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XIFUNDZANKULU XA LIMPOPO  
PROFENSE YA LIMPOPO  
VUNDU LA LIMPOPO  
IPHROVINSI YELIMPOPO

**Provincial Gazette • Provinsiale Koerant • Gazete ya Xifundzankulu  
Kuranta ya Profense • Gazethe ya Vundu**

*(Registered as a newspaper) • (As 'n nuusblad geregistreer)*  
*(Yi rhijistariwile tanihi Nyuziphepha)*  
*(E ngwadisitšwe bjalo ka Kuranta)*  
*(Yo redzhistarwa sa Nyusiphepha)*

**POLOKWANE,**

15 MARCH 2012  
15 MAART 2012  
15 NYENYANKULU 2012  
15 MATŠHE 2012  
15 THAFAMUHWE 2012

**Vol. 19**  
**Extraordinary**  
**Ku katsa na Tigazete to**  
**Hlawuleka hinkwato**

**No. 2054**  
**Buitengewoon**  
**Hu tshi katelwa na**  
**Gazethe dza Nyingo**

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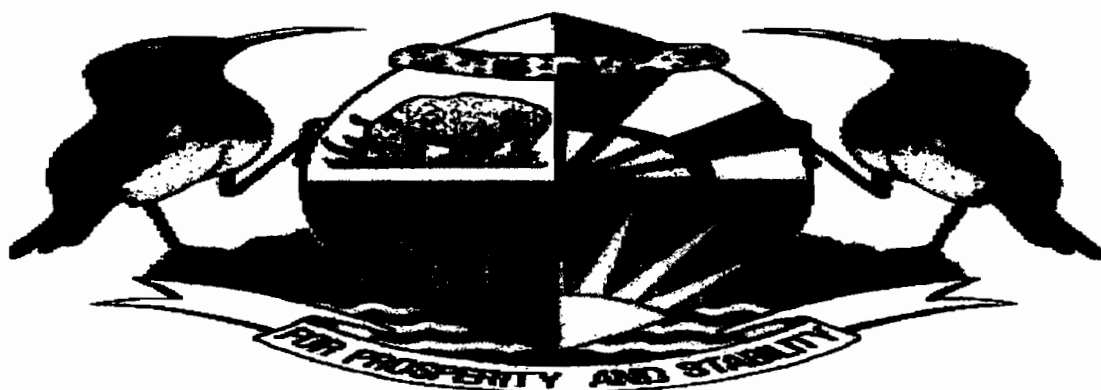
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## LOCAL AUTHORITY NOTICE

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### LOCAL AUTHORITY NOTICE 29



## WATERBERG DISTRICT MUNICIPALITY

### EMERGENCY SERVICES BY-LAWS

The Municipal Manager of Waterberg District Municipality hereby in terms of section 13(a) of the Local Government Municipal Systems Act, 2000 (Act 32 of 2000), publishes the Emergency Services by-law for the Municipality as approved by its Council, as set out hereunder.

Section 84(1)(j) of the Local Government Municipal Structures Act, 1998 (Act 117 of 1998), provides that a district municipality has the functions and powers of fire fighting services serving the area of the district municipality as a whole, which includes-planning, co-ordination and regulation of fire services; specialized fire fighting services; co-ordination of the standardization of infrastructure, vehicle, equipment and procedures.

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### **DEFINITIONS**

1. In this by-law, unless the context indicates otherwise -

**"access door"** means any door that provides access to an emergency route;

**"activity"** means any work that needs to be performed to test, to service, to renew or to replace an extinguisher, hose reel, fire installation or service installation;

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

**"area"** means any residential area or any other area within the boundaries of the Municipality;

**"building"** includes -

(a) any structure, whether temporary or permanent, irrespective of the materials used in its erection, erected or used for or in connection with -

- (i) the accommodation or convenience of human beings and animals;
- (ii) the manufacture, processing, storage, display or sale of any goods;
- (iii) the provision of any service;
- (iv) the destruction or treatment of refuse or other waste materials; and
- (v) the cultivation of any plant or crop;

(b) any wall, swimming-bath, swimming-pool, reservoir or bridge, or any other structure connected with it;

(c) any fuel pump or any tank used in connection with it;

(d) any part of a building, including a building as defined in paragraph (a), (b) or (c); and

(e) any facility or system, or part or portion of it, within or outside but incidental to a building, used for the provision of a water supply, drainage, sewerage, storm water discharge, electricity supply or other similar service in respect of the building;

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

**"certificate of appointment"** means an identification document issued by the Chief Fire Officer to a member;

**"certificate of compliance"** means a certificate which has been issued by the Service in terms of fire related requirements to authorise a person to occupy designated premises (which are a public building) accordingly;

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

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

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

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

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

**"designated premises"** means any premises designated by the Service with a view to an emergency evacuation plan;

**"device"** means any vehicle, mechanical or electrical implement, electrical motor, machine, instrument, apparatus or other implement of which the whole or any part is used or is capable of being used for, in or in connection with the manufacture, treatment, provision, delivery, supply, packaging, labelling, storage, conveyance, loading and unloading, handling, preparation, serving or administering of any grouped dangerous good, and includes any delivery pump, filling device, spray-painting device and mechanical hoist;

**"discharge"** means the ignition or activation of any fireworks whatsoever;

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

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

**"emergency"** means an incident or eventuality that poses or may pose a serious threat to any person, environment or property;

**"emergency evacuation plan"** means a written procedure and a set of detailed plans as contemplated in Annexure III to this by-law;

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

**"escape door"** means any door at the end of an emergency route, and includes any door leading from the inside to the outside of a building;

**"escape route"** means the entire path of travel, measured from an escape door to the furthest point in any room in a building;

**"explosive(s)"** means –

- (a) gunpowder, nitro-glycerine, dynamite, gun cotton, blasting powders, fulminate of mercury or of other metals, coloured fires, and every other substance, whether similar to those herein mentioned or not, which is used or manufactured with a view to producing a practical effect by explosion or a pyrotechnic effect;
- (b) any fuse, rocket, detonator, cartridge, and every adaptation or preparation of an explosive;
- (c) any other substance, which the President may from time to time by proclamation in the Government Gazette, declares to be an explosive;
- (d) a petrol bomb; and
- (e) any container, apparatus, instrument or article which -
  - (i) contains any inflammable substance and can be used or adapted so that it can be used to cause an explosion or a fire; or
  - (ii) was made or can be adapted to cause, in combination with or by means of any inflammable substance, an explosion or a fire;

**"extinguishing stream"** means the amount of water that the Service needs to extinguish a fire;

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

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

**"fire area"** means the area of jurisdiction of the controlling authority in which provision is made for fire protection as defined in SABS 090;

**"fire-fighting equipment"** means any portable fire extinguisher, mobile fire extinguisher, hose reel or fire hydrant;

**"fire grading"** means, with regard to materials, components and elements used in the construction and finishing of buildings, those materials, components and elements which have been tested and classified in accordance with SABS 0177, Parts II to V, as amended;

**"fire incident"** means a fire on any premises in the area;

**"fire installation"** means any water installation, which conveys water solely for fire fighting;

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

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



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

**Category C:** Residential areas of conventional construction.

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

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

**"fireworks"** means explosives under Class 7, Division 2, shop goods only, as contemplated in Regulation 9.1 under the Explosives Act, 1956 (Act 26 of 1956);

**"grouped dangerous goods"** means a group of dangerous goods as contemplated in section 1 of the Dangerous Goods Act, 1973 (Act 15 of 1973);

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

**"inspector"** means a member appointed as an inspector in terms of section 2(5) of the Explosives Act, 1956, to control fireworks in so far as the storage, use and sale of fireworks are concerned;

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

**"Municipality"** means Waterberg District Municipality;

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

**"normative reference list"** means the list of SABS specifications or codes of practice, which are contained in Annexure V of this by-law;

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

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

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

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

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

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

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

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

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

**"room"** means any room or other partitioning in a building;

**"Service"** means the Fire Service established by the controlling authority as contemplated in section 1 of the Fire Brigade Services Act, 1987;

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

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

**"storey"** means that part of a building which is situated between the top of any floor and the top of the floor above it or, if there is no floor above it, that portion between such floor and the ceiling above it.

**"temporary structure"** means any structure that is apparently temporary in nature;

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

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

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

## **2. APPLICATION OF BY-LAW**

### Application of By-law

This by-law apply-

- (a) within the area of jurisdiction of the Council; and
- (b) in addition to any applicable national and provincial law.

## **PART II**

### **ADMINISTRATIVE PROVISIONS**

## **3. ORGANISATION OF THE SERVICE**

- (1) The controlling authority may, subject to section 3(3) of the Fire Brigade Services Act, 1987, as amended, establish and maintain a Service within its area, which includes the appointment of personnel and the acquisition of vehicles, machinery, equipment, devices and accessories that may be necessary to operate the Service efficiently, and the Service is intended to be used for -
  - (a) preventing the outbreak or spread of a fire;
  - (b) fighting or extinguishing a fire;
  - (c) the protection of life or property against a fire or other threatening danger;
  - (d) the rescue of life or property from a fire or other threatening danger;
  - (e) the provision of an ambulance service as an integral part of the Service; subject to the provisions of the Health Act, 1977 (Act 63 of 1977), or
  - (f) the performance of any other function connected with any of the matters referred to in subsection (1)(a) to (e).
- (2) The Chief Fire Officer is in charge of the Service.
- (3) Whenever the Chief Fire Officer is for any reason unable to perform his or her duties of office, the controlling authority will appoint a member as Acting Chief Fire Officer to perform the duties and functions of the Chief Fire Officer.

