



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

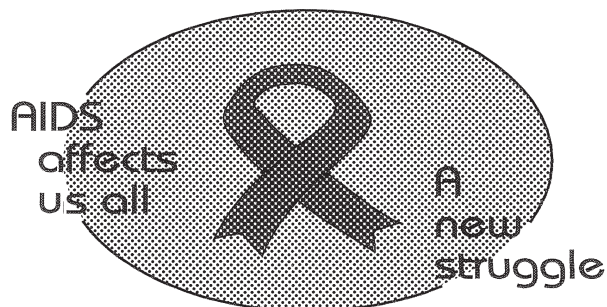
**Provincial Gazette  
Igazethi Yephondo  
Provinsiale Koerant**

Vol. 23

BISHO/KING WILLIAM'S TOWN  
12 SEPTEMBER 2016  
12 SEPTEMBER 2016

No. 3732

**We all have the power to prevent AIDS**



**AIDS  
HELPLINE**

**0800 012 322**

DEPARTMENT OF HEALTH

**Prevention is the cure**

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**IMPORTANT NOTICE:**

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**No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.**

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**IMPORTANT ANNOUNCEMENT****Closing times for the ORDINARY WEEKLY  
EASTERN CAPE PROVINCIAL GAZETTE 2016**

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

- 22 April 2016, Friday for the issue of Monday 02 May 2016
- 29 April 2016, Friday for the issue of Monday 09 May 2016
- 09 May 2016, Monday for the issue of Monday 16 May 2016
- 16 May 2016, Monday for the issue of Monday 23 May 2016
- 23 May 2016, Monday for the issue of Monday 30 May 2016
- 30 May 2016, Monday for the issue of Monday 06 June 2016
- 06 June 2016, Monday for the issue of Monday 13 June 2016
- 10 June 2016, Friday for the issue of Monday 20 June 2016
- 20 June 2016, Monday for the issue of Monday 27 June 2016
- 27 June 2016, Monday for the issue of Monday 04 July 2016
- 04 July 2016, Monday for the issue of Monday 11 July 2016
- 11 July 2016, Monday for the issue of Monday 18 July 2016
- 18 July 2016, Monday for the issue of Monday 25 July 2016
- 25 July 2016, Monday for the issue of Monday 01 August 2016
- 01 August 2016, Monday for the issue of Monday 08 August 2016
- 05 August 2016, Friday for the issue of Monday 15 August 2016
- 15 August 2016, Monday for the issue of Monday 22 August 2016
- 22 August 2016, Monday for the issue of Monday 29 August 2016
- 29 August 2016, Monday for the issue of Monday 05 September 2016
- 05 September 2016, Monday for the issue of Monday 12 September 2016
- 12 September 2016, Monday for the issue of Monday 19 September 2016
- 19 September 2016, Monday for the issue of Monday 26 September 2016
- 26 September 2016, Monday for the issue of Monday 03 October 2016
- 03 October 2016, Monday for the issue of Monday 10 October 2016
- 10 October 2016, Monday for the issue of Monday 17 October 2016
- 17 October 2016, Monday for the issue of Monday 24 October 2016
- 24 October 2016, Monday for the issue of Monday 31 October 2016
- 31 October 2016, Monday for the issue of Monday 07 November 2016
- 07 November 2016, Monday for the issue of Monday 14 November 2016
- 14 November 2016, Monday for the issue of Monday 21 November 2016
- 21 November 2016, Monday for the issue of Monday 28 November 2016
- 28 November 2016, Monday for the issue of Monday 05 December 2016
- 05 December 2016, Monday for the issue of Monday 12 December 2016
- 09 December 2016, Friday for the issue of Monday 19 December 2016
- 19 December 2016, Monday for the issue of Monday 26 December 2016
- 23 December 2016, Friday for the issue of Monday 02 January 2017

## LIST OF TARIFF RATES FOR PUBLICATION OF NOTICES

**COMMENCEMENT: 1 APRIL 2016**

### NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1000 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

### EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3000** per page.

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

### CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website [www.gpwonline.co.za](http://www.gpwonline.co.za)

All re-submissions will be subject to the standard cut-off times.

**All notices received after the closing time will be rejected.**

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 12h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 12h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****NOTICE SUBMISSION PROCESS**

3. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za).
4. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
5. The completed electronic *Adobe* form has to be submitted via email to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
6. Each notice submission should be sent as a single email. The email should contain **all documentation relating to a particular notice submission**, each as a separate attachment:
  - 6.1. Electronically completed *Adobe* form, specific to the type of notice that is to be placed.
    - 6.1.1. For National *Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
    - 6.1.2. The notice content (body copy) **MUST** be a separate attachment.
  - 6.2. Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
  - 6.3. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should also be attached as a separate attachment. (See specifications below, point 11).
  - 6.4. Any additional notice information if applicable.
7. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
8. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
9. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
10. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

11. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03
  - 11.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).
  - 11.2. The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

**CANCELLATIONS**

12. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
13. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

**AMENDMENTS TO NOTICES**

14. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

**REJECTIONS**

15. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)). Reasons for rejections include the following:
  - 15.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
  - 15.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
  - 15.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
  - 15.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.



**GOVERNMENT PRINTING WORKS - BUSINESS RULES****APPROVAL OF NOTICES**

16. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
17. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

**GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY**

18. The Government Printer will assume no liability in respect of—
  - 18.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - 18.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
  - 18.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

**LIABILITY OF ADVERTISER**

19. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

**CUSTOMER INQUIRIES**

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

**GPW** has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

20. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.
21. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

### PAYMENT OF COST

22. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
23. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
24. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za) before publication.
25. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
26. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
27. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

### PROOF OF PUBLICATION

28. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za) free of charge, should a proof of publication be required.
29. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*.

