesiqinisekiso sokuposwa oko esifunyenwe kuloo nkonzo yokuposa;
 - c) Xa ingaziwa idilesi yomntu yalapha kwiRiphabliki, ukuba luthunyelwe kwiarhente okanye ummeli wakhe olapha kwiRiphabliki ngendlela ekuthethwe ngayo kwicandelwana (a), (b) okanye (d);
 - d) ukuba ayaziwa idilesi yaloo mntu neyearhente okanye ummeli wakhe apha kwiRiphabliki, xa luthunyelwe kwindawo ebonakalayo kuloo propati okanye iyadi esinxulumene nayo;
 - e) ngesaziso sikawonkewonke kwiphephandaba elaziwayo; okanye
 - f) ngeimeyile efumaneka kwidathabheyisi yezemali kamasipala.
- (2) Nasiphi isaziso senkundla uya kuba usinikwe ngokufanelekileyo nangokwaneleyo umasipala xa siye sasiwa kumlawuli kamasipala okanye umntu okhoyo kwiofisi yomlawuli kamasipala.
- (3) Xa kufuneka nasiphi isaziso okanye olunye uxwebhu lugunyaziswe okanye lunikwe umnini okanye umhlali wayo nayiphi ipropati, okanye nawuphi umntu

onelungelo kuyo okanye ngokunxulumene nayo, kwanele ukuba loo mntu ucaciswe kweso saziso okanye kolo xwebhu njengomnini, umhlali okanye umnini welo lungelo kuloo propati okanye ngokunxulumene nayo, yaye akuyi kuba yimfuneko ukuba ade abhalwe negama.

- (4) Xa kufuneka kulandelwe okubhalwe kwisaziso lingedlulanga ithuba elibekiweyo leentsuku zomsebenzi, elo thuba lifunekayo liya kuqala ngomhla esisiwe ngawo eso saziso okanye ngalowo sithe sanikwa ngawo ngayo nayiphi enye kwezi ndlela zixelwe kule mithetho kamasipala.

111. Ukuqinisekiswa kwamaxwebhu

- (1) Yonke imiyalelo, izaziso okanye amanye amaxwebhu adinga ukuqinisekiswa ngumasipala aya kuba aqinisekise ngokwaneleyo xa esayinwe ngumlawuli kamasipala, ligosa likamasipala eligunyaziswe ngokusesikweni okanye ngumlawuli wearhente egunyaziswe kamasipala.
- (2) Igunya lokuqinisekisa ekuthethwe ngako kwicandelwana (1), malinikwe sisigqibo sikamasipala okanye ngesivumelwano esibhaliweyo okanye ngumthetho kamasipala.

112. Ubungqina bokuqala (obungekaphandwa)

Kwisaziso senkundla esikhutshwa okanye sikhutshelwa umasipala, isatifiketi esibonisa ixabiso lemali efanele ukuhlawulwa nekufuneka ihlawulwe kumasipala siya kuthi ngokuveliswa nje kwaso sibe bubungqina bokuqala bokuba netyala likamasipala, ukuba senziwe phantsi kwesandla somlawuli kamasipala, okanye umsebenzi oyingcali efanelekileyo yomasipala ogunyaziswe ngumasipala okanye umlawuli wearhente egunyazisiweyo kamasipala.

ISAPHLUKO 12: IMIGAQO GABALALA

113. Uxanduva lokulandela le mithetho kamasipala

- (1) Umnini wendawo unoxanduva lokuqinisekisa ngokulandelwa kwale mithetho kamasipala ngokunxulumene nayo yonke okanye nayiphi na imiba ephathelele kufakelo lwemibhobho yamanzi neyogutyulo kwanokulungiswa kwayo.
- (2) Umxumi unoxanduva lokulandelwa kwale mithetho kamasipala ngokunxulumene nokusetyenziswa kwayo nayiphi inkonzo yamanzi neyogutyulo kwanokulungiswa kwayo.

114. Ukunikwa kweenkcukacha

Umnini, umhlali, umxumi okanye umntu okuloo ndawo inikwa inkonzo ngumasipala makanike umasipala iinkcukacha ezichanekileyo ezifunwe ngumasipala neziyimfuneko efanelekileyo kamasipala ukuze kukwazi ukufezekiswa okanye kunyanzeliswe le mithetho kamasipala.

115. Amagunya okungena nokuhlola

- (1) Umasipala unokungena ahlole nayiphi iyadi nangaliphi na ixesha elifanelekileyo, oko ekwenzela nayiphi na injongo ngokunxulumene nokufezekiswa okanye ukunyanzeliswa kwale mithetho kamasipala, emva kokuba ethe wanika umhlali waloo yadi isaziso esibhaliweyo esifanelekileyo esixela injongo yoko kungena nokuhlola.
- (2) Nakuphi ukungena nokuhlola makwenziwe ngokulandela iimfuno zoMgaqosiseko woMzantsi Afrika, ka1996, kunye nawo nawuphi na omnye umthetho, kodwa kube ngokuthathelwa ingqalelo yesidima nenzolo, ukuhlonitshwa kwesidima somntu, inkululeko nokhuseleko, kunye nokuba sekhusini kwezinto zomntu.
- (3) Igosa likamasipala linokukhatshwa yitoliki kunye naye nawuphi umntu oyimfuneko ukuzeancedise elo gosa ligunyazisiweyo ekuqhubeni oko kuhlola kwalo.
- (4) Umntu omele umasipala kufuneka aveze uxwebhu olumazisayo, xa ethe wacelwa oko.