#### **4. DRIVING SERVICE VEHICLES**

- (1) Any member may, with the written authority of the Chief Fire Officer, drive a Service vehicle if the member has the valid drivers licence for the vehicle in question as required by the National Road Traffic Act, 1996.
- (2) A member who is duly authorised to drive, as contemplated in subsection (1), must drive a Service vehicle in accordance with the National Road Traffic Act, 1996, and any regulations made under the Act.

#### **5. PROCEDURE AND DUTIES DURING AN EMERGENCY SITUATION**

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

#### **6. MEMBERS OF THE SERVICE**

- (1) No person, except a member, may wear any official clothing, uniform, badge or insignia of the Service which creates or may create the impression that he or she is a member.
- (2) No person may falsely present himself or herself as a member or pretend to be a member.

- (3) Any person who so pretends to be or presents himself or herself as a member must, irrespective of whether he or she has been requested to do so, identify himself or herself by producing the relevant certificate of appointment and mark of appointment, or by furnishing proof of identity within a reasonable period.

## **7. POWERS OF MEMBERS AND DESIGNATED OFFICERS**

- (1) Every member, including the Chief Fire Officer, has all the powers provided for in the Fire Brigade Services Act, 1987.
- (2) A designated officer may -
- (a) seize any certificate of compliance, certificate of registration or spraying permit provided for in these by-law if the conditions of or endorsements in the document are not being complied with, or if the member has reasonable grounds to suspect that unauthorised changes have been made to the document;
  - (b) institute the relevant prosecution in connection with subsection (2)(a) or have the prosecution instituted, as the case may be; and
  - (c) seize anything object on any premises that is connected with a spraying permit, certificate of registration or certificate of compliance, but must provide reasonable proof of a contravention of any condition of or endorsement in such permit or certificate and must remove the object or have the object removed to a place of safe custody made in accordance with the following condition subject to section 20 of the Fire Brigade Service Act, 1987:
    - (i) the Chief Fire Officer or the delegated member must grant prior approval in writing for the seizure.
    - (ii) official proof of seizure must be issued to the person from whom the object has been seized, together with a description of the object.
    - (iii) after an order issued in terms of the Fire Brigade Services Act, 1987, or this by-law has been complied with in full or after a prosecution in terms of section 21 of the Fire Brigade Services Act, 1987, has been instituted and finalised, as the case may be, any object seized must be returned to the person from whose possession it was taken.
- (3) Any member may seal off any building or premises by temporarily closing a street, passage or place which the member deems necessary for public safety or for effectively fighting a fire or dealing with any other emergency that may give rise to a fire, explosion or other threat to life or limb, and the member may remove, using no more force than is reasonably necessary, any person who refuses to leave the street, passage or place after having been requested by the member to do so.
- (4) Designated officers:
- (a) must be suitably trained and certified as peace officers and be appointed as such in terms of Government Notice R159 of 2 February 1979, as amended;

- (b) have the power -
  - (i) in terms of the provisions of section 56, read with section 57, of the Criminal Procedure Act, 1977 (Act 51 of 1977), to issue summons involving a spot fine;
  - (ii) in terms of the provisions of section 341 of the Criminal Procedure Act, 1977, to issue spot fines for certain minor offences;
  - (iii) in terms of the provisions of section 44 of the Criminal Procedure Act, 1977, to issue a warrant of arrest;
  - (iv) in terms of the provisions of section 41 of the Criminal Procedure Act, 1977, to ask certain persons for their names and addresses and to arrest persons without a warrant if duly authorised to do so; and
  - (v) in terms of the provisions of section 54 of the Criminal Procedure Act, 1977, to serve summons in order to secure the attendance of the accused in a magistrate's court.

#### **8. MAKING SERVICE EQUIPMENT AND MANPOWER AVAILABLE**

- (1) With the approval of the Chief Fire Officer, the Service may, at the request of any body or person and at the tariffs determined in Annexure I of this by-law, use any equipment and manpower at its disposal to provide any special service in connection with the aims of the Service.
- (2) The said equipment and manpower may be withdrawn summarily if the equipment and manpower are required elsewhere for or in connection with an emergency situation.

### **PART III**

#### **FIRE PROTECTION AND FIRE-FIGHTING**

#### **9. COMBUSTIBLE MATERIALS AND REFUSE**

- (1) No person may store any combustible materials of whatever nature, or have them stored or permit them to be stored in such a manner and in such a position as to likely pose a fire hazard to any human being, animal, building or premises.
- (2) No person may allow grass, weeds, reeds, shrubs, trees or any like vegetation to become overgrown on premises to such an extent that it may pose a fire hazard or a probable fire hazard to any adjacent premises or any other person's property.

#### **10. MAKING FIRES**

- (1) No person may, subject to provision of the Veld and Forest Fire Act No.101 of 1998 and Environmental Management Act No.107 of 1998, within the area, make an open, uncontrollable or unattended fire or permit a fire to be made in such a place or in such a manner as to pose a real or potentially real threat to any human being, animal, building, premises or other property. The prohibition is not applicable to:
  - (a) a fire in an approved, purpose-made stove, fireplace or hearth, which is an integral part of a structure;

- (b) a fire for preparing food on private premises or premises set aside for that purpose; and
  - (c) a device for preparing food, which device is heated by means of electricity or liquid petroleum gas and is positioned in such a way that the device poses no threat to life or property on any premises.
- (2) No person may, without the written authority of the Service, burn any refuse, wood, straw or other combustible materials within the area, or have them burnt or permit them to be burnt within the area, unless the refuse, wood, straw or other combustible materials are burnt inside an approved purpose-made incinerator or incinerating device, subject to the provisions of subsection (1).

## 11. FIREBREAKS

- (1) The owner or occupier of premises in the area may not permit the premises to be or become overgrown with grass, weeds, reeds, shrubs and trees to the extent that they may pose a real or potentially real fire hazard to any adjoining premises or other premises or property.
- (2) The owner or occupier of -
- (a) an erf, site, stand or premises situated within a proclaimed township in the area must remove the fire hazard or ensure that the fire hazard is removed by -
    - (i) cutting to a maximum height of 150 mm above ground level any grass, reeds and weeds which may reasonably be connected with the fire hazard;
    - (ii) cutting around any shrubs or trees, which may be standing in the area being cut;
    - (iii) pruning, chopping down or sawing off such shrubs or trees, as the case may be; and
    - (iv) removing all chopped or sawn off residue from the erf or premises or ensuring that the residue is removed to an approved refuse disposal site; and
  - (b) an agricultural holding or farm situated in the area must reduce the potential fire hazard by physically clearing a safety fire belt, at least 5m wide (measured parallel from each boundary line which borders the premises to the inside of the premises) so that no vegetation or residue whatsoever remains on this belt, and the owner or occupier must at all times maintain the belt or ensure that the belt is maintained in such condition.
- (3) Notwithstanding the above, the provisions of the National Veld and Forest Fire Act, 1998 (Act 101 of 1998), apply *mutatis mutandis* to the application of this section.

**12. INSPECTION OF PROPERTIES AND INSTRUCTIONS TO OCCUPIERS**

- (1) Any officer contemplated in section 7(4) of this by-law may, in executing all powers delegated in terms of relevant and applicable legislation, enter any premises at any reasonable time to conduct inspections to determine whether there is any fire, dangerous goods or other hazard on the premises.
- (2) An officer contemplated in subsection (1) may, arising from a condition referred to in subsection (1), serve on the occupier of the premises or any other premises a written instruction and fire protection directives and requirements that are necessary to rectify the condition on or in the premises in order to reduce the fire risk and to protect life and property, which instruction must determine a deadline for compliance with the directives and requirements.
- (3) Whenever a condition exists or is found in or on any premises, whether or not structural in nature, or anything else exists that may increase the fire risk or pose a threat to life or property, and the condition or anything else cannot be rectified immediately, or if costs need to be incurred to rectify it, the owner of the premises must, after receiving the rectification directives referred to in subsection (2), inform the Chief Fire Officer forthwith in writing about the measures which the owner intends taking to rectify the condition and must submit a programme with a deadline to the Service for approval.
- (4) The Chief Fire Officer may approve the proposed measures and deadline with or without amendments and may give instructions for compliance with the measures.

**13. ACCESSIBILITY OF FIRE-FIGHTING EQUIPMENT AND MITIGATING AGENTS**

- (1) Fire-fighting equipment, mitigating agents and the appropriate service installations must be installed so as to be readily accessible at all times.

**14. FIRE PROTECTION REQUIREMENTS FOR PREMISES**

- (1) In addition to any other provisions contained in this by-law, the Building Regulations, published under Government Notice R2484 of 26 October 1990, as amended, which are contained in Code of Practice SABS 0400 and called "The Application of the National Building Regulations", and any additional building regulations published for application in the area, are, for the purposes of the enforcement of this by-law in relation to fire protection requirements, applicable *mutatis mutandis* to premises in the area.
- (2) If any superfluous water unavoidably spills into or is collected in a basement for whatever reason during fire extinguishing activities, adequate means must be provided to convey the water so spilled or collected to a storm water drain.
- (3) No high- and low-voltage transformer room(s) in any building may be situated on any level other than the ground level unless:
  - (a) the access to the transformer room(s) is situated on the outside of the building; and
  - (b) provision is made for adequate access to the transformer room(s) for fire-fighting activities and maintenance.