## GOVERNMENT PRINTING WORKS CONTACT INFORMATION

**Physical Address:**

**Government Printing Works**  
149 Bosman Street  
Pretoria

**Postal Address:**

Private Bag X85  
Pretoria  
0001

**GPW Banking Details:**

**Bank:** ABSA Bosman Street  
**Account No.:** 405 7114 016  
**Branch Code:** 632-005

**For Gazette and Notice submissions:** Gazette Submissions:

**For queries and quotations, contact:** Gazette Contact Centre:

**E-mail:** [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)

**E-mail:** [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

**Tel:** 012-748 6200

**Contact person for subscribers:** Mrs M. Toka:

**E-mail:** [subscriptions@gpw.gov.za](mailto:subscriptions@gpw.gov.za)

**Tel:** 012-748-6066 / 6060 / 6058

**Fax:** 012-323-9574

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**PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS**

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**PROVINCIAL NOTICE 207 OF 2016****CORRECTION NOTICE: REMOVAL OF RESTRICTIONS ACT, 1967: APPLICATION FOR REMOVAL OF RESTRICTIVE TITLE CONDITIONS:****ERF 2849, PORT ALFRED AND DEPARTURE APPLICATION FOR THE RELAXATION OF BUILDING LINES, LAND USE PLANNING ORDINANCE 15 OF 1985.****ERF 2849, PORT ALFRED**

In compliance with the instruction of the Rectification Clerk of the Deeds Office (Cape Town) and in pursuance of the finalisation of the application. Notice is hereby given that the notice published in the Provincial Gazette dated 14 September 2015 under notice no 3491 the incorrect Title Deed Number was quoted.

**Applicant:** Mr. M Cutter, the owner of Erf 2849, 10 Southdowns Ave, Port Alfred.

**The notice must read:**

**Nature of Application:** Removal of Title Conditions in the Deed of Transfer No: T3712/2015, Clause B7(i) and (ii): That no building or structure or any portion thereof except boundary walls and fences, shall be erected nearer than 5 metres to the Street line which forms a boundary of this erf, nor within 3 meters of the rear or within 1.5 metres of the lateral boundary common to any adjoining erf, provided that an outbuilding not exceeding 3,15 metres in height measuring from the floor to the wall plate may be erected within such side an rear spaces, and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 12 meters measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 12 meters shall be measured from the point furthest from the streets abutting the erf in such a position that the distance between it and any buildings situate on this or any adjoining erf; (ii) an outbuilding in terms of subparagraph (1) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.

**NOTICE NUMBER:** 82/2016  
**REF:** (PA/2894)

**R DUMEZWENI**  
**MUNICIPAL MANAGER**

**PROVINSIALE KENNISGEWING 207 VAN 2016****WET OP OPHEFFING VAN BEPERKINGS 1967, (WET 84 VAN 1967): EN DIE AFWYKING IN DIE TITLAKTE: ERF 2849, PORT ALFRED, EN 'N AANSOEK VIR AFWYKING VIR VERSLAPPING VAN BOULYNE, ARTIKEL 15 VAN DIE ORDORNANSIE 15 VAN 1985.****ERF 2849, PORT ALFRED**

In ooreenstemming met die Rektifikasie Klerk van die Aktekantoor (Kaapstad) en in finalisering van die aansoek, word hiermee kennis gegee dat die advertensie gepubliseer in die Provinsiale Gazette gedateer 14 September 2015 onder Kennisgewing nommer 3491, verwys het na die inkorrekte titelakte nommer.

**Aansoeker:** Mnr. M Cutter, die eienaar van Erf 2849, 10 Southdowns Ave, Port Alfred.

**Aaard van Aansoek:** Die opheffing van die volgende voorwaarde van Titleakte No: T 3712/2015, Clause B7 (i) and (ii): That no building or structure or any portion thereof except boundary walls and fences, shall be erected nearer than 5 metres to the Street line which forms a boundary of this erf, nor within 3 meters of the rear or within 1.5 metres of the lateral boundary common to any adjoining erf, provided that an outbuilding not exceeding 3,15 metres in height measuring from the floor to the wall plate may be erected within such side an rear spaces, and any other outbuilding of the same height may be erected within the rear space and side space for a distance of 12 meters measured from the rear boundary of the erf, provided that in the case of a corner erf the distance of 12 meters shall be measured from the point furthest from the streets abutting the erf in such a position that the distance between it and any buildings situate on this or any adjoining erf; (ii) an outbuilding in terms of subparagraph (1) may only be erected nearer to a lateral or rear boundary of a site than the above prescribed spaces, if no windows or doors are inserted in any wall facing such boundary.

**NOTICE NUMBER** 82/2016  
**REF:** (PA/2849)

**R DUMEZWENI**  
**MUNISIPALE BESTUURDER**

PROVINCIAL NOTICE 208 OF 2016

**INXUBA YETHEMBA LOCAL MUNICIPALITY**

**CLOSING OF PORTION OF ERF 2413 CRADOCK**

Notice is hereby given in terms of Section 137 (1) of the Municipal Ordinance No 20 of 1974 that a portion of Erf 2413 Cradock is closed

**MS TANTSI  
MUNICIPAL MANAGER**

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**UMASIPALA WASE INXUBA YETHEMBA**

**UKUVALWA KWE NGXENYE YESIZA 2413 CRADOCK**

Kunikwa isaziso ngokweCandelo 137 (1) lomThetho woMasipala u20 ka 1974 ukuba ingxenye kwisiza 2413 Cradock ivaliwe

**MS TANTSI  
MUNICIPAL MANAGER**

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**LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS**

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**LOCAL AUTHORITY NOTICE 83 OF 2016****BUFFALO CITY METROPOLITAN MUNICIPALITY****LAND USE PLANNING ORDINANCE NO. 15 OF 1985, REMOVAL OF RESTRICTIONS ACT 1967 (ACT 84 OF 1967) ERF 3359, KING WILLIAM'S TOWN.**

It is hereby notified in terms of the abovementioned Act/Ordinance that the under mentioned application(s) has been received and is open to inspection at Room 414/5, 4<sup>th</sup> Floor, Department of Housing and Local Government and Traditional Affairs, Eastern Cape, Regional Office, Tyamzashe Building, Civic Square, Bisho and at the Town Planning Enquiry Counter, First Floor, City Engineering Centre, 26 Oxford Street, East London on weekdays from 08:00 to 13:00.