116. Ukhuselelo kuxanduva ngomonakalo onokwenzeka

Abasebenzi bakamasipala okanye nawuphi umntu, iqumrhu, iziko okanye ishishini elisebenza egameni lomasipala alinaxanduva ngawo nawuphi umonakalo onokubangelwa kuko nakuphi ukushiyelelwa okanye ukwenza okwenziwe ngokungaxhibanga kwenza nkohlakalo ngethuba liqhuba umsebenzi walo, ngaphandle kokuba umonakalo lowo ubangelwe sisenzo esigwenxa nesenziwa ngenjongo okanye ukungakhathali.

117. Uxolelo

- (1) Umasipala unokubhalela umnini, umxumi, okanye nawuphi na omnye umntu okanye iqela labanini, abaxumi, abahlawuleli beenkonzo okanye abasebenzisi beenkonzo, ebaxolela ekulandeleni umgaqo okule mithetho kamasipala, ngokuxhomekeke kwimiqathango enokubekwa ngumasipala, ukuba ubona ngathi singangafaneleki eso sicelo okanye ukuqhutwa kwaloo mgaqo, ngokuxhomekeke ekubeni umasipala akayi kunika xolelo kulo naliphi icandelo lale mithetho kamasipala xa olo xolelo lunokubangela:
 - a) ukuchithwa okanye ukusetyenziswa ngokugqithisileyo kweenkonzo zokunikwa kwamanzi;
 - b) iziphumo ezibi kwimpilo, ukhuseleko loluntu okanye lwemvelo;
 - c) ukungahlawulelwa kweenkonzo; kunye/okanye
 - d) ukungalandelwa kwalo Mthetho, okanye nayiphi imigaqo eyenziwe ngokunxulumene nawo.
- (2) Umasipala unokurhoxisa nakuphi ukuxolelwa okunikwe ngokwecandelwana (1), nangaliphi na ixesha, emva kokunika isaziso esibhaliweyo sobuncinane beentsuku ezingamashumi amathathu.

118. Ukungqubana nomthetho

Ukuba kukho nakuphi ukungqubana okuphakathi kwale mithetho kamasipala kunye nawo nawuphi umthetho kamasipala, le mithetho kamasipala iya kuthathwa njengeyona inegunya.

119. Amalungiselelo otshintsho

- (1) Umsebenzi wokufakelwa okugunyaziswe ngumasipala phambi komhla wokuqala kwale mithetho kamasipala okanye umsebenzi wokufakela ogunyazisiweyo oqhubayo ngaloo mhla, uya kuthathwa njengokuba ugunyazisiwe ngokwale mithetho kamasipala, yaye umasipala unokunika ithuba leentsuku ezingama90 (amashumi alithoba) emva kokuqalisa kwale mithetho kamasipala, egunyazisa umsebenzi wokufakelwa ngokwemithetho kamasipala ebilawula loo msebenzi ngqo phambi kokubhengezwa kwale mithetho kamasipala.
- (2) Naluphi na ujoliso kwintlawulo ebekwe libhunga likamasipala olwenziwe kule mithetho kamasipala luya kuthathwa njengolubhekisa kwintlawulo ebekwe libhunga likamasipala phantsi kwemithetho kamasipala ebhangiswe liCandelo le120, de kufike umhla ofanelekileyo wazo naziphi iintlawulo ezinokubekwa libhunga likamasipala ngokwale mithetho kamasipala, okanye imithetho kamasipala enxulumene nolawulo lwamatyala nokuqokelelwa kwamatyala, yaye nantoni na enxulumene nomgaqo okule mithetho kamasipala ibhangiswe liCandelo le120, iya kuthathwa njengebhekisa kwimigaqo ehambelanayo yale mithetho kamasipala.
- (3) Nakuphi ukuvunywa, imvume okanye uxolelo olunikwa phantsi kwemithetho kamasipala ebhangiswe liCandelo le120 kuya kuqhubeka kusebenza, ngaphandle kwemigaqo ekwicandelwana (4).
- (4) Akukho mxumi kuya kufuneka ukuba alandele le mithetho kamasipala ngokutshintsha ufakelo lwemibhobho yamanzi okanye inxenye yayo ebifakelwe ngokuhambelana nayo nayiphi imithetho ebisebenza ngqo phambi kokuqala kokusebenza kwale mithetho kamasipala, ngokuxhomekeke ekubeni ukuba umasipala ubona ngathi olo fakelo, okanye inxenye yalo, yonakele kangangokuba okanye ikwimeko okanye indawo enokubangela ukusetyenziswa gwenxa okanye ukusetyenziswa okungagunyaziswanga kwamanzi, ukungcoliswa koniko lwamanzi okanye ubungozi bempilo, umasipala unokukhupha isaziso esicela umxumi lowo ukuba alandele imigaqo yale mithetho kamasipala.

120. Ukubhangiswa kwemithetho kamasipala ekhoyo ngokunxulumene neenkonzo zamanzi kamasipala

Imigaqo yayo nayiphi imithetho kamasipala enxulumene neenkonzo zokunikwa kamanzi nogutyulo ngumasipala iyabhangiswa ngokokunxibana kwayo nemiba ekuthethwe ngayo kule mithetho kamasipala.

121. Isihloko esifutshane kunye nokuqalisa

- (1) Le mithetho kamasipala ibizwa ngokuba yiMithetho kaMasipala yeeNkonzo zaManzi noGutyulo kunye naManzi aMdaka eShishini yoMasipala

waseWitzenberg, yaye iya kuqala ukusebenza ngomhla wokupapashwa kwayo kwiGazethi yePhondo.

