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PROCLAMATION • PROKLAMASIE

PROCLAMATION 32 OF 2019**WHITE RIVER AMENDMENT SCHEME 411**

It is hereby notified in terms of Section 50 of the Mbombela By-law on Spatial Planning and Land Use Management, 2015, that the Mbombela Local Municipality has approved an amendment of the White River Town Planning Scheme, 1985, by the incorporation of Remaining Extent of Portion 1 of Holding 55 The White River Estates (Central Section) Agricultural Holdings with a zoning of "Special" for tourism related purposes and accommodation establishment in the form of an events venue, guest and self-catering accommodation.

Copies of the amendment scheme are filed with the Municipal Manager, Civic Centre, Nel Street, Mbombela, and are open for inspection at all reasonable times. This amendment scheme shall come into operation on date of publication hereof.

**N DIAMOND
MUNICIPAL MANAGER**

Mbombela Local Municipality
P O Box 45
NELSPRUIT
1200

PROCLAMATION 33 OF 2019**PERI-URBAN AREAS AMENDMENT SCHEME 18/4**

It is hereby notified in terms of Section 50 of the Mbombela By-law on Spatial Planning and Land Use Management, 2015, that the Mbombela Local Municipality has approved an amendment of the Peri-Urban Areas Town Planning Scheme, 1975, by the incorporation of Portion 11 (a portion of Portion 2 of the farm Evert 5 JU with a zoning of "Agriculture" including consent for tourism and accommodation, subject to conditions.

Copies of the amendment scheme are filed with the Municipal Manager, Civic Centre, Nel Street, Mbombela, and are open for inspection at all reasonable times. This amendment scheme shall come into operation on date of publication hereof.

**N DIAMOND
MUNICIPAL MANAGER**

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1200

PROCLAMATION 34 OF 2019**NELSPRUIT AMENDMENT SCHEME 2028**

It is hereby notified in terms of Section 50 of the Mbombela By-law on Spatial Planning and Land Use Management, 2015, that the Mbombela Local Municipality has approved an amendment of the Nelspruit Town Planning Scheme, 1989, by the incorporation of Portion 76 of the farm Maggiesdal 456 JT with a zoning of "Special" for dwelling house with subservient outbuildings and self-storage units with related subservient uses.

Copies of the amendment scheme are filed with the Municipal Manager, Civic Centre, Nel Street, Mbombela, and are open for inspection at all reasonable times. This amendment scheme shall come into operation on date of publication hereof.

**N DIAMOND
MUNICIPAL MANAGER**

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1200

PROCLAMATION 35 OF 2019**NELSPRUIT AMENDMENT SCHEME 2082**

It is hereby notified in terms of Section 50 of the Mbombela By-law on Spatial Planning and Land Use Management, 2015, that the City of Mbombela has approved an amendment to the Nelspruit Town Planning Scheme, 1989, by the rezoning of Portion 1 to 53 of Erf 2364, Stonehenge Extension 14 from "Residential 1" and "Special" to "Residential 2", "Private Open Space" and "Special" for private road, access, security and essential services to the dwelling units with development controls as reflected on the relevant Annexure.

Copies of the amendment scheme are filed with the Municipal Manager, Civic Centre, Nel Street, Mbombela, and are open for inspection at all reasonable times. The amendment scheme shall come into operation on the date of publication hereof.

**N DIAMOND
MUNICIPAL MANAGER**

City of Mbombela
PO Box 45
Nelspruit
1200

PROCLAMATION 36 OF 2019**NELSPRUIT AMENDMENT SCHEME 2111**

It is hereby notified in terms of Section 50 of the Mbombela By-law on Spatial Planning and Land Use Management, 2015, that the Mbombela Local Municipality has approved an amendment of the Nelspruit Town Planning Scheme, 1989, by the incorporation of Erf 69 Kaapsche Hoop Township with a zoning of "Special" for dwelling house and place of refreshment.

Copies of the amendment scheme are filed with the Municipal Manager, Civic Centre, Nel Street, Mbombela, and are open for inspection at all reasonable times. This amendment scheme shall come into operation on date of publication hereof.

**N DIAMOND
MUNICIPAL MANAGER**

Mbombela Local Municipality
P O Box 45
NELSPRUIT
1200

PROCLAMATION 37 OF 2019**NELSPRUIT AMENDMENT SCHEME 2127**

It is hereby notified in terms of Section 50 of the Mbombela By-law on Spatial Planning and Land Use Management, 2015, that the Mbombela Local Municipality has approved an amendment of the Nelspruit Town Planning Scheme, 1989, by the rezoning of Portion 3 (a Portion of Portion 1) of Erf 911, Riverside Park Extension 24 from "Special" for the purposes of hotels, convention centre, business, education, retail, wholesale, manufacturing, Residential 4, public transport facilities, purposes approved by council and any other subservient land uses, to "Special" for value retail, with amended development controls.

Copies of the amendment scheme are filed with the Municipal Manager, Civic Centre, Nel Street, Mbombela, and are open for inspection at all reasonable times. This amendment scheme shall come into operation on date of publication hereof.

**N DIAMOND
MUNICIPAL MANAGER**

Mbombela Local Municipality
P O Box 45
NELSPRUIT
1200

PROCLAMATION 38 OF 2019**NELSPRUIT AMENDMENT SCHEME 2148**

It is hereby notified in terms of Section 50 of the Mbombela By-law on Spatial Planning and Land Use Management, 2015, that the Mbombela Local Municipality has approved an amendment of the Nelspruit Town Planning Scheme, 1989, by the rezoning of Portion 4 of Erf 911 Riverside Park Extension 24 from "Special" for the purposes of hotels, convention centre, business, education, retail, wholesale, manufacturing, Residential 4, public transport facilities, purposes approved by council and any other subservient land uses, to "Special" for offices, medical suites with 24 hour urgent care facility and retail pharmacy, subject to conditions.

Copies of the amendment scheme are filed with the Municipal Manager, Civic Centre, Nel Street, Mbombela, and are open for inspection at all reasonable times. This amendment scheme shall come into operation on date of publication hereof.