- (4) Whenever an approved sprinkler system is required in accordance with the provisions of SABS 0400; SABS 087, Part III; and SABS 089, Part I, the sprinkler system must be planned, designed and installed in accordance with the guidelines of SABS 0287 for automatic sprinkler installations and in consultation with the Service.

#### **15. ACCESS FOR FIRE-FIGHTING AND RESCUE PURPOSES**

- (1) All premises in the area must be planned, designed and constructed so as to ensure that -
- (a) the requirements of the guidelines for the provision of Engineering Services and Amenities shall apply;
  - (b) if a building does not front onto a street, an access road is provided, the dimensions and carrying capacity of which must be suitable for the fire engines used by the Service (dimensions obtained from statistics of the Service's fire engines), with specific reference to the length, width and tonnage of the fire engines; and
  - (c) whenever any entrance arch spans a driveway to a group housing, cluster housing or townhouse complex or is constructed over an access to a shopping centre or office complex, the dimensions of the opening of the arch must be at least 3,5m wide and 4,2m high and there must be nothing causing an obstruction of the opening.
- (2) The appropriate street number of every built-up premises within the area must be displayed clearly on the street boundary of the premises in question. The number must be 75mm high and must be visible from the street to ensure that it is legible at all times.

#### **16. UPKEEP AND MAINTENANCE OF FIRE-FIGHTING EQUIPMENT AND MITIGATING AGENTS**

- (1) The owner of any premises must ensure that -
- (a) all fire-fighting equipment, mitigating agents or other appropriate service installations that have been provided or installed on or in connection with the premises are maintained in a good working condition by a competent person or firm approved by the SABS as contemplated in SABS 1475 and registered in terms of SABS 1475;
  - (b) portable and mobile fire extinguishers and hose reels are serviced and maintained in accordance with the provisions of SABS 0105 and SABS 1475;
  - (c) fire installations and any other relevant service installations are inspected and serviced in accordance with the specifications of the manufacturers of the installations; and
  - (d) installations are inspected by a registered person at least every twelve-calendar month.

- (2) Any person who checks, services, renews, replaces or works on any fixed service installation must -
  - (a) on completing the work, certify that the service installation is fully functional; and
  - (b) notify the Service immediately in writing if the person finds that the service installation cannot, for whatever reason, be readily repaired to its functional state.
- (3) The owner of any premises must keep a comprehensive service record of all fire-fighting equipment and any other appropriate service installation on his or her premises and submit the record to the Service upon request by the designated officer.

#### **17. EXTRACTOR FAN SYSTEMS**

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

#### **18. RATIONAL DESIGNS**

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

**19. DISPOSAL SITES**

- (1) The design, layout and construction of any disposal site of whatever nature must be done in conjunction with the instructions and requirements of the National Department of Water Affairs and Forestry and the National Department of Environmental Affairs and Tourism, Local Health & Social Development Department, and those of the Service.

**20. EMERGENCY EVACUATION PLANS**

- (1) The owner or occupier of designated premises must -
  - (a) within 30 days after the premises have been designated by the Service, prepare a comprehensive emergency evacuation plan for the premises, in triplicate, and must have it ready for inspection and approval by the Service, which plan must be in accordance with the guidelines prescribed in Annexure III of this by-law;
  - (b) constitute an internal emergency committee from among the internal staff and occupiers to assist with the planning and organisation of a fire protection programme, which programme includes regular, scheduled fire evacuation drills on the premises;
  - (c) ensure that -
    - (i) the emergency evacuation plan is revised and updated whenever the floor layout changes or whenever the Service requires revision or updating, but in any case at least every twelve months;
    - (ii) updated records of revised emergency evacuation plans, fire protection programmes, evacuation drills and related documents are kept and maintained at all times; and
    - (iii) the emergency evacuation plan and relevant documents are at all times available in a control room for inspection by the Service;
  - (d) identify a predetermined place of safety outside, but in the vicinity of, the designated premises, where occupiers may gather during an emergency situation for the purpose of compiling a list of survivors; and
  - (e) an EEP (Emergency Evacuation Plan) box, as described in Annexure IV shall be installed in a prominent position at the main entrance of the premises.
- (2) The Service may from time to time -
  - (a) provide directives for updating or amending an emergency evacuation plan;
  - (b) instruct the owner or occupier of designated premises in writing to implement such fire protection programmes that, in the opinion of the Chief Fire Officer, are necessary to ensure the safety of the occupiers of the designated premises; and
  - (c) require the owner or occupier of designated premises to furnish the Service with a certified copy of any emergency evacuation plan or relevant documents on such day and at such time and place as the Service may determine.

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

## 21. CERTIFICATES OF COMPLIANCE FOR ALL PUBLIC BUILDINGS

- (1) The owner of any public building, or of any temporary structure which is erected or intended for holding public gatherings, must apply in writing to the Service for the issuing of a certificate of compliance for every type of gathering or for the proceedings envisaged in the premises or structure, and must pay the fees, as determined in Annexure I of this by-law, when submitting the application form.
- (2) No certificate of compliance will be issued for a public building unless the relevant provisions of this by-law have been complied with.
- (3) A certificate of compliance issued to the owner of a public building will be endorsed with the following information, where applicable:
- (a) the trade name and street address of each occupier;
  - (b) the type of activity of each occupier;
  - (c) the name of the persons on the executive;
  - (d) the permissible number of people in proportion to the usable floor area;
  - (e) the number of emergency exits and their widths;
  - (f) a cancellation clause in the event of any applicable provision of this by-law being disregarded;
  - (g) an obligation on the part of the holder of the certificate to -
    - (i) display the certificate prominently on the premises at all times; and
    - (ii) maintain the certificate in a legible condition at all times;
  - (h) a date, year and serial number; and
  - (i) the date of expiry of the certificate.
- (4) Subject to the provisions of section 23 of this by-law, a certificate of compliance is not required for a public building, which has been legally erected on commencement of this by-law.
- (5) If the trade name of a public building changes, the holder of the certificate of compliance must ensure that the change is brought to the attention of the Service immediately and in writing.
- (6) No certificate of compliance will be issued or renewed, as the case may be, unless and until the controlling authority -
- (a) is in possession of a set of plans referred to in this by-law and approved by the Service; and
  - (b) has received the prescribed application form defined in Annexure II of this by-law, which has been completed in full and correctly.
- (7) The holder of a certificate of compliance must ensure that he or she is at all times in possession of a valid certificate of compliance.
- (8) Any expansion or removal of or change in anything relating to or in connection with premises for which a certificate of compliance has been issued will result *ipso facto* in the cancellation of the certificate of compliance, including any other authorisation granted in terms of this by-law.

- (9) The owner must submit, on or before the first working day of the month in which the permit expires of each year, together with the prescribed fees determined in Annexure I of this by-law, an application for the renewal of the certificate of compliance to the Service on the prescribed form.
- (10) Where a building is utilized and accordingly classified as A-type occupancy, in terms of the National Building Regulations, the Chief Fire Officer may issue such certificate for a period not exceeding five years. All other erf, stands or premises shall be issued with a certificate with validity not exceeding one calendar year.

## **22. WATER SUPPLY FOR FIRE-FIGHTING**

- (1) In any township development, a township developer must provide water supply for fire-fighting purposes as provided for in SANS 10090 (Community Protection against Fire) as well as SANS 11200 specifications.
- (2) Fire hydrants must be inspected by the Service at the intervals as provided for in SANS 10090, and a flow and pressure test must be conducted on the stream to determine whether the stream complies with the code of practise.
- (3) The position of all fire hydrants must be properly plotted for operational use by the Service. In the case of township development the fire hydrant spacing must be in accordance with SANS 10090 (Community Protection against Fire) as well as SANS 11200 specifications.
- (4) If any risk area is developed or redeveloped in such a manner that the risk area falls into the high-risk category, the water reticulation must be adapted accordingly without delay, by the developer.
- (5) Any building developer who requires water supply on to the water reticulation system of the controlling authority must submit a complete set of approved fire protection plans for the premises to the Service, as contemplated in Regulation A9 of the National Building Regulations, to obtain a water connection form, as set out in Annexure II of this by-law, from the Service, for submission to the Water Supply Division of the controlling authority:
  - (a) the premises are protected by a sprinkler installation, the water supply requirement must be calculated and designed for each sprinkler installation in accordance with appropriate design criteria, and the size, delivery pressure and flow of the water supply requirement must be calculated in advance by the engineer responsible;
  - (b) if the Service requires a larger water supply for the premises to ensure that fire-fighting equipment functions in accordance with the appropriate design requirements as set out in Part W of SANS 10400, the owner of the premises must provide the required water supply; and
  - (c) the size, work pressure and delivery flow of any water supply, excluding a water supply as contemplated in subsection (5)(a), must be calculated and designed according to the provisions of Part W of SANS 10400 and SANS 10252, Part 1.

**23. REGISTRATION APPLICATIONS FOR EXISTING PREMISES**

- (1) If an owner rebuilds, alters, extends or changes the floor layout of an existing building that has been legally erected and used, or if ownership or control of the premises changes, no existing certificate of compliance, certificate of registration or spraying permit, as prescribed in Annexure II of this by-law, will be renewed, unless and until all the appropriate provisions of this by-law regarding an original application have been complied with.
- (2) No additions or alterations may be made to any existing registered premises unless and until –
  - (a) the owner of the premises has submitted to the Building Control Officer and the Chief Fire Officer a plan of the existing premises and of the proposed work, as required in terms of Regulation A2 of the National Building Regulations; and
  - (b) the Building Control Officer and the Chief Fire Officer have approved the plan.