- (2) Umasipala unokuthi, ngesaziso kwiGazethi yePhondo, abeke ukuba imigaqo yale mithetho kamasipala edweliswe kweso saziso ayingeni kwiindawo ezithile kuloo ndawo iphantsi kolawulo lwakhe idweliswe kwisaziso eso ukususela ngomhla wesaziso.
- (3) Le mithetho kamasipala iyabophelela, kude kube kukhutshwe nasiphi isaziso ekuthetwe ngaso kwicandelwana (2).

ISHEDYULI A: OKONA KUQULUNGANA KUVUMELEKILEYO KUPHEZULU KUVUMELEKILEYO KWEZINTO EZINOKUCHITHELWA KWISISTIM YOGUTYULO YOMASIPALA WASEWITZENBERG

1. Akukho mntu uya kuchitha kwisistim yesureji yogutyulo amanzi amdaka anento ethile, nokuba ewodwa okanye exutywe nanye into, ejiye ngaphezu koku kudweliswe apha ngezantsi.

Umda	Ingcaciso evumelekileyo	liyunithi
A. Imiba Gabalala		
Iqondo lobushushu langethuba lokugalelwa kwawo elingaphezu	43°	C
Enexabiso lepH elingaphantsi kuka10.0 okanye engaphezu kuka6.0	6,0 – 10,0	
Imfuneko yeoksijini yokusetyenziswa (iCOD) engaphantsi	3 000	mg/L
Ukuhambisa umbane okungaphezu— engekho ngaphezu	150	m S/m kwi25 °C
B. Izinto zekhemikhali ezingeyomethali enzima		
I-Anionic surface active agents	500	mg/L
Zonke iiswekile kunye/okanye nesitatshi (esiboniswa njengeglukhowuzi)	1 500	mg/L
Iklorini efumaneka njengeCl	100	mg/L
I-caustic alkalinity eyiCaCO ₃	2 000	mg/L
Iklorayidi eyiCl	250	mg/L
Ikhompawundi ezineFroure eziyiF	5	mg/L
I-Formaldehyde eyiHCHO	50	mg/L
Izinto eziqinileyo ezi-non-organic eziqulunganisiweyo	100	mg/L
Iioyile, amafutha, iintlama (waxes)	50	mg/L
Isodiyam njengeNa	250	mg/L
IiSettable solid (imizuzu engama60)	50	ml/L
Izinto ezingaxutywanga (kuquka amafutha, ioyile, iintlama nezinto ezifana nezo)	100	mg/L
Izinto ezinyibilika kwipetroleum ether	50	mg/L
Izinto eziphuma kwi-hydrogen cyanide zingakhutshwa kufakelo lwemibhobho yogutyulo, isureji okanye amaziko okucocwa kwesureji njengeHCN	20	mg/L
Izinto eziqinileyo ezixubene namanzi	1 000	mg/L
Izinto eziqinileyo ezinyityilikiswe kwi105° C	1 000	mg/L
Ii-phenols ezipheleleyo eziyiC ₆ H ₅ OH	50	mg/L
Iiphosphorythi ezipheleleyo eziyiP	25	mg/L
Ii-cyanide ezipheleleyo eziyiCN	20	mg/L
Iisalfeyithi ezipheleleyo eziyiSO ₄	1 500	mg/L
Iisalfayidi ezipheleleyo eziyiS	50	mg/L
Iimveliso zetela kunye nezenziwe ngokudidiyelwa	50	mg/L
C. Iimethali		
Iqela loku1:		
I-Chromium (hexavalent)	0	mg/L
I-Chromium (trivalent) eyiCrO ₃	10	mg/L
I-Copper eyiCu	10	mg/L
I-Manganese eyiMn	20	mg/L
I-Nickel eyiNi	5	mg/L
I-Zinc eyiZn	20	mg/L
I-Iron eyiFe	20	mg/L
I-Silver eyiPb	5	mg/L
I-Cobalt eyiCo	5	mg/L
I-Tungsten eyiW	5	mg/L
I-Titanium eyiTii	5	mg/L
I-Cadmium eyiCd	5	mg/L
Ingqokelela yezinto ezijiyisiweyo zazo zonke iimethali ezikwiQela loku1	50	mg/L
Iqela lesi2:		

Umda	Ingcaciso evumelekileyo	liyunithi
I-Arsenic eyiAs	5	mg/L
I-Boron eyiB	5	mg/L
I-Lead eyiPb	5	mg/L
I-Selenium eyiSe	5	mg/L
I-Mercury eyiHg	5	mg/L
I-Cadmium eyiCd	5	mg/L
I-Nickel eyiNi	5	mg/L
Ingqokelela yezinto ezijiyisiweyo zazo zonke iimethali ezikwiQela lesi2	10	mg/L
D. Ukungcola okunokutshisa kwemitha okusebenzayo		
Nakuphi ukungcola okanye i-isotopes enokutshisa kwemitha okusebenzayo: Loo nto ijijisiweyo inokubekwa yiAtomic Energy Corporation okanye elinye isebe likarhulumente.		