N DIAMOND
MUNICIPAL MANAGER

Mbombela Local Municipality
P O Box 45
NELSPRUIT
1200

PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 113 OF 2019**MPUMALANGA GAMBLING ACT, 1995 (ACT NO.5 OF 1995) AS AMENDED
APPLICATION FOR SITE OPERATOR LICENCE:**

Notice is hereby given that the following Applicants intend on submitting application(s) to the Mpumalanga Economic Regulator (MER) for Site Operators Licences:

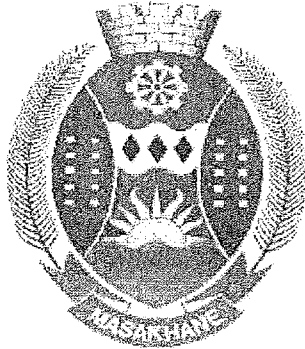
1. Thokozani Herbet Mhlongo trading as M.J. Tavern at Stand 1014, Langloop, Boschfontein Nkomazi, Ehlanzeni, 1331.
2. Boyi Stephen Nkuna trading as Moonlight Tavern at Stand 873, Matsulu, Mbombela, Ehlanzeni, 1203.
3. Sindisiwe Cynthia Mabuza trading as Halfway Restaurant at Stand 608, Halfway Trust, Kabokweni, Mbombela, Ehlanzeni, 1245.
4. Matende Frank Khoza trading as Paris'zo Pub and Grill at Stand 5/R13/381, Driekoppies, Nkomazi, Ehlanzeni, 1331.
5. Mlungisi Reginald Mazibuko trading as The Cold Room at 1311 Kamhlushwa Shopping Complex, Kamhlushwa, Nkomazi, Ehlanzeni, 1332.
6. Sydwel Sibiya trading as Mandiyane Eating House at Stand 2, Marite, Bushbuckridge, Ehlanzeni, 1284.
7. Lifa Basil Nkuna trading as Fayifi Tavern at Stand 1950, Calcutta, Mkhuhlu, Bushbuckridge, Ehlanzeni, 1246.
8. Dewchurran Bharath Rampasath Rampasath trading as Grillo's Pub and Grill at FC Dumat Building, 47 Sarel Cilliers Street, Delmas, Victor Khanye, Nkangala, 1050.
9. Mbonandlu Stanley Gama trading as Masakeni Tavern at Stand 5, Lomshiyo, Low's Creek, Barberton, Mbombela, Ehlanzeni, 1300.

This application will be open for public inspection and objection at the offices of the MER from 8 August 2019

Attention is directed to the provisions of Section 26 of the Mpumalanga Gambling Act, 1995 that makes provision for the lodging of written objections or representations in respect of the applications. Such objections or representations should be lodged with the Chief Executive Officer, Mpumalanga Economic Regular, Private Bag X9908, White River, Mpumalanga, 1240, within one month from 8 August 2019.

LOCAL AUTHORITY NOTICES • PLAASLIKE OWERHEIDS KENNISGEWINGS

LOCAL AUTHORITY NOTICE 47 OF 2019



STEVE TSHWETE LOCAL MUNICIPALITY

SPECIAL RATING AREA BY-LAW

STEVE TSHWETE LOCAL MUNICIPALITY

SPECIAL RATING AREA BY-LAW

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"management body" means the management body of a special rating area to be established in accordance with the provisions of section 10;

"owner" has the meaning assigned to it in section 1 of the Property Rates Act;

"Policy" means the Policy for the determination of special rating areas, or any other policy adopted by the Council in relation to special rating areas, as in force from time to time;

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

"rateable property" has the meaning assigned to it in section 1 of the Property Rates Act;

"special rating area" (SRA) means a special rating area approved by the Council in accordance with the provisions of section 22 of the Property Rates Act and section 7 of this By-law;

"term budget" means the budget of the management body contemplated in section 5 of this Bylaw.

2. DETERMINATION OF SPECIAL RATING AREAS

The Council may by resolution determine special rating areas in accordance with the provisions of section 22 of the Property Rates Act.

3. APPLICATION

- (1) Any owner located within the area of jurisdiction of the Municipality and who owns property within the proposed special rating area, may lodge an application to the Council for the determination of a special rating area.
- (2) Notwithstanding the provisions of subsection (1), the Municipality may from time to time, when it deems necessary and without an application from an owner, initiate the process for the determination of a special rating area.
- (3) All costs incurred by the applicant in respect of the establishment of a special rating area shall be for his or her own account, provided that after implementation of the

business plan the management body may reimburse the applicant for some or all of those costs.

- (4) Any application contemplated in subsection (1) must :
- (a) be in writing and be in the form as the Municipal Manager may determine;
 - (b) be submitted not more than nine months after the date on which the public meeting referred to in section 4 is held, or if a second public meeting is held as provided for in section 5(2), nine months after the date of the second public meeting;
 - (c) be accompanied by :
 - (i) the business plan;
 - (ii) the written consent of the majority of the property owners or any other person mandated by the property owner in writing in the proposed special rating area who will be liable for paying the additional rate, in a form determined by the Municipal Manager;
 - (iii) payment of such fee as the Council may determine.

4. PUBLIC MEETINGS

- (1) An application for the determination of a special rating area must be preceded by the holding of a public meeting.
- (2) The purpose of the public meeting is to enable the applicant to consult with those owners within the proposed special rating area with regard to the proposed boundaries of the area and the proposed improvement or upgrading of the area.
- (3) Prior to the holding of the public meeting, the applicant must
- (a) give notice in a manner approved by the Municipal Manager in terms of this By-law to all owners of rateable property, who will be liable for payment of the additional rate, of the applicant's intention to apply for the determination of a special rating area;

- (b) in the notice referred to in subsection (3)(a), give notice of a public meeting, which notice must :
 - (i) state the purpose of such meeting; and
 - (ii) contain details of the place, date and time when such meeting is to be held.
- (4) The public meeting must be held not less than seven days and not more than 30 days after the date of the notice referred to in subsection (3)(a).
- (5) The public meeting must be held at such place, date and time as stated in the notice, provided that it must be held at a place which is within the boundaries of the proposed special rating area unless the Municipal Manager approves another venue in writing before the public meeting is held.
- (6) The public meeting must be chaired by a suitably qualified and experienced person appointed by the Municipal Manager.
- (7) Interested persons must, at the public meeting, be
 - (a) furnished with all relevant information relating to the proposed special rating area, including the information to be set out in the business plan; and
 - (b) given an opportunity to ask questions, express their views and make representations.

5. BUSINESS PLAN

- (1) Any application for the establishment of a special rating area must include a motivation report, an implementation plan and a term budget covering a period commencing on 1 July of a year and ending on 30 June of the fifth year, or covering such lesser period as may be determined by the Municipal Manager.
- (2) If the motivation report, the implementation plan or the term budget is materially amended, as determined by the Municipal Manager, after the public meeting referred to in section 4, the applicant must call a second public meeting for approval of the special rating area as amended.

- (3) The provisions of section 4 apply with the necessary changes to the second public meeting.