Any objections, with full reasons therefore, must be lodged in writing with the Acting City Manager, P.O. Box 134, East London no later than 26 August 2016, quoting the above Act and the objector's Erf number.

**Nature of Application**

1. Removal of Restrictions, condition of Title from Deed of Transfer No.3644/2009 conditions 3 (a) (b) & (c) of Erf 3359, Kings Road/ Beaumont Road, Fort Hill, King William's Town.

**Applicants**

**Haines Palmer Reabow and Associates.**

**N. NCUNYANA**  
**ACTING CITY MANAGER**

**(2758)**

LOCAL AUTHORITY NOTICE 84 OF 2016

# BUFFALO CITY METROPOLITAN MUNICIPALITY



# Tariffs By-Law

**Buffalo City Metropolitan Municipality**  
**Tariff By-law**

**TO REGULATE THE SETTING OF TARIFFS WITHIN THE BUFFALO CITY  
METROPOLITAN MUNICIPAL AREA**

THE BUFFALO CITY METROPOLITAN MUNICIPALITY HEREBY MAKES THE FOLLOWING BY-LAW IN TERMS OF SECTION 75(1) OF THE LOCAL GOVERNMENT: MUNICIPAL SYSTEMS ACT, NO 32 OF 2000

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## 1. DEFINITIONS

In this By-law, unless the context otherwise indicates:

- **“Act”** means the Municipal Systems Act 2000, (Act 32 of 2000) (MSA);
- **“Average Historic Cost (AHC) of Sanitation”** means the total annual cost of the sanitation service (including capital charges, but excluding contributions to a capital development fund) divided by the total volume of sewage discharged for that year;
- **“Average Historic Cost (AHC) of Water”** means the total annual cost of the water service (including capital charges, but excluding surcharges and contributions to a capital development fund) divided by the total volume of billed water sales for that year;
- **“Commercial / Industrial Customer / user”** means consumers that are not defined as Domestic customers / users and includes halls, churches, schools, sports clubs, restaurants, theatres, consulting rooms, and all other commercial and industrial premises and residential establishments where a business license exists (such as hotels, bed and breakfast premises, hostels, retirement homes, etc);
- **“Commercial wastewater”** means the effluent discharged from a premise predominantly of a commercial nature (e.g. shops, offices, showrooms, service stations, hospitals, etc);
- **“Commercial water use”** means water supplied to premises predominantly of a commercial nature (e.g. shops, offices, showrooms, service stations, hospitals, etc);
- **“Connection fee”** means the fee payable as a contribution towards the cost of providing supply. This may be subsidised to facilitate the provision of services to poor households;
- **“Consumption based tariff”** means a tariff set as a Rand amount per measurable unit of service;



- **“Cost reflective tariff”** means a two part tariff consisting of a Service Charge and an Energy Charge or a three part tariff which includes a Demand Charge;
- **“Council” or “Municipality”** means the Buffalo City Municipality;
- **“CPIX”** means the consumer price index excluding mortgage costs as measured by Stats SA;
- **“Credit Meter”** means a meter where an account is issued subsequent to the consumption of the service (water or electricity);
- **“Demand Charge”** means the charge payable for each kilovolt-ampere (kVa) of the maximum demand supplied during any 30 consecutive minutes of the month;
- **“Domestic Customer / user”** means a customer in private residential establishments including houses, blocks of flats and town house complexes. It also includes *bona fide* residential establishments registered by the welfare Department;
- **“Domestic wastewater”** means effluent discharged from a premise not defined as commercial or industrial;
- **“Domestic water use”** means water that is used predominantly for domestic purposes, including garden irrigation;
- **“Energy Charge”** means a charge for each kilowatt-hour (kWh) of electrical energy;
- **“Green Energy”** means energy generated from a sustainable source such as solar, wind or wave;
- **“Indigent fund”** means a budget provision, funded from National Government transfers and Municipal rates, used to subsidize basic services;
- **“Industrial wastewater”** means wastewater arising from mining, manufacturing, electricity generation, land-based transport, construction or any related activities (consistent with definition of disposal of industrial effluent in the Water Services Act);

- **“Industrial water use”** means water which is used in mining, manufacturing, generating electricity, land-based transport, construction or any related purpose (follows definition in Water Services Act);
- **“Low Voltage (LV)”** means 230 volts single phase / 400 volts three phase;
- **“Medium Voltage (MV)”** means the set of voltage levels greater than 1kV up to and including 44kV;
- **“Meter”** means a device that records the demand and / consumption of a specific service (water or electricity) and includes Credit and Prepayment meters;
- **“municipal area”** means the area in respect of which the municipality has executive and legislative authority as determined by the constitution and the National legislation and the area as demarcated by the Demarcation Act (Act 27 of 1998);
- **“municipal council”** means a municipal council referred to in section 157 of the Constitution and for this policy includes a municipal local council and a municipal district council, as the case may be;
- **“NERSA”** means the National Energy Regulator of South Africa;
- **“Other wastewater”** means effluent discharged from a premise not defined as domestic, commercial or industrial;
- **“Other water use”** means all water used not defined as domestic, industrial or commercial water use;
- **“Point of supply”** means the point determined by the Service Provider at which the Service Provider supplies a specific service to any premises;
- **“Poor households”** means those households in the municipal area that cannot afford to pay either the entire tariff charge for the municipal services, or part of it. It also means those households in the municipal area living in property with a municipal property valuation of less than the threshold as determined by Council from time to time and earn less than the monthly income as determined by Council from time to time;
- **“Prepayment Meter”** means a meter that can be programmed to allow the flow of a pre-purchased amount of energy in an electrical circuit;

