

Hessequa, South Africa

## Property Rates

Legislation as at 4 June 2021

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## Property Rates

### Contents

1. Definitions .....	1
2. Objects .....	1
3. The Property Rates Policy .....	1
4. Categories of rateable properties .....	2
5. Categories of properties and categories of owners of properties .....	2
6. Enforcement of the Rates Policy .....	2
7. Repeal .....	2
8. Short title and commencement .....	2

# Hessequa South Africa

## Property Rates By-law, 2021

Published in Western Cape Provincial Gazette 8442 on 4 June 2021

**Commenced on 4 June 2021**

*[This is the version of this document from 4 June 2021 and includes any amendments published up to 9 June 2023.]*

*[Repealed by Property Rates on 10 June 2022]*

Hessequa Municipality, hereby, in terms of section 6 of the Local Government: Municipal Property Rates Act, 2004, has by way of resolution 9.1 adopted the Municipality's Property Rates By-law set out hereunder.

WHEREAS section 229(1) of the Constitution requires a municipality to impose rates on property and surcharges on fees for the services provided by or on behalf of the municipality;

AND WHEREAS section 13 of the Municipal Systems Act read with section 162 of the Constitution requires a municipality to promulgate municipal by-laws by publishing them in the gazette of the relevant province;

AND WHEREAS section 6 of the Local Government: Municipal Property Rates Act, 2004 requires a municipality to adopt by-laws to give effect to the implementation of its property rates policy; the by-laws may differentiate between the different categories of properties and different categories of owners of properties liable for the payment of rates;

NOW THEREFORE IT IS ENACTED by the Council of the Hessequa Municipality, as follows:

### 1. Definitions

In this By-law, any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004), shall bear the same meaning unless the context indicates otherwise-

"**Municipality**" means Hessequa Municipality;

"**Municipal Property Rates Act**" means the Local Government: Municipal Property Rates Act, 2004 (Act No 6 of 2004);

"**Property Rates Policy**" means the Hessequa Municipality's Property Rates Policy adopted by the Council in terms of section 3(1) of the Local Government: Municipal Property Rates Act, 2004.

### 2. Objects

The object of this By-law is to give effect to the implementation of the municipality's Property Rates Policy as contemplated in section 6 of the Municipal Property Rates Act.

### 3. The Property Rates Policy

The municipality prepared and adopted a Property Rates Policy as contemplated in terms of the provisions of section 3(1) of the Municipal Property Rates Act. The Property Rates Policy outlines the municipality's rating practices; therefor, it is not necessary for this By-law to restate and repeat same.

The Property Rates Policy is hereby incorporated by reference in this By-law. All amendments to the Property Rates Policy as the Council may approve from time to time, shall be deemed to be likewise incorporated.

The Municipality does not levy rates other than in terms of its Property Rates Policy and the annually promulgated resolution levying rates which reflects the cent amount in the Rand rate for each category of rateable property.

The Property Rates Policy is available at the Municipality's Offices, on the local website <http://www.hessequa.gov.za> and public libraries within the municipality's jurisdiction.

#### **4. Categories of rateable properties**

The Property Rates Policy provides for categories of rateable properties determined in terms of section 8 of the Act.

#### **5. Categories of properties and categories of owners of properties**

The Property Rates Policy provides for categories of properties and categories of owners of properties for the purposes of granting relief measures (exemptions, reductions and rebates) in terms of section 15 of the Act.

#### **6. Enforcement of the Rates Policy**

The Municipality's Property Rates Policy is enforced through the municipality's Credit Control and Debt Collection Policy and any further enforcement mechanisms stipulated in the Act and the Municipality's Rates Policy.

#### **7. Repeal**

The Property Rates By-law promulgated in the Province of the Western Cape *Provincial Gazette* Extraordinary 7636 on 24 June 2016 is hereby repealed.

#### **8. Short title and commencement**

This By-law is called the Hessequa Municipal Property Rates By-law, and takes effect on the date on which it is published in the *Provincial Gazette*.