6. ADVERTISING OF APPLICATION AND OBJECTIONS

- (1) The applicant must within 14 days after the application is lodged in accordance with section 3, or within such further period which the Municipal Manager may approve
- (a) cause a notice of the application to be published in a manner approved by the Municipal Manager; and
 - (b) either before or up to seven days after the date of publication of the notice, give written notice of the application to all owners within the proposed special rating area, who will be liable for payment of the additional rate, such notice to be given by pre-paid registered post, hand delivery or in any other manner approved of in writing by the Municipal Manager.
- (2) Every notice contemplated in terms of subsection (1) must state that written objections to the determination of a special rating area or the provisions of the business plan may be lodged with the Council by a date specified in the notice, which shall not be less than 30 days after the date of publication in terms of subsection (1)(a), and must state where the documentation specified in subsection (5) will be available for inspection.
- (3) Any owner of rateable property who will be liable for paying the additional rate may submit written objections to the determination of the special rating area or business plan, which objections must be received by the Council not later than the date stipulated in the notice referred to in subsection (1).
- (4) An applicant and any objector to the application who owns property within the proposed special rating area may make oral representations which will be recorded in writing for submission to Council.
- (5) The application, including the business plan and all objections must be available for inspection at the offices of the Municipality and at a venue determined by the Municipal Manager within the proposed special rating area, for the period referred to in subsection (2).

7. DECISION

- (1) After the provisions of sections 3 to 6 have been complied with, the Council must, at a meeting of the Council after the last date for the submission of objections in accordance with section 6(2), consider the application and
 - (a) determine a special rating area which must be implemented in accordance with the business plan;
 - (b) determine a special rating area with such amendments or conditions as the Council considers to be in the public interest;
 - (c) determine a special rating area in respect of a limited area in terms of section 8;
 - (d) refuse the application, in which event the Council must, within 30 days, furnish the applicant with written reasons for not approving the determination of a special rating area; or
 - (e) refer the application back to the applicant for amendment in such manner as the Council may direct.
- (2) If an application is refused by the Council in accordance with the provisions of subsection (1)(d) or referred back to the applicant in accordance with the provisions of subsection (1)(e), the applicant may, within six months of the Council's decision, re-apply to the Council for the determination of the special rating area, provided that such re-application has been appropriately amended in the light of the reasons for refusal or referral, as the case may be.
- (3) If the business plan is amended in any material respect at any time before the determination, the Council may require that the application be re-advertised in accordance with the provisions of section 6, with the necessary changes.

8. DETERMINATION OF A LIMITED SPECIAL RATING AREA

If an application in terms of section 3 is not accompanied by the consent of the majority of the property owners or any other person mandated by the property owner in writing in the proposed special rating area required by section 3(3)(c), but the applicant can demonstrate to the satisfaction of the Council, that :

- (a) there are such confirmations from owners of rateable properties in a limited geographical area within the proposed special rating area that would meet the requirements of section 3(3)(c) if they were to be applied to that area; and
- (b) the level of services to be provided will not be reduced and the budget will be reduced accordingly as a result of the provision of those services in the limited area alone, as compared to the provision of those services in the whole of the proposed special rating area,

then the Council may, subject to the other requirements of this By-law, determine a limited special rating area.

CHAPTER 2

SPECIAL RATING AREAS STRUCTURES AND FINANCES

9. COMMENCEMENT WITH THE BUSINESS PLAN

Once the Council has approved the establishment of the special rating area, the business plan may only be implemented after the management body has been established in accordance with section 11.

10. ESTABLISHMENT, COMPOSITION, POWERS AND DUTIES OF MANAGEMENT BODY

- (1) The applicant must cause to be established a management body for the purposes of implementing the provisions of the business plan.
- (2) The management body must be a non-profit company incorporated in accordance with the provisions of the Companies Act.
- (3) The Council shall monitor compliance by the management body with the applicable provisions of this By-law, any guidelines or policies adopted by the Council and any agreements entered into with the management body and the Council.

- (4) The Ward Councillor, having full or partial jurisdiction over a special rating area, must be nominated as an observer of the management body.
- (5) Employees of the Municipality may not serve on the management body as representatives of the Municipality in any capacity.
- (6) Within two months after receipt of the first payment of the additional rate, the management body must begin carrying out the provisions of the business plan.
- (7) Within two months of the end of each financial year, the management body must provide the Municipal Manager with
 - (a) its audited financial statements for the immediately preceding year; and
 - (b) an annual report on its progress in carrying out the provisions of the business plan in the preceding year to improve and upgrade the special rating area.
- (8) Within three months after its Annual General Meeting, the management body must provide the Municipality with
 - (a) its audited financial statements for the immediately preceding year; and
 - (b) an annual report on its progress in carrying out the provisions of the business plan in the preceding year to improve and upgrade the special rating area.

11. FINANCES

- (1) The financial year of the management body must coincide with the financial year of the Council.
- (2) Where a special rating area has been determined, the Council must levy in accordance with the provisions of the Property Rates Act, a property rate in addition to the rates that it already charges on the owners of rateable property in the special rating area for the purposes of realising the business plan, provided that the Council may in terms of the Property Rates Act, Rates Policy, Credit Control and Debt Collection By-law and the Credit Control and Debt Collection Policy, exempt the indigent, senior citizens, disabled persons or any other category of residents.

- (3) When determining the additional rate referred to in subsection (2), the Council may give consideration to imposing differential additional rates on one or more of the categories set out in section 8 of the Property Rates Act.
- (4) The additional rate due in terms of this By-law is a debt due to the Council and is payable and must be collected in the same manner as other property rates imposed by the Council.
- (5) The Council may, for the purpose of carrying out the provisions of the business plan of the special rating area and subject to section 67 of the Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003), make payments to the management body of a special rating area.
- (6) The payment contemplated in subsection (5) is conditional upon the conclusion of a finance agreement to be entered into between the Council and the relevant management body, and such agreement must regulate, among other things
 - (a) the mechanisms and manner of payment; and
 - (b) terms on which payment to the relevant management body is to be made.
- (7) Subject to the provisions of its memorandum of incorporation, the management body is entitled to raise its own funds through commercial activities, donations or any other lawful means.
- (8) The Council may, for the purposes of this By-law, determine and impose on the management body an administrative charge.

12. THE ROLE OF THE CHIEF FINANCIAL OFFICER (CFO)

In addition to the other responsibilities and obligations of the CFO as set out elsewhere in this By-law, the CFO must -

- (a) establish separate accounting and other record-keeping systems regarding the revenue generated by the additional rate and the improvement and upgrading of the special rating area;
- (b) monitor compliance with the applicable legislation, including this By-law and the

Policy.