- **“Rates and General account”** means a budget provision used to fund other Municipal services excluding the electricity, water, sanitation and solid waste services;
- **“residential unit”** means a group of rooms, used for residential purposes, contained within a block of flats and which includes any undivided share of common property or any other portion of the property proportioned to that unit in terms of exclusive use, which shall include a garage or any other outbuildings;
- **“Schedule of Tariffs”** means a schedule containing details pertaining to levels and application of various tariffs as approved by the Municipality from time to time;
- **“Service Charge”** means a fixed charge to recover fixed costs such as capital, meter reading, billing, vending, maintenance, etc. It may be recovered as a daily or monthly charge, but it is not applicable to subsidised tariffs. It is applicable throughout the entire period during which the relevant premises are connected to the supply mains, irrespective of whether any services were used or not;
- **“Special Tariffs”** means a special tariff which may be introduced from time to time in terms of sub-paragraph 74(2)(g) of the Municipal Systems Act;
- **“Sundry Tariff”** means a charge for additional general services rendered such as reconnections, disconnections, meter testing, etc. These will be published in a tariff schedule, which may be adjusted from time to time;
- **“Tariff Policy”** means a policy on the levying of fees, rates or taxes for the municipal services provided by the municipality itself and that complies with the Municipal Systems Act 2000 (Act 32 of 2000);
- **“Total Municipal Account”** means a postulated current account based on medial bills for water, electricity, sanitation, solid waste services and rates. Sundry charges and interest on debt are excluded;
- **“Wheeling”** means the transport of electrical energy over the Service Provider’s network infrastructure.

## **2. INTRODUCTION**

One of the primary functions of a local authority is to provide services to the people resident within its municipal area. The funding of these services is made possible by levying property taxes, charging for municipal services rendered and levy collection through business levies. Tariffs represent the charges levied by Council on consumers for the utilisation of services provided by the Municipality. These are calculated dependent on the nature of the service being provided. They may be set in a manner so as to recover the full cost of the service being provided or recover part of the costs or bring about a surplus that can be utilized to subsidise other non-economical services.

## **3. SCOPE**

3.1 The by-law is applicable to all tariffs for electricity, water, sanitation and solid waste services provided by the Buffalo City Metropolitan Municipality.

3.2 It is also applicable to all sundry tariffs, as provided for in the Schedule of Tariffs of the Municipality.

## **4. DIFFERENTIATION FOR TARIFF PURPOSES**

Section 74(3) of the Municipal Systems Act allows for the differentiation between different categories of users, debtors, service providers, services, service standards, geographical areas and other matters for tariff purposes, as long as the differentiation does not amount to unfair discrimination. The nature and basis for differentiation for tariff purposes in Buffalo City Metropolitan Municipality is set out below. Each municipal service is not compelled to differentiate for tariff purposes, but where it does, the differentiation must be consistent with the framework set out below. Categories must be defined in the

Municipal Service By-law and a separate tariff must be applicable for each category that is defined.

#### 4.1 Categories of Users

The following categories of user may be differentiated, provided that they are defined in the Municipality's Rates Policy:

- (a) Residential or Domestic;
- (b) Commercial or Industrial;
- (c) Agricultural or Farming;
- (d) Public Service Infrastructure;
- (e) Rural Communal Land;
- (f) Formally Protected Areas;
- (g) Education Institutions;
- (h) Vacant Properties;
- (i) Mining Properties; and
- (j) Museums, Libraries, National Monuments, National Botanical Gardens and Heritage Sites.

In addition, sub-categories of residential or domestic users may be differentiated based on any one or more of the following criteria in a manner defined in the Municipality's Indigent assistance scheme:

- (a) Settlement type;
- (b) Property Value;
- (c) Service consumption level;
- (d) Payment levels;
- (e) Household income; and
- (f) Type of connection.

#### 4.2 Categories of Service

Categories of service may be differentiated, but only if the basic service is defined for that municipal service in the Municipality's Indigent assistance

scheme. The following criteria may be used in defining different categories of service:

- (a) Type of service;
- (b) Category of user;
- (c) Level of consumption;
- (d) Type of connection; and
- (e) Time of use.

Certain categories of service may be restricted to certain categories of user. The basic service will be restricted to residential / domestic users.

#### 4.3 Categories of Standards of Service

Different categories of standards of service may be defined for different categories of users or services. They may be based on:

- (a) Access; and
- (b) Frequency.

Categories of basic service may not have different standards of service.

## 5. TARIFF DETERMINATION PROCESS

In terms of Section 75(A) of the Municipal Systems Amendment Act, Act No. 51 of 2002, a municipality may operate such that:

- It can levy and recover fees, charges or tariffs in respect of any function or service of the municipality,
- Fees and charges levied are passed by the municipal council with a supporting vote of a majority of its members.
- The proposed tariffs will be presented to the community during Council's consultations process for the IDP / budget.

Except in special circumstances, such as a significant increase in the wholesale price of goods and services the Council purchases during a year to provide services, the Council will review its tariffs during the preparation of the annual budget in accordance with the policy stated above. Proposed tariffs will be presented to the community during the Community consultation process about the budget.

Immediately after the Council has determined or amended a tariff, the municipal manager must cause a notice to be conspicuously displayed at a place installed for this purpose at all the offices of the Municipality and / or as well as at such other places within the municipal area as she / he may determine.

The notice must state:

- The general purpose of the resolution;
- The date on which the determination or amendment comes into operation, which date may not be earlier than 30 days after the determination or amendment;
- The date on which the notice is displayed;
- That any person who desires to object to such determination or amendment must do so in writing within 14 days after the date on which the notice was displayed; and
- That any person who cannot write may come, during office hours, to a place where a staff member of the Municipality named in the notice, will assist that person to transcribe her / his objection.

If no objection is lodged within the period stated in the notice, the determination or amendment will come into operation on the date determined by the Council.