2. Akukho mntu uya kuchitha kwisistim yesureji amanzi amdaka eshishini

- a) nokuba adwelisiwe na okanye hayi kwimigangatho yamanzi amdaka eshishini okanye anokuthi ewodwa kungenjalo axubene nenye into:
 - (i) avelise okanye enze into eyingozi enobungozi kwimpilo yabantu abaqeshwe ekulungisweni okanye ekuqhutyweni kwesistim yesureji,
 - (ii) abe nobungozi kwisistim yesureji, okanye
 - (iii) achaphazele kakubi nayiphi kwiinkqubo ekudla ngokucocwa ngazo isureji okanye ukusetyenziswa ngokutsha kwamanzi amdaka esureji acociweyo okanye ukulahlwa kokungcola okuqinileyo okubela kwinkqubo yokucocwa kwesureji;
- b) akuhlobo lomophu kwindawo angena kuyo kwisistim yesureji;
- c) anayo nantoni na yalo naluphi na uhlobo enokuthi ivelise okanye ikhuphe iigesi ezinokubangela ugqabhuko lomilo, ezinokutsha lula, eziyingozi okanye ezingathandekiyo kuloo sistim yesureji;
- d) abonisa naziphi iimpawu ezibonakalayo zeoyile, itela yendlela okanye iimveliso ezifana nezo okanye ukudidiyelwa kwazo, iimveliso zetela yendlela okanye iincindi zazo, kungenjalo iincidi zeoyile okanye amafutha;
- e) anazo naziphi izinto eziqinileyo abasemagunyeni bendawo ababona ngathi zinefuthe kwisistim yesureji;
- f) anayo nantoni na exutywayo engaxubekiyo emanzini;
- g) anedayi okanye intsila yedayi;
- h) anayo nantoni na ekolo jiyiso abasemagunyeni bendawo abayibona njengenokuphazamisana nesistim yesureji okanye ichaphazele kakubi umgangatho wamanzi asetyenziswa ngokutsha;
- i) anento engesosivundisi somhlaba (umz. Igazi); okanye
- j) anamanzi angawezikhukula okanye awaphantsi komhlaba.

**ISHEDYULI B: IFOMU YESICELO SOKUCHITHELWA KWAMANZI AMDAKA ESHISHINI KWI-SISTIM
YO-GUTYULO YOMASIPALA WASEWITZENBERG**



ICANDELO LEENKONZO ZOLUNGISO

ISICELO SEPHEMITHI

**YOKUCHITHA AMANZI AMDAKA ORHWEBO OKANYE ESHISHINI
KWI-SISTIM YESUREJI**

**SIKHUTSHWE NGOKOMTHETHO KAMASIPALA
WAMANZI NOGUTYULO KUMASIPALA WASEWITZENBERG**

Umphathi weCandelo: EleeNkonzo zoLungiso
UMasipala waseWitzenberg
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I-imeyile: admin@witzenberg.gov.za

ICANDELO LOKU1: UHLOBO LWESHISHINI OKANYE USHISHINO EKUTHETHWA NGALO**1.1 Ishishini**

IGAMA ELIBHALISIWEYO LESHISHINI			
IGAMA LESITALATO	IDILESI YEPOSI:	INOMBOLO YESIZA	INDAWO YOKUNIKWA
IINKQUBO EZIGUNYAZISIWEYO ZALOO YADI			

ICANDELO LESI2: IINKCUKACHA EZINXULUMENE NOKUSETYENZISWA KWAMANZI**2.1 Inani eliphakathi leekhilolitha ngenyanga lamanzi athengwe kumasipala kwezi nyanga zintandathu zidlulileyo:**

UKUSETYENZISWA KWAMANZI	KUKONKE
AMANZI ATHENGWE KUMASIPALA	
AMANZI ASUKA EQULENI OKANYE KWEMINYE IMITHOMBO	
AMANZI ANGENA ENGACOCWANGA NDAWO	
EWONKE: A	

2.2 Izinga lokuchithwa kwamanzi amdaka:

IMEKO YOQHAGAMSHILO	ELONA ZINGA LIPHEZULU NGOKWEE-k		
	NGENYANGA	NGOSUKU	NGEYURE

2.3 Okufunyanwa kumanzi amdaka achithwayo:

INXENYE YAMANZI ALINGANISWA NGEMITHA YOKULINGANISA ANGACHITHELWA ESUREJINI	
INXENYE YAMANZI ALINGANISWA NGEMITHA ACHITHELWA ESUREJINI	

Xa kunokwenzeka ukuba kungabikho mitha yokulinganisa amanzi achithwayo kuloo yadi, umthamo oqikelelwayo wamanzi achithwayo angalinganiswanga ngemitha uya kubalwa ngolu hlobo:

i70% yokuPheleleyo: kaA, ngaphandle kokuba kuvunyelwene ngenye indlela nomasipala