CHAPTER 3

AMENDMENT TO THE BUSINESS PLAN AND EXTENSION OF THE SRA TERM

13. AMENDMENT TO THE BUSINESS PLAN

- (1) The business plan, including the geographical boundaries of the special rating area, may be amended by the Council on written application by the management body at any time after the formation of the special rating area.
- (2) The Council may approve an application for an amendment referred to in subsection (1) where the Council considers it not likely to materially affect the rights or interests of any owner, provided that the Council may require the management body to cause a notice of the application for such amendment to be published as approved by the Municipal Manager.
- (3) The Council may only approve an amendment in terms of subsection (1), with the changes required by the context, in accordance with the provisions of Chapter 1, which the Council considers is likely to :
 - (a) materially affect the rights or interests of any person;
 - (b) affect the approved budget for the special rating area;or
 - (c) change the boundaries of the special rating area.
- (4) The Council may, for good reason, on written application by the management body, exempt the management body from complying with the provisions, or condone any noncompliance with any provisions, of Chapter 1.

14. EXTENSION OF THE SRA TERM

A management body must, if it elects to extend the term of the SRA for a further period, submit an application to the Municipality for approval of extension of the term of the SRA, provided that :

- (a) the extension of the SRA term may only be approved by the Council in accordance with the provisions of Chapter 1, with the changes required by the context, and the Council may, for good reason, on written application by the management body, exempt the management body from complying, or condone any non-compliance, with any such provisions;
- (b) the provisions of section 13 shall apply to any amendment of the business plan which has been extended in terms of this section.

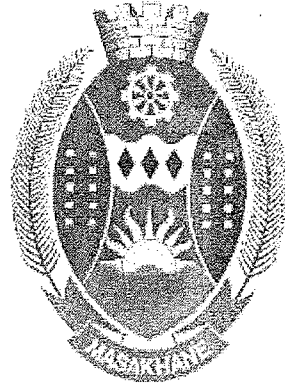
CHAPTER 4**DISSOLUTION OF A SPECIAL RATING AREA****15. DISSOLUTION**

- (1) The Council may dissolve a special rating area
 - (a) upon written application signed by the majority of owners within the boundaries of the special rating area who are liable for paying the additional rate; or
 - (b) for a good cause, after prior consultation by the Municipal Manager with the management body or the community.
- (2) Upon the winding up of a management body, the entire net value of the management body, including its net assets remaining after the satisfaction of all its liabilities, shall be disposed of in terms of the relevant provisions of the Companies Act and the memorandum of incorporation of the management body.

CHAPTER 5**MISCELLANEOUS PROVISIONS****16. SHORT TITLE AND COMMENCEMENT**

- (1) This By-law is called the Steve Tshwete Local Municipality: Special Rating Area By-law.
- (2) This By-law becomes effective on the date determined by the Council in the Provincial Gazette

LOCAL AUTHORITY NOTICE 48 OF 2019



STEVE TSHWETE LOCAL MUNICIPALITY

CITY IMPROVEMENT DISTRICT BY-LAW

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CITY IMPROVEMENT DISTRICT BY-LAW

1. PREAMBLE

- 1.1 The City Improvement District model is based on international best practice. It is aimed at preventing the degeneration of cities and towns and the consequential urban decay, and facilitating their upliftment, economic growth and sustainable development.
- 1.2 The purposes of City Improvement Districts are to –
- 1.2.1 enhance and supplement the municipal services provided by the Steve Tshwete Local Municipality (“the Municipality”);
 - 1.2.2 facilitate investment in the City Improvement Districts;
 - 1.2.3 facilitate a co-operative approach between the Municipality and the private sector in the provision of municipal services;
 - 1.2.4 halt the degeneration and facilitate the upliftment of distressed business and mixed-use areas; and
 - 1.2.5 promote economic growth and sustainable development and in this way assist the Council in the fulfilment of its objects and developmental duties as set out in sections 152 and 153 of the Constitution.
- 1.3 This By-Law accordingly seeks to –
- 1.3.1 establish a mechanism whereby property owners and tenants will be encouraged to participate in the processes of sustainable development;
 - 1.3.2 consolidate and give effect to the City's urban renewal imperatives while recognising the unique needs and challenges facing different commercial and mixed-use precincts;
 - 1.3.3 facilitate the recognition of defined geographic districts in order to enhance and supplement the provision of municipal services within them;
 - 1.3.4 clearly define the processes in terms of which City Improvement Districts must be established and ensure that property owners within the areas of the proposed City Improvement Districts are fully involved in these processes, thereby facilitating their participation in the affairs of the Municipality.

2. INTERPRETATION

In this By-Law, unless the context otherwise indicates –

- 2.1 **"Applicant"** means any owner, or the Municipality, who makes an application for the establishment of a City Improvement District in accordance with the provisions of section 3; provided that if the Council exempts the applicant in terms of section 7 or if a management body is established in terms of section 13, any reference to "the Applicant" means the management body;
- 2.2 **"City Improvement District"** means a geographic district approved by the Council in accordance with the provisions of section 9 for the purposes set out in section 1.2;
- 2.3 **"Municipality"** means the Steve Tshwete Local Municipality;
- 2.4 **"City Improvement District plan"** means a City Improvement District plan as contemplated in section 4.1.3.1;
- 2.5 **"Council"** or **"the Council"** means the Council of the Steve Tshwete Local Municipality;
- 2.6 **"Constitution"** means the Constitution of the Republic of South Africa, Act No. 108 of 1996;
- 2.7 **"levy"** when used as a noun in connection with the implementation of a City Improvement District plan, means an additional rate contemplated in section 15.2;
- 2.8 **"management body"** means the management body of the City Improvement District to be incorporated or established in accordance with the provisions of section 7.1 or section 13.1;
- 2.9 **"owner"** means any registered owner of rateable property within the City Improvement District concerned and, in the case of a sectional title scheme established in terms of the provisions of the Sectional Titles Act, No. 95 of 1986, means the body corporate;
- 2.10 **"rateable property"** means immovable property on which a rate may be levied in accordance with the Constitution or any enabling legislation;
- 2.11 **"rates base value"** means the total value of all immovable properties within the boundaries of a City Improvement District established or proposed to be established in terms of this By-Law as appears from the valuation roll prepared in accordance with the relevant legislation;

- 2.12 **"service"** or **"municipal service"** means a service that is provided or may be provided, or a function which is fulfilled or may be fulfilled, by the Steve Tshwete Local Municipality to or for the benefit of persons within the area of the City Improvement District concerned, and in respect of which the Municipality has executive authority and the right to administer in terms of section 156(1) of the Constitution.