Where an objection is lodged, the Municipality will consider every objection. The Council may, after it has considered all objections, confirm, amend, or withdraw the determination or amendment or may determine another tariff, on

the date on which the determination or amendment will come into operation. After the Council has considered the objections it will again give notice of the determination, amendment or date as determined above and will also publish it as determined by the Council.



## 6. WATER TARIFFS

### 6.1 Consumer Categories

Water tariffs shall distinguish between at least three categories of consumers; namely Domestic water use, Industrial & Commercial water use and Other water use.

### 6.2 Domestic Consumer Categories

Water tariffs for Domestic consumers shall distinguish between significantly different levels and standards of services provided and shall include at least the following four categories of Domestic consumers:

- (a) Communal : Consumers (households) with access to communal water services (e.g. a public standpipe or a water-tanker service);
- (b) Controlled : Consumers with access to a controlled volume of water supply;
- (c) Full : Consumers with access to an uncontrolled volume of water supply which is metered; and
- (d) Cluster : Consumers where one meter serves a multi-residential unit development.

### 6.3 Metering

All connections providing an uncontrolled volume of water supply shall be metered and tariffs shall be applied in proportion to water use. The amount of water feeding standpipes in informal settlements without title deeds should also be measured to assess the impact of this free water on the service, but should not be billed.

### 6.4 Consumption Tariffs – Domestic

- (a) Communal : Where communal water supplies provide water for domestic use and where this water is, on average, less than 6 Kl per

household per month, then no charge shall be levied on domestic households for this water.

- (b) Controlled : Where water use is controlled to less than 6 KI per connection per month then no charge shall be levied on domestic indigent households for this water. Where water in excess of 6 KI per month is used a step tariff shall be applied to this additional water use, based on the AHC.
- (c) Full : Consumption tariffs for uncontrolled volume, metered domestic connections shall be based on an increasing block structure with the first block set at 6 KI per indigent connection per month with a zero charge and the last block should be set at an amount that would deter unnecessarily high water use and would reflect the incremental cost that would be incurred to increase the water supply infrastructure to meet the incremental growth in demand. The rising block tariff structure should consist of at least five steps. The consumption level at which the last step begins should be at an amount that would encourage water conservation and should not be greater than 60 KI per month.
- (d) Multi-Unit / Cluster : Consumption tariffs for multi-residential unit developments served by one meter will be set to recover at least the AHC once allowance is made for the free water allocation to the indigent. An allowance of 6 KI per indigent unit will be available at zero cost upon submission of a signed affidavit stating the number of residential units supplied from that metered connection.

#### 6.5 Consumption Tariffs – Industrial, Commercial and Other

Apart from instances where special tariffs are applied in terms of 6.7 above, the consumption tariffs for all other consumers should be set equal

to at least the AHC. Separate consumption categories should be kept for Sporting Bodies / Schools and Municipal consumption to assist in Water Demand Management measures.

6.6 Consumption Tariffs – Schools, sports fields, clubs, churches, charities, etc.

The consumption tariff for these consumer groupings shall be the same as defined above for Industrial and Other.

*Note: Any subsidies to these groupings should be made through other transparent mechanisms so as to not distort the incentives for the wise and economical usage of water.*

6.7 Consumption Tariff for the provision of a Bulk Water Supply

The bulk water tariff is used to charge for bulk supply of potable water to consumers external to the Municipality, such as other local authorities who are dependent on part or all of their potable water supplies from Buffalo City Municipality and is also used as the basis for internal charges for the bulk supply of potable water within the Water and Sanitation Department.

The bulk water tariff is set on an annual basis to ensure full cost recovery for the provision of the bulk water service as well as the long term sustainability of the service.

6.8 Surcharge

The water tariff may include surcharges, subject to Council approval.

#### 6.9 Fixed Charges – Domestic

There shall be no fixed monthly charge for consumers with uncontrolled volume connections. The domestic water tariff should, however, take into account and reflect these costs that are based on the cost of maintaining the water connection.

#### 6.10 Fixed Charges – Industrial and Other

Monthly fixed charges for Industrial and Other connections shall be related to the size of the connection. The charge shall be based on the historic costs of maintaining the connection. Cost allocations should be clearly set up to ensure that historical costs can be measured and used effectively to determine accurate tariff charges that are truly cost reflective.

*Note: It is essential that this component of the tariff be retained otherwise an important equity principle is compromised – domestic consumers pay for capacity expansion costs through the last step of the high marginal consumption block tariff.*

#### 6.11 Connection Charges

Connection charges for all consumer categories, except domestic consumers with controlled access to water supply, shall recover the full costs of connection. Cost allocations should be clearly set up to ensure that historical costs could be measured and used effectively to determine accurate tariff charges.

#### 6.12 Flow restriction for non-payment

Domestic consumers with uncontrolled volume connections who fail to pay shall, after due process, have their uncontrolled water connections restricted.

#### 6.13 Illegal re-connections

Consumers who, after having been disconnected for non-payment, reconnect illegally shall forfeit the right to the free basic water allocation until such time as the outstanding debt has been paid in full.

#### 6.14 Disconnections – Other

All consumers with uncontrolled volume connections shall be disconnected for failure to pay after due process has been followed.

#### 6.15 Water restriction tariffs

Special tariffs may be introduced during periods of water restrictions to reduce water use to within sustainable limits. A separate tariff schedule for water restrictions shall be developed.

#### 6.16 Subsidies

Reasonable and appropriate cross-subsidisation may be applied between consumer categories. All applied subsidies (including those within and between consumer categories) must be disclosed to the extent that this is practical.

#### 6.17 Departures

Departures from the above principles may only be made where there are sound practical reasons that prevent the implementation of the policy at the present time and / or where the phased adoption of the policy or policies would reduce an otherwise onerous burden on Council and / or consumers. The reasons for any departures must be recorded in writing.