2.4 Amaxesha okuchithwa kwamanzi amdaka:

NGOMVULO UKUYA NGOLWESINI	
NGOLWESIHLANU	
NGOMGQIBELO	
NGECAWA	

ICANDELO LESI3: IINKCUKACHA EZINXULUMENE NOKUQULETHWE NGAMANZI AMDAKA ESHISHINI

3.1 Iinkcukacha ezinxulumene neempawu zeekhemikhali nezezinto ezibonakalayo amanzi amdaka achithwayo:

Umda	Ingcaciso evumelekileyo	Iiyunithi
A. Imiba Gabalala		
Iqondo lobushushu langethuba lokugalelwa kwawo elingaphezu		C
Enexabiso lepH elingaphantsi kuka10.0 okanye engaphezu kuka6.0		
Imfuneko yeoksijini yokusetyenziswa (iCOD) engaphantsi		mg/L
Ukuhambisa umbane okungaphezu - engekho ngaphezu		m S/m kwi25 °C
B. Izinto zekhemikhali ezingeyomethali enzima		
I-Anionic surface active agents		mg/L
Zonke iiswekile kunye/okanye nesitatshi (esiboniswa njengeglukhowuzi)		mg/L
Iklorini efumaneka njengeCl		mg/L
I-caustic alkalinity eyiCaCO ₃		mg/L
Iklorayidi eyiCl		mg/L
Ikhompawundi ezineFroure eziyiF		mg/L
I-Formaldehyde eyiHCHO		mg/L
Izinto eziqinileyo ezi-non-organic eziqulunganisiweyo		mg/L
Iioyile, amafutha, iintlama (waxes)		mg/L
Isodiyam njengeNa		mg/L
IiSettable solid (imizuzu engama60)		ml/L
Izinto ezingaxutywanga (kuquka amafutha, ioyile, iintlama nezinto ezifana nezo)		mg/L
Izinto ezinyibilika kwipetroleum ether		mg/L
Izinto eziphuma kwi-hydrogen cyanide zingakhutshwa kufakelo lwemibhobho yogutyulo, isureji okanye amaziko okucocwa kwesureji njengeHCN		mg/L
Izinto eziqinileyo ezixubene namanzi		mg/L
Izinto eziqinileyo ezinyityilikiswe kwi105 °C		mg/L
Ii-phenols ezipheleleyo eziyiC ₆ H ₅ OH		mg/L
Iphosphorythi ezipheleleyo eziyiP		mg/L
Ii-cyanide ezipheleleyo eziyiCN		mg/L
Iisalfeyithi ezipheleleyo eziyiSO ₄		mg/L
Iisalfayidi ezipheleleyo eziyiS		mg/L
Iimveliso zetela kunye nezenziwe ngokudidiyelwa		mg/L
C. Iimethali		
Iqela loku1:		
I-Chromium (hexavalent)		mg/L
I-Chromium (trivalent) eyiCrO ₃		mg/L
I-Copper eyiCu		mg/L

Umda	Ingcaciso evumelekileyo	liyuniti
I-Manganese eyiMn		mg/L
I-Nickel eyiNi		mg/L
I-Zinc eyiZn		mg/L
I-Iron eyiFe		mg/L
I-Silver eyiPb		mg/L
I-Cobalt eyiCo		mg/L
I-Tungsten eyiW		mg/L
I-Titanium eyiTii		mg/L
I-Cadmium eyiCd		mg/L
Ingqokelela yezinto ezijiyisiweyo zazo zonke iimethali ezikwiQela loku1		mg/L
IQela lesi2:		
I-Arsenic eyiAs		mg/L
I-Boron eyiB		mg/L
I-Lead eyiPb		mg/L
I-Selenium eyiSe		mg/L
I-Mercury eyiHg		mg/L
I-Cadmium eyiCd		mg/L
I-Nickel eyiNi		mg/L
Ingqokelela yezinto ezijiyisiweyo zazo zonke iimethali ezikwiQela lesi2		mg/L
D. Ukungcola okunokutshisa kwemitha okusebenzayo		
Nakuphi ukungcola okanye i-isotopes enokutshisa kwemitha okusebenzayo: Loo nto ijijiyisiweyo inokubekwa yiAtomic Energy Corporation okanye elinye isebe likarhulumente.		

3.2 Ukucocwa okucetywayo kwangaphambi kokuchithwa kwamanzi amdaka kwisistim yesureji:

UHLOBO LOKUCOCWA KWANGAPHAMBI KOKUCHITHWA			OKUFUNEKAYO	INGCACISO
Izihluzi (ezingazihluzeli ngokwazo)	:	Umpakathi (m ²)		
Izihluzi (ezizihluzelayo)	:	Umpakathi (m ²)		
I-Macerator	:			
Izikhonkxi zefutha	:	Umthamo (m ³)		
	:	Ububanzi (m)		
Amatanki eentlalutye	:			
Amatanki okuhluzela intlenga	:	Umpakathi (m ²)		
	:	Umthamo (m ³)		
Iinkqubo zokucazulula ukungcola	:	Uhlobo		
Ulawulo lwe-pH	:			

ICANDELO LESI4: IMIQATHANGO ENXULUMENE NOKUVUNYWA KWAMANZI AMDAKA ESHISHINI

1. Umceli uya kuqhoboshela iingcaciso kunye nengxelo yeedayimenshini (iintlobo) zezikhonkxi zamafutha neoyile, izihluzi, amatanki okungxenga nawokudunga kwakunye nayo nayiphi eminye imigaqo eyenzelwe ukucocwa kwamanzi amdaka phambi kokuba achithelwe kwisureji.
2. Umceli uya kungenisa kumasipala iiplani ezibonisa isistim yemibhobho yesureji ekwiyadi yakhe ukwenzela amanzi kunye namanzi amdaka eshishini, xa zifuniwe.
3. Ngaphezu kokulandela imigaqo yemiThetho kaMasipala yeeNkonzo zaManzi ejonge ukukhusela abasebenzi, iisureji namaziko okucoca ukuba angonakaliswa, umceli uya kulandela nayiphi imiyalelo enxulumene noko kukhuselwa kunikwa ngumasipala ngomlomo okanye ngokubhaliweyo, ngeenjongo zokuqinisekisa ukulandelwa kwaloo mithetho kamasipala ngumceli.
4. Umceli uya kwazisa umasipala kwangoko kangangoko, okanye phambi kobuncinane beentsuku ezili14 emva kokuba ethe wanolwazi malunga nayo nantoni na eyenziweyo/eza kwenziwa ukubangela ukutshintshwa kohlobo okanye ubungakanani bamanzi amdaka eshishini ekuthethwe ngawo kwesi sicelo okanye kuyo nayiphi imiba eyinyani ayixelayo.
5. Ziya kuthi zingaphelanga iintsuku ezingam30 ukususela ngomhla osayinwe kwesi sicelo, umceli uya kufuna iinkonzo zokuthathwa kwesampule echanekileyo emele iintlobontlobo engekho ngaphantsi kweelitha ezi5 zamanzi amdaka eshishini aza kuchithwa kwisureji, sampule leyo ingayi kubandakanya isureji yasendlwini, yaye umceli uya kufaka isiqingatha soko kumasipala ukuze sihlalutywe angenise nengxelo kumasipala malunga nesampule ehlahutywe ngumxhalutyi okhethwe nguye; ngokuxhomekeke ekubeni kwimeko yoshishino olusanda kuqaliswa, ithuba elibekiweyo linokwandiswa ngumasipala ngethuba elingedlulanga kwiinyanga ezintandathu okanye namanye amathuba ongezelelweyo anokuwavuma umasipala ngokokubona kwakhe.
6. Umceli ubehngeza ekwaqinisekisa ukuba iinkcukacha azinike kule fomu, okanye ngenye indlela, ngokunxulumene nesi sicelo, ziyinyani ngeenxa zonke, ngokokwazi nokukholelwa kwakhe.
7. Umceli uyavuma ukuba ezi nkcukacha, zichaneke ngeenxa zonke, ziya kuba yeyona nto kusekelwe kuzo ukuvuma kukamasipala.