PART 1 – ESTABLISHMENT OF CITY IMPROVEMENT DISTRICTS

3. ESTABLISHMENT OF A CITY IMPROVEMENT DISTRICT AND APPROVAL OF A CITY IMPROVEMENT DISTRICT PLAN

- 3.1 Any owner of rateable property located within the area of jurisdiction of the Municipality, or the Municipality, may apply to the Council for the approval of the establishment of a City Improvement District.
- 3.2 Subject to section 7, the application process must entail –
- 3.2.1 advertising the intention to hold a public meeting in terms of section 5;
 - 3.2.2 the holding of a public meeting in terms of section 6;
 - 3.2.3 the submission of an application in terms of section 4;
 - 3.2.4 advertising the application and consideration of objections in terms of section 8;
 - 3.2.5 the decision of the Council in terms of section 9; and
 - 3.2.6 the obtaining of majority support in terms of section 10.
- 3.3 All costs incurred by the applicant in respect of the establishment of a City Improvement District shall be for his or her own account; provided that after implementation of the City Improvement District plan the management body may reimburse the applicant for some or all of those costs.

4. APPLICATION

- 4.1 Any application for the establishment of a City Improvement District must –
- 4.1.1 be in writing and be in the form (if any) as the Council may from time to time determine;
 - 4.1.2 be submitted not more than 90 (ninety) days after the date on which the public meeting referred to in section 6 is held; and

4.1.3 be accompanied by –

- 4.1.3.1 a City Improvement District plan covering a period ending on 30 June of the fourth year after the proposed establishment of the City Improvement District, which plan must include at least a description of the services to be provided by the management body, a draft budget and the proposed levy, and which must be clearly identified by means of a compilation date;
- 4.1.3.2 subject to section 4.2, written confirmation from owners of rateable properties within the boundaries of the proposed City Improvement District who together own not fewer than 25% (twenty five percent) in number of such properties and not less than 25% (twenty five percent) of the rates base value of such properties, that they support the establishment of the proposed City Improvement District in accordance with the City Improvement District plan. The written confirmation must refer to the compilation date of the City Improvement District plan;
- 4.1.3.3 subject to section 7, proof that the provisions of sections 5 and 6 have been complied with;
- 4.1.3.4 payment of the fee (if any) as the Council may from time to time determine.

APPROVAL OF LIMITED CITY IMPROVEMENT DISTRICT AREA

4.2 If an application in terms of section 4.1 is not accompanied by the requisite number of written confirmations from owners required by section 4.1.3.2, but the applicant can demonstrate to the Council's satisfaction that –

- 4.2.1 there are such confirmations from owners in respect of rateable properties in a discrete geographical area within the proposed City Improvement District area that would meet the requirements of section 4.1.3.2 if they were to be applied to that area; and
- 4.2.2 the services to be provided will not be reduced and the levy will not be increased as a result of the provision of those services in the discrete area referred to in section 4.2.1 alone, as compared to the provision of those services in the whole

of the proposed City Improvement District, then the Council may accept such an application and, subject to the other requirements of this By-Law, approve the establishment of a City Improvement District and the City Improvement District plan in respect of the discrete area referred to in section 4.2.1 alone.

5. **ADVERTISING OF INTENTION TO HOLD PUBLIC MEETING**

5.1 Prior to the public meeting referred to in section 6, the Applicant must –

5.1.1 give notice of his or her intention to apply for the approval of the City Improvement District, such notice to be given by publishing a notice in at least 1 (one) newspaper circulating in the proposed City Improvement District, or by placing prominent information posters within the proposed City Improved District, or by giving written notice to all owners of rateable property within the proposed City Improvement District, or in any other manner approved in writing by the Council;

5.1.2 in the notice referred to in section 5.1.1, give notice of a public meeting to be held in accordance with the provisions of section 6, which notice shall state the purpose of such meeting and shall contain details of the place, date and time when such meeting is to be held.

5.2 The public meeting must be held not less than 7 (seven) days and not more than 30 (thirty) days after the date of publication of the last of the advertisements referred to in section 5.1.1.

6. **PUBLIC MEETING**

6.1 The public meeting must be held at such place, date and time as advertised in terms of section 5.

6.2 At the meeting interested persons shall be–

6.2.1 furnished with all relevant information relating to the proposed City Improvement District including the draft City Improvement District plan; and

6.2.2 given an opportunity to ask questions and express their views.

6.3 The public meeting must be held at a place which is within the boundaries of the proposed City Improvement District unless the Council approves another venue in writing before the public meeting is held.

6.4 The public meeting must be chaired by a suitably qualified and experienced person.

7. EXPEDITED PROCESS

If an applicant, when submitting an application in terms of section 4, provides written proof that the application for a City Improvement District is supported by owners of rateable property within the boundaries of the proposed City Improvement District who own not fewer than 50% (fifty percent) in number of such properties and not less than 50% (fifty percent) of the rates base value of the rateable properties within the boundaries of the proposed City Improvement District, then the Council may exempt the applicant from the obligation to comply with the provisions of sections 5 and 6, provided that –

- 7.1 the management body is established prior to the submission of the application in terms of section 4.1;
- 7.2 the applicant satisfies the Council that the requisite level of support for the establishment of the City Improvement District and for the City Improvement District plan has been established in the period commencing not more than 6 (six) months prior to the submission of the application; and
- 7.3 the applicant must, in addition to the requirements set out in section 4.1, provide proof of approval of the City Improvement District plan by the persons supporting the establishment of the City Improvement District.

8. ADVERTISING OF APPLICATION AND OBJECTIONS

8.1 The applicant must within 14 (fourteen) days after the application is lodged in accordance with section 4, or within such further period which the Council may approve

–

8.1.1 cause a notice of the application to be published at least once in 1 (one) newspaper circulating in the proposed City Improvement District; and

8.1.2 either before or up to 7 (seven) days after the date of publication of the notice in terms of section 8.1.1, give written notice of the application to all owners of rateable property within the proposed City Improvement District, such notice to be given by pre-paid registered post, hand delivery or in any other manner approved in writing by the Council.

- 8.2 Every notice contemplated in terms of section 8.1 must state that written objections to the establishment of a City Improvement District or the provisions of the City Improvement District plan may be lodged with the Council by a date specified in the notice, which shall not be less than 21 (twenty one) days after the date of publication of the notice in terms of section 8.1.1, and must state where the documentation specified in section 8.5 will be available for inspection.
- 8.3 Any owner of rateable property or other interested person occupying rateable property within the proposed City Improvement District may submit written objections to the establishment of the City Improvement District, which objections must be received by the Council not later than the date stipulated in the notice referred to in section 8.2.
- 8.4 The Council may allow the applicant and any objector to make oral representations to it.
- 8.5 The application and all objections must be available for inspection at the offices of the Council for the period referred to in section 8.2.