**24. APPLICATION FOR APPROVAL OF PLANS**

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

**PART IV****DANGEROUS GOODS****25. ISSUING OF CERTIFICATES OF REGISTRATION**

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

**Group I: Explosives**

Fireworks	No exemption
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**Group II: Gases**

1	Flammable gases	Total cylinder capacity may not exceed 50 kg
2	Non-flammable gases	Total cylinder capacity may not exceed 333 kg
3	Toxic gases	No exemption

**Group III: Flammable liquids**

1	With flash points $\leq 18^{\circ}\text{C}$	Total quantity may not exceed 100 ℓ
2	With flashpoints $> 18^{\circ}\text{C}$ but $\leq 23^{\circ}\text{C}$	Total quantity may not exceed 420 ℓ
3	With flashpoints $> 23^{\circ}\text{C}$ but $\leq 61^{\circ}\text{C}$	Total quantity may not exceed 1 100 ℓ
4	With flashpoints $> 61^{\circ}\text{C}$ but $\leq 100^{\circ}\text{C}$	Total quantity may not exceed 1 100 ℓ

**Group IV: Flammable solids**

1	Flammable solids	Total quantity may not exceed 250 kg
2	Pyrophoric substances	No exemption
3	Water-reactive substances	No exemption

**Group V: Oxidising agents and organic peroxides**

- |   |                                       |                                      |
|---|---------------------------------------|--------------------------------------|
| 1 | Oxidising agents                      | Total quantity may not exceed 200 kg |
| 2 | Group I organic peroxides in packets  | No exemption                         |
| 3 | Group II organic peroxides in packets | Total quantity may not exceed 200 kg |

**Group VI: Toxic or infective substances**

- |   |                                       |                                      |
|---|---------------------------------------|--------------------------------------|
| 1 | Group I toxic substances in packets   | Total quantity may not exceed 5 kg   |
| 2 | Group II toxic substances in packets  | Total quantity may not exceed 50 kg  |
| 3 | Group III toxic substances in packets | Total quantity may not exceed 500 kg |
| 4 | Infective substances                  | No exemption                         |

**Group VII: Radioactive materials                      No exemption****Group VIII: Corrosive or caustic substances**

- |   |  |  |
|---|--|--|
| 1 | Group I acids in packets                 | Total quantity may not exceed 50 kg    |
| 2 | Group II acids in packets                | Total quantity may not exceed 200 kg   |
| 3 | Group III acids in packets               | Total quantity may not exceed 1 000 kg |
| 4 | Group I alkaline substances in packets   | Total quantity may not exceed 50 kg    |
| 5 | Group II alkaline substances in packets  | Total quantity may not exceed 200 kg   |
| 6 | Group III alkaline substances in packets | Total quantity may not exceed 1 000 kg |

**Group IX: Miscellaneous substances**

- |   |         |                                      |
|---|---------|--------------------------------------|
| 1 | Liquids | Total quantity may not exceed 210 l  |
| 2 | Solids  | Total quantity may not exceed 210 kg |



- (2) No person may, on any unregistered premises, store, use or handle any of the dangerous goods referred to in subsection (1), or have them stored, used or handled, unless the dangerous goods are stored, used or handled in such place or in such manner as to ensure that -
- (a) no dangerous goods or fumes of the substance come into contact or are likely to come into contact with any fire, flame, naked light or other source of ignition that may cause the dangerous goods or fumes to catch fire; and
  - (b) the escape of human beings or animals is not hindered or obstructed in the event of a fire or an emergency situation.
- (3) No person may, on any unregistered premises, use or handle dangerous goods, or have them used or handled or permit them to be used or handled on the premises, except in a suitable place out of doors to ensure that any fumes can escape freely, or in a properly and naturally ventilated room to ensure that any fumes or gas does not collect in the room but is effectively disposed of.
- (4) Dangerous goods may be stored on unregistered premises only if the dangerous goods are, when not in use, stored in strong, labelled containers that seal tightly.
- (5) No certificate of registration will be issued in respect of premises for the use, handling or storage of dangerous goods, unless all the applicable provisions of this by-law have been complied with and a written application for registration, on the prescribed form, as described in Annexure II of this by-law has been submitted to the Service, together with the fees prescribed in Annexure I of this by-law.
- (6) When a certificate of registration is issued, the certificate must be endorsed with the following conditions, namely that the certificate -
- (a) must at all times be displayed in a weatherproof container in a conspicuous place on the premises designated by a member of the Service;
  - (b) must be maintained in a legible condition at all times;
  - (c) must reflect the groups and the quantities of dangerous goods for which the premises have been registered;
  - (d) must reflect the number of above-ground or underground storage tanks or storage facilities, and the capacity of each such storage tank or storage facility;
  - (e) must reflect the number of storerooms and the total capacity of each storeroom;
  - (f) must reflect the number of gas installations, the type of gas installation and the total volume and delivery capacity of each installation;
  - (g) must specify the number of storage facilities for other dangerous goods and reflect the volumes intended for each facility;
  - (h) must reflect a serial number;

- (i) must indicate whether the issue of such certificate is permanent or temporary;
  - (j) must reflect the period of validity and the expiry date of the certificate which will be only twelve calendar months, calculated from the date of issue, and written application for renewal of the certificate reaches the Service at least one calendar month prior to the expiry date;
  - (k) is not transferable from one premises to the other;
  - (l) must, be transferable from one owner to another owner and from one control to another control on the same premises unless that -
    - (i) application for such transfer is made to the Service on the prescribed form; and
    - (ii) if the trade name of the premises changes, the holder of the spraying permit or certificate of registration must ensure that the change is immediately brought to the attention of the Service;
  - (m) will not be issued unless the Service is in possession of a set of approved plans as required by section 24 of this by-law; and
  - (n) will not be issued or renewed unless the prescribed application form has been completed in full and has been submitted.
- (7) Any person who has a legal certificate of registration in his or her possession may apply in writing on the prescribed form to have the total quantity of dangerous goods, flammable liquids and number of underground tanks, storerooms, gas installations and other storage areas amended, according to need, and the form must be accompanied by the prescribed fee and if the application is approved, the applicant must submit the certificate of registration to the Service for amendment.
- (8) The Service may send a holder of a certificate of registration a reminder for renewal of registration. A holder of a certificate who has not received a reminder is not indemnified from possible prosecution.
- (9) The holder of a certificate of registration must ensure that is at all times in possession of a valid certificate of registration.

## **26. SUPPLY OF DANGEROUS GOODS**

- (1) No person may -
- (a) supply more dangerous goods than the quantities referred to in section 25(1) of this by-law to any unregistered premises, or have them supplied or permit them to be supplied;
  - (b) deliver or supply more dangerous goods than the quantity specified in the applicable certificate of registration or dangerous goods of a group other than that specified in such certificate of registration to any premises or person, or have them delivered or supplied or permit them to be delivered or supplied.

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

## **27. EXEMPTIONS**

- (1) Notwithstanding anything to the contrary in this by-law-
- (a) flammable liquids are not deemed to be stored, handled or transported whenever the liquids are, for normal use, in the fuel tank of a motor vehicle;
  - (b) flammable liquids are not deemed to be stored, handled or transported if the liquids are in the fuel tank of a stationary engine unless the volume of the fuel tank does not exceed 1 100 ℓ and the fuel tank is surrounded by a liquid-proof retaining wall filled with -
    - (i) granite ballast with a nominal diameter of at least 40 mm; or
    - (ii) quartzite ballast with a nominal diameter of at least 50 mm:

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

## **28. RENEWAL OF SPRAYING PERMITS AND CERTIFICATES OF REGISTRATION**

- (1) Any holder of a certificate of registration or spraying permit must, at least one month prior to the expiry date of the permit, submit an application for renewal of the certificate or permit to the Service on the prescribed form, which form must be accompanied by the fees prescribed in Annexure I of this by-law.
- (2) The period of validity will be only twelve calendar months, calculated from the date of issue of the original certificate.

## **29. TEMPORARY STORAGE OF DANGEROUS GOODS**

- (1) The Service may grant a temporary certificate of registration for a period of not more than six months to any person who, for bona fide reasons, requires more dangerous goods on the premises than the quantities contemplated in section 25(1) of this by-law.
- (2) Any person whose application for a temporary storage tank is approved must ensure that –
- (a) the storage tank is surrounded by a liquid-proof retaining wall filled with -
    - (i) granite ballast with a nominal diameter of at least 40 mm; or
    - (ii) quartzite ballast with a nominal diameter of at least 50 mm:  
which must be capable of containing the maximum proposed quantity of liquid, plus 10% of the volume of the tank;
  - (b) provision is made for the run-off of any possible rainwater from the retaining walls or retaining embankments;

- (c) the storage tank is not erected within 5m of any erf boundary, building, excavation, road or driveway;
- (d) no source of ignition or potential ignition is brought within 5m of the storage tank;
- (e) symbolic signs prohibiting smoking and open flames, at least 300 mm x 300 mm in size, are affixed to all sides of the temporary installation; and
- (f) a minimum of two 9kg dry chemical fire extinguishers are installed within 10m of the temporary installation.