Senziwe e-..... ngumceli ngalo mhla we-...wale nyanga20

.....
 Ukusayina kunye negunya lomceli

Ifomu yesicelo egcwaliswe ngokupheleleyo neziikopi ezimbini mayithunyelwe apha:

UMphathi: Icandelo leeNkonzo zoLungiso
UMasipala waseWitzenberg
50 Voortrekker Street
CERES
6835

OKANYE
 Isiwe ngesandla apha:
UMasipala waseWitzenberg
50 Voortrekker Street
CERES

6835

ICANDELO LESI5: ISICELO SIVUNYIWE:

UMPHATHI: ICANDELO LEENKONZO ZOLUNGISO	UMHLA WOKUKHUTSHWA	INOMBOLO YEPHEMITHI	UMHLA WOKUPHELELWA

ISHEDULI C: IFOMYULA YOKUBALA UKUCHITHWA KWAMANZI AMDAKA**UMASIPALA WASEWITZENBERG**

Intlawulo eyongezelelweyo yamanzi amdaka eshishini ngokwekhilolitha nganye eya kuchithwa kwisureji enamandla aphezulu, ichithwa kwiziko lokucocwa kwamanzi amdaka iya kubekwa ngokwale fomyula ilandelayo:

$$T_c = X + Y(COD_i/COD_w) + Z + \text{Isohlwayo}$$

Apho	T_c	=	Nendleko yokucocwa okuNzulu ebizwa kumxumi nge-kl nganye
	X	=	Indleko yokuhanjiswa kwe-kl nganye
		=	C_C/V_A
	Ukuhanjiswa	=	Ukuthuthwa ngesithuthi kwamanzi amdaka okanye nawaphi amanzi amdaka amaninzi okanye inethiwekhi yesureji yangaphandle ukusuka kwindawo ekhutshwa kuyo ukuya kwisiphelo sombhobho weziko lokucoca.
	C_C	=	Inkcitho yokusebenza nokulungiswa okulungiselela ukuhambisa amanzi amdaka ngee-kl ngonyaka.
	V_A	=	Umthamo olungisiweyo (othetha umthamo opheleleyo olungiselelwe ukukwazi ukudlula) ngee-kl ngonyaka
	Y	=	Indleko zee-variable zokucocwa nge-kl nganye
		=	C_T/V_A
	Indleko zokucocwa kwe-variable	=	Ezi ndleko zicaciswa njengencitho eyahluka kakhulu ngokomthamo nokugalelwa kweCOD
	C_T	=	Inkcitho yokusebenza nokulungiswa okulungiselela ukucoca amanzi amdaka ngee-kl ngonyaka.
	V_A	=	Umthamo olungisiweyo (othetha umthamo opheleleyo olungiselelwe ukukwazi ukudlula) ngee-kl ngonyaka
	COD_i	=	Okuphakathi koshishino ngalunye, kuquka inxenye yeCOD esisivundisi somhlaba nengesosivundisi somhlaba
	COD_w	=	Okuphakathi kwemisebenzi (okwabelwa ngaphezu kolwakhiwo olunye), okuquka inxenye yeCOD esisivundisi somhlaba nengesosivundisi somhlaba
	Z	=	Indleko eziqingqiweyo nge-kl nganye
		=	C_F/V_A
	Indleko eziqingqiweyo	=	Ezi ndleko zicaciswa njengencitho engatshintshi kakhulu ngethuba lonyakamali yaye azichatshazelwa zokugalelwa kweCOD
	C_F	=	Inkcitho ezingqiweyo yeendleko zokucocwa kwamanzi amdaka ngee-kl ngonyaka.
	V_A	=	Umthamo olungisiweyo (othetha umthamo opheleleyo olungiselelwe ukukwazi ukudlula) ngee-kl ngonyaka
	Isohlwayo	=	Isohlwayo nge-kl etsalwa ngaphezu kwentlawulo yamanzi amdaka ngokomthamo kunye neCOD yamanzi amdaka angavumelekanga, umzekelo apho iCOD yamanzi amdaka ingaphezu kwe3000 mg/L okanye apho umda womgangatho ungaphezu kwelona xabiso liphezulu luvumelekileyo ngokwesiHlomelo A somthetho kamasipala, njengoko ikwiphemithi yoshishino
		=	$P \times (\text{ixabiso elilinganisiweyo} / \text{elona lipehzulu livumelekileyo})$
		=	Ukuba ixabiso elilinganisiweyo lingaphantsi nelona xabiso liphezulu ngu $P = 0$, ngaphandle kwaxa i-pH ingu- $P = 0$ xa i-pH iphakathi kuka6 no10 size iSohlwayo =
		=	$P \times (\text{ixabiso elilinganisiweyo} / 10)$ ukuba i-pH ingaphezu ko10 yaye =
		=	$P \times \{[4 + (4 - \text{ixabiso elilinganisiweyo})] / 4\}$ ukuba lingaphantsi kuka4
	P	=	Intlawulo yesohlwayo seyuniti esibekwe liBhunga