9. DECISION

- 9.1 Subject to section 7, after the provisions of sections 4, 5, 6 and 8 have been complied with, the Council must, at the first full meeting of the Council held 30 (thirty) days or more after the last date for the submission of objections in accordance with section 8.2, consider the application and –
- 9.1.1 approve the establishment of a City Improvement District in accordance with the City Improvement District plan; or
- 9.1.2 approve the establishment of a City Improvement District and the City Improvement District plan with such amendments or conditions as the Council considers to be in the public interest; or
- 9.1.3 approve the establishment of a City Improvement District and the City Improvement District plan in respect of a limited area, as more fully set out in section 4.2;
- 9.1.4 refuse the application, in which event the Council must within 30 (thirty) days furnish the applicant with written reasons for not approving the establishment of a City Improvement District or the City Improvement District plan; or
- 9.1.5 refer the application back to the applicant for amendment in such manner as the Council may direct.

- 9.2 If any application is refused by the Council in accordance with the provisions of section 9.1.4, the applicant may at any time thereafter reapply to the Council for the establishment of the City Improvement District; provided that such re-application has been appropriately amended in the light of the reasons for refusal by the Council.
- 9.3 If a City Improvement District plan is at any time before the approval thereof amended in any material respect, the Council may require that the application be re-advertised *mutatis mutandis* in accordance with the provisions of section 8.

10. MAJORITY SUPPORT

Within 6 (six) months of the approval of the application in terms of section 9, the applicant must provide written proof to the Council that owners of rateable property within the boundaries of the City Improvement District who own not fewer than 50% (fifty percent) in number of such properties and not less than 50% (fifty percent) of the rates base value of the rateable properties within the boundaries of the City Improvement District, approve the formation of the City Improvement District and the City Improvement District plan as approved by the Council; provided that an applicant whose application has been approved by the Council following an expedited process as set out in section 7 shall not be required to comply with the provisions of this section 10.

11. ESTABLISHMENT OF CITY IMPROVEMENT DISTRICT AND IMPLEMENTATION OF CITY IMPROVEMENT DISTRICT PLAN

Once section 10 has been complied with, the City Improvement District plan may only be implemented after the management body has been established in accordance with section 13.

12. AMENDMENT OF CITY IMPROVEMENT DISTRICT PLAN AND EXTENSIONS OF TERM OF CITY IMPROVEMENT DISTRICT PLAN

- 12.1 A City Improvement District plan may be amended by the Council on written application by the management body at any time after the formation of the City Improvement District.

- 12.2 An amendment in terms of section 12.1 which the Council considers is not likely to materially affect the rights or interests of any person may be approved forthwith by the Council; provided that the Council may require the management body to cause notice of the application for such amendment to be published in a newspaper circulating in or near the vicinity of the City Improvement District.
- 12.3 An amendment in terms of section 12.1 which the Council considers is likely to materially affect the rights or interests of any person, and/or which affects the levy to be charged in respect of the City Improvement District, and/or which changes the boundaries of the City Improvement District, may only be approved by the Council in accordance with the provisions of this Part 1, with the changes required by the context; provided that the Council may, for good reason, which it must record, on written application by the management body exempt the management body from complying with any such provisions or condone any non-compliance with any such provisions.
- 12.4 Not earlier than 90 (ninety) days prior to the expiry of the period of the City Improvement District plan referred to in section 4.1.3.1 or the expiry of any extension of the City Improvement District plan under this section 12.4, the management body must submit to the Council an application for extension of the term of the City Improvement District plan or any extension thereof, for approval by the Council; provided that –
- 12.4.1 such extension shall not materially affect the rights or interests of any person or affect the levy to be charged in respect of the City Improvement District or change the boundaries of the City Improvement District;
- 12.4.2 the Council may, before taking a decision to extend the term of the City Improvement District plan, require the management body to cause notice of the application for such extension to be published in a daily newspaper circulating in or near the vicinity of the City Improvement District, which notice must comply with the provisions of section 8.2, with the changes required by the context.

The provisions of sections 12.1 to 12.3 shall apply in the same terms to any amendment of a City Improvement District plan which has been extended in terms of this section 12.4.

PART 2 – CITY IMPROVEMENT DISTRICTS – STRUCTURES AND FINANCES**13. ESTABLISHMENT AND COMPOSITION OF MANAGEMENT BODY**

- 13.1 The applicant must, before the City Improvement District plan is implemented in accordance with the provisions of section 11, cause to be established a management body for the purposes of managing and controlling the implementation of the City Improvement District plan. Such management body shall be a company incorporated in accordance with the provisions of section 21 of the Companies Act, No. 61 of 1973. The memorandum and articles of association of the management body shall be subject to the prior written approval of the Council.
- 13.2 Owners of rateable property and tenants within the boundaries of the City Improvement District shall be entitled to be members of the management body; provided that –
- 13.2.1 the votes of members who are owners must be weighted in proportion to the levies payable by them;
- 13.2.2 the weighting accorded to any one member may not exceed one third of the total number of votes which may be cast;
- 13.2.3 members who are tenants may attend meetings of the management body and participate in the debate, but may only vote if permitted to do so in terms of the management body's articles of association.
- 13.3 The Council shall monitor compliance by the management body with the applicable provisions of this By-Law, any guidelines or policies adopted by the Council in terms of section 17, and any agreements entered into with the management body and the Council, by –
- 13.3.1 receiving and considering the financial statements referred to in section 14.3;
- 13.3.2 if it elects to do so, nominating representatives to attend and participate, but not vote, at meetings of the management body.

14. POWERS AND DUTIES OF MANAGEMENT BODY

- 14.1 Within 2 (two) months after receipt of the first levy, the management body must commence to provide services in accordance with the City Improvement District plan.
- 14.2 The management body must comply with all applicable guidelines and policies published by the Council in terms of section 17.
- 14.3 The management body must provide the Council with its audited financial statements for the immediately preceding financial year, within 3 (three) months of the end of each financial year.

15. FINANCES

- 15.1 The financial year of the management body must coincide with the financial year of the Council.
- 15.2 Where a City Improvement District has been established, the Council will levy in accordance with the provisions of relevant legislation, a property rate in addition to the rates that it already charges on the owners of rateable property in the City Improvement District for the purposes of the City Improvement District.
- 15.3 The levy due in terms hereof shall be a debt due to the Council and shall be payable monthly and collected in the same manner as other property rates imposed by the Council.
- 15.4 Any payment by the Council to a City Improvement District is conditional upon the conclusion of a finance agreement to be entered into between the Council and the relevant City Improvement District, such agreement to regulate, among other things, the mechanisms and manner of payment, and the other terms on which payment to the relevant City Improvement District is to be made.
- 15.5 The Council may, after consultation with the City Improvement Districts, determine and impose on the City Improvement Districts an administrative charge to reimburse the Council for the costs incurred by it in fulfilling its obligations in terms of the finance agreements referred to in section 15.4.