### **30. DELIVERY OF DANGEROUS GOODS**

- (1) Any person delivering dangerous goods to any supplier or user –
  - (a) may not, while delivering, park any delivery vehicle on or across a pavement or on or across a public road;
  - (b) may not, while delivering, let any delivery hose lie on or across a pavement, public road or other premises, or go through or over a building or have it lying there;
  - (c) must ensure that, while delivering, a 9kg dry chemical fire extinguisher is ready at all times;
  - (d) must ensure that, during the transferral of dangerous goods, the delivery vehicle is physically earthed with the storage facility to which the dangerous goods are being transferred;
  - (e) must ensure that, while delivering, the delivery vehicle is in such a position that it can be removed quickly and easily in the event of an emergency situation without exacerbating the situation;
  - (f) must ensure that no dangerous good is transferred from a delivery vehicle to a facility that is leaking or broken; and
  - (g) where delivery is done with a road tanker, as defined by the Road Traffic Act provision shall be made as to ensure that the delivery vehicle does not require to reverse in any situation.
- (2) The owner of any device connected with or used for the delivery of a dangerous goods must ensure that the device is designed for the specific purpose and is in a safe and good working condition.
- (3) The person in charge of any delivery process of dangerous goods must take reasonable precautionary measures to ensure that no dangerous goods is spilled during delivery on any surface when the substance is transferred from a delivery vehicle to a storage facility.
- (4) No person may transfer any dangerous goods to a motor vehicle, aircraft, vessel, ship or boat while the power source thereof is in operation or permit the substance to be transferred.

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

### **31. PROHIBITION OF CERTAIN ACTIONS**

- (1) Any person who stores, uses or handles dangerous goods on premises or has them stored, used or handled or permits them to be stored, used or handled on the premises may not -
- (a) perform any act or action, or have any act or action performed or permit any act or action to be performed that may reasonably result in or cause a fire or an explosion; and
  - (b) perform any act or action, or have any act or action performed or permit any act or action to be performed that may reasonably obstruct the escape to safety of any human being or animal during an emergency situation.
- (2) No person may dump any dangerous goods in or spill any dangerous goods into any borehole, pit, sewer, drain system or surface water, or permit any dangerous goods to be dumped in or spilled into any borehole, pit, sewer, drain system or surface water.
- (3) No person may discard dangerous goods in any manner other than by having the substances removed or permitting the substances to be removed by an organisation that is fully equipped to do so.
- (4) No person may light, bring or use, within 5m of any area where, to his or her knowledge, dangerous goods are stored, used or handled, any fire or anything else that produces or is capable of producing an open flame or permit the fire to be lit, brought or used within 5m of such area.
- (5) No person may use any device in connection with dangerous goods in any basement level in a building, excluding a gas welding device or gas cutting device for the sole purpose of welding or cutting in connection with the maintenance of that building, or have the device used or permit the device to be used in any basement level.
- (6) No person may, while there is another person in or on a bus (except for the driver of the bus, or any other person in charge of the bus), fill the fuel tank of that bus, or have it filled or permit it to be filled, or transport any dangerous good in or on such bus, except in the fuel tank, or have it transported or permit it to be transported.

### **32. "NO SMOKING" SIGNS**

- (1) The owner of a building must, in areas where flammable and explosive dangerous goods are used, stored and handled, display symbolic signs prohibiting smoking and open flames, as the case may be. These signs must conform with SABS 1186 and be of the appropriate size as specified by the Service and must be displayed prominently in appropriate places.

**33. FIRE-FIGHTING EQUIPMENT AND MITIGATING AGENTS**

- (1) Notwithstanding anything to the contrary in this by-law, the person to whom the certificate of registration in terms of section 25 of this by-law and spraying permit has been issued must ensure that all premises to which such certificate of registration and spraying permit applies are equipped with -
  - (a) portable fire extinguishers, as specified in SABS 1567 (carbon dioxide type), SABS 810 (dry chemical type), SABS 1573 (foam type) and SABS 1571 (transportable type), of a minimum capacity of 9 kg or 9 ℓ, as the case may be, in a ratio of one fire extinguisher to every 100 m<sup>2</sup> or part of it which must specify the type of fire extinguisher to be provided and, if the Service is of the opinion that exceptional hazards or risks necessitate a larger number of fire extinguishers, the Service may require that more fire extinguishers, in a consequential smaller ratio than the ratio stated above, be installed;
  - (b) hose reels, as specified in SABS 543 (hose reels), connected to a water supply as reflected in Part W of SABS 0400, enabling each hose reel to maintain a flow of 0,5 ℓ per second at a work pressure of 300 kPa;
  - (c) fire hydrants, with couplings as specified in SABS 1128, Part II (Fire fighting equipment - Couplings), in a ratio of at least one to every 1 000 m<sup>2</sup> or part of it; and
  - (d) approved sprinkler systems in accordance with SANS 10087, SANS 10089, and SANS 10131.
- (2) Fire-fighting equipment must be inspected and maintained by a registered person in accordance with the provisions of SABS 0105 and SABS 1475 at least once every twelve months to the satisfaction of the Service.
- (3) If fire-fighting equipment is not positioned prominently, the position of the equipment must be indicated by symbolic safety signs in accordance with the specifications of SABS 1186 and to the satisfaction of the Service.

**34. REPORTING OF FIRES, ACCIDENTS AND DUMPING**

- (1) The occupier of any premises must immediately report any fire, accident or dumping involving dangerous goods on the premises that has caused damage to property, the ecology of the environment or injury to human beings or animals to the Service.

**35. SAMPLING**

- (1) Whenever a member inspects any premises and suspects that a substance on the premises is hazardous, the member may have a sample taken, by a suitably authorized person or company, of any relevant substance for analysis and that-
  - (a) any sample so taken must be taken in the presence of the owner or occupier or any other third party;
  - (b) any sample must be divided into two equal parts and be sealed in similar suitable containers with the following information on the containers:
    - (i) the address and the location of the premises;
    - (ii) the trade name of the premises or concern;

- (iii) the name and signature of the persons who are present, as contemplated in subsection (1)(a);
  - (iv) the date on which and time at which the sample was taken; and
  - (v) a description of the exact location on the premises where the sample was taken; and
- (c) any sample so taken must, at the expense of the owner of the premises, be taken immediately to an accredited institution as determined by the Service for an analysis and a report and the results of the analysis may, subject to the rules of the law of evidence, be used as evidence in any potential legal steps that the Service may consider and deem necessary, as the case may be.

### **36. STORAGE TANKS AND DEVICES THAT HAVE BECOME OBSOLETE**

- (1) The owner or user of any storage tank and related device that has become obsolete must, in accordance with the provisions of section 38 of this by-laws, remove the tank, installation or device or have the tank or device removed, or fill up the tank with matter approved by the Department of Environmental Affairs and Tourism in order to render the tank safe.

### **37. ACCESS TO STORAGE TANKS FOR REPAIRS AND MAINTENANCE**

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

### **38. INSTALLATION, ERECTION, REMOVAL AND DEMOLITION**

- (1) Any person who intends to erect, install, remove, demolish, extend or change any delivery pump, storage tank, storeroom, spraying room, gas installation, storage facility, fire protection arrangement and floor layout in respect of premises or anything connected with the premises, or have any of the above erected, installed, removed, demolished, extended or changed, must notify the Service of his or her intentions at least three working days prior to the commencement date and estimated completion date, and this notification must be made on the form described in Annexure II of this by-law.
- (2) Any failure to act as contemplated in subsection (1) will *ipso facto* cancel the certificate of registration or spraying permit, as the case may be, in so far as such failure is connected with the matter, as well as any other authorisation, including an exemption granted in terms of this by-law. The provisions of this section are not applicable whenever -
- (a) anything is removed temporarily for carrying out repairs thereto or in connection therewith;

- (b) any above-ground or underground equipment or parts of the equipment are replaced; and
  - (c) any above-ground or underground storage tanks are replaced with tanks of the same capacity.
- (3) No structure, installation or building may, after completion of the action referred to in subsection (1), be erected again on the premises in question, unless application for the approval of plans, as contemplated in section 24 of this by-law, is made again.

After completion of the structure, building or installation, application must be made again for a certificate of compliance, spraying permit and certificate of registration in accordance with the provisions of part iv, dangerous goods of this by-laws.

### **39. GROUP I DANGEROUS GOODS**

- (1) All Group I dangerous goods (explosives) must be handled, used, stored and transported in accordance with the provisions of SABS 0228, 0229, 0232 and 0263, the Explosives Act, 1956, and the Hazardous Substances Act, 1973, and any regulations made under these Acts, as the case may be.

### **40. GROUP II DANGEROUS GOODS**

- (1) All portable metal containers and related devices must be manufactured, marked, maintained, filled and stored in accordance with the provisions of SABS 019, SABS 0228, SABS 0229 and SABS 0238.
- (2) All portable metal containers for liquid petroleum gas must be stored, filled and installed in accordance with the provisions of SABS 0228, SABS 0229, SABS 0238, SABS 019 and SABS 087.
- (3) All portable containers must at all times be transported, stored and installed in a vertical position.
- (4) All bulk containers must be designed, manufactured, maintained and installed in terms of the provisions of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), and any regulations made under the Act; SABS 019; SABS 087, Part III; and the provisions of the National Building Regulations and Building Standards Act, 1977, and any regulations made under the Act.
- (5) These dangerous goods may not, for any reason whatsoever, be used, stored, handled or installed indoors in any manifold installation or otherwise on any premises.
- (6) No person may, without the permission of the Chief Fire Officer, use, handle, display or apply any hydrogen-filled portable containers, hydrogen devices or hydrogen balloons indoors, for whatever purpose.
- (7) Whenever any person uses acetylene welding devices or cutting devices indoors, the devices must be used strictly in accordance with the requirements of SABS 0238.