ISHEDYULI D: IPHEMITHI EKHUTSHELWE UKUVUMELA UKUCHITHELWA KWAMANZI AMDAKA ORHWEBO OKANYE OSHISHINO KWI SISTIM YESUREJI

UMHLA:



INOMBOLO YEPHEMITHI

UMASIPALA WASEWITZENBERG

ICANDELO LEENKONZO ZOLUNTU

IPHEMITHI

YOKUCHITHA AMANZI AMDAKA ORHWEBO OKANYE ESHISHINI
KWI SISTIM YESUREJI

Iya kusebenza unyaka ube mnye emva kokukhutshwa kwayo

IKHUTSHWE NGOKOMTHTHO KAMASIPALA WAMANZI NOGUTYULO KUMASIPALA WASEWITZENBERG

Umphathi weCandelo: EleeNkonzo zoLungiso
UMasipala waseWitzenberg
50 Voortrekker Street
CERES
6835
Umnxeba: (023) 316 1854
Ifeksi: (023) 316 1877
I-imeyile: admin@witzenberg.gov.za

IPHEMITHI YOKUCHITHELA AMANZI AMDAKA OSHISHINO KWISISTIM YESUREJI

UMHLA:



INOMBOLO YEPHEMITHI

1. Uhlobo lweshishini okanye ushishino ekuthethwa ngalo

IGAMA ELIBHALISIWEYO LESHISHINI			
IGAMA LESITALATO	IDILESI YEPOSI:	INOMBOLO YESIZA	INDAWO YOKUNIKWA
IINKQUBO EZIGUNYAZISIWEYO ZALOO YADI			

2. Izinga lokuchithwa kwamanzi amdaka:

IMEKO YOQHAGAMSHILO	ELONA ZINGA LIPHEZULU NGOKWEE-KZ		
	NGENYANGA	NGOSUKU	NGEYURE

3. Okufunyanwa kumanzi amdaka achithwayo:

INXENYE YAMANZI ALINGANISWA NGEMITHA YOKULINGANISA ANGACHITHELWA ESUREJINI	
INXENYE YAMANZI ALINGANISWA NGEMITHA ACHITHELWA ESUREJINI	

4. Amaxesha okuchithwa kwamanzi amdaka:

NGOMVULO UKUYA NGOLWESINI	
NGOLWESIHLANU	
NGOMGQIBELO	
NGECAWA	

5. Iimfuno zokucocwa kwangaphambili kwaphambi kokwamkelwa:

<ul style="list-style-type: none"> • Ukususwa kwezinto eziqinileyo ezizikayo. • Ukususwa kwamafutha neoyile. • Nakuphi okanye ukucocwa okunokubonwa kuyimfuneko xa kufunyenwe ezinye iinkcukacha malunga nokufumaneka kuloo manzi amdaka achithwayo, emva kokuthathwa nokuhlalutywa kweesampule. • Kufuneka kuthathwe amanyathelo akhethekileyo okuqinisekisa ukuba akukho manzi olwandle anokungena kwisistim yesureji kamasipala.

6. Iimfuno zemeko yezinto ezibonakalayo neekhemikhali phambi kokuvunywa:

Umda	Ingcaciso evumelekileyo	Iiyunithi
B. Imiba Gabalala		
Iqondo lobushushu langethuba lokugalelwa kwawo elingaphezu	43°	C
Enexabiso lepH elingaphantsi kuka10.0 okanye engaphezu kuka6.0	6,0 – 10,0	
Imfuneko yeoksijini yokusetyenziswa (iCOD) engaphantsi	3 000	mg/L
Ukuhambisa umbane okungaphezu - engekho ngaphezu	150	m S/m kwi25 °C
B. Izinto zekhemikhali ezingeyomethali enzima		
I-Anionic surface active agents	500	mg/L
Zonke iiswekile kunye/okanye nesitatshi (esiboniswa njengeglukhowuzi)	1500	mg/L
Iklorini efumaneka njengeCl	100	mg/L
I-caustic alkalinity eyiCaCO ₃	2000	mg/L
Iklorayidi eyiCl	250	mg/L
Ikhompawundi ezineFroure eziyiF	5	mg/L
I-Formaldehyde eyiHCHO	50	mg/L
Izinto eziqinileyo ezi-non-organic eziqulunganisiweyo	100	mg/L
Iioyile, amafutha, iintlama (waxes)	50	mg/L
Isodiyam njengeNa	250	mg/L
IiSettable solid (imizuzu engama60)	50	ml/L
Izinto ezingaxutywanga (kuquka amafutha, ioyile, iintlama nezinto ezifana nezo)	100	mg/L
Izinto ezinyibilika kwipetroleum ether	50	mg/L
Izinto eziphuma kwihydrogen cyanide zingakhutshwa kufakelo lwemibhobho yogutyulo, isureji okanye amaziko okucocwa kwesureji njengeHCN	20	mg/L
Izinto eziqinileyo ezixubene namanzi	1000	mg/L
Izinto eziqinileyo ezinyityilikiswe kwi105° C	1000	mg/L
Ii-phenols ezipheleleyo eziyiC ₆ H ₅ OH	50	mg/L
Iphosphorythi ezipheleleyo eziyiP	25	mg/L
Ii-cyanide ezipheleleyo eziyiCN	20	mg/L
Iisalfeyithi ezipheleleyo eziyiSO ₄	1500	mg/L
Iisalfayidi ezipheleleyo eziyiS	50	mg/L
Iimveliso zetela kunye nezenziwe ngokudidiyelwa	50	mg/L
C. Iimethali		
Iqela loku1:		
I-Chromium (hexavalent)	0	mg/L
I-Chromium (trivalent) eyiCrO ₃	10	mg/L
I-Copper eyiCu	10	mg/L
I-Manganese eyiMn	20	mg/L
I-Nickel eyiNi	5	mg/L
I-Zinc eyiZn	20	mg/L
I-Iron eyiFe	20	mg/L
I-Silver eyiPb	5	mg/L
I-Cobalt eyiCo	5	mg/L
I-Tungsten eyiW	5	mg/L
I-Titanium eyiTii	5	mg/L
I-Cadmium eyiCd	5	mg/L
Inggokelela yezinto ezijiyisiweyo zazo zonke iimethali ezikwiQela loku1	50	mg/L
Iqela lesi2:		
I-Arsenic eyiAs	5	mg/L