PART 3 – DISSOLUTION OF A CITY IMPROVEMENT DISTRICT

16. DISSOLUTION

16.1 The Council may dissolve a City Improvement District –

16.1.1 upon written application signed by owners of rateable property within the boundaries of the City Improvement District who own not fewer than 50% (fifty percent) in number of such properties and not less than 50% (fifty percent) of the rates base value of the rateable properties within the boundaries of the City Improvement District; or

16.1.2 for any other good cause, whereupon the Council shall cause the management body to be wound up.

16.2 Upon the winding up of a management body, the assets remaining after the satisfaction of all its liabilities shall be transferred to the City.

PART 4 – MISCELLANEOUS PROVISIONS

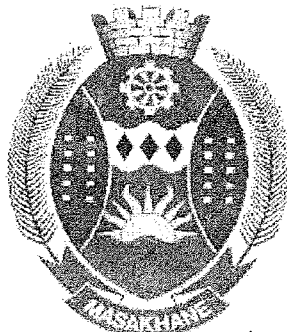
17. GUIDELINES AND POLICIES

The Council may at any time publish guidelines or policies in respect of the establishment of City Improvement Districts, including but not limited to guidelines or policies in respect of the areas or categories of area within which City Improvement Districts may be established and guidelines or policies regarding the services that may be provided by the management body.

18. OPERATIVE DATE

This By-law becomes effective on the date determined by the Council in the Provincial Gazette

LOCAL AUTHORITY NOTICE 49 OF 2019



STEVE TSHWETE LOCAL MUNICIPALITY

PROBLEM BUILDING BY-LAW

**STEVE TSHWETE LOCAL MUNICIPALITY
PROBLEM BUILDING BY-LAW**

To provide for the identification, control and management of dilapidated and problem buildings in the area of jurisdiction of the Steve Tshwete Local Municipality; and to provide for matters incidental thereto.

1. Preamble

WHEREAS Section 156(2) and (5) of the Constitution provides that a municipality may make and administer by-laws for the effective administration of the matters which it has the right to administer, and to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

AND WHEREAS Part B of Schedule 4 to the Constitution lists building regulations as a local government matter to the extent set out in Section 155(6) (a) and (7);

AND WHEREAS the Steve Tshwete Local Municipality seeks to identify, control and manage dilapidated and problem buildings within its area of jurisdiction to ensure that such buildings comply with this By-law by—

- Formulating a coordinated integrated strategy plan, processes and procedures;
- Turning problem buildings around by rejuvenating and regenerating the buildings rather than demolishing them;
- Redeveloping the property where problem buildings can't be rejuvenated or regenerated after consultation with the owners;
- Facilitating the disposal of problem buildings for the purpose of achieving the objectives of this By-law.

AND NOW THEREFORE, BE IT ENACTED by the Council of the Steve Tshwete Local Municipality, as follows:

2. Definitions

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

“**authorised official**” means an employee of the Municipality authorised by the Municipal Manager to implement and enforce the provisions of this By-law;

“**building**” includes—

- (a) any structure, whether of a temporary or permanent nature and irrespective of the materials used in the erection thereof, erected or used for or in connection with the—
 - (i) accommodation or convenience of human beings or animals;
 - (ii) manufacture, processing, storage, display or sale of any goods;
 - (iii) rendering of any service;
 - (iv) destruction or treatment of refuse or other waste materials;
 - (v) cultivation or growing of any plant or crop;
- (b) any wall or part of a building;
- (c) a unit or common property as defined in the Sectional Titles Act, 1986 (Act No.95 of 1986); or
- (d) any vacant or unoccupied erf;

“Council” or “Municipality” means the Steve Tshwete Local Municipality established in terms of Section 12 of the Local Government: Municipal Structures Act, 1998 (Act No.117 of 1998), by Provincial Notice No.300 dated 01 October 2000;

“licensed waste disposal facility” means a site, or premises which is licensed in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and used for the accumulation or disposal of waste;

“owner” in relation to a building means the person in whose name the land on which such building was or is erected, as the case may be, is registered in the deeds office in question and includes a person in charge of such building: Provided that if—

- (a) such person, in the case of a natural person, is deceased or was declared by any court to be incapable of managing his or her own affairs or a prodigal or is a patient as defined in section 1 of the Mental Health Act, 1973 (Act No.18 of 1973), or if his or her estate has been sequestrated, the executor or curator concerned, as the case may be;
- (b) such person, in the case of a juristic person or trust, has been liquidated or placed under judicial management, the liquidator or judicial manager concerned, as the case may be;
- (c) such person is absent from the Republic or if his or her whereabouts are unknown, any person who, as agent or otherwise, undertakes the management, maintenance

or collection of rentals or other moneys in respect of such building or who is responsible there for;

- (d) in the case of a sectional title scheme, a sectional title unit is registered in the name of a person, that person;
- (e) in the case of a trust, the trustees of such trust;
- (f) in the case of a sectional title scheme, a body corporate responsible for the control, administration and management of the common property; or
- (g) where the Municipality is unable to determine the identity of such person, any person who is entitled to the benefit of the use of such building or who enjoys such benefit;

“problem building” includes any building or portion of a building—

- (a) that appears to have been abandoned by the owner with or without the consequence that rates or other service charges are not being paid;
- (b) that is derelict in appearance, overcrowded or is showing signs of becoming unhealthy, unsanitary, unsightly or objectionable;
- (c) that is the subject of written complaints in respect of criminal activities, including drug dealings and prostitution;
- (d) that is illegally occupied;
- (e) where refuse or waste material is accumulated, dumped, stored or deposited with the exception of licensed waste disposal facilities; or
- (f) that is partially completed or structurally unsound and is a threat or danger to the safety of the general public.

3. Application of this By-law

This By-law applies to all problem buildings situated within the area of jurisdiction of the Municipality, except those situated in areas exempted from the application of the National Building Regulations and Building Standards Act, 1977 (Act No.103 of 1977).

4. Appointment of Authorised Officials

The Municipal Manager may appoint authorised officials to implement and enforce the provisions of this By-law.

5. Delegation

The Municipal Manager may exercise all powers, duties and functions conferred upon the Municipality in terms of this By-law and to delegate such powers, duties and functions to authorised officials.

6. Entry by authorised officials of buildings and land

6.1 (1) Any authorised official may enter any building at any reasonable time with a view to—

(a) inspect or determine whether the building complies with any provision of this By-law subject to 7 days notice of such intended inspection having been given to the owner; or

(b) serve the owner of the building with the compliance notice as referred to in Section 7.

6.2 No person shall hinder or obstruct the authorised official in the exercise of his/her powers in terms of the By-law.

6.3 An authorised official shall, when entering the building, produce a valid identification document issued to him or her by the Municipality to the owner of such building.

7. Declaration of a building, a problem building

7.1 (1) The authorised official may, subject to Subsections (2) to (5), if a building falls within the definition of “problem building” as defined in section 1, declare such building a problem building.