- (8) The installation within the area of underground pipelines and branches or manifolds of pipelines, as the case may be, is *mutatis mutandis* subject to the provisions of sections 23, 24, 25, 26, 28, 30 and 31 of this by-law.
- (9) Any underground pipeline must comply with the following requirements:
- (a) The owner of the pipeline must provide fire hydrants, of which the required delivery of each individual fire hydrant must be at least 1 600ℓ per minute at a work pressure of 300 kPa, and these fire hydrants must be parallel to the pipeline at every pump station within the area. The owner must maintain the fire hydrants in a working condition at all times.
  - (b) The owner of the pipeline must provide sufficient cathodic protection for the pipeline and maintain the cathodic protection in a working condition at all times.
  - (c) The pipeline must be marked with markers approved by the Chief Fire Officer and must be maintained in a functional condition at all times by the owner of the pipeline.
  - (d) The installation and extension of the pipeline and branches to consumer's premises, and the maintenance of the pipeline within the area, must *in toto* be done according to a recognised standard approved by the Chief Fire Officer.
  - (e) No construction work above or below the ground may be done within 16m of the pipeline reserve, unless the construction company is in possession of written authorisation to do so, which authorisation has been issued by the controlling authority and the owner of the pipeline.

#### **41. GROUP III DANGEROUS GOODS**

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

#### **42. INSTALLATION OF STORAGE TANKS**

- (1) Any storage tank for Group III dangerous goods must be installed in accordance with the provisions of SABS 0400; SABS 089, Parts I, II and III; SABS 0131, Parts I, II and III; SABS 0108 and SABS 086, and:
- (a) all pumps and filling devices installed indoors must be in purpose-built, registered premises;
  - (b) all installations, as contemplated in subsection (1)(a) and (b), as the case may be, are subject to the provisions of section 24 and section 25 of this by-law, as the case may be.

**PART V****CONSTRUCTION OF VEHICLES, AS WELL AS TRANSPORTATION  
AND TRANSPORT PERMITS****43. SERVICE TRANSPORT PERMIT FOR FLAMMABLE SUBSTANCES**

- (1) The owner of any vehicle used for transporting flammable substances in the area must, subject to section 46 of this by-law, have a valid transport permit in terms of this section for transporting flammable substances.
- (2) Each vehicle for which such a permit has been issued must comply with the provisions of this by-law;
- (3) The transport permit must -
  - (a) indicate the date of issue and the date of expiry;
  - (b) be valid for a period of twelve months from the date of issue;
  - (c) indicate the name, in block letters, of the issuing officer and bear the officer's signature;
  - (d) indicate a year-linked serial number;
  - (e) indicate the group and quantity of dangerous goods to be transported; and
  - (f) indicate the registration number of the vehicle in question.
- (4) The Service may send a reminder for renewal of the transport permit to the owner of the vehicle(s). A transport permit holder who has not received a reminder is not indemnified from possible prosecution.

**PART VI****STOREROOMS FOR DANGEROUS GOODS****44. REQUIREMENTS FOR STOREROOMS**

- (1) The certificate of registration issued for any storeroom for dangerous goods as contemplated in section 47 of this by-law must indicate the group and the largest quantity of dangerous goods which may be kept in the storeroom.
- (2) No person may use any storeroom or permit any storeroom to be used for Group III dangerous goods, unless -
  - (a) symbolic safety signs prohibiting open flames and smoking, at least 290 mm x 290 mm in extent, manufactured in accordance with the provisions of SANS 1186, are affixed at the storeroom.

- (3) The certificate of registration for a storeroom, with the contents of the certificate clearly visible, must be kept and maintained in a legible condition in a weatherproof container on the outside of a door normally used as the entrance to the storeroom.
- (4) The construction of any storeroom must be in accordance with the requirements of the General Safety Regulations of the Occupational Health and Safety Act and comply with the following requirements:
- (a) the storeroom floor must consist of concrete;
  - (b) the storeroom walls must consist of material that has a fire resistance of at least 120 minutes;
  - (3) the storeroom roof must consist of-
    - (a) reinforced concrete with a fire resistance of at least 120 minutes; or
    - (b) any other non-combustible material, if the storeroom-
      - (i) is not situated within 5 metres of any adjacent building or boundary of the premises; or
      - (ii) adjoins a higher wall with no opening within 10 metres above and 5 metres on either side of the storeroom.
- (5) Any storeroom must be equipped with Class B-type fire doors manufactured and installed in accordance with SABS 1253.
- (6) All window frames must be manufactured of steel, not be capable of being opened and must -
- (a) be fitted with wire glass with a minimum thickness of 8 mm; and
  - (b) have window panels with a maximum size of 450 mm x 450 mm.
- (7) Any storeroom must be designed and constructed so that the floor of the storeroom is recessed below the level of the door sill to form a catch pit and:
- (a) the catch pit formed by such recessed floor or sill must have a capacity capable of accommodating the total quantity of dangerous goods able to be stored in the storeroom, plus 10%, with a maximum height of 450mm;
  - (b) if required by the Chief Fire Officer the catch pit must be covered at door sill level with a strong, stable, non-combustible and oxidation-free grill, which grill must serve as a floor on which corrosion-free shelves and the contents of the storeroom must be placed and an access hatch for cleaning purposes must be placed in a suitable position on the grill floor;
  - (c) the catch pit must, at its lowest level, have a non-corrosive drainage valve for cleaning purposes and for product recovery.

- (8) Any storeroom must be designed and constructed to ensure that the collection of fumes of flammable liquids is effectively ventilated, whether naturally or mechanically, in all parts of the storeroom. The fumes must be released into the open air at a place or places where the fumes are not likely to come into contact with any source of ignition, which may ignite such fumes.
- (9) The owner or person in charge of any storeroom must effectively ventilate the storeroom at a minimum cycle of 30 total air changes per hour by installing non-combustible airbricks, at least 140 mm x 215 mm in extent, with non-corrosive gauze wire of which the nominal opening diameter must be at least 0,5 mm.
- (10) Whenever natural ventilation as contemplated in subsection (9) cannot be effected and the depth of the sill level exceeds 300 mm, the owner or the person in charge of a storeroom must equip the storeroom with a mechanical inlet and outlet ventilation system designed and installed for this purpose and:
- (a) the capacity of the system must be able to change the cubic air content in the storeroom at least 30 times an hour;
  - (b) the vanes of the system must be manufactured from a static-free material;
  - (c) the fumes must be released into the open air and the outlets must not be within 5 m of any opening of a building or erf boundary;
  - (d) all ventilators must be attached firmly to the inside of the walls;
  - (e) the bottom ventilators must be affixed as close as possible to the level of the sill; and
  - (f) all ventilation openings or air duct openings must be installed in the opposite wall, 100 mm above the level of the sill to ensure cross-ventilation in conjunction with the said mechanical ventilator.
- (11) The owner or person in charge of a storeroom must ensure that -
- (a) all electrical apparatus, fittings and switchgear used or installed in any storeroom are protected and installed in accordance with the equipment of the appropriate classification for the particular area in terms of the provisions of SANS 10108;
  - (b) all switchgear, distribution boxes, fuses and any other electrical equipment not in compliance with the provisions contained in SANS 10108 must be situated outside the storeroom and positioned so as not to come into contact or possibly come into contact with fumes escaping from the storeroom;
  - (c) all metal parts and electrical fittings and any device in or in connection with a storeroom are earthed effectively with each other and the ground;
  - (d) switches actuating any mechanical ventilation system are situated outside the storeroom;
  - (e) any mechanical ventilation system is on at all times during occupation, except whenever the system is switched off for repairs or replacement purposes; and

- (f) when ever any storeroom is not staffed, all electrical apparatus and fittings, with the exception of the mechanical ventilation system, are switched off.
- (12) All electrical installations must be installed and certified by a suitably qualified electrician.
- (13) Notwithstanding the provisions of this section, a storeroom may be constructed from other, non-combustible materials.
- (14) No person may enter, have any other person enter or permit any other person to enter any storeroom without the express permission of the occupier or any other responsible person who is in charge of such storeroom.
- (15) No person may -
  - (a) use any storeroom, or have the storeroom used or permit the storeroom to be used for any purpose other than for the storage, use or handling of dangerous goods in the storeroom;
  - (b) employ any other person in any storeroom or permit the person to work in the storeroom unless all the doors of the storeroom are wide open or the mechanical ventilation system is on; and
  - (c) place any obstruction or hindrance, or have any hindrance or obstruction placed or permit any hindrance or obstruction to be placed in the passages or in front of any door(s) of any storeroom.

#### **45. KEEPING AND HANDLING DANGEROUS GOODS IN A STOREROOM**

- (1) Any storeroom referred to in section 47 of this by-law may be used for keeping any grouped dangerous goods, with the exception of Group I dangerous goods (explosives), as defined in section 2(1) of the Dangerous goods Act, 1973. All chemically reactive dangerous goods must be separated from each other by means of compartmental liquid-proof fire partition walls to the satisfaction of the Service, which fire partition walls must extend from the bottom of the catch pit to 1 m above the highest stack of each group inside the storeroom.
- (2) Notwithstanding the provisions of section 47 of this by-law, any grouped dangerous goods contemplated in this section, with the exception of Group I dangerous goods (explosives), may also be stored, and kept in terms of SANS 10263.