Umda	Ingcaciso evumelekileyo	liyunithi
I-Boron eyiB	5	mg/L
I-Lead eyiPb	5	mg/L
I-Selenium eyiSe	5	mg/L
I-Mercury eyiHg	5	mg/L
I-Cadmium eyiCd	5	mg/L
I-Nickel eyiNi	5	mg/L
Ingqokelela yezinto ezijiyisiweyo zazo zonke iimethali ezikwiQela lesi2	10	mg/L
D. Ukungcola okunokutshisa kwemitha okusebenzayo		
Nakuphi ukungcola okanye i-isotopes enokutshisa kwemitha okusebenzayo: Loo nto ijijiyisiweyo inokubekwa yiAtomic Energy Corporation okanye elinye isebe likarhulumente.		

7. Amanzi amdaka angavumelekanga:

Akukho mntu uya kuchitha kwisistim yesureji amanzi amdaka eshishini

- a) nokuba adwelisiwe na okanye hayi kwimigangatho yamanzi amdaka kungenjalo nokuba awodwa na okanye axubene nenye into, anokuthi
 - (i) avelise okanye enze into eyingozi enobungozi kwimpilo yabantu abaqeshwe ekulungisweni okanye ekuqhutyweni kwesistim yesureji,
 - (ii) abe nobungozi kwisistim yesureji, okanye
 - (iii) achaphazele kakubi nayiphi kwiinkqubo ekudla ngokucocwa ngazo isureji okanye ukusetyenziswa ngokutsha kwamanzi amdaka esureji acociweyo okanye ukulahlwa kokungcola okuqinileyo okuvela kwinkqubo yokucocwa kwesureji;
- b) akuhlobo lomophu kwindawo angena kuyo kwisistim yesureji;
- c) anayo nantoni na yalo naluphi na uhlobo enokuthi ivelise okanye ikhuphe iigesi ezinokubangela ugqabhuko lomlilo, ezinokutsha lula, eziyingozi okanye ezingathandekiyo kuloo sistim yesureji;
- d) abonisa naziphi iimpawu ezibonakalayo zeoyile, itela yendlela okanye iimveliso ezifana nezo okanye ukudidiyelwa kwazo, iimveliso zetela yendlela okanye iincindi zazo, kungenjalo iincidi zeoyile okanye amafutha;
- e) anazo naziphi izinto eziqinileyo abasemagunyeni bendawo ababona ngathi zinefuthe kwisistim yesureji;
- f) anayo nantoni na exutywayo engaxubekiyo emanzini;
- g) anedayi okanye intsila yedayi;
- h) anayo nantoni na ekolo jiyiso abasemagunyeni bendawo abayibona njengenokuphazamisana nesistim yesureji okanye ichaphazele kakubi umgangatho wamanzi asetyenziswa ngokutsha;
- i) anento engesosivundisi somhlaba (umz. Igazi); okanye
- j) anamanzi angawezikhukula okanye awaphantsi komhlaba.

8. Imiqathango ekhethekileyo yale phemithi:

Umniniphemithi uya kufakela ze alungise ngeendleko zakhe isixhobo sokulinganisa ukuhamba kwamanzi, kuyo yonke imibhobho echithela amanzi amdaka eshishini kwisistim yesureji kamasipala, ukwenzela ukulinganisa imithamo yawo. Esi sixhobo sokulinganisa ukuhamba kwamanzi sicetyiswayo siya kuba ngokwendlela eyanelisa yaye sivunywe ngumPhathi weCandelo leeNkonzo zoLungiso

9. Ukhuseleko logunyaziwe wendawo kuxanduva lomonakalo:

Umniniphemithi uya kulikhusela ibhunga lendawo kuxanduva lomonakalo kuwo onke amabango anokuziswa okanye afakwe malunga nalo ngenxa yomonakalo owenzeke kwipropati okanye ukulimala kungenjalo ukusweleka kwabantu ngenxa yokuchithwa kwamanzi amdaka.

10. Imiqathango yokukhutshwa:

Le phemithi ikhutshwa ngokoMthetho kaMasipala weeNkonzo zaManzi woMasiapla waseWitzenberg yaye kufuneka ilandele imiqathango elapha kuwo.

UMPHATHI: ICANDELO LEENKONZO ZOLUNGISO	UMHLA WOKUKHUTSHWA	INOMBOLO YEPHEMITHI	UMHLA WOKUPHELELWA