#### 6.18 Availability Charge

An availability charge shall apply to serviced vacant or undeveloped land.

## **7. SANITATION TARIFFS**

### **7.1 User Categories**

Sanitation tariffs shall distinguish between at least three user categories; namely Domestic users, Industrial & Commercial users and Other users.

### **7.2 Domestic User Categories**

The Sanitation tariff structure for domestic users shall distinguish between significantly different levels and standards of services and shall include at least the following five categories for domestic users:

- (a) Communal : Users (households) with access to communal sanitation facilities (Rudimentary sanitation and communal ablution facilities);
- (b) Full : Users with waterborne sanitation and uncontrolled discharge to a sewer network;
- (c) On-Site Waterborne : Users with waterborne sanitation collected on site (Septic Tanks);
- (d) On-Site : Users with a non-waterborne system collected on site (Bucket, Container or VIP); and
- (e) Multi-Unit / Cluster : Users where one connection point serves a multi-residential unit development (Flats, Townhouses).

### **7.3 Universal Billing**

All users are to be billed, unless provided with a rudimentary or basic service such as communal facilities.

### **7.4 Tariffs – Domestic**

- (a) Communal : No charge shall be rendered for the use of communal facilities.
- (b) Full : Sanitation tariffs for domestic users are based on the size of the erf.

- (c) On-Site Waterborne : Sanitation tariffs for this category of user are based on a clearance of at least once every 3 weeks per 4,5 kl load or part thereof.
- (d) On-Site : This tariff shall be a fixed charge where necessary in the informal areas, depending on the mechanism. Different tariffs may apply to different systems.
- (e) Multi-Unit / Cluster : Sanitation tariffs for users in multi-residential unit developments are based on the size of the property.

#### 7.5 Tariffs – Industrial and Commercial

Sanitation tariffs for Industrial and Commercial users are based on a Pan charge per pan, plus an area charge based on the area of the land in square meters.

#### 7.6 Tariffs – Other: Schools, Hospitals, Churches, Halls, Sporting Bodies, Municipal users, etc

Sanitation tariffs for users in this category are based on a Pan charge per pan.

#### 7.7 Surcharge: Extraordinary treatment cost

Where the pollution loading (quality) of wastewater discharged into the sewerage system exceeds the pollution loading of ordinary domestic wastewater, the specific user or industrialist will have to accept responsibility for the additional treatment cost.

This additional charge shall be based on the formulae as stipulated in the applicable sanitation by-law. This additional charge shall be billed monthly.

#### 7.8 Connection Charges

Connection charges for all consumer categories shall recover the full costs of the sewer connection. Correct cost allocation should be set up in the

financial system to ensure that costs are recovered by the relevant tariff and that no inappropriate subsidisation occurs.

#### 7.9 Disconnections

Due to the health risk related to effluent, a sewerage connection should not be disconnected if a user fails to pay. The water supplied to the user may be restricted in terms of the Credit Control and Debt Collection Policy that in turn will minimize the effluent discharge.

#### 7.10 Availability Charge

An availability charge shall apply to serviced vacant or undeveloped land.

#### 7.11 Subsidies

Reasonable and appropriate cross-subsidisation may be applied between consumer categories. All applied subsidies (including those within and between consumer categories) must be disclosed to the extent that this is practical. Tariffs for the service should not be set high with the intention to achieve cross-subsidisation.

#### 7.12 Departures

Departures from the above principles may only be made where there are sound practical reasons that prevent the implementation of the policy at the present time and / or where the phased adoption of the policy or policies would reduce an otherwise onerous burden on Council and / or consumers. The reasons for any departures must be recorded in writing.



## 8. UNDERGROUND LEAKAGE REBATES ON WATER ACCOUNTS

### 8.1 Philosophy

The Municipality should seek to address the problem of underground leaks on private property in a caring and understanding manner by granting an “underground rebate” for *bona fide* claimants of underground plumbing leaks and should share the costs on an equal basis with the consumer. Care needs to be taken to minimize the abuse of the rebate system by excluding leaks on plumbing to convenience fixtures such as irrigation systems and automatic filling systems to ponds, pools, fountains, etc., where the possibility of disconnection of those systems from the primary erf plumbing would have prevented the water waste in the first instance.

### 8.2 Plumbing leaks subject to the rebate system

Rebates shall only be granted in the case of leaks that are not visible to the eye on the erf’s primary plumbing which would normally be kept pressurized for normal household activity requirements.

### 8.3 Derivation of rebates for underground leaks

Rebates for underground leaks shall be determined by establishing the difference between the “average” consumption over a corresponding consumption period and the increased consumption resulting from the underground leak.

This difference shall then be halved and the consumer shall be charged for the half of the consumption associated with the underground leak at a rate deemed to be the reticulated water cost.

The reticulated water cost, (Rc), shall be derived as follows:

- $R_c (R / KI) = \text{Bulk Water Cost } (R / KI)$

- plus estimated distribution cost (excluding contribution to any Rates, Tariff stabilization, Asset financing funds in Rands), divided by estimated water sales in Kl.

#### 8.4 Time period over which the rebate will extend

It is considered reasonable that two months of actual metered high water consumption would be sufficient time to alert a consumer to the possibility of water leakage. A further month is considered a reasonable time to have the leak repaired. Accordingly, the total period over which the rebate will extend is defined as the period covering the last three municipal bills based on actual water meter readings.

*Note: This period may be in excess of three months if bills are based on estimated consumption.*

#### 8.5 Steps to minimize the abuse of the rebate system

All rebate claims will be subjected to the production of a certificate by the claimant, detailing the exact location of the leak on the property, the nature of the leak and the steps taken to repair the leak. The Council reserves the right to inspect all leakage repairs that are subject to rebate claims. The Council also reserves the right to grant rebates at its sole discretion.

Each erf shall be limited to two rebate claims in each twelve-month period. A property shall also be limited to a maximum of three rebates.