**PART VII****SPRAY-PAINTING MATTERS AND SPRAYING PERMITS****46. REGISTRATION OF SPRAY-PAINTING ROOMS**

- (1)
  - (a) No person may spray, coat, plate or epoxy-coat any vehicle, or parts of a vehicle, or any other articles, objects or buildings, or parts thereof, or permit them to be sprayed, coated, plated or epoxy-coated, whether indoors or outdoors, with a Group III dangerous goods or with liquid compounds of a Group III dangerous goods, or with any other dangerous goods, unless such person is in possession of a spraying permit in accordance with the requirements of Annexure II of this by-law.
  - (b) Any motor vehicle, article or object, or any parts thereof, may be sprayed in any place other than in an approved spraying room and spraying booth by any person who possesses a spraying permit for the premises that there is little likelihood of the proposed activities' posing a real danger or causing an emergency situation for any human being, animal or property.
- (2) No person may use or handle dangerous goods, or permit dangerous goods to be used or handled, on unregistered premises, unless a member is satisfied that the dangerous goods will be used or handled in a place and in a manner that will ensure that -
  - (a) no dangerous goods or fumes come or are able to come into contact with any fire, flame or naked light, or any other source of ignition which is likely to set the dangerous goods or fumes alight; and
  - (b) the escape of human beings or animals is not hampered or hindered in the event of a fire or an emergency situation.
- (3) A spraying permit is issued on the following conditions:
  - (a) the spraying permit must at all times be displayed prominently in a weatherproof container on the premises in a place designated by a member;
  - (b) the spraying permit must be legible at all times;
  - (c) the number of spraying rooms and spraying booths must be indicated on the spraying permit;
  - (d) a serial number must be indicated on the spraying permit;
  - (e) the spraying permit must reflect the period of validity and the date of expiry;
  - (f) the spraying permit is not transferable from premises to premises;
  - (g) in the case of reconstructing, the spraying permit is transferable from control to control or from owner to owner on the same premises;
  - (h) the Chief Fire Officer must be in possession of a set of approved plans;

- (i) the spraying permit will not be issued or renewed unless the prescribed application form has been completed in full and has been submitted to the Chief Fire Officer;
  - (j) any person who is legally in possession of a spraying permit must apply to the Chief Fire Officer in writing on the prescribed form if that person wishes to amend the number of spraying rooms or spraying booths, according to need;
  - (k) the fees prescribed in Annexure I of this by-law must accompany an application. The Chief Fire Officer will grant the spraying permit only if the proposed amendments comply with the relevant provisions of this by-law; and
  - (l) whenever the Chief Fire Officer approves such an application, the person concerned must hand the spraying permit to the Chief Fire Officer to be amended.
- (4) The Chief Fire Officer may send a reminder for the renewal of registration to the owner or occupier of registered premises. An owner or occupier who has not received a reminder is not indemnified from possible prosecution.
- (5) The holder of a spraying permit or certificate of registration must ensure that is always in possession of a valid spraying permit or certificate of registration.

#### **47. CONSTRUCTION AND DESIGN OF SPRAY-PAINTING ROOMS**

- (1) The construction of a spraying room and spraying booth must be in accordance with the following requirements:
- (a) the floor must be of concrete;
  - (b) the walls must be of brick or concrete;
  - (c) the roof must be of reinforced concrete;
  - (d) the doors must be Class B-type fire doors as contemplated in SABS 1253; and
  - (e) the window frames must be of steel and have window panels that cannot be opened, which panels must be a maximum size of 450 mm x 450 mm and fitted with wire glass with a minimum thickness of 8 mm.
- (2) The provisions of subsection (1) are not applicable to the erection of a spraying room or spraying booth if, in terms of the design thereof, the room or booth complies with the following requirements:
- (a) the framework of the entire structure, including the door assemblies, must have a sturdy steel profile with a minimum wall thickness of 2,5 mm;

- (b) the framework, including any doors, must be clad on both sides with sheet metal with a minimum thickness of 1,3 mm;
  - (c) if the sheet metal is joined, the joins or joints of the sheet metal so joined, including any door assembly forming an integral part of the whole, must be fume-, flame- and liquid-proof;
  - (d) the floor must be of concrete or metal;
  - (e) the window frames must be of steel with window panels that cannot be opened, which panels must be a maximum size of 450 mm x 450 mm and fitted with wire glass with a minimum thickness of 8 mm; and
  - (f) all materials used must have a fire integrity grading of at least 60 minutes.
- (3) The unit formed through the combination of components referred to in subsections (1) and (2), including any services constituting an integral part of the unit or required in the unit, must be constructed, installed and finished so that all surfaces are smooth to prevent any furring which may hamper the ventilation, washing and cleaning processes.
- (4) A prefabricated unit is suitable only if such a unit is evaluated by the SABS or CSIR and is found to be suitable for the particular intended purpose.
- (5)
- (a) Notwithstanding the door(s) granting access for motor vehicles or other objects to be sprayed in any spraying room, a spraying room must have at least two hinged doors for the purposes of escaping, which doors must -
    - (i) be open to the outside;
    - (ii) be at least 800 mm x 2 000 mm in extent;
    - (iii) be positioned in opposite sides, provided that, whenever there is any object in the spraying room for processing, the distance to be covered to any of the doors may not exceed 4 m; and
    - (iv) be fitted with locking mechanisms that can be opened easily from the inside without the use of a key.
  - (b) Any spraying room must be located so that it is at all times separated from other activities or areas by means of an escape opening of at least 1 200 mm wide, which escape opening must at all times be kept free of any obstruction, refuse or combustible materials.
  - (c) If any activity or process which is operated adjacent to a spraying room may pose a probable fire danger to the spraying room, the said escape opening of 1 200 mm must be identified by fire partition walls with a fire resistance of at least 60 minutes, and the height of these walls must be at least 300 mm higher than the roof of the spraying room.
  - (d) Any spraying room contemplated in subsection (2) may be erected indoors and outdoors against firewalls.
- (6) A spraying room may have a sunken water-filled floor covered at the level of the sill by a sturdy, stable, non-combustible and corrosion-free grill that is capable of bearing the weight of the heaviest object in the spraying room.



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

- (7) All electrical apparatus, lights, fittings and switchgear used or installed in any spraying room must be protected and installed in accordance with the provisions for equipment of the appropriate type for the particular area in terms of SANS 10108.
  - (8) All switchgear, distribution boxes, fuses and any other electrical equipment not in compliance with the provisions contained in SANS 10108 must be situated outside the spraying room and positioned so as not to come into contact or possibly come into contact with fumes escaping from the spraying room.
  - (9) Switches actuating any mechanical ventilation system must be situated outside the spraying room.
  - (10) All metal parts and electrical fittings and any device in or in connection with a spraying room must be earthed effectively with each other and the ground.
  - (11) An accredited person must install and certify all electrical installations.
- (12) (a) Any spraying room must be equipped with a mechanical inlet and outlet ventilation system designed and installed for this purpose and that -
- (i) the capacity of the system must be able to change the cubic air content in the spraying room at least 30 times an hour or at a flow rate of 0,5m/s;
  - (ii) the vanes of the system must be manufactured from static-free materials;
  - (iii) the fumes must be released into the open air and the outlets must not be within 5 m of any opening of a building or erf boundary;
  - (iv) all ventilators must be attached firmly to the inside of the walls;
  - (v) the bottom ventilators must be affixed as close as possible to the level of the floor;
  - (vi) all ventilation openings or air duct openings must be installed in the opposite wall, door(s) or roof to ensure cross-ventilation in conjunction with the said mechanical ventilation system; and
  - (vii) every spray room shall have at least one of its doors fitted with an un-openable strengthened, shatterproof glass inspection window no larger than 450mm x 450mm.
- (b) A fire damper must be affixed in front of any air purification filter, or any part of a filter forming an integral part of the ventilation system, on the inside of the spraying room, which fire damper must be manufactured and installed in accordance with the provisions of SABS 193 which must -
- (i) close automatically by means of a sensor that is suitably located and actuated by a rise of more than 10 °C in the predetermined working temperature;
  - (ii) be so installed that the damper will remain in position even if the air duct distorts during a fire; and
  - (iii) be provided with an overriding fusible link.

