

# Provincial Gazette

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## SPECIAL

NO. 120	FRIDAY, 13 NOVEMBER 2015	NO. 120	VRYDAG, 13 NOVEMBER 2015
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**[PROVINCIAL NOTICE NO.106 OF 2015]**

**Phumelela Municipality** hereby, in terms of section 6 of the Local Government: Municipal Property Rates Act, 2004, has by way of resolution No 58/05/2015 adopted the Municipality's Property Rates By- law on the **30<sup>th</sup> May 2015** as set out hereunder.

**PHUMELELA LOCAL MUNICIPALITY**  
**MUNICIPAL PROPERTY RATES BY- LAW(S)**

**PREAMBLE**

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 sections 13 of the Municipal Systems Act read with section 162 of the Constitution require 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 BE IT ENACTED by the Council of Phumelela Local 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 (Phumelela municipality);

'Property Rates Act' means the Local Government: Municipal Property Rates Act, 2004 (Act No.6 of 2004):

'Rates Policy' means the policy on the levying of rates on rateable properties of the Phumelela municipality contemplated in chapter 2 of the Municipal Property Rates Act.

**2. OBJECTS**

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

**3. ADOPTION AND IMPLEMENTATION OF RATES POLICY**

3.1. The Municipality shall adopt and implement its Rates Policy consistent with the Municipal Property Rates Act on the levying of rates on rateable property within the jurisdiction of the municipality; and

3.2. The Municipality shall not be entitled to levy rates other than in terms of its Rates Policy.

**4. CONTENTS OF RATES POLICY**

The Rates Policy shall, inter alia:

4.1. Apply to all rates levied by the Municipality pursuant to the adoption of its Annual Budget:

4.2. Comply with the requirements for the adoption and contents of a rates policy specified in section 3 of the Act:

4.2.1. the process of community participation specified in section 4 of the Act; and

4.2.2. the annual review of a Rates Policy specified in section 5 of the Act.

4.3. Provide for principles, criteria and implementation measures that are consistent with the Municipal Property Rates Act for the levying of rates which the Council may adopt; and

4.4. Provide for enforcement mechanisms that are consistent with the Municipal Property Rates Act and the Local Government; Municipal Systems Act, 2000 (Act No. 32 of 2000)

**5. ENFORCEMENT OF THE RATES POLICY**

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

**6. SHORT TITLE AND COMMENCEMENT**

This By-law is called the Municipal Property Rates By-law, and takes effect on 1 July 2015.

**[PROVINCIAL NOTICE NO.107 OF 2015]**

**PROPERTY RATES: 2015/16  
PERIOD: 1 JULY 2015 - JUNE 2016**

NOTICE is hereby given in terms of section 11(3) and 75 A of the Local Government Municipal Systems Act 32 of 2000, that subject to the Premiers approval where applicable, the under-mentioned rates have been levied on rateable properties for the period ending June 2016 (Also read Section 24 of the Local Government Municipal Finance Management Act 56 of 2003 and section 14 of the Local Government Municipal Property Rates Act 6 of 2004).

<b>Category of Property</b>	<b>Change (2015-2016)</b>
Resident property (Total Less R 45 000)	0.0055
Business and Government (Total Less R 45 000)	0.0078
Government – Rebate 30 %	0
Schools (Total less R 45 000) Rebate 30%	0.0014
*Farms	0.0008
Admin Fees Vrede Marina	73.15
Increase Percentage	7.30%

The first 45 000 of the valuation of residential property is exempted from rates.

Rates become due and payable monthly in advance and interest as prescribed by the Municipal Finance Management Act 56 of 2003 will be charged on an amount not paid within 30 days.

The determination will come into operation from 01 July 2015.

Notice is further given that a copy of the resolution, Estimates, Revenue, Expenditure and Capital requirements for the period ending 30 June 2016 as approved by the council will be available for public inspection during office hours at the municipal offices and libraries at Vrede, Memel and Warden Towns.

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**Mrs. N.F Malatjie**  
**Acting Municipal Manager**