All documentation around rebate claims shall be filed for audit scrutiny as and when required.

## 9. ELECTRICITY TARIFFS

### 9.1 Electricity Tariffs

Electricity tariffs may consist of Cost Reflective tariffs, Connection Fees, Sundry tariffs, Special tariffs, Development Levies and Subsidised tariffs as contained in the Schedule of Tariffs.

Any approved increases in the tariff shall be applied to the monthly accounts on a pro-rata basis from the day on which the revised tariff is implemented.

### 9.2 Categories of users

Electricity consumption based tariffs shall distinguish at least between Domestic Customers and Commercial / Industrial Customers and shall have sub-categories for Domestic Customers based on levels of service consumption and / or type of connection. Domestic tariffs are not dependant on the type of meter installed.

### 9.3 Categories of service

Electricity tariffs shall be defined for different categories of service provided where these categories of service are based on:

- (a) Type of service (may include Wheeling and the supply of Green Energy);
- (b) Level of Service Consumption;
- (c) Type of Connection; or
- (d) Time of use.

9.4 Application of tariffs

Electricity tariffs shall be applied consistent with the categories of users and categories of service, provided that final discretion resides with the Service Provider.

9.5 Consumption Based Tariffs

Electricity consumption based tariffs shall include cost reflective tariffs and subsidised tariffs.

9.6 NERSA Approval

Electricity consumption based tariffs shall be approved by NERSA.

9.7 Universal Metering

The supply of electricity shall be metered by means of a meter at the point of supply or at an alternate point determined by the Service Provider.

Where the supply to a premises is transferred to a different customer more than twice in a twelve-month period, e.g. holiday homes, or the credit risk is high, the owner of the property may be required to install a pre-payment meter.

9.8 Availability Charge

An availability charge shall apply to serviced vacant or undeveloped land.

9.9 Departures

Departures from the above principles may only be made where there are sound practical reasons that prevent the implementation of the policy at the present time and / or where the phased adoption of the policy or policies would reduce an otherwise onerous burden on Council and / or consumers. The reasons for any departures must be recorded in writing.

## **10. SOLID WASTE MANAGEMENT (REFUSE REMOVAL) TARIFFS**

### **10.1 Categories of users**

Council shall distinguish all waste collection services between three user categories, namely: Residential properties, Non-residential properties, Institutions and Vacant properties. Waste management tariffs for Council-provided services, or those provided by other entities on behalf of Council, shall accordingly distinguish between the same three user categories.

### **10.2 Residential Properties**

A separate fixed monthly refuse removal charge, based on the costs of the service concerned, shall apply to all Domestic users for once weekly removal strictly two bags of refuse and one bag of Garden Refuse. Residential properties will be billed in terms of the prevailing service, irrespective whether the service is used or not, or whether no waste is generated.

In the event where the Resident has generated more waste than is stated above including bulky waste or excess refuse due to occupation of backyard and out buildings, they must inform the BCMM so that special arrangement for removal and disposal with an additional charge can be made. (Note: Bulky waste is waste that cannot be put in a refuse bag or wheelie bin where possible, e.g. old furniture, building rubble etc.).

In all instances the property owner will be billed and not the tenant. Council will not enter into an agreement for service delivery or additional service delivery with a tenant. Only in the case of Sectional Title developments will the Body Corporate be billed. Existing billing of tenants will be phased out.

### 10.3 Non-residential Properties

The waste management tariff structure for Business and other users shall distinguish between five different levels and standards of service, namely:

- (a) Once weekly removal (85, 240 and 420L bins);
- (b) twice weekly removal (85, 240 & 420L bins);
- (c) thrice weekly removal (85, 240 & 420L bins);
- (d) 4 times weekly removal (85, 240 & 420L bins);
- (e) 5 times weekly removal (85, 240 & 420L bins); and
- (f) bulk consumers (6m<sup>3</sup> containers, 0.77 cubic meter and 1.1 cubic meter sprico's).

Billing categories will be per application and in accordance with the Credit Control and Debt Collection Policy. Non-residential properties will be billed in terms of a fixed agreement. The charges will not be variable, irrespective whether the service is used or not, or whether no waste is generated. In all agreements the property owner will be billed and not the tenant. Existing agreements with tenants will be phased out. It should be noted that non-residential property owners must be registered as waste generators with the Department of Solid Waste Management Services in order to determine the charge for their respective service.

### 10.4 Vacant Land/Properties

The waste management tariff structure for Vacant Properties provides for a fixed availability charge, irrespective of its current or future zoning. All vacant properties within the municipal area are considered to be serviceable. Billing is automatic and no service delivery agreement is required. The account is directly linked to the vacant erf number and served on the property owner.

## 10.5 Waste disposal

### (a) Transfer Stations

Disposal of general waste at transfer stations are based on a fixed rate per mass of waste disposed, including an additional rate for transport, based on the mass of waste disposed or the carrying capacity of the vehicle.

### (b) Garden Transfer Station

Disposal of garden waste at transfer stations are based on a fixed rate per mass of waste disposed, including an additional rate for transport, based on the mass of waste disposed or the carrying capacity of the vehicle.

### (c) Disposal Sites (excluding Transfer Stations)

Disposal of general waste and treated healthcare risk waste at disposal sites (other than transfer stations) are based on a fixed rate per mass of waste disposed or the carrying capacity of the vehicle.

(Note: Only Roundhill Landfill Site is permitted to accept healthcare risk waste within the BCMM. For disposal of other wastes like condemned wastes, animal carcasses etc., special arrangements must be made.)

## 10.6 Area Cleaning

Illegal dumping and or cleaning before, at or after events will be based on actual cost plus a % for Administrative Costs.

## 10.7 Application for supply of services: Solid Waste

All property owners must complete the application form for the supply of services on registration of the property or anytime subsequent on change of service level requirements.