7.2 The authorised official shall, by notice in writing, before declaring such building a problem building, inform the owner of his or her intention to declare such building a problem building, giving the reasons for such declaration.

- 7.3 The authorised official may carry out an investigation in respect of a building which he or she intends to declare a problem building as contemplated in Subsection (2), provided that he or she must display a notice of such investigation on the building concerned.
- 7.4 The authorised official shall give the owner a period of seven days to make representations on why the building should not be declared a problem building.
- 7.5 The authorised official shall, after considering the representations referred to in Subsection (4), take a decision either to declare or not to declare a building a problem building.
- 7.6 The owner shall, in respect of a declaration in terms of Subsection (1), have a right of appeal in terms of Section 62 of the Local Government: Municipal Systems Act, 2000 (Act No.32 of 2000).

8. Compliance notice

- 8.1 (1) The authorised official shall serve a written notice on the owner of any building which has been declared a problem building as referred to in Section 6, requiring such owner within a specified period to—
- (a) repair, renovate, repaint, alter, close, demolish, secure, or remove all refuse from, such problem building;
 - (b) complete the construction of a problem building or any structure of such building;
 - (c) enclose, fence or barricade such problem building to the satisfaction of the Municipality;
 - (d) appoint and instruct, at the cost of such owner, an approved competent person referred to in Part A 19 of the National Building Regulations, to examine a condition that gave rise to the declaration of a building a problem building and to report to the authorised official on the nature and extent of the steps to be taken, which in the opinion of such approved competent person

needs to be taken in order to render such problem building safe;

- (e) dispose of, destroy or remove any material or article accumulated, dumped, stored or deposited in any building, which is refuse or waste and which is showing signs of becoming unsightly, unsanitary, unhealthy or objectionable or is likely to constitute an obstruction; or
 - (f) comply with any provision of this By-law.
- 8.2 The Municipality may, if such owner fails to comply with a notice served on him or her in terms of subsection (1), repair, renovate, repaint, alter, close, demolish, remove all refuse or secure any problem building at the cost of the owner.
- 8.3 The Municipality may, if the owner fails to pay such cost, recover the cost in terms of the Credit Control and Debt Collection By-law.
- 8.4 Despite subsection (1), section 6 and subject to any applicable legislation, if the authorised official has reason to believe that the condition of any building is such that steps should forthwith be taken to protect life or property, he or she may take such steps as may be necessary in the circumstances without serving or delivering such notice on or to the owner of such building and may recover the cost of such steps from such owner.
- 8.5 If the authorised official deems it necessary for the safety of any person, he or she may by notice in writing—
- (a) order the owner of any problem building to remove, within the period specified in such notice, any person occupying or working, or who for any other purpose is in such problem building, and to take care that no person who is not authorised by the Municipality enters such problem building;
 - (b) order any person occupying or working, or who for any other purpose is in any problem building, to vacate such building.
- 8.6 No person shall occupy, use or permit the occupation or use of any problem building or continue to occupy, use or permit, the occupation or use of any problem building in respect of which a notice was served or delivered in terms of this section or steps

were taken by the Municipality in terms of subsection (2), unless he or she has been granted permission by the Municipality in writing that such building may be occupied or used or continue to be occupied or used, as the case may be.

9. Service of a notice

- 9.1 (1) Whenever a compliance notice is authorised or required to be served on a person in terms of this By-law, it shall be deemed to have been effectively and sufficiently served on such person—
- (a) when it has been delivered to him or her personally;
 - (b) when it has been left at his or her place of residence or business in the Republic with a person apparently over the age of 16 years;
 - (c) when it has been posted by registered or certified mail to his or her last known residential or business address in the Republic and an acknowledgment of the posting thereof is produced;
 - (d) if his or her address in the Republic is unknown, when it has been served on his or her agent or representative in the Republic in the manner contemplated in paragraph (a), (b) or (c); or
 - (e) if his or her address and agent in the Republic are unknown, when it has been posted in a conspicuous place on the immovable property, if any, to which it relates.
- 9.2 (2) When a compliance notice as aforesaid is authorised or required to be served on a person by reason of his or her being or having been the owner or holding some other right in respect of immovable property, it shall not be necessary to name him or her, but it shall be sufficient if he or she is therein described as the owner or holder of such immovable property or other right, as the case may be.

10. Indemnity

The Municipality or any authorised official of the Municipality shall not be liable to a third party for any damage caused by anything lawfully done or omitted by the Municipality or any authorised official in carrying out any function or duty in terms of this By-law.

11. Offences and penalties

- 11.1 (1) any person who contravenes any provision, or fails to comply with any notice issued in terms, of this By-law commits an offence.
- 11.2 A person who is guilty of an offence in terms of this By-law is upon conviction liable to a fine not exceeding R30 000.00 or imprisonment for a period not exceeding three years or to both such fine and imprisonment.
- 11.3 In the case of a continuing offence an additional fine or imprisonment for a period not exceeding ten days for each day on which such offence continued may be imposed.
- 11.4 In addition to any penalty imposed in terms of Subsections (2) and (3), the person so convicted shall be liable to pay the cost of repair of any damage caused or costs incurred in remedying any damage resulting from such an offence.

12. Short title

This By-law is called the Steve Tshwete Local Municipality: Problem Building By-law, 2018.

LOCAL AUTHORITY NOTICE 50 OF 2019**RESOLUTION ON LEVYING PROPERTY RATES IN TERMS OF SECTION 14 OF THE LOCAL GOVERNMENT: MUNICIPAL PROPERTY RATES ACT, 2004 (ACT NO 6 OF 2004)**

Notice No: 01 June 2019

RESOLUTION ON LEVYING PROPERTY RATES FOR THE FINANCIAL YEAR 1 JULY 2019 TO 30 JUNE 2020

Notice is hereby given in terms of section 14(1) and (2) of the Local Government: Municipal Property Rates Act, 2004: that the Council resolved by way of Council resolution number TH-NDC 117/05/2019 on its sitting on the 28 May 2019 to levy the rates on property reflected in the schedule below with effect from 1 July 2019 to 30 June 2020.

Category of Property	Cent amount in the Rand rate determined for the relevant property category.	Rebate
Residential	0.0092	Rebates of Household is R 50 000.00 and further 20% on market Value
Business and Industrial	0.0202	
Government(Govt Dept,Schools)	0.0202	
Agricultural & Small holdings	0.0115	
Agricultural Properties used for Commercial or Business	0.1147	
Mining	0.0220	
Municipal Property		Exempt
Public Service Infrastructure		Exempt
Churches and PBO		Exempt

O.N NKOSI
MUNICIPAL MANAGER