- (c) The sensor contemplated in subsection (12)(b)(i) must also -
- (i) be capable of turning off the ventilation system and any heating device used in connection with the spraying room in the event of a fire or whenever there is a rise of more than 10 °C in the predetermined working temperature inside the spraying room; and
  - (ii) activate a visual and audible alarm inside and outside the spraying room.
- (13) All outlet openings must be designed and positioned so as to release all fumes into the open air at a place at least 1 m above a roof or 4 m above the ground level and at least 5 m from any opening of a building.
- (14) The ventilation system must function whenever any activities related to spray-painting take place in the spraying room.
- (15) No person may use any spraying room or permit any spraying room to be used, unless and until symbolic signs prohibiting open flames and smoking, at least 290 mm x 290 mm in extent, manufactured and installed in accordance with the provisions of SABS 1186, are affixed to the inside and outside of all doors of the spraying room.
- (16) All spraying rooms must be maintained at all times in accordance with the provisions of this section and the manufacturer's specifications. Proof of such maintenance must be provided upon request from a member.
- (17) No person may enter a spraying room or permit any other person to enter a spraying room without the express permission of the owner or occupier or any other responsible person in charge of the spraying room.
- (18) No person may -
- (a) use any spraying room or permit any spraying room to be used for any purpose other than for practising or exercising activities related to spray-painting in the spraying room;
  - (b) employ any other person in a spraying room or permit any other person to work in the spraying room unless the mechanical ventilation system is on; and
  - (c) place any obstruction or hindrance, or have any hindrance or obstruction placed or permit any hindrance or obstruction to be placed in the escape openings or in front of any doors of the spraying room.
- (19) Spraying room must :
- (a) have a 9kg dry chemical fire extinguisher on the outside, which extinguisher must be installed in positions determined by the Chief Fire Officer.
  - (b) be protected by a fire hose reel referred to in section 33 of this by-law.

- (20) Whenever any manifold installation of a Group II dangerous goods forms an integral part of the heating of a spraying room, the manifold installation must be in accordance with the provisions of SABS 087, Part I, and the relevant provisions of this by-law will apply *mutatis mutandis* in the application of this section.

## **PART VIII**

### **ANIMALS**

#### **48. HANDLING ANIMALS DURING EMERGENCIES**

- (a) Provision must be made for the professional handling of animals during an emergency on any premises, but particularly at zoological gardens, feedlots, stables, research institutions, veterinary practices or places of veterinary science study. The Service may -
- (i) authorise a suitably qualified person to handle or put down the animals during an emergency situation, as the case may be; and
  - (ii) recover all costs involved in the matter from the owner or the institution responsible for the care of the animals.

## **PART IX**

#### **49. PENALTIES**

Any person who contravenes or fails to comply with any provision of this by-law, including any condition or requirement for a certificate of registration or spraying permit, or any instruction by a member of the Service, is guilty of an offence and on conviction liable to a fine not exceeding R5 000,00 or, in default of payment, liable to imprisonment for a period not exceeding six months.

## **PART X**

### **GENERAL**

#### **50. REPEAL**

The following by-law is hereby repealed:

- (1) the Transvaal Peri-Urban Fire Brigade By-Law published under Administrator's Notice 1116 of 11 July 1984, as amended, in so far as they apply to the area.

#### **51. SHORT TITLE**

This by-law shall be called the Emergency Services By-law and comes into operation on a date fixed by proclamation in the *Provincial Gazette*.

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

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

**2. GENERAL DIRECTIVES FOR THE PAYMENT OF THE FEES**

- (1) All certificates of registration, certificates of compliance and spraying permits will be valid for twelve calendar months. A written application for the renewal of the certificate or permit must reach the Service at least one calendar month prior to the expiry thereof.
- (2) When application is made for registration, the appropriate application form, correctly completed in full, must be accompanied by the prescribed fees.
- (3) All the appropriate application forms are available from the Service and must be completed in full and, where applicable, be duly signed.
- (4) If, for whatever reason, the Service rejects an application for any certificate of registration, certificate of compliance or any permit, the applicant must, within 14 days (excluding weekends and public holidays) of the date of rejection, take corrective steps to ensure that the document in question is issued at no additional cost, failing which the applicant must pay the prescribed fees again.
- (5) If there are different divisions or affiliates within a business or company situated on the same premises but each division or affiliate is managed separately, each division or affiliate is liable to registration separately.

**3. EXEMPTION FROM PAYMENT OF CHARGES**

No Charges shall be payable where –

- (1) a false alarm has been given in good faith;
- (2) the services were required as a result of civil commotion, riot or natural disaster;
- (3) the services were rendered in the interest of public safety;
- (4) the Chief Fire Officer is of the opinion that the services were of purely humanitarian nature or were rendered solely for saving life

**ANNEXURE II****OFFICIAL DOCUMENTS****A. GENERAL**

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

**B. STANDARD ADMINISTRATIVE INFORMATION IN DOCUMENTS**

The following must be indicated in all documents:

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

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

**C. OFFICIAL DOCUMENTS IN CONNECTION WITH THIS BY-LAWS**

**1. APPLICATION FORMS**

- (1) The purpose for which application forms are to be used must appear at the top of all application forms.
- (2)
  - (a) All application forms must have all the administrative information as contained in paragraph **B (STANDARD ADMINISTRATIVE INFORMATION IN DOCUMENTS)**.
  - (b) On all application forms, space must be left in which the correct application fee, as contained in Annexure I to this by-law, can be indicated prominently in red figures.
  - (c) A warning must appear below the space for the application fee to the effect that the applicant is granted only 14 working days (weekends and public holidays excluded) to make any corrections that may be indicated on the checklist, without any additional cost, but that if the said period of 14 days is exceeded, the prescribed fee must be paid again before any permit or certificate will be issued.
- (3) A suitable checklist must form part of each application form and must be drawn up chronologically in accordance with the appropriate requirements contained in this by-law or relevant SABS codes of practice or specifications, as the case may be.

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

## **2. PERMITS AND CERTIFICATES**

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

## **3. TRANSPORT PERMIT**

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

- (a) The registration number of the vehicle in question
- (b) The chassis number of the vehicle in question
- (c) The type of vehicle, for example a semi-trailer, trailer, flat-deck truck or tanker
- (d) The gross vehicle mass of the vehicle in question
- (e) The tare of the vehicle in question
- (f) The type of load to be transported, for example a single load or a multiple load, and the quantity to be transported in litres or kilograms, as the case may be
- (g) The group of dangerous good(s) to be transported, for example Group I, II or III, or a combination of them, as the case may be
- (h) Where applicable, the make of the vehicle

- (i) The date of issue of the permit
- (j) The date of expiry of the permit
- (k) The signature of the issuing officer
- (l) A serial number
- (m) A watermark.



**ANNEXURE III****EMERGENCY EVACUATION PLANS****A. GENERAL**

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

**B. IMPLEMENTATION OF EMERGENCY EVACUATION PLANS**

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

**2. DEALING WITH AND FURNISHING INFORMATION CONTAINED IN THE EMERGENCY EVACUATION PLAN****(1) THE EMERGENCY EVACUATION PLAN IN ITS ENTIRETY**

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

**(2) EMERGENCY TELEPHONE NUMBERS AND BOMB THREAT QUESTIONNAIRE**

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

**(3) DUTIES AND RESPONSIBILITIES OF EMERGENCY PERSONNEL**

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

**(4) ACTION PLANS AND EMERGENCY ACTIONS**

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

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

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

**3. TRAINING OF STAFF MEMBERS**

Designated staff members must be trained in the following:

- (a) First aid and fire fighting
- (b) Emergency aid
- (c) Emergency evacuation procedures
- (d) Emergency management techniques

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

**C. THE CONTENT OF AN EMERGENCY EVACUATION PLAN**

Any emergency evacuation plan must contain the following:

- (1) Emergency telephone numbers
- (2) The following general information:
  - (a) the address of the premises in question;
  - (b) the nature of the activities on the premises;
  - (c) the number of staff members present on the premises at any time;
  - (d) an indication of whether or not there is a control room on the premises;
  - (e) an indication of whether or not there is an alarm system on the premises;  
and
  - (f) particulars of contact persons.
- (3) An area study with the following information:
  - (a) history of incidents on the premises in question;
  - (b) important features or landmarks with regard to the location of the premises;  
and
  - (c) key information of adjacent premises
- (4) Particulars regarding socio-economic or other threats and the potential impact of these threats on premises

- (5) Particulars of the following equipment available on the premises:
  - (a) equipment in the control room;
  - (b) fire-fighting and first-aid equipment throughout the premises; and
  - (c) any other equipment.
- (6) the following information on manpower:
  - (a) emergency management;
  - (b) continuity officers;
  - (c) fire teams; and
  - (d) first-aid teams
- (7) The duties and responsibilities of members of the emergency team
- (8) Action plans and emergency procedures
- (9) Plans of the buildings and topographical maps of the premises
- (10) An emergency plan register with the following information:
  - (a) updated register of emergency evacuation plan; and
  - (b) drill register of emergency evacuation plan
- (11) A bomb threat questionnaire

**ANNEXURE V****NORMATIVE REFERENCE LIST****NORMATIVE REFERENCES**

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

1	2	3	4
SANS NO	TITLE	GOVERNMENT NOTICE NO	DATE
1193	Fire-dampers	358	1982-07-29
1543	Fire hose reels (with hose)	463 2329	1982-07-09 1985-10-18
1186	Symbolic safety signs	463 659 149 1264 1584	1982-07-09 1982-09-17 1985-02-01 1985-06-14 1986-08-01
1253	Fire door assemblies	463 355	1982-07-09 1983-05-20
10087	Handling, storage and distribution of liquefied petroleum gas in domestic, commercial, and industrial installations Part III  Part VI	463 151 463	1982-07-09 1985-02-01 1982-07-09
10089	Code of practice for the petroleum industry Part III	463	1982-07-09

10105	The classification, use and routine maintenance of portable fire extinguishers	463	1982-07-09
10131	The storage and handling of liquid fuel Part I Part II Part III	463 2634 552	1982-07-09 1984-11-30 1982-08-13
10400	The application of the National Building Regulations	2484	1990-10-26
10080	Electrical code		
1193	Fire Dampers		
10263	Warehousing of Dangerous Goods		