#### 10.8 Adjustment to Accounts

An executive official shall have delegated authority to adjust accounts on documented proof of an amended service level (agreement, letter, etc) and the applicable date of change. If no proof of amended service level exists and the service level verified by Council is different to the financial billing, then it will be corrected from date of first report. It must be noted that it is the responsibility of the property owners to notify the Department of Solid Waste Management Services of any intention for the adjustment of the service level and termination of service.

#### 10.9 Subsidies

Reasonable and appropriate cross-subsidisation may be applied between user categories. All applied subsidies (including those within and between user categories) must be disclosed to an extent where it is practical. Tariffs for the service should not be set high with the intention to achieve cross-subsidisation.

#### 10.10 Departures

Departures from the above principles may only be made where there are sound practical reasons that prevent the implementation of the policy at the present time and / or where the phased adoption of the policy or policies would reduce an otherwise onerous burden on Council and / or consumers. The reasons for any departures must be recorded in writing.

#### 10.11 Terminations

Termination of service is to be done by letter, e-mail, fax or standard disconnection form. If this is not done, then the disconnection date of electricity supply may be taken as the date of termination.



## **11. OTHER MINOR TARIFFS**

- 11.1 All minor tariffs shall be standardised within the municipal region;
- 11.2 All minor tariffs shall be approved by the Council in each annual budget and shall, when deemed appropriate by the Council, be subsidised by property rates and general revenues, particularly when the tariffs will prove uneconomical when charged to cover the cost of the service concerned, or when the cost cannot be determined accurately, or when the tariff is designed purely to regulate rather than finance the use of the particular service or amenity.
- 11.3 All minor tariffs over which the municipality has full control, and which are not directly related to the cost of a particular service, shall annually be adjusted at least in line with the prevailing CPIX, unless there are compelling reasons why such adjustment should not be effected.
- 11.4 All minor tariffs shall be applicable to sundry services rendered by the Municipality and could be categorized as economic services, subsidized services or community services.
- 11.5 Minor tariffs will be set for, but not be limited to the following services:
- Administration services;
  - Boat registration;
  - Building plan fees;
  - Burials and cemeteries;
  - Clearance certificates;
  - Connection fees in respect of electricity, water and sewerage;
  - Development planning services;
  - Environmental services;
  - Fees payable in terms of the Access to Information Act;

- Fire and Emergency services;
- Fresh produce market;
- Grave and garden of remembrance (cremations) maintenance;
- Housing rentals;
- Livestock and plant sales;
- Municipal Aquarium;
- Municipal botanical garden and all other parks and open spaces;
- Municipal hall and other premises rental(subject to the proviso set in [11.7] below);
- Municipal lending library (except for fines set out in [11.6] below);
- Municipal museum and Art gallery;
- Municipal reference library;
- Municipal sports facility rental;
- Municipal swimming pools and beaches;
- Municipal zoo;
- Municipal resorts and caravan parks;
- Photostat copies and fees;
- Refuse bag sales;
- Refuse bin sales;
- Scientific services;
- Stand / plot clearing services.
- Rental of bulk containers
- Municipal facilities hire deposit (subject to the proviso set in [16.10] below);
- Atmospheric emission license (Subject to Council approval – 31 May 2016)

11.6 The following charges and tariffs shall be considered as regulatory or punitive and shall be determined as appropriate in each budget:

- Fines for lost or overdue library books;
- Advertising sign fees;

- Pound fees;
- Disconnection and reconnection fees for electricity and water;
- Penalty and other charges imposed in terms of the approved policy on Credit Control and Debt Collection;
- Penalty charges for the submission of dishonoured, stale, post-dated or otherwise unacceptable cheques

11.7 Market related rentals shall be levied for the lease of municipal properties at all times. If, however, in the case of rentals for the use of municipal halls and premises, the Municipal Manager is satisfied that the halls or premises are required for non-profit making purposes **and** for the provision of a service to the community, he / she may waive a portion of the applicable rental;

11.8 The Municipal Manager shall determine whether an indemnity or guarantee must in each instance be lodged for the rental of municipal halls, premises and sports fields and, in so determining, shall be guided by the likelihood of the municipality sustaining damages as a result of the use of the facilities concerned;

11.9 The Municipal Manager shall maintain a list of all minor services indicating their unit of service for the purposes of determining tariffs, fees, charges and levies. Such list shall be reviewed annually together with the proposed tariffs, fees charges and levies.

11.10 Municipal facilities hire deposits not claimed or refundable within a period of 90 (ninety) days from date of function will be forfeited to Buffalo City Metropolitan Municipality.

## **12. WAIVER OF TARIFFS**

The policy authorizes the Municipal Manager or the Executive Mayor to approve waiver of minor tariffs once an application has been made.

### **12.1 ROLE PLAYERS AND STAKEHOLDERS**

a) Directorates and departments

- Responsible to prepare motivation and the waiver application form which must be signed by the HOD in terms of Systems of delegations and be supported by the Chief Financial Officer.
- Responsible to submit motivation and the waiver application forms to the office of the Municipal Manager for recommendation to the Executive Mayor to consider and approve any waiver application to minor tariffs up to R30 000.00.

b) Municipal Manager

- To recommend to the Executive Mayor to consider and approve any waiver application to minor tariffs up to R30 000.00.

c) Executive Mayor

- To consider and approve any waiver application to minor tariffs up to R30 000.00.

d) Finance Directorate

- The relevant department within the Finance Directorate will be responsible for the processing of the waiver application form after approval by the Municipal Manager or Executive Mayor of the municipality.

e) Conditions

- Prior to approval of the waiver the applicant or beneficiary must meet the conditions that will be determined by the municipality.

**13. ENFORCEMENT OF TARIFF POLICY**

Buffalo City Municipality's Tariff Policy shall be enforced through the Credit Control and Debt Collections By-Law and Policy and any further enforcement mechanisms stipulated in Buffalo City Municipality's rates policy.

**14. OPERATIVE DATE**

This By-Law shall take effect on 1 July 